

Appendix L Response to Comments

RESPONSE TO COMMENTS

Appendix L contains responses to all comment letters received on the November 2009 Draft Environmental Impact Report (DEIR). One-hundred, ninety-two comment letters were received during the comment period, which closed January 19, 2010. A copy of each letter with bracketed comment numbers on the right margin is followed by the response for each comment as indexed in the letter. The comment letters are listed in Table 1.

Table 1. Comment Letters – J Street Drain

Letter No.	Commenter	Letter Date
1	State Clearinghouse	1/21/10
2	United States Fish and Wildlife Service	12/11/09
3	California Department of Transportation	12/9/09
4	California Regional Water Quality Control Board	12/15/09
5	California Department of Fish and Game	1/19/10
6	Resource Management Agency, Environmental Health Division (1 of 2)	12/11/09
7	Resource Management Agency, Environmental Health Division (2 of 2)	12/21/09
8	Ventura County Air Pollution Control District	1/11/10
9	Ormond Beach Observers	1/15/10
10	Ventura Audubon Society, Inc.	12/14/09
11	Ventura Coastkeeper (1 of 2)	1/15/10
12	Ventura Coastkeeper (2 of 2)	1/15/10
13	Loewenthal, Hillshafer & Rosen LLP	1/15/10
	Declaration of Kevin P. Carter	1/13/10
	Declaration of Inna Fischer	1/11/10
	Declaration of Marion Kelemen	12/29/09
	Declaration of Cornelia Ortiz	Undated
	Declaration of Louis W. Perry	1/7/10
	Declaration of Amy Segawa	1/11/10
	Robert A. Banfill	12/23/09
14	Carolyn Beaver	11/17/09
15	Maurice Billman	1/12/10
16	Linda Calderon	11/12/09
17	David and Lynn Cannon	1/12/10
18	Rebecca M. Fetters	11/13/09
19	Thomas Fleishman	11/11/09
20	Patricia Fomin	11/16/09
21a	Karl Twyman	11/11/09
21b	Karl Twyman	11/16/09
22	Al Galluzzo	11/12/09
23	Rebecca Ginter	11/16/09
24	Larry Godwin	11/18/09

Appendix L Response to Comments

Letter No.	Commenter	Letter Date
25	Marlon Kelemen (Surfside III JSDP Committee)	1/12/10
26	Dexter Kelly	11/17/09
27	Valerie Lameka	11/17/09
28	Richard B. MacDonough	11/7/09
29	Jerry Markell	11/7/09
30	Pat & Jim Muirhead	11/5/09
31	Terry Smith	11/17/09
32	Maxine Witman	11/17/09
33	Terry Smith	12/14/09
34	Terry Smith	1/6/10
35	Peggy Sornborger	1/11/10
36	Frances Woolston	1/5/10
37	Marion Kelemen	11/17/09 (recd)
38	Shannon D. Barbour	1/10/10
39	Jessica Barbour	1/10/10
40	Rita Morris	1/10/10
41	Ted Segawa	1/10/10
42	William Shanks	1/17/10 (recd)
43	William Shanks	1/10/10
44	Michelle Shanks	1/10/10
Information Meeting Response Card		
45	Bob Banfill	11/17/09
46	C. Beaver	11/17/09
47	Maurice Billman	11/17/09
48	Susan Carr	11/17/09
49	Marilyn Chavez	11/17/09
50	A. Galluzzo	11/17/09
51	Lynn and Marcus Haile	11/17/09
52	Michelle Hoffman	11/17/09
53	Marion Kelemen	11/17/09
54	Dexter Kelly	11/17/09
55	Louis (Skip) Perry	11/17/09
56	Anthony Truex	11/17/09
57	Linda Veatch	11/17/09
58	John Welker	11/17/09
59	Myrle Anne Welker	11/17/09
Petition Forms		
60	James H. Stewart, Mister Parliamentarian (independent certification of petition forms)	1/6/10
61	Craig and Marianne Acerboni	11/30/09
62	Melanie Adam	12/1/09

Appendix L Response to Comments

Letter No.	Commenter	Letter Date
63	Joyce Alcorn	12/2/09
64	Linda Aldous and Carol Longhom	11/28/09
65	Linda Aldous and Carol Longhom	12/4/09
66	Beverly Alexander	12/3/09
67	Melissa Allman	12/2/09
68	Charles Ansel	12/1/09
69	Catherine Bandy	12/2/09
70	Shannon D. and Jessica Barbour	12/8/09
71	Nancy Barker	11/28/09
72	Nancy Barker	11/28/09
73	Tom E. Barwick	12/3/09
74	Maureen Bates	12/1/09
75	Donna Bayet	11/28/09
76	James Bell	12/1/09
77	Karen Bell	12/1/09
78	William A. Betts	12/1/09
79	Nancy and Robert Black	11/30/09
80	Sandra G. Briggs	12/1/09
81	Earl and Susan Brody	12/2/09
82	David and Lynn Cannon	11/30/09
83	David and Lynn Cannon	12/16/09
84	Janet D. Cauble	11/30/09
85	Marilyn Chavez	12/5/09
86	Connie Clift	12/2/09
87	Lisa Costello and Antonio Garcia	12/13/09
88	Edward D. and Cheryl Crozier	12/3/09
89	Antonio Cova and Janet Stewart-Cova	11/29/09
90	Rosemarie Cowan	12/1/09
91	Marilyn Cuial-Fithian	12/3/09
92	Patrick and Diane Dalton	12/3/09
93	Paul Dileski	12/3/09
94	Burton Doling	Undated
95	Linda Duenas and Richard Chiorino	12/2/09
96	William Elder	12/12/09
97	Rosemarie E. Elms	12/6/09
98	Penny Foote	12/4/09
99	Frank Galgano	12/1/09
100	Al and Sandy Galluzzo	12/15/09
101	Steve and Robin Ginter	11/30/09
102	Margaret Goyak	11/29/09

Appendix L Response to Comments

Letter No.	Commenter	Letter Date
103	Berta Graciano and Joseph Buchman	12/3/09
104	Ira Green	12/28/09
105	Ira Green	12/28/09
106	Ira Green	12/28/09
107	Ralph and Caroline Grierson	12/15/09
108	Nathan and (illegible) Gruenbaum	11/30/09
109	Gwen Hardinghaus	11/30/09
110	Michelle Hoffman	12/8/09
111	Dorothy J. Holden	11/30/09
112	Donna E. Holt	12/7/09
113	Martin and Rosalie Holzman	11/30/09
114	William and Jacqueline Hornbeck	12/2/09
115	Mary House	12/2/09
116	Edmond and Betty Hui	Undated
117	Remo Iezza	11/30/09
118	Remo Iezza	Undated
119	Cheri Jasinski	11/29/09
120	Stephen Joyce	12/06/09
121	Marion Kelemen	12/1/09
122	Dexter Kelly and Eliz Rinnander	12/4/09
123	Perdita R. Klehmet	12/2/09
124	Carmela L. Knieriem	12/4/09
125	Rod and Linda Kodman	12/2/09
126	Donald Kohantab	11/30/09
127	Gordon and Ann Lindeen	12/2/09
128	Maxine Litman	Undated
129	Patty Littmann	11/29/09
130	Peter Latta and Beverly K. Bryan	12/2/09
131	Judy A. Lund	11/30/09
132	R. MacDonough	12/4/09
133	Judy and Larry MacLaren	12/1/09
134	Deanna Maddox	12/8/09
135	Michael Madrigal	11/30/09
136	Jerry Markell	11/30/09
137	Romelia Marquez	12/1/09
138	Kay Mosko	12/3/09
139	Errol D. McCue	12/1/09
140	Robert McDonough	11/29/09
141	Brian McKee	12/9/09
142	Tonijo and Lawrence Menasco	12/2/09

Appendix L Response to Comments

Letter No.	Commenter	Letter Date
143	Shirley Milton	12/1/09
144	Shirley Milton	12/2/09
145	Shirley Milton	12/1/09
146	M. Minihane	11/30/09
147	Robert B. Moreland	11/29/09
148	Rita A. Morris	12/3/09
149	Dave and Carmen Morse	12/2/09
150	James and Patricia Muirhead	12/1/09
151	Kathy and Joe Murrillo	11/30/09
152	Larry and Lynne Navis	11/30/09
153	Jon Ohlrich	11/27/09
154	John and Cornelia Ortiz	12/3/09
155	Mary W. Ostrander	11/30/09
156	Phyllis Pepe	12/3/09
157	Louis and Lynn Perry	12/7/09
158	Elbert E. Phillips	11/28/09
159	Elbert E. Phillips	11/28/09
160	Polly S. Pride	Undated
161	Charles and Lisa Richlin	11/30/09
162	Bill and Chris Riegler	11/28/09
163	Lawton D. Powers, Trustee Valentine Trust	12/2/09
164	Linda Rosenberger	12/8/09
165	Marvelle Ross	12/9/09
166	Julie and Ron St. Armand	11/29/09
167	Abbie Salt	11/30/09
168	Don and Rosalie Schneider	11/30/09
169	Ted J. Segawa	12/23/09
170	Kay Shamsa	Undated
171	William and Michelle Shanks	12/4/09
172	David F. Sheehan	12/3/09
173	Howard and Patricia Small	11/28/09
174	Terry Ann Smith	11/29/09
175	Columbia Stenberg	12/3/09
176	Gretchen Sterling	12/2/09
177	Richard and Purna Straka	Undated
178	Ron Theaker	12/16/09
179	Katherine Thompson	12/8/09
180	Anthony Truex	12/7/09
181	Cathi J. Tuando	12/1/09
182	Linda Veatch	12/4/09

Appendix L Response to Comments

Letter No.	Commenter	Letter Date
183	Susann E. Ventzke	9/29/09
184	Jean Wahlstrom	11/30/09
185	Anne and Mike Weaver	11/30/09
186	Ryan Wedemeyer	12/9/09
187	John and Myrle Welker	12/2/09
188	Thomas Wong	12/5/09
189	Thomas and Frances Woolston	12/4/09
190	George Wright	Undated
191	Robert R. and Norma A. Yeaton	11/29/09
192	John Gaddis	11/30/09



ARNOLD SCHWARTZBERGER
GOVERNOR

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



CYNTHIA BREZANT
DIRECTOR

January 21, 2010

Angela Bonfiglio Allen
Ventura County Watershed Protection District
800 S. Victoria Avenue
Ventura, CA 93009-1610

Subject: J Street Drain Project
SCH#: 2008041037

Dear Angela Bonfiglio Allen:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on January 19, 2010, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

1-1

Sincerely,


Scott Morgan
Acting Director, State Clearinghouse

RECEIVED
JAN 27 2010
VENTURA WATERSHED PROTECTION DISTRICT

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 321-3018 www.opr.ca.gov

**Document Details Report
State Clearinghouse Data Base**

SCH# 2008041057
Project Title J Street Drain Project
Lead Agency Ventura County Watershed Protection District

Type EIR Draft EIR
Description NOTE: Extended review to 1/19/10.

The VCWPD proposes to increase the flow capacity of the existing J Street Drain to accommodate runoff from a 100 yr storm event, thereby, reducing potential flooding in residential and commercial areas of the cities of Oxnard and Port Hueneme. The Drain would be maintained according to best management practices identified in the adopted Final Program Environmental Impact Report for Environmental Protection Measures for the Ongoing Routing Operations and Maintenance Program (May 2008). The J Street Drain Project also includes an Emergency Action Plan (EAP). The EAP defines a set of extreme environmental conditions that together constitute an emergency, triggering a predetermined list of actions to temporarily connect the lagoon to the ocean, preventing flooding of developed properties.

Lead Agency Contact

Name Angela Bonfiglio Allen
Agency Ventura County Watershed Protection District
Phone (805) 477-7175 **Fax**
email
Address 800 S. Victoria Avenue
City Ventura **State** CA **Zip** 93009-1810

Project Location

County Ventura
City Oxnard, Port Hueneme
Region
Lat / Long 34° 8' 22" N / 118° 11' 9.5" W
Cross Streets J St and Redwood Avenue to south of Hueneme Road
Parcel No. Rio De Santa Clara Land Grant
Township **Range** **Section** **Base**

Proximity to:

Highways
Airports
Railways VCCR
Waterways
Schools
Land Use Existing drain is maintained by Ventura County Watershed Protection District.

Project Issues Archaeologic-Historic; Biological Resources; Coastal Zone; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Noise; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Wetland/Riparian; Cumulative Effects; Aesthetic/Visual Air Quality; Soil Erosion/Compaction/Grading; Solid Waste; Water Supply

Reviewing Agencies Resources Agency; California Coastal Commission; Department of Fish and Game, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Services; California Highway Patrol; Caltrans, District 7; Regional Water Quality Control Board, Region 4; Department of Toxic Substances Control; Native American Heritage Commission; State Lands Commission

Date Received 11/02/2009 **Start of Review** 11/02/2009 **End of Review** 01/19/2010

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

Letter 1

State Clearinghouse and Planning Unit

January 2010

1. The letter acknowledges that the Ventura County Watershed Protection District (District) has complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act (CEQA). No further response is required.



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:
81440-2010-CPA-0017

December 11, 2009

Angela Bonfiglio-Allen
Ventura County Watershed Protection District
800 South Victoria Avenue
Ventura, California 93009-1610-2000

Subject: J Street Drain Widening and Ormond Lagoon Emergency Action Plan Draft
Environmental Impact Report, Ventura County, California

Dear Ms. Bonfiglio-Allen:

We are responding to the Ventura County Watershed Protection District's (District) request for comments on the Draft Environmental Impact Report (DEIR) (District 2009) for the J Street Drain Widening and Ormond Lagoon Emergency Action Plan Project (project). The District proposes to increase the flow capacity of the J Street Drain within the existing facility footprint to accommodate runoff from a 100-year storm event, and reduce potential flooding in residential and commercial areas of the cities of Oxnard and Port Hueneme. The J Street Drain is located within a Ventura County-owned easement, which includes the concrete channel, box culverts under the roadways, and the access road. The drain itself is located near the boundary between the cities of Oxnard and Port Hueneme and empties into the Ormond Lagoon.

The proposed project involves converting the existing trapezoidal concrete channel into an open rectangular channel with a bottom elevation approximately 4 feet lower than the existing channel bottom. The existing trapezoidal channel would be deepened to increase the capacity and the channel walls would be vertical with the top being an open channel. The existing box culverts under the street crossings and railroad crossing would be replaced by larger structures to improve flow conveyance. The existing concrete lining ends approximately 50 feet south of the Hueneme Drain Pump Station. Because the concrete-lined portion of the channel invert would be lowered approximately 4 feet to create the required capacity, excavation would continue downstream towards the sand berm of Ormond Lagoon. The finished invert would be daylighted via an earthen ramp to the sand berm/lagoon at a 10 to 1 slope ratio over a distance of approximately 40 feet from the end of the existing concrete. A 6- to 8-foot thick layer of 4-ton rock riprap would be placed on the earthen ramp at the end of the concrete drain to dissipate the energy of outflow.

The demolition of the existing drain and construction would take place in four phases, which would occur independently rather than concurrently. Work is expected to begin in January of 2011 and each phase would take approximately 12 months to complete. The work would start at the lagoon end of the drain and proceed upstream. The initial demolition activities would

2-1



RECEIVED
DEC 15 2009

WATERSHED PROTECTION DIST.

Angela Bonfiglio-Allen

2

include installation of groundwater dewatering wells, a coffer dam, channel flow bypass, and fish exclusion. Demolition would consist of utilizing heavy equipment to break up and remove the concrete from the existing drain. After the concrete is removed, existing soil would be excavated to the appropriate dimensions for safe shoring and proper installation of subdrains and forms for the new drain. The excavated material would be removed by the contractor and hauled away from the site.

Furthermore, as part of this project the District proposes an Emergency Action Plan (EAP) for a combination of events where Ormond Lagoon is closed to the ocean, a large storm is forecasted for the area, and the lagoon water surface is above a high threshold level. The EAP defines an "emergency," and provides for a coordinated response to breach the Ormond Lagoon sand berm immediately prior to a predicted threshold storm event in an effort to protect the lives and well-being of the communities along J Street Drain and Ormond Beach Lagoon by lowering flood inundation elevations.

2-1
Cont.

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

2-2

We have concerns regarding the potential effects of the demolition and construction components of this project on the federally endangered tidewater goby (*Eucyclogobius newberryi*), and California least tern (*Sterna antillarum browni*), which are known to occur in the lagoon and on Ormond Beach. We believe that the demolition and construction project as proposed would adversely impact the tidewater goby and California least tern that use Ormond Lagoon and Beach, respectively, and that these impacts could constitute "take" as defined in Section 3(18) of the Act. We understand that you will be applying to the U.S. Army Corps of Engineers (Corps) for a permit under section 404 of the Clean Water Act. Our understanding is that the Corps will seek to obtain exemption to the prohibitions against take for its issuance of a permit through interagency consultation pursuant to section 7(a)(2) of the Act.

2-3

Angela Bonfiglio-Allen

3

As it is not our primary responsibility to comment on documents prepared pursuant to the California Environmental Quality Act (CEQA), our comments on the DEIR for the proposed project do not constitute a full review of project impacts. We are providing our comments based upon a review of sections addressing biological resources, those that may be associated with biological resources, project activities that have potential to affect federally listed species, and our concerns for listed species within our jurisdiction related to our mandates under the Act.

Despite conservation measures proposed by the District, we believe that the following adverse impacts could still occur as a result of project implementation:

- 1) Breeding substrate composition for the tidewater goby would be altered by grading operations, culvert installation, and sediment deposition;
- 2) Tidewater goby eggs may be smothered by increased sediment deposition;
- 3) Hazardous material, such as fuels, oils, lubricants, could enter the lagoon and pollute the water reduce the health and survival of tidewater gobies resulting in mortality;
- 4) Tidewater gobies may be killed or injured from trampling by workers, being crushed during the placement of the coffer dam;
- 5) Desiccation and suffocation of undetected tidewater gobies trapped behind the dewatered sections the coffer dam;
- 6) Tidewater gobies could be entrapped in seine nets or dips nets resulting in injury or mortality;
- 7) Increased predation during the relocation process, or tidewater gobies may die as a result of the actual handling itself; and
- 8) As water is being pumped out of the dammed area, undetected tidewater gobies may be injured or killed by impingement onto the pump screen. These impacts would only occur during demolition of the drain and construction, and while tidewater gobies are in exclusion nets.

2-3
Cont.

California least terns are known to nest on Ormond Beach due to its proximity to Ormond Lagoon. This species is also known to forage on small fish that occur in Ormond Lagoon. We believe that as a result of the demolition and construction activities foraging opportunities for the California least tern will be diminished potentially resulting in excessive energy expenditure for individuals that are nesting on Ormond Beach and forced to forage farther away.

2-4

Lastly, due to implications resulting from global climate change, major storm events that could trigger EAP implementation could occur outside of what is considered the normal rainy season (November through April). As described below, we have concerns for the tidewater goby, California least tern, and the federally threatened western snowy plover (*Charadrius alexandrinus nivosus*) regarding the implementation of the EAP and especially during certain times of the year.

2-5

The tidewater goby is primarily an annual species in central and southern California, although some variation in life history has been observed. If reproductive output during a single season

2-6

Angela Bonfiglio-Allen

4

fails, few (if any) tidewater gobies survive into the next year. Reproduction typically peaks from late April or May to July and can continue into November or December depending on the seasonal temperature and amount of rainfall. The highest densities of tidewater gobies are typically present in the fall.

A known threat to the tidewater goby is human-caused sandbar breaching. Should the EAP be implemented at the wrong time of year and the sandbar at Ormond Lagoon breached, the resulting effects could include: 1) the loss of nearly a whole generation of tidewater gobies, which could be flushed out to sea; 2) the rapid decrease or water level and exposure of tidewater goby breeding burrows and bottom habitat; and 3) an increased level of salinity (i.e., salinity levels above 12 parts per thousand are not suitable for breeding). The level of take would be dependent on the time of the year that the EAP would be implemented (i.e., take of tidewater goby would be highest in the late spring through fall). Regardless of the time of year, take of tidewater gobies is likely to occur should the EAP be implemented.

2-6
Cont.

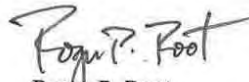
Implementation of the EAP between March and September could adversely impact the California least tern in three ways: 1) by reducing the amount of foraging area and prey, which consists of fish that occur in the lagoon. The California least tern's prey could be flushed out to sea if the lagoon were breached; 2) nesting California least terns could be disturbed heavy equipment moving down the beach to breach point along the sandbar; and 3) any California least tern nest(s) at the breach point could be destroyed by the widening action of the breach itself or the equipment used to cause the breach. Furthermore, similar to California least terns, western snowy plovers may also be adversely impacted during the months of March through September by heavy equipment moving down the beach and by the widening action of the breach or the equipment used to cause the breach, as well.

2-7

We appreciate the opportunity to provide comments on the proposed project and look forward to working with the District to address the project's potential effects on federally listed species and sensitive habitats. If you have any questions regarding these comments and how they can be efficiently addressed and incorporated into the final EIR, please contact Chris Dellith of my staff at (805) 644-1766, extension 227.

2-8

Sincerely,



Roger P. Root
Assistant Field Supervisor

cc:
Dan Blankenship, California Department of Fish and Game
Aaron Allen, U.S. Army Corps of Engineers

Letter 2

U.S. Fish and Wildlife Service

Department of the Interior

December 11, 2009

1. This comment provides introductory remarks and a summary of the proposed project and the previously proposed Emergency Action Plan. The Emergency Action Plan has been revised and is now referred to as the Beach Elevation Management Plan (BEMP). Please refer to Section 3.0 of the 2011 Recirculated DEIR (RDEIR) for a description of the BEMP.
2. This comment provides a summary of the USFWS' responsibilities with administering the Endangered Species Act of 1973 as amended, including Sections 7, 9, and 10. This comment does not address the adequacy of the environmental document; therefore, no additional response is required.
3. This comment expresses the USFWS' concerns regarding the potential effects of the demolition and construction components of the proposed project on the federally endangered tidewater goby and the California least tern. Since the release of the DEIR in November 2009, ongoing consultation between the District and USFWS has occurred. The consultation history is outlined below, as well as in the revised Biological Technical Report for the proposed project, which is included as Appendix D of the 2011 RDEIR.
 - On February 3, 2010, a meeting with District staff, HDR personnel and Chris Dellith and Roger Root of the USFWS was held. Aspects of the project affecting the tidewater goby, a federally protected species were discussed. It was determined that breaching the lagoon in the originally proposed location near Oxnard Industrial Drain would be disruptive to nesting birds and could be determined as causing take of gobies. It was preferable to plan for beach grooming at a location of lower biological sensitivity to facilitate a natural breach during storm events. Such an event should only occur during the winter rainy season, which is outside of the avian breeding season. Concerns were expressed by Mr. Dellith about construction plans for the actual drain mouth and its potential to impact gobies. It was agreed that Dr. Camm Swift, a marine biologist, would be consulted about construction sequencing and procedures.
 - On October 7, 2010, discussions and a site visit with Reed Smith, the avian consultant to the CDFG, tasked with monitoring California least terns and western snowy plovers, confirmed the findings of the Davenport (2008) study. Least terns are on site during May through September. By October, they have migrated out of the area. They nest south of the project, near the Reliant Energy power plant in a loose colony numbering about 60 pair. They forage in the lagoon and offshore. Occasionally, three to five pair nest between the lagoon and the shore.

The snowy plovers nest in dune areas that are lightly vegetated. The main breeding area is over one-half mile south of the site near the power plant where about 30 pair regularly nest. One to four nests are found each year in the dunes between the lagoon and the shoreline. Plovers nest from April to September. Unlike the terns, they also winter in the area. Throughout the year they forage by running along the beach above the waterline in search of insects.

- On August 2, 2011, a meeting with District staff, HDR personnel and Chris Dellith of USFWS was held. A refined Beach Elevation Maintenance Plan (BEMP) was presented to Mr. Dellith. The BEMP incorporated input previously provided by Mr. Dellith. Mr. Dellith agreed that the BEMP would reduce impacts to California least tern, western snowy plover, and tidewater goby because the plan would be implemented outside of the nesting season for the avian species, and outside the peak breeding season for gobies. If implementation must occur between March 15 and September 15, a qualified biologist would ensure that no nesting birds are present prior to implementation, further protecting California least tern and western snowy plover.

Additionally, the USFWS lists adverse impacts they feel could still occur as a result of the project implementation despite the conservation measures included in the 2009 DEIR:

- a. Breeding substrate composition for the tidewater goby would be altered by grading operations, culvert installation, and sediment deposition. To address this concern, mitigation measure BIO-1 has been modified to include the following additional language: "OW habitat restoration shall include replacement on the lagoon bottom of the top 12 inches of original soil to ensure suitable conditions for tidewater gobies and benthic fauna." BIO-1 would be implemented upon completion of construction. Sediment deposition during construction was mitigated in the original DEIR with BIO-4: "To prevent a decrease in the foraging success of California least terns and tidewater goby, silt fencing shall be installed prior to project construction between the project area and waters of Ormond Lagoon. For project activities within waters of Ormond Lagoon, dual silt fencing shall be installed around each work area to prevent/decrease the clouding of water within the lagoon as a result of potential runoff." Finally, Dr. Camm Swift, a biologist who has extensive experience with this species, helped develop more detailed construction sequencing plans for implementation of BIO-5 (see Section 3.5 of the RDEIR). The plans would ensure separation between the active construction site and tidewater gobies. Block nets would be installed upstream and downstream of the future coffer dam, all fish within the intervening area would be relocated downstream of the future coffer dam, dual silt fencing would be installed on the coffer dam side of each block net, then earth would be placed between the layers of silt fencing to create the coffer dam without discharging sediment into adjacent tidewater-goby occupied areas.
- b. Tidewater goby eggs may be smothered by increased sediment deposition. As discussed above, BIO-4 requires installation of silt fencing between the active construction area and tidewater goby breeding areas to prevent release of sediments into environmentally sensitive areas. In addition, BIO-5 was revised to include the following language: "To avoid impacts to tidewater goby eggs, Phase 1 project initiation through coffer dam installation shall be completed before May 1, as the peak breeding season for this species extends from late spring through early summer, and again in late summer through early fall." To describe post-construction conditions, the *Sediment Transport Study for Proposed Outlet at Ormond Beach Lagoon* was prepared for the proposed project in August 2011. The findings of the report are included in Section 4.3 of the 2011 RDEIR. Based on the analysis, a total inflowing sediment load potential of 17 tons per year was calculated for J Street Drain and Hueneme Drain. This load is minimal compared to the total load (5,000 tons) moving from the lagoon to the Pacific Ocean in the two consecutive 2-year storm events. Annual inflowing load represented approximately 0.30 percent of the out-flowing storm sediment load. Therefore, the build up of sediment within the lagoon is considered less than significant. Additionally, on August 2, 2011, a meeting with District staff, HDR personnel and Chris Dellith of USFWS was held. A refined Beach Elevation Maintenance Plan (BEMP) was presented to Mr. Dellith. The BEMP incorporated input previously provided by Mr. Dellith,

including concern over breaching the lagoon in the absence of storm water flows. With the revision to limit activity to beach elevation management, which would facilitate subsequent natural breaching in response to storm events, Mr. Dellith agreed that the BEMP would reduce potential impacts to tidewater goby.

- c. Hazardous materials, such as fuels, oils, and lubricants, could enter the lagoon and pollute the water which could reduce the health and survival of tidewater gobies resulting in mortality. The 2011 RDEIR includes a revised discussion of hazardous materials in Section 4.8 Hazardous Materials and Wastes. Materials and waste hazardous to humans, wildlife, and sensitive environments would be present during project construction, including diesel fuel, gasoline, equipment fluids, concrete, cleaning solutions and solvents, lubricant oils, adhesives, human waste, and chemical toilets. The potential exists for direct impacts to the environment from accidental spills of small amounts of hazardous materials or waste from construction equipment; however, existing federal and state standards are in place for the handling, storage and transport of these materials and waste. Compliance with the federal and state standards is required, thus a less than significant impact is anticipated during construction. Additionally, J Street Drain and Hueneme Drain runoff would be entirely separated from the active construction area through installation of a temporary flow bypass, minimizing potential contact between hazardous materials and the lagoon. Water resources mitigation measures WQ-1 through WQ-4 would address concerns about potential release of hazardous materials into the lagoon, and reduce these possible impacts below a significant level.
- d. Tidewater gobies may be killed or injured from trampling by workers, being crushed during the placement of the coffer dam. Dr. Camm Swift's construction sequencing and procedures (see Section 3.5 of the RDEIR), which provide additional detail regarding implementation of mitigation measure BIO-5, ensures that all tidewater gobies would be removed from the work area by qualified biologists prior to the entry of construction workers and placement of the coffer dam. Therefore, this does not represent a significant impact.
- e. Desiccation and suffocation of undetected tidewater gobies trapped behind the dewatered sections the coffer dam. See response to comment (d). Qualified biologists would inspect the project work areas thoroughly before, during, and after dewatering to ensure that all native fish are relocated to the lagoon. This process is expected to take several days or weeks, and would be overseen by a suitable number of qualified biologists for the entire area affected. Mitigation measure BIO-5 has been updated to incorporate the above language.
- f. Tidewater gobies could be entrapped in seine nets or dip nets resulting in injury or mortality. See responses to comments (d) and (e). Qualified biologists would conduct goby relocations to ensure careful handling and prevention of injury or mortality.
- g. Increased predation during the relocation process or tidewater gobies may die as a result of the actual handling itself. See responses to comments (d) through (f). Qualified biologists would conduct goby relocations to ensure the relocation process does not result in increased predation or mortality of gobies.
- h. As water is being pumped out of the dammed area, undetected tidewater gobies may be injured or killed by impingement onto the pump screen. These impacts would only occur during demolition of the drain and construction, and while tidewater gobies are in exclusion nets. See responses to comments (d) through (g). Qualified biologists would monitor the dewatering process to ensure gobies are not injured or killed by impingement onto pump screens or exclusion nets. During

demolition and construction, all tidewater gobies would have already been moved to the lagoon downstream of the coffer dam, and would not be affected by dewatering pumps.

4. In this comment, the USFWS states that demolition and construction activities would result in diminished foraging opportunities for California least terns, which could potentially result in excessive energy expenditures for individuals that are nesting on Ormond Beach.

As identified in the BTR (Appendix D) and Section 4.2 of the DEIR, foraging habitat for the California least tern occurs within the project survey area. Should construction occur within the breeding season, direct (temporary dewatering of 0.31 acre of foraging habitat) and indirect impacts (i.e., construction noise, lighting, etc.) to the species may occur. The temporary loss of 0.31 acre of foraging habitat would not be considered significant because of the continued availability of the majority of existing foraging habitat within the lagoon and the Nature Conservancy wetlands, as well as the Pacific Ocean, all of which are located in closer proximity to nesting areas observed from 2008 through 2010 than the project impact area.

Sediment eroded as a result of construction activities may enter the lagoon and potentially increase the turbidity of the water. This would significantly impact the ability of California least terns to forage in the lagoon. Therefore, impacts to the California least tern foraging habitat would be considered significant and require mitigation. Mitigation Measures BIO-2 through BIO-4 are identified in Section 4.2 and presented below. Mitigation Measure BIO-3 was revised and new language was added as a result of the ongoing consultation between the District, California Department of Fish and Game, and USFWS. The following mitigation measure was added to address potential lighting impacts (BIO-6): “Although night construction is not anticipated, in the event that it becomes necessary, all lighting will be shielded to prevent illumination of the beach.”

BIO-2 To prevent a decrease in the foraging success of California least terns, temporary construction fencing (“snow fencing”) shall be installed surrounding the project site to delineate the construction footprint.

BIO-3 To prevent a decrease in the nesting and foraging success of the California least tern and western snowy plover, phase 1 construction activities adjacent to California least tern and western snowy plover habitat shall occur outside of the breeding season (March to September) to the extent feasible. If construction activities must occur during the breeding season, phase 1 project initiation through coffer dam installation shall be completed before May 1 to avoid direct impacts to foraging terns. In addition, a preemptive nesting bird survey shall be conducted by a qualified biologist to determine if any nesting terns or plovers are located near proposed activities. If nesting birds are found, all construction activities shall be prohibited within a 300-foot buffer area surrounding the nest location during the breeding season until the young have fledged. The qualified biologist shall ensure that the buffer area is appropriately defined with flagging and/or other means of suitable identification. The District shall consult with USFWS and CDFG in the event that nesting California least terns or western snowy plover are observed within 500 feet of the project area. If no nesting birds are found, construction activities could be conducted during the breeding season without restriction.

BIO-4 To prevent a decrease in the foraging success of California least terns and tidewater goby, silt fencing shall be installed prior to project construction between the project area and waters of Ormond Lagoon. For project activities within waters of Ormond Lagoon, dual silt fencing shall be installed around each work area to prevent/decrease the clouding of water within the lagoon as a result of potential runoff.

5. This comment states USFWS' concerns over major storm events resulting from global climate change that could trigger EAP implementation, outside of what is considered the normal rainy season. Implementation of the EAP as a result of an off-season major storm event could negatively impact the tidewater goby, California least tern, and western snowy plover. The Emergency Action Plan has been revised and is now referred to as the Beach Elevation Management Plan (BEMP). Please refer to Section 3.0 of the 2011 RDEIR for a description of the BEMP. The BEMP would be implemented outside of the tern and plover nesting and tidewater goby peak breeding season. If implementation must occur between March 15 and September 15, a qualified biologist would ensure that no nesting birds are present prior to implementation, further protecting California least tern and western snowy plover, as mandated in the Best Management Practices (BMPs) of the District's Final Program EIR for Environmental Protection Measures for the Ongoing Routine Operations and Maintenance Program Project No. 80030 (adopted by the Ventura County Board of Supervisors in May 2008). Furthermore, to avoid potential tern and plover nests, the selected beach grooming site is located northwest of the nesting areas observed from 2008 through 2010. Adverse effects to tidewater goby are avoided by limiting activities to beach grooming. The lagoon would breach only if subsequent storm runoff were sufficient to raise the water surface elevation above 6.5 feet (NGVD 1929). Although the concern is that under a global climate change regime the lagoon may breach during the traditional dry season (April through September), the requirement for storm runoff to enter the lagoon before breaching could occur would mimic existing rainy season processes. Dry season breaching is considered significant because it is not accompanied by fresh water input. This would not be the case as a result of BEMP implementation.
6. This comment outlines the potential threat to the tidewater goby as a result of EAP implementation. Please refer to responses 3 and 5 above. The BEMP replaces the EAP, and would not involve direct breaching of the lagoon. Lagoon breaching would occur as a result of storm water runoff raising the water surface elevation, rather than as a direct result of District actions. Increased storm water runoff during the dry season would be a change in natural processes beyond the District's control.
7. This comment outlines the potential threat to the California least tern as a result of EAP implementation, especially if the EAP were implemented between March and September. Please refer to responses 5 and 6 above.
8. This comment is a closing statement that includes contact information for the USFWS. As discussed above, the District has been coordinating regularly with the USFWS on their biological resources concerns. The District looks forward to continuing the dialogue.

Appendix L Response to Comments

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZENEGGER, Governor

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



*Flex your power!
Be energy efficient!*

December 9, 2009

IGR/CEQA DEIR CS/091104
Oxnard/Port Hueneme
J Street Drain Project
Vic. VEN-1/34-, SCH# 2008041057

Ms. Angela Bonfiglio Allen
Ventura County Watershed Protection District
800 S. Victoria Avenue
Ventura, CA 93009-1610

Dear Ms. Bonfiglio Allen:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Draft Environmental Impact Report (DEIR) for the proposed J Street Drain Project. The proposed project would involve increasing the capacity of the existing channel to reduce potential flooding in residential and commercial areas within the Cities of Oxnard and Port Hueneme. The proposed project involves converting the existing trapezoidal concrete channel into an open rectangular channel with a bottom approximately four feet deeper than the existing channel bottom. Based on the information received, we have the following comments:

3-1

We recommend that construction related truck trips on State Highways be limited to off-peak commute periods. Transport of over-size or over-weight vehicles on State Highways will need a Caltrans Transportation Permit. The contractor should avoid platooning of truck trips on State highways, including at intersections, ramps, and mainline facilities.

3-2

3-3

3-4

If you have any questions, you may reach me at (213) 897-6696 and please refer to our record number 091104/CS.

3-5

Sincerely,

A handwritten signature in cursive script that reads "Elmer Alvarez".

ELMER ALVAREZ
IGR/CEQA Program Manager
Office of Regional Planning

cc: Scott Morgan, State Clearinghouse

RECEIVED

DEC 17 2009

WATERSHED PROTECTION DIST

"Caltrans improves mobility across California"

Letter 3

California Department of Transportation

December 9, 2009

1. This comment provides introductory remarks and a summary of the project. This comment does not address the adequacy of the environmental document; therefore, no additional response is required.
2. Caltrans recommends limiting construction related truck trips on State Highways to off-peak commute periods. Construction related impacts are discussed in Section 4.5 of DEIR. The DEIR did not indicate that State Highways would be impacted; however, Mitigation Measure TR-1 states that the District shall prepare a construction worksite traffic control plan for review and approval by the Ventura County Transportation Department and cities prior to soliciting bids for the construction contract. If construction related truck trips on Interstate 101 or Pacific Coast Highway are included in the traffic control plan, the plan would limit them to non-peak traffic hours. The District will reduce the temporary roadway impacts to the greatest extent possible during construction.
3. This comment states that a transportation permit is needed for transport of over-size or over-weight vehicles on State Highways. Section 4.5 of the DEIR did not indicate that construction related truck routes would include any State Highways; however, the District understands that an over-size/over-weight transportation permit is required on State Highways. The District will work with Caltrans to obtain the necessary permit in the event the truck route includes transportation on State Highways.
4. Caltrans suggests that the construction contractor should avoid “platooning” of truck trips on State Highways, including at intersections, ramps and mainline facilities. The traffic impacts associated with construction of the proposed project are discussed in Section 4.5 of the DEIR. According to the analysis, the haul truck trips are expected to result in delays and congestion at the project intersections. The intermittent road closures and haul truck trips during construction may disrupt traffic flow and cause delays, increasing traffic congestion. Mitigation Measure TR-1 states that the District shall prepare a construction worksite traffic control plan. This plan will include proper scheduling of truck trips to avoid “platooning” on State highways, intersections, ramps, and mainline facilities. The District will reduce the temporary roadway impacts to the greatest extent possible during construction.
5. This comment provides the contact number for Caltrans. This comment does not address the adequacy of the environmental document; therefore, no additional response is required.



California Regional Water Quality Control Board
Los Angeles Region



Linda S. Adams
Cal/EPA Secretary

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: <http://www.waterboards.ca.gov/losangeles>

Arnold Schwarzenegger
Governor

December 15, 2009

Ventura County Watershed Protection District
Attn: Angela Bonfiglio Allen
800 South Victoria Avenue
Ventura, CA 93009

**REGIONAL BOARD COMMENTS ON J STREET DRAIN PROJECT, VENTURA
COUNTY, CALIFORNIA, DRAFT EIR (SCH. NO. 2008041057)**

The Regional Board appreciates the opportunity to provide input on the J Street Drain Project which would provide increased capacity to the current trapezoidal channel.

The Regional Board's goal is to protect beneficial uses of waters of the State within the Los Angeles Region consistent with the Federal Clean Water Act (CWA) and the State of California's Porter-Cologne Water Quality Control Act, which require careful consideration of projects which may result in adverse impacts to water quality and beneficial uses of waters of the State including hydrogeomorphic changes.

In 2005, the Regional Board approved Resolution No. 2005-002, which outlines goals to address hydromodification of our region's water courses in order to prevent impacts to water quality. Hydromodification is considered the alteration away from a natural state of stream flows or the beds or banks of rivers, streams, or creeks, including ephemeral washes. The resolution sets forth a process to achieve one of the Regional Board's highest priorities, which is to maintain and restore, wherever feasible, the physical and biological integrity of the Region's water courses. Maintaining the natural functions of water courses maximizes opportunities for stormwater conservation and groundwater recharge, which is especially important in the semi-arid Los Angeles region.

4-1

California Environmental Protection Agency



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

Mr. Peter Sheydayi

- 2 -

December 15, 2009

In consideration of the Regional Board's objectives, we have the following comments on the Draft EIR:

4-1
Cont.

▪ Alternatives

The draft EIR provides insufficient alternatives.

The Regional Board is concerned about the net decrease in open water habitat in J Street Drain in addition to the direct and/or indirect impacts to the adjacent coastal brackish marsh. The alternatives considered were either boxed underground channels (complete loss of open water habitat and marked loss of the potential for restoration), rectangular channels (some loss of habitat and the potential for restoration), or a completely natural channel. One or more alternatives which combine increased capacity via a modified trapezoidal channel or additional boxed underground channel with natural habitat (or which leave space and potential for restoration of some habitat) should also be considered. A design for such an alternative within the existing right-of-way may be possible.

4-2

▪ Mitigation

Mitigation for the loss of habitat should be included.

Converting a trapezoidal channel to a deeper rectangular channel represents a loss of habitat and the potential for habitat restoration. Loss of habitat access for birds or other animals and the decreased potential for restoration or partial restoration is not discussed in the EIR nor is any mitigation proposed for such losses.

4-3

▪ Outstanding questions

In addition, we have the following questions or concerns:

- Approximately how long will it take for any rock riprap areas to be filled with sediment? This temporary loss of earthen bottom habitat should also be considered and mitigated for.
- Where will sediment and/or debris removed from flood control structures be placed?

4-4

4-5

California Environmental Protection Agency



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

Mr. Peter Sheydayi

- 3 -

December 15, 2009

Should you have questions concerning our comments, please contact Valerie Carrillo, at (213) 576-6759 or vcarrillo@waterboards.ca.gov.

4-6

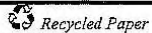
Sincerely,



Renee Purdy
Section Chief, Regional Programs

Enc. Resolution 2005-002

California Environmental Protection Agency



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

State of California
California Regional Water Quality Control Board, Los Angeles Region

RESOLUTION NO. 2005-002
January 27, 2005

Reiteration of Existing Authority to Regulate Hydromodifications within the Los Angeles Region, and Intent to Evaluate the Need for and Develop as Appropriate New Policy or Other Tools to Control Adverse Impacts from Hydromodification on the Water Quality and Beneficial Uses of Water Courses in the Los Angeles Region

WHEREAS, the California Regional Water Quality Control Board, Los Angeles Region, finds that:

1. Protecting beneficial uses within the Los Angeles Region consistent with the Federal Clean Water Act and the Porter-Cologne Water Quality Control Act (Porter-Cologne Act) requires careful consideration of projects that result in hydrogeomorphic changes and related adverse impacts to the water quality and beneficial uses of waters of the State. The alteration *away from a natural state* of stream flows or the beds or banks of rivers, streams, or creeks, including ephemeral washes, which results in hydrogeomorphic changes, is generally referred to in this resolution as a hydromodification.
2. This resolution is intended to reiterate the existing authority the Regional Board relies upon to regulate hydromodifications within the Los Angeles Region. As such, it has no regulatory effect. This resolution represents a initial step in the process of first, heightening awareness about the potential impacts of hydromodification on water quality and beneficial uses and evaluating existing laws and regulations and the current methods employed by Regional Board staff when reviewing proposed hydromodification projects and, second, strengthening, if necessary, controls and policies governing hydromodifications that negatively affect water quality and beneficial uses. As a first step, it sets forth a process to achieve one of the Regional Board's highest priorities, which is to maintain and restore, wherever feasible, the physical and biological integrity of the Region's water courses. Secondly, maintaining the natural functions of water courses maximizes opportunities for stormwater conservation and groundwater recharge, which is very important in the semi-arid Los Angeles region where groundwater makes up half of the Region's water supply.
3. In addition to the process outlined in this resolution, the Regional Board has and will continue to strongly support restoration efforts in and along the Region's urbanized, highly modified water courses. The Regional Board also strongly supports preservation efforts geared toward ensuring long-term protection for the Region's remaining natural water courses.
4. Section 101(a) of the Clean Water Act, sets forth a national objective "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." (33 U.S.C. § 1251(a).) Chapter 1 of the Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (Basin Plan) recognizes this national goal and specifies that the Basin Plan is designed to implement the Clean Water Act and its goals. As a result, a regional priority of maintaining and restoring, wherever feasible, the physical and biological integrity of the Region's water courses is firmly grounded in federal and state law.

4-7

Final Version

5. To realize this objective, the Clean Water Act (33 U.S.C. § 1313(c)) and federal regulations (40 C.F.R. § 131.10(a)) direct States to specify appropriate designated uses to be achieved and protected. The classification of the waters of the State must take into consideration the use and value of water for public water supplies, protection and propagation of fish, shellfish and wildlife, recreation in and on the water, agricultural, industrial and other purposes including navigation. The standards must explicitly be designed to "protect the public health or welfare and enhance the quality of the water." (33 U.S.C. § 1313(c).)
6. The Basin Plan designates the beneficial uses of the Region's water bodies consistent with the California Water Code, federal Clean Water Act, federal regulations, and with the national "fishable/swimmable" goal of the CWA forming the broad basis for the beneficial use designations of surface waters throughout the Region. Some of the beneficial uses most benefited by preserving water courses in a natural state include aquatic life [WARM and COLD among others], wetland habitat, and groundwater recharge. In addition, the Basin Plan establishes water quality objectives for the protection of these beneficial uses. An important provision of the Basin Plan, which is required by federal law (40 C.F.R. § 131.12) and state law (SWRCB Resolution No. 68-16), is an anti-degradation policy designed to maintain existing, high quality waters. The beneficial uses of water bodies, water quality objectives and anti-degradation policies, together, constitute a State's water quality standards.
7. The Regional Board primarily relies upon a three-pronged approach to regulating hydromodifications. The first two are (1) waste discharge requirements issued pursuant to Water Code section 13263 and waivers issued pursuant to Water Code section 13269 to protect waters of the State and (2) certifications issued in accordance with Clean Water Act section 401 to protect waters of the U.S. These two approaches are not mutually exclusive. (Cal. Code Regs., tit. 23, § 3857.) The third prong consists of municipal stormwater permits issued pursuant to section 402 (p) of the Clean Water Act to address stormwater related problems including stormwater quality and increased flows.
8. "Waters of the State" include all waters of the U.S. In addition, waters of the State include waters that are not "navigable waters" under the federal Clean Water Act, including certain intermittent and ephemeral streams, wetlands, lakes, reservoirs, and other isolated non-navigable waters.
9. Human civilization has attempted to alter the environment through hydromodifications for centuries. In the Los Angeles Region, beginning in the early part of the 20th century, hydromodifications were constructed by public agencies to protect residents from floods and to collect and conserve stormwater for drinking water purposes and recreation. In addition, extensive urban development, and the corresponding increase in impervious area within the watershed and decrease in the width of natural floodplains, has often resulted in significantly altered patterns of surface runoff and infiltration and, consequently, stream flow. This, in turn, has necessitated further in-stream hydromodification in order to stabilize banks and constrain the stream to the channel to prevent flooding. The sequence of events is discussed extensively in the Basin Plan and in the Regional Board's municipal storm water permit for Los Angeles County. (Regional Board Order No. 01-182.)
10. Many hydromodifications were undertaken with laudable goals often for public safety and welfare, but have later been shown to de-stabilize and enlarge stream channels as well as degrade habitat and reduce species abundance and diversity. As a result, when reviewing

4-7
Cont.

Final Version

hydromodification projects it is important to carefully consider whether the immediate improvements sought are designed in such a way as to avoid unintended adverse consequence on the character of the receiving water and its beneficial uses in the vicinity, and downstream of the hydromodification.

11. Activities that alter natural *stream flows* may include increasing the amount of impervious land area within the watershed, altering patterns of surface runoff and infiltration, and channelizing natural water courses. Activities that alter the natural *stream channel* include but are not limited to human-induced straightening, narrowing or widening, deepening, lining, piping/under-grounding, filling or relocating (i.e. channelization); bank stabilization; in-stream activities (e.g. construction, mining, dredging); dams, levees, spillways, drop structures, weirs, and impoundments.
12. Hydromodifications may impair beneficial uses such as warm and cold water habitat, spawning habitat, wetland habitat, and wildlife habitat in a variety of ways. Modifications to stream flow and the stream channel may alter aquatic and riparian habitat and affect the tendency of aquatic and riparian organisms to inhabit the stream channel and riparian zone. As a result of these hydromodifications, the biological community (aquatic life beneficial uses) may be significantly altered, compared to the type of community that would inhabit an unaltered, natural stream.
13. For example, channelization usually involves the straightening of channels and hardening of banks and/or channel bottom with concrete or riprap. These modifications may impair beneficial uses by disturbing vegetative cover, removing habitat; modifying or eliminating instream and riparian habitat; degrading or eliminating benthic communities; increasing scour and erosion as a result of increased velocities, and increasing water temperature when riparian vegetation is removed. The regular maintenance of modified channels may impair beneficial uses by disturbing instream and riparian habitats if not managed properly. These modifications may also, if not managed properly, impair beneficial uses by depriving wetlands and estuarine shorelines of enriching sediments or by excessive deposition in downstream environments; changing the ability of natural systems to both absorb hydraulic energy and filter pollutants from surface waters; and altering habitat for spawning and other critical life stages of aquatic organisms. Hardening of channels may also eliminate opportunities for groundwater recharge in some areas. Furthermore, some hydromodifications may reduce recreational opportunities and may reduce the aesthetic enjoyment of people engaged in recreation in and around the water body.
14. As a result of past hydromodifications, there are few natural-stream systems remaining in the region. Water bodies that have not undergone extensive hydromodification such as portions of the Santa Clara River, upper San Gabriel and Los Angeles Rivers, Malibu Creek, Topanga Canyon, coastal streams in the Santa Monica Mountains, and tributaries to these larger rivers provide immeasurable benefits to the Region. These benefits include high quality warm and cold-water aquatic habitat, spawning habitat, migratory pathways, wildlife corridors, wildlife and riparian habitat, wetland habitat, recreational and aesthetic enjoyment, and groundwater recharge. Yet, many of these water bodies and their tributaries continue to be threatened by expanding urban development.
15. The Regional Board acknowledges that there is a wide array of hydromodification projects. Some result in positive environmental impacts such as stream restoration projects. Others result in negligible or temporary adverse environmental impacts if managed properly. These may include widening bridges and installing flow measuring devices, such as weirs, or energy

4-7
Cont.

Final Version

dissipating devices where a constructed channel meets a natural channel. On the other end of the continuum are large hydromodification projects or multiple projects with cumulative impacts that permanently alter the hydrologic and ecological functions of a stream and, thus, adversely affect the beneficial uses described above. These include, but are not limited to, projects that bury natural stream channels, channelize natural water courses, or involve instream activities such as mining or construction. Regional Board staff evaluates the severity of adverse environmental impacts on a project-by-project basis.

16. The Regional Board recognizes that maintenance activities are required in modified channels in order to ensure continued flood protection and vector control. The Regional Board has authorized such activities through the issuance of Section 401 certifications in the past and would expect to continue to authorize such activities. The Regional Board also recognizes that maintenance activities may need to be carried out on an emergency basis due to various exigencies, including brush fires and flooding. The Board through the issuance of Section 401 certifications has also authorized these emergency maintenance activities. Nothing in this resolution is intended to alter the ability of these local agencies to continue ongoing maintenance activities.
17. The Regional Board also recognizes the value of the spreading grounds that have been constructed along many of the Region's larger water courses. These spreading grounds serve a valuable function by recharging storm water into the Region's groundwater to bolster local water supplies. Nothing in this resolution is intended to alter the ability of local and regional agencies to conserve stormwater within existing regulations with the goal of increasing local water supplies.
18. The Regional Board and local agencies have undertaken or sponsored hydromodification field assessments and studies to develop peak flow design criteria to minimize or eliminate adverse impacts from urbanization for water courses in the counties of Ventura and Los Angeles. These studies include the 'Urbanization and Channel Stability Assessment in the Arroyo Simi Watershed of Ventura County, CA' (2004), and the 'Peak Impact Discharge Study' sponsored by the County of Los Angeles, which is in progress. The results from these studies will be used to develop objective criteria to reduce or eliminate the adverse impacts of hydromodification in the Los Angeles Region from new development and redevelopment.
19. Though the Regional Board does not have authority to regulate land use, the Regional Board strongly encourages land use planning agencies and developers to carefully consider, early in the development planning process, the potential impacts on water quality and beneficial uses of hydromodification projects proposed as part of new development. The Regional Board strongly discourages direct hydromodification of water courses except in limited circumstances where avoidance or other natural alternatives are not feasible. In these limited circumstances, project proponents must clearly demonstrate that a range of alternatives, including avoidance of impacts, has been thoroughly considered, hydromodification has been minimized to the extent practicable, and adequate in situ and/or off site mitigation measures have been incorporated to offset related impacts. Project proponents must also document that there will be no adverse effects to water quality or beneficial uses. This approach is consistent with the California Environmental Quality Act (CEQA), federal regulations and State and federal antidegradation policies.
20. Chapter 4 of the Basin Plan, "Strategic Planning and Implementation", outlines the suite of regulatory tools available to the Regional Board to maintain and enhance water quality. One of these tools is the 401 Certification Program. This federally required program regulates

4-7
Cont.

Final Version

most hydromodification projects to ensure that the projects will not violate State water quality standards of which beneficial uses are an essential component. Section 401 Certifications may include conditions to minimize impacts from hydromodification activities by implementing Best Management Practices such as working in the dry season or out of the water, among many others. Certifications may also include monitoring requirements in order to ensure that the project is completed as specified and any proposed mitigation is successful.

21. Under section 401 of the Clean Water Act, the State Water Resources Control Board and the Regional Boards have a time limit as prescribed by applicable laws and regulations, from the receipt of a complete application, to certify that a project will comply with applicable state water quality standards prior to issuance of a federal 404 dredge and fill permit for any activity that may result in a discharge to a surface water of the United States. In the event that a project will not comply with applicable water quality standards, even with all conditions proposed, then the certification may be denied. (Cal. Code Regs., tit. 23, § 3837, subd. (b).)
22. Under section 402 (p) of the federal Clean Water Act, the State Water Resources Control Board and the Regional Boards are required to issue storm water permits to owners and operators of municipal separate storm sewer systems (MS4s). On a permit-by-permit basis, MS4 permits may identify storm water-related problems and include provisions requiring municipalities to implement measures to reduce adverse impacts of hydromodification, primarily increased flows, on beneficial uses.
23. Under separate authority granted by State law (see Article 4 (commencing with section 13260) of Chapter 4 of the Porter-Cologne Act), a Regional Board may regulate discharges of dredge or fill materials as necessary to protect water quality and the beneficial uses of waters of the State by issuing or waiving waste discharge requirements, a type of State discharge permit. For projects that may result in a discharge to a surface water of the U.S., waste discharge requirements may be issued in addition to the 401 certification. (Cal. Code Regs., tit. 23, § 3857.) Issuance of waste discharge requirements may be the only option for the Regional Board in situations where the proposed discharge is to waters of the state (e.g. isolated waters, vernal pools, etc.) rather than waters of the U.S., or in situations where the federal agency does not claim jurisdiction. All discharges of waste, including dredged and fill material, to waters of the State are privileges and not rights.
24. With certain exceptions, the California Environmental Quality Act (CEQA) requires the preparation of environmental documents for all projects requiring certifications by the state or state-law-only waste discharge requirements from the Regional Board. Hydromodification activities discussed above that require certification under section 401 of the Clean Water Act or that require waste discharge requirements for dredging and filling of State waters may be subject to CEQA. For projects that may have a significant effect on the environment that cannot be mitigated, an environmental impact report must be prepared that requires consideration of feasible alternatives to the project. (Pub. Resources Code, § 21061.)

THEREFORE, be it resolved that

1. Maintaining and restoring, where feasible, the physical, chemical and biological integrity of the Region's watercourses is one of the Regional Board's highest priorities.

Final Version

4-7
Cont.

This resolution reiterates existing law and regulatory requirements and current staff practices. As such, it has no regulatory effect. However, the Regional Board directs staff to undertake a two-step process to evaluate and consider further action to control adverse impacts from hydromodification. During this process, staff is directed to involve stakeholders and regulatory agencies with jurisdiction, consistent with the requirements of the Porter-Cologne Water Quality Control Act. The first step shall be an evaluation process and shall address, at a minimum, the following:

- Prioritization for control of those hydromodification activities that cause the greatest adverse effects on water quality and beneficial uses;
- Evaluation of existing regulation of hydromodification as defined herein;
- Consideration, in light of the existing regulatory scheme, of issues affecting the Board's ability to achieve its identified objectives;
- Consideration of existing legal authorities for Board actions;
- Consideration of staff resources; and
- Evaluation and identification of the best regulatory means available to the Board and the other agencies with jurisdiction to fulfill Board objectives.

The second step shall involve, as necessary based on the above evaluation, proposals for Board consideration of actions, including without limitation educational campaigns, memoranda of understanding with other regulatory agencies, adoption of new guidance, additional municipal stormwater permit requirements or further Basin Plan amendments as necessary to address gaps in existing hydromodification control in order to maximize the Regional Board's authority to ensure that a hydromodification project does not adversely affect water quality or degrade beneficial uses of those waters.

2. Given the priority set forth in paragraph 1, the Regional Board reaffirms that the Executive Officer will only issue a certification pursuant to Clean Water Act section 401 with adequate documentation (i) that the project will comply with applicable water quality standards, including antidegradation policies, and (ii) if necessary, that adequate analysis of a range of alternatives has been performed consistent with federal regulations, the California Environmental Quality Act, and antidegradation requirements.
3. Furthermore, given the significant potential adverse impact of large-scale or multiple hydromodification projects, the Regional Board reaffirms that the Executive Officer may at his discretion choose to bring a proposed project before the Board for direction prior to certification or recommend waste discharge requirements for the proposed project, which would be subject to Board approval.
4. Given the priority set forth in paragraph 1, the Regional Board reaffirms that it will only issue waste discharge requirements with adequate documentation (i) that the WDR will implement any relevant water quality control plan, including the water quality standards contained therein, and (ii) that adequate analysis of a range of alternatives, where an alternatives analysis is required, has been performed consistent with the Porter-Cologne Water Quality Control Act, CEQA and antidegradation requirements.
5. Following completion of the two-step evaluation process described in 2 above, the Regional Board directs staff to develop, if necessary based on the conclusions of the evaluation, new policy or additional regulatory or non-regulatory tools to control adverse impacts from hydromodification, which may include educational campaigns, memoranda of understanding,

4-7
Cont.

Final Version

guidelines, additional municipal stormwater permit requirements and amendments to the Basin Plan.

Regulatory tools may incorporate specific criteria and evaluation requirements to be used by Regional Board staff when evaluating projects for water quality certification or waste discharge requirements, and setting conditions for certification or for Standard Urban Stormwater Mitigation Plan (SUSMP) or Stormwater Quality Urban Impact Mitigation Plan (SQUIMP) approval by the local agency. If a Basin Plan amendment is necessary, the Regional Board further directs staff to bring said amendment to the Board for its consideration in the near future. Any proposed criteria and evaluation requirements should ensure that developers avoid, minimize or, as a last course, compensate for both the on-site and downstream adverse impacts of development on the water quality and beneficial uses of watercourses.

6. When evaluating the issue of hydromodification and identifying specific actions to be taken if necessary, the Regional Board shall consider at a minimum the following:
 - Existing federal and state law and regulation; state and regional policies; and current methods employed by Regional Board staff related to hydromodification of water courses.
 - Consistency and coordination with other agencies' authorities over hydromodifications.
 - Existing staff resources available to implement current Regional Board programs and regulations related to hydromodification of water courses.
 - The local and regional value of maintaining water courses in their natural state.
 - Federal guidelines including, but not limited to, section 404(b)(1), which constitutes the substantive federal environmental criteria that are used in evaluating applications for certain discharges of dredge or fill material;
 - Statewide General Waste Discharge Requirement for certain dredge and fill activities not requiring a Section 404 Permit or a Section 401 Certification under the federal Clean Water Act (State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ);
 - State Water Resources Control Board, "Regulatory Steps Needed to Protect and Conserve Wetlands not subject to the Clean Water Act," Report to the Legislature, Supplemental Report of the 2002 Budget Act, April 2003.
 - The State Water Resources Control Board Workplan: Filling the Gaps in Wetlands Protection (Sept. 24, 2004);
 - State Water Resources Control Board Guidance for Regulation of Discharges to "Isolated" Waters (June 25, 2004);
 - National Research Council, "Riparian Areas: Functions and Strategies for Management, Committee on Riparian Zone Functioning and Strategies for Management," National Academy Press, Washington, D.C., 2002.
 - State guidance including, but not limited to, "A Primer on Stream and River Protection for the Regulator and Program Manager" (by Ann L. Riley) and the "California Rapid Assessment Method for Wetlands" for evaluating mitigation sites;
 - "Stream Corridor Restoration: Principles, Processes, and Practices." Prepared by the Federal Interagency Stream Restoration Working Group (FISRWG) (10/1998);
 - General principles of low impact development (various sources);
 - The findings of the study commissioned by the Los Angeles County Department of Public Works through the Storm Water Monitoring Coalition in order to satisfy a requirement of the Los Angeles County Municipal Storm Water Permit (Regional Board Order No. 01-182), which calls for a study to evaluate peak flow control and determine numeric criteria to prevent or minimize erosion of natural stream channels and banks caused by urbanization, and to protect stream habitat;

4-7
Cont.

Final Version

Resolution No. 2005-002
Page 8 of 8

- The findings of the study "Urbanization and Channel Stability Assessment in the Arroyo Simi Watershed of Ventura County, CA – Final Report" (2004) completed by the Ventura County Watershed Protection District, in order to satisfy a requirement of the Ventura County Municipal Storm Water Permit (Regional Board Order No. 00-108), which calls for the development of criteria to prevent or minimize erosion of natural channels and banks caused by urbanization and protect stream habitat; and
 - Additional data collected or initiated by municipalities, dischargers and developers on stream stability for study sites in Los Angeles and Ventura Counties to reduce statistical uncertainty and/or improve model predictability when establishing stream stability protective criteria.
7. If a Basin Plan amendment is deemed necessary, staff is directed to consult with affected state and local agencies prior to formulating the draft amendment(s).
8. During the evaluation process, staff is directed to seek input from:
- the Department of Fish and Game and the U.S. Army Corps of Engineers, the United States Fish and Wildlife Service and other agencies with jurisdiction over hydromodification projects to ensure that any future policies and requirements to be proposed do not conflict with the jurisdiction and regulatory authority of these agencies; and
 - stakeholders, including flood control agencies, agricultural interests, the building and construction industry, and environmental groups.
9. Pursuant to section 13224 and 13225 of the California Water Code, the Regional Board, after considering the entire record, including oral testimony at the hearing, hereby adopts the Resolution.

I, Jonathan Bishop, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Los Angeles Region, on January 27, 2005.

ORIGINAL SIGNED BY

Jonathan S. Bishop, P.E.
Executive Officer

2/23/05

Date

4-7
Cont.

Final Version

Letter 4

California Regional Water Quality Control Board, Los Angeles Region December 15, 2009

1. This comment provides introductory remarks and provides a summary of the Regional Water Quality Control Board (RWQCB) role. The comment provides a summary of Resolution No. 2005-002, which the Board approved in 2005. Since this comment does not address the adequacy of the environmental document, no additional response is required.
2. This comment addresses the alternatives analyzed in the EIR. The RWQCB suggests that an additional alternative should be considered which combines increased capacity via a modified trapezoidal channel or an additional boxed underground channel with natural habitat. Five channel alternatives were considered and analyzed in the DEIR. Alternative E consists of a soft (or earthen) bottom trapezoidal channel configuration. Alternatives A and D include box culverts, with landscaping or a low flow channel above the box culvert. The Alternative D low flow channel above the box culverts would function as a vegetated swale, providing a combination of habitat and boxed underground channel as requested in this comment. Alternatives A and D were determined to cost substantially more than the Preferred Alternative due to the increased construction, landscaping, and right-of-way costs. Alternative E would not meet project objectives regarding Ormond Beach Lagoon and tidewater goby since the greater project footprint and natural channel configuration have the potential to introduce greater quantities of polluted runoff, particularly turbid flows, into tidewater goby habitat and/or groundwater supply. Conversely, converting the existing concrete channel to an earthen channel could increase the area of potential breeding habitat for tidewater goby, as this species burrows into channel or lagoon sediments to deposit eggs. Alternative E would cost more than the Preferred Alternative due to the increased costs of construction and maintenance associated with removal of homes and maintaining the natural channel. Further, Alternative E would require substantially more rights-of-way and would eliminate a portion of J Street. For a comparison of the Alternatives analyzed, please refer to Section 5.0 of the RDEIR.
3. This comment suggests that mitigation for the loss of habitat be included. The Board is concerned that converting a trapezoidal channel to a deeper rectangular channel would result in a loss of habitat and the potential for habitat restoration.

As discussed in Section 4.2 of the DEIR and the Biological Technical Report (Appendix D), the majority of the proposed J Street Drain project consists of urban development. Within the northern survey area, the Drain is a concrete lined ditch with surrounding residential and commercial development. Project implementation within the northern survey area would occur entirely within the channel right-of-way, which is developed. The existing channel does not support vegetation communities; therefore, the modifications to the channel would not impact vegetation communities.

At the channel outlet into the Ormond Beach Lagoon, construction of the proposed project would occur within and adjacent to sensitive vegetation communities and would result in potentially significant indirect impacts to these habitats (erosion, intrusion of workers/equipment, etc.), as well as temporary direct impact to open water habitat. Mitigation is identified in Section 4.2 for impacts to sensitive vegetation communities. Below is the revised mitigation measure for temporary loss of unvegetated open water habitat as provided within the 2011 RDEIR.

Mitigation Measure

BIO-1 During construction, the sensitive vegetation communities adjacent to the project alignment shall be flagged as Environmentally Sensitive Areas (ESA) and construction fencing shall be installed to avoid indirect impacts to these areas. Staging areas shall be identified during construction for lay down areas, equipment storage, etc., to avoid indirect impacts to the ESA. Biological monitoring shall occur during construction activities to prevent indirect impacts. Temporarily disturbed OW habitat, which falls under CDFG, USACE, and RWQCB jurisdiction, would be restored at a 1:1 ratio upon completion of construction. OW habitat restoration shall include replacement on the lagoon bottom of the top 12 inches of original soil to ensure suitable conditions for tidewater gobies and benthic fauna.

4. This comment asks how long it will take for any rock riprap areas to be filled with sediment and suggests that the loss of earthen bottom habitat should also be considered and mitigated. Rock protection at the channel outlet to the lagoon currently exists and is partially exposed due to scour from the channel flows. The proposed rip rap protection will be of the same length as the existing rip rap protection and would be covered with lagoon bottom sediments upon completion of construction, before the channel is re-watered.
5. In this comment, the RWQCB inquires as to where the sediment and debris removed from the flood control structures will be placed. Minimal sediment is produced by this system. As described in Section 3.0 of the DEIR, accumulated sediment and debris will be removed from the channel during project operation similar to current maintenance procedures, as required by the Countywide Municipal Stormwater Permit re-issued by the RWQCB to Ventura County and its cities on July 8, 2010 (Permit CAS004002, Order No. R4-2010-0108). This material is disposed in a county landfill. Sediment and debris removal and recycling or disposal during the construction phase is discussed further in Section 4.10 of the DEIR. Table 4.10-1 quantifies the amount of soil and concrete volume for transport due to project construction. As shown in Table 4.10-1, when all phases of construction are considered, it is anticipated that 139,569 cubic yards (cy) of soil material and 7,816 cy of concrete material will be transported offsite.

In accordance with the Ventura County Ordinance 4155, the proposed project would recycle soils and concrete resulting from demolition of the existing channel construction of the new J Street Drain. The construction of the proposed J Street Drain would involve demolition of concrete channel and excavation of channel to the appropriate depth during which the dirt would either be stockpiled for backfill or transported off site. It is anticipated that concrete/ demolition debris would be recycled at Del Norte Transfer Facility in Oxnard and excess soil would be either reused or hauled to Chiquita Canyon Disposal Facility for use as daily soil cover. The construction contract specifications would include a requirement that all recyclable construction materials generated during the demolition and construction phases of the project be reused on site, or recycled at a permitted recycling facility. The operation of the proposed project would include maintenance activities similar to those currently in place and would not be characterized as generating a new source of solid waste.

6. This comment provides contact information for the RWQCB. Since this comment does not address the adequacy of the environmental document, no additional response is required.
7. This is an attachment of RWQCB Resolution No. 2005-002 and does not specifically address the adequacy of the environmental document. No additional response is required.

01/19/2010 16:08 FAX 18584674299

DFG R5 Southcoast Region

001/003



California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
South Coast Region
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201
<http://www.dfg.ca.gov>

ARNOLD SCHWARZENEGGER, Governor



January 19, 2010

Ms. Angela Bonfiglio Allen
Ventura County Watershed Protection District
800 South Victoria Avenue
Ventura, CA 93009-1610
FAX #: (805) 654-3350

**Subject: Draft Environmental Impact Report for J Street Drain Project,
SCH 2008041057, Ventura County**

Dear Ms. Bonfiglio Allen:

The California Department of Fish and Game (Department) has reviewed the above-referenced Draft Environmental Impact Report (DEIR) relative to impacts to biological resources. The proposed project is to increase the capacity of the existing channel to reduce flooding in residential and commercial areas of Oxnard and Port Hueneme, and improve stormwater flow through the J Street Drain.

The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (CEQA Section 15386) and pursuant to our authority as a Responsible Agency under the California Environmental Quality Act (CEQA), Section 15381 over those aspects of the proposed project that come under the purview of Fish and Game Code Section 1600 et seq. regarding impacts to streams and lakes.

5-1

The California Wildlife Action Plan, a recent Department guidance document, identified the following stressors affecting wildlife and habitats within the project area: 1) growth and development; 2) water management conflicts and degradation of aquatic ecosystems; 3) invasive species; 4) altered fire regimes; and 5) recreational pressures. The Department looks forward to working with the Ventura County Watershed Protection District (District) to minimize impacts to fish and wildlife resources with a focus on these stressors.

The Department concurs with biological mitigation measures one through five with specific recommendations for biological mitigation measures two and three.

Vegetation Communities/Habitat - To mitigate for direct and indirect impacts to sensitive vegetation communities, the proposed project shall implement the following mitigation measure:

5-2

BIO-1: During construction, the sensitive vegetation communities adjacent to the project alignment shall be flagged as Environmentally Sensitive Areas (ESA) and construction fencing shall be installed to avoid indirect impacts to these areas. Staging areas shall be identified during construction for lay down areas, equipment storage, etc., to avoid indirect impacts to the ESA. Temporarily disturbed open water habitat would be restored upon completion of construction.

Conserving California's Wildlife Since 1870

01/19/2010 16:09 FAX 18584674299

DFB R5 Southcoast Region

002/003

Ms. Angela Bonfiglio Allen
January 19, 2010
Page 23

Botanical Species - Implementation of the project would not result in impacts to sensitive botanical species. Therefore, no mitigation is recommended.

5-2
Cont.

Wildlife Species - To mitigate for direct and indirect impacts to sensitive wildlife species, the proposed project shall implement the following mitigation measure:

BIO-2: To prevent a decrease in the foraging success of California least terns, temporary construction fencing ("snow fencing") shall be installed surrounding the project site to delineate the construction footprint.

The Department recommends that mitigation measure BIO-2 include the following: Construction activities should occur outside of the nesting season to minimize impacts on foraging terns. However, if construction activities occur when California least terns or western snowy plover are foraging in the lagoon, Department staff will be consulted to determine a plan of action to minimize impacts. In addition, the buffer surrounding the nest location shall be of sufficient area that the nesting birds are not disturbed by noise, vibration, and general construction traffic or activities.

5-3

BIO-3: To prevent a decrease in the nesting and foraging success of the California least tern and western snowy plover, construction activities adjacent to California least tern and western snowy plover habitat shall occur outside of the breeding season (February to September). If construction activities must occur during the breeding season, a preemptive nesting bird survey shall be conducted by a qualified biologist to determine if any nesting terns or plovers are located near proposed activities. If nesting birds are found, all construction activities shall be prohibited within a minimum of a 300-foot buffer area surrounding the nest location during the breeding season. The buffer area shall be of sufficient area that the nesting birds are not disturbed by noise, vibration, and general construction traffic or activities. The qualified biologist shall ensure that the buffer area is appropriately defined with flagging and/or other means of suitable identification. If no nesting birds are found, construction activities could be conducted during the breeding season.

5-4

The Department recommends that mitigation measure BIO-3 include consultation with Department staff if nesting California least tern or western snowy plover are observed within 500 feet of the project. Department staff will work with County staff to develop a plan of action to minimize impacts. However, the Department agrees with the County that construction activity adjacent to California least tern and western snowy plover habitat should occur outside of the breeding season to minimize potential impacts to these species.

The DEIR states that a baseline biological field survey of the project site and a portion of the surrounding area including the Ormond Lagoon (project survey area) were surveyed on April 28, 2008 between the hours of 0830 to 1700 and on April 29, 2008 between the hours of 0830 to 1750. The Department recommends that additional surveys for Belding's savannah sparrow (*Passerculus sandwichensis beldingi*), a state listed endangered species, be conducted to adequately determine if they are utilizing the project site. The Department recommends that five (5) surveys be conducted within suitable habitat on and immediately surrounding the project site to determine use by Belding's savannah sparrow. The surveys should be conducted between mid-February through the end of April, between 0700 and 1100 hours, and weather conditions should be cool and sunny. Please contact Department Staff for further survey recommendations.

5-5

Appendix L Response to Comments

01/19/2010 16:02 FAX 18584674289

DFG R5 Southcoast Region

003/003

Ms. Angela Bonfiglio Allen

January 19, 2010

Page 3 3

The Department acknowledges the thorough assessment of potential federal and state jurisdictional wetland areas on the project site. During the initial streambed alteration agreement consultation, the 10.92 acres of potential Department jurisdictional areas listed in the DEIR can be confirmed.

5-6

Thank you for this opportunity to provide comment. Please contact Mr. Dan Blankenship, Staff Environmental Scientist, at (661) 259-3750 if you should have any questions and for further coordination on the proposed project.

5-7

Sincerely,



Edmund Pert
Regional Manager
South Coast Region

cc: Ms. Helen Birss, Los Alamitos
Betty Courtney, Newhall
Dan Blankenship, Valencia
Jeff Humble, Ventura
HCP-Chron Department of Fish and Game
State Clearinghouse, Sacramento

Letter 5

California Department of Fish and Game

January 19, 2010

1. This comment provides introductory remarks, a summary of the project, and the CDFG's role as Trustee Agency and Responsible Agency under CEQA. CDFG lists stressors affecting wildlife and habitats within the project area as identified in the California Wildlife Action Plan. This comment does not address the adequacy of the environmental document; therefore, no additional response is required.
2. In this comment, CDFG states that they concur with biological Mitigation Measures BIO-1 through BIO-5 but have recommendations for biological Mitigation Measures BIO-2 and BIO-3. Mitigation Measure BIO-1 is included in the comment. CDFG concurred with the Mitigation Measure BIO-1, no additional response is required. However, BIO-1 has been modified in the RDEIR to provide additional clarity and resource protection:

“During construction, the sensitive vegetation communities adjacent to the project alignment shall be flagged as Environmentally Sensitive Areas (ESA) and construction fencing shall be installed to avoid indirect impacts to these areas. Staging areas shall be identified during construction for lay down areas, equipment storage, etc., to avoid indirect impacts to the ESA. Biological monitoring shall occur during construction activities to prevent indirect impacts. Temporarily disturbed OW habitat, which falls under CDFG, USACE, and RWQCB jurisdiction, would be restored at a 1:1 ratio upon completion of construction. OW habitat restoration shall include replacement on the lagoon bottom of the top 12 inches of original soil to ensure suitable conditions for tidewater gobies and benthic fauna.”

3. This comment recommends addition of the following text to Mitigation Measure BIO-2:

“Construction activities should occur outside of the nesting season to minimize impacts on foraging terns. If construction activities occur when California least terns or western snowy plover are foraging in the lagoon, the District shall consult with CDFG staff to determine a plan of action to minimize impacts. The buffer surrounding the nest location shall be of sufficient area that the nesting birds are not disturbed by noise, vibration, and general construction traffic or activities.”

Because some of the suggested language is already either included in Mitigation Measure BIO-3 or conflicts with language in BIO-3 with which the CDFG concurs, the District will not revise BIO-2 to eliminate the potential for confusion during implementation of the two measures. Instead, BIO-3 will be modified (see response to comment 4). Consultation “with CDFG staff to determine a plan of action to minimize impacts” has not been written into the mitigation measure as this action is already mandated by Sections 1600 and 2081 of the California Fish and Game Code. These sections regulate streambed alterations and “take” of State listed threatened and endangered species. The District must obtain authorization under both of the above regulations before it may construct the project.

4. This comment includes Mitigation Measure BIO-3 and CDFG's recommended revisions. The CDFG does concur with the District that construction activity adjacent to California least tern and western snowy plover habitat should occur outside of the breeding season. The revised mitigation measure is included in the 2011 RDEIR. It includes the new language suggested by CDFG as well as other revisions to clarify or enhance protections and reads as follows:

BIO-3 To prevent a decrease in the nesting and foraging success of the California least tern and western snowy plover, phase 1 construction activities adjacent to California least tern and western snowy plover habitat shall occur outside of the breeding season (March to September) to the extent feasible. If construction activities must occur during the breeding season, phase 1 project initiation through coffer dam installation shall be completed before May 1 to avoid direct impacts to foraging terns. In addition, a preemptive nesting bird survey shall be conducted by a qualified biologist to determine if any nesting terns or plovers are located near proposed activities. If nesting birds are found, all construction activities shall be prohibited within a 300-foot buffer area surrounding the nest location during the breeding season until the young have fledged. The qualified biologist shall ensure that the buffer area is appropriately defined with flagging and/or other means of suitable identification. The District shall consult with USFWS and CDFG in the event that nesting California least terns or western snowy plovers are observed within 500 feet of the project area. If no nesting birds are found, construction activities could be conducted during the breeding season without restriction.

5. The CDFG recommends biological field surveys for Belding's savannah sparrow, a state listed endangered species, be conducted to adequately determine if they are utilizing the project site. CDFG recommends that five surveys, between mid-February and the end of April be conducted within suitable habitat on and immediately surround the project site.

According to the Biological Technical Report (Appendix D of the EIR), no Belding's savannah sparrows were identified within the project area during any of the biological field surveys conducted for the proposed project. Given the number and timing of survey activities, Belding's savannah sparrow should have been detected if it was breeding within the survey area. Therefore, since no Belding's savannah sparrows were identified at the time of survey, it is not anticipated that this species would occur within the project area.

A baseline biological field survey of the project site and a portion of the surrounding area including the Ormond Lagoon were surveyed by HDR Senior Biologist Shannon Allen and HDR Assistant Biologist Allegra Simmons on April 28, 2008 between the hours of 0830 to 1700 and on April 29, 2008 between the hours of 0830 to 1750.

Additionally, as referenced in Appendix D of the BTR: focused surveys for Light-footed clapper rail, which included habitat that would have been shared by Belding's savannah sparrow, included seven survey visits between April 18, 2008 and June 15, 2008. No Belding's savannah sparrows were detected. An additional suite of five surveys is not warranted, however a pre-construction biological survey will be conducted, as stated in Mitigation Measure BIO-7. The purpose of this survey would be to document all birds present at the site, including Belding's savannah sparrow.

6. The CDFG acknowledges the thorough assessment of potential federal and state jurisdictional wetland areas on the project site. No additional response is required.
7. This comment provides contact information for CDFG. Since there is no comment on the adequacy of the environmental document, no additional response is necessary.

Resource Management Agency
ENVIRONMENTAL HEALTH DIVISION

MEMORANDUM

DATE: December 11, 2009
TO: Angela Bonfiglio Allen
Watershed Protection District
FROM: Melinda Talent
SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE J STREET
DRAIN PROJECT

The Environmental Health Division (EHD) reviewed the subject document and provides the following comments regarding Section 4.11 Public Health:

1. Page 4.10-1, Section 4.11.1, Vector Control Program – please revise the second sentence to read “...over ~~1,400~~ 2,000 potential mosquito breeding sources throughout the County...” 6-1
2. Page 4.10-2, Section 4.11.1, Existing Conditions, Existing Treatment – please revise the following sentences:
~~A product the program used in the past is Altosid, which is also a biological larvicide used as an insect growth regulator. Another product used by the program is Altosid, which is an insect growth regulator. Another control method used in the past was releasing of mosquito fish at source locations. Another biological control method used is the releasing of mosquito fish at source locations.~~ 6-2
3. Page 4.10-6, Section 4.11.4, Construction – please revise the last sentence “...and could ~~transport~~ transmit encephalitis...”
4. Page 4.10-7, Section 4.11.4, Construction – please revise the last sentence of the first paragraph to read “Therefore, the larvicides used by the Ventura County Vector Control Program undergo extensive testing prior to registration and are virtually nontoxic to humans and do not pose risks to wildlife, non-target species, or the environment when applied according to label instructions.” 6-3

Please contact me at 654-2811 if you have any questions.

Letter 6

Resource Management Agency, Environmental Health Division

December 11, 2009

1. This comment requests that Section 4.11.1 on page 4.10-1 of the 2009 DEIR be revised as follows: "...over ~~1,400~~ 2,000 potential mosquito breeding sources throughout the County..." The requested changes have been incorporated into Section 4.11 of the 2011 RDEIR.
2. This comment requests that Section 4.11.1 on page 4.10-2 of the 2009 DEIR be revised as follows: "~~A product the program used in the past is Altosid, which is also a biological larvicide used as an insect growth regulator. Another product used by the program is Altosid, which is an insect growth regulator. Another control method used in the past was releasing of mosquito fish at source locations. Another biological control method used is the releasing of mosquito fish at source locations.~~" The requested changes have been incorporated into Section 4.11 of the 2011 RDEIR.
3. This comment requests that Section 4.11.4 on page 4.10-6 of the 2009 DEIR be revised as follows: "...and could ~~transport~~ transmit encephalitis..."

In addition, the comment requests that page 4.10-7 of the 2009 DEIR be revised as follows: "Therefore, the larvicides used by the Ventura County Vector Control Program undergo extensive testing prior to registration and are virtually nontoxic to humans and do not pose risks to wildlife, non-target species, or the environment when applied according to label instructions." The requested changes have been incorporated into Section 4.11 of the 2011 RDEIR.

Resource Management Agency
ENVIRONMENTAL HEALTH DIVISION

MEMORANDUM

DATE: December 21, 2009
TO: Angela Bonfiglio Allen
Watershed Protection District
FROM: Melinda Talent
SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE J STREET
DRAIN PROJECT ADDITIONAL COMMENT

The Environmental Health Division (EHD) provides the following additional comments regarding the subject document:

- With regards to the channel design, a rectangular channel is more conducive to limiting mosquito breeding because it would lessen shallow standing water along the edges and provide more exposed water surface area to inhibit immature mosquito.
- All mosquito breeding sources in the surfside area are inspected by EHD on a routine schedule and treated as needed. Mosquito control in the surfside area occurs more often in the wetland sources than the J Street Drain channel.

Please contact me at 654-2811 if you have any questions.

7-1

7-2

Letter 7

Resource Management Agency, Environmental Health Division

December 21, 2009

1. This comment remarks on channel design and states that a rectangular channel is more conducive to limiting mosquito breeding.

In response to concerns over mosquito breeding, the District contracted with Larry Walker Associates to prepare a Mosquito Technical Study for the J Street Drain project. The technical study provides an analysis of the mosquito production potential of the proposed project compared with the current J Street Drain and the proposed alternatives. The complete report is included in Appendix I of the 2011 RDEIR.

Mosquitoes generally require calm, stagnant water for breeding as opposed to open, exposed water. Flowing waters or waters with surface disturbance from wind, waves, or animals are not suitable habitat for mosquito breeding. Similarly, waters deep enough to sustain populations of fish and other aquatic organisms are not suitable habitat. Wetlands and salt marshes, especially those with unmanaged, dense, emergent vegetation are notorious mosquito breeding habitats.

Section 4.11 of the RDEIR discusses vector control and mosquitoes. As discussed, the proposed project would increase the surface area and amount of standing water in the drain. However, the proposed project would convert the existing trapezoidal concrete channel into an open rectangular channel with a bottom that will be approximately four feet deeper and the resulting channel walls would be vertical. While the proposed project would result in increased water surface area of standing water, the converted channel would provide less suitable habitat for mosquitoes due to deeper water and less shallow edges. In addition, J Street Drain presents an easier vector source to treat compared to shallow vegetated wetlands to the east and southeast due to the fact that mosquitoes prefer shallow water.

2. This comment verifies that all mosquito breeding sources in the surfside area are inspected by the Environmental Health Division (EHD) on a routine basis and treated as needed. EHD states that mosquito control in the Surfside III area occurs more often in the wetland sources than the J Street Drain channel. No additional response is required.

**VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT**
Memorandum

TO: Angela Bonfiglio Allen, Watershed Protection District

DATE: January 11, 2010

FROM: Alicia Stratton

SUBJECT: Request for Review of Draft Environmental Impact Report (DEIR) for the J Street Drain Project (Oxnard)

Air Pollution Control District staff has reviewed the subject project, which is a proposal to increase the flow of capacity of the existing J Street Drain to accommodate runoff from a 100-year storm event, thereby reducing potential flooding in residential and commercial areas of the cities of Oxnard and Port Hueneme. The Drain would be maintained according to best management practices identified in the adopted Final Program Environmental Impact Report the Environmental Protection Measures for the Ongoing Routing Operations and Emergency Action Plan (EAP). The EAP defines a set of extreme environmental conditions that together constitute an emergency, triggering a predetermined list of actions to temporarily connect the lagoon to the ocean, preventing flooding of developed properties. The existing, and the proposed, end of the Drain is at Ormond Lagoon, an environmentally sensitive coastal wetland. The project would be constructed in four phases and is anticipated to begin in January 2011. Each phase would take approximately 12 months to complete. The project location is the median between the north and south bound traffic lanes of J Street. The project is primarily located in the City of Oxnard, however, south of Hueneme Road the Drain forms the boundary between the cities of Oxnard and Port Hueneme.

8-1

Section 4 of the DEIR addresses potential air quality impacts from the project. We concur with the findings of this discussion that significant short-term air quality impacts would result from the four phases of the project. Operational (long-term) emissions from the project would involve general maintenance activities, and we concur that increasing the existing capacity of the drain will not increase ongoing emissions from operation and maintenance activities. Tables 4.4-5 to 4.4-8 present the four phases and their respective short-term construction emissions in pounds per day. NOx emissions exceed APCD's thresholds of significance, however these emissions are not counted toward operational thresholds of significance. Emission reduction measures have been developed to reduce exhaust emissions and fugitive dust generation. These are presented in Section 4.4.6, *Mitigation Measures*. We concur with implementation of these mitigation measures and

8-2

recommend the following measure be added to ensure compliance with all air quality requirements:

All project construction and site preparation operations shall be conducted in compliance with all applicable VCAPCD Rules and Regulations with emphasis on Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust), as well as Rule 10, (Permits Required).

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

8-2
Cont.

Letter 8

Ventura County Air Pollution Control District

January 11, 2010

1. This comment provides introductory remarks and a brief summary of the project. Since this comment does not address the adequacy of the environmental document, no additional response is necessary.
2. This comment provides a brief discussion regarding the air quality impacts analyzed in the 2009 DEIR. The Ventura County Air Pollution Control District (VCAPCD) concurs with the findings and mitigation measures presented in air quality analysis of the 2009 DEIR; however, the air district recommends adding a mitigation measure. The following mitigation measure is included in the 2011 RDEIR:

AQ-3 All project construction and site preparation operations shall be conducted in compliance with all applicable VCAPCD Rules and Regulations with emphasis on Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust), as well as Rule 10 (Permit Required).

Additionally, an Air Quality and Greenhouse Gas Emissions report was prepared in July 2011. Section 4.4 and Section 4.12 of the 2011 RDEIR incorporate the findings of these reports. The reports are included in Appendix J of the 2011 RDEIR.

Alan Sanders, President 232 N. Third St. Port Hueneme, Ca 93041 805-488-7988
alancatdaddy@aol.com



January 15, 2010

Mr. Kirk Norman, Project Manager
Ventura County Watershed Protection District
800 S. Victoria Ave.
Ventura, Ca 93009-1610

RE: DRAFT ENVIRONMENTAL IMPACT REPORT, J STREET DRAIN PROJECT

Ormond Beach Observers, (OBO), is a 501c3 organization that was formed in 1989 to provide public information regarding important biological resources at Ormond Beach. Our members started an Ormond Beach Wildlife Patrol, (OBWP) in that year to protect endangered California least terns and western snowy plovers. Since that time we have expanded our mission to work with all life forms and habitat types at Ormond. The OBWP erected protective fencing and signage to protect nest areas for 15 years and has collected data on activities at Ormond for the past 20 years.

Because the OBWP had a daily presence on the beach for many years it was often able to inform agencies of problems that affected both habitat and specific species at Ormond. Therefore, it should not be surprising that significant changes in the maintenance activities of the Ventura County Flood Control District in 1992 resulted from observations made by OBWP. OBWP produced a video that year, "DEATH OF THE TERNS," that alleged that maintenance activities of VCFCFCD had resulted in significant unlawful "take" of federally listed species including site abandonment by California least terns.

OBWP also reported potential "take" conditions created by motorized paragliders in 2002 and 2003 that resulted in site abandonment by least terns and loss of several snowy plover nests.

Throughout the 1990's OBWP has reported alterations to area streams and the Ormond lagoon. Photos of these activities have been provided to the City of Oxnard, the California Coastal Commission, The U. S. Army Corps of Engineers, U.S. Fish and Wildlife Service and the California Department of Fish and Game.

It is our hope that we might provide meaningful comments to all decisionmakers on this project.

9-1

9-2

Alan Sanders, President 232 N. Third St. Port Hueneme, Ca 93041 805-488-7988
alancatdaddy@aol.com



Having reviewed the Draft Environmental Impact Report, (DEIR) for this project, OBO believes that the document does not comply with the California Environmental Quality Act, (CEQA), because it is inadequate and insufficient to CEQA Guidelines and case law. We find specific problems with Project Goals and Project Description, Compliance with City, State and Federal policies, findings regarding impacts to biological resources, area hydrology, public safety, growth inducing impacts, cumulative impacts and viable alternatives. The mitigations devised are inadequate to reduce real impacts. Most troubling, the propose Emergency Action Plan takes us back to the days when the VCFCD acted with impunity, as if it was above the law. Therefore OBO must recommend the NO PROJECT Alternative.

9-2
Cont.

PROJECT OBJECTIVES

The DEIR lists the project objectives as follows:

- Flood control protection – increase drain size to provide capacity for 100-year flood flow;
- Maintain the existing functional characteristics of the Ormond Beach Lagoon;
- Ensure project compatibility with future Ormond Beach Lagoon restoration plans;
- Minimize the disturbance to tidewater goby habitat downstream of the J Street Drain lined channel;
- Minimize operation and maintenance requirements, especially during storms; and
- Minimize effects on water quality of the lagoon.

9-3

December 16, 2009

Mr. Kirk Norman, Project Manager
Ventura County Watershed Protection District
800 S. Victoria Ave.
Ventura, Ca 93009-1610

ENVIRONMENTAL IMPACTS

OBO disagrees with the assumptions made by the DEIR that the project impacts are few and those listed could be remedied by the mitigations listed.

9-4

The DEIR mistakenly believes that there is no connectivity between the Ormond and Mugu lagoons. That connectivity does exist is well documented since the mapping done for the 1855 Geological Survey. More recently, (Personal Observations, Sanders

Alan Sanders, President 232 N. Third St. Port Hueneme, Ca 93041 805-488-7988
alancatdaddy@aol.com



2009) waters from the Bubbling Springs, J Street and OID have co-mingled and flowed around the Reliant Energy Plant, as they have since the VCFCD stopped their unpermitted stream alterations in 1992

9-4
Cont.

The theory presented by the VCWPD for Flood Control Protection does not make sense. Housing Projects have been permitted immediately adjacent to the J Street Drain within the last few years without any attempt by the District to alter these projects. CEQA demands that the number one consideration for environmental impacts should be avoidance. Since VCWPD has not tried to avoid impacts associated with recent development next to its drain it seems inappropriate to now look at altering sensitive habitat area so as to remedy this engineering problem.

9-5

The project will alter existing functional characteristics of the Ormond Beach Lagoon in a significant adverse manner, perhaps leading to multiple "take" of state and federally listed species.

9-6

Alterations to the area hydrology could hinder Ormond Beach Lagoon restoration plans by reducing the size and volume of water in the lagoon

9-7

In all likelihood the project will result in take of tidewater gobies, perhaps resulting in local extirpation

9-8

The project requirements of the EAP will force the district to take unneeded and harmful actions to avoid liability it has placed upon itself.

9-9

Effects of water quality on the lagoon have not been given serious consideration. There is an assumption that increased volume of water would have no effect. But no documentation has been provided to support this theory.

9-10

VCWPD continues to base its theories on area hydrology on flawed information from the mid 1990s. The statement that no hydrological connection exists between Mugu lagoon and the Ormond lagoon is evidence of a fatal flaw in the baseline information upon which the whole report depends.

9-11

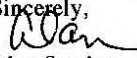
Moreover the project threatens the entire portion of Hueneme and Ormond Beach that qualify as Environmentally sensitive habitat area under coastal Act Section 30240. Failure to discuss these issues and viable alternatives render the document inadequate and demands major revision and recirculation in order to correct these deficiencies.

9-12

Alan Sanders, President 232 N. Third St. Port Hueneme, Ca 93041 805-488-7988
alancatdaddyal@aol.com



Thank you for the opportunity to comment on this project.

Sincerely,

Alan Sanders

Letter 9

Ormond Beach Observers

January 15, 2010

1. This comment provides an introductory statement and summary of the organization's mission. Ormond Beach Observers (OBO) notes Ormond Beach Wildlife Patrol (OBWP) daily presence on Ormond Beach and summarizes observations and reports made by OBWP throughout the 1990s regarding alterations to area streams and the Ormond Lagoon. Because this comment does not address the adequacy of the environmental document, no additional response is necessary.
2. Ormond Beach Observers disagrees with the project goals and description, compliance with local, state and federal policies and findings regarding impacts to biological resources, area hydrology, public safety, growth inducing impacts and cumulative impacts. OBO disagrees with the Emergency Action Plan and recommends the No Project Alternative. The Emergency Action Plan has been revised and is now referred to as the Beach Elevation Management Plan (BEMP). Please refer to Section 3.0 of the 2011 RDEIR for a description of the BEMP.

Biological Resources: Please refer to the responses provided in Letter 2 (USFWS) and Letter 5 (CDFG) above. Ongoing consultation with USFWS and CDFG will ensure impacts to biological resources will be reduced to the greatest extent feasible. The Biological Technical Report (Appendix B) and Section 4.2 of the 2011 RDEIR have been revised to reflect the results of the consultations.

Hydrology: Please refer to Section 4.3 of the 2011 RDEIR for a revised discussion on water resources and hydraulic hazards. A *Sediment Transport Study for Proposed Outlet at Ormond Beach Lagoon* (August 2011) was prepared for the proposed project. The results are summarized in Section 4.3. Based on the findings of the study, the proposed project would not significantly alter the area hydrology.

Public Safety: Section 4.8 and Section 4.11 of the 2011 RDEIR have been revised to reflect additional studies regarding hazardous materials and mosquito concerns, respectively.

Hazardous Materials: A groundwater modeling study was performed and measures are proposed to address this potential problem. The numerical model of the groundwater system beneath the J Street Channel was used to evaluate potential impacts to groundwater in response to dewatering that will be necessary to construct the drain particularly with regards to whether metal contaminants in groundwater may migrate toward the channel and possibly enter into the dewatering stream. As a result of the numerical groundwater model, it is expected that dewatering will pull impacted groundwater toward the line of pumping wells that will be placed along the channel for dewatering purposes. However, the maximum expected distance of migration from the Halaco Site in response to proposed construction dewatering is approximately 300 feet, or less than one-fifth of the distance between the Halaco Site and the channel. A distance of half the maximum (or 150 feet) is more realistic given the conservative assumptions used in the model (specifically the use of a high hydraulic conductivity in the 'maximum' scenario). Regardless of the actual distance that contaminated groundwater may flow in the direction of the channel, the cessation of dewatering is expected to halt migration of impacted groundwater toward the channel. In this situation, the groundwater will resume the natural gradient toward the Pacific shoreline. Dewatering at the site would result in a temporary impact with regards to the potential migration of heavy metals within the groundwater plume from the Halaco site. Mitigation Measure HAZ-1 requires the use of sheet piling during construction to address this impact.

Through numerical modeling, the use of sheet piling was demonstrated to isolate groundwater from the Halaco Site and prevent migration of Halaco contaminants to the channel. In addition, the use of sheet piling will reduce the overall volume of water required to be withdrawn in order to construct the channel.

Mosquito: In response to the concern over increased surface water area, the District contracted with Larry Walker Associates to prepare a Mosquito Technical Study for the J Street Drain project. The technical study provides an analysis of the mosquito production potential of the proposed project compared with the current J Street Drain and the proposed alternatives. The complete report is included in Appendix I of the 2011 RDEIR.

Mosquitoes generally require calm, stagnant water for breeding as opposed to open, exposed water. Flowing waters or waters with surface disturbance from wind, waves, or animals are not suitable habitat for mosquito breeding. Similarly, waters deep enough to sustain populations of fish and other aquatic organisms are not suitable habitat. Wetlands and salt marshes, especially those with unmanaged, dense, emergent vegetation are notorious mosquito breeding habitats.

Section 4.11 of the RDEIR discusses vector control and mosquitoes. The RDEIR noted that the proposed project would increase the surface area and amount of standing water in the drain. However, the proposed project would convert the existing trapezoidal concrete channel into an open rectangular channel with a bottom that will be approximately four feet deeper and the resulting channel walls would be vertical. While the proposed project would result in increased water surface area of standing water, the converted channel would provide less suitable habitat for mosquitoes due to deeper water and less shallow edges. In addition, J Street Drain presents an easier vector source to treat compared to shallow vegetated wetlands to the east and southeast due to the fact that mosquitoes prefer shallow water.

Growth Inducing Impacts: Section 6.0 of the DEIR discusses growth inducing impacts. As identified in Section 6.0, the J Street Drain project is proposed to accommodate existing 100-year flood flows. Implementation of the project would not eliminate any obstacles to population growth since the project would meet an existing demand for improved surface water drainage facilities in an area that is already developed. The project would only address 100-year flooding in the J Street Drain watershed (Figure 3.0-2a); flooding within the Oxnard Industrial Drain watershed, which includes large areas of undeveloped land east of the J Street Drain, would not be resolved with the proposed project. Furthermore, the project would not encourage new development in the area because this improvement would not include any surplus capacity for new development. Additionally, the project would not encourage economic growth since commercial or business components are not proposed as part of the project. Therefore, the J Street Drain project would not be growth-inducing and growth-inducing impacts would be less than significant.

Cumulative Impacts: Each environmental analysis section includes a discussion of cumulative impacts for each issue area. Please refer to the individual issue area discussions for the cumulative analyses. Cumulative impacts were determined to be either less than significant or reduced to a level below significance with mitigation incorporated. Table 1.8-1 in Section 1.0 of the EIR provides a summary of the impacts, mitigation measures and the levels of significance identified before and after mitigation.

3. This comment provides a list of the project objectives from the 2009 DEIR. The project objectives were modified. The revised project objectives are identified in Section 3.0 of the 2011 RDEIR.
4. Ormond Beach Observers disagrees with the 2009 DEIR assumption that there is no connectivity between Ormond and Mugu Lagoons. OBO states that there is documented connectivity between the two lagoons. The discussion of Perkins Drain in Section 4.3 of the RDEIR has been revised to reflect hydrologic connectivity between the Ormond Beach Lagoon and Mugu Lagoon via the wetland area east of the Halaco slag pile, a series of agricultural ditches, and overland flow.
5. Ormond Beach Observers disagrees with the District's Flood Control Protection plan. OBO states that projects have been permitted adjacent to the J Street Drain for the past few years without opposition from the District; therefore, it is inappropriate to alter sensitive habitat in order to remedy the problem. The most recent development the District is aware of within the J Street Drain watershed has occurred in the City of Port Hueneme south of Hueneme Road. Land development in this area is subject to approval by the City of Port Hueneme; the District does not have approval authority. Under its flood control ordinance, the District has regulatory authority over direct impacts to red-line channels, including J Street Drain. None of the recent developments directly affected J Street Drain.

Much of the J Street Drain watershed was developed between the 1950s and the 1970s. Since that time, Ventura County records demonstrate a trend of increasing rainfall. The channel, which was considered sufficient to convey the 100-year flood during the Federal Emergency Management Agency floodplain mapping study conducted in the early 1980s, was shown to be under-sized in a 2005 study conducted by the District. This is largely due to the more complete rainfall record used in the 2005 floodplain analysis (see Section 3.1 of the RDEIR).

6. This comment states that the project will significantly alter the functional characteristics of Ormond Beach Lagoon and lead to multiple "take" of state and federally listed species.

Ormond Beach Lagoon Functionality: The proposed project will not permanently alter the footprint or functionality of the Ormond Beach Lagoon, as the lagoon will persist after project construction, but its depth would increase by approximately 2.5 feet after two two-year or one five-year storm event. The deeper lagoon would be able to support a slightly larger population of aquatic species, which would in turn enhance foraging opportunities for endangered California least terns and other birds.

"Take" of State and Federally Listed Species: Please see the responses to the USFWS (Letter 2) and CDFG (Letter 5) comment letters.

7. This comment states that alterations to the area hydrology could hinder Ormond Beach Lagoon restoration plans. The volume of water in Ormond Beach Lagoon would not be decreased by the proposed project. The RDEIR has been updated to replace the original EAP with the new BEMP. The EAP allowed for occasional breaching of the lagoon to prevent upstream flooding. The BEMP would not result in direct breaching of the lagoon, but rather would facilitate natural breaching in the event storm water runoff raises the lagoon water surface elevation above 6.5 feet (NGVD 1929). This is designed to mimic natural processes in response to storm water inflows, which occur once or more during the rainy season. The natural breaches quickly fill with sand pushed in by the tides or blown in by the winds, causing runoff from J Street, Hueneme, and

Oxnard Industrial Drains to collect once more in the lagoon. This process would continue after project construction. As shown in Figure 4.11-1, the estimated surface water area after construction of phase 1 would increase by one acre at 6.5 feet water surface elevation; therefore, the lagoon would not reduce in size or volume. The lagoon bottom between the outlet and the natural breach location is expected to deepen naturally by approximately 2.5 feet after the first two two-year storms or the first five-year storm following construction, but this would increase the volume of water in the lagoon. Natural deepening of the lagoon is not expected to hinder Ormond Beach Lagoon restoration plans.

8. This comment states that the project would result in “take” of tidewater gobies. The proposed project would result in the potential take of tidewater gobies, and the District would first obtain authorization from the USFWS under the Federal Endangered Species Act before beginning construction. Since the release of the DEIR in November 2009, ongoing consultation between the District and USFWS has occurred. Please refer to the responses provided in Letter 2 (USFWS) and Letter 5 (CDFG) above. The consultation history is outlined in the revised Biological Technical Report for the proposed project, which is included as Appendix D of the 2011 RDEIR.

Construction sequencing plans have been added to clarify methods for protecting tidewater gobies during construction (see Figures 3.0-6 through 3.0-9 in the RDEIR). Also, Mitigation Measure BIO-5 has been revised to increase protection for gobies during construction. Replacement of the EAP with the BEMP further reduces potential impacts to gobies.

9. This comment states that the requirements of the Emergency Action Plan will force the District to take unneeded and harmful actions to avoid liability. The Emergency Action Plan has been replaced with the Beach Elevation Management Plan (BEMP). Section 3.0 of the 2011 RDEIR provides a description of the new BEMP. Section 4.2, Biological Resources, of the 2011 RDEIR has been revised to reflect the changes resulting from the new BEMP.

During BEMP activation, a qualified biologist would be on site to monitor activities and avoid impacts to coastal habitat and wildlife. The grooming site and access to the site would be located on open sandy beach, northwest of California least tern and western snowy plover nesting areas documented from 2008 to 2010. Implementation of the BEMP would occur during the rainy season, or outside the nesting season. Because the BEMP would not involve direct breaching of the lagoon, tidewater gobies would not be directly impacted.

10. Ormond Beach Observers disagrees with the water quality analysis and disagrees with the assumption that increased volume of water would have no effect. Section 4.3 of the 2011 RDEIR discusses the additional information with regards to water quality and hydraulic hazards. Construction of the proposed project would involve dewatering, demolition, and excavation activities which may result in potential impacts to water quality. The proposed project would require consultation with the USACE to obtain a Section 404 Permit and associated Section 401 Water Quality Certification via the RWQCB. A separate dewatering permit would be obtained from RWQCB. However, discharges of groundwater to surface water are covered under Order No. R4-2008-0032, General NPDES and Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties (adopted by the State Board on June 5, 2008). Therefore, the District would need to submit a Notice of Intent (NOI) and comply with the permit requirements including waste discharge requirements (WDR) and implement a monitoring and reporting program.

Finally, the RWQCB will require coverage under the Construction General Stormwater Permit which addresses the potential pollutants discharged to stormwater by construction activities. To comply with the permit, a Notice of Intent (NOI) must be submitted to the RWQCB and a SWPPP must be prepared and kept on site. The purpose of the SWPPP is to identify and document appropriate BMP installation to minimize erosion and construction site runoff pollution during the length of construction. Mitigation is identified in Section 4.3 of the 2011 RDEIR to ensure impacts are reduced to a less than significant level.

During operation, the project would not generate additional pollutants within the J Street Drain watershed. Polluted floodwaters that currently enter the drain over a slightly longer duration would in the future enter the drain over a shorter period due to the channel's greater capacity. This would not represent a substantial change in the existing water quality.

11. OBO disagrees with the District's hydrologic assumption that no hydrologic connection exists between Mugu and Ormond lagoons. Please see response to comment #4 above.
12. Ormond Beach Observers believes the project threatens the entire portion of Hueneme and Ormond Beach that qualify as environmentally sensitive habitat under Section 30240 of the Coastal Act. OBO feels the 2009 DEIR should be revised and re-circulated. That 2009 DEIR has been revised and is being recirculated (2011 RDEIR). Coordination with the California Coastal Commission will occur as part of the permitting process. As discussed in Section 4.2 of the 2011 RDEIR and the Biological Technical Report (Appendix D), the majority of the proposed J Street Drain project consists of urban development. Within the northern survey area, the Drain is a concrete lined ditch with surrounding residential and commercial development. Project implementation within the northern survey area would occur entirely within the channel right-of-way, which is developed. The existing channel does not support vegetation communities; therefore, the modifications to the channel would not impact vegetation communities.

Construction of the proposed project would occur within unvegetated open water habitat and adjacent to other sensitive vegetation communities and would result in potentially significant indirect impacts to these habitats (erosion, intrusion of workers/equipment, etc.). Mitigation is identified in Section 4.2 for temporary impacts to sensitive vegetation communities. Once the project is completed, all sensitive habitat areas would function as they did before project construction, preserving the existing sensitive habitat values over the long term. Below is the revised mitigation within the 2011 RDEIR.

Mitigation Measure

BIO-1 During construction, the sensitive vegetation communities adjacent to the project alignment shall be flagged as Environmentally Sensitive Areas (ESA) and construction fencing shall be installed to avoid indirect impacts to these areas. Staging areas shall be identified during construction for lay down areas, equipment storage, etc., to avoid indirect impacts to the ESA. Biological monitoring shall occur during construction activities to prevent indirect impacts. Temporarily disturbed OW habitat, which falls under the CDFG, USACE, and RWQCB jurisdiction, would be restored at a 1:1 ratio upon completion of construction. OW habitat restoration shall include replacement on the lagoon bottom of the top 12 inches of original soil to ensure suitable conditions for tidewater gobies and benthic fauna.

As discussed in Section 4.2 of the 2011 RDEIR, operation of the proposed project entails the functioning of the J Street Drain with increased capacity and some maintenance activities. Therefore, operational activities are not anticipated to impact vegetation communities or habitats because the drain, a concrete-lined channel, would generally function as it does under existing conditions and no new impacts would result from the increased drain capacity. Some maintenance activities, such as sediment removal and vegetation control, have the potential to result in operational impacts to the OW habitat found in the southern survey area. However, best management practices (BMPs) established in the District's Final Program EIR for Environmental Protection Measures for the Ongoing Routine Operations and Maintenance Program would be implemented to avoid significant impacts. Specifically, BMP-2, as described in Table 1.9-1 in Section 1.0 of the EIR, requires measures to prevent downstream water quality impacts (e.g., to open water habitat) during concrete channel cleaning. BMP-3 requires stabilization of temporary stockpiles during channel cleanouts to prevent migration of sediments into the channel. BMP-15 requires the District to mitigate/replace native wetland or riparian vegetation removed from areas adjacent to the facility. Implementation of BMP-2, BMP-3, and BMP-15 would preclude significant impacts to vegetation communities/habitats associated with maintenance activities.

Furthermore, the modification of the bed, bank, and/or vegetation in a natural drainage (and certain man-made drainages) is regulated by the CDFG under Section 1600 et seq. of the Fish and Game Code. Such modifications require a Streambed Alteration Agreement (SAA), which would preclude impacts to vegetation communities without appropriate mitigation. Additionally, activities that result in the discharge of dredged or fill material in watercourses (such as bank stabilization and excavation) are also regulated by the USACE under Section 404 of the CWA. Issuance of a 404 permit also requires a 401 Water Quality Certification by the RWQCB. Approval and issuance of a 404 permit and 401 Water Quality Certification would ensure that vegetation communities/habitats are not significantly impacted by the function of the J Street Drain. The CDFG, USACE, and RWQCB are public agencies committed to protecting and preserving natural resources. The proposed project is required from a regulatory standpoint to coordinate and comply with the regulations and policies of these agencies. Therefore, by coordinating with the CDFG, USACE, and RWQCB and complying with applicable regulations and VCWPD Operations and Maintenance BMPs, operational impacts to vegetation communities/habitats would be less than significant.

The Ventura Audubon Society, Inc.

P.O. Box 24198, Ventura, CA 93002 www.venturaaudubon.org

December 14, 2009

Ventura County Watershed Protection District
Attention: Angela Bonfiglio Allen
800 South Victoria Avenue
Ventura, CA 93009-1610

Dear Ms. Allen,

The Ventura Audubon Society has the following comments to the Ventura County Watershed Protection District's J. Street Drain improvement project DEIR, dated October 2009.

This project will substantially increase the amount of water that enters the Ormond Beach Lagoon during heavy rainfall events by channeling runoff water to the lagoon. Water that might have soaked into adjacent ground areas will be moved instead to the lagoon. This may significantly raise the water level in the lagoon.

10-1

Currently the project area described does not include the outer beach seaward of the lagoon. This area is currently used by both California Least Terns and Western Snowy Plovers for nesting. (Reed Smith, 2008 and 2009, personal observation) Your project contemplates the movement of heavy equipment along this portion of the beach as a part of your Emergency Action Plan (EAP). We feel that the project description should include the outer beach as a part of the project area.

10-2

With the outer beach included in the project area we see the potential for significant adverse impacts to both terns and plovers. A raised water level in the lagoon certainly could flood out tern and plover nests. A heavy rainfall event and the movement of water down the larger channel could breach the sandbar directly seaward of the end of the lined channel. This could result in the destruction of plover and terns nests on the outer beach in that location. The movement of heavy equipment, bulldozers, etc. along the outer beach as contemplated in the EAP could result crushing of the eggs and young of both species.

10-3

In your discussion of nesting and foraging success of terns and plovers you state in BIO-3: "If no nesting birds are found, construction activities could be conducted

10-4

RECEIVED

DEC 18 2009

WATERSHED PROTECTION DISTRICT

during the breeding season." We strongly feel that no construction activities should be conducted in any habitat that has been identified as potential plover and tern nesting area during the breeding season. Construction operations will have the effect of discouraging the birds from nesting in suitable habitat. Plovers and terns have as a part of their lifecycle nesting more than once during a breeding season. Just because no nests are found during one survey doesn't mean that they would not use the area after that survey during the breeding season. To determine if an area is used for nesting of either species surveys should be conducted twice a week from March through mid-September, and even then no construction activity should be performed in the potential nesting area. If any nests are located then the federal Endangered Species Act prohibits entry into that nesting area by persons other than those who hold a recovery permit under the Act.

10-4
Cont.

In your discussion of the EAP you repeatedly state that the heavy equipment to be moved along the beach will follow a path used by lifeguards. The fact that lifeguards use that route does not exempt you from adequate care in traveling the beach. We have contacted the Port Hueneme Lifeguards and they have been instructed in proper caution in driving the ungroomed portions of the beach during nesting season.

10-5

Thank you for the opportunity to comment on the DEIR. We look forward to your written responses to these comments. Please feel free to contact me at (805) 652-0706 with any questions.

10-6



Reed Smith, Science Chair
Ventura Audubon Society

Letter 10

The Ventura Audubon Society, Inc.

December 14, 2009

1. This comment addresses water level in the Ormond Beach Lagoon during heavy rainfall events. Ventura Audubon Society states that by channeling runoff water to the lagoon, the project will reduce the amount of water that soaks into the ground and substantially increase the amount of water that enters the lagoon. The J Street Drain watershed is largely urbanized. Areas where rainfall can percolate into the soil include landscaped and unpaved portions of residential, commercial, and industrial properties, parks, and schools. The availability of these areas for rainfall absorption would not change as a result of the project. The water that would reach the J Street Drain is largely flow that runs immediately off of rooftops, concrete, and asphalt paving and therefore cannot soak into the ground. Flows from storm events larger than the existing channel capacity (10-year flood) and up to the 100-year flood would be conveyed by the larger channel through the lagoon and directly into the ocean, as the beach berm breaches during storm events smaller than the channel's existing capacity. Therefore, although the amount of water entering the lagoon would increase, this water would not remain within the lagoon.
2. The Ventura Audubon Society suggests including the outer beach seaward of the lagoon in the project area due to the potential movement of heavy equipment along this portion of the beach as a part of the Emergency Action Plan. The Emergency Action Plan has been replaced with the Beach Elevation Management Plan (BEMP). The BEMP proposes an access route onto the beach to provide periodic grooming of the sand berm blocking the lagoon outlet before predicted storm events if the berm elevation exceeds an elevation of 6.5 feet (NGVD 1929). The location of the access would follow the same pathway that lifeguards and beach maintenance vehicles currently use on a daily basis to reach the groomed portion of the beach. The grooming location is on unvegetated, open sandy beach northwest of California least tern and western snowy plover nesting sites observed from 2008 through 2010. Both the BEMP access route and grooming location are part of the J Street Drain project area. Although the route is disturbed from daily use, it occurs adjacent to potentially sensitive habitat. As outlined in the Project Description, Section 3.0 of the 2011 RDEIR, any implementation of the BEMP would be overseen by a qualified biologist to ensure that direct impacts to sensitive species and their habitats are avoided to the maximum extent practicable. On August 2, 2011, a meeting with District staff, HDR personnel and Chris Dellith of USFWS was held. A refined Beach Elevation Maintenance Plan (BEMP) was presented to Mr. Dellith. The BEMP incorporated input previously provided by Mr. Dellith. Mr. Dellith agreed that as compared to the EAP, the BEMP would reduce potential impacts to California least tern, western snowy plovers, and tidewater goby because the plan would be implemented during the rainy season, or outside of the tern and plover nesting seasons and the goby peak breeding season. If implementation must occur between March 15 and September 15 due to unusual weather and beach conditions, a qualified biologist would ensure that no nesting birds are present prior to implementation, further protecting California least tern and western snowy plover.
3. This comment addresses the potential for significant adverse impacts to California least terns and western snowy plover should the outer beach be added to the project area. The Ventura Audubon Society summarizes the potential impacts to terns and plovers due to raised water levels after heavy rainfall and implementation of the Emergency Action Plan. The Emergency Action Plan has been replaced by the Beach Elevation Management Plan (BEMP). Please see response to comment number 2 above. Also, the lagoon is not expected to encroach into known tern and plover nesting areas as a result of greater runoff flowing through the enlarged J Street Drain

because the lagoon would breach during storms smaller than the existing drain capacity. As a result, increased runoff would pass through the lagoon and flow directly into the ocean.

4. The Ventura Audubon Society disagrees with Mitigation Measure BIO-3 which states “If no nesting birds are found, construction activities could be conducted during the breeding season.” The Audubon Society feels that no construction activities should be conducted in any habitat that has been identified as potential plover and tern nesting area during breeding season. They suggest that surveys be conducted twice per week between March and mid-September. As stated in the response to comment number 2 above, a qualified biologist would oversee BEMP implementation during the breeding season to ensure nesting areas are avoided. Because the project construction area does not overlap tern and plover nesting sites documented between 2008 and 2010, construction is not expected to directly affect potential nesting areas. As a result, the need for twice weekly surveys from March through September is not warranted. Mitigation Measures BIO-1 and BIO-3 have been revised to provide further clarity and resource protection in response to your, CDFG, USFWS, and Ormond Beach Observers comments:

BIO-1 During construction, the sensitive vegetation communities adjacent to the project alignment shall be flagged as Environmentally Sensitive Areas (ESA) and construction fencing shall be installed to avoid indirect impacts to these areas. Staging areas shall be identified during construction for lay down areas, equipment storage, etc., to avoid indirect impacts to the ESA. Biological monitoring shall occur during construction activities to prevent indirect impacts. Temporarily disturbed OW habitat, which falls under CDFG, USACE, and RWQCB jurisdiction, would be restored at a 1:1 ratio upon completion of construction. OW habitat restoration shall include replacement on the lagoon bottom of the top 12 inches of original soil to ensure suitable conditions for tidewater gobies and benthic fauna.

BIO-3 To prevent a decrease in the nesting and foraging success of the California least tern and western snowy plover, phase 1 construction activities adjacent to California least tern and western snowy plover habitat shall occur outside of the breeding season (March to September) to the extent feasible. If construction activities must occur during the breeding season, phase 1 project initiation through coffer dam installation shall be completed before May 1 to avoid direct impacts to foraging terns. In addition, a preemptive nesting bird survey shall be conducted by a qualified biologist to determine if any nesting terns or plovers are located near proposed activities. If nesting birds are found, all construction activities shall be prohibited within a 300-foot buffer area surrounding the nest location during the breeding season until the young have fledged. The qualified biologist shall ensure that the buffer area is appropriately defined with flagging and/or other means of suitable identification. The District shall consult with USFWS and CDFG in the event that nesting California least terns or western snowy plover are observed within 500 feet of the project area. If no nesting birds are found, construction activities could be conducted during the breeding season without restriction.

The revised mitigation measures are included in the 2011 RDEIR.

5. This comment addresses the Emergency Action Plan and the movement of heavy equipment along the beach following the same path used by lifeguards. The Ventura Audubon Society states that following this path does not exempt the operators of the equipment from “adequate care in traveling the beach.” According to the Audubon Society, the lifeguards have been instructed in

proper caution in driving in ungroomed portions of the beach during nesting season. The Emergency Action Plan has been replaced by the Beach Elevation Management Plan (BEMP). Section 3.0 of the 2011 RDEIR provides a description of the new BEMP. The BEMP defines a maximum safe beach height, and provides for a coordinated response to groom the sand berm at a pre-specified location immediately prior to a predicted storm event if the sand berm exceeds an elevation of 6.5 feet (NGVD 1929).

The grooming would be performed by a tracked dozer designated by the O&M Deputy Director in coordination with the District Director or his/her designee. Once the O&M Deputy Director determines that the BEMP threshold criteria have been met, the dozer shall be pre-positioned at the south side parking lot of Port Hueneme Beach Park. As soon as the BEMP is enacted, the dozer operator accompanied by District environmental staff would move the dozer to the designated beach grooming location, and shave the sand berm down to the maximum safe beach elevation. The dozer access path to the groom location would be the same as the one currently used by lifeguards from Port Hueneme Beach Park. Access to the beach from this point would avoid the nesting sites used by California least terns and western snowy plovers from 2008 through 2010. The grooming width would measure approximately 100 feet parallel to the coastline. The removed sands would be placed on the beach adjacent to the groomed area. The grooming procedure would be completed within several hours, including removal of equipment from the beach. The designated grooming area would be permanently marked with rods driven deep into the sand. Elevation markings would be depicted on the rods. The grooming location would be coordinated with USFWS and CDFG to avoid potential impact to habitat areas.

During the grooming operation, the work site would be secured by the District to prevent interruption by or injury of the general public. Members of the Ventura County Sheriff Department or lifeguards, as well as their designees, may assume responsibility for the protective duty.

During BEMP activation, a qualified biologist would be on site to monitor activities and avoid impacts to coastal habitat and wildlife to the greatest extent feasible. Advance coordination and permitting with the California Coastal Commission (CCC), CDFG, Los Angeles RWQCB, US Army Corps of Engineers (USACE), and USFWS would be required.

6. This comment provides a closing statement and contact information for the Ventura Audubon Society. Since this comment does not address the adequacy of the 2009 DEIR, no additional response is required.



January 15, 2010

Ventura County Watershed Protection District
 Attention: Angela Bonfiglio Allen
 800 South Victoria Avenue
 Ventura, CA 93009-1610
 Angela.Bonfiglio@ventura.org

VIA EMAIL AND U.S. MAIL

Re: Public Comments on J. Street Drain DEIR

Dear Mrs. Bonfiglio:

Thank you for the opportunity to comment on the J.St. Drain Project (“Project”) Draft Environmental Impact Report (“DEIR”). Ventura Coastkeeper (“VCK”) is a program of the Wishtoyo Foundation, a community based 501(c)(3) non profit with over 700 members consisting of Ventura County residents, Chumash Native Americans, and the general public that enjoys, depends on, and visits Ventura County’s inland and coastal waterbodies. VCK’s mission is to protect, preserve, and restore the ecological integrity and water quality of Ventura County’s inland and coastal waterbodies for all beings in the County’s diverse community through outreach and education, restoration projects, advocacy, litigation, and community organizing and empowerment. In commenting on the DEIR, VCK draws upon the Wishtoyo Foundation’s unique cultural perspective, our involvement with the Oxnard community, our J.St. Drain Volunteer Trash Pick Events, and our experience protecting, preserving, monitoring, and restoring Oxnard’s and Ventura County’s waterways and waterbodies.

11-1

Of particular importance to Wishtoyo and its Ventura Coastkeeper Program is that the J-St. Drain Project and its DEIR adequately protect the ecological integrity and water quality of the Ormond Beach Wetlands and Ventura County’s coastal marine waters, while also protecting and improving the health and wellbeing of all of Oxnard’s residents.

As such, VCK respectfully submits the following comments:

- I. VCK applauds the Project objectives of maintaining the existing functional characteristics of the Ormond Beach Lagoon; ensuring project compatibility with future Ormond Beach Lagoon restoration plans; minimizing the disturbance to tidewater goby habitat downstream of the J Street Drain lined channel and minimizing the effects on water quality of the lagoon.**
- II. The DEIR is legally inadequate because it fails to identify, and adequately mitigate to a less than significant effect, the Project’s significant environmental**

11-2

11-3

impacts derived from the increased trash pollution that will end up in J. St. Drain, the Ormond Beach Wetlands, and Oxnard's coastal marine waters resulting from the project.

A. The Project as proposed and the insufficient mitigation measures set forth in its DEIR will increase increased the amount of trash that will end up or be deposited up in J. St. Drain, and that will be swept into the Ormond Beach Wetlands and Oxnard's coastal marine waters by storm flows for two reasons:

11-3
Cont.

1.) The Project will have the indirect impact of attracting more visitors, new development, and residents to the watershed drained by J.St. Drain and its connecting stormwater infrastructure. As stated in the EIR, "The existing storm drain network does not have the capacity to accommodate increased runoff produced by full build-out of the 2020 General Plan. Therefore, while developers are required to convey drainage to the storm drain system and pay appropriate fees, storm drain capacity in the main lines may not be adequate." Thus, the approval and completion of the Project will allow for more residential, commercial, and industrial development to occur, as per the 2020 general plan. Furthermore, the 2030 Plan before the City Council, may further result in zoning and other provisions that will result in more visitors and residents visiting and moving into the J.St. Drain watershed if the Project and its DEIR are approved. The increase in visitors and in residents within the J. St. Drain watershed (the land in which J-St. Drain collects stormwater and dry weather urban runoff from) will reasonably lead to an increase in trash generated and littered into streets, the stormwater infrastructure connecting to J.St. Drain, and in J. Street Drain itself.

11-4

2.) The Project will prevent Ventura Coastkeeper, its volunteers, and the Oxnard public from routinely picking up trash from J-St. Drain. The data in Table 1 below and Appendix A generated by VCK's Watershed Monitoring Program pursuant to VCK's Quality Assurance Project Plan ("QAPP")¹ that is certified and approved by the Los Angeles Regional Water Quality Board, demonstrates a significant and persistent presence of trash routinely exists in: 1.) in the J. Street Drain; along J-St. in between Hueneme Road and Bard. St.; and 2.) in the Ormond Beach Wetlands. Table 1 below and Appendix A data also demonstrate that VCK's and the public's efforts are needed to clean trash out of the J.Street Drain to prevent the trash from staying in the storm drain in between storm events and to prevent the trash from being washed into and deposited into

11-5

¹ A QAPP's purpose is to assure that appropriate methods of data collection are used and that documentation of the quality assurance approach is available for users of the data. Data collected under VCK's QAPP is certified to be provide as information to the Regional and State Boards for their use, if they so choose, in Clean Water Act Section 305(b) reporting, which sets forth a list of State's impaired waterbodies. Components of a QAPP include Quality Assurance and Quality Control. Quality Assurance includes activities that ensure that data collected are of adequate quality given the monitoring objectives. Quality Assurance consists of two separate but interrelated activities: Quality Control and Quality Assessment. Quality control refers to the technical activities employed to ensure that the data collected are adequate given the monitoring objectives to be tested. Quality Assessment activities are implemented to quantify the effectiveness of the quality control procedures.

the Ormond Beach Wetlands and Oxnard's Coastal waters during storm events. As the DEIR indicates, the proposed project involves converting the existing trapezoidal concrete channel into an open rectangular channel with a bottom approximately four feet deeper than the existing channel bottom. The DEIR also indicates that the existing trapezoidal channel would be deepened to increase J.St Drain's capacity and the channel walls would be vertical with the top being an open channel (See DIER Figure 3.0-3). Thus, it appears that VCK's volunteers will not have access to the J.Street Drain to clean trash out of the storm drain in between rain events because the 7-8 foot deep channel with vertical wall would create a hazard to volunteer entry, even with the insertion of a ladder from the top of the vertical wall to the bottom of the channel, that would be too dangerous for VCK to subject its volunteers too. Thus, the Project as proposed will prevent Ventura Coastkeeper, its volunteers, and the Oxnard public from routinely picking up trash from J-St. Drain, which will increase the presence of trash in J. Street Drain, in the Ormond Beach Wetlands, and in Oxnard's coastal marine waters and beaches.

Table 1: Ventura Coastkeeper Watershed Monitoring Program J-St. Drain and Ormond Beach Trash Data

Monitoring Date	VCK Site	Location	Longitude	Latitude	Pieces of Trash	Recorders
11/1/2009	OB-1	Ormond Beach Wetlands	-119.182	34.13716	10 to 50	Art Flynn, Mike Smith, Jason Weiner
10/22/2009	OB-1	Ormond Beach Wetlands	-119.182	34.13716	50+	Jason Weiner, Mike Smith
9/24/2009	OB-1	Ormond Beach Wetlands	-119.182	34.13716	1 to 10	Erick Burres, Jason Weiner
7/17/2009	OB-1	Ormond Beach Wetlands	-119.182	34.13716	50+	Jim Hensley, Paul Felix, Trevor Smith, Jason Weiner
12/5/2009	OB-3	J-St. Drain (J St. and Hueneme Rd.)	-119.186	34.14728	100+	RESTOR Program, Jason Weiner (4 volunteers)

11/1/2009	OB-3	J-St. Drain (J St. and Hueneme Rd.)	-119.186	34.14728	1,000	Art Flynn, Mike Smith, Jason Weiner
9/24/2009	OB-3	J-St. Drain (J St. and Hueneme Rd.)	-119.186	34.14728	200+	Erick Burres, Jason Weiner
8/27/2009	OB-3	J-St. Drain (J St. and Hueneme Rd.)	-119.186	34.14728	<200	Trevor Smith, Art Flynn, Jason Weiner
7/17/2009	OB-3	J-St. Drain (J St. and Hueneme Rd.)	-119.186	34.14728	50+	Jim Hensley, Paul Felix, Trevor Smith, Jason Weiner
12/13/2009	span	J St. Drain (Hueneme Rd. to Bard Rd.)	range	range	1336	11 volunteers (street & drain pickup)
11/22/2009	span	J St. Drain (Hueneme Rd. to Bard Rd.)	range	range	3989	68 volunteers
10/10/2009	span	J St. Drain (Hueneme Rd. to Bard Rd.)	range	range	3878	23 volunteers

11-5
Cont.

B. The Project and its DEIR inadequately mitigate the Project's significant environmental effects from the increased trash pollution that will end up in J. St. Drain, the Ormond Beach Wetlands, and Oxnard's coastal marine waters as a result of the Project.

11-6

As Stated in the Revised Draft: July 27, 2007 Los Angeles River Watershed Trash TMDL:

“Trash in waterways causes significant water quality problems. Small and large floatables can inhibit the growth of aquatic vegetation, decreasing spawning areas and habitats for fish and other living organisms. Wildlife living in rivers and in riparian areas can be harmed by ingesting or becoming entangled in floating trash. Except for large items such as shopping carts, settleables are not always obvious to the eye. They include glass, cigarette butts, rubber, construction debris and more. Settleables can be a problem for bottom feeders and can contribute to sediment contamination. Some debris (e.g. diapers, medical and household waste, and chemicals) are a source of bacteria and toxic substances. Floating debris that is not trapped and removed will eventually end up on the beaches or in the open ocean, repelling visitors away from our beaches and degrading coastal waters.”

Not only will the increase in trash pollution from the Project that is swept into the Ormond Beach Wetlands and Oxnard’s marine waters during rain events from J. Street Drain thus significantly impair the ecological integrity of the Ormond Beach Wetland Lagoon, the Ormond Beach Wetlands, Oxnard’s coastal marine waters, and tide water goby breeding and foraging habitat (trash will smother their habitat in the Ormond Beach Lagoon), but trash in the quantities recorded by VCK and that is otherwise present in the J. Street Drain, in the Ormond Beach Wetlands, and on and originating from Oxnard’s streets and that will increase in the J. St. Drain, Ormond Beach Wetlands, and in Oxnard’s Streets as a result of the Project will cause: 1.) enhanced public health and safety threats because trash is a source of and is a conduit for bacteria growth, can be laden with toxic substances or sharp objects, and can provide breeding grounds for mosquitoes; 2.) a decrease in property values; 3.) a decrease in resident well being and enjoyment of their communities; 4.) a detraction from resident’s and visitor’s aesthetic enjoyment of Oxnard’s waterbodies and environment (detracts from Oxnard’s visual and scenic resources); 5.) safety hazards to people who recreate in or on waterways, beaches, or waterbodies; and will 6.) drive away visitors and tourists from Oxnard’s beaches, neighborhoods, commercial establishments, and wildlife sanctuaries.

Furthermore, the increase in trash entering the ocean from the J. St. Drain as a result of the Project will further impact the ecological integrity of our oceans, and our ocean’s marine mammals and fishes. It is estimated that suspended in the North Pacific Gyre in between North America and Asia is a mass of trash twice the size of Texas.² Plastic trash is particularly alarming, not only due to its presence and toxicity, but because it does not biodegrade, but photodegrades and exponentially multiplies into smaller and smaller pieces the size of zooplankton. According to Algalita Fish Research, “broken, degraded plastic pieces outweigh surface zooplankton in the central North Pacific by a factor of 6-1. That means six pounds of plastic for every single pound of zooplankton.” (see http://www.algalita.org/pelagic_plastic.html). Fish ingest plastic, mistaking it for food, and consume other hydrophobic contaminants sorbed to the plastic along with the pollutants contained in plastic and plastic’s additives. Marine mammals and fish also die from trash entanglement and suffocation. Additionally, researchers are investigating the effect that plastics and trash may have on the water chemistry of our oceans.

²<http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2007/10/19/SS6JS8RH0.DTL>;
<http://www.reuters.com/article/idUSTRE5730ET20090804>

Thus, because the Project will increase trash pollution, it will have a significant adverse environmental impact on: the water quality and ecological integrity of the Ormond Beach Wetlands and Oxnard's coastal marine waters; public health; Oxnard resident well being; community development; the economic condition of Oxnard's residents and visitors; and on visual and scenic resources.

To mitigate the impacts to the water quality and ecological integrity of the Ormond Beach Wetlands and Oxnard's coastal marine waters to a less than significant effect, structural best management practices to prevent trash pollution, such as trash excluder devices (which are being installed all throughout storm drains in Los Angeles County that drain into sensitive and marine ecosystems) must be built into the J-Street Drain infrastructure as a component of the Project. Furthermore, because the new NPDES permit requires installation of trash excluders or similar devices at "catch basins or outfalls to prevent the discharge of trash to the storm drain system or receiving water...in areas defined as Priority A" by mid-2011, and because J-St. drain is severely polluted by trash as indicated in Table 1 and VCK Appendix A, trash excluder or similar devices will eventually be required to be installed in the J. Street Drain, and thus it will result in economic efficiencies and savings to install the trash excluder device in J-Street drain while J-St. Drain is being re-modeled.

11-6
Cont.

To adequately mitigate the Project's additional significant impacts to public health, Oxnard resident well being, community development, the economic condition of Oxnard's residents and visitors, and on visual and scenic resources, Project Alternative A from Redwood Street to Hueneme Road, in combination with Project Alternative C from Hueneme Road connecting to the Ormond Beach wetlands, as described below in VCK's proposed alternative must be chosen. This alternative would also require the installation of one or more trash excluder devices, to mitigate the projects impacts to the water quality and ecological integrity of the Ormond Beach Wetlands and Oxnard's coastal waters and beaches to a less than significant effect.

III. The DEIR must Analyze and Adopt VCK's proposed environmentally superior and economically feasible alternative below to adequately mitigate the Project's environmental impacts from trash pollution set forth in Section II in this letter to a less than significant effect.

To implement the policy of reducing significant environmental impacts, CEQA requires that an EIR identify both feasible mitigation measures and feasible alternatives that could avoid or substantially lessen the project's significant environmental effects. Pub Res C §21002, 21002.1(a), 21100(b)(4), 21150. The *CEQA Guidelines* require an EIR to "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives" (*CEQA Guidelines* §15126.6(a)). The *CEQA Guidelines* direct that selection of alternatives focus on those alternatives capable of eliminating any significant environmental effects of the project or of reducing them to a less-than significant level, even if these alternatives would impede to some degree the attainment of project objectives, or would be more costly.

11-7

VCK proposes that the Projected is adopted with VCK's proposed alternative. VCK's alternative is that Channel Alternative A, the buried box culvert that would allow for vegetation on top, is chosen from Redwood Street to Hueneme Road. From Hueneme Road to the Ormond Beach wetlands, VCK's proposed alternative includes the construction of a modified Channel Alternative C, with a vertical channel wall on the side of the channel opposite Ormond Beach Wetlands, that extends horizontally all the way to the right of way mark in DEIR Figure 5.0-1 for Alternative C. On the Ormond Beach side of J. Street Drain, VCK's alternative would keep the step alternative, and proposes to add a vegetated trail for the public to walk along on top of the step, that would provide the public and surrounding communities with access to the Ormond Beach Wetlands.

Covering J. Street drain with a beautifully vegetated and landscaped trail from Redwood Street to the Ormond Beach wetlands, with properly placed trash excluder devices or similar, would mitigate the project's adverse environmental impacts set forth in Section II of this letter to a less than significant effect, and would greatly enhance: resident well being; the aesthetic, scenic, and visual conditions of the J. Street Drain neighborhoods and the Ormond Beach Wetlands; local community property values; the attraction of tourists; and the achievement of the Ormond Beach Wetlands restoration goals which includes enhanced community access. This alternative would also prevent trash from being thrown into J. St Drain and from being blown from streets into J. Street Drain, which would reduce the significant environmental impacts derived from trash. This alternative will also reduce the expenditure on trash excluder or similar devices that will otherwise need to be installed in and throughout the J.St. Drain storm drain system to comply with the 2009 MS4 permit.

Although, this alternative set forth by VCK may cost an additional \$27 million dollars to adopt, a determination that an alternative is not economically feasible must be supported by evidence and analysis showing that it cannot reasonably be implemented based on economic constraints. In *Kings County Farm Bureau v City of Hanford* (1990) 221 CA3d 692, 737, 270 CR 650. Because storm drains have been buried throughout Los Angeles and Ventura County, VCK feels this alternative is economically feasible, especially considering the millions upon millions of dollars in economic benefits that the adoption of VCK's alternative will result in such as: enhanced property values, enhanced resident and visitor health, and increase resident and city revenues derived from: increased visitors, income derived from property taxes, and from tourists to the Ormond Beach Wetlands.

Thank you for considering our comments. Please feel free to contact us with any questions.

Sincerely,



Jason Weiner, M.E.M.
Associate Director & Staff Attorney
Wishtoyo's Ventura Coastkeeper

11-7
Cont.



Appendix A

The Wishtoyo Foundation's Ventura Coastkeeper



Beach, Street, and Storm Drain Trash Clean Up Data Card

Wishtoyo's Ventura Coastkeeper Trash Clean Up					
Date: 11/22/2009		Area Covered: Just South of Huneme Rd. to Bard (est. 1.25 miles)			
Location: J-Street Drain					
# Volunteers: 68		#Volunteer Hours	2.5	Total Volunteer Hours	170
Bags of Trash: 53				Total Pieces of Trash	3989
Est. Pounds of Trash: 400				Total Pieces of Plastic	2255
Glass Items			Plasitc Items		
Bottles		52	Bags (grocery, shopping, trash)		372
Pieces		336	Bags (ziplock, snack)		190
Paper Items			Food Wrappers (ie: chips or candy)		549
Bags		58	Bottles		89
Food Containers, Cups, Plates		66	Cups, Lids, Plates, Utensils		127
Cardboard, Newspapers, Magazines		62	Bottle Caps or Rings		128
Pieces		268	6-Pack Rings		3
Metal Items			Straws or stirres		114
Bottle Caps or Can Pulls		38	Landscape netting, Fishing Line, Nets		4
Beverage Cans		59	Motor Oil Bottles		2
Nails		13	Balloons or Ribbons		22
Batteries		12	Pieces		655
Fishing Hooks or Lures		1	Styrofoam Items		
Crab Pots		0	Food Containers, Cups, Plates		204
Foil		11	Buoys or floats		0
Misc.		29	Peanuts or Packing materials		29
Beach Users			Pieces		114
Fireworks		1	Smoking Related Items		
Pallets or Wood		16	Cigarette Buts		271
Beach Chairs, Toys, Umbrellas		9	Disposable Lighters		29
Shoes		4	Box or Wrappers		11
Clothes or Towels		9	Large Items		
			Shopping Carts		1
Medical and Personal Hygiene			Appliances		1
Syringes or needles		1	Car Parts		1
diapers		2	Bikes/Bike Parts		
Condoms		2	Tires		
Tampons or Tampon Applicators		1	Car Batteries		
Band-aids, Bandages, Wipes, tissues		9			
Other					
Shot Gun Shells / bb pelets		2			
Sport Balls		6			
Chemical Cans/Spray Paint Cans		1			
dvd		5			

11-8



River & Beach Trash Clean Up Data Card

"Protecting Ventura County's Inland & Coastal Waterbodies"

VENTURA COASTKEEPER

Cleanup Instructions

- 1.) Leave dead animals, kelp, drift wood and all other naturally occurring items.
- 2.) Collect everything else, even the small pieces which are easily mistaken for food by animals.
- 3.) Tell your site leader if you find a syringe or any other dangerous materials. They will dispose of these items.
- 4.) Help us prevent marine and inland waterbody debris by collecting data!

Data is being collected in Ventura County and will be used to tackle the marine debris and the inland waterbody trash issue with legislation at the local and state level. Keep a count of the debris items that you find using tally marks. When you are finished, enter the item total in the box. Example:

8 Bags (grocery, shopping, trash) **|||||**

Do not write words such as "Lots" or "Many"
Only numbers are useful data.

GLASS ITEMS

52 Bottles
336 Pieces

PAPER ITEMS

58 Bags
66 Food Containers, Cups, Plates
62 Cardboard, Newspapers, Magazines
268 Pieces

METAL ITEMS

58 Bottle Caps or Can Pulls
39 Beverage Cans
15 Nails
12 Batteries
1 Fishing Hooks or Lures
0 Crab Pots

BEACH USERS

1 Fireworks
16 Pallets or Wood
9 Beach Chairs, Toys, Umbrellas
4 Shoes
9 Clothes or Towels

MEDICAL AND PERSONAL HYGIENE

1 Syringes or Needles
2 Diapers
2 Condoms
1 Tampons or Tampon Applicators
9 Band-aids or Bandages

Group Name: Ventura Coastkeeper Volunteers

City/County: Oxnard, Ventura County, California

Beach/Site: J-Street Drain, west Hueneme Rd. - Bard

Date: 11/22/2009

Area Covered (miles): 1.25 miles

of Volunteers 68 x Hours 2.5 = 170 Total Volunteer Hours

Pounds of Recyclables: Pounds of Trash: 400

PLASTIC ITEMS

372 Bags (grocery, shopping, trash)
190 Bags (ziplock, snack)
549 Food Wrappers (ie chips or candy)
89 Bottles
127 Cups, Lids, Plates, Utensils
128 Bottle Caps or Rings
3 6-Pack Rings
114 Straws or Stirrers
4 Fishing Line, Nets, Lures, Floats
2 Motor Oil Bottles
22 Ballons or Ribbons
655 Pieces
2256 Total Plastic Pieces

STYROFOAM ITEMS (foamed plastic)

204 Food Containers, Cups, Plates
0 Buoys or Floats
29 Peanuts or Packing Materials
114 Pieces

SMOKING RELATED ITEMS

271 Cigarette Butts
29 Disposable Lighters
11 Box or Wrappers

LARGE ITEMS

1 Shopping Carts
1 Appliances
1 Car Parts
Bikes/Bike Parts
Tires
Car Batteries

OTHER

(please write in anything else you have found)

6 i.e. Shot Gun Shells
6 Sports Balls
11 Foil
29 Misc. Pieces of Metal

Please return this data card to your cleanup leader.

Thank you for helping to stop marine debris!



For more info contact us:

(805) 823-3301

info@wishtoyo.org

www.wishtoyo.org

11-8
Cont.



The Wishtoyo Foundation's Ventura Coastkeeper



Beach, Street, and Storm Drain Trash Clean Up Data Card

Wishtoyo's Ventura Coastkeeper Trash Clean Up			
Date:	10/10/2009	Area Covered:	Clara St to just west of Hueneme Rd. (.25 of a mile)
Location: J-Street Drain			
# Volunteers	23	#Volunteer Hours	2.5
Bags of Trash:	35	Total Volunteer Hrs.	57.5
Est. lbs.Trash	125	Total Pieces of Trash =	3878
		Total Pieces of Plastic =	1637
Glass Items		Plasitc Items	
Bottles	22	Bags (grocery, shopping, trash)	83
Pieces	262	Bags (ziplock, snack)	106
Paper Items		Food Wrappers (ie: chips or cand)	649
Bags	17	Bottles	80
Food Containers, Cups, Plates	52	Cups, Lids, Plates, Utensils	196
Cardboard, Newspapers, Magazines	33	Bottle Caps or Rings	96
Pieces	447	6-Pack Rings	8
Metal Items		Straws or stirres	78
Bottle Caps or Can Pulls	67	Landscape netting, Fishing Line,	4
Beverage Cans	30	Motor Oil Bottles	0
Nails	26	Balloons or Ribbons	19
Batteries	8	Pieces	318
Fishing Hooks or Lures	0	Styrofoam Items	
Crab Pots	0	Food Containers, Cups, Plates	250
Foil	13	Buoys or floats	0
Beach Users		Peanuts or Packing materials	41
Fireworks	2	Pieces	285
Pallets or Wood	2	Smoking Related Items	
Beach Chairs, Toys, Umbrellas	3	Cigarette Buts	581
Clothes or Towels	10	Disposable Lighters	3
Medical and Personal Hygiene		Box or Wrappers	34
Syringes or needles	1	Large Items	
diapers	18	Shopping Carts	0
Condoms	8	Appliances	1
Tampons or Tampon Applicators	0	Car Parts	8
Band-aids or Bandages	0	Bikes/Bike Parts	0
Other		Tires	0
Shot Gun Shells	2	Car Batteries	1
Sport Balls	8		
Chemical Cans/Spray Paint Cans	3		
dvd	3		

11-8
Cont.



River & Beach Trash Clean Up Data Card

"Protecting Ventura
County's Inland &
Coastal Waterbodies"

Cleanup Instructions

- 1.) Leave dead animals, kelp, drift wood and all other naturally occurring items.
- 2.) Collect everything else, even the small pieces which are easily mistaken for food by animals.
- 3.) Tell your site leader if you find a syringe or any other dangerous materials. They will dispose of these items.
- 4.) Help us prevent marine and inland waterbody debris by collecting data!

Data is being collected in Ventura County and will be used to tackle the marine debris and the inland waterbody trash issue with legislation at the local and state level. Keep a count of the debris items that you find using tally marks. When you are finished, enter the item total in the box. Example:

8 Bags (grocery, shopping, trash) |||||
Do not write words such as "Lots" or "Many"
Only numbers are useful data.

GLASS ITEMS

22 Bottles
26 Pieces

PAPER ITEMS

17 Bags
52 Food Containers, Cups, Plates
33 Cardboard, Newspapers, Magazines
47 Pieces

METAL ITEMS

67 Bottle Caps or Can Pulls
30 Beverage Cans
13 Foil
26 Nails
8 Batteries
0 Fishing Hooks or Lures
0 Crab Pots

BEACH USERS

2 Fireworks
2 Pallets or Wood
3 Beach Chairs, Toys, Umbrellas
0 Shoes
10 Clothes or Towels

MEDICAL AND PERSONAL HYGIENE

1 Syringes or Needles
18 Diapers
8 Condoms
0 Tampons or Tampon Applicators
0 Band-aids or Bandages

Group Name: Ventura Coastkeeper Volunteers
City/County: Oxnard, Ventura County, California
Beach/Site: J-Street Drain, east&west of Hueneme Rd.
Date: 10/10/2009
Area Covered (miles): .25 miles
of Volunteers 23 x Hours 2.5 = 57.5 Total Volunteer Hours
Pounds of Recyclables: _____ Pounds of Trash: 125

PLASTIC ITEMS

83 Bags (grocery, shopping, trash)
106 Bags (ziplock, snack)
649 Food Wrappers (ie chips or candy)
90 Bottles
196 Cups, Lids, Plates, Utensils
46 Bottle Caps or Rings
8 8-Pack Rings
78 Straws or Stirrers
4 Fishing Line, Nets, Lures, Floats, Landscape Netting
0 Motor Oil Bottles
19 Ballons or Ribbons
318 Pieces

STYROFOAM ITEMS (foamed plastic)

250 Food Containers, Cups, Plates
0 Buoys or Floats
41 Peanuts or Packing Materials
234 Pieces

SMOKING RELATED ITEMS

531 Cigarette Butts
3 Disposable Lighters
34 Box or Wrappers

LARGE ITEMS

0 Shopping Carts
1 Appliances
8 Car Parts
0 Bikes/Bike Parts
0 Tires
1 Car Batteries

OTHER

(please write in anything else you have found)

2 i.e. Shot Gun Shells
8 Sport Balls (basketball etc.)
3 Spray Cans / Chemical Cans
3 DVD's / CDs

Please return this data card to your cleanup leader.
Thank you for helping to stop marine debris!



For more info contact us:
(805) 823-3301
info@wishtoyo.org
www.wishtoyo.org

11-8
Cont.




The Wishtoyo Foundation's Ventura Coastkeeper



Beach, Street, and Storm Drain Trash Clean Up Data Card

Wishtoyo's Ventura Coastkeeper Trash Clean Up					
Date:	12/13/2009	Area Covered: Huneme Rd. to Bard (est. 1.25 miles) & Street			
Location: J-Street Drain		** just after rain event - trash swept out to sea			
# Volunteers: 11	#Volunteer Hours	2.5	Total Volunteer Hours	27.5	
Bags of Trash: 11			Total Pieces of Trash	1336	
Est. Pounds of Trash: 40			Total Pieces of Plastic	668	
Glass Items			Plasitc Items		
Bottles		11	Bags (grocery, shopping, trash)		75
Pieces		30	Bags (ziplock, snack)		12
Paper Items			Food Wrappers (ie: chips or candy)		
Bags		11	Bottles		17
Food Containers, Cups, Plates			Cups, Lids, Plates, Utensils		
Cardboard, Newspapers, Magazines		35	Bottle Caps or Rings		12
Pieces		276	6-Pack Rings		1
Metal Items			Straws or stirres		
Bottle Caps or Can Pulls		21	Landscape netting, Fishing Line, Nets, lures, floats		
Beverage Cans			Motor Oil Bottles		2
Nails		9	Balloons or Ribbons		7
Batteries			Pieces		182
Fishing Hooks or Lures			Styrofoam Items		
Crab Pots		0	Food Containers, Cups, Plates		50
Foil			Buoys or floats		0
Misc.			Peanuts or Packing materials		
Beach Users			Pieces		46
Fireworks			Smoking Related Items		
Pallets or Wood			Cigarette Buts		128
Beach Chairs, Toys, Umbrellas			Disposable Lighters		1
Shoes			Box or Wrappers		11
Clothes or Towels			Large Items		
Medical and Personal Hygiene			Shopping Carts		
Syringes or needles			Appliances		
diapers		1	Car Parts		
Condoms		3	Bikes/Bike Parts		
Tampons or Tampon Applicators			Tires		
Band-aids, Bandages, Wipes, tissues			Car Batteries		
Other					
Shot Gun Shells / bb pelets					
Sport Balls					
Chemical Cans/Spray Paint Cans					
dvd					

11-8
Cont.



River & Beach Trash Clean Up Data Card

"Protecting Ventura County's Inland & Coastal Waterbodies"

VENTURA COASTKEEPER®

Cleanup Instructions

- 1.) Leave dead animals, kelp, drift wood and all other naturally occurring items.
- 2.) Collect everything else, even the small pieces which are easily mistaken for food by animals.
- 3.) Tell your site leader if you find a syringe or any other dangerous materials. They will dispose of these items.
- 4.) Help us prevent marine and inland waterbody debris by collecting data!

Data is being collected in Ventura County and will be used to tackle the marine debris and the inland waterbody trash issue with legislation at the local and state level. Keep a count of the debris items that you find using tally marks. When you are finished, enter the item total in the box. Example:

☐ 8 Bags (grocery, shopping, trash) HHH III

Do not write words such as "Lots" or "Many"
Only numbers are useful data.

Group Name: Ventura Coastkeeper Volunteers

City/County: Oxnard, CA

Beach/Site: J. Street Drain (Hueneme - Bay) and 1/8 mile of Street

Date: 12/13/09

Area Covered (miles): 1.25

of Volunteers 11 x Hours 2.5 = 27.5 Total Volunteer Hours

Pounds of Recyclables: _____ Pounds of Trash: 40

PLASTIC ITEMS

☒ 15 Bags (grocery, shopping, trash)

☒ 12 Bags (ziplock, snack)

☒ 16 Food Wrappers (ie chips or candy)

☒ 17 Bottles

☒ 10 Cups, Lids, Plates, Utensils

☒ 12 Bottle Caps or Rings

☒ 1 6-Pack Rings

☒ 32 Straws or Stirrers

☐ Fishing Line, Nets, Lures, Floats

☒ 2 Motor Oil Bottles

☒ 7 Ballons or Ribbons

☒ 13 Pieces

STYROFOAM ITEMS (foamed plastic)

☒ 50 Food Containers, Cups, Plates

☐ Buoys or Floats

☐ Peanuts or Packing Materials

☒ 46 Pieces

SMOKING RELATED ITEMS

☒ 129 Cigarette Butts

☐ Disposable Lighters

☒ 11 Box or Wrappers

LARGE ITEMS

☐ Shopping Carts

☐ Appliances

☐ Car Parts

☐ Bikes/Bike Parts

☐ Tires

☐ Car Batteries

OTHER
(please write in anything else you have found)

☐ i.e. Shot Gun Shells

☐

☐

GLASS ITEMS

☒ 11 Bottles

☒ 130 Pieces

PAPER ITEMS

☒ 11 Bags

☒ 31 Food Containers, Cups, Plates

☒ 35 Cardboard, Newspapers, Magazines

☒ 276 Pieces

METAL ITEMS

☒ 21 Bottle Caps or Can Pulls

☒ Beverage Cans

☒ 4 Nails

☐ Batteries

☒ 4 Fishing Hooks or Lures

☐ Crab Pots

BEACH USERS

☒ Fireworks

☐ Pallets or Wood

☐ Beach Chairs, Toys, Umbrellas

☐ Shoes

☐ Clothes or Towels

MEDICAL AND PERSONAL HYGIENE

☐ Syringes or Needles

☒ 1 Diapers

☒ 3 Condoms

☐ Tampons or Tampon Applicators

☐ Band-aids or Bandages

Please return this data card to your cleanup leader.
Thank you for helping to stop marine debris!

For more info contact us:
 (805) 823-3301
info@wishtoyo.org
www.wishtoyo.org

11-8
Cont.



The Wishtoyo Foundation's Ventura Coastkeeper



Beach, Street, and Storm Drain Trash Clean Up Data Card

Wishtoyo's Ventura Coastkeeper Trash Clean Up							
Date:	12/13/2009			Area Covered: J.St on fence lining storm drain			
Location: J-Street near cross section with Hueneme Rd.				for 1/8 of a mile from Hueneme upstream			
# Volunteers:4		#Volunteer Hours		2.5	Total Volunteer Hours		10
Bags of Trash: 4		*just after rain event			Total Pieces of Trash		854
Est. Pounds of Trash:		25			Total Pieces of Plastic		440
Glass Items				Plastic Items			
	Bottles		5		Bags (grocery, shopping, trash)		63
	Pieces		28		Bags (ziplock, snack)		6
Paper Items					Food Wrappers (ie: chips or candy)		186
	Bags		11		Bottles		9
	Food Containers, Cups, Plates		23		Cups, Lids, Plates, Utensils		54
	Cardboard, Newspapers, Magazines		24		Bottle Caps or Rings		6
	Pieces		131		6-Pack Rings		1
Metal Items					Straws or stirrers		18
	Bottle Caps or Can Pulls		8		Landscape netting, Fishing Line,		0
	Beverage Cans				Motor Oil Bottles		1
	Nails		1		Balloons or Ribbons		1
	Batteries				Pieces		95
	Fishing Hooks or Lures		1	Styrofoam Items			
	Crab Pots		0		Food Containers, Cups, Plates		40
	Foil				Buoys or floats		0
	Misc.				Peanuts or Packing materials		1
Beach Users					Pieces		21
	Fireworks			Smoking Related Items			
	Pallets or Wood				Cigarette Buts		106
	Beach Chairs, Toys, Umbrellas				Disposable Lighters		1
	Shoes				Box or Wrappers		8
	Clothes or Towels			Large Items			
Medical and Personal Hygiene					Shopping Carts		0
	Syringes or needles				Appliances		
	diapers		1		Car Parts		1
	Condoms		3		Bikes/Bike Parts		
	Tampons or Tampon Applicators				Tires		
	Band-aids, Bandages, Wipes, tissues				Car Batteries		
Other							
	Shot Gun Shells / bb pellets						
	Sport Balls						
	Chemical Cans/Spray Paint Cans						
	dvd						

11-8
Cont.



VENTURA COASTKEEPER

*"Protecting Ventura
County's Inland &
Coastal Waterbodies"*

River & Beach Trash Clean Up Data Card

Group Name: Ventura Coastkeeper Volunteers
 City/County: Oxnard, CA
 Beach/Site: J Street on fence lining J St. Drain
 Date: 12/13/09
 Area Covered (miles): 1/8 (hueneme Rd - upstream)
 # of Volunteers 4 x Hours 2.5 = 10 Total Volunteer Hour
 Pounds of Recyclables: _____ Pounds of Trash: 25

Cleanup Instructions

- 1.) Leave dead animals, kelp, drift wood and all other naturally occurring items.
- 2.) Collect everything else, even the small pieces which are easily mistaken for food by animals.
- 3.) Tell your site leader if you find a syringe or any other dangerous materials. They will dispose of these items.
- 4.) Help us prevent marine and inland waterbody debris by collecting data!

Data is being collected in Ventura County and will be used to tackle the marine debris and the inland waterbody trash issue with legislation at the local and state level. Keep a count of the debris items that you find using tally marks. When you are finished, enter the item total in the box. Example:

☐ 8 Bags (grocery, shopping, trash) HHH III
 Do not write words such as "Lots" or "Many"
 Only numbers are useful data.

GLASS ITEMS

☐ 5 Bottles
☐ 29 Pieces

PAPER ITEMS

☐ 11 Bags
☐ 23 Food Containers, Cups, Plates
☐ 24 Cardboard, Newspapers, Magazines
☐ 131 Pieces

METAL ITEMS

☐ 8 Bottle Caps or Can Pulls
☐ Beverage Cans
☐ Nails
☐ Batteries
☐ Fishing Hooks or Lures
☐ Crab Pots

BEACH USERS

☐ Fireworks
☐ Pallets or Wood
☐ Beach Chairs, Toys, Umbrellas
☐ Shoes
☐ Clothes or Towels

MEDICAL AND PERSONAL HYGIENE

☐ Syringes or Needles
☐ Diapers
☐ 3 Condoms
☐ Tampons or Tampon Applicators
☐ Band-aids or Bandages

PLASTIC ITEMS

☐ 163 Bags (grocery, shopping, trash)
☐ 6 Bags (ziplock, snack)
☐ 136 Food Wrappers (ie chips or candy)
☐ 9 Bottles
☐ 54 Cups, Lids, Plates, Utensils
☐ 6 Bottle Caps or Rings
☐ 1 6-Pack Rings
☐ 18 Straws or Stirrers
☐ 6 Fishing Line, Nets, Lures, Floats
☐ 1 Motor Oil Bottles
☐ 1 Ballons or Ribbons
☐ 95 Pieces

STYROFOAM ITEMS (foamed plastic)

☐ 40 Food Containers, Cups, Plates
☐ 0 Buoys or Floats
☐ 1 Peanuts or Packing Materials
☐ 21 Pieces

SMOKING RELATED ITEMS

☐ 100 Cigarette Butts
☐ Disposable Lighters
☐ 8 Box or Wrappers

LARGE ITEMS

☐ Shopping Carts
☐ Appliances
☐ 1 Car Parts
☐ Bikes/Bike Parts
☐ Tires
☐ Car Batteries

OTHER

(please write in anything else you have found)

☐ i.e. Shot Gun Shells
☐
☐

Please return this data card to your cleanup leader.
 Thank you for helping to stop marine debris!



For more info contact us:
 (805) 823-3301
 info@wishtoyo.org
 www.wishtoyo.org

11-8
 Cont.

Letter 11
Ventura Coastkeeper
January 15, 2010

1. This comment includes introductory remarks, a summary of Ventura Coastkeeper's (VCK) mission and their connection with the Wishtoyo Foundation. Ventura Coastkeeper feels that it is particularly important that the J Street Drain project and the EIR adequately protect the ecological integrity and water quality of the Ormond Beach Wetlands and Ventura County's coastal marine waters, while protecting the well being of residents. Water quality and biological resources were addressed in 2009 DEIR. The District concurs on protecting resources.

Incorporation of the identified mitigation measures in Section 4.2 of the EIR would reduce all potentially significant impacts to sensitive habitats, sensitive wildlife species, wetlands, jurisdictional areas, and nesting birds/raptors to below a level of significance. Section 4.3 of the EIR concludes that with implementation of Mitigation Measures WQ-1 through WQ-4 and implementation of appropriate BMPs, water quality impacts would be reduced to below a level of significance.

2. Ventura Coast Keeper applauds the project's objectives listed in the DEIR. The District appreciates VCK's support. Since the comment does not address the adequacy of the 2009 DEIR, no additional response is required.
3. VCK feels that the 2009 DEIR is legally inadequate and states that the 2009 DEIR fails to identify, and adequately mitigate to a less than significant level, the project's environmental impacts derived from increased trash pollution within the project area.

The proposed project would not cause an increase in the volume of trash entering the J Street Drain and Ormond Beach Lagoon. First, the proposed project would not result in a change in the watershed character that would increase available trash, such as change in the land use type (e.g., from residential to commercial). No new development or increase in tourism (site visitors) would be facilitated by the project, so no increase or change in available trash is expected to occur as a result of the project. Second, the proposed increase in the channel capacity shortens the time in which the existing volume of storm water is conveyed. The overall volume does not increase over existing conditions, the same volume simply enters and passes through the enlarged channel at a faster rate. Therefore, water would pool in streets and parking lots for a shorter period of time and over a smaller land area during storm events because it will be able to drain into the new channel sooner than under existing conditions. Potentially, slightly less trash may be picked up and conveyed by storm waters under these conditions. Therefore, the total amount of trash conveyed by the proposed channel is not expected to increase, and may diminish.

4. This comment addresses the impact of potentially attracting new development and residents to the area as a result of implementation of the project. According to VCK, the increase in future development, new residents and visitors "will reasonably lead to an increase in trash generated and littered into the streets" that will enter the storm drain system and ultimately the watershed. The project would meet an existing demand for improved surface water drainage facilities in an area that is already developed and threatened by flooding during a 100-year storm. The project would only address 100-year flooding in the J Street Drain watershed (Figure 3.0-2a); flooding within the Oxnard Industrial Drain watershed, which includes large areas of undeveloped land east of the J Street Drain watershed, would not be resolved with the proposed project. The project would not encourage new development in the area and would not include any surplus

capacity for new development because of this improvement. Additionally, the project would not encourage economic growth since commercial or business components are not proposed as part of the project. The proposed project is providing the infrastructure to address a current problem. The proposed project would not attract more visitors, residents, or businesses to the area.

The channel is proposed to be enclosed with chain link fencing. This will keep a large amount of windblown trash out of the channel. As part of on-going maintenance required by the Ventura County Municipal Stormwater Permit (NPDES Permit No. CASOO4002, re-issued July 8, 2010), the channel is regularly maintained by removing trash and sediment, and covering any graffiti. The NPDES permit also requires installation of trash excluders or similar devices at “catch basins or outfalls to prevent the discharge of trash to the storm drain system or receiving water...in areas defined as Priority A.” Although neither the City of Oxnard nor the City of Port Hueneme have designated J Street Drain as Priority A (catch basins consistently generating the highest volumes of trash), four of its tributary catch basins or outfalls within the City of Oxnard fall into this category. As a result, it is the responsibility of the City of Oxnard to control these sources of trash under the 2010 NPDES permit. The District is working with the Cities of Oxnard and Port Hueneme on another approach to capturing trash and debris before it reaches Ormond Beach Lagoon and the Pacific Ocean. Long term maintenance of any trash capture device would be performed by the cities. This effort is concurrent with but separate from the J Street Drain capacity improvement project, in compliance with the 2010 NPDES permit.

5. VCK expresses concern over the design of the project and that it will inhibit clean up efforts to routinely pick up trash from the J Street Drain. VCK includes a table that shows a log of volunteer trash pick ups in the J Street Drain watershed and Ormond Beach. As discussed in the response to comment number 4, the District currently cleans out the J Street Drain as mandated by the Ventura County Municipal Stormwater Permit. This results in the removal of many pounds of trash and sediment, as opposed to individual pieces of trash collected by volunteers. It is the responsibility of the City of Oxnard to install trash excluders on four of its catch basins or outfalls that are tributary to the J Street Drain. Furthermore, the District is coordinating with the Cities of Oxnard and Port Hueneme on approaches to capturing trash and debris before it reaches Ormond Beach Lagoon and the Pacific Ocean. This effort is concurrent with but separate from the J Street Drain capacity improvement project, and may involve the installation of a trash boom across the J Street Drain near the Ventura County Railroad. Trash would be regularly collected from the device by either the City of Oxnard or the City of Port Hueneme. The trash collection device would be installed before or during construction of phase 1 of the J Street Drain project, eliminating the need for volunteer trash collection after the channel is deepened.
6. This comment states that the 2009 DEIR does not properly mitigate the project’s environmental effects from increased trash pollution that will end up in the J Street Drain, wetlands, and coastal marine waters as a result of the project. The proposed project is not growth inducing; therefore, construction of the proposed project would not attract more visitors to the area. The proposed project would not result in an increase in pollution in the area. See the responses to comment numbers 3 through 5 above.

VCK states that trash as a result of the proposed project will cause:

- a. Enhanced public health and safety threats because trash is a source of and is a conduit for bacteria growth, can be laden with toxic substances or sharp objects, and can provide breeding grounds for mosquitoes. The channel is proposed to be enclosed with chain link fencing. This will keep a large amount of windblown trash out of the channel. As part of

on-going maintenance the channel is regularly maintained by removing trash and sediment, and covering any graffiti. Public health and safety is discussed in Section 4.11 of the EIR. The proposed project will not result in an increase in public health and safety issues due to an increase in trash. Please see responses to comment numbers 3, 4, and 5 above.

- b. A decrease in property values. The proposed project will enhance the capacity of the drain. Upon completion of construction, operations and maintenance of the drain will continue as it currently does. It is not anticipated that the improvements to the drain and the enhanced capacity to prevent flooding will decrease property values.
- c. A decrease in resident well being and enjoyment of their communities. The purpose of the proposed project is to provide flood protection to the 100-year flood level for the area surrounding J Street Drain. Protection from a 100-year flood is the standard set by the Federal Emergency Management Agency (FEMA) under the National Flood Insurance Program (NFIP). The need for such protection is evidenced by the studies that show the existing drain has the capacity to handle only a ten-year flood event without overtopping the channel. Without the increase in flood protection the local area would continue to be susceptible to flooding, as well as federal requirements to purchase flood insurance for properties within the 100-year flood zone after FEMA remaps the 100-year flood boundary in the project area in the future. Public health and safety is discussed in Section 4.11 of the EIR. The proposed project will not result in an increase in public health and safety issues.
- d. Detraction from residents' and visitors' aesthetic enjoyment of Oxnard's water bodies and environment (detracts from Oxnard's visual and scenic resources). Visual resources were analyzed in Section 4.1 of the DEIR. Trenching near the Surfside III buildings during construction would result in the removal of approximately 110 trees and shrubs of various sizes and species (including 25 eucalyptus trees with a diameter at breast height (DBH) of at least 12 inches) from both J Street Drain and Surfside III properties. By selecting vertical shoring rather than trenching near the Surfside III property as discussed in the RDEIR, large shrubs and overhanging tree limbs within the District right-of-way would be removed, but vegetation on the Surfside III property would remain in place except for plants whose root systems would be compromised during the process. Such vegetation would need to be removed for the safety of workers and residents. Trees and shrubs along the east boundary of the J Street Drain property would remain in place, as construction would affect an existing maintenance road that is devoid of vegetation. Removal of trees and shrubs would expose views of the water treatment plant and the J Street Drain to residents along the east side of Buildings 15, 16, and 17 and people visiting the adjacent park. Mitigation Measure Noise-2 requires a temporary noise control barrier to be installed and maintained between the temporary work area and Buildings 6 and 7 in the Surfside III community during construction. This noise control barrier will also provide visual screening along the eastern boundary of the Surfside III property to shield Buildings 6 and 7 residents from views of the J Street Drain during construction.

Post construction, the original fencing would be replaced. The City of Oxnard would replace landscaping along J Street Drain north of Hueneme Road by agreement with the District. The existing oleander bushes provide screening of the chain link fence along the drain for the residences on both sides of J Street. Additionally, for the pedestrians,

cyclists and motorists along this portion of J Street, the oleander bushes provide a visual buffer for the fence and the drain itself. Mitigation Measure VIS-1, which will be required as a condition of project approval, will require replacement of the removed oleander bushes with suitable landscaping. As this landscaping matures, it will replace the existing visual buffer that the oleander bushes provide and would reduce the construction and operational impact to below a level of significance. Mitigation Measure VIS-2 would require the replacement of the removed trees and large shrubs within the Surfside III property at 1:1 ratio and would reduce the construction and operational impact to below a level of significance. Mitigation Measure VIS-3 would require temporary visual screening.

- e. Safety hazards to people who recreate in or on waterways, beaches, or water bodies. Public health and safety is discussed in Section 4.11 of the EIR. Hazards and Hazardous materials are discussed in Section 4.8 of the EIR. As identified in those sections, the proposed project will not significantly alter the existing recreational conditions of the waterways, beaches and water bodies. As discussed in the response to comment number 3, existing trash volumes generated within the watershed would not increase as a result of project implementation. As discussed in the responses to comment numbers 4 and 5, the District is coordinating with the Cities of Oxnard and Port Hueneme on installation of a trash collection device in J Street Drain in compliance with the 2010 Ventura County Municipal Stormwater Permit. Maintenance of such a device would be the responsibility of either the City of Port Hueneme or the City of Oxnard.
 - f. Drive away visitors and tourists from Oxnard's beaches, neighborhoods, commercial establishments, and wildlife sanctuaries. The purpose of the proposed project is to provide flood protection to the 100-year flood level for the area surrounding J Street Drain. Protection from a 100-year flood is the standard set by the Federal Emergency Management Agency (FEMA) under the National Flood Insurance Program (NFIP). The need for such protection is evidenced by the studies that show the existing drain has the capacity to handle only a ten-year flood event without overtopping the channel. Without the increase in flood protection the local area would continue to be susceptible to flooding, as well as federal requirements to purchase flood insurance for properties within the 100-year flood zone after FEMA remaps the project area in the future. Implementation of the proposed project will not alter the day to day enjoyment of the area. Temporary impacts will result during construction, however, they are temporary in nature and upon completion of construction activities, operation of the drain and access will continue as it currently does.
7. The comment states that VCK's proposed alternative to the project be analyzed and adopted by the District. The buried box culverts alternative that would allow for planting on top (Alternative A) was analyzed in Section 5.0 of the EIR. This alternative would require that the box culverts be strengthened to hold the additional weight of the vegetation on top. Alternative A would provide an aesthetic benefit by adding landscaping on top of the drain for the length of J Street. Of the identified channel alternatives, Alternative A, Buried Box Culverts, would generally have impacts similar to the preferred alternative. Furthermore, in phase 2, where water may pond after project construction due to the lowered bottom elevation, an increased opportunity for mosquito breeding may occur due to the difficulty of accessing the covered water surface for vector control treatment. Increased potential for mosquito breeding would also occur with selection of Alternative C (Open Rectangular Channel with Step) downstream of Hueneme Road (phase 1). This is true because the step would be vegetated and would be covered with shallow water, both

ideal conditions for mosquito breeding. Residents of the adjacent Surfside III development have expressed substantial concern over potential project effects on mosquito breeding in adjacent portions of the J Street Drain. Furthermore, the District discussed public access to the Ormond Beach Wetlands with the USFWS on February 3, 2010. USFWS discouraged public access via J Street Drain because of the proximity of this route to threatened and endangered bird nesting areas. Therefore, Alternative B, without public access, is preferred in the phase 1 area.

Residents north of Hueneme Road (phases 2 through 4) instead prefer Alternative A, as does VCK. While the District is not opposed to Alternative A, it will cost substantially (roughly double, or approximately \$27 million) more than the Preferred Alternative (Alternative B) due to the increased construction and landscaping costs. The District has limited funding derived from property tax revenues to solve flood control problems throughout Ventura County. In partnership with the City of Oxnard and the Ventura County Board of Supervisors, the District will explore supplemental funding sources such as grants, donations, or cost sharing opportunities prior to implementing each project phase. If and where sufficient funding can be generated from all parties and additional sources, the District may consider implementing Alternative A.

8. This is an attachment to the comment letter showing the “clean up data” cards. No additional response is required.

From: jweiner.venturacoastkeeper@gmail.com on behalf of Jason Weiner
[jweiner.venturacoastkeeper@wishtoyo.org]
Sent: Friday, January 15, 2010 4:49 PM
To: Angela Bonfiglio
Subject: Re: VCK DEIR Comments
Attachments: Appendix A. J.St.Trash Data.pdf; Wishtoyo.VCK.J.St.DEIR.1.15.10.pdf

Hi Angela - sorry for the inconvenience. We've had the opportunity to make a couple edits, and would like our public comments submitted in this email to replace the public comments I submitted in our previous email. There are no substantive changes. If you could confirm receipt it would be great.

12-1

Thanks and best of regards,

Jason

On Fri, Jan 15, 2010 at 4:18 PM, Angela Bonfiglio <Angela.Bonfiglio@ventura.org> wrote:
Same to you!

>>> On 1/15/2010 at 4:17 PM, in message
<ffba71ee1001151617x17e2fa1ya1464do59989fad1@mail.gmail.com>, "Jason Weiner"
<jweiner.venturacoastkeeper@wishtoyo.org> wrote:

Thanks Angela,
Best of regards and have a great weekend, Jason

On Fri, Jan 15, 2010 at 4:15 PM, Angela Bonfiglio <Angela.Bonfiglio@ventura.org> wrote
Hi Jason,
I have received your comments.
Take care,
Angela

>>> On 1/15/2010 at 4:14 PM, in message
<ffba71ee1001151614y20285f5di773cbab6e1e211c8@mail.gmail.com>, "Jason Weiner"
<jweiner.venturacoastkeeper@wishtoyo.org> wrote:

Dear Angela, attached are Ventura Coastkeeper's J St. Drain DEIR comments. Please confirm receipt. Best of Regards, Jason

--
Jason A. Weiner
Associate Director & Staff Attorney
Ventura Coastkeeper

3875-A Telegraph Road, #423
Ventura, CA 93003

Office: (805) 658-1120

jweiner.venturacoastkeeper@wishtoyo.org

The contents of this message, together with any attachments, are intended only for the use of the individual or entity to which they are addressed and may contain information that is legally privileged, confidential and exempt from disclosure. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this message, or any attachment, is strictly prohibited. If you have received this message in error, please notify the original sender immediately by telephone or by return E-mail and delete this message, along with any attachments, from your computer. Thank you.

Letter 12

Ventura Coastkeeper (email)

January 15, 2010

1. This comment is an email correspondence asking for confirmation of receipt of comment letter number 11. The letter was received and responses are provided above. Since this comment does not address the adequacy of the 2009 DEIR, no additional response is required.

**PUBLIC COMMENT / OPPOSITION OF SURFSIDE III
CONDOMINIUM OWNERS' ASSOCIATION, INC. TO J STREET
DRAIN PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT**

JANUARY 15, 2010

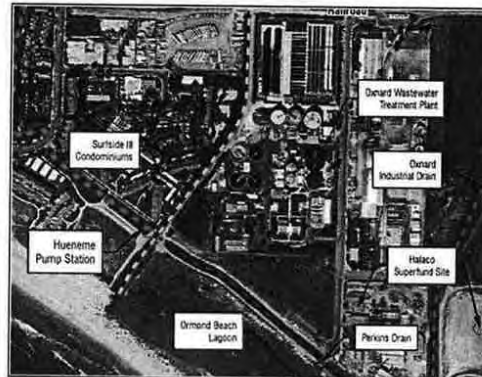


LOEWENTHAL, HILLSHAFFER & ROSEN LLP
DAVID A. LOEWENTHAL
KEVIN P. CARTER
15260 VENTURA BOULEVARD, SUITE 1400
SHERMAN OAKS, CA 91403
COUNSEL FOR SURFSIDE III
CONDOMINIUM OWNERS' ASSOCIATION

Surfside III Condominium Owners' Association, Inc. (hereafter "SSIII") hereby submits the following public comments and opposition regarding the *Draft Environmental Impact Report J Street Drain Project Ventura County, California* (hereafter "DEIR") prepared for the Ventura County Watershed Protection District (hereafter "VCWPD") by HDR Engineering, Inc.

I. INTRODUCTION.

SSIII is a not for profit common interest development duly organized and incorporated pursuant to the laws of the State of California for the purpose, among other things, of providing maintenance, repair and preservation of the residential condominium project (hereafter "SSIII Project") comprised of two hundred and fifty eight (258) condominiums and fifty one (51) townhomes completed in 1976 in Port Hueneme, Ventura County, California.



Much of the SSIII project is directly adjacent to the J Street Drain Project (hereafter "JSDP") - at some points the Drain Canal is only several feet from SSIII residential buildings and improvements. Due to the close proximity, SSIII is likely more

13-1

1 directly affected by the JSDP than most, if not all, of the local community. The
2 diagrams above, prepared for the DEIR, illustrates the proximity. (Yellow dotted line
3 depicts the J Street Drain.)

4 The actual proximity of SSIII structures to the J Street Drain is depicted in the
5 photo below:



17 Being the closest residential project to the JSDP, SSIII is also the most directly
18 affected by the multiple problems and issues that will be created and exacerbated if the
19 JSDP is implemented in its current state as described in the DEIR.

20 **II. SUMMARY OF ISSUES.**

21 The SSIII Association, along with the majority of SSIII homeowners, has serious
22 concerns about the direct and indirect impacts that the contemplated JSDP will have
23 on the SSIII community as well as the local community in general. These issues
24 include, but are not limited to, the following:

- 25 • Public Health – Worsening of already intolerable mosquito infestation;
- 26 • Public Health and Water Resources – Stagnant Water / Backwater
27 Effect / Permanent 4 foot “bathtub” in the J Street canal;

13-1
Cont.

13-2

- 1 ▪ Public Health / Hazards and Hazardous Materials – Proximity to
- 2 Halaco Superfund Toxic Site;
- 3 ▪ Noise and Vibration;
- 4 ▪ Visual Resources – Removal and non-replacement of mature trees
- 5 ▪ Damage to SSIII Property.

13-2
Cont.

6 **III. STANDARD FOR DETERMINING TECHNICAL ADEQUACY OF DEIR**

7 The standard for adequacy of an EIR or DEIR are described in CEQA Guideline
8 Section 15151 as follows:

9 “An EIR should be prepared with a sufficient level of analysis to provide
10 decision-makers with information which enables them to make a decision which
11 intelligently takes account of environmental consequences. An evaluation of the
12 environmental effect of a proposed project need not be exhaustive, but sufficiency of
13 an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement
14 among experts does not make an EIR inadequate, but the EIR should summarize the
15 main points of disagreement among the experts. The courts have not looked for
16 perfection but for adequacy, completeness, and good faith effort at full disclosure”.

13-3

17 Thus, the important element is a complete, good faith effort at full disclosure. As
18 shown below, there are several areas in the DEIR that do not meet this standard and
19 must be expanded with more facts and alternatives to be deemed adequate.
20 Regarding several important issues, the DEIR simply glosses over the associated
21 problems and comes to an unsupported conclusion that any impact will be “less than
22 significant”. As it stands, SSIII asserts that the DEIR is technically and factually
23 inadequate.

IV. PUBLIC HEALTH - THE INCREASE OF STANDING AND STAGNANT WATER IN THE JSDP ADJACENT TO SSIII WILL SIGNIFICANTLY EXACERBATE THE ALREADY INTOLERABLE AND DANGEROUS MOSQUITO INFESTATION.

The Ventura County Environmental Health Services Website states the following relating to mosquitoes:

"Mosquitoes are blood sucking insects that develop in the water in their early stages and hatch out as adults often seeking a blood meal. They may transmit many diseases"

"Many of these have specific habitats, for example; some may prefer creeks or marshes, others prefer gutters or catch basins . . . not all mosquitoes bite man."

"All mosquitoes require water in which to pass their early life stages (eggs, larva and pupal stages); this usually takes from 7 to 10 days. Most mosquitoes lay their eggs in standing water, where they hatch in a day or two. . . **Any location where water stands for over two weeks may become suitable for mosquito breeding.**" (Emphasis added.)

"The female mosquito may need blood meals for their egg development. This is when potential diseases are transmitted".

(See County of Ventura Environmental Health Information, attached as Exhibit "A" to Declaration of Kevin P. Carter.)

The DEIR also describes mosquitoes as follows:

"An organism, such as a mosquito or tick that carries disease-causing microorganisms from one host to another is known as a disease vector. Mosquitoes are of particular concern because of their breeding habits.

The mosquito's water requirement during breeding makes areas with quantities of standing water breeding grounds for mosquitoes. Areas with natural and induced standing water are susceptible. . . Mosquitoes are

13-4

1 potential vectors of organisms that can cause disease to pets, domestic
2 animals, wildlife, or humans. Although 12 mosquito-borne viruses are
3 known to occur in California, only West Nile virus, western equine
4 encephalomyelitis virus, and St. Louis encephalitis virus are significant
5 causes of human disease in California. Mosquito-borne diseases that are
6 of concern in Ventura County are St. Louis encephalitis (SLE), western
7 equine encephalitis (WEE), West Nile virus (WNV) and malaria." (DEIR,
8 p. 4.10-1, Section 4.11.1.)

13-4
Cont.

9 **A. THE DEIR IGNORES THE INCREASED MOSQUITO BREEDING AND**
10 **THE PERMANENT "BATHTUB" EFFECT THAT WILL RESULT FROM**
11 **THE CONTEMPLATED DRAIN EXPANSION.**

12 The DEIR acknowledges that the large quantities of standing water in the
13 current configuration of the Drain creates mosquito breeding sites. (DEIR, 4.11.1) As
14 acknowledged in the DEIR: "The expected maximum water level is regulated by the
15 lowest beach crest elevation or the height of the sand berm, above which a breach in
16 the lagoon would take place (in the absence of manual breaching) and water from the
17 lagoon would discharge into the Pacific Ocean. When the lagoon closes off to the
18 ocean, there are times when the backed up, or 'ponded' water, extends from the
19 lagoon to just upstream of Hueneme Road in the drain . . . Because of the dynamic
20 nature of the project area, the level of water at the lagoon and drain varies throughout
21 the year. Because the water level is typically higher prior to breaching, the water
22 ponds further upstream in the drain. At that time, the water level may reach 6.5 feet,
23 covering about 41.6 acres of the lagoon and the drain and extending just north of
24 Hueneme Road." (DEIR, Page 4.10-2, Section 4.11.1.)

13-5

25 Currently, standing water in the portion of the drain adjacent to SSIII is allowed
26 to drain on occasion when there is a natural breach of the sand berm. This happened
27 most recently during the month of December 2009. After the breach, virtually no water
28 was left in the portion of the drain adjacent to SSIII.

1 However, the DEIR completely ignores
 2 the fact that by deepening the drain by
 3 approximately four feet, a "dam" will be created
 4 just south of SSIII at the end of the J Street
 5 Drain and a "bathtub" of four foot standing
 6 water will be created adjacent to SSIII that
 7 cannot drain whatsoever under any
 8 circumstance, including breach of the sand
 9 berm. It is undisputed that throughout the
 10 summer months, there will always be at least
 11 four feet of stagnant water in the drain adjacent
 12 to SSIII. At the end of the drain, just past SSIII,
 13 the "dam effect" will exist where the deepened
 14 drain meets the four foot higher beach condition near the Pump Station and Ormond
 15 Beach Lagoon. The photo above depicts where the deepened canal ends (near
 16 residential structure) and where the "dam" holding at least four feet of water in the drain
 17 canal will occur.



13-5
 Cont.

18 Thus, the deeper and wider area of increased standing water will be, in
 19 essence, permanently stagnant, especially during the summer months. This omission
 20 in the DEIR is discussed below in Section IV(C) as well. For purposes of this Section,
 21 it is critical to note that the DEIR fails to acknowledge the "dam" or "bathtub" effect and
 22 permanent four feet of stagnant water that will be in Phase I of the JSDP directly
 23 alongside and within feet of the Surfside Project. It is a clear fact that mosquito
 24 breeding will significantly increase if JSDP proceeds as currently intended.

25 Notwithstanding the failure to acknowledge the obvious "bathtub" effect that will
 26 perpetuate at least four feet of standing water, the DEIR concedes that mosquito
 27 breeding will likely increase if the project is implemented:

28

1 "As a result, the proposed project would increase the surface area and amount
2 of standing water in the drain. As shown in Figure 4.11.1, under both conditions, the
3 Phase I (end of the drain to north side of Hueneme Road [3,430 linear feet]) portion of
4 the drain would result in an increase of one acre of water surface area at a water
5 surface level of 6.5 feet due to the increased channel width. . . **Therefore, the**
6 **proposed project would result in increased standing water for potential mosquito**
7 **breeding sites and additional vector sources within the project site.**" (Emphasis
8 added.) (DEIR, p. 4.10-7, Section 4.11.4.)

9 It is very surprising, then, that the DEIR next states "[h]owever, the Ventura
10 County Vector Control Program would continue to conduct mosquito surveillance and
11 abatement activities within the project area during operations. In addition, the products
12 the Vector Control Program uses to control both adult and larval mosquitoes are
13 environmentally safe and approved by the EPA. **This impact is considered less than**
14 **significant.**" (DEIR, page 4.10-7, section 4.11.4.) Finally, the DEIR does not
15 contemplate any mitigation efforts whatsoever to combat the increased mosquito
16 breeding and associated problems: "No significant impacts were identified, therefore
17 no mitigation is required". (DEIR, page 4.10-8, Section 4.11.6.)

18 **B. VECTOR CONTROL HAS BEEN COMPLETELY UNABLE TO**
19 **CONTROL THE ALREADY EXISTING MOSQUITO INFESTATION**
20 **ALONG THE J STREET DRAIN AND ADJACENT TO SSIII.**

21 It cannot be disputed that where there is standing water, mosquitoes will breed.
22 Since the expansion of the Hueneme Pump Station, the J Street Drain has caused an
23 extremely severe mosquito problem for Surfside III and its residents. The impact of the
24 mosquito infestation and risk of disease transmission cannot be deemed "less than
25 significant". The DEIR dismisses the increase in severity of these issues by simply
26 stating that the Department of Health Services (Vector Control) will continue its current
27 task of monitoring and attempting to lessen the problem.

13-5
Cont.

13-6

1 The significance of the mosquito related public health problem must be
2 determined on a case by case basis and is related to project type, location and other
3 environmental factors. If it is determined that project-related impacts are significant
4 and can be mitigated through minor project redesign or adoption of standard
5 conditions, then project specific mitigation shall be identified. (DEIR, 4.11.3.)

6 Below are excerpts from the handful of attached declarations from concerned
7 SSIII homeowners who have had the use and enjoyment of their homes significantly
8 interfered with and reduced by the mosquito problem caused by the expansion of the
9 Pump Station, notwithstanding the larger problem that will be certain to occur if the
10 JSDP is allowed to go forward as in its present incarnation:

- 11 • "It was also during this time, last summer, that I began using Deet-containing
12 mosquito repellants on a daily basis, in order to watch television peacefully
13 inside my own home. Despite the constant application of the repellant,
14 however, I was still being bitten repeatedly and would wake in the night to apply
15 anti-itching lotions and creams. I have never needed to use anti-itch lotions and
16 creams in the middle of the night before." (Marion Kelemen Declaration, SSIII
17 Owner.)
- 18 • "On two different occasions last summer I complained to men I saw on the
19 canal, who said they worked for Vector Control. Both times they told me that
20 they were constrained by the EPA rules from using more effective measures to
21 combat the mosquito problem. I also called Vector Control and they informed
22 me that the mosquitoes had never been a problem before because the water in
23 the lagoon had previously been at a low level, but the high level of water was
24 now creating a 'backwater effect in the canal'". (Marion Kelemen Declaration,
25 SSIII Owner.)
- 26 • "On several occasions this summer I personally observed hoards of mosquitoes
27 hovering directly above, and very close to, the J Street Canal." (Marion
28 Kelemen Declaration, SSIII Owner.)

13-6
Cont.

- 1 • "Beginning in June 2009, we have been unable to use our patio because there
- 2 were so many mosquitoes. Additionally, beginning in June 2009, we were
- 3 unable to leave any doors open as there were so many mosquitoes on the patio
- 4 and outside. If I left the door open for even a moment, mosquitoes would enter
- 5 our home." (Inna Fischer Declaration, SSIII Owner.)
- 6 • "In addition, every night before going to bed, we would run the vacuum cleaner
- 7 along the ceiling in an effort to catch as many mosquitoes as possible to avoid
- 8 nighttime bites. Before this summer, I never needed to do this." (Inna Fischer
- 9 Declaration, SSIII Owner.)
- 10 • "During the summer 2009 months of June, July, August and September I had an
- 11 obnoxious mosquito problem that did not exist in 2008. I purchased this property
- 12 in March 2008." (Robert Banfill Declaration, SSIII Owner.)
- 13 • "On at least 60 occasions I had to remove, swat out and cause to fly away a
- 14 dozen or more mosquitoes that had taken up residence in my dog's house on
- 15 the back patio." (Robert Banfill Declaration, SSIII Owner.)
- 16 • "For the past five years we were able to freely use our patio, as well as the
- 17 Lighthouse Way Park [SSIII common area], with no mosquitoes bothering us in
- 18 our day-to-day lives. However, over the past two years I have noticed that a
- 19 mosquito problem has developed. This past summer, beginning in June 2008,
- 20 and continuing through September 2009, we were unable to open any of the
- 21 doors, front or rear, to our home without mosquitoes entering." Since June 2008
- 22 we have been unable to use either our patio or the Lighthouse Way Park (SSIII
- 23 common area) without being bothered by mosquitoes." (Louis Perry
- 24 Declaration, SSIII Owner.)
- 25 • "Since June 2008, the mosquitoes have become so prevalent in our home that
- 26 the buzzing has kept me up at night." (Louis Perry Declaration, SSIII Owner.)
- 27 • "In June 2009, though, the mosquito problem became much worse. Every time I
- 28 opened either the front or back door, dozens of mosquitoes would fly into our

13-6
Cont.

- 1 home, which we were unable to eliminate. There were so many mosquitoes in
2 our home that my husband and I were forced to sleep under a sheet in an
3 attempt to cut down on the number of bites we suffered every night. The
4 mosquito repellants which we used on a daily basis were ineffective against the
5 mosquitoes in our home." (Amy Segawa Declaration, SSIII Owner.)
- 6 • "Beginning at that same time, in June 2009, we were unable to use our patio, as
7 there were so many mosquitoes." (Amy Segawa Declaration, SSIII Owner.)
 - 8 • "While my husband and I experienced the impact of the mosquitoes acutely, it
9 was our son Michael who was the most affected. Because he was not even a
10 year old this summer we were unable to use any repellants on him. One
11 morning in this summer, the mosquitoes had become so aggressive that our
12 baby woke up covered in bites [see attached photos] . . . The mosquito situation
13 has caused my husband and me severe anxiety. Watching the effect they have
14 had on our young son has been extremely worrisome." (Amy Segawa
15 Declaration, SSIII Owner.)
 - 16 • "However, beginning in June 2009, it became impossible to either sit outside on
17 our patio or visit Lighthouse Way Park [SSIII common area] without being
18 repeatedly bitten by mosquitoes." (Cornelia Ortiz Declaration, SSIII Owner.)
 - 19 • "In addition to being bitten while outside, we were continuously bitten throughout
20 the night by mosquitoes that made their way into our home, despite the fact that
21 we kept our doors and screen doors closed and used mosquito repelling blue
22 lights at both the front and back entrances to our home." (Cornelia Ortiz
23 Declaration, SSIII Owner.)
 - 24 • "I noticed at different times this past summer that the mosquitoes were coming
25 to our home from the J Street Canal where they seemed to reside." (Cornelia
26 Ortiz Declaration, SSIII Owner.)
 - 27 • "Because there were so many mosquitoes, and I was concerned about the
28 viruses which the mosquitoes carried, I called Vector Control to see if they could

13-6
Cont.

1 do anything about the problem. Vector Control informed me that they were
2 aware of the problem, that they were researching the issues, that they were
3 trying to determine what they could do, but that in the meantime, they were
4 doing everything they could do." (Cornelia Ortiz Declaration, SSIII Owner.)

5 The DEIR takes the position that Vector Control has the current mosquito
6 condition well under control and that there will not be any increase in mosquito related
7 or public health issues due to the tremendous increase of permanent standing water
8 contemplated by the JSDP. The above excerpts and complete homeowner
9 declarations submitted concurrently with this Surfside III Public Comment clearly
10 evidence the fact that Vector Control has been totally unable to manage the serious
11 problem as it currently exists. It is axiomatic that the dramatic increase in stagnant
12 surface water that will be created by the drain expansion will seriously exacerbate the
13 condition. As various homeowners and committees at Surfside III have repeatedly
14 made VCWPD and Vector Control aware of the severity of the existing problem, it is
15 disingenuous, at best, for the DEIR to conclude that the impact of the expansion on the
16 mosquito problem and public health "is considered less than significant".

17 Not only are many SSIII residences within a few feet to the J Street Drain Canal,
18 but several important common area amenities are adjacent or near as well, including,
19 but not limited to, common area parks and picnic areas available for use by all SSIII
20 residents and their guests. Besides the obvious significant problem of disease
21 communication, SSIII residents are literally attacked by the hordes of existing
22 mosquitoes, especially during the summer months.

13-6
Cont.

1 The photos below and to
2 the right, for example, were taken
3 during the summer of 2009 and
4 after the expansion of the Port
5 Hueneme Pumping Station, when
6 resident Amy Segawa's son,



Michael, was repeatedly bitten by mosquitoes near the J Street drain. (See Declaration of Amy Segawa submitted concurrently.) The photos are illustrative of the fact that, contrary to the representations and conclusions contained in the DEIR, the mosquito problem is not being adequately mitigated by Ventura County Vector

Control. An increase in mosquito breeding due to the increased stagnant water contemplated by the JSDP will not be "less than significant" to SS III residents, their families, and their guests. The DEIR's statements to the contrary are nothing short of fanciful. The mosquito / public health issues are very significant to SSIII owners. Moreover, expansion of the drain canal and increase in stagnant water poses a very real significant public health issue (disease transmission) to SSIII residents and the local community as a whole. SSIII residents should not have to fear for their health and well being while on their patios, in bed, or strolling through common areas. The DEIR completely fails to acknowledge this problem and fails to propose effective methods of mitigation.

13-6
Cont.

**C. THE DEIR FAILS TO PROPOSE METHODS OF MITIGATING THE
PUBLIC HEALTH AND OTHER MOSQUITO RELATED PROBLEMS
THAT WILL BE CAUSED BY THE JSDP.**

As discussed above, the "dam" effect at the end of the four foot deepened J Street drain canal will basically cause permanent stagnant water of at least four feet deep. It is intuitive, and the DEIR has conceded, that this will increase mosquito breeding in the drain adjacent to the border of SSIII. Along with the obvious problems of disease transmission, mosquito bites and annoyance, this will increase odors, floating debris, and other issues that will significantly lessen the use enjoyment of ownership for SSIII owners and the Association. Notwithstanding these facts, the DEIR fails to propose any method of mitigating the serious effects of increased stagnant water and the backwater effect.

The DEIR states that the primary goal of the JSDP is to increase the capacity of the drain canal to provide capacity for a 100 year flood, should one ever occur in the local community. The simplest way to achieve this goal without negative effects on SSIII and the entire local community would be to pump out, or remove, the stagnant water that is currently in the drain canal during most of the year. By removing the water on a regular basis, the capacity of the existing drain would increase significantly and the drain would not have to be deepened and widened. The DEIR does not address the idea of a pumping system or any other method of draining or removing the stagnant water.

If the VCWPD has a legitimate basis for rejecting the proposal stated in the previous paragraph, there are other "common sense" forms of mitigation. One such method would be the installation of a pump system to periodically clear the deepened "bathtub" (drain canal) of the stagnant water that cannot escape due to the dam effect described above. As an alternative, a form of pump system could be used to keep the water circulating (in a non stagnant state) could be implemented to mitigate the problem. In its current state, water escapes the drain canal at various times, including

13-7

1 when a natural breach of the sand berm occurs. If the JSDP is implemented, the
2 bottom four feet of water in the canal can never clear or escape without the help of a
3 pump system. This cannot be considered acceptable and the DEIR simply ignores the
4 issue.

5 At a recent meeting with various VCWPD representatives, SSIII proposed that
6 the VCWPD include a pump system, along the lines of that described above, or any
7 method of removing / circulating the stagnant water. At that time, VCWPD represented
8 that they would investigate the idea. On or about January 7, 2010, VCWPD
9 communicated that they were not pursuing the idea of a pump system, inflatable dam,
10 or other method to remove / circulate the stagnant water.

11 As a pump or similar system would potentially alleviate SSIII's concerns
12 regarding public health and mosquitoes at a relatively minimal cost, SSIII is not aware
13 of any reason such a system should not be incorporated into the JSDP. The public
14 health and other effects of the contemplated increase in stagnant water require
15 something more than a mere dismissal and unjustified conclusion that the effects will
16 be "less than significant".

17 **V. THE JSDP WILL CAUSE UNACCEPTABLE NOISE LEVELS THAT WILL**
18 **SIGNIFICANTLY AFFECT THE USE, ENJOYMENT, AND HEALTH OF SSIII**
19 **RESIDENTS.**

20 The DEIR acknowledges that the very high noise levels associated with the
21 Project will impact SSIII. "Buildings 6 and 7 of the Surfside III condominiums, located
22 immediately north of the Pump Station, are noise sensitive receptors approximately five
23 feet from the temporary work area's west boundary." (DEIR, page 4.6-1, section
24 4.6.1.2.) SSIII asserts that many important common areas of the Association, as well
25 as other residential buildings and townhomes will suffer from the extreme noise levels
26 as well.

27 The DEIR states that loud equipment including, but not limited to, wheel loaders,
28 track dozers, scrapers, excavators with hydraulic hammers, pile drivers, motor graders,

13-7
Cont.

13-8

concrete pumps, concrete tucks, dump trucks, concrete mixers, portable generators will be utilized during the JSDP. Table 4.6-5 of the DEIR describes the noise level of such equipment from a 50 foot distance.

According to Table 4.6-1 of the DEIR, noise levels of above 60 db are "normally unacceptable" and levels of 75 db and above are "clearly unacceptable". In its definition of "clearly unacceptable," the DEIR's *Land Use Noise Compatibility Guidelines* state that "new construction or development should generally not be undertaken". (DEIR, page 4.6-2, Table 4.6-1.) At fifty feet, virtually all of the construction equipment described above that will be used during construction will be either "normally unacceptable" or "clearly unacceptable". SSIII buildings and common areas, in many cases, are much closer than 50 feet. The DEIR makes no attempt to identify the noise levels from such equipment at any distance closer than 50 feet which is misleading because SSIII residential structures and common areas are much closer to the project.

The City of Oxnard and County of Ventura do not allow exterior sound levels of more than 55 db (DEIR, Table 4.6-3) and the City of Port Hueneme does not allow noise levels in residential developments of greater than 65 db. (DEIR, page 4.6-6, Section 4.6.2.)

The DEIR states that many planned construction activities will exceed allowable noise levels, including, but not limited to, compactors, generators, graders, pile drivers, and tractors. Each of these items, at a fifty foot distance, produce noise levels far in excess of 55 db. (DEIR, Table 4.6-5.) As an example, pile drivers alone produce a fifty foot noise level of up to 107db which nearly doubles the required maximum levels. (DEIR, Table 4.6-5.) Though the DEIR only states 50 foot noise levels, several SSIII residential buildings are only 5-10 feet from the proposed Project and construction.

The DEIR states that "construction activities have the potential to result in noise levels above the Ventura County outdoor noise thresholds. Temporary increases in ambient noise would be significant." (DEIR, page 4.6-13, section 4.6.4.)

13-8
Cont.

The only mitigation proposed by the VCWPD is "a temporary noise control barrier shall be installed and maintained between the temporary work area and Buildings 6 and 7 in the Surfside III community during periods when heavy equipment is operating within 500 feet of these residences or when heavy-duty trucks are regularly using the access road adjacent to the drain". (DEIR, page 4.6-17, Section 4.6.6.

The installation of the noise barrier will not significantly lessen the direct impact on SSIII. "Implementation of the identified mitigation measures would not reduce the noise impacts associated with the construction of proposed project to a level below significant. Impacts are significant and unavoidable." (DEIR, page 4.6-19, section 4.6.7.)

The proximity of the construction is so close to the SSIII residences and common area amenities that the extreme noise levels are very significant indeed. To be acceptable, much more comprehensive mitigation measures must be taken to ensure less of a disruption to the community.

On or about January 7, 2010, the VCWPD informed SSIII that it had completely changed its plan and now intends to use vertical shoring for the entirety of the Project adjacent to SSIII. Besides causing significantly more noise, vibration, and damage to SSIII property, the "new" vertical shoring plan will still cause a severe degradation of visual resources as well as impairment of the use and enjoyment of SSIII residents.

A. GROUND BORNE VIBRATION AND GROUND BORNE NOISE LEVELS.

The DEIR states that "vertical shoring at Surfside III may be placed with a vibratory technique instead of driving or pounding, therefore, ground-borne vibration and ground-borne noise impacts are potentially significant". (DEIR, page 4.6-12, section 4.6.4.) Moreover, VCWPD has recently informed SSIII that, in contrast to the intent stated in the DEIR, it intends to use vertical shoring along the entire SSIII border.

13-8
Cont.

1 The DEIR proposes no mitigation to avoid the obvious problems associated with
2 the significant ground-borne vibration. Property and other damage will almost certainly
3 occur and this cannot be acceptable to SSIII and its residents who live in such close
4 proximity to the contemplated construction project.

5 Until January 7, 2010, the VCWPD represented that it intended to use vertical
6 shoring only where absolutely necessary along the SSIII property line. On or about
7 January 7, VCWPD changed its position and stated its intention to perform all
8 construction near SSIII using a vertical shoring method.

9 Unfortunately, the VCWPD has acknowledged that use of the vertical shoring
10 method would result in more damage, noise, and ground based vibration to SSIII
11 property.

12 "Trench shoring must occur along Building 7 of the Surfside III
13 Condominiums, but is not required for the remainder of this residential
14 community. If trench shoring is not used along the remainder of the
15 condominium complex, the excavation area would need to be wider,
16 necessitating temporary removal of some private landscaping. In addition,
17 the current fence, which does not coincide with the property boundary, will
18 be removed during construction and relocated to the property line at the
19 end of the project. These incursions into private property would allow
20 the project to proceed without the need for extensive shoring of the
21 excavations, therefore reducing the potential for noise and vibration
22 impacts to the adjacent areas." (DEIR, page 3-9, section 3.4.)

23 (Emphasis added.)

24 Thus, the use of vertical shoring along the SSIII boundary will increase noise,
25 ground vibration, and damage to SSIII. The VCWPD is attempting to purposely choose
26 a construction technique that it knows will cause damage to SSIII with full knowledge
27 that reasonable alternatives exist that will cause significantly less damage. Additional
28 forms of mitigation are required before such a plan can be allowed to proceed.

13-8
Cont.

1 **VI. VISUAL RESOURCES.**

2 "Land uses generally considered to be sensitive in terms of view include homes,
3 recreational areas, and designated scenic roads." (DEIR, page. 4.1-1, section 4.1.1.1)
4 The DEIR states the following relating to the visual impact on SSIII: "As shown in
5 Figure 4.1-2, a row of shrubs, mainly myoporum, and eucalyptus trees along the
6 northeast boundary of the Surfside III property shields condominium residents on the
7 east facing sides of Buildings 15, 16, and 17 and users of the park immediately east of
8 these buildings from views of the J Street Drain and the Oxnard Waste Water
9 Treatment Plant ("OWWTP") east of the J Street Drain. Residents in Building 7,
10 located nearest to the proposed project in the vicinity of the OWWTP, are shielded
11 from the industrial view by a 100 foot long section of approximately 14 foot tall mesh
12 screen chain link fence on the west edge of the OWWTP property. This fence screens
13 the view of the OWWTP maintenance yard. The remainder of the OWWTP south of the
14 maintenance yard is screened by trees and shrubs along the plant's west property
15 boundary. Sparser vegetation along the east boundary of the Surfside III property from
16 Building 7 southward forms an inconsistent visual barrier, and residents in Buildings 6
17 and 7 are able to see the J Street Drain from their dwellings." (DEIR, page 4.1-6,
18 section 4.1.1.1.)

19 Though the DEIR is not "inaccurate," it is misleading. Trees and bushes,
20 including many mature, large Eucalyptus trees, shield SSIII from the Drain canal and
21 the ("OWWTP"), both of which are very unsightly.

22 The DEIR acknowledges that there will be substantial degradation of the
23 existing visual character or quality of the site and surroundings relating to SSIII.
24 Specifically, the DEIR states that "Trenching near the Surfside III buildings during
25 construction would result in the removal of approximately 110 trees and shrubs of
26 various sizes and species (including 25 eucalyptus trees with a diameter at breast
27 height (DBH) of at least 12 inches) from both the J Street Drain and Surfside III
28 properties. (DEIR, page 4.1-14, section 4.1.4.) "Loss of vegetation along the

13-9

1 Surfside III property during construction would also cause continued visual impacts
2 during operations. Therefore, implementation of the J Street Drain project would result
3 in degradation of the existing visual character and quality at the project area. The
4 impact is significant." (DEIR, page 4.1-15, section 4.1.4.)

5 As to mitigation, the DEIR suggests that "Any tree or large shrub removed from
6 the Surfside III property during construction would be replaced at a 1:1 ratio." (DEIR,
7 page 4.1-17, section 4.1.6.) "Mitigation measure VIS-2 would require the replacement
8 of the removed trees and large shrubs within the Surfside III property at 1:1 ratio and
9 would reduce the construction and operational impact to below a level of significance."
10 Upon further questioning, VCWPD acknowledged that replacement at a 1:1 ratio does
11 not mean replacing a mature, large eucalyptus tree with another mature, large tree.
12 Instead, it simply means the supply of a small box tree. A small box tree will take many
13 years to mature and not provide any of the visual screening benefits that exist
14 currently. Instead of seeing lush greenery, SSIII residents will see only the Waste
15 Treatment Plant and J Street Drain, along with the stagnant water and floating debris
16 until such time as the small box trees grow to full maturity, if at all.

17 SSIII completely disagrees with the DEIR's conclusion that the construction and
18 operational impact will be "below a level of significance". In fact, the impact will have a
19 significant effect on the use and enjoyment of all SSIII residents.

20 On or about January 7, 2010, the VCWPD informed SSIII that it had completely
21 changed its plan and now intends to use vertical shoring for the entirety of the Project
22 adjacent to SSIII. Though such a plan may require less removal of SSIII trees and
23 other property, it will cause a severe degradation of visual resources, as well as
24 significantly more noise, vibration, and damage to SSIII property.

13-9
Cont.

VII. HAZARDOUS MATERIALS AND WASTES, PUBLIC HEALTH – PROXIMITY TO HALACO SUPERFUND SITE.

Less than ¼ mile to the east of the southern end of the J Street Drain is the Halaco facility which has been designated a Superfund site by the Environmental Protection Agency. The site includes an 11 acre parcel containing a formal smelter and an adjacent 26 acre waste management area where dangerous and toxic wastes were deposited. The primary wastes were metal oxides, metal salts, and other materials skimmed off the top of the molten metal or that settled to the bottom during the smelting process (i.e. slag or dross).

The DEIR concedes that sampling conducted by the State of California and the EPA have repeatedly found contamination. Moreover, a surface impoundment and waste disposal pile contain over 500,000 cubic yards of waste. The contaminants include, but are not limited to, aluminum, arsenic, barium, beryllium, cadmium, chromium, copper, lead, magnesium, nickel, and many others. Similar toxics were found on adjacent properties, including a nature preserve, wetlands, and public beach. (DEIR, page 4.8-1, section 4.8.1.1.) The EPA also found radioactive materials buried at the site.

The DEIR states that the associated hazard risk relating to the Halaco Superfund site is "Unsubstantial because currently undergoing remediation with EPA". (DEIR, page 4.8-5, Table 4.8-1.) This conclusion is not satisfactory and somewhat misleading because the DEIR does not state anything regarding the EPA remediation plan or timetable other than: "In July of 2006, the U.S. EPA reached an agreement with site owners to conduct a 'time critical removal action' to remove drums and other hazardous substances, fence the waste pile, and install a silt curtain and straw wattles.



13-10

1 In February of 2007, the EPA began working to stabilize and secure the site and limit
2 offsite migration of contaminated wastes." (DEIR, page 4.8-2, section 4.8.1.1.)

3 The DEIR fails to state whether the actual remediation has been started, when it
4 will be completed, or how comprehensive or successful the remediation will be. The
5 simple fact that the EPA is investigating remediation does not solve the hazardous
6 material/waste and public health issues. The Halaco issue is simply ignored by the
7 VCWPD and the DEIR.

8 Sierra Club representatives are of the scientific opinion that the Halaco slag
9 heap already comes in contact with water sources that comingle with water from the J
10 Street Drain. Moreover, in 2001, the Los Angeles County Water Quality Control Board
11 found evidence that ammonia and other toxic chemicals were leaking from Halaco's
12 property into nearby wetlands. (*Los Angeles Times* November 14, 2001.)

13 This is a very serious public health concern. Expansion of the J Street Drain, as
14 contemplated by the JSDP, will only increase the risks of contamination from the
15 nearby Superfund site.

16 Much more information is needed before an intelligent analysis can be made
17 regarding this potentially dangerous condition. Simply stating that there is no problem
18 because the EPA may be beginning remediation procedures is far from the full
19 disclosure required under CEQA. The DEIR's representations and conclusions
20 regarding the Halaco Superfund issue is technically and practically inadequate.

21 **VIII. THERE HAS NEVER BEEN A 100-YEAR FLOOD IN THE COMMUNITY AND**
22 **FEMA HAS NOT DESIGNATED THE AREA AS A HIGH FLOOD RISK.**

23 The DEIR states the goal of the JSDP as follows: "The proposed project
24 involves increasing the capacity of the existing J Street Drain to accommodate the 100-
25 year flood flow and to reduce potential flooding in the surrounding area during a
26 moderate rain event." (DEIR, page 1-4, Section 1.5.3.)

27 While this may sound like a noble goal, the DEIR concedes that "there has not
28 been a 100-year flood on record in Oxnard or the project area". (DEIR, page 1-9, 1.5-

13-10
Cont.

13-11

1 1.) Moreover, VCWPD representatives recently conceded that the JSDP is not within a
2 FEMA designated flood zone or high flood risk area. A review of the new flood maps
3 released by FEMA in January 2010 confirms that SSIII and the JSDP is not within a
4 FEMA designated flood zone.

5 While the goals of the project may sound noble, the DEIR does not explain why
6 it is necessary or appropriate to spend significant public monies and cause negative
7 environmental impacts and damage to residents of the community, if the area has
8 never suffered a 100 year flood and is not a high flood risk area.

9 **IX. IT IS NOT EQUITABLE TO FORCE SSIII TO SUE CONTRACTORS**
10 **RETAINED BY VCWPD FOR DAMAGE CAUSED TO SSIII PROPERTY.**

11 As described above, the JSDP contemplates significant ground borne vibration
12 and massive construction directly adjacent to SSIII. In addition, VCWPD intends to
13 remove and possibly reconstruct / replace planters, carports, trees, walls, and other
14 SSIII property. SSIII has no involvement with the selection or retention of the
15 contractors who will perform this work.

16 VCWPD representatives have informed SSIII that, when the inevitable
17 construction related damage occurs to SSIII property, it will be up to SSIII to pursue,
18 and possibly be forced to initiate litigation, against the contractors retained by VCWPD,
19 to ensure damage is either repaired or paid for. This is not appropriate and cannot be
20 acceptable. Damage is even more likely if the VCWPD is allowed to proceed using
21 vertical shoring along the entire SSIII boundary. This new intent to utilize vertical for
22 the entirety of the SSIII boundary was only communicated to SSIII on or about January
23 7, 2010.

24 Moreover, SSIII will not be privy to any of the construction contracts and has no
25 information regarding contractor insurance coverage and coverage exclusions.
26 Because VCWPD has decided to pursue this project within feet of residential structures
27 and common areas, it must be VCWPD who is directly responsible for damages.
28 Moreover, it is simply not fair or equitable to require SSIII to expend additional time and

13-11
Cont.

13-12

1 money (including, potentially, legal and expert fees) to repair what will be damaged by
2 the VCWPD project. Thus, VCWPD must be directly responsible for all damage to
3 SSIII and its owners as a result of the massive construction work to be performed.

13-12
Cont.

4 **X. THE SERIOUS CONCERNS DESCRIBED IN THIS PUBLIC COMMENT ARE**
5 **ECHOED BY THE MAJORITY OF OWNERS IN THE SSIII COMMUNITY.**

6 Through the many written communications previously sent by SSIII committees
7 and owners, the VCWPD has been aware of the serious concerns held by the local
8 community regarding the JSDP. It is not simply the Association's Board of Directors or
9 a few homeowners that share these very important concerns. Approximately 130
10 community response letters have been executed by SSIII Owners and compiled by a
11 parliamentarian for review by the VCWPD. True and correct copies of the
12 Parliamentarian's Certification and an unsigned exemplar of the community response
13 letters is attached hereto as Exhibit "B" to the Declaration of Kevin P. Carter, submitted
14 concurrently herein. The environmental impact of the contemplated JSDP is a very
15 serious issue to a large number of people in the local community and these issues
16 should not simply be dismissed as "less than significant".

13-13

17 **XI. CONCLUSION.**

18 Based on the topics discussed above in this Public Comment, SSIII asserts that
19 the DEIR is technically inadequate and several issues must be addressed and resolved
20 in more detail before the EIR is issued and before the JSDP is allowed to go forward, if
21 at all.

22 The DEIR's conclusions that certain critical issues, such as public health, have a
23 "less than significant effect" are factually and legally incorrect. The DEIR's conclusions
24 must be supported by facts, evidence, or science. Regarding the issues contained
25 above, the DEIR does not meet the required standard of adequacy, completeness, and
26 good faith effort at full disclosure. Until and unless the DEIR fully discloses all known
27 facts and arrives at good faith reasonable conclusions, SSIII opposes the contents of
28

13-14

1 the DEIR and the implementation of the JSDP as currently contemplated by the
2 VCWPD.

3 It is SSIII's hope that the VCWPD will take measures to address the serious
4 concerns described in this Public Comment / Opposition before the issuance of the
5 Final EIR. If the issues are not adequately resolved, however, SSIII reserves its right
6 to initiate legal proceedings to protect itself against the environmental and other
7 negative impacts that the JSDP would cause if implemented as described in the DEIR.

8
9 DATED: January 14, 2010

LOEWENTHAL, HILLSHAFFER & ROSEN, LLP

10
11 

12 Kevin P. Carter,
13 General Counsel for Surfside III
14 Condominium Owners' Association, Inc.
15
16
17
18
19
20
21
22
23
24
25
26
27
28

13-14
Cont.

DECLARATION OF KEVIN P. CARTER

1. I am an attorney licensed to practice before all courts of the State of California. I am a partner with Loewenthal, Hillshafer & Rosen, LLP, general counsel for the Surfside III Condominium Owners' Association, Inc. (hereafter "SSIII"). I have personal knowledge of the following facts, and if called to testify, I could and would competently do so.

2. On or about December 14, 2009, I attended a meeting along with the SSIII Board of Directors, representatives of the Ventura County Watershed Protection District, Ventura County Department of Health Services, and others. During this meeting, SSIII suggested the inclusion of a pump or similar system that would periodically pump out the stagnant water within the J Street Drain. The inclusion of such a pump system would alleviate the severe stagnant water / mosquito problem that the Association faces should the JSDP be implemented, thus allowing for further capacity in the event of a 100 year storm. During the December 14 meeting, the VCWPD representatives stated that they would investigate such an idea and communicate their conclusion to SSIII. On or about January 7, Kirk Norman of the VCWPD informed me that the VCWPD is not likely to include such a pump or other system to alleviate the stagnant water / mosquito problem. To date, the VCWPD has not proposed any form of lessening the increased stagnant water that will exist if the JSDP is implemented in its current incarnation.

3. Moreover, at the December 14, 2009 meeting, the VCWPD representatives stated it intended to use only vertical shoring where absolutely necessary along the SSIII boundary line because the vertical shoring technique could cause more ground based vibration, noise, and damage to SSIII. On or about January 7, Kirk Norman informed me that the VCWPD now intends to use vertical shoring along the entire SSIII boundary.

4. Attached hereto as Exhibit "A" is a true and correct copy of the excerpt obtained from the Ventura County Environmental Health Services website which

13-15

Loewenthal, Hillshafer & Rosen
G:\CASES\Surfside III (All Cases)\JSDP\KPC Dec 17,10 CAG.doc

DECLARATION OF KEVIN P. CARTER

further describes the affect mosquitoes have when exposed to stagnant water. The Ventura County representatives present at the December 14 meeting also handed out this document to those who attended the meeting, including myself.

5. Attached hereto as Exhibit "B" is a true and correct copy of the Parliamentarian's Certification and an unsigned exemplar of the SSIII Owners' community response letters relating to the JSDP.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on January 13, 2010 at Sherman Oaks, California.


Kevin P. Carter

13-15
Cont.

Mosquito Control

Mosquitoes are blood-sucking insects that develop in the water in their early stages and hatch out as adults often seeking a blood meal. They may transmit many diseases. [Click here](#) for Mosquito Transmitted Disease Surveillance Program. There are typically 15 species of common mosquitoes found in Ventura County. Many of these have specific habitats, for example; some may prefer creeks or marshes, others prefer gutters or catch basins, and still others may prefer tree holes. Not all mosquitoes bite man. There are also additional biting flying insects that may be mistaken for mosquitoes. These may be black flies or biting midges. For more information on insects resembling mosquitoes, [click here](#). If you are being bitten it is important to collect samples of what is biting you. With the sample the department can then determine what the insect problem is.

How Do Mosquitoes Grow?

All mosquitoes require water in which to pass their early life stages (eggs, larva and pupal stages); this usually takes from 7 to 10 days. Most mosquitoes lay their eggs in standing water, where they hatch in a day or two. This may be along creek margins, in containers, gutters, tires, and ponds. Any location where water stands for over two weeks may become suitable for mosquito breeding. Other types of mosquitoes lay their eggs in the dirt along creek edges or dry ponds where they remain until covered by water, then hatching occurs.

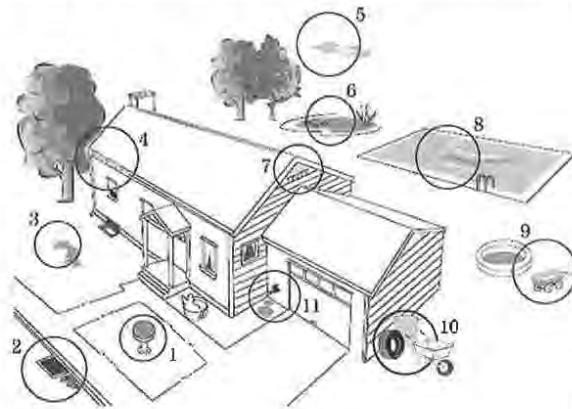
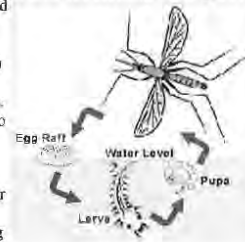
The mosquito eggs hatch in to the larval stage (also called wigglers). Where the larva wiggle through the water feeding on minute particles. This stage lasts for about one week. The larva then changes into the pupal stage (called tumblers). This stage is where the larva changes into the adult mosquito. When the adult mosquito is ready to emerge, the skin of the pupa splits open and the adult mosquito climbs out.

Adult mosquitoes usually live for two weeks but may survive the winter in the adult stage. They frequently rest in grasses, shrubbery or other foliage, and in shaded, secluded or protected areas, for example; doghouses, chicken coops, under eaves, etc. The adult mosquito will feed on flower nectar, which is used for food and energy. The female mosquito may need blood meals for their egg development. This is when potential diseases are transmitted. The male mosquito does not bite or need a blood meal.

How Do I Control Mosquitoes/ Where Do I Look?

If there are any places around your home where water collects, such as old tires, wading pools, clogged gutters, wheelbarrows, etc.

You may be raising Mosquitoes! Homeowners can help reduce annoyance caused by mosquito breeding around their homes by eliminating standing water. Start with a thorough inspection of your property to determine sources of standing water.



Here are some places to check:

1. Stagnant water located in birdbaths should be changed every other day.
2. Yard waste, such as lawn cuttings and raked leaves, which are present in gutters or storm drains, prevent water from flowing and harbor perfect breeding conditions for mosquitoes.
3. Low-lying depressions in lawn areas where water can collect should be filled in.
4. Leaves and twigs can block roof gutters and eaves troughs and prevent proper water drainage.
5. Compost should be turned over frequently and areas of organic matter, which provide a food source for mosquito larvae, should be collected and recycled immediately.
6. Stagnant water of any kind is another breeding area for mosquitoes.
7. Open or broken window screens and attic vents offer perfect avenues for mosquitoes to make their way into your home. Window screens should fit snugly into the frame, vents should remain closed and for further prevention, windows should also be shut during the hours of dusk and dawn.
8. Pool covers can collect water and should be emptied right away. Wading pools need to also be turned over when they are not in use.
9. Toys and other objects around the yard should be placed in an area where they won't collect rainwater.
10. Mosquitoes are often attracted to containers of standing water in wheelbarrows or tires that are left outside. To avoid this, drill holes

13-15
Cont.

in the bottom of containers to allow water to flow out or turn over those items that are not in use.
1) Leaky faucets should be closed tightly as water build-up can create breeding grounds for mosquitoes.

Water holding containers of any kind:

Get rid of or empty out old tires, tin cans, buckets, bottles, jars, drums, tarps, etc. Small boats, wheelbarrows, etc. should be stored upside down.

Wading pools/swimming pools:

Children's wading pools should be emptied weekly and stored indoors when not in use. Infrequently used swimming pools should be emptied or tightly covered. The pool covers may also collect rainwater, these should be drained also. Pool water should be properly disposed of. Cities may require permits to drain your pool.

Water dishes and birdbaths:

Change water dishes of pets and chickens daily, change water in birdbaths twice weekly. Animal pens should be kept free from any standing water.

Cut flowers:

Change water in vases twice weekly, (both inside and outside the house).

Roofs and Gutters:

Check roof gutters and drain pipes to see if any are plugged or sagging. Flat roofs should also be checked for standing water and roof drains inspected to insure they are free of obstructions. Clean or fix as needed.

Leaky Faucets and hoses:

Repair all leaking exterior faucets, hose nozzles and connections.

Drainage Basins:

Monitor sump pits, dry wells or drainage basins as needed to eliminate stagnant water where mosquitoes can breed.

Cesspools and septic tanks:

Insure that cesspools or septic tanks are operating properly and not overflowing. The covers should fit tightly. Failed septic systems must be repaired or connected to the public sewer system when and where available.

Ornamental ponds:

Consider stocking ponds with [mosquito fish](#).

Creeks and drains:

Be sure to keep creeks and drains open, free of grass, plants, leaves, trash, algae, or other material that may be blocking the water flow.

Hollow tree stumps or tree holes:

Monitor hollow tree stumps or tree holes for water accumulation that may lead to mosquito breeding. A dead tree stump may be filled with sand.

If Mosquitoes Are Still Bothering You

If mosquitoes continue to bother you and you have eliminated the mosquito breeding sources around your house the source may be off of your property. These problems should be reported to the Vector Control Program of the Ventura County Environmental Health Division.

How Are Mosquitoes Controlled?

Mosquitoes are generally controlled in the larval and pupal stages. Adult stages may also be controlled during periods of possible disease transmission. The type of control will need to be targeted to the stage of the mosquito that is present. Ventura County Vector Control Program control consists of using physical, cultural, biological, mosquito fish or chemical control measures to eliminate the mosquito problem. The Vector Control Program also stocks and supplies mosquito fish for the control of mosquito larva and pupa. The Vector Control Program inspects and monitors over 1900 mosquito breeding sites throughout the county on public and private property.

Physical control

This consists of filling in small puddles, opening up of blockages in creeks to restore the water flow, raking out algae or other debris etc. This eliminates the site or makes the site less desirable for mosquito egg laying.

Cultural control

Many sites may be made less desirable for mosquito breeding by altering the management of the site or the habitat. For example having less vegetation in the water may allow natural predators to control the mosquito larva better.

Biological control

Biological products are typically safe for non-target organisms and do not pollute the environment. Most products are for the mosquito larval stages only. For example Vectobac and Vectol.ex are two products that are very effective for controlling the mosquito larva.

Chemical control

Chemical control may be used to control either the aquatic or the adult mosquito stages. The adult mosquitoes disperse quickly after hatching and are more difficult to control since a larger area would need to be treated.

Mosquito Fish



Mosquito fish (*Gambusia affinis*) are surface feeding fish and are ideal for mosquito control. They may be used in abandoned swimming pools, ponds, or other confined water sources where mosquito problems are occurring. The Vector Control Program delivers mosquito fish upon request (Call 805-662-6582). Depending on the size of the pool, it may take the mosquito fish one or two months before they multiply into sufficient numbers to control all of the mosquitoes. Additional control may be needed if mosquito breeding is occurring. For more information on mosquito fish, [click here](#) for a brochure and [here](#) for more information on this web site.

13-15
Cont.

Welcome to the County of Ventura Environmental Health

http://www.ventura.org/rma/envhealth/programs/tech_serv/vector/m...

The Role Of The Environmental Health Division

The Vector Control Program of the Environmental Health Division monitors and controls mosquito breeding in such areas as flood control channels, drains, roadsides ditches, catch basins, gutters, creeks, marshes, retention and detention basins, pools and rain water depressions. The Vector Control Program depends on public participation to eliminate backyard-breeding sources. The Environmental Health Division also maintains an encephalitis virus surveillance program throughout Ventura County. Adult mosquitoes are trapped and submitted for laboratory analysis to detect the presence of the viral disease. Four sentinel chicken flocks are used to monitor the potential transmission of encephalitis by mosquitoes. These are located in Camarillo, Thousand Oaks, Simi Valley and the Fillmore area.



13-15
Cont.

1 I, Inna Fischer, declare:

2 1. I am over the age of eighteen and reside in the County of Ventura, State of
3 California. I make this declaration based on my own personal knowledge and if called
4 as a witness herein I could and would competently testify as follows.

5 2. I have co-owned 689 Reef Circle since 2003, where I have lived since I
6 purchased it. My property is on the other side of the Surfside III complex from the J
7 Street Canal. Since I purchased my property, until last summer, I have regularly used
8 both my patio and the Lighthouse Way Park.

9 3. Until this summer, I did not experience a mosquito problem at Surfside III. In
10 fact, until this summer we regularly kept our patio door open and used our patio on a
11 daily basis. Beginning in June 2009, though we have been unable to use our patio
12 because there were so many mosquitoes.


13 4. Additionally, beginning in June 2009, I was unable to leave any doors open as
14 there were so many mosquitoes on the patio and outside. If I left the door open for
15 even a moment, mosquitoes would enter our home.

16 5. I was forced to purchase a fan for the first time this summer to cool our home,
17 as we were unable to leave any doors open to enjoy the breezes.

18 6. In addition, every night before going to bed, we would run the vacuum cleaner
19 along the ceiling in an effort to catch as many mosquitoes as possible to avoid
20 nighttime bites. Before this summer, I never needed to do this.

21
22 I declare under penalty of perjury and the laws of the State of California that the
23 foregoing is true and correct and that this declaration was executed on
24

25 01/11/2010 at Ventura, California.

26 
27 Inna Fischer
28

13-16

Dec 30 09 01:33p

p.1

1 I, Marion Kelemen, declare:

2 1. I am over the age of eighteen and reside in the County of Ventura, State of
3 California. I make this declaration based on my own personal knowledge and if called
4 as a witness herein I could and would competently testify as follows.

5 2. I have owned 962 Lighthouse Way in the City of Port Hueneme since 1998,
6 where I have lived since I purchased it. My property backs up to a strip of screening
7 trees which separates my home from the J Street Canal. My property is one of the
8 closest surfside residences to the J Street Canal.

9 3. Until two years ago, I had only ever noticed mosquitoes during the hottest
10 summer months, and even then, the mosquitoes were merely annoying.

11 4. Beginning two and a half years ago, I noticed that the water level in J Street
12 Canal had risen and was stagnant. At the same time, I noticed that the number of
13 mosquitoes had risen and were becoming a problem.

14 5. At this same time, roughly two and a half years ago, I also stopped being able to
15 freely use the common area Lighthouse Way Park during the summer months, as I
16 would suffer multiple mosquito bites and was concerned about the fact that
17 mosquitoes can carry viruses.

18 6. Beginning in June 2009, the problem worsened significantly, to the point that I
19 was no longer able to use my back patio any time of day. I attempted to chase the
20 mosquitoes away by using a large fan, but they were not deterred. Prior to June 2009 I
21 was able to use my patio on a daily basis without being bothered by mosquitoes.

22 7. Beginning in June 2009, I was also unable to use the picnic grove in the
23 recreation area without applying large amounts of mosquito repellant. Even with
24 continuous use of the repellant, I would still receive multiple mosquito bites. Until this
25 past summer, I frequently used the picnic grove without experiencing any mosquito
26 bites.

27 8. Prior to June 2009 I was able to regularly leave my doors open in order to have
28 a breeze in my home. However, I am now unable to do this without suffering from

13-17

Lowenthal, Hillebrand & Roan

DECLARATION OF MARION KELEMEN

Dec 30 09 01:33p

p.2

1 significant bites, despite investing in severe outdoor-only lanterns aimed at repelling
2 the mosquitoes.


3 9. It was also during this time, last summer, that I began using DEET-containing
4 mosquito repellants on a daily basis, in order to watch television peacefully inside my
5 own home. Despite the constant application of the repellant, however, I was still being
6 bitten repeatedly and would wake in the night to apply anti-itching lotions and creams. I
7 have never needed to use anti-itch lotions and creams in the middle of the night before.

8 10. On two different occasions last summer I complained to men I saw on the canal,
9 who said they worked for Vector Control. Both times they told me that they were
10 constrained by the EPA rules from using more effective measures to combat the
11 mosquito problem. I also called Vector Control and they informed me that the
12 mosquitoes had never been a problem before because the water in the lagoon had
13 previously been at a low level, but the high level of water was now creating a "back-
14 water effect in the canal."

15 11. On several occasions this summer I personally observed hordes of mosquitoes
16 hovering directly above, and very close to, the J Street Canal.

17 12. The mosquito problem has created severe anxiety for me over the past several
18 years, and I fear the impact that the proposed expansion of the J Street Canal will have
19 on the existing mosquito problem.

20 I declare under penalty of perjury and the laws of the State of California that the
21 foregoing is true and correct and that this declaration was executed on December 29,
22 2009 at Ventura, California.

23 
24 Marion Kelemen
25 Marion Kelemen
26
27
28

Lorenzini, Hildebrand & Rosen

2

DECLARATION OF MARION KELEMEN

13-17
Cont.

1 I, Cornelia Ortiz, declare:

2 1. I am over the age of eighteen and reside in the County of Ventura, State of

3 California. I make this declaration based on my own personal knowledge and if called

4 as a witness herein I could and would competently testify as follows.

5 2. I co-own 970 Lighthouse Way in the City of Port Hueneme with my husband.

6 My husband and I have lived at 970 Lighthouse Way since 2002 with our two young

7 sons. Prior to living on Lighthouse Way we owned and lived in another unit in Surfside

8 III. Our property backs up to the Lighthouse Way Park which is directly adjacent to the

9 J Street Canal.

10 3. Since we moved to our home on Lighthouse Way we have regularly used both

11 our patio and the Lighthouse Way Park regularly without being bothered by

12 mosquitoes.

13 4. However, beginning in June 2009, it became impossible to either sit outside on

14 our patio or visit Lighthouse Way Park without being repeatedly bitten by mosquitoes.

15 5. In addition to being bitten while outside, we were continuously bitten throughout

16 the night by mosquitoes that made their way into our home, despite the fact that we

17 kept our doors and screen doors closed and used mosquito repelling blue lights at both

18 the front and back entrances to our home. Before last summer we had rarely been

19 bitten by mosquitoes in our home at night.

20 6. I noticed at different times this past summer that the mosquitoes were coming to

21 our home from the J Street Canal where they seemed to reside.

22 7. Beginning in June 2009, my husband, sons and I regularly applied mosquito

23 repellant spray, but were routinely bitten anyway. This had never happened prior to last

24 summer.

25 8. In addition to regularly using our patio to sit and relax, we keep our barbeque

26 grill on the patio where we use it. The grill has a cover which we remove prior to use.

27 Beginning last June, each and every time we removed the grill cover hundreds, and

28

13-18

seventhal, Hishahar & Rosen

DECLARATION OF CORNELIA ORTIZ

1 sometimes even thousands, of mosquitoes would swarm off of the cover and scatter
2 around.
3 9. Because there were so many mosquitoes, and I was concerned about the
4 viruses which the mosquitoes carried, I called Vector Control to see if they could do
5 anything about the problem. Vector Control informed me that they were aware of the
6 problem, that they were researching the issues, that they were trying to determine what
7 they could do, but that in the mean time, they were doing everything they could do.

8
9 I declare under penalty of perjury and the laws of the State of California that the
10 foregoing is true and correct and that this declaration was executed on _____,
11 _____ at Ventura, California.

12 Cornelia Ortiz
13 Cornelia Ortiz
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

13-18
Cont.

Appendix L Response to Comments

Jan 07 10 11:26p

Louis Perry

1-805-488-9540

p.2

1 I, Louis W. Perry, declare:

2 1. I am over the age of eighteen and reside in the County of Ventura, State of California. I
3 make this declaration based on my own personal knowledge and if called as a witness herein I
4 could and would competently testify as follows.

5 2. I own 974 Lighthouse Way in the City of Port Hueneme with my wife. I have lived at
6 974 Lighthouse Way with my wife for the past seven years, while our son has lived with us for
7 the past 16 months. Our property backs up to the Lighthouse Way Park which is directly
8 adjacent to the J Street Canal.

9 3. For the first five years we lived at Surfside we were able to freely use our patio, as well
10 as the Lighthouse Way Park, with no mosquitoes bothering us in our day-to-day lives.

11 4. However, over approximately the past two years I have noticed that a mosquito problem
12 has developed. Beginning in June 2008, and continuing through September 2009, we were
13 unable to open any of the doors, front or rear, to our home without mosquitoes entering.

14 5. Since June 2008 we have also been unable to use either our patio or the Lighthouse
15 Way Park without being bothered by mosquitoes.


16 6. In addition, since June 2008, we have had guests complain because there were so
17 many aggressive mosquitoes.

18 7. We attempted to control the problem with bug sprays, but they have only provided relief
19 for a short period of time.

20 8. Since June 2008, the mosquitoes have become so prevalent in our home that the
21 buzzing has kept me up at night.

22 9. Again, it was not until June 2008 that the mosquito problem truly developed.

23
24 I declare under penalty of perjury and the laws of the State of California that the foregoing is
25 true and correct and that this declaration was executed on Dec 7, 2010 at Ventura,
26 California.

27 
28 Louis W. Perry

13-19

Lawrence, Hillshofer & Rosen

DECLARATION OF LOUIS W. PERRY

1 I, Amy Segawa, declare:

2 1. I am over the age of eighteen and reside in the County of Ventura, State of
3 California. I make this declaration based on my own personal knowledge and if called
4 as a witness herein I could and would competently testify as follows.

5 2. I own 964 Lighthouse Way in the City of Port Hueneme, where I have lived for
6 the past five years. My property backs up to the Lighthouse Way Park which is directly
7 adjacent to the J Street Canal. I live with my husband, Ted and our young son,
8 Michael. I purchased the townhome because of the rear patio and proximity to the
9 Lighthouse Way Park and recreation area, both of which I have used regularly from the
10 time I purchased our home until last summer.

11 3. For the past five years I have noticed the occasional mosquito on my patio
12 during the summer months, but have never considered there to be a mosquito problem
13 at my home.

14 4. However, over the past two years when the weather was warm, the mosquitoes
15 slowly became more of an annoyance, forcing me to purchase various types of
16 repellants and sprays. Regardless of the repellants, though, every time we visited the
17 Lighthouse Way Park we were bitten by the mosquitoes.

18 5. In June 2009, though, the mosquito problem became much worse. Every time I
19 opened either the front or back door, dozens of mosquitoes would fly into our home,
20 which we were unable to eliminate. There were so many mosquitoes in our home that
21 my husband and I were forced to sleep under a sheet in an attempt to cut down on the
22 number of bites we suffered every night. The mosquito repellants which we used on a
23 daily basis were ineffective against the mosquitoes in our home.

24 6. Beginning at that same time, in June 2009, we were unable to use our patio, as
25 there were so many mosquitoes. In the five years since I have lived at 964 Lighthouse
26 Way, I have never been unable to use the patio because of mosquitoes.

27 7. It was also at this same time, in June 2009, that we became unable to take our
28 son, Michael, out in the stroller for walks. If we did have him out, we could not walk by

13-20

Dewanthal, Hillshaler & Rosen

1

DECLARATION OF AMY SEGAWA

Appendix L Response to Comments

Jan 11 10:05:24p

Amy Segawa

805-986-0555

p.2

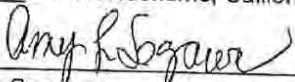
1 7. It was also at this same time, in June 2009, that we became unable to take our
2 son, Michael, out in the stroller for walks. If we did have him out, we could not walk by
3 the Lighthouse Way Park, as there were so many mosquitoes there. We also could not
4 stop to talk to anyone, as the mosquitoes would swarm around his stroller and face if
5 we stopped even for a short moment. We have been unable to visit Lighthouse Way
6 Park since last spring.

7 8. While my husband and I experienced the impact of the mosquitoes acutely, it
8 was our son Michael who was the most affected. Because he was not even a year old
9 this summer we were unable to use any repellants on him. One morning in this
10 summer, the mosquitoes had become so aggressive that our baby woke up covered in
11 bites. Attached as Exhibit "A" are true and correct copies of Michael covered in
12 mosquito bites, as well as a picture of the mosquito netting we used to cover his crib.

13 9. After Michael received so many bites, I was forced to find mosquito netting to
14 cover his crib. After we began using the mosquito netting, the number of bites Michael
15 received were reduced, however, securely replacing the netting each time he awoke
16 for a feeding or a diaper change was a laborious and time consuming process.

17 10. The mosquito situation has caused my husband and me severe anxiety.
18 Watching the effect they have had on our young son has been extremely worrisome.

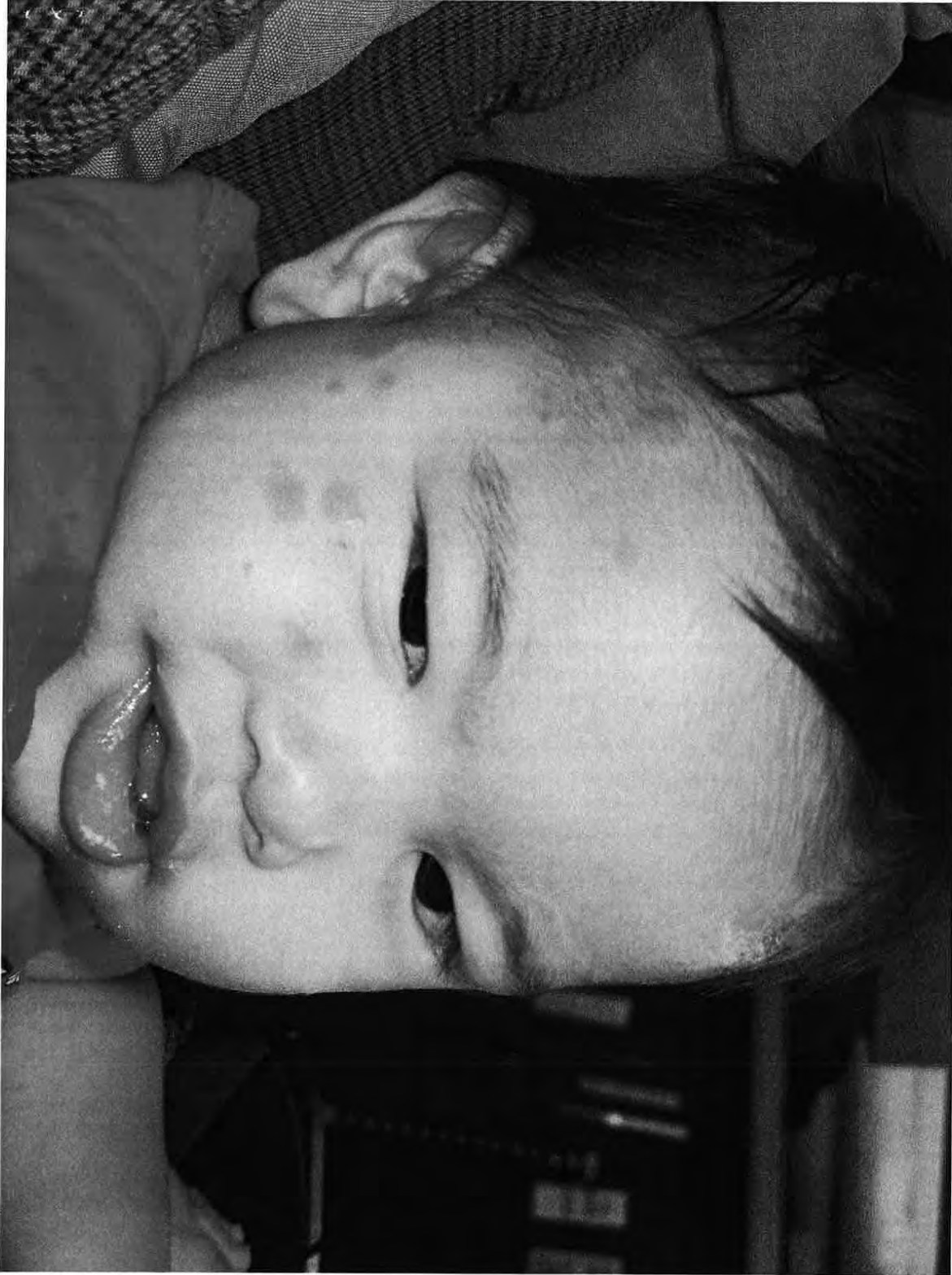
19
20 I declare under penalty of perjury and the laws of the State of California that the
21 foregoing is true and correct and that this declaration was executed on 11 JAN
22 2010 at Port Hueneme, California.

23 
24 Amy Segawa

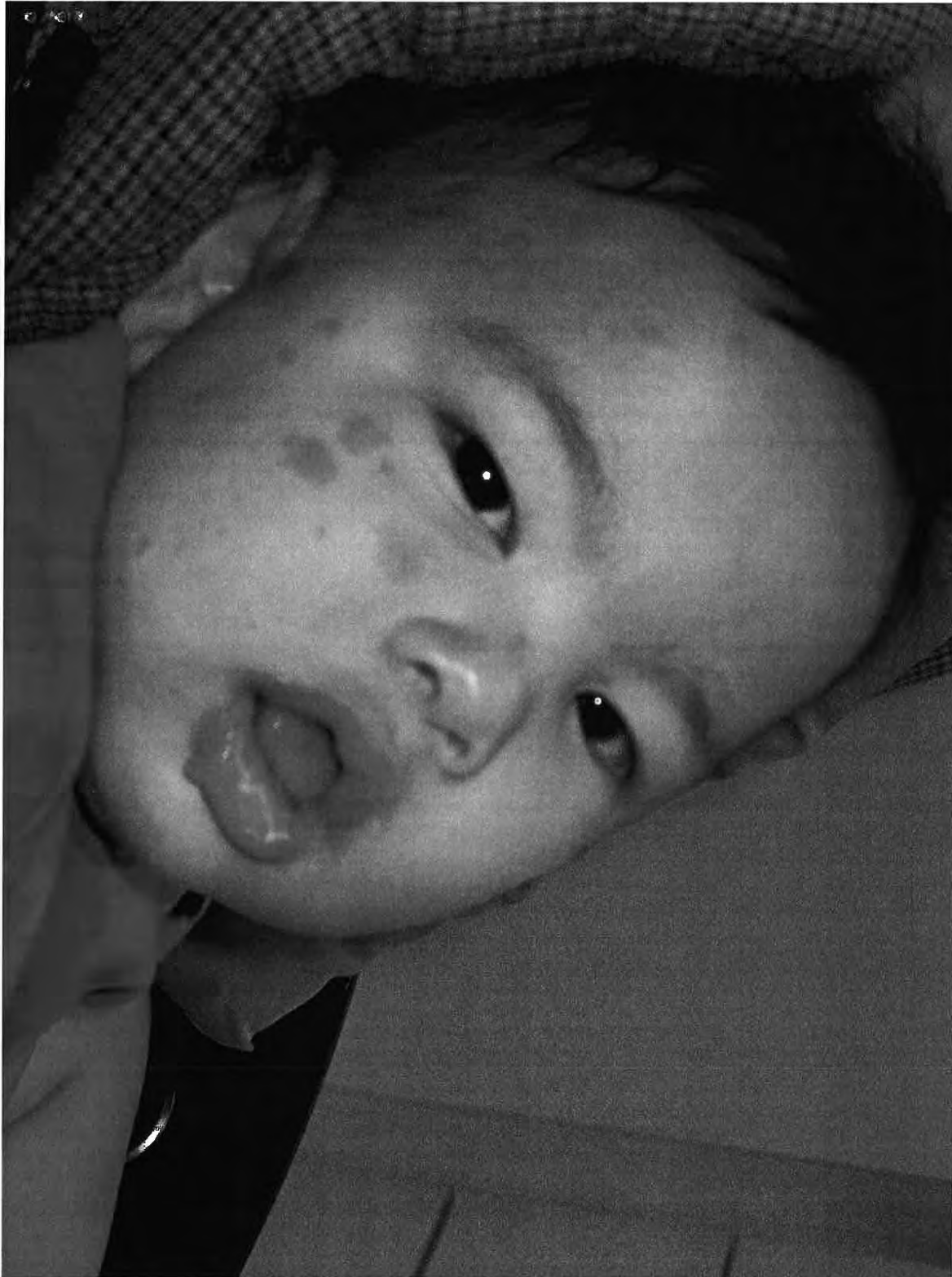
13-20
Cont.



13-20
Cont.



13-20
Cont.



13-20
Cont.



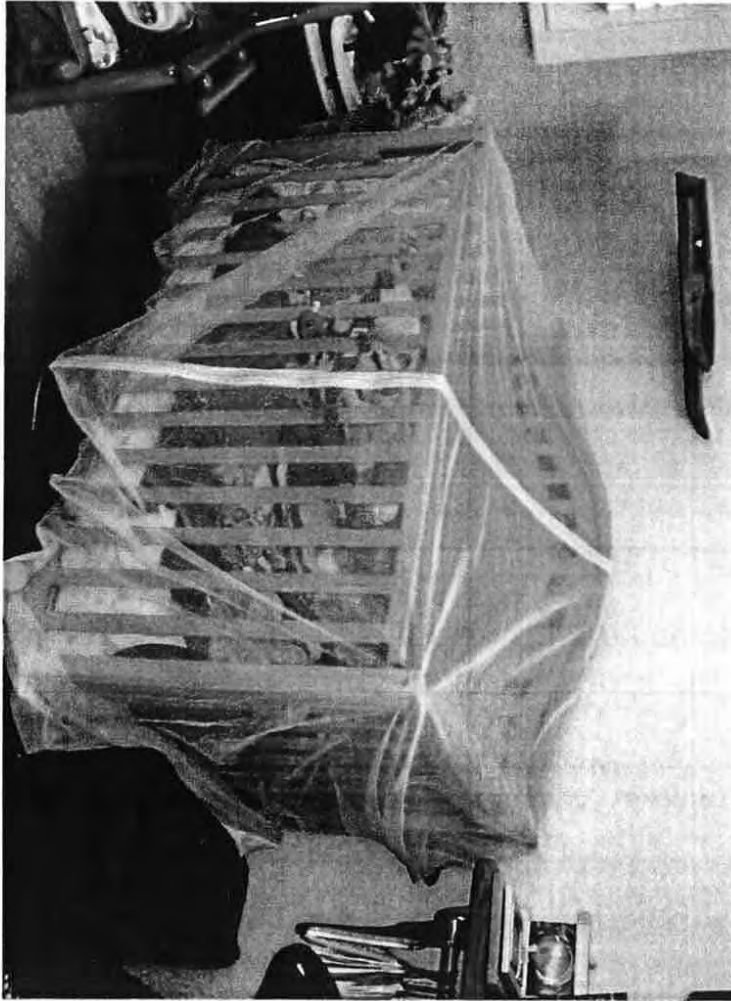
13-20
Cont.



13-20
Cont.



13-20
Cont.



13-20
Cont.

December 23, 2009

To whom it may concern:

I, Robert A. Banfill, co-own and live at 607 Lighthouse Way in SurfSide III, Port Hueneme.

During the 2009 summer months of June, July, August and September I had an obnoxious mosquito problem that did not exist in 2008. I purchased this property in March of 2008.

On at least 60 occasions I had to remove, swat out and cause to fly away a dozen or more mosquitoes that had taken up residence in my dog's house on the back patio.

On at least a dozen occasions I had to swap mosquitoes that managed to get into our fully screened house.

In addition each time I worked on container plants in my patios and balconies there were numerous small flies and mosquitoes that flew off the plants when they were pruned/tended.

I was an Entomology major in college and have extensive experience identifying insects. I know the difference between mosquitoes, flies, gnats, wasps and other flying insects.

For additional information please feel free to contact me at this email or at (805) 246-5388.

Robert A. Banfill



13-21

Letter 13

Loewenthal, Hillshafer & Rosen LLP (including declarations)

January 15, 2010

1. This comment provides introductory remarks and a description of the Surfside III condominium complex in relation to the J Street Drain. Since this specific comment does not address the adequacy of the 2009 DEIR, no further response is required.
2. This comment briefly lists the Surfside III residents' concerns regarding the proposed project, which are fully discussed in subsequent sections of the letter. Responses to the full comments are provided below (comment numbers 4 through 12).
3. This comment quotes Section 15151 of the CEQA Guidelines and states that the Surfside III residents assert that the 2009 DEIR is technically and factually inadequate.

The DEIR was prepared in compliance with CEQA Public Resources Code Section 21000 et seq., the CEQA Guidelines (Section 15000 et seq.) as promulgated by the California Resources Agency and the Governor's Office of Planning and Research, the Ventura County Initial Study Assessment Guidelines, and the County of Ventura Administrative Supplement to the State CEQA Guidelines. Since release of the 2009 DEIR, the District has conducted additional studies providing further technical background. These studies have been incorporated into a Revised DEIR (RDEIR). The District has also updated impact analyses based on revisions to the *Ventura County Initial Study Assessment Guidelines* adopted by the Board of Supervisors on April 26, 2011. Please see the RDEIR and responses below to comment numbers 4 through 12 for additional details.

4. This comment states that the increase in standing water in the J Street Drain will significantly exacerbate mosquito breeding in the area.

In response to the increased concern over mosquitoes, the District contracted with Larry Walker Associates to prepare a *J Street Drain Project Mosquito Technical Study* (January 24, 2011). The technical study provides an analysis of the mosquito production potential of the proposed project compared with the current J Street Drain and the proposed alternatives. The complete report is included in Appendix I of the 2011 RDEIR.

Mosquitoes generally require calm, stagnant water for breeding as opposed to open, exposed water. Flowing waters or waters with surface disturbance from wind, waves, or animals are not suitable habitat for mosquito breeding. Disturbance of the water surface can cause mosquito larvae to drown if it disconnects the siphon tube through which they breathe from atmospheric air. Similarly, waters deep enough to sustain populations of fish and other aquatic organisms are not suitable habitat because mosquito larvae are a food source for these predators. Wetlands and salt marshes, especially those with unmanaged, dense, emergent vegetation, are notorious mosquito breeding habitats. Vegetation protects mosquito larvae from wind, wave, and animal disturbance and provides safe refuge from predators.

Section 4.11 of the DEIR discusses vector control and mosquitoes. The DEIR noted that the proposed project would increase the surface area and amount of standing water in the drain. However, the proposed project would convert the existing trapezoidal concrete channel into an open rectangular channel. The channel would be approximately four feet deeper and the existing sloped channel walls would be replaced with vertical walls. Conversion to vertical channel walls

would eliminate existing shallow water along the edges of the channel. While the proposed project would result in increased water surface area of standing water, the converted channel would provide less suitable habitat for mosquitoes due to deeper water capable of supporting larger populations of predators and less shallow edges. In addition, J Street Drain is more easily accessed for vector treatment compared to shallow vegetated wetlands to the east and southeast due to the presence of an adjacent access road along its entire length and the lack of dense vegetation that would interfere with larvicide application. The full analysis is presented in Section 4.11 of the 2011 RDEIR.

J Street Drain Project Mosquito Technical Study. The mosquito technical study found no evidence to suggest that the current configurations of the J Street Drain, Hueneme Drain Pump Station, or Hueneme Drain provide high-quality habitat for, or produce large numbers of, mosquitoes. However, the evaluation of the greater J Street Drain area revealed that the Oxnard Wastewater Treatment Plant (OWWTP), the undeveloped floodplain of the Oxnard Industrial Drain, and urban areas may produce substantial numbers of mosquitoes. The evaluation of the proposed J Street Drain project found the proposed channel configuration to have similar or less mosquito breeding potential than the current J Street Drain channel. The proposed changes would likely amplify the channel's negative effects on mosquito breeding and should have no significant impact on public health due to mosquito-transmitted diseases. The alternatives presented in the EIR, as well as the additional proposed alternative, would have similar or greater mosquito breeding potential, and therefore were considered to have similar or negative impact, as compared to the proposed project.

Vector Control. As mentioned in Section 4.11 of the EIR, the Vector Control Program of the Ventura County Environmental Health Division monitors and controls mosquito breeding in flood control channels, drains, roadside ditches, catch basins, gutters, creeks, marshes, retention and detention basins, pools, and rain water depressions. Vector Control Program staff constantly monitor and control over 2,000 potential mosquito breeding sources to prevent and minimize exposure of the public to mosquito borne diseases. Vector control staff also responds to reports of mosquitoes or potential mosquito breeding sources from the public. The mission of the program is to suppress the population of mosquitoes to minimize the potential transmission of disease and reduce annoyance caused by these insects. The Vector Control staff conducts continuous encephalitis virus surveillance, including West Nile virus, and monitors the County areas for plague, Lyme disease, and hantavirus to prevent and minimize the exposure of the public to these diseases.

Mosquito Abatement. Mosquitoes are generally controlled in the larval and pupal stages. Adult stages may also be controlled during periods of possible disease transmission. The type of control will need to be targeted to the stage of the mosquito that is present. The Ventura County Vector Control Program consists of using physical, cultural, biological, or chemical measures to control mosquitoes. The Vector Control Program also stocks and supplies mosquito fish for the control of mosquito larva and pupa, which are generally used in man-made impounded water areas.

The Vector Control Program currently uses larvicides for mosquito abatement, including VectoLex G and VectoBac G, which are applied according to the manufacturer's label and meet all state and federal regulations. These larvicides contain biological insecticides, such as the microbial larvicides, *Bacillus sphaericus* and *Bacillus thuringiensis israelensis*, which are naturally occurring bacteria that produce toxins targeting various species of mosquitoes, fungus gnats, and blackflies. Only these species are susceptible to these bacteria – other aquatic invertebrates and non-target insects are unaffected. In addition, the EPA evaluates and registers

(licenses) pesticides to ensure that they can be used safely by vector control programs. To evaluate any pesticide, EPA assesses a wide variety of tests to determine whether a pesticide has the potential to cause adverse effects on humans, wildlife, fish and plants, including endangered species and non-target organisms. Therefore, the larvicides used by the Ventura County Vector Control Program undergo extensive testing prior to registration and are virtually nontoxic to humans and do not pose risks to wildlife, non-target species, or the environment.¹

5. This comment states that the 2009 DEIR ignored the increased mosquito breeding and “permanent bathtub” affect that may result from the proposed project. Loewenthal et al. elaborates on this point and provides excerpts from Section 4.11 of the 2009 DEIR. They disagree with the less than significant impact finding regarding mosquito control. The J Street Drain currently contains water throughout the summer months. During the winter, in response to sufficient storm water runoff entering the drain and lagoon during rainfall events, the sand berm is overtopped and the lagoon breaches. While the lagoon is breached, the fresh water escapes to the ocean, and ocean water flows into the lagoon during high tides. In the absence of storm water runoff, tides push sand and winds blow sand into the opening, building the beach berm elevation up until it again prevents outflow of fresh water. This may occur more than once during the rainy season, depending on storm frequency. Breaches do not typically occur during the dry season due to the lack of storm runoff, therefore water currently remains within the lagoon and the J Street Drain approximately from late spring through late fall. This condition would remain unchanged after project implementation. The condition of water ponded upstream of the lowered channel outlet during a breach condition would therefore occur during the colder rainy season, when mosquito populations are at the lowest levels of the year. Please also see responses to comments #4 above and 7 below.

The District has recently completed a *Sediment Transport Study for Proposed Outlet at Ormond Beach Lagoon* (August 2011). This study has been included in Appendix C of the RDEIR, and concludes that the lagoon bottom elevation would be lowered naturally after two two-year storm events or one five-year storm event. Ponding upstream of the channel outlet during a lagoon breach condition would therefore be a temporary condition. For the reasons provided above, this effect would be less than significant.

6. This comment refutes the 2009 DEIR’s less than significant conclusion on the basis that the Department of Health Services Vector Control will continue to monitor and treat the problem. Loewenthal et al. states that Vector Control is unable to control the current problem and the proposed project will result in an increase in the public health problem. They provide excerpts from Surfside III residents’ declarations. The residents’ declarations document an increase in mosquito nuisance in 2009. Concerns were reported to Vector Control staff, causing them to deploy additional mosquito traps to determine the reason for the increase. Trap data demonstrated substantial percentage of *Culex quinquefasciatus*, a species of mosquito that thrives in disturbed and nutrient-rich habitats, including underground stormwater infrastructure. As a result, Vector Control staff investigated the Oxnard Wastewater Treatment Plant (OWWTP) as a possible source of increased mosquito production. Vector Control routinely monitors several areas within the OWWTP, including the pond and inactive treatment cells, which would be likely mosquito breeding sources. In response to resident complaints and increase in *Culex quinquefasciatus* mosquitoes captured in traps, Vector Control staff requested authorization to more broadly examine the OWWTP for new mosquito breeding sources and OWWTP staff cooperated with this request. The investigation led to the detection of a large underground

¹ <http://www.epa.gov/pesticides/health/mosquitoes/larvicides4mosquitoes.htm>

flooded basement that was actively producing *Culex quinquefasciatus* mosquitoes. The flooded basement was considered a new mosquito source in the area. Vector Control staff have since routinely addressed this source and other newly added smaller potential sources on the OWWTP property, in addition to the sites within the OWWTP previously monitored and treated. Trap data collected in 2010 show far fewer mosquitoes in the greater J Street Drain area, reflecting the increased control efforts at new source locations by Vector Control staff. Overall, trap data suggest that mosquito production is widespread within the developed areas surrounding the J Street Drain, with no evidence of sharp rises in mosquito numbers in traps located near the J Street Drain that would implicate this conveyance channel as a major source of mosquitoes. In addition, as shown by their response to increased complaints due to an unknown new source, continued monitoring and treatment by the Ventura County Vector Control Program is effective at reducing mosquito populations. Please also see response to comment #4 above.

7. In this comment Loewenthal et al. offers methods for mitigating the “bathtub” effect. The natural action of the ocean waves builds up a sand berm on the beach. This sand berm periodically blocks the lagoon outlet, preventing J Street drainage from reaching the ocean and preventing tidal flow from entering the lagoon. Ventura County Watershed Protection District indicated the intent to maintain a berm elevation (elevation 6.5 feet \pm NGVD 1929) at a designated breach location approximately 800 feet southeast of the J Street Drain concrete channel outfall. The improvements to J Street Drain would lower the channel outlet approximately 2.5 feet below the existing channel bottom. Because the lagoon bottom elevation is approximately at the same elevation as the end of the existing concrete channel, there is the potential that water will be ponded at the point where the lowered channel meets the existing lagoon bottom elevation when the lagoon is breached. To minimize potential impacts to endangered tidewater goby and California least tern, there are no plans to excavate within the lagoon beyond the project limits.

In order to analyze the potential change in sediment transport and erosional characteristics of the project, a *Sediment Transport Study for Proposed Outlet at Ormond Beach Lagoon* was prepared in August 2011 (HDR). The purpose of the study was to evaluate what storm event (e.g., 2-year, 5-year) would allow a reduced elevation low-flow channel to form from the concrete channel outlet through the lagoon, preventing the “ponding” or “bath-tub” effect during breach conditions.

Sediment transport modeling identified two threshold conditions at which the lagoon bottom downstream of the proposed J Street Drain concrete channel outfall would flow to maintain positive drainage for the proposed improvements: (1) two consecutive 2-year storm events; or (2) a single 5-year storm event. Either one of these scenarios would create a low-flow channel capable of maintaining positive drainage. The probability of a 2-year storm event in a given year is 50 percent. The probability of two consecutive 2-year storms occurring in any given year is approximately 25 percent. The probability of a 5-year storm occurring in a given year is 20 percent. The probability of a 5-year flood event occurring within a 3-year period is approximately 50 percent.

Additionally, given the proximity of the proposed J Street Drain outfall elevation to mean sea level, tidal cycles have a large impact on sediment transport capacity of the system. Even in a fully-breached lagoon berm condition, the J Street Drain will likely be inundated twice a day from tidal action. When a berm is present, the channel is also likely to be inundated to some extent over a long period, from lagoon backwater. Based on the analysis, a total inflowing sediment load potential of 17 tons per year was calculated for J Street Drain and Hueneme Drain. This load is minimal compared to the total load (5,000 tons) leaving the drains in the two consecutive 2-year storm events. Annual inflowing load represented approximately 0.30 percent

of the out-flowing storm sediment load. Therefore, the build up of sediment within the lagoon creating a “ponding” effect is considered less than significant.

The District met with the U.S. Fish and Wildlife Service (USFWS) on February 3, 2010 to discuss the feasibility of pumping water ponded in J Street during breach conditions. This approach would be difficult to authorize under the Endangered Species Act (ESA) because of the high potential for “take” of endangered tidewater goby, a fish that resides in the lagoon and the J Street Drain as far north as the Ventura County Railroad. Even if pump intakes are screened, gobies could become impinged on the screens and die. Pumping water out of the channel would result in goby desiccation and death, further violating the ESA. Finally, pumping would be unwarranted because lagoon breaching occurs during the winter, when mosquito populations are at the lowest levels of the year. The responses to comments #4 and 5 above also address the mosquito concerns.

8. This comment addresses the noise impacts related to construction of the proposed project. Loewenthal et al argues that the noise impacts are greater than discussed in the 2009 DEIR and the noise mitigation is inadequate for reducing impacts to the residents of Surfside III condominiums due to the decision to use vertical shoring along the entire Surfside III border.

Construction related noise was analyzed in Section 4.6 of the DEIR. Since release of the November 2009 DEIR, the Ventura County Board of Supervisors adopted new significance thresholds (April 26, 2011 *Ventura County Initial Study Assessment Guidelines*). The 2011 Guidelines refer to the *County of Ventura Construction Noise Threshold and Criteria Plan* (November 2005), which clarifies that noise-sensitive receptors for daytime hours include hospitals, nursing homes (quasi-residential), schools, churches, and libraries (the latter three categories are considered sensitive when in use). Daytime hours are defined as 7:00 a.m. to 7:00 p.m. Residential land uses are considered noise-sensitive receptors during evening and night hours, or 7:00 p.m. to 7:00 a.m. Monday through Friday and 7:00 p.m. to 9:00 a.m. on weekends and local holidays. Because project construction would be scheduled only during daytime hours, the effect on Surfside III, a residential land use, is now determined to be less than significant. Nonetheless, the District has retained the originally proposed mitigation measures, which are presented on pages 4.6-21 and 4.6-22 of the RDEIR. Mitigation Measure Noise-2 requires the use of a temporary noise control barrier between the temporary work area and Buildings 6 and 7 in the Surfside III community during periods when heavy equipment is operating within 500 feet of these residences or when heavy-duty trucks are regularly using the access road adjacent to the drain. The noise barrier shall be composed of noise control blankets 10 feet tall with a sound transmission class of at least STC-25. This noise control barrier will also provide visual screening along the eastern boundary of the Surfside III property to shield residents from views of the J Street Drain. If the Surfside III Condominium Owners’ Association does not grant a temporary work area to enable installation of temporary noise barriers at Buildings 6 and 7, the District will provide funds for the Association to arrange the barrier installation on their property.

The proposed project also has the potential to expose people to or generate excessive groundborne vibration or groundborne noise levels because vertical shoring would be placed on the west side of the channel to avoid modifications to Surfside III property. Off-road equipment expected to be used during construction includes: wheel loaders, track dozers, scrapers, excavator with hydraulic hammer, pile driver, motor grader, concrete pump, concrete trucks, dump trucks, and other miscellaneous small equipment.

As discussed in Section 4.5, Transportation and Circulation, of the EIR, no more than three haul trucks would be on site for loading at a given time, and approximately 45 construction-related trips per day are expected to occur. The City of Oxnard and City of Port Hueneme have designated specific roadways as truck routes (Hueneme Road and Arnold Road), which minimize noise and vibration impacts. Truck-related construction traffic would use these roads during haul trips, which would minimize noise and vibration related to truck traffic.

Loewenthal et al states on page 17 that the District “is attempting to purposely choose a construction technique that it knows will cause damage to SSIII with full knowledge that reasonable alternatives exist that will cause significantly less damage.” Vertical shoring was selected to minimize incursion onto Surfside III property in an attempt to avoid to the fullest extent possible the removal of mature vegetation and other landscape features such as planters, sidewalks, etc. from the Surfside III grounds.

Since release of the 2009 DEIR, the District became aware of contaminated groundwater beneath the Halaco Superfund Site. A groundwater modeling study was completed in 2011 to determine whether construction dewatering, which must occur to a depth of three feet below the proposed channel elevation, would cause movement of the contaminated groundwater plume toward the J Street Drain. The study found that the plume would move up to 300 feet closer to the J Street Drain. To mitigate this potential impact, the Mitigation Measure HAZ-1 has been added to the RDEIR. HAZ-1 states: “Prior to dewatering activities between the Ventura County Railroad and the south project terminus, sheet piling shall be placed on the east side of the drain channel in order to prevent the migration of groundwater from the Halaco site. Note that additional field testing is currently being conducted to provide a more representative value for hydraulic conductivity for the vicinity of the drain. In the event that the results show the need for sheet piling on both the west and east side of the drain, sheet piling will be placed on both sides of the drain.” If sheet piling is deemed necessary on the west side of the channel, it would be in lieu of originally proposed trench shoring, but its placement would result in similar noise and vibration impacts. To address this potential impact, the following mitigation measure has been added to Section 4.6 – Noise and Vibration of the RDEIR:

NOISE-3: Prior to construction, the District shall request property owner permission to video record the condition of structures adjacent to the J Street Drain in the presence of the property owner. The recording shall be performed and stored by an independent third party, with a copy given to the property owner. If vibration-induced damages occur as a result of construction, property owners would be invited to submit claims documenting such damages within one year following construction completion. The third party would again enter the property to video record its post-construction condition, again providing a copy to the property owner. Both recordings would be compared, and the District would provide compensation to repair new damages observed in the post-construction recordings. Once both parties have agreed to the compensation, both pre- and post-construction video recordings stored by the third party would be given to the property owner.

Please see the response to comment no. 10 below for additional details regarding the Halaco site.

9. The Surfside III residents disagree with the conclusion of the visual resources discussion associated with the proposed project.

Trenching near the Surfside III buildings during construction would result in the removal of approximately 110 trees and shrubs of various sizes and species (including 25 eucalyptus trees

with a diameter at breast height (DBH) of at least 12 inches) from both J Street Drain and Surfside III properties. By selecting vertical shoring rather than trenching near the Surfside III property as discussed in the RDEIR, large shrubs and overhanging tree limbs within the District right-of-way would be removed, but vegetation on Surfside III property would remain in place except for plants whose root systems would be compromised during the process. Such vegetation would need to be removed for the safety of workers and residents. Trees and shrubs along the east boundary of the J Street Drain property would remain in place, as construction would affect an existing maintenance road that is devoid of vegetation. Removal of trees and shrubs would expose views of the water treatment plant and the J Street Drain to residents along the east side of Buildings 15, 16, and 17 and people visiting the adjacent park. Mitigation Measure Noise-2 requires a temporary noise control barrier to be installed and maintained between the temporary work area and Buildings 6 and 7 in the Surfside III community during construction. This noise control barrier will also provide visual screening along the eastern boundary of the Surfside III property to shield Building 6 and 7 residents from views of the J Street Drain during construction.

Post construction, the noise barrier would be removed and original fencing would be replaced. Vertical shoring rather than open cut trenching along the property line would reduce the number of trees and shrubs (110) to be removed from Surfside III and from District right-of-way by up to 44 individuals (or up to 40 percent of the trees and shrubs originally identified for removal), preserving more of the existing visual resources. Mitigation Measure VIS-2 would require the replacement of the removed trees and large shrubs within the Surfside III property at 1:1 ratio and would reduce the construction and operational impact to below a level of significance. See the response to comment no. 8 for Mitigation Measure NOISE-3, which mitigates vibration impacts. Mitigation Measure VIS-3 would require temporary visual screening.

10. This comment addresses the Halaco Superfund site approximately ¼ mile from the project site. Loewenthal feels the analysis is misleading with regards to the EPA remediation of the site.

The Halaco site is discussed in Section 4.8 of the RDEIR.

The nearby Halaco Superfund Site, located approximately 1,500 feet east of the southern portion of the J Street Drain, is underlain by a groundwater plume impacted primarily by metals. Currently, the natural direction of groundwater movement beneath the western portion of the Halaco Site (i.e., closest to the J Street Drain) is toward the shoreline (i.e., southwest) with ultimate discharge into the Pacific Ocean. The entrainment of metals in groundwater nearest the J Street Drain project area is considered potentially problematic, in that the contaminated plume could be encountered during construction activity, in which case treatment of the extracted groundwater would be required prior to discharge into the Perkins Drain. A groundwater modeling study was performed to address this potential problem.

The numerical model of the groundwater system beneath the J Street Channel was used to evaluate potential impacts to groundwater in response to dewatering that will be necessary to construct the drain particularly with regards to whether metal contaminants in groundwater may migrate toward the channel and possibly enter into the dewatering stream. As a result of the numerical groundwater model, it is expected that dewatering will pull contaminated groundwater toward the line of pumping wells that will be placed along the channel for dewatering purposes. However, the maximum expected distance of migration from the Halaco Site in response to proposed construction dewatering is approximately 300 feet, or less than one-fifth of the distance between the Halaco Site and the channel. A distance of half the maximum (or 150 feet) is more realistic given the conservative assumptions used in the model (specifically the use of a high

hydraulic conductivity in the 'maximum' scenario). Regardless of the actual distance that contaminated groundwater may flow in the direction of the channel, the cessation of dewatering is expected to halt migration of impacted groundwater toward the channel. In this situation, with removal of the artificial gradient induced by the pumps, the groundwater will resume the natural gradient toward the Pacific shoreline where its ultimate discharge will occur with considerable dilution as it discharges slowly in contact with surrounding oceanic water. Dewatering at the site would result in a temporary impact with regards to the potential migration of heavy metals within the groundwater plume from the Halaco site. This is considered a significant impact and mitigation is required.

Mitigation Measure HAZ-1 requires the use of sheet piling during construction to address this impact. Through numerical modeling, the use of sheet piling was demonstrated to isolate groundwater from the Halaco Site and prevent migration of groundwater toward the channel. In addition, the use of sheet piling will reduce the overall volume of water required to be withdrawn in order to construct the channel.

Regarding concerns about increased capacity of J Street Drain leading to greater volumes of water coming into contact with the Halaco site, the project includes a Beach Elevation Management Plan (BEMP) that would allow grooming the beach sand elevation to 6.5 feet (NGVD 1929). This would ensure that water in the Ormond Beach Lagoon would overtop the sand berm during small storms (less than the 10-year event, which is the current capacity of J Street Drain), as it does currently under typical conditions. Overtopping of the beach would cause the lagoon to breach and release its water into the ocean. Storms larger than the 10-year and up to the 100-year event, which could be conveyed by the proposed channel, would flow through the breach and into the ocean without contacting the Halaco site.

11. According to Loewenthal, the objective of the project with regards to a 100-year flood event is inappropriate. The comment states that the 2009 DEIR does not give an adequate explanation as to why the proposed project is necessary if the area is not within a 100-year flood zone and the City of Oxnard has not experienced a 100-year flood event.

Section 3.0 of the RDEIR provides the background and history of the J Street Drain issues and provides the District's reasoning for upgrading the drain. The flood extent shown in Figure 3.0-2a is not currently depicted within Federal Emergency Management Agency (FEMA) Flood Zone A, or the one percent annual chance (previously known as the 100-year) flood zone. The one percent annual chance flood has a one percent chance of being equaled or exceeded each year. Thus, the 100-year flood could occur more than once in a relatively short period of time or even within the same month. The 100-year flood has a 26 percent chance of occurring during a 30-year period, the length of many mortgages².

Flood zones appear on Digital Flood Insurance Rate Maps (DFIRMs). Property owners within Flood Zone A are federally mandated to purchase flood insurance. The current DFIRMs are based on pre-1984 hydrologic data and hydraulic analyses conducted over 25 years ago (FEMA 2010b). Since that time, Ventura County has experienced several years of record rainfall, including 1995, 1998, and 2005 (VCWPD 2009). The DFIRMs are therefore based on data that do not reflect the trend of increasing rainfall since the 1980s. As a result, the District commissioned the 2005 URS study to proactively characterize current conditions and provide

² <http://www.vcfloodinfo.com/index.php/flood-maps-flood-insurance-studies-a-map-changes/digital-flood-insurance-rate-maps-dfirm>

adequate flood protection before FEMA initiates a DFIRM update. Construction of the proposed project would be the first major step of a proactive effort to protect properties currently threatened with flooding from J Street Drain overflows, as shown on Figure 3.0-2a. Figure 3.0-2b depicts the Special Flood Hazards Area (SFHA), as mapped by FEMA³. These SFHA are related to flooding from wave activity, not from outfall from J Street Drain. Specific SFHA depicted on Figure 3.0-2b includes coastal flooding due to wave action (Zone VE) and coastal flooding due to waves filling up the lagoon.

In addition to the drain capacity, the outlet of the drain is sometimes constrained by a sand berm that can reach over seven feet in height surrounding the Ormond Beach Lagoon. The sand berm hinders the direct flow path of the J Street Drain channel to the Pacific Ocean. The berm currently directs the water to the east, toward the Oxnard Industrial Drain (OID). If the berm does not open during a storm event, then storm water ponds in the Lagoon and can fill the drain to capacity as far as Hueneme Road, posing a flood risk to the Oxnard Wastewater Treatment Plant (OWWTP), residential, and commercial property during even minor storms.

Prior to 1992, the sand berm at the Ormond Beach Lagoon was periodically breached by the District. Bulldozers were used to create a discharge path directly to the ocean and prevent water and silt buildup in the channel. However, this practice ceased in 1992 due to environmental concerns and restrictions. Due to constant wind and wave action, the elevation across the sand berm is not uniform in space or constant in time and its maximum elevation is approximately 11.6 feet National Geodetic Vertical Datum of 1929 (NGVD) (14 feet North American Vertical Datum of 1988 [NAVD]). Under existing conditions, natural breaching typically occurs when the surface water in the lagoon reaches an elevation of 5.1 to 5.6 feet NGVD (7.5 to 8 feet NAVD) above mean sea level (AMSL). However, the expected maximum water level in the lagoon is regulated by the lowest beach crest elevation (the height of the sand berm). Natural breaching takes place after the lagoon water level exceeds the height of the sand berm. Due to the dynamic nature of the Lagoon and sand berm elevation, surface water elevation for natural breaching will likely vary. Therefore, natural breaching at the lagoon may not occur during a ten-year flood event (capacity of existing drain), in which case the project area would flood due to backwater effects.

To prevent such flooding, the project includes a Beach Elevation Management Plan (BEMP). The BEMP would allow grooming the beach sand elevation to 6.5 feet (NGVD 1929). This would ensure that water in the Ormond Beach Lagoon would overtop the sand berm during small storms (less than the 10-year event, which is the current capacity of J Street Drain), as it does currently under typical conditions. Overtopping of the beach would cause the lagoon to breach and release its water into the ocean. However, the BEMP alone would not be sufficient in storms greater than the 10-year event, as flows would overtop the existing undersized J Street Drain channel before they could reach the ocean. With implementation of the proposed project, storms larger than the 10-year and up to the 100-year event would flow through the breach and into the ocean.

12. This comment refers to future replacement/reconstruction of planters, carports, trees, walls or other damage caused by construction activities. The District understands the concerns of the Surfside III residents. The construction staging and work will be performed within the confines of the public right-of-ways within the community. Although the District is proposing the project, the work would be completed by a construction contractor and not by District personnel. All feasible

³ DFIRMs 06111C0914E, 06111C0916E, and 06111C0918E dated January 20, 2010.

mitigation measures will be incorporated into the construction contract specifications to reduce inconvenience to the residents to the greatest extent possible. It is the responsibility of all contractors to obtain sufficient insurance to cover their construction activities. Any potential claims must therefore be filed with the contractor's insurance company. The District, however, will ensure proper documentation of private property conditions before and after project implementation to help ensure that any potential construction-related damages are compensated (see response to comment no. 8 above).

13. This comment introduces the letters presented in Exhibit "B" of the comment letter submitted by Lownethal, Hillshafer & Rosen, LLP. Responses to those letters are provided elsewhere in Appendix L. This comment does not address the adequacy of the 2009 DEIR; therefore, no additional response is required.
14. This comment summarizes the concerns expressed by Surfside III residents and provides closing remarks. Responses to those concerns appear in nos. 4 through 12 above.
15. This comment is the Declaration of Kevin P. Carter, General Counsel for Surfside III Condominium complex. In this comment Mr. Carter provides a brief summary of informational meetings he attended in December between District and Surfside III residents. This comment does not address the adequacy of the 2009 DEIR; therefore, no additional response is required.
16. This comment is a declaration from a Surfside III resident adjacent to J Street Canal. This comment states that the resident has lived at Surfside III since 2003, but had not experienced mosquito concerns until June 2009. See the response to comment no. 6 above for a discussion of the new mosquito source at OWWTP identified by the Ventura County Vector Control Program in 2009, and inclusion of this new source in all subsequent treatment efforts. Trap data in 2010 showed a reduction in the number of mosquitoes observed near Surfside III following the increased treatment regime.

In response to the increased concern over mosquitoes, the District contracted with Larry Walker Associates to prepare a *J Street Drain Project Mosquito Technical Study* (January 24, 2011). The technical study provides an analysis of the mosquito production potential of the proposed project compared with the current J Street Drain and the proposed alternatives. Please see response to comment #4 above.

17. This comment is a declaration from a Surfside III resident adjacent to J Street Canal. This comment states that the resident has lived at Surfside III since 1998, and noticed an increase in the numbers of mosquitoes about 2.5 years before December 30, 2009. This resident noted that in 2009, mosquito numbers worsened significantly. This comment expresses the resident's concern over mosquitoes. See the response to comment no. 6 above for a discussion of the new mosquito source at OWWTP identified by the Ventura County Vector Control Program in 2009, and inclusion of this new source in all subsequent treatment efforts. Trap data in 2010 showed a reduction in the number of mosquitoes observed near Surfside III following the increased treatment regime.

In response to the increased concern over mosquitoes, the District contracted with Larry Walker Associates to prepare a *J Street Drain Project Mosquito Technical Study* (January 24, 2011). The technical study provides an analysis of the mosquito production potential of the proposed project compared with the current J Street Drain and the proposed alternatives. Please see response to comment #4 above.

The resident refers to her observations of “hoards of mosquitoes hovering directly above, and very close to, the J Street Canal.” Without verification by Ventura County Vector Control Program staff, it is unclear whether the insects observed were mosquitoes. As stated in the *J Street Drain Project Mosquito Technical Study* (January 24, 2011), “Midges are a diverse group of small, non-biting flies closely related to mosquitoes. Many species have a strong resemblance to mosquitoes in size and appearance...[see Figures 3 and 4 of the study], and they often share the same aquatic habitats. Midges cannot bite and are not vectors for disease. Midge larvae are usually found in wetlands and marshes, as well as wastewaters including wastewater treatment plant lagoons and urban runoff channels (Grodhaus 1975); however, unlike mosquitoes, midge larvae do not breathe atmospheric air and often live attached to surfaces or in sediments. As a result, midges do not have the same restrictions as mosquito larvae and are often very abundant in the bottom sediments of open bodies of water. Midges often hatch simultaneously in blooms during the spring or summer, resulting in large masses of midges grouped together near wetlands and marshes. Many species are strongly attracted to artificial light sources and also use structures as resting sites. Thus, they can become extreme nuisances seasonally by massing in and around residences and other structures. Midges have a shorter life span than mosquitoes that entails finding a mate in order to lay eggs before they die (Grodhaus 1975).”

18. This comment is a declaration from a Surfside III resident adjacent to J Street Canal. This comment states that the resident has lived at Surfside III since 2002, but had not experienced concerns over mosquitoes until June 2009. See the response to comment no. 6 above for a discussion of the new mosquito source at OWWTP identified by the Ventura County Vector Control Program in 2009, and inclusion of this new source in all subsequent treatment efforts. Trap data in 2010 showed a reduction in the number of mosquitoes observed near Surfside III following the increased treatment regime.

In response to the increased concern over mosquitoes, the District contracted with Larry Walker Associates to prepare a *J Street Drain Project Mosquito Technical Study* (January 24, 2011). The technical study provides an analysis of the mosquito production potential of the proposed project compared with the current J Street Drain and the proposed alternatives. Please see response to comment #4 above.

19. This comment is a declaration from a Surfside III resident adjacent to J Street Canal. This comment states that the resident has lived at Surfside III since 2002, but had not experienced concerns over mosquitoes until June 2008. See the response to comment no. 6 above for a discussion of the new mosquito source at OWWTP identified by the Ventura County Vector Control Program in 2009, and inclusion of this new source in all subsequent treatment efforts. Trap data in 2010 showed a reduction in the number of mosquitoes observed near Surfside III following the increased treatment regime.

In response to the increased concern over mosquitoes, the District contracted with Larry Walker Associates to prepare a *J Street Drain Project Mosquito Technical Study* (January 24, 2011). The technical study provides an analysis of the mosquito production potential of the proposed project compared with the current J Street Drain and the proposed alternatives. Please see response to comment #4 above.

20. This comment is a declaration from a Surfside III resident adjacent to J Street Canal. This comment states that the resident has lived at Surfside III since 2004, but had not experienced concerns over mosquitoes until the preceding two summers (2008 and 2009). Mosquito numbers

worsened in June 2009. See the response to comment no. 6 above for a discussion of the new mosquito source at OWWTP identified by the Ventura County Vector Control Program in 2009, and inclusion of this new source in all subsequent treatment efforts. Trap data in 2010 showed a reduction in the number of mosquitoes observed near Surfside III following the increased treatment regime.

In response to the increased concern over mosquitoes, the District contracted with Larry Walker Associates to prepare a *J Street Drain Project Mosquito Technical Study* (January 24, 2011). The technical study provides an analysis of the mosquito production potential of the proposed project compared with the current J Street Drain and the proposed alternatives. Please see response to comment #4 above.

21. This comment is a declaration from a Surfside III resident adjacent to J Street Canal. This comment states that concerns over mosquitoes developed between June and September 2009 but did not exist in 2008. This person has resided in the Surfside III development since March 2008. See the response to comment no. 6 above for a discussion of the new mosquito source at OWWTP identified by the Ventura County Vector Control Program in 2009, and inclusion of this new source in all subsequent treatment efforts. Trap data in 2010 showed a reduction in the number of mosquitoes observed near Surfside III following the increased treatment regime.

In response to the increased concern over mosquitoes, the District contracted with Larry Walker Associates to prepare a *J Street Drain Project Mosquito Technical Study* (January 24, 2011). The technical study provides an analysis of the mosquito production potential of the proposed project compared with the current J Street Drain and the proposed alternatives. Please see response to comment #4 above.

Carolyn_Beaver

I am against
the proposed Canal
Project.
Too MANY MOSQUITOS

14-1

C. Beaver
11/17/09

Ph. (805) 488-5657 Cell (323) 459-9015 CAROLYN BEAVER@MSN.COM

830 Bluewater Way

Letter 14
Carolyn Beaver
November 17, 2009

1. The resident is opposed to the proposed project because of concerns over mosquitoes. There is no comment regarding the adequacy of the environmental document. According to CEQA, no further response is required; however, in response to the increased concerns over mosquitoes, the District contracted with Larry Walker Associates to prepare a *J Street Drain Project Mosquito Technical Study* (January 24, 2011). The technical study provides an analysis of the mosquito production potential of the proposed project compared with the current J Street Drain and the proposed alternatives. The complete report is included in Appendix I of the 2011 RDEIR.

Please refer to Letter 13, response number 4 for a details regarding the mosquito issue.

TO: Ventura County Watershed Protection District
RE: SURFSIDE III: J STREET DRAIN PROJECT

1) **FLOOD RISK:**

No inclusion of standard public-record, flood-risk documentation:
Including FEMA STANDARD FLOOD DETERMINATION:
* NO SPECIAL FLOOD HAZARD ZONE; NO FLOOD INSURANCE REQUIRED;
* CALIFORNIA Dept. of Water Resources: Flood Operations Center
Failure to provide accurate and complete information regarding flood risk.

15-1

2) **PUBLIC HEALTH:**

A. Standing Water/Mosquitoes
Failure to recognize the extremely-serious mosquito problem caused by ADDITIONAL stagnant water as an environmental impact to PEOPLE who live in the area.

B. Water Connection to Halaco Superfund Site
Failure to include the impact of the potential environmental hazard from water in contact with hazardous materials and wastes, on nearby residents.

15-2

3) **BACKWATER EFFECT**

Failure to address the issue of backwater-effect as the cause of reduced capacity of the drain. No discussion of removing backwater.

15-3

4) **ALTERNATIVE PLAN**

Failure to consider and propose an EFFECTIVE, ALTERNATIVE PLAN that will remove the BACKWATER CONDITION [stagnant water/mosquitoes and other problems resulting from the project.

15-4

These are the reasons that I am opposing the approval of the Draft Environmental Report on the above project.

15-5



Maurice Billman

225 S. Ventura Rd. [#85]
Port Hueneme, CA 93041

RECEIVED

JAN 12 2010

WATERSHED PROTECTION DIST.

Letter 15
Maurice Billman
January 12, 2010

1. This comment addresses the flood risk assessment and documentation.

Please refer to Letter 13, response number 11 for details regarding flood risk assessment and documentation.
2. This comment addresses public health issues related to mosquitoes and water quality in relation to the Halaco Superfund site not far from the project area.

Standing Water/Mosquito Issue

Please refer to Letter 13, response number 4 for a complete discussion regarding the mosquito issue.

Water Quality: The Halaco site is discussed in Section 4.8 of the RDEIR.

Please refer to Letter 13, response number 10 for details regarding the Halaco site.

3. This comment refers to the issue of backwater within the drain and its impact on the capacity of the drain. The comment notes that the removal of backwater was not analyzed. Section 4.3.1 of the 2011 RDEIR discusses the existing setting of the area, including J Street Drain. Backwater is discussed as a cause for the flooding issues. The following excerpt from the RDEIR provides a brief discussion of the District's attempts at managing the backwater issue within the drain.

Prior to 1992, the District mechanically breached the sand berm of the Lagoon to lower water levels in the lagoon that caused backwater flooding in the J Street Drain and the Oxnard Industrial Drain (OID). The District continued these practices on an as needed basis to drain the Ormond Lagoon and maintain a safe water level in the respective drains. District maintenance staff recall breaching the sand barrier up to a dozen times during the spring and summer seasons, but normally, mechanical breaching occurred four to six times per year. However, regulatory agencies were concerned that breaching of the sand berm and draining the lagoon was degrading endangered tidewater goby habitat and foraging habitat for sea and shorebirds. Further, several sensitive species of birds, including the California Least tern and snowy plover, nest at the sparsely vegetated dunes at Ormond Beach and utilize the aquatic fauna (mostly fish and invertebrates) present in the drains and lagoon area as a primary food source.

In response to agency concerns, in 1992 the District agreed to cease the mechanical breaching of the sand barrier to prevent potential harm to sensitive species and habitat. Cessation of this action resulted in the expansion of the lagoon and created a deepwater condition in the J Street Drain and OID. At this time, the water levels in the lagoon are not actively managed.

The Beach Elevation Management Plan (BEMP) described in Section 3.0 of the RDEIR and in the response to Letter 13, comment no. 10 defines a maximum safe beach height, and provides for a coordinated response to groom the sand berm at a pre-specified location immediately prior to a predicted storm event. Beach grooming would facilitate natural breaching when the lagoon water surface elevation rises due to rainfall.

The continual removal of the backwater would require pumping out the standing water in the J Street Drain. This alternative, however, would not solve the original problem and impetus of the J Street Drain Project, which is the need for 100-year storm flow capacity. The dimensions of the current J Street Drain are not sufficient to contain the flow volume of a 100-year storm. The current J Street Drain would flood during a 100-year storm even if the outlet to the Pacific Ocean was open at the time and the channel was initially empty. This alternative assumes that (1) it is feasible to pump the water out of the J Street Drain and (2) such pumping would not violate the Endangered Species Act. It should be noted that it is unlikely either of these assumptions are correct. Pumping water out of J Street Drain would reduce the size of Ormond Beach Lagoon, resulting in a reduction of foraging habitat for endangered California least terns and critical habitat for endangered tidewater goby. In addition, the act of pumping would cause tidewater gobies to become impinged on the pump screens, resulting in mortality of an endangered species.

4. The comment suggests that the 2009 DEIR did not adequately address the alternatives and consider the removal of backwater as a feasible alternative. Please refer to response number 3 above.
5. This comment includes closing remarks and the writer's opposition to the project. The comment does not address the environmental document. As such, no further response is required.

Appendix L Response to Comments

PO Box 2732
Oxnard, CA 93034
November 9, 2009

Ventura County Watershed Protection District
800 So. Victoria Avenue
Ventura, CA 93009-1610
Attn: Ms. Angela Bonfiglio Allen



Re: Comments on the Draft EIR on the J St. Drain Project

Dear Ms. Allen:

I live at 3121 So. J Street in Oxnard. You cannot imagine how thrilled the neighborhood is that we will once again have our homes and our newly paved street (the first time in 32 years I've lived here) shaken up and have a high level of noise since just enduring the same type of thing with the Oxnard Sewer Project. We had equipment and an ugly boxcar-like thing and a port-a-potty in front of our homes for two full years.

16-1

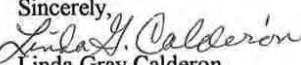
With that project, we sustained damage to our homes (interior and exterior) and block walls, surrounding brick planters, etc. which we have paid money to have repaired/replaced and now we hear we may very well have more damage from this project to wreck what we just repaired/replaced.

Nothing has been done on the cement liner of the flood control to fix cracks, etc. for the 32 years I've lived here so it is in need of repair (not replacement). However, to make this ditch deeper and wider I do not see a need for, nor is it going to help our property values to have that ugly thing practically in our front yards. One does not see deep flood channels in most residential, single-family neighborhoods. The one on Channel Islands Blvd., west of Ventura Road, runs through a commercial area, not front-facing residential. In 32 years, this drain has NEVER overflowed, even in the year of El Nino rains. Since the water table in this area is about 3'-4' down, that is why the sewer project encountered many problems, which you may also.

16-2

I strongly urge you to reconsider this project as proposed. If not, I at least strongly urge you to put pressure on the City to at least pave over this eyesore. It is a gathering place for rubbish as well as oil and a perfect breeding place of mosquitoes and, hence, West Nile Virus. I hear it is prayed from time to time, but the green scum from constantly standing water accumulates faster than any spraying. You will continue to have an environmental problem of oil and other debris getting into this channel and going into the Ocean and not only impacting it, but also the Ormond Beach Wetlands area if this is not paved over. I realize that the paving is not your responsibility, but you can certainly exert some pressure on the City as the ocean belongs to all of us and most of us eat fish so we don't need the contamination.

16-3

Sincerely,

Linda Gray Calderon

RECEIVED

NOV 12 2009

WATERSHED PROTECTION DIST.

Comment Letter 16
Linda Gray Calderon
November 9, 2009

1. This comment addresses noise and vibration impacts associated with construction activities of the proposed project on adjacent residents.

Construction related noise was analyzed in Section 4.6 of the DEIR. Since release of the November 2009 DEIR, the Ventura County Board of Supervisors adopted new significance thresholds (April 26, 2011 *Ventura County Initial Study Assessment Guidelines*). The 2011 Guidelines refer to the *County of Ventura Construction Noise Threshold and Criteria Plan* (November 2005), which clarifies that noise-sensitive receptors for daytime hours include hospitals, nursing homes (quasi-residential), schools, churches, and libraries (the latter three categories are considered sensitive when in use). Daytime hours are defined as 7:00 a.m. to 7:00 p.m. Residential land uses are considered noise-sensitive receptors during evening and night hours, or 7:00 p.m. to 7:00 a.m. Monday through Friday and 7:00 p.m. to 9:00 a.m. on weekends and local holidays. Because project construction would be scheduled only during daytime hours, the effect on residential land uses along J Street is now determined to be less than significant. Nonetheless, the District has retained the originally proposed mitigation measures, which are presented on pages 4.6-21 and 4.6-22 of the RDEIR. Mitigation Measure Noise-1 requires implementation of equipment noise reduction measures.

The proposed project also has the potential to expose people to or generate excessive groundborne vibration or groundborne noise levels along J Street. Off-road equipment expected to be used along J Street during construction includes: wheel loaders, track dozers, scrapers, excavator with hydraulic hammer, motor grader, concrete pump, concrete trucks, dump trucks, and other miscellaneous small equipment.

As discussed in Section 4.5, Transportation and Circulation, of the EIR, no more than three haul trucks would be on site for loading at a given time, and approximately 45 construction-related trips per day are expected to occur. The City of Oxnard and City of Port Hueneme have designated specific roadways as truck routes (Hueneme Road and Arnold Road), which minimize noise and vibration impacts. Truck-related construction traffic would use these roads during haul trips, which would minimize noise and vibration related to truck traffic. To address the potential for vibration impacts to structures along the J Street Drain, the following mitigation measure has been added to Section 4.6 – Noise and Vibration of the RDEIR:

NOISE-3: Prior to construction, the District shall request property owner permission to video record the condition of structures adjacent to the J Street Drain in the presence of the property owner. The recording shall be performed and stored by an independent third party, with a copy given to the property owner. If vibration-induced damages occur as a result of construction, property owners would be invited to submit claims documenting such damages within one year following construction completion. The third party would again enter the property to video record its post-construction condition, again providing a copy to the property owner. Both recordings would be compared, and the District would provide compensation to repair new damages observed in the post-construction recordings. Once both parties have agreed to the compensation, both pre- and post-construction video recordings stored by the third party would be given to the property owner.

In addition, the Ventura County Board of Supervisors adopted the Ventura County Watershed Protection District (District) Final Program EIR for Environmental Protection Measures for the Ongoing Routine Operations and Maintenance Program Project No. 80030 in May 2008. The final document includes Best Management Practices (BMPs) that have been added to the District's Maintenance Activity Guidelines. The Operation and Maintenance Division staff will be responsible for ensuring the proper implementation of the BMPs on a routine, year-round basis.

The following BMPs will be implemented to minimize noise impacts during operation:

- Construction Noise BMPs. Noise-generating construction activities shall be restricted to the daytime (i.e., 7:00 AM to 7:00 PM, Monday through Friday), during which noise levels shall not exceed:
- 75 dB(A) $L_{eq}(h)$ at noise sensitive locations when construction work duration would last up to 3 days;
- 70 dB(A) $L_{eq}(h)$ at noise sensitive locations when construction work would last from 4 to 7 days;
- 65 dB(A) $L_{eq}(h)$ at noise sensitive locations when construction work would last from 1 to 2 weeks;
- 60 dB(A) $L_{eq}(h)$ at noise sensitive locations when construction work would last from 2 to 8 weeks, or
- 55 dB(A) $L_{eq}(h)$ at noise sensitive locations when construction work duration would exceed 8 weeks.

The District will work with the community to address the residents' concerns and to the greatest extent feasible mitigate the impacts associated with the proposed project.

2. This comment states that the J Street Drain is in need of repair and not replacement and questions the need for increasing the Drain's capacity.

Please refer to Letter 13, response number 11 for details regarding flood risk assessment and documentation.

3. This comment states the resident's opposition to the proposed project and suggests paving over the Drain due to trash and standing water issues, which contaminates the Ormond Beach Lagoon and Pacific Ocean.

The District is responsible for flood protection improvement related to the proposed drain. As part of on-going maintenance the channel is regularly maintained by removing trash and sediment, and covering any graffiti. Any improvements to the street inlets into the drain, including capturing trash generated in developed areas, are the responsibility of the City of Oxnard. Additionally, the landscaping currently outside the District safety fencing is the responsibility of the City, and would be replaced upon completion of construction by agreement with the City.

The District analyzed several project alternatives in Section 5.0 of the RDEIR. Alternative A would replace the existing channel with buried box culverts overlain by landscaping. While the

District is not opposed to Alternative A, it would cost substantially (roughly double, or approximately \$27 million) more than the Preferred Alternative (Alternative B) due to the increased construction and landscaping costs. The District has limited funding derived from property tax revenues to solve flood problems throughout Ventura County. In partnership with the City of Oxnard and the Ventura County Board of Supervisors, the District will explore supplemental funding sources such as grants, donations, or cost sharing opportunities prior to implementing each project phase. If and where sufficient funding can be generated from all parties and additional sources, the District may consider implementing Alternative A.

Ventura County Watershed Protection District
Attention: Angela Bonfiglio Allen
800 South Victoria Avenue
Ventura, CA 93009-1610

January 12, 2010

Dear Ms. Allen,

I am writing to let you know that we are very concerned about the changes planned for the J Street Canal. We live right at the outlet. We own the second-story condo on the end of Building 6 in Surfside III.

17-1

We are concerned about the proposed project for many reasons:

First, this portion of the canal is a sensitive area for the wildlife that thrive there and widening the canal would most certainly affect their habitats especially in the grand trees on the other side from us that also block the view of and noise from the water treatment plant across the canal.

17-2

Second, we have not received any information telling us why this is necessary and what quantities of water are currently flowing here versus what would happen if there were a 100 year storm. It is not obvious that this is necessary for the reasons given without more quantifiable support.

17-3

Third, there is a serious concern that mosquitoes may breed more readily if the flow rate and path is affected by the changes. Of course, this would make all of us, and especially those of us who are closest to the canal, upset. We had some problems with mosquitoes before the work was done on the Bubbling Springs Creek that empties out in front of us but the flow rate there is regulated by the small dam. The water is also kept cleaner by that project's periodic conveyor system.

17-4

We are grateful to you for taking our concerns into consideration. We care not only about ourselves and our community but also about our county. We just want to make sure that things are not done unless they can be proven to be absolutely necessary (fiscal responsibility) and that if they are proven to be necessary, they be done in such a way as to leave the least negative impact.

17-5

Please consider this letter to be a vote against the J Street Canal Project until all of our concerns can be addressed to our satisfaction.

17-6

Sincerely,



David and Lynn Cannon
804 Bluewater Way (Surfside III)
Port Hueneme, CA 93041

RECEIVED

JAN 19 2010

WATERSHED PROTECTION DIST.

Letter 17

David and Lynn Cannon

January 12, 2010

1. This comment states the resident's location within the Surfside III condominium complex and concern about the project. The comment does not address the adequacy of the 2009 DEIR; therefore, no additional response is required.
2. This comment states the resident's concern over the sensitive habitat in the area and the trees that block the view of and noise from the water treatment plant across the canal.

Sensitive Habitat: The proposed project would result in temporary impacts to sensitive habitat and species as discussed in Section 4.2 of the RDEIR. Impacts to biological resources and subsequent mitigation measures are outlined in subsections 4.2.4 and 4.2.6 respectively. Ongoing consultation between the District and the U.S. Fish and Wildlife Service and California Department of Fish and Game will further ensure impacts to biological resources are reduced to the greatest extent possible. Please refer to the responses to the USFWS Letter above (Letter 2) for additional information regarding recent consultations.

Trees: Trenching near the Surfside III buildings during construction would result in the removal of approximately 110 trees and shrubs of various sizes and species (including 25 eucalyptus trees with a diameter at breast height (DBH) of at least 12 inches) from both J Street Drain and Surfside III properties. By selecting vertical shoring rather than trenching near the Surfside III property as discussed in the RDEIR, large shrubs and overhanging tree limbs within the District right-of-way would be removed, but vegetation on Surfside III property would remain in place except for plants whose root systems would be compromised during the process. Such vegetation would need to be removed for the safety of workers and residents. Trees and shrubs along the east boundary of J Street Drain property would remain in place, as construction would affect an existing maintenance road that is devoid of vegetation. Removal of trees and shrubs would expose views of the water treatment plant and the J Street Drain to residents along the east side of Buildings 15, 16, and 17 and people visiting the adjacent park. Mitigation Measure Noise-2 requires a temporary noise control barrier to be installed and maintained between the temporary work area and Buildings 6 and 7 in the Surfside III community during construction. This noise control barrier will also provide visual screening along the eastern boundary of the Surfside III property to shield Building 6 and 7 residents from views of the J Street Drain during construction.

Post construction, the noise barrier would be removed and original fencing would be replaced. Vertical shoring rather than open cut trenching along the property line would reduce the number of trees and shrubs (110) to be removed from Surfside III and from District right-of-way by up to 44 individuals (or up to 40 percent of the trees and shrubs originally identified for removal), preserving more of the existing visual resources. Mitigation Measure VIS-2 would require the replacement of the removed trees and large shrubs within the Surfside III property at 1:1 ratio and would reduce the construction and operational impact to below a level of significance. Mitigation Measure VIS-3 would require temporary visual screening.

3. The resident comments that they were not notified of information explaining the necessity of the proposed project, the existing water flow and the impact of a 100-year flood if it were to occur.

Please refer to Letter 13, response number 11 for details regarding flood risk assessment and documentation.

4. This comment expresses the resident's concern over the mosquito issue.

Please refer to Letter 13, response number 4 for a complete discussion regarding the mosquito issue.

5. This comment is a closing statement and does not address the adequacy of the 2009 DEIR. Since the comment does not pertain to the 2009 DEIR, no additional response is required. However, section 3.0 of the RDEIR now includes a discussion of the District's project selection and funding processes, which addresses the residents' concern about fiscal responsibility.

VCWPD: ATTN: Angela Bonfiglio Allen
800 South Victoria Avenue
Ventura, CA 93009-1610

11/13/09

Dear: Ms Angela Bonfiglio Allen:

I have been a resident of Surfside Condos for over 3 years.

I received a notice regarding information on the "J Street Canal and mosquito problems. It brought to my mind the problems that I have been having with mosquito bites:

I have woken up with mosquito bites on the upper right eyelid, on the soft part. It was red and swollen. I've had bites on my cheek, red and swollen; bites on the right side of my right hand, on the side that you rest your hand, sore and swollen.

These bites are areas that are exposed while I sleep. We can't leave our windows or doors open without a screen. I have been concerned how they get in. They must be squeezing thru the screens.

I never complained because I love the lagoon for the bird paradise. I believe that the canal expansion will make our mosquito problems worse.

Please listen to the people who live here.

18-1

Sincerely,



Rebecca M Fetters
753 Reef Circle
Port Hueneme, CA 93041

RECEIVED

NOV 16 2009

WATERSHED PROTECTION DIST.

Letter 18
Rebecca M. Feters
November 13, 2009

1. This comment states a concern about mosquitoes at the project site and the potential vector control impacts associated with the proposed project.

Please refer to Letter 13, response number 4 for a complete discussion regarding the mosquito issue.

**FLEISCHMAN & ASSOCIATES
MEDICAL INFORMATICS CONSULTANTS
5757 VENTURA CANYON AVENUE; Suite 901
VALLEY GLEN, CA 91401
Tel: (818) 780-9313
Cell: (818) 693-9287**

November 11, 2009

**Ms Angela Bonfiglio Allen
Ventura County Watershed Protection District
800 So. Victoria Avenue
Ventura, CA 93009-1610**

Dear Ms Bonfiglio Allen,

As a homeowner in the Surfside III development on Lighthouse Way in Port Hueneme, I am contacting you to express my concern regarding VCWPD's proposed project to extend the J Street canal.

The existing canal has caused significant issues for us, including a continuing inundation of mosquitoes due to the canal's stagnant water, which does not have adequate flow, in effect resulting in what is essentially a swamp. Vector Control is not addressing the resultant mosquito population, causing significant discomfort, and more importantly, a potential health hazard due to the West Nile virus and other risks carried by large infestations of mosquitoes.

19-1

The proposed canal extension must address health issues caused by the stagnation of water and the resultant mosquito population, through ensuring proper water flow through the canal.

I believe that the California Department of Health should be appraised of the VCWPD's plans for the J Street canal, prior to any final decisions, in order to fully analyze the health consequences of the current proposal to the owners/tenants of Surfside and adjacent properties.

19-2

Yours truly,



**Thomas Fleishman
Managing Principal
Fleishman and Associates**

Letter 19

Thomas Fleishman

November 11, 2009

1. This comment states the existing mosquito concerns at the project site and the potential vector control impacts associated with the proposed project.

Please refer to Letter 13, response number 4 for a complete discussion regarding the mosquito issue. Please also refer to Letter 15, response number 3 for a discussion of backwater within the drain.

2. This comment suggests that the California Department of Health should be notified of the proposed project before any final decisions are made.

The California Department of Health was notified of the release of the 2009 DEIR and given the opportunity to comment on the analysis. Vector control is part of the department's responsibilities. In addition, the Resource Management Agency, Environmental Health Division, commented on the 2009 DEIR. The comments and responses are provided above (Letters 6 and 7). Finally, the *J Street Drain Project Mosquito Technical Study* was prepared in collaboration with the California Department of Public Health, Vector-Borne Disease Section.

Concerning the "S" Street Canal

TO VCWPD: ATTN: Angela Bonfiglio Allen

Hello, I Live at 936 Lighthouse Way
Port Hueneme, Ca. 93044

In The Surfside 3 Complex. (Building #7)
my unit is Directly ADJACENT TO
The "S" Street Canal.

I have Lived here Since 4-2004.

IN ALL This time I have NOT
Seen One Single mosquito.

I have NOT had one Single
mosquito inside my house either.
I have NOT been Bitten
By one single mosquito either.

Surfside 3 does NOT have a
mosquito problem as far
as I Am CONCERNED.

Please Enter this into your records.

RECEIVED

NOV 16 2009

WATERSHED PROTECTION DIST.

Thank you! very much!
pat fomin

mailing Address { PATRICIA Fomin
P.O. BOX 1057 / 936 Lighthouse Way
PORT Hueneme, Cal. 93044 / PORT Hueneme, Ca. 93044
805-986-3225

20-1

Letter 20
Patricia Fomin
November 16, 2009

1. This comment expresses the resident's view that there is no mosquito problem within the Surfside III condominium complex. Since the comment does not specifically address the 2009 DEIR, no response is required.

How Can You Participate?

The public review period for this EIR is November 2, 2009 to December 16, 2009. During this time, anyone may comment on the EIR by writing to:

Ventura County Watershed Protection District
Attention: Angela Bonfiglio Allen
800 South Victoria Avenue
Ventura, CA 93009-1610

A public meeting to present the project and the CEQA process will be held during the public review period. This meeting is scheduled on Tuesday, November 17, 2009 at 7:00 PM at the Port Hueneme City Council Chamber located at 250 North Ventura Road in Port Hueneme. An Environmental Report Review Committee (ERRC) public meeting will be held in the Multi Purpose Room of the Ventura County Hall of Administration on Wednesday, February 10, 2010 at 1:30 PM. This meeting will evaluate the technical adequacy of the EIR. Public comment and participation is encouraged.

Contacts

For more information, please contact Kirk Norman P.E., Project Manager at 805-654-2017 or Angela Bonfiglio Allen, Environmental Planner at 805-477-7175.

Thank you for your interest in this Watershed Protection District project!

*Request Watershed Project be denied:
Increasing the volume of the J-Street
Canal will increase the mosquito problem to
Surtside III, causing increase in health
hazard due to mosquito-borne diseases.
Thankyou for your consideration,
Karl Twyman
Surtside III resident*

21a-1



RECEIVED

NOV 11 2009

WATERSHED PROTECTION DIST.

Letter 21a
Karl Twyman
November 11, 2009

1. This comment states the existing mosquito concerns at the project site and the potential vector control impacts associated with the proposed project.

Please refer to Letter 13, response number 4 for a complete discussion regarding the mosquito issue.

431 South Evergreen Drive
Ventura, CA 93003
smithannnterry@yahoo.com
November 16, 2009

Ventura County Watershed Protection District
Attention: Angela Bonfiglio Allen
800 South Victoria Avenue
Ventura, CA 93009-1610

Dear Sirs and Madams:

I feel that my concerns regarding the J Street Drain Project cannot be mitigated sufficiently for this project to proceed. My concerns are as follows:
1. As stated in your EIR, "the proposed project would result in increased standing water for potential mosquito breeding sites and additional vector sources within the project site." Since the Ventura County Vector Control Program has not been successful presently in controlling the mosquitoes in the Surfside III area, then they surely aren't going to be able to mitigate the mosquito problem when there is more stagnant water for mosquitoes to breed. I have had complaints over the years from residents about the mosquitoes when serving as chairman of the Landscape Committee at Surfside III. And my tenant calls me complaining about being eaten alive by mosquitoes. On what grounds can you say the impact is less than significant? Was any survey taken from residents about the mosquito problem? And it is not true that the Ventura County Vector Control Program will be able to mitigate this problem as indicated in the DEIR, as they haven't done so yet with the program they have in place that you refer to as mitigation measures. There will be more mosquitoes and therefore more harm to the public health since mosquitoes can cause disease to pets, domestic animals, wildlife, or humans, as St. Louis encephalitis (SLE), western equine encephalitis (WEE), West Nile virus (WNV) and malaria which are a concern in Ventura County.

21b-1

I submit for the record that the public health of the residents of Surfside III will be significantly impacted by the J Street Drain Project. I welcome you to take a survey at Surfside III to confirm this mosquito problem and our being significantly impacted by the J Street Drain Project.

2. Construction for the drain expansion which requires an eight-foot work-area will cause the removal at Surfside III of existing fence, trees and shrubbery that provide screening from the unsightly views, noise, and odors of the Water Treatment Facility across from the drain. What size trees are you planning on planting as a mitigation? How many years will it take for them to grow to maturity to be able to provide the present level of screening along the drain adjacent to Surfside III? And the landscape that was promised by the Ventura County Watershed Protection District that was supposed to screen the chain link fence on the Hueneme Pump Station Project done in 2004, has not come to be apparently due to lack of maintenance and watering, so I don't trust any promises that would be given to mitigate this concern. In fact, it is in essence impossible to sufficiently mitigate this concern about view, noise, and odor screening from the Water Treatment Facility and industrial area adjacent to Surfside III, since trees just can't grow that fast.

21b-2

3. Construction activities will cause dust, noise, parking issues, and other inconveniences to Surfside III residents and damage our walkways, planters, parking covers, electrical and water lines, etc. What right do you have to come onto our property and cause such? We have enough construction inconveniences of our own without you using our property for access. And we haven't recovered yet from the Hueneme Pump Station construction that previously occurred in front of us. Enough is enough. The EIR states that the noise will exceed the daytime standards and that it will be significant and unavoidable after mitigation. People deserve and have a right of quiet enjoyment of their

21b-3

homes.

21b-3
Cont.

4. Surfside III owners and residents were never given notice of this project even though planning apparently started in 2005 and a meeting was held in 2008. Accessing through our property was in the plan without your even contacting us when in plan formation stages. How come we never heard of such from you? It was by accident that we even found out about it, and it is already in the final planning stages. In fact, I think that one of our residents had to contact you to find out about it. It was not right for you to not inform us of this project when it affects us so much.

21b-4

5. Finally, do we really need this project? That is the real question. We are in the worst drought in history. Furthermore, our economy has been in a recession. Our State, county, and cities are cutting vital services and you are wasting our taxpayers' dollars on a very unlikely 100 year flood event. The new pump station in front of Surfside III was supposed to protect us from the 100 year flood. How do you support the need for this project? We are not experiencing flooding; we don't even have sufficient rain. Which (and how many) homes serviced by the J Street Drain are located in Zone A (100 year flood zone)? I am not aware of any designated Zone A properties in Oxnard or Port Hueneme where Flood Insurance is required, which are serviced by the J St. drain. Has the water ever flooded over the banks of the J Street Drains? I am not aware of any history of J Street Drains overflowing. Can you supply data regarding properties in Zone A and the J Street Drain overflowing? Is there really a problem with our current J Street Drain? I resent paying taxes when I see the money being spent unnecessarily. Are you getting stimulus money and wasting it on things we don't need, just to use the funds?

21b-5

In summary, due to my concerns expressed above which I feel cannot be adequately mitigated, I am against this J Street Drain Project. I'd appreciate your addressing the questions I have posed in this letter which I have bolded for ease in responding to me.

21b-6

Sincerely yours,

Terry Ann Smith
Owner 769 Reef Circle, Port Hueneme, CA 93041, Surfside III
smithannterry@yahoo.com <[http://us.mc452.mail.yahoo.com/mc/compose?](http://us.mc452.mail.yahoo.com/mc/compose?to=smithannterry@yahoo.com)
to=smithannterry@yahoo.com> 805-648-5433 805-340-0343

I agree with all of above,
Karl J. Jansman
SS III
673 Bluewater Way
PH

RECEIVED

NOV 17 2009

WATERSHED PROTECTION DIST.

Letter 21b
Karl Twyman
November 17, 2009

1. This comment states existing mosquito concerns at the project site and the potential vector control impacts associated with the proposed project.

Please refer to Letter 13, response number 4 for a complete discussion regarding the mosquito issue.

Several Surfside III residents documented an increase in mosquito nuisance in 2009. Concerns were reported to Ventura County Vector Control Program staff, causing them to deploy additional mosquito traps to determine the reason for the increase. Trap data demonstrated a substantial percentage of *Culex quinquefasciatus*, a species of mosquito that thrives in disturbed and nutrient-rich habitats, including underground stormwater infrastructure. As a result, Vector Control staff investigated the Oxnard Wastewater Treatment Plant (OWWTP) as a possible source of increased mosquito production. Vector Control routinely monitors several areas within the OWWTP, including the pond and inactive treatment cells, which would be likely mosquito breeding sources. In response to resident complaints and increase in *Culex quinquefasciatus* mosquitoes captured in traps, Vector Control staff requested authorization to more broadly examine the OWWTP for new mosquito breeding sources and OWWTP staff cooperated with this request. The investigation led to the detection of a large underground flooded basement that was actively producing *Culex quinquefasciatus* mosquitoes. The flooded basement was considered a new mosquito source in the area. Vector Control staff have since routinely addressed this source and other newly added smaller potential sources on the OWWTP property, in addition to the sites within the OWWTP previously monitored and treated. Trap data collected in 2010 show far fewer mosquitoes in the greater J Street Drain area, reflecting the increased control efforts at new source locations by Vector Control staff. Overall, trap data suggest that mosquito production is widespread within the developed areas surrounding the J Street Drain, with no evidence of sharp rises in mosquito numbers in traps located near the J Street Drain that would implicate this conveyance channel as a major source of mosquitoes. In addition, as shown by their response to increased complaints due to an unknown new source, continued monitoring and treatment by the Ventura County Vector Control Program is effective at reducing mosquito populations.

2. This comment states the resident's concern over the visual quality of the area. The proposed project would include the removal of existing fencing and landscaping during construction.

Trenching near the Surfside III buildings during construction would result in the removal of approximately 110 trees and shrubs of various sizes and species (including 25 eucalyptus trees with a diameter at breast height (DBH) of at least 12 inches) from both J Street Drain and Surfside III properties. By selecting vertical shoring rather than trenching near the Surfside III property, large shrubs and overhanging tree limbs within the District right-of-way would be removed, but vegetation on Surfside III property would remain in place except for plants whose root systems would be compromised during the process. Such vegetation would need to be removed for the safety of workers and residents. Trees and shrubs along the east boundary of J Street Drain property would remain in place, as construction would affect an existing maintenance road that is devoid of vegetation. Removal of trees and shrubs would expose views of the water treatment plant and the J Street Drain to residents along the east side of Buildings 15, 16, and 17 and people visiting the adjacent park. Mitigation Measure Noise-2 requires a temporary noise control barrier to be installed and maintained between the temporary work area

and Buildings 6 and 7 in the Surfside III community during construction. This noise control barrier will also provide visual screening along the eastern boundary of the Surfside III property to shield Building 6 and 7 residents from views of the J Street Drain during construction.

Post construction, the noise barrier would be removed and original fencing would be replaced. Vertical shoring rather than open cut trenching along the property line would reduce the number of trees and shrubs (110) to be removed from Surfside III and from District right-of-way by up to 44 individuals (or up to 40 percent of the trees and shrubs originally identified for removal), preserving more of the existing visual resources. Mitigation Measure VIS-2 would require the replacement of the removed trees and large shrubs within the Surfside III property at a 1:1 ratio and would reduce the construction and operational impact to below a level of significance. Mitigation Measure VIS-3 would require temporary visual screening.

Replacement trees and shrubs would be the same species as those removed, or substitute species if requested by the Surfside III Homeowner's Association. Replacements would be planted on Surfside III property; vegetation currently within the District right-of-way would not be replaced. The table below lists trees identified for removal from the east edge of the Surfside III property boundary, their height as of March 2010, expected growth rate, the estimated number of growing seasons before replanted trees reach the original height (based on the expected growth rate), and the number of growing seasons before trees currently over 20 feet tall would reach a height of 20 feet after planting (based on the expected growth rate). A height of 20 feet is assumed to provide visual shielding for both one- and two-story units. As shown, it is expected that *Eucalyptus sideroxylon*, *E. camaldulensis*, *E. polyanthemos*, and *Pinus radiata* trees would gain a height of 20 feet after a maximum of 5.7 years, assuming they are three feet tall when planted. *Myoporum laetum* shrubs would require 5.7 to 8.5 years, depending on their growth rate (two versus three feet per growing season). Of the 54 trees and shrubs identified for removal, 15 are less than 20 feet tall and would require anywhere between one and nine years for the replacements to reach the original heights, assuming they are three feet tall when planted. Replacement of existing trees and shrubs on Surfside III property is expected to provide adequate mitigation for temporary construction impacts.

Tree ID ¹	Species	Current Height (feet) ¹	Growth Rate ² (inches/season)	Seasons to Current Ht. ³	Seasons to 20 feet ⁴
2	<i>Myoporum laetum</i>	14	24 to 36	3.7 to 5.5	
4	<i>Myoporum laetum</i>	6	24 to 36	1 to 1.5	
5	<i>Myoporum laetum</i>	6	24 to 36	1 to 1.5	
6	<i>Trachycarpus fortunei</i>	8.5	24 to 36	1.8 to 2.75	
7	<i>Eucalyptus sideroxylon</i>	53	36+	Up to 16.7	Up to 5.7
8	<i>Eucalyptus camaldulensis</i>	53	36+	Up to 16.7	Up to 5.7
10	<i>Eucalyptus camaldulensis</i>	53	36+	Up to 16.7	Up to 5.7
11	<i>Eucalyptus camaldulensis</i>	53	36+	Up to 16.7	Up to 5.7
12	<i>Myoporum laetum</i>	14	24 to 36	3.7 to 5.5	
14	<i>Myoporum laetum</i>	14	24 to 36	3.7 to 5.5	
21	<i>Eucalyptus camaldulensis</i>	60	36+	Up to 19	Up to 5.7
23	<i>Eucalyptus camaldulensis</i>	60	36+	Up to 19	Up to 5.7
24	<i>Eucalyptus sideroxylon</i>	14	36+	Up to 3.7	
28	<i>Myoporum laetum</i>	9	24 to 36	2 to 3	
29	<i>Eucalyptus sideroxylon</i>	50	36+	Up to 15.7	Up to 5.7
30	<i>Eucalyptus camaldulensis</i>	60	36+	Up to 19	Up to 5.7
34	<i>Eucalyptus camaldulensis</i>	60	36+	Up to 19	Up to 5.7
36	<i>Eucalyptus polyanthemos</i>	38	36+	Up to 11.7	Up to 5.7

39	<i>Pinus radiata</i>	40	36+	Up to 12.3	Up to 5.7
41	<i>Eucalyptus camaldulensis</i>	45	36+	Up to 14	Up to 5.7
43	<i>Myoporum laetum</i>	25	24 to 36	7.3 to 11	5.7 to 8.5
44	<i>Myoporum laetum</i>	25	24 to 36	7.3 to 11	5.7 to 8.5
45	<i>Eucalyptus camaldulensis</i>	55	36+	Up to 17.3	Up to 5.7
46	<i>Myoporum laetum</i>	25	24 to 36	7.3 to 11	5.7 to 8.5
48	<i>Myoporum laetum</i>	25	24 to 36	8.3 to 12.5	5.7 to 8.5
49	<i>Myoporum laetum</i>	9	24 to 36	3 to 4.5	
50	<i>Myoporum laetum</i>	25	24 to 36	8.3 to 12.5	5.7 to 8.5
51	<i>Myoporum laetum</i>	30	24 to 36	10 to 15	5.7 to 8.5
52	<i>Myoporum laetum</i>	20	24 to 36	6.7 to 10	5.7 to 8.5
53	<i>Myoporum laetum</i>	20	24 to 36	6.7 to 10	5.7 to 8.5
54	<i>Myoporum laetum</i>	30	24 to 36	10 to 15	5.7 to 8.5
56	<i>Myoporum laetum</i>	23	24 to 36	7.7 to 11.5	5.7 to 8.5
57	<i>Myoporum laetum</i>	12	24 to 36	4 to 6	
64	<i>Myoporum laetum</i>	21	24 to 36	7 to 10.5	5.7 to 8.5
65	<i>Eucalyptus camaldulensis</i>	50	36+	Up to 16.7	Up to 5.7
66	<i>Myoporum laetum</i>	20	24 to 36	6.7 to 10	5.7 to 8.5
67	<i>Myoporum laetum</i>	20	24 to 36	6.7 to 10	5.7 to 8.5
70	<i>Myoporum laetum</i>	25	24 to 36	8.3 to 12.5	5.7 to 8.5
71	<i>Eucalyptus camaldulensis</i>	65	36+	Up to 21.7	Up to 5.7
74	<i>Eucalyptus camaldulensis</i>	12	36+	Up to 4	
77	<i>Myoporum laetum</i>	25	24 to 36	8.3 to 12.5	5.7 to 8.5
78	<i>Myoporum laetum</i>	30	24 to 36	10 to 15	5.7 to 8.5
79	<i>Myoporum laetum</i>	20	24 to 36	6.7 to 10	5.7 to 8.5
80	<i>Myoporum laetum</i>	18	24 to 36	6 to 9	
82	<i>Myoporum laetum</i>	18	24 to 36	6 to 9	
83	<i>Eucalyptus sideroxylon</i>	65	36+	Up to 21.7	Up to 5.7
85	<i>Myoporum laetum</i>	22	24 to 36	7.3 to 11	5.7 to 8.5
88	<i>Eucalyptus camaldulensis</i>	65	36+	Up to 21.7	Up to 5.7
89	<i>Myoporum laetum</i>	21	24 to 36	7 to 10.5	5.7 to 8.5
94	<i>Myoporum laetum</i>	20	24 to 36	6.7 to 10	5.7 to 8.5
95	<i>Myoporum laetum</i>	25	24 to 36	8.3 to 12.5	5.7 to 8.5
97	<i>Myoporum laetum</i>	10	24 to 36	3.3 to 5	
102	<i>Eucalyptus sideroxylon</i>	42	36+	Up to 14	Up to 5.7
103	<i>Myoporum laetum</i>	18	24 to 36	6 to 9	

1. *Tree Report: Ventura County Watershed Protection District: J Street Drain-South Surfside Drive* prepared by LAJohnny Consulting Arborist for Jordan, Gilbert and Bain Landscape Architects, Inc. March 1, 2010.
2. Urban Forest Tree Institute Online Tree Selection Guide: <http://selecttree.calpoly.edu>
3. Assumes plants are three feet tall when planted.
4. Years to 20 feet is provided for those trees currently at or above a height of 20 feet, which is the height assumed to shield views from both one- and two-story units.

3. This comment states the resident's concern over the dust, noise, parking, and construction related damage to private property. The District understands the concerns of the Surfside III residents. The construction staging and work will be performed within the confines of the public right-of-ways within the community. All feasible mitigation measures will be implemented to reduce inconvenience to the residents to the greatest extent possible. Project noise impacts and mitigation measures are discussed in Section 4.6 of the RDEIR. Please see the response to noise concerns raised in letter 13, comment no. 8, as this impact is changed due to revisions in the

Ventura County Initial Study Assessment Guidelines adopted April 26, 2011 by the Board of Supervisors. Residential areas have been defined as sensitive noise receptors during the evening and night hours, and because construction would occur during the day, noise impacts are now less than significant.

Air quality impacts and mitigation measures are discussed in Section 4.4 of the RDEIR. Several components of Mitigation Measure AQ-2 address dust control:

- a. The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust.
- b. Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavation operations. Application of water (preferably reclaimed, if available) should penetrate sufficiently to minimize fugitive dust during grading activities.
- c. All trucks shall be required to cover their loads as required by California Vehicle Code Section 23114.
- d. 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.
- e. Graded and/or excavated inactive areas of the construction site shall be monitored at least weekly for dust stabilization. Soil stabilization methods, such as water and roll-compaction, and environmentally-safe dust control materials, 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 area, the area shall be permanently stabilized or periodically treated to prevent excessive fugitive dust.
- f. Signs shall be posted on site limiting traffic on unpaved areas to 15 miles per hour or less.
- g. During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by on site activities and operations from being a nuisance or hazard, either off site or on site. The site superintendent/supervisor shall use his/her discretion in conjunction with the APCD in determining when winds are excessive.
- h. 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.

With respect to concerns about parking, the construction contractor would access the site via the drain itself, not the Surfside III roads. In addition, by using vertical shoring along the Surfside III property boundary, the District expects to preserve resident parking. All hardscaping such as walkways and planters removed during construction would be replaced in-kind upon completion of work. The District will work with the Surfside III condominium community before and during

construction to address the residents' concerns and to the greatest extent feasible mitigate the impacts associated with the proposed project.

4. This comment states the resident's dissatisfaction regarding public disclosure of the project planning process. While the District did begin project studies around 2005, compliance with the California Environmental Quality Act (CEQA) did not begin until early 2008, with preparation of the Initial Study and Notice of Preparation (NOP). CEQA does not require the lead agency to consult with the public regarding project development before that point. CEQA is a public disclosure tool with regards to environmental impacts of a proposed project. The following information outlines the CEQA review process.

On April 9, 2008, the NOP was prepared and circulated for review and comment by responsible, trustee, and local agencies and the general public. The NOP was circulated beginning April 10, 2008 and ending on May 9, 2008. Three informational meetings (not required by CEQA) were held to present the project and accept input from interested parties prior to a formal scoping meeting. The formal CEQA scoping meeting was held on February 25, 2008 at the City of Oxnard Recycling Center, 111 South Del Norte Boulevard, Oxnard, CA. Table 1.5-1 of the EIR provides a summary of NOP comment letters and scoping meeting comments. The District has records of public notification for Surfside III residents at the NOP stage; however, based on feedback from Surfside III residents, the NOP letters were not delivered. Common District practice for CEQA notifications includes mailings to all parcels within 500 feet of a proposed project. A portion of the Surfside III development falls outside the 500-foot buffer, so these residents were not included in the original mailings. After receiving Surfside III feedback, the District investigated its mailing list and discovered that parcel data did not account for all units within multi-story buildings. The District has since corrected this problem. To ensure public notification in the event residents do not receive mailings, the District also publishes meeting announcements and other CEQA notifications in the Ventura County Star. Notice of the scoping meeting appeared in the February 17 and 24, 2008 editions of the Ventura County Star. Nonetheless, the District provided Surfside III residents an opportunity to comment before its November 2009 release of the DEIR by attending a Homeowner's Association meeting on August 8, 2009 and incorporating comments submitted before November 2009 into the DEIR. In addition, it was agreed at the HOA meeting that District staff would provide electronic notification of upcoming meetings and public review periods to the Surfside III HOA for distribution to all residents. This is in addition to direct mailings and newspaper publications.

5. This comment questions the necessity of the proposed project. Section 3.0 of the RDEIR now includes a discussion of the District's project selection and funding processes, which addresses the resident's concern about fiscal responsibility. Please refer to Letter 13, response number 11 for details regarding flood risk assessment and documentation.
6. This comment reiterates the resident's concerns regarding and objection to the proposed project, and requests responses to his questions. Please see responses to comment nos. 1 through 5 above. The District will continue to work with the Surfside III condominium community to address the residents' concerns and to the greatest extent feasible mitigate the impacts associated with the proposed project.

633 LIGHTHOUSE WAY
PORT HUENEME, CA 93041

NOVEMBER 12, 2009

VENTURA COUNTY WATERSHED PROTECTION DISTRICT
800 SOUTH VICTORIA AVENUE
VENTURA, CA 93009-1610

ATTENTION: ANGELA BONFIGLIO ALLEN

GENTLEMEN:

I AM WRITING TO REGISTER MY CONCERN ABOUT THE PROPOSED EXPANSION OF THE "J" STREET CANAL, WHICH IS ADJACENT TO MY TOWNHOUSE COMPLEX.

I HAVE ALREADY CALLED TO REPORT THE SERIOUSNESS OF THE MOSQUITO INFESTATION IN SURFSIDE III AND TO CONVEY THAT THE PROBLEM OVER THE LAST TWO YEARS HAS INTENSIFIED. AS AN EXAMPLE, ONE WEEKEND I WENT TO THE MOUNTAINS FOR A SHORT BREAK. I TURNED OFF THE "ZAPPER" FOR SAFETY AND CONSERVATION REASONS AND WHEN I RETURNED THOUSANDS OF MOSQUITOS WERE LODGED ON THE WALLS AND CEILINGS NEAR MY FRONT DOOR. I HAD TO SPRAY THE ENTIRE AREA WITH "CUTTER" JUST TO ENTER THE HOUSE.

22-1

VIRTUALLY EVERY DAY, MOSQUITOS COME IN THROUGH THE FRONT DOOR EACH TIME WE ENTER DURING THE SUMMER, WITH NUMBERS TOTALING IN THE TENS BY EVENING INSIDE THE HOUSE. DESPITE OUR EFFORTS TO SPOT THEM AND KILL THEM, ALMOST NIGHTLY WE ARE BITTEN WHILE WE SLEEP.

I WAS TOLD BY THE PERSON WHO TOOK MY CALL THAT THE MOSQUITO INFESTATION DOES NOT ORIGINATE FROM THE CANAL. I DISPUTE THIS AND QUESTION IF THE CANAL IS 50 YARDS FROM MY DOOR AND THERE IS NO OTHER STANDING WATER IN THE VICINITY, WHERE ARE THE MOSQUITOS BREEDING?

22-2

IT IS AN INSULT TO TELL ME THAT "THERE IS NO MOSQUITO PROBLEM". I INVITE YOU TO VISIT ME IN AUGUST AND I BELIEVE YOU WILL HAVE NO ALTERNATIVE BUT TO CLASSIFY THIS NON-PROBLEM AS AN INFESTATION.

22-3

PLEASE DO NOT EXPAND THE CANAL, WHICH CAN ONLY LEAD TO AN EVER WORSENING SITUATION.

SINCERELY,



AL GALLUZZO
805-271-0381

RECEIVED

NOV 16 2009

WATERSHED PROTECTION DIST

Letter 22
Al Galluzzo
November 16, 2009

1. This comment states existing mosquito concerns at the project site and the potential vector control impacts associated with the proposed project.

Please refer to Letter 13, response number 4 for a complete discussion regarding the mosquito issue.

2. This comment further expresses the resident's concern regarding the mosquito issue within the community. Please refer to Letter 13, response number 4 on for a complete discussion regarding the mosquito issue.
3. It is clear after reviewing this and other comment letters submitted by Surfside III residents that an increase in mosquitoes was observed in 2009. Concerns were reported to Vector Control staff, causing them to deploy additional mosquito traps to determine the reason for the increase. Trap data demonstrated a substantial percentage of *Culex quinquefasciatus*, a species of mosquito that thrives in disturbed and nutrient-rich habitats, including underground stormwater infrastructure. As a result, Vector Control staff investigated the Oxnard Wastewater Treatment Plant (OWWTP) as a possible source of increased mosquito production. Vector Control routinely monitors several areas within the OWWTP, including the pond and inactive treatment cells, which would be likely mosquito breeding sources. In response to resident complaints and increase in *Culex quinquefasciatus* mosquitoes captured in traps, Vector Control staff requested authorization to more broadly examine the OWWTP for new mosquito breeding sources and OWWTP staff cooperated with this request. The investigation led to the detection of a large underground flooded basement that was actively producing *Culex quinquefasciatus* mosquitoes. The flooded basement was considered a new mosquito source in the area. Vector Control staff have since routinely addressed this source and other newly added smaller potential sources on the OWWTP property, in addition to the sites within the OWWTP previously monitored and treated. Trap data collected in 2010 show far fewer mosquitoes in the greater J Street Drain area, reflecting the increased control efforts at new source locations by Vector Control staff. Overall, trap data suggest that mosquito production is widespread within the developed areas surrounding the J Street Drain, with no evidence of sharp rises in mosquito numbers in traps located near the J Street Drain that would implicate this conveyance channel as a major source of mosquitoes. In addition, as shown by their response to increased complaints due to an unknown new source, continued monitoring and treatment by the Ventura County Vector Control Program is effective at reducing mosquito populations.

431 South Evergreen Drive
Ventura, CA 93003
smithannterry@yahoo.com
November 16, 2009

Ventura County Watershed Protection District
Attention: Angela Bonfiglio Allen
800 South Victoria Avenue
Ventura, CA 93009-1610

Dear Sirs and Madams:

I feel that my concerns regarding the J Street Drain Project cannot be mitigated sufficiently for this project to proceed. My concerns are as follows:

1. As stated in your EIR, "the proposed project would result in increased standing water for potential mosquito breeding sites and additional vector sources within the project site." Since the Ventura County Vector Control Program has not been successful presently in controlling the mosquitoes in the Surfside III area, then they surely aren't going to be able to mitigate the mosquito problem when there is more stagnant water for mosquitoes to breed. I have had complaints over the years from residents about the mosquitoes when serving as chairman of the Landscape Committee at Surfside III. And my tenant calls me complaining about being eaten alive by mosquitoes. On what grounds can you say the impact is less than significant? Was any survey taken from residents about the mosquito problem? And it is not true that the Ventura County Vector Control Program will be able to mitigate this problem as indicated in the DEIR, as they haven't done so yet with the program they have in place that you refer to as mitigation measures. There will be more mosquitoes and therefore more harm to the public health since mosquitoes can cause disease to pets, domestic animals, wildlife, or humans, as St. Louis encephalitis (SLE), western equine encephalitis (WEE), West Nile virus (WNV) and malaria which are a concern in Ventura County.

23-1

I submit for the record that the public health of the residents of Surfside III will be significantly impacted by the J Street Drain Project. I welcome you to take a survey at Surfside III to confirm this mosquito problem and our being significantly impacted by the J Street Drain Project.

2. Construction for the drain expansion which requires an eight-foot work-area will cause the removal at Surfside III of existing fence, trees and shrubbery that provide screening from the unsightly views, noise, and odors of the Water Treatment Facility across from the drain. What size trees are you planning on planting as a mitigation? How many years will it take for them to grow to maturity to be able to provide the present level of screening along the drain adjacent to Surfside III? And the landscape that was promised by the Ventura County Watershed Protection District that was supposed to screen the chain link fence on the Hueneme Pump Station Project done in 2004, has not come to be apparently due to lack of maintenance and watering, so I don't trust any promises that would be given to mitigate this concern. In fact, it is in essence impossible to sufficiently mitigate this concern about view, noise, and odor screening from the Water Treatment Facility and industrial area adjacent to Surfside III, since trees just can't grow that fast.

23-2

3. Construction activities will cause dust, noise, parking issues, and other inconveniences to Surfside III residents and damage our walkways, planters, parking covers, electrical and water lines, etc. What right do you have to come onto our property and cause such? We have enough construction inconveniences of our own without you using our property for access. And we haven't recovered yet from the Hueneme Pump Station construction that previously occurred in front of us. Enough is enough. The EIR states that the noise will exceed the daytime standards and that it will be significant and unavoidable after mitigation. People deserve and have a right of quiet enjoyment of their

23-3

Appendix L Response to Comments

homes.

23-3
Cont.

4. Surfside III owners and residents were never given notice of this project even though planning apparently started in 2005 and a meeting was held in 2008. Accessing through our property was in the plan without your even contacting us when in plan formation stages. How come we never heard of such from you? It was by accident that we even found out about it, and it is already in the final planning stages. In fact, I think that one of our residents had to contact you to find out about it. It was not right for you to not inform us of this project when it affects us so much.

23-4

5. Finally, do we really need this project? That is the real question. We are in the worst drought in history. Furthermore, our economy has been in a recession. Our State, county, and cities are cutting vital services and you are wasting our taxpayers' dollars on a very unlikely 100 year flood event. The new pump station in front of Surfside III was supposed to protect us from the 100 year flood. How do you support the need for this project? We are not experiencing flooding; we don't even have sufficient rain. Which (and how many) homes serviced by the J Street Drain are located in Zone A (100 year flood zone)? I am not aware of any designated Zone A properties in Oxnard or Port Hueneme where Flood Insurance is required, which are serviced by the J St. drain. Has the water ever flooded over the banks of the J Street Drains? I am not aware of any history of J Street Drains overflowing. Can you supply data regarding properties in Zone A and the J Street Drain overflowing? Is there really a problem with our current J Street Drain? I resent paying taxes when I see the money being spent unnecessarily. Are you getting stimulus money and wasting it on things we don't need, just to use the funds?

23-5

In summary, due to my concerns expressed above which I feel cannot be adequately mitigated, I am against this J Street Drain Project. I'd appreciate your addressing the questions I have posed in this letter which I have bolded for ease in responding to me.

23-6

Sincerely yours,

Terry Ann Smith
Owner 769 Reef Circle, Port Hueneme, CA 93041, Surfside III
smithannterry@yahoo.com <[http://us.mc452.mail.yahoo.com/mc/compose?](http://us.mc452.mail.yahoo.com/mc/compose?to=smithannterry@yahoo.com)
to=smithannterry@yahoo.com> 805-648-5433 805-340-0343

① See my letter attached *Maime Zisman*
271-9510 *769 Reef Circle*
Port Hueneme CA 93041

23-7

② In agreement, very much supported. by 832 Bluewater Way.
Ginter Family. My son & I have had to actually leave to avoid
serious medical complications & adverse reaction to multiple bites.
Photo's being provided. Thank you Respectfully.
Ginter Family. Rebecca Ginter
(818) 517-1105

23-8

Letter 23
Rebecca Ginter
November 16, 2009

1. This comment states the existing mosquito problem at the project site and the potential vector control impacts associated with the proposed project.

Please refer to Letter 13, response number 4 for a complete discussion regarding the mosquito issue.

2. This comment states the resident's concern over the visual quality of the area. The proposed project would include the removal of existing fencing and landscaping during construction.

Please refer to Letter 21b, response number 2 for details regarding visual quality of the area and tree replacement.

3. This comment states the resident's concern over the dust, noise, parking, and construction related damage to private property. The District understands the concerns of the Surfside III residents. The construction staging and work will be performed within the confines of the public right-of-ways within the community. All feasible mitigation measures will be implemented to reduce inconvenience to the residents to the greatest extent possible.

Please refer to Letter 21b, response number 3 for details regarding the dust, noise, parking, and construction related damage to private property.

4. This comment states the resident's dissatisfaction regarding public disclosure of the project planning process. CEQA does not require the lead agency to consult with the public regarding the planning stages of a proposed project. CEQA is a public disclosure tool with regards to environmental impacts of a proposed project.

Please refer to Letter 21b, response number 4 for details regarding public disclosure of the project planning process.

5. This comment questions the necessity of the proposed project.

Please refer to Letter 13, response number 11 for details regarding flood risk assessment and documentation.

6. This comment reiterates the resident's concerns regarding and objection to the proposed project, and requests responses to her questions. Please see responses to comment nos. 1 through 5 above. The District will continue to work with the Surfside III condominium community to address the residents' concerns and to the greatest extent feasible mitigate the impacts associated with the proposed project.

7. This comment references a letter attached to Maxine Whitman (Letter 36). Please refer to Letter 36 of this document.

8. This comment reiterates the above concerns, especially regarding mosquitoes. The District will work with the Surfside III condominium community to address the residents' concerns and to the greatest extent feasible mitigate the impacts associated with the proposed project. In addition,

regarding observations of increased mosquito populations in 2009, please see Letter 13, response to comment number 6.

November 18, 2009

Ventura County Watershed Protection District
Attention: Angela Bonfiglio Allen
800 South Victoria Avenue
Ventura, CA 93009-1610

Ref: J street Drain Project Draft EIR

The Draft EIR does not adequately address the effects of ocean rise on the project. Global warming is expected to cause the ocean to rise at least 5 feet in less than 100 years. A rise of this magnitude could cause the ocean beach water line to reach the exit of the concrete channel and to have tidal water sweeping up the channel. One effect might be upstream residential flooding.

24-1

The project must be designed to eliminate this possibility.



Larry Godwin
3830 San Simeon Ave.
Oxnard, CA 93033

RECEIVED

NOV 20 2009

WATERSHED PROTECTION DIST.

Letter 24
Larry Godwin
November 18, 2009

1. This comment addresses the issue of Global Warming. The resident does not feel that the 2009 DEIR adequately addressed the potential impacts of the rise in sea level due to global climate change. A Greenhouse Gas Emissions Report was prepared for the proposed project in July 2011. A Global Climate Change section was added to the 2011 RDEIR and is included as Section 4.12 of the 2011 RDEIR. Please refer to Section 4.12 for a full discussion on greenhouse gas emissions.

If the proposed project is not built, sea level rise will still occur. Implementation of the proposed project will not change the outcome of sea level rising. Construction of the project will not relocate people or place new housing or structures in the path of the sea level increase. Construction of the proposed project would not have an impact with regards to flooding due to sea level rise. The proposed changes are increasing the capacity of the drain, which may be able to accommodate tidal water should it overflow into the drain in the future.

ABA

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RECEIVED

JAN 12 2010

RE: J STREET DRAIN PROJECT
TECHNICAL INADEQUACY OF THE DEIR
REQUEST TO DISAPPROVE DEIR

WATERSHED PROTECTION DIST.

FLOOD RISK

A RISK CALCULATION

SEC. 1.1 Introduction

The VCWPD proposed J Street Drain Project "involves increasing the capacity of the existing J Street Drain channel to reduce potential flooding in residential and commercial areas..." and specifically, "... to accommodate the 100-year flood flow ..."

Standard Flood Risk Calculation is based on both past records of flooding in the area, and presentation of reliable data indicating future risk of significant flooding in the area.

Extensive investigation has failed to produce any records of past flooding in the project area:

- * **No Record in Ventura Star Newspaper archives**
- * **No Record of flood damage provided by VCWPD**
- * **No Record at California Dept. of Water Resources**
- * **No Recall by residents in area**

VCWPD has not provided substantiation of neighborhood flooding. The claim of past flooding has been revised in the DEIR (Section 1.5.3) to an objective of reducing potential flooding.

25-1

Section 4.3-9 [under Flooding] states that FEMA maps [1985] show the project area to be located within Zone B: area between the limits of 100-year flood zone and 500-year flood zone; subject to 100-year flooding with average depths of less than one foot. "Consequently, the existing drain's limited capacity, along with the backwater effects at street crossings, may result in flooding during a moderate rain storm larger than a ten-year flood level flow."

NO DOCUMENTATION IS PROVIDED TO SUPPORT THIS RISK EVALUATION

DEIR MAPS of potential flooding in project area are created by NUMERICAL MODELING based on deepwater impoundment of lagoon and backwater-effect in J Street Drain. In addition, KEY to Flood Maps indicates inclusion of areas NOT involved with overflow of water from J Street Drain. No maps are included to represent conditions of low or no water in the drain and without inclusion of water that is not related to overflow from the J Street Drain. Therefore these maps do not present an accurate representation of risk.

TECHNICAL INADEQUACY OF THE DEIR [PAGE TWO]**FEMA 2009 /2010 Flood Risk maps do not support the VCWPD potential risk evaluation:**

FEMA Flood Maps do NOT indicate that the project area is in a Special Risk Zone.

FEMA STANDARD FLOOD DETERMINATION indicates:

*** NO FLOOD AREA and NO FLOOD INSURANCE IS REQUIRED**

25-1
Cont.

B BACKWATER EFFECT**SEC. 4.3-6 J Street Drain Lower Channel**

The DEIR in section 4.3-6 [under Water Resources and Hydraulic Hazards] states: "Due to backwater effects resulting from the lagoon, the capacity of the J Street Drain has been reduced to 500-600 cfs, which is less than the ... 100-year frequency flood flow(s) ..."

This statement indicates that **the backwater-effect from the lagoon – not the intrinsic capacity of the existing canal – is the cause of the reduced capacity of the canal.**

The primary objective of the project [Section 1.1 above] is flood protection by means of increased water-flow capacity. VCWPD failed to analyze and consider development of a backwater elimination methodology to increase drain capacity. The proposed project will increase capacity, but also increase backwater – **which is cited as the reason for reduced capacity.**

All sections in the DEIR relating to flood control mention only lack of capacity of the J Street Drain and flooding at street-crossings. Although the reduction of canal capacity due to backwater is stated in Sec. 4.3-6, only options that accommodated the backwater condition were considered. **NO EVALUATION OF BACKWATER-REMOVAL AS A MEANS OF FLOOD CONTROL WAS INCLUDED IN THE DEIR.**

25-2

VCWPD has presented this project as a necessary protection against the 100-year flood without providing an accurate and complete presentation of relevant information. Investigation reveals that the area adjacent to the project area is NOT considered to be at risk of flooding – nor was the most-obvious method of **improving capacity in the J Street Drain to prevent flooding [removal of backwater]** analyzed or evaluated.

- 1) FAILURE TO PROVIDE SUPPORTING DOCUMENTATION OF FLOOD RISK AND FAILURE TO PROVIDE AN ALTERNATE PLAN OF FLOOD CONTROL, CONSTITUTES A TECHNICAL INADEQUACY IN THE DEIR.**

TECHNICAL INADEQUACY OF THE DEIR [PAGE THREE]

PUBLIC HEALTH

A STANDING WATER/MOSQUITOES

SEC. 4.10.8 Response to Notice of Preparation Comments

The DEIR states in sections **4.10.8**; **4.11.1** [under Public Health] and throughout **Section 5.0** [under Alternatives] that the existing canal contains standing water , and that the project will create additional standing water and additional vector sources within the project site.

VCWPD failed to acknowledge or consider numerous reports of mosquito inundation by Surfside III (SSIII) residents to Vector Control and numerous letters from the Surfside III J Street Drain Project (JSDP) Committee and the Board of SSIII directly to VCWPD – reporting the failure of Vector Control to control the mosquitoes.

DEIR states “ With the continued mosquito surveillance and abatement activities ... impacts related to public health would be less than significant.”

Failure of Vector Control to abate mosquitoes under existing conditions involving LESS standing water, has resulted in significant impact related to public health. There is no basis for the conclusion that, with additional standing water and vector sources, vector control will abate the mosquitoes. MORE standing water will not result in less than significant impacts.

According to Section **15065.4** of the State CEQA Guidelines: “The project shall be found to have a significant effect on the environment if the environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.”

2) FAILURE TO CONSIDER REPORTED, RELEVANT, INFORMATION REGARDING A PUBLIC HEALTH ISSUE, AND SUBSEQUENT DETERMINATION OF “LESS THAN SIGNIFICANT IMPACT” CONSTITUTES A TECHNICAL INADEQUACY OF THE DEIR.

B. SURFACE WATER CONNECTION TO HALACO

SEC. 4.8 Hazardous Materials and Wastes

“This section focuses on hazardous materials and wastes that may be present in the proposed J Street Drain Project.”

SEC. 1-10 [under Introduction and Summary]

Question regarding Halaco contamination: “ Halaco (SUPERFUND SITE) not located near project site; therefore not included.” [Site is located approximately one-quarter mile away.

25-3

25-4

TECHNICAL INADEQUACY OF THE DEIR [PAGE FOUR]

Sec. 4.8.1.1: “Currently, study and remedy selection for this Superfund site is underway.”

Table 4.8-1 [Summary of Hazardous Materials Sites Near Proposed Project] repeats that associated hazard Risk from Halaco is “Unsubstantial because currently undergoing remediation with EPA.”

Current planned remediation activities at the Halaco site involve removal of buildings. This has no effect on the surface water. The high level of water currently impounded in the lagoon is in direct contact with the contaminated slag pile and the backwater ponding in the drain adjacent to the Surfside III community. The project as currently designed will exacerbate this condition by increasing the volume of water in the drain.

SEC. 4.8.3 Significance Thresholds

In accordance with the Ventura County Initial Study Assessment Guidelines and *California Environmental Quality Act (CEQA) Guidelines*, listed thresholds are addressed in determining the significance of a project in relation to hazardous materials and wastes. Whether the hazardous material and waste impacts on a project are significant shall be decided on a case-by-case basis. Included is: * Proximity of hazardous materials or waste to receiving waters or

other significant environmental resource.

All of the significant thresholds listed are applicable to the Halaco site in relation to lagoon water. The result of the proposed J Street Drain Project will be to impound an increased amount of the receiving waters.

According to **DEIR SEC. 4.8.1.1** the Halaco Superfund Site toxic contamination has also been found on adjacent properties, including a nature preserve, wetlands, and a public beach. It is reasonable that water in direct contact with the Halaco site would also contain one, or all of the hazardous materials found there. VCWPD has not included the environmental health hazard posed by surface-water contact and increased impounded water as a result of this project, in the DEIR.

Physical distance between the Halaco site and the project site is immaterial when lagoon water is in contact with toxic contaminants from both the “slag heap” and sediments in the lagoon – and may be present in the backwater ponding in the J Street drain.

3) FAILURE TO INCLUDE POTENTIAL ENVIRONMENTAL HAZARD FROM THE HALACO SUPERFUND SITE RESULTING FROM INCREASED STAGNANT BACKWATER DUE TO THE PROJECT, CONSTITUTES A TECHNICAL INADEQUACY OF THE DEIR.

25-4

TECHNICAL INADEQUACY OF THE DEIR [PAGE FIVE]**ALTERNATE PLAN****SEC. 5.0 ALTERNATIVES**

CEQA Guidelines require an EIR to “describe a range of reasonable alternatives to the project...” The discussion of possible alternatives and rejection of alternatives was done during the scoping process – at a time before stakeholders (SSIII owners and residents and J Street owners and residents) were aware of the project. VCWPD failed to notify these affected stakeholders of public meetings regarding the project. Therefore, they had no opportunity to participate in the process – and response to comments made after the NOP period did not address alternatives not previously considered for inclusion in the DEIR.

Section 1.0 [Chart under Introduction and Summary; page 1-10] states

“... The Ormond Beach Lagoon berm impounds freshwater that flows from the J Street Drain, Hueneme Drain, and Oxnard Industrial Drain in the lagoon. This causes the backwater effect in J Street Drain...”

Section 4.3-2 [under Water Resources and Hydraulic Hazards] discusses the matter of regulatory agencies whose concerns for wildlife, generated an agreement with VCWPD to cease the mechanical breaching of the berm. “Cessation of this action resulted in the expansion of the lagoon and created a deep water condition in the J Street Drain...”

25-5

Although VCWPD was required to end mechanical breaching over 15 years ago, **residents living adjacent to the J Street Drain did NOT observe a deep-water condition until approximately two or three years ago, when the Hueneme Pump Station was re-built.** Since that time, the backwater has been stagnant – resulting in a continuing severe mosquito problem for people who reside adjacent to the Drain. Consequently, these residents have repeatedly requested that VCWPD consider an Alternate Plan to the proposed project – as the current plan will increase the amount of stagnant water and mosquito-breeding sites – which is acknowledged in the DEIR.

Despite these repeated attempts to convince VCWPD to re-evaluate, review, reconsider the significant Public Health and quality-of-life impacts of the project – and propose an alternative plan which would eliminate the backwater and resulting problems -- no alternative plan has been proposed. **Numerous recommendations – including: a request to Fish and Wildlife to allow construction of an ocean outlet; pumping the drain runoff into the lagoon; return to mechanical breaching; and connection to the decommissioned Hueneme Outfall – have been proposed to no avail.**

TECHNICAL INADEQUACY OF THE DEIR [PAGE SIX]

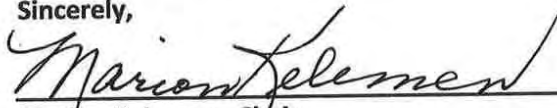
Alternative plans to eliminate the backwater-effect/standing water/mosquito impacts were not adequately considered in the DEIR because the JSDP Improvement Study and Preliminary Design; the Initial Study; and the Scoping Sessions to consider, evaluate, and choose alternatives, were all completed **before the residents living adjacent to the project site were informed of the project. Consequently, the people who will be the most-affected, had no opportunity to participate in the process – and had no input into the proposed plan.**

The proposed project plan not only accommodates the current backwater condition, but the four-foot deepening of the channel will result in permanent, stagnant, backwater in the drain as an integral element of the drain design.

4) FAILURE TO CONSIDER AND PROPOSE AN EFFECTIVE, ALTERNATIVE PLAN THAT WILL RESOLVE THE SIGNIFICANT ENVIRONMENTAL IMPACT OF THE BACKWATER/MOSQUITO/CONTAMINATION PROBLEMS RESULTING FROM THE ACKNOWLEDGED INCREASE IN BACKWATER RESULTING FROM THE PROJECT, CONSTITUTES A TECHNICAL INADEQUACY IN THE DEIR.

Thank you for your time and consideration in reviewing this request
for disapproval of the J Street Drain Project Draft Environmental Impact Report.

Sincerely,



Marion Kelemen, Chair
Surfside III JSDP Committee

962 Lighthouse Way
Port Hueneme, 93041
Fax: 986-0303
Email: lighthousecrew@verizon.net

25-5
Cont.

25-6

Letter 25
Marion Kelemen
January 12, 2010

1. This comment addresses the flood risk assessment and documentation. The comment contradicts the flood risk documentation and FEMA documentation.

Please refer to Letter 13, response number 11 for details regarding flood risk assessment and documentation.

2. This comment addresses the backwater effect and suggests removing the backwater as a means of flood control. Please refer to Letter 13, response number 11 for details regarding flood risk assessment and documentation and please refer to Letter 15, response number 3 for details regarding removal of backwater.

3. This comment states existing mosquito concerns at the project site and the potential vector control impacts associated with the proposed project.

Please refer to Letter 13, response number 4 and response number 6 for a complete discussion regarding the mosquito issue and public health impacts.

4. This comment states the existing hazards associated with the Halaco superfund site located approximately one quarter mile from the project area. The resident refutes the findings in the 2009 DEIR. The Halaco site is discussed in Section 4.8 of the EIR.

Please refer to Letter 13, response number 10 for details regarding the Halaco site.

5. This comment disagrees with the alternatives analyzed, and states that Surfside III had no opportunity to comment on alternatives during the scoping process. Project alternatives are discussed in Section 5 of the RDEIR. Regarding the ability to comment, please see Letter 21b, response to comment number 4. Regarding backwater solutions, please see Letter 13, response to comment number 11 and Letter 15, response to comment number 3. The District met with the USFWS on February 3, 2010 to discuss the potential for constructing an ocean outlet or pumping the drain runoff into the ocean (pumping into the lagoon would be ineffective, as J Street Drain is directly connected to the lagoon). These alternatives would likely cause jeopardy to endangered tidewater gobies and California least terns, and therefore are infeasible. We are not certain what is meant by “connection to the decommissioned Hueneme Outfall.” Please see the response to Letter 13, comment number 4 for a discussion of mosquitoes. Please see the response to Letter 13, comment number 6, regarding Ventura County Vector Control Program resolution of severe mosquito infestation observed in 2009.

6. This comment is a closing statement. No response is required.

From: Dexter [pinicola@earthlink.net]
Sent: Tuesday, November 17, 2009 11:17 AM
To: Angela Bonfiglio
Cc: Lynne Haile; Marion
Subject: J Street Canal Project

Ms. Bonfiglio:

As a resident of Surfside III, I am concerned with the proposed deepening and widening of the J street canal, which is adjacent to our building. The construction process would be intrusive and annoying, resulting in the loss of trees and parking spaces, and some air contamination. But the long range issues are more serious.

26-1

The purpose of the canal project is declared to be prevention of flooding in Port Hueneme and Oxnard in case of a "100-year storm". But a much less costly response to this threat would be an artificial breaching of the lagoon in advance of the storm. This action is mentioned as an ad-hoc emergency response in the list of alternatives to the project in the DEIR. It would probably have to take place even if the canal is widened.

26-2

Another stated purpose of the canal is to maintain the Ormond Beach lagoon as filled to the rim with water, and thus preserved as a habitat for birds and fish, including the "endangered" tidewater goby. I myself cherish the lagoon, and enjoy the wildlife it nurtures, including the California Least Tern, who forage in the lagoon for fish. The lagoon and undeveloped beach are two of the main reason my wife and I have chosen to live here. I want to see it preserved as viable wildlife habitat. But the effects of the proposed project would not necessarily benefit the lagoon.

The dynamic process that created the lagoon came from blocking the water from the J street canal and industrial drain from flowing into the sea. Over time, the water has grown higher. The main result of the widening and deepening would be to back the lagoon up the J street canal, and transform the canal from a flowing stream into an extension of the lagoon. This means that the lagoon would have to be managed for people as well as for birds, fish and plants. This entails the need for vector control, to deal with the increased breeding habitat for mosquitoes that would ultimately extend up the canal into Oxnard. The current efforts at mosquito control in the canal have apparently proven less than successful, and an increase in standing water would only make the problem more extensive.

26-3

I think a better solution to both the flood and environmental issues would be a program of controlled breaching of the lagoon at predetermined intervals. The breach could be opened and left to fill up naturally, not maintained permanently. To reduce mosquito breeding habitat and maintain flow in the canal, a breach might be opened at the end of July, late in the Least Tern breeding season. This action would drain the lagoon partially, and open up mudflats to provide much-needed foraging habitat for migrating shorebirds, many of which are threatened if not endangered. Enough water would be left in the lagoon to accommodate fish, and the level in the lagoon would be replenished both from inflow from the mainland and tidal intrusion from the ocean. The result would be a more brackish lagoon, with a mix of salt and sea water. This kind of habitat would perhaps be better for tidewater goby, which persist under such conditions in the Santa Clara River estuary, which is flushed out more often by breaching than the Ormond Lagoon is.

26-4

Incidentally, the DEIR mentions that the Tidewater Goby has been found in the lagoon "as recently as 2004". Does that mean that the goby has not been found since then? If so, might that be because the lagoon is no longer good habitat because it might be getting too fresh and not brackish? If so, the habitat may be improved if more interchange of water between the ocean and lagoon were permitted through controlled breaching.

If there is to be any widening and deepening in this system, it should take place in the lagoon and not the canal, in order to maintain flow in the canal. But the need for controlled breaching to keep the canal flowing and reduce the buildup of standing water would persist. If there is to be any satisfactory status quo, it must be maintained by artificial means. The canal-lagoon system at Ormond Beach is too dynamic to ever stabilize if left to itself. And I think controlled breaching is ultimately a less costly and more effective solution to the hypothetical flooding threat.

26-4
Cont.

Please include this message as part of the community response to the canal project DEIR.

Thank you.

Dexter Kelly

862 Bluewater Way

Port Hueneme

Letter 26
Dexter Kelly
November 17, 2009

1. This comment summarizes concerns over the proposed project, including loss of trees and parking spaces, and air quality impacts.

Please refer to Letter 21b, response number 2 for information about loss of trees, and response number 3 for details regarding the dust, noise, parking, and construction related damage to private property.

2. This comment states that the artificial breaching of the sand berm at Ormond Beach would be a much less costly alternative and would need to occur even after the proposed project is constructed. Section 4.3.1 of the RDEIR discusses the existing setting of the area, including J Street Drain and the reason mechanically breaching the berm is no longer utilized as a flood control method. Please refer to Letter 13, response number 11 for details regarding flood risk assessment and documentation and please refer to Letter 15, response number 3 for details regarding removal of backwater.
3. This comment states that the proposed project would not benefit the lagoon as a wildlife habitat and would increase mosquitoes.

Biological Resources

Since the release of the DEIR in November 2009, ongoing consultation between the District and USFWS has occurred. The consultation history is outlined below, as well as in the revised Biological Technical Report for the proposed project, which is included as Appendix D of the 2011 RDEIR. Please refer to Letter 2, response number 3 for more detail regarding consultation between the District and USFWS.

Section 4.2 of the RDEIR includes a complete discussion on wildlife issues associated with the proposed project and identifies mitigation measures. Additionally, the District will continue to consult with the wildlife agencies regarding the sensitive ecosystem of the lagoon to ensure impacts are reduced to a less than significant level. Permanent impacts to threatened and endangered species associated with the proposed channel's new dimensions were not identified either in the RDEIR analysis or in the letters received from the U.S. Fish and Wildlife Service or California Department of Fish and Game. Enlargement of the channel is seen as an increase in habitat for endangered tidewater goby, which is currently known to occur as far upstream as the Ventura County Railroad, and foraging habitat for California least tern.

Please refer to Letter 13, response number 4 and response number 6 for a complete discussion regarding the mosquito issue and public health impacts.

4. This comment reiterates the idea that controlled breaching is the better solution to solve the existing problem and offers reasons why Tidewater Goby has been found in the Ormond Beach Lagoon as recently as 2004. Please refer to Letter 13, response number 11 for details regarding flood risk assessment and documentation and please refer to Letter 15, response number 3 for details regarding removal of backwater.

Section 4.2 of the RDEIR includes a complete discussion on wildlife issues associated with the proposed project and identifies mitigation measures. Additionally, the District will continue to consult with the wildlife agencies regarding the sensitive ecosystem of the lagoon to ensure impacts are reduced to the greatest extent feasible. The District consulted with the USFWS on February 3, 2010. The USFWS indicated that summer breaching of the lagoon would jeopardize tidewater gobies because it would not mimic the conditions to which gobies have adapted (lagoon breaching in response to winter storm water runoff). A lack of storm water runoff following a breach would reduce the ability of gobies to re-enter the Ormond Beach Lagoon, and other coastal waters such as the Santa Clara River and Ventura River estuaries would be inaccessible to gobies that have been swept into the ocean because they would be closed. The extent to which breaching occurs is also uncontrollable. Once a breach begins, it could grow until the entire lagoon is emptied, which would also jeopardize tidewater gobies even if it is done after California least terns leave for the season (approximately September 15), as the comment suggests. A breach during late spring/early fall would have the added impact of washing gobies out to the ocean during their peak breeding season. Finally, additional saltwater inputs to the lagoon could have an adverse effect on gobies, as their tolerance to high salinity water is limited. The frequency of breaching at the Santa Clara River is not comparable to the Ormond Beach Lagoon, as that water body receives constant effluent from the adjacent waste water treatment plant. Furthermore, fish mortality has been observed at the Santa Clara River estuary when it breaches in the absence of storm water input. The J Street Drain project seeks to avoid fish mortality to the maximum extent feasible.

November 17, 2009

VCWPD
Attn: Angela Bonfiglio Allen
800 South Victoria Avenue
Ventura, CA 93009-1610

RE: DEIR – J Street Drain Project

Dear Mrs. Allen:

The above EIR is defective in that it does not mention the stench which will be caused by the stagnant water in the drain. This trapped water is a Level II contaminant. It will cause breathing problems for the elderly in the J Street nursing home, and the almost 100 children 14 and under who live in Surfside III.

27-1

Also, Environmental Justice concerns were not addressed.

27-2

This foul smelling stagnant water is a perfect breeding area for mosquitoes which carry the West Nile Virus. Nearby residents are routinely warned to take precautions to avoid standing water on their property. But the VCWPD is intentionally creating this deadly hazard by not providing a full time escape for the ponding water in the canal. The VCWPD was unable to protect Surfside III from being swarmed by mosquitoes all this year. I do not believe that it will now be able to control mosquitoes when there is between 23,8 acres to 41.6 acres of trapped water stagnation.

27-3

There are more lawyers than necessary in this area. When the first elderly person or child is infected with the West Nile Virus, you may be sure that this EIR will be Exhibit I in the subsequent lawsuit.

27-4

Respectfully,



Valerie J. Lameka 784 Seawind Way Port Hueneme CA 93041

RECEIVED

NOV 18 2009

WATERSHED PROTECTION DIST.

Letter 27

Valerie J. Lameka

November 17, 2009

1. This comment states that future stagnant water would create odor that would be characterized as a Level II contaminant that causes breathing problems for sensitive receptors. J Street Drain does not currently generate substantial odors, and the Ventura County Air Pollution Control District has not received complaints regarding odors from the drain; odor complaints near J Street Drain have been filed against industrial sources (Jay Nicholas, Air Quality Specialist, Ventura County Air Pollution Control District, personal communication, September 1, 2011). The proposed project would slightly increase the surface area of standing water near Surfside III by one acre, but would not change the current character of water collecting in the drain. The proposed project therefore is not expected to substantially alter existing conditions.

The natural action of the ocean waves builds up a sand berm on the beach. This sand berm periodically blocks the lagoon outlet, preventing J Street drainage from reaching the ocean and preventing tidal flow from entering the lagoon. Ventura County Watershed Protection District indicated the intent to maintain a berm elevation (elevation 6.5 feet \pm NGVD 1929) at a designated breach location approximately 800 feet southeast of the J Street drain concrete channel outfall. This would facilitate natural breaching of the lagoon in response to winter storm runoff.

2. This comment raises concerns regarding environmental justice associated with the proposed project.

The United States Environmental Protection Agency (EPA) defines environmental justice as, "the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies." California Government Code Section 65040.12 adopted the same language when defining environmental justice.

There is no requirement under CEQA to address environmental justice. The District fully complied with the notice provisions set forth pursuant to CEQA (See Public Resources Code section 21092). As noted in Public Resources Code section 71110 (formerly section 72000), environmental justice provisions in California are limited to an obligation upon Cal-EPA in designing its programs, policies and standards. Secondly, Government Code section 65040.12(a) tasks the Office of Planning and Research to be the coordinating agency in state government for environmental justice programs and to consult with Cal-EPA pursuant to Public Resources Code Section 72002 (renumbered section 71112). There is no state provision directly placing requirements on local city or county agencies. This comment does not address the content of the 2009 DEIR in relation to environmental justice; therefore, no additional response is required. The District complied with the requirements of CEQA when drafting the contents of the 2009 DEIR.

3. This comment states the existing mosquito concerns at the project site and the potential vector control and public health impacts associated with the proposed project. Please refer to Letter 13, response number 4 and response number 6 for a complete discussion regarding the mosquito issue and public health impacts.
4. This comment reiterates the resident's objection to the proposed project. The comment did not specially address the contents of the 2009 DEIR, therefore no response is required.

647 Bluewater Way
Port Hueneme CA 93041

November 7, 2009

Ventura Co. Watershed Protection District
ATTENTION: Angela Bonfiglio Allen
800 So. Victoria Avenue
Ventura CA 93009-1610

Dear Ms. Allen:

On October 31 I received the first notification of public meetings regarding the proposed J STREET DRAIN PROJECT. My work prevents me from participating in the November 17 meeting. However, I have been following this project for some time, and with significant concern.

At this point I would like to express strong opposition to the project. I feel that its justification is tenuous, at best. Our concern in California currently is that we are suffering one the worst droughts in our history. Moreover, our local area has never suffered significant flood damage. In the light of the very troubling financial situation in our state, it is hard for me to concede that the huge expenses involved in this questionable project are justified. They are even more objectionable in the light of significant property value declines in our area.

Moreover, a significant recent problem in our area is the increase of the mosquito population. There is great concern that increased standing-water containment resulting from this project will make this situation even worse.

In addition, the toxic waste pile at the Halaco site is still of great significance to our community, as we are still exposed to air-borne contaminants from this pile. The increased depth of water in the canal will maintain a permanent surface-water connection to this pile. We are worried about exacerbating an already very dangerous hazard.

These are a few of my concerns and those of my neighbors at Surfside III. They motivate my current opposition to the J STREET DRAIN PROJECT.

Thank you for your attention to local taxpayers like myself, who will bear the brunt of the huge costs of this project.

Yours truly,



Richard B. MacDonough, Ph.D.

RECEIVED

NOV 6 2009

WATERSHED PROTECTION DIST.

28-1

28-2

28-3

28-4

Letter 28

Richard B. MacDonough

November 7, 2009

- 1 This comment expresses the resident's opposition to the proposed project due to the unlikely threat of 100-year flood and current economic conditions. Regarding fiscal impacts, please see Letter 21b, response to comment number 5. Please refer to Letter 13, response number 11 for details regarding flood risk assessment and documentation.
2. This comment states existing mosquito concerns at the project site and the potential vector control impacts associated with the proposed project. Please refer to Letter 13, response number 4 and response number 6 for a complete discussion regarding the mosquito issue and public health impacts.
3. This comment points out that a potential surface water connection between the J Street Drain and the Halaco site downstream may occur. The Halaco site is discussed in Section 4.8 of the EIR. Please refer to Letter 13, response number 10 for details regarding the Halaco site.
4. This comment reiterates the resident's opposition to the proposed project. It does not specifically address the content of the 2009 DEIR; therefore, no response is required.

Jerry Markell
641 Sunfish Way
Port Hueneme, California 93041

RECEIVED

NOV 10 2009

WATERSHED PROTECTION DIST.

November 7, 2009

Ventura County Watershed Protection District
Attention: Ms. Angela Bonfigilo Allen
800 South Victoria Avenue
Ventura, CA 93009-1610

Dear Ms. Allen;

I am writing to protest the proposed J Street Drain Project. My exceptions to the project are many as the project will have significant negative impact to the environment, the Surfside III community I live in as well as a significant negative fiscal impact to an already financially stressed county budget. Specifically, my objections are as follows:

There is currently a severe mosquito problem in and around my home. This includes the Surfside III community as well as the surrounding parks and immediate area. I reside on Sunfish Way in Port Hueneme, in the Surfside III complex. The mosquitoes are able to find their way inside my home by just opening and closing the windows and doors as I do not leave them open. Furthermore, when I go onto my balcony I am constantly getting bit. Every time I BBQ my legs get at least a few mosquito bites. The park and surrounding area is also inundated. I have contacted Vector Control a number of times. They will not take my residence information but say they are handling the infestation problem to the best of their ability. However, the infestation problem persists. The proposed project will further exacerbate the existing mosquito infestation condition while providing no immediate or foreseeable benefit.

29-1

I have been told that the widening of the J Street Canal will further exacerbate the existing mosquito infestation problem because the deepening and widening of the canal will create a more severe stagnation problem than already exists. I do not believe that Vector Control will be capable of managing what will likely become a blossoming mosquito population upon widening the canal. More importantly, I cringe knowing how Vector Control attempts to manage the population. They manage the population with toxic poisons. These poisons (Malathion, Methoprene and other Larvicides) are not only toxic to humans, they are toxic to water fowl and other wildlife. Studies have found that these poisons do have numerous negative impacts on humans such as respiratory problems, aggravation of neurological disorders and skin rashes. These poisons have been deemed to be minimally safe to humans in low doses and spraying has been allowed as it is believed that the poison is a lesser evil than the West Nile virus carried by these mosquitoes. However, these poisons have a much more severe impact on the animals they were tested on and are considered controlled poisons. In fact, the state of New York has banned these poisons in and around water ways due to the fact that the half-life of the toxic poisons can be as much as 19 days on water (compared to minutes when applied to surfaces). The state of New York did not want to further poison their water fowl and wild life and accordingly, they banned the spraying of such poisons on and around water ways. We are the great state of California! We must be at least equally conscientious as the

29-2

Page 1 of 2

State of New York when it comes to preventing the poisoning our water foul and surrounding wildlife! How in good conscience can we consider more poisoning an intelligent solution. The project will create numerous problems while solving none. Your agency can prevent the excessive poisoning of our community and wild life by stopping the J Street Canal project.

29-2
Cont.

The Oxnard Wetlands Project is going to be a real treasure to our community. Much time and effort has gone into the planning of the project and a tremendous amount of money has been spent to preserve this beautiful area. It is heart breaking to think that we will be actively poisoning the area on an ongoing basis more than we already are if the J Street Canal project is allowed to proceed. Controlling the mosquito population is for the safety of the general public. What would be the point of intentionally making the problem worse with no collateral benefit. I already occasionally see dead foul in the water. These are toxic poisons controlled by the government. Unnecessarily making the problem worse by deepening the canal and then controlling the resulting increase in mosquito population by spraying more poisons in an area that feeds a Wild Life Wetland preserve is absurd. We can do better than that! We must do better than that! Your department, as well as all state and local agencies have a responsibility to our community and to our environment! Poisoning our community and the wild life we treasure in not the answer! Stopping the J Street Canal project that serves no readily identifiable purpose will prevent this additional poisoning of our wild life and community.

29-3

I have been informed that FEMA has determined this area NOT to be in a flood zone. There is not an existing flooding problem and FEMA does not deem there to be a flooding problem in the foreseeable future. As this is not a designated flood zone area, one has to ask why this project is even being pursued (especially in a time of financial crises for the county of Ventura and in the state of California). It makes the decision makers look fiscally irresponsible and even appear as though they may have an ulterior motive. I must say that I was very concerned when I was told that our community at Surfside III never received any formal notification of the plan. Our community was not provided with the opportunity to participate in the planning process. We are readily identifiable community members. Our property is right next to the proposed project with zero space in between. Your department had knowledge of the direct impact this proposed project will have on our Surfside III community. I find your lack of notification derelict. Again, we live here! Our community will be directly impacted! I would expect that your agency would want to have our community be part of the decision making process. In fact, I would expect that your agency would demand that we be part of the process. You need to act in good faith. When you do not, it gives the appearance of improprieties. If forces us to question your motives and integrity.

29-4

29-5

Please help us protect our community and our environment by stopping the J Street Canal project. It will do harm to our community and do harm to our surrounding wild life habitat while providing no collateral benefit. The Surfside III community I live in and I appreciate your hearing our collective voices.

29-6

Sincerely,



Jerry S. Markell
Resident at Surfside III

Letter 29

Jerry Markell

November 7, 2009

1. This comment states concern over the project's fiscal impact and mosquitoes at the project site and the potential vector control impacts associated with the proposed project. Regarding fiscal impacts, please see Letter 21b, response to comment number 5. Regarding mosquito concerns, please see Letter 13, response number 4 and response number 6 for a complete discussion regarding the mosquito issue and public health impacts.
2. This comment discusses concern about the project's effects on mosquito populations and that toxic substances are used by the Vector Control Program to manage the existing mosquito population. Please see Letter 13, response number 4 and response number 6 for a complete discussion regarding the mosquito issue and public health impacts.

The Vector Control Program currently uses larvicides for mosquito abatement, including VectoLex G and VectoBac G, which are applied according to the manufacturer's label and meet all state and federal regulations. These larvicides contain biological insecticides, such as the microbial larvicides, *Bacillus sphaericus* and *Bacillus thuringiensis israelensis*, which are naturally occurring bacteria that produce toxins targeting various species of mosquitoes, fungus gnats, and blackflies. Only these species are susceptible to these bacteria – other aquatic invertebrates and non-target insects are unaffected. In addition, the EPA evaluates and registers (licenses) pesticides to ensure that they can be used safely by vector control programs. To evaluate any pesticide, EPA assesses a wide variety of tests to determine whether a pesticide has the potential to cause adverse effects on humans, wildlife, fish and plants, including endangered species and non-target organisms. Therefore, the larvicides used by the Ventura County Vector Control Program undergo extensive testing prior to registration and are virtually nontoxic to humans and do not pose risks to wildlife, non-target species, or the environment¹.

3. This comment states the resident's opposition to the proposed project and reiterates his concern regarding the substances used for vector control. Please see the response to comment number 2 above.
4. This comment raises the issue that FEMA has not designated the project area as 100-year flood zone. Please refer to Letter 13, response number 11 for details regarding flood risk assessment and documentation.
5. This comment states that the Surfside III Condominiums residents were not notified during the planning process of the proposed project. Please refer to Letter 21b, response number 4 for details regarding public disclosure of the project planning process.
6. This comment provides a closing statement and summation of the resident's concerns. Since the comment does not address the content provided in the 2009 DEIR, no additional response is required. The District understands the concerns of the Surfside III residents. Please refer to Letter 21b, response number 3 for details regarding construction related damage to private property.

¹ <http://www.epa.gov/pesticides/health/mosquitoes/larvicides4mosquitoes.htm>

November 5, 2009

Ventura County Watershed Protection District
Attention: Angela Bonfiglio Allen
800 South Victoria Avenue
Ventura, CA 93009-1610

Subject: J Street Drain Project

Dear Ms. Allen:

We are writing in opposition to the subject Project. It is an ill-conceived effort to address an unlikely threat during an economic condition that is well beyond the threat status.

30-1

The proposed mitigation activities related to mosquitos, visual impacts, and nesting habitat for migrating birds are the typical hand-waving responses generated by someone who has already decided to proceed with the project regardless of impact.

30-2

We urge you to take a fresh look at the whole project, including justification and impacts, before a final decision is made.

30-3

Yours truly,

Pat Muirhead
Jim Muirhead

Pat & Jim Muirhead

Surfside III Owners

846 Bluewater Way

Cc: KATHY LONG, COUNTY SUPERVISOR, District 3

RECEIVED

NOV 9 2009

WATERSHED PROTECTION DIST.

Letter 30
Pat & Jim Muirhead
November 5, 2009

1. This comment states the resident's opposition to the proposed project due to the unlikely threat of 100-year flood and current economic conditions. Regarding fiscal impacts, please see Letter 21b, response to comment number 5. Please refer to Letter 13, response number 11 for details regarding flood risk assessment and documentation.
2. This comment suggests that the 2009 DEIR impacts and mitigation measures discussion are not sufficient with regards to mosquitoes, visual impacts, and nesting habitat for migrating birds, but fails to offer any specifics.

The project's impacts were evaluated pursuant to the *Ventura County Initial Study Assessment Guidelines* and Appendix G of the *CEQA Guidelines* for visual and biological impacts. The thresholds for visual impacts are outlined in Section 4.1; Section 4.2 lists thresholds for biological impacts. Mosquitoes were addressed in Section 4.11 – Public Health. Pursuant to *Section 15370* of the *CEQA Guidelines*, mitigation includes:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- (e) Compensating for the impact by replacing or providing substitute resources or environments.

Mitigation measures must be feasible to undertake and complete. Effective mitigation measures are those written in clear, declaratory language specifying what is required to be done, how it is to be done, when it is to be done, and who will be responsible for doing it. The mitigation measures presented in Sections 4.1 and 4.2 were developed pursuant to Section 15370.

Please see responses to Letters 2 and 5 for responses to biological concerns raised by the U.S. Fish and Wildlife Service and the California Department of Fish and Game. Please see Letter 13, response to comment number 9 regarding visual impacts. Please refer to Letter 13, response number 4 and response number 6 for a complete discussion regarding the mosquito issue and public health impacts.

3. This comment suggests that the project be reevaluated. As the result of new information, revisions to the *Ventura County Initial Study Assessment Guidelines*, and comments on the original 2009 DEIR along with the District's responses to those comments, the District determined that the 2009 DEIR for the J Street Drain project should be recirculated for public review and comment. Per *Section 15088.5 (f)* of the *CEQA Guidelines*, the District requests that new comments only be submitted on the revised DEIR sections.

431 South Evergreen Drive
Ventura, CA 93003
smithannnterry@yahoo.com
November 16, 2009

RECEIVED

NOV 17 2009

Ventura County Watershed Protection District
Attention: Angela Bonfiglio Allen
800 South Victoria Avenue
Ventura, CA 93009-1610

WATERSHED PROTECTION DIST.

Dear Sirs and Madams:

I feel that my concerns regarding the J Street Drain Project cannot be mitigated sufficiently for this project to proceed. My concerns are as follows:

1. As stated in your EIR, "the proposed project would result in increased standing water for potential mosquito breeding sites and additional vector sources within the project site." Since the Ventura County Vector Control Program has not been successful presently in controlling the mosquitoes in the Surfside III area, then they surely aren't going to be able to mitigate the mosquito problem when there is more stagnant water for mosquitoes to breed. I have had complaints over the years from residents about the mosquitoes when serving as chairman of the Landscape Committee at Surfside III. And my tenant calls me complaining about being eaten alive by mosquitoes. **On what grounds can you say the impact is less than significant? Was any survey taken from residents about the mosquito problem?** And it is not true that the Ventura County Vector Control Program will be able to mitigate this problem as indicated in the DEIR, as they haven't done so yet with the program they have in place that you refer to as mitigation measures. There will be more mosquitoes and therefore more harm to the public health since mosquitoes can cause disease to pets, domestic animals, wildlife, or humans, as St. Louis encephalitis (SLE), western equine encephalitis (WEE), West Nile virus (WNV) and malaria which are a concern in Ventura County.

31-1

I submit for the record that the public health of the residents of Surfside III will be **significantly** impacted by the J Street Drain Project. I welcome you to take a survey at Surfside III to confirm this mosquito problem and our being significantly impacted by the J Street Drain Project.

2. Construction for the drain expansion which requires an eight-foot work-area will cause the removal at Surfside III of existing fence, trees and shrubbery that provide screening from the unsightly views, noise, and odors of the Water Treatment Facility across from the drain. **What size trees are you planning on planting as a mitigation? How many years will it take for them to grow to maturity to be able to provide the present level of screening along the drain adjacent to Surfside III?** And the landscape that was promised by the Ventura County Watershed Protection District that was supposed to screen the chain link fence on the Hueneme Pump Station Project done in 2004, has not come to be apparently due to lack of maintenance and watering, so I don't trust any promises that would be given to mitigate this concern. In fact, it is in essence impossible to sufficiently mitigate this concern about view, noise, and odor screening from the Water Treatment Facility and industrial area adjacent to Surfside III.

31-2

since trees just can't grow that fast.

31-2
Cont.

3. Construction activities will cause dust, noise, parking issues, and other inconveniences to Surfside III residents and damage our walkways, planters, parking covers, electrical and water lines, etc. **What right do you have to come onto our property and cause such?** We have enough construction inconveniences of our own without you using our property for access. And we haven't recovered yet from the Hueneme Pump Station construction that previously occurred in front of us. Enough is enough. The EIR states that the noise will exceed the daytime standards and that it will be significant and unavoidable after mitigation. People deserve and have a right of quiet enjoyment of their homes.

31-3

4. Surfside III owners and residents were never given notice of this project even though planning apparently started in 2005 and a meeting was held in 2008. Accessing through our property was in the plan without your even contacting us when in plan formation stages. **How come we never heard of such from you?** It was by accident that we even found out about it, and it is already in the final planning stages. In fact, I think that one of our residents had to contact you to find out about it. It was not right for you to not inform us of this project when it affects us so much.

31-4

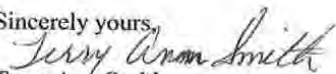
5. Finally, **do we really need this project?** That is the real question. We are in the worst drought in history. Furthermore, our economy has been in a recession. Our State, county, and cities are cutting vital services and you are wasting our taxpayers' dollars on a very unlikely 100 year flood event. The new pump station in front of Surfside III was supposed to protect us from the 100 year flood. **How do you support the need for this project?** We are not experiencing flooding; we don't even have sufficient rain. **Which (and how many) homes serviced by the J Street Drain are located in Zone A (100 year flood zone)?** I am not aware of any designated Zone A properties in Oxnard or Port Hueneme where Flood Insurance is required, which are serviced by the J St. drain. **Has the water ever flooded over the banks of the J Street Drains?** I am not aware of any history of J Street Drains overflowing. **Can you supply data regarding properties in Zone A and the J Street Drain overflowing?** **Is there really a problem with our current J Street Drain?** I resent paying taxes when I see the money being spent unnecessarily. **Are you getting stimulus money** and wasting it on things we don't need, just to use the funds?

31-5

In summary, due to my concerns expressed above which I feel cannot be adequately mitigated, I am against this J Street Drain Project. I'd appreciate your addressing the questions I have posed in this letter which I have bolded for ease in responding to me.

31-6

Sincerely yours,


Terry Ann Smith

Owner 769 Reef Circle, Port Hueneme, CA 93041

sallananterry@yahoo.com 805-648-5433 805-340-0343

Letter 31

Terry Ann Smith

November 17, 2009

1. This comment states existing mosquito concerns at the project site and the potential vector control impacts associated with the proposed project. Please refer to Letter 13, response number 4 and response number 6 for a complete discussion regarding the mosquito issue and public health impacts.
2. This comment states the resident's concern over the visual quality of the area. The proposed project would include the removal of existing landscaping during construction. Please refer to Letter 21b, response number 2 for details regarding visual quality of the area and tree replacement.
3. This comment states the resident's concern over the dust, noise, parking, and construction related damage to private property. Please refer to Letter 21b, response number 3 for details regarding the dust, noise, parking, and construction related damage to private property.
4. This comment states the resident's dissatisfaction regarding public disclosure of the project planning process. Please refer to Letter 21b, response number 4 for details regarding public disclosure of the project planning process.
5. This comment questions the necessity of the proposed project. Please see Letter 21b, response to comment number 5.
6. This comment reiterates the resident's concerns regarding and objection to the proposed project, and requests responses to these questions. Please see responses to comment numbers 1 through 5 above. The District will continue work with the Surfside III condominium community to address the residents' concerns and to the greatest extent feasible mitigate the impacts associated with the proposed project.

Ventura Watershed Protection District
 Attention: Angela Bonfiglio Allen
 800 S Victoria
 Ventura, CA 93009

MAKINE LUTERAN
 769 Reef Circle
 PT (Buenos Aires) CA 93041

11-17-09

Most of my concerns and the points I want to raise have been addressed quite well in Terry Smith's letter which I am attaching rather than rewriting these concerns in my letter.

I live in Surfside III Bg 5 and I have been experiencing a terrible problem with mosquitoes this year especially. I called the Mosquito Abatement Dept to report this and see what the remedy might be. These mosquitoes were all much larger than normal and there were more of them in my home and I was covered with itchy, swollen bites. I know many residents have had the same problems as to say it doesn't seem to be unique.

The other point I want to address has to do with the idea of opening the canal out to the ocean which limits everyone's beach access to going no further than Surfside III. Actually, when the rains come, Nature takes care of this quite effectively by opening the canal out to the ocean right through the beach as it flows freely into the ocean. There is no need to spend extra tax dollars on this, or

32-1

32-2

32-3

2

attempt to make this a permanent man made year round solution when it is already being taken care of by Mother Nature in a manner that is more conducive to the environment. If you put the canal through to the ocean, when there are high tides as there often are, the water spills over and creates deep, wide gullies that stretch down to the pier. This creates more standing water and limits access to the beach and the ocean.

32-3
Cont.

also by extending the canal it will cut off all access to the beach beyond Surfside III towards the Edison plant. At the moment we all enjoy our open access up and down our beautiful beach.

32-4

This remedy will create far more problems than it solves, and as I said Mother Nature already handles this not only when it rains but the opening remains for much of the rainy season allowing the water to drain when needed.

32-5

Please refer to the attached letter to see my position on your coming onto our property to take down our trees and landscaping. I am against this and it is

32-6

3

addressed quite well in her letter.
Please reconsider your positions
on these matters and let's find
better solutions that don't impact
our property. I feel you are
creating problems here that don't
exist. Our pump station that was
put in should alleviate these problems.

Sincerely,
Valerie Hoffman
769 Bay Circle
PT Aquino CA
93041

32-6
Cont.

32-7

431 South Evergreen Drive
Ventura, CA 93003
smithannterry@yahoo.com
November 16, 2009

Ventura County Watershed Protection District
Attention: Angela Bonfiglio Allen
800 South Victoria Avenue
Ventura, CA 93009-1610

Dear Sirs and Madams:

I feel that my concerns regarding the J Street Drain Project cannot be mitigated sufficiently for this project to proceed. My concerns are as follows:
1. As stated in your EIR, "the proposed project would result in increased standing water for potential mosquito breeding sites and additional vector sources within the project site." Since the Ventura County Vector Control Program has not been successful presently in controlling the mosquitoes in the Surfside III area, then they surely aren't going to be able to mitigate the mosquito problem when there is more stagnant water for mosquitoes to breed. I have had complaints over the years from residents about the mosquitoes when serving as chairman of the Landscape Committee at Surfside III. And my tenant calls me complaining about being eaten alive by mosquitoes. On what grounds can you say the impact is less than significant? Was any survey taken from residents about the mosquito problem? And it is not true that the Ventura County Vector Control Program will be able to mitigate this problem as indicated in the DEIR, as they haven't done so yet with the program they have in place that you refer to as mitigation measures. There will be more mosquitoes and therefore more harm to the public health since mosquitoes can cause disease to pets, domestic animals, wildlife, or humans, as St. Louis encephalitis (SLE), western equine encephalitis (WEE), West Nile virus (WNV) and malaria which are a concern in Ventura County.

I submit for the record that the public health of the residents of Surfside III will be significantly impacted by the J Street Drain Project. I welcome you to take a survey at Surfside III to confirm this mosquito problem and our being significantly impacted by the J Street Drain Project.

2. Construction for the drain expansion which requires an eight-foot work-area will cause the removal at Surfside III of existing fence, trees and shrubbery that provide screening from the unsightly views, noise, and odors of the Water Treatment Facility across from the drain. What size trees are you planning on planting as a mitigation? How many years will it take for them to grow to maturity to be able to provide the present level of screening along the drain adjacent to Surfside III? And the landscape that was promised by the Ventura County Watershed Protection District that was supposed to screen the chain link fence on the Hueneme Pump Station Project done in 2004, has not come to be apparently due to lack of maintenance and watering, so I don't trust any promises that would be given to mitigate this concern. In fact, it is in essence impossible to sufficiently mitigate this concern about view, noise, and odor screening from the Water Treatment Facility and industrial area adjacent to Surfside III, since trees just can't grow that fast.

3. Construction activities will cause dust, noise, parking issues, and other inconveniences to Surfside III residents and damage our walkways, planters, parking covers, electrical and water lines, etc. What right do you have to come onto our property and cause such? We have enough construction inconveniences of our own without you using our property for access. And we haven't recovered yet from the Hueneme Pump Station construction that previously occurred in front of us. Enough is enough. The EIR states that the noise will exceed the daytime standards and that it will be significant and unavoidable after mitigation. People deserve and have a right of quiet enjoyment of their

homes.

4. Surfside III owners and residents were never given notice of this project even though planning apparently started in 2005 and a meeting was held in 2008. Accessing through our property was in the plan without your even contacting us when in plan formation stages. How come we never heard of such from you? It was by accident that we even found out about it, and it is already in the final planning stages. In fact, I think that one of our residents had to contact you to find out about it. It was not right for you to not inform us of this project when it affects us so much.

5. Finally, do we really need this project? That is the real question. We are in the worst drought in history. Furthermore, our economy has been in a recession. Our State, county, and cities are cutting vital services and you are wasting our taxpayers' dollars on a very unlikely 100 year flood event. The new pump station in front of Surfside III was supposed to protect us from the 100 year flood. How do you support the need for this project? We are not experiencing flooding; we don't even have sufficient rain. Which (and how many) homes serviced by the J Street Drain are located in Zone A (100 year flood zone)? I am not aware of any designated Zone A properties in Oxnard or Port Hueneme where Flood Insurance is required, which are serviced by the J St. Drain. Has the water ever flooded over the banks of the J Street Drains? I am not aware of any history of J Street Drains overflowing. Can you supply data regarding properties in Zone A and the J Street Drain overflowing? Is there really a problem with our current J Street Drain? I resent paying taxes when I see the money being spent unnecessarily. Are you getting stimulus money and wasting it on things we don't need, just to use the funds?

In summary, due to my concerns expressed above which I feel cannot be adequately mitigated, I am against this J Street Drain Project. I'd appreciate your addressing the questions I have posed in this letter which I have bolded for ease in responding to me.

Sincerely yours,

Terry Ann Smith
Owner 769 Reef Circle, Port Hueneme, CA 93041, Surfside III
smithannterry@yahoo.com <<http://us.mc452.mail.yahoo.com/mc/compose?to=smithannterry@yahoo.com>> 805-648-5433 805-340-0343

① See my letter attached Hajime L. Smith
271-9510 769 Reef Circle
Port Hueneme CA 93041

② In segment, was much supported by Bob Blumenthal -
Ginter Family, MD son of I have had to occasionally leave to make
state medical complications & otherwise, attention to multiple sites.
Photo's being provided.
Thank you Respectfully,
Ginter Family, (818) 510-1105

Letter 32

Maxine Witman

November 17, 2009

1. This comment references the comments presented in Letter 21b. Please refer to the responses to Letter 21b.
2. This comment addresses the concerns regarding mosquitoes. Please refer to Letter 13, response number 4 and response number 6 for a complete discussion regarding the mosquito issue and public health impacts.
3. This comment expresses concern that the proposed project will limit the residents' access to the beach. The comment also notes that natural breaching is all that is required therefore, the project is not warranted, especially under current economic conditions.

Access to the beach: Temporary construction would not limit residents' access to the beach, as no work is proposed on the beach; however, during future implementation of the Beach Elevation Management Plan (BEMP), access may be limited for a few hours. The BEMP would involve grooming the beach to elevation 6.5 feet (NGVD 1929), but would not result in direct breaching of the lagoon. This would continue to occur naturally in response to storm water runoff. The District proposed an outlet alternative that would permanently connect the J Street Drain to the ocean, but this alternative was rejected due to significant impacts to threatened and endangered fish and bird species.

Please refer to Letter 13, response number 11 for explanation of why breaching alone is not sufficient to resolve flooding. Section 3.0 of the RDEIR now includes a discussion of the District's project selection and funding processes, which addresses the resident's concern about fiscal responsibility.

4. This comment notes that extending the canal will cut off access to the beach. Please see the response to comment number 3 of this letter.
5. This comment suggests that the proposed project will create more problems than it solves. The outlet of the drain is sometimes constrained by a sand berm that can reach over seven feet in height surrounding the Ormond Beach Lagoon. The sand berm hinders the direct flow path of the J Street Drain channel to the Pacific Ocean. The berm currently directs the water to the east, toward the Oxnard Industrial Drain (OID). If the berm does not open during a storm event, then storm water ponds in the Lagoon and can fill the drain to capacity as far as Hueneme Road, posing a flood risk to the Oxnard Wastewater Treatment Plant (OWWTP), residential, and commercial property during even minor storms. The proposed project increases the capacity of the drain in order to reduce potential flooding to residences and commercial areas. A BEMP is also proposed, as described in the response to comment number 3 above.
6. This comment references comment number 2 of Letter 21b. Please refer to Letter 21b, response number 2 for details regarding visual quality of the area and tree replacement.
7. This comment reiterates the above objections to the project and questions the need for the project. Please see Letter 13, response to comment number 11, for more background on potential flooding in the J Street Drain watershed. The pump station, which is located on Hueneme Drain, does not provide the capacity needed in J Street Drain to convey the 100-year flood.

12/14/2009 17:42 6056485493

TERRY SMITH

PAGE 22

431 South Evergreen Drive
Ventura, CA 93003
smithterry@yahoo.com
December 14, 2009

Ventura County Watershed Protection District
Attention: Angela Bonfiglio Allen
800 South Victoria Avenue
Ventura, CA 93009-1610

Dear Sir and Madams:

My concern is stated in the Introduction and Summary for the DEIR for the J Street Drain Project (1-27) that "implementation of the proposed project would potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. Based on the existing soils at the proposed project site, it is likely that unstable soils exist. A potentially significant impact is identified and mitigation is required." As directed in the Introduction and Summary chart, I looked over Seismic Related Ground Failure and Expansive Soils under Mitigation Measures (1-26) and Appendix F on the website and did not see anywhere where off-site impacts due to soil conditions were addressed. **Where are the mitigation measures for this stated impact for off-site soil issues addressed in the DEIR?** It appears that the Preliminary Geologic Geotechnical Investigation (Appendix F) didn't address the off-site impacts. It seems to only address the Drain itself, the on-site impacts. So off-site impacts have not been mitigated at all in the DEIR, even though it was stated as an impact as quoted above. The off-site impacts need to be addressed for the DEIR to be complete. **What if the buildings in Surfside III do suffer settlement and/or cracking due to such construction impact devices, such as jackhammers, pavement breakers, and hoe rams and the existing off-site soil conditions?** I ask because when other construction projects were done previously in Oxnard streets, there were reports of damage to the homes around the projects caused by the vibrations from the construction work.

33-1

Also, the Introduction and Summary (1-25) states that "the proposed project has the potential to expose people to or generate excessive ground borne vibration or ground borne noise levels because pile driving may be required for construction". Then it states it would be less than significant with the implementation of identified mitigation. Item 5 (on 1-24) to which one is directed for mitigation measures states "avoid blasting and impact-type pile driving." **Now if pile driving is required, then how is it going to be mitigated by avoiding it?** Both can't be done, they are contradictory statements, therefore it appears to me that impact of excessive vibration won't be mitigated. **Are you trying to fool me? Will blasting and impact type pile driving be used in the construction around Surfside III or not?** Please answer this question for me? And again please answer the question which comes up again as to what will be done about any damage that Surfside III may suffer from settlement and cracking due to the construction. The buildings are located in a liquefaction zone.

33-2

On another matter, the identification of the trees along the J Street drain along Surfside III in the DEIR is not complete and is inaccurate. Only Eucalyptus trees are identified. **Did anyone actually look at what was there?** We have several species of trees and bushes. And unless you are going to replace with mature trees and bushes, you will not be mitigating the impact of noise, odor, and view of the water treatment plant and industrial area adjacent to Surfside III that is presently screened by our existing landscape. Our property values and quality of life at Surfside III will be damaged. **Is it accurate for you to indicate on the Introduction and Summary (1-17) that impact is less than significant with what you plan on doing as mitigation measures? Can you truly say you can mitigate the impact of removing our mature trees and bushes adjacent to the J Street drain? Please tell it like it is. The impact will NOT be less than significant as stated in the DEIR.**

33-3

Please address and answer my questions which I have bolded for your convenience. Due to my concerns indicated above and additional ones presented in my prior November 16, 2009 letter which I do not feel can

33-4

Appendix L Response to Comments

12/14/2009 17:42 6056485433

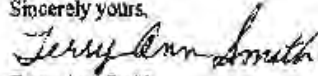
TERRY SMITH

PAGE 03

be adequately mitigated, I am against the J Street Drain Project. I am also awaiting responses to questions posed in that letter.

33-4
Cont.

Sincerely yours,



Terry Ann Smith

Owner 769 Reef Circle, Port Hueneme, CA 93041

smithannterry@yahoo.com 805-648-5433 805-340-0343

Letter 33

Terry Ann Smith

December 14, 2009

1. This comment is regarding “off-site” impacts associated with unstable soils.

Geologic and Seismic Hazards are discussed in Section 4.7 of the RDEIR. Construction of the proposed project would not result in off-site ground failure impacts.

Landslides/Mudflow: The project area is relatively flat; therefore, the potential for landslide or mudflow on- or off-site is low.

Liquefaction/Lateral Spreading: Soil liquefaction occurs as a result of a loss of shear strength or shearing resistance in loose, saturated soils subjected to earthquake-induced ground shaking. Lateral spread or flow are terms referring to landslides that commonly form on gentle slopes and that have rapid fluid-like flow movement, like water. Construction of the proposed project would not cause liquefaction/lateral spreading ground failure.

Subsidence: Land subsidence is typically caused by groundwater extraction, oil field production, or tectonic processes. According to Figure IX-1, Seismic/Geologic Hazards, in the City of Oxnard 2020 General Plan, the project area is located within the zone of probable land subsidence of 0.05 feet per year. The construction of the proposed drain would require the installation of dewatering wells, dewatering, and discharge of groundwater into surface water. Dewatering is necessary to create a relatively dry work area for excavation and construction activities. Due to the temporary nature of construction dewatering, the implementation of Mitigation Measure HAZ-1 to limit groundwater movement (see Section 4.8 Hazardous Materials and Wastes of the RDEIR), the relatively small size of the project area, and the relatively small amount of groundwater extraction required (when compared to the rate of extraction of the Oxnard aquifer (see Section 4.3 Water of the RDEIR)), the existing rate of subsidence is not anticipated to increase as a result of the proposed project.

Implementation of Mitigation Measure Geo-2 for seismic related ground failure and expansive soils would reduce the risk of hazards associated with seismic-related ground failure, liquefaction and expansive soils along the J Street Drain. Potential construction vibration related impacts would be mitigated with Mitigation Measure NOISE-3 (see Letter 13, response to comment number 8).

The District will work with the Surfside III condominium community to address the residents’ concerns and to the greatest extent feasible mitigate the construction impacts associated with the proposed project.

2. This comment refers to the impact statement “the proposed project has the potential to expose people to or generate excessive groundborne vibration or groundborne noise levels because pile driving may be required for construction” and mitigation measure Noise-1(5) that states “avoid blasting and impact-type pile driving.” Construction of the proposed project would result in the need for pile installation in the phase 1 area downstream of the Ventura County Railroad to prevent migration of contaminated groundwater beneath the Halaco Superfund site toward the groundwater pumps that will be temporarily installed along J Street Drain during construction dewatering (Mitigation Measure HAZ-1). In an effort to implement NOISE-1(5) to the maximum extent feasible, pile installation will be avoided in the remainder of phase 1 and all of phases 2 through 4. Vertical shoring will also be installed along the west boundary of the Surfside III

property to minimize removal of landscaping, parking, sidewalks, and planters (see Letter 21b, response to comment numbers 2 and 3). Mitigation Measure Noise-1 requires equipment noise reduction techniques to be implemented during construction. Mitigation Measure Noise-2 will require the installation of a temporary noise control barrier within the Surfside III property. The District has also added a new mitigation measure to the RDEIR to address potential vibration related impacts (NOISE-3) (see Letter 13, response to comment number 8). The District will implement all feasible measures to reduce the impacts.

3. The resident disagrees with the mitigation of replacing mature bushes and trees with juvenile landscaping. Please refer to Letter 21b, response number 2 for details regarding visual quality of the area and tree replacement.

Pursuant to *Section 15370* of the *CEQA Guidelines*, mitigation includes:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- (e) Compensating for the impact by replacing or providing substitute resources or environments.

Mitigation measures must be feasible to undertake and complete. Effective mitigation measures are those written in clear, declaratory language specifying what is required to be done, how it is to be done, when it is to be done, and who will be responsible for doing it. The mitigation measures presented were developed in compliance with *CEQA Guidelines Section 15370*.

In addition, the District will continue to work with the Surfside III condominium community to address the residents' concerns and to the greatest extent feasible mitigate the construction impacts associated with the proposed project.

4. This comment reiterates objections to the proposed project. The comments were addressed in the responses above (numbers 1 through 3). No additional response is required.

01/06/2010 11:54 0056485433

TERRY SMITH

PAGE 01

1/6/2010
Added to 654-3350

Attention

Angela Bonfiglio Allen

Regarding: EIR for J St
Drain Project

Comment letter dated

1/06/2010 from Terry Smith

Please confirm receipt

805-648-5433

or

805-340-0343

Thanks,
Terry Smith

34-1

Appendix L Response to Comments

01/06/2010 11:54 8056485433

TERRY SMITH

PAGE 02

431 South Evergreen Drive
Ventura, CA 93003
smithannterry@yahoo.com
January 6, 2010

Ventura County Watershed Protection District
Attention: Angela Bonfiglio Allen
800 South Victoria Avenue
Ventura, CA 93009-1610
Fax 805-654-3350

Dear Sir and Madams:

I attended a meeting with FEMA regarding the present consideration of a revision to the flood zone map which would add many home in North Oxnard to Zone A. This is due to a problem with the levees which protect these areas from flooding. Only due to public protest is this being delayed and subject to further study.

34-2

Why is the Ventura County Watershed Protection District spending money on the J St Drain which goes through an area that does not have a problem with flooding when there is this present identified problem with the levees in North Oxnard. Furthermore, from what I could see from reviewing Flood Zone Maps, there are no Zone A areas serviced by this drain. It seems to me that the J Street Drain project is a wasteful expenditure of taxpayers' money when there is a present need for projects to protect areas in North Oxnard from flooding which are not serviced by the J Street Drain, so that homeowners in these areas won't be subject to very expensive flood insurance.

34-3

Another question I have is how will rising ocean water levels caused by impending global warming impact a wider drain that empties into the ocean? Has this been taken into consideration when deciding upon spending all this money on this drain. Will the ocean water come up the drain in the future rather than flood waters from our cities draining out into the ocean? Anyway, I would like to know if this has been considered by the engineers and what impact global warming may have on this drain. Should we be thinking about other ways to deal with flooding rather than draining it out into the ocean if the ocean water levels will be rising in the future? I would think the impact of global warming should be considered before spending money for such a project.

34-4

Sincerely yours,



Terry Ann Smith
Owner 769 Reef Circle, Port Hueneme, Ca
805-648-5433
805-340-0343

RECEIVED

JAN 6 2010

WATERSHED PROTECTION DIST

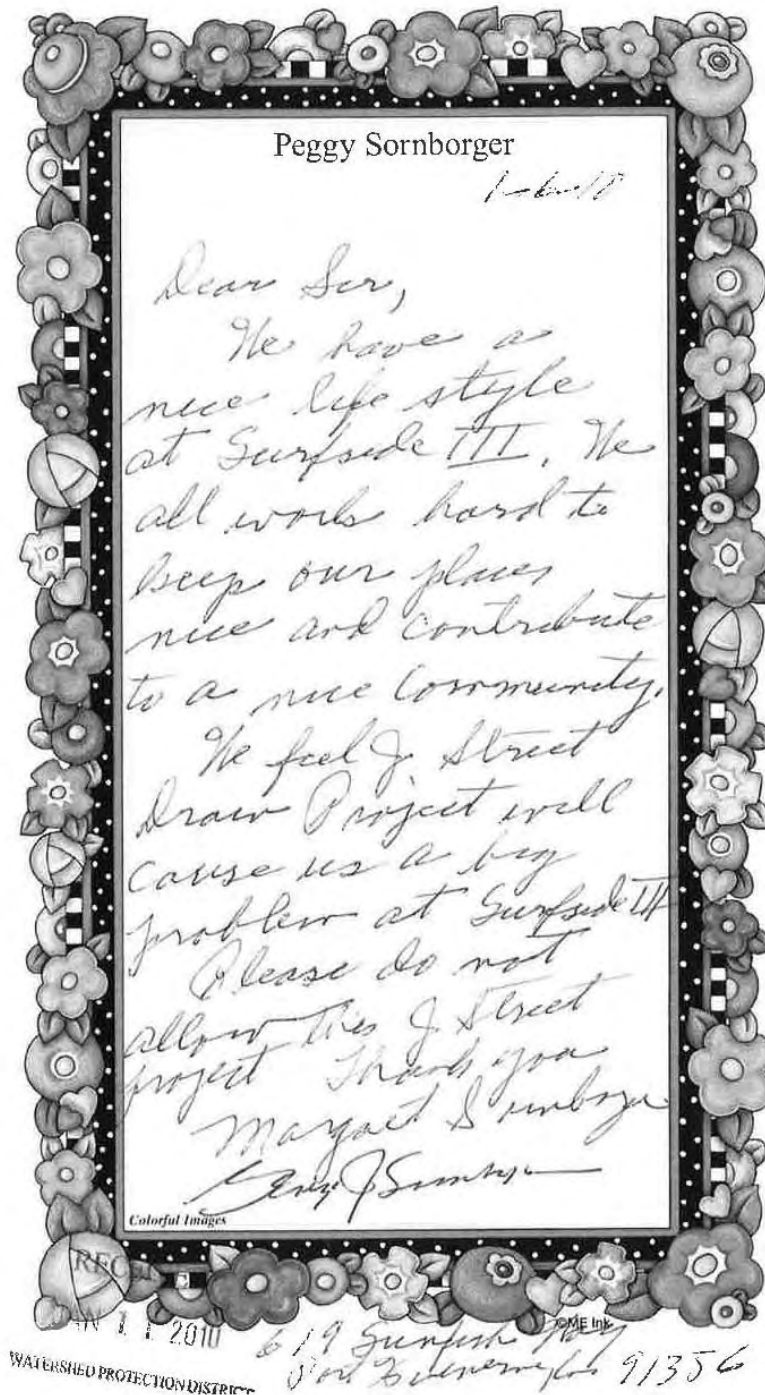
Letter 34

Terry Ann Smith

January 6, 2010

1. This comment requests confirmation of receipt of comment letter. This comment does not address the adequacy of the analyses presented in the 2009 DEIR. No response is required.
2. This comment makes a general statement about FEMA's consideration of a revision to the flood zone map. This comment does not address specific analyses within the 2009 DEIR; therefore, no additional response is required.
3. This comment states the resident's opposition to the proposed project due to the unlikely threat of 100-year flood and current economic conditions. Please see Letter 13, response to comment number 11, and Letter 21b, response to comment number 5.
4. This comment addresses the issue of Global Warming and sea level rise. The resident does not feel that the 2009 DEIR adequately addressed the potential impacts of the rise in sea level due to global climate change. A Greenhouse Gas Emissions Report was prepared for the proposed project in July 2011. A Global Climate Change section was added to the DEIR and is included as Section 4.12 of the 2011 RDEIR. Please refer to Section 4.12 for a full discussion on greenhouse gas emissions. The operation of the proposed project would include maintenance activities similar to those currently in place; therefore, the proposed project would not generate additional maintenance trips.

If the proposed project is not built, sea level rise will still occur. Implementation of the proposed project will not change the outcome of sea level rising. Construction of the project will not relocate people or place new housing or structures in the path of the sea level increase. Construction of the proposed project would not have an impact with regards to flooding due to sea level rise. The proposed changes are increasing the capacity of the drain, which may be able to accommodate tidal water should it overflow into the drain in the future.



35-1

Letter 35
Peggy Sornborger
January 11, 2010

1. This comment states that the resident of Surfside III is generally opposed to the project. The District understands the concerns of the Surfside III residents. The construction staging and work will be performed within the confines of the public right-of-ways within the community. All feasible mitigation measures will be implemented to reduce inconvenience to the residents to the greatest extent possible. The District will continue work with the Surfside III condominium community to address the residents' concerns and to the greatest extent feasible mitigate the impacts associated with the proposed project.

1-05-2010

Frances Woolston
669 Lighthouse Way
Port Huencme, Ca. 93041

Ventura County Watershed Protection District
Attn: Angela Bonfiglio Allen
880 s. Victoria Ave.
Ventura, Ca. 93009-1610

I am opposed to this project and would like to see an alternative plan for these reasons:

Your own DEIR admits that this project will increase the backwater that will also increase our already unlivable mosquito problem.

I have lived in a townhome for 13 years and the past 2 years since the pump station has been finished the mosquitos have been horrendous for my family. Swarms of hundreds on my patios all summer and fall. We cannot keep them out of our houses and get covered with painful bites that get infected. The county cannot be irresponsible with the health and safety of the residents of Surfside 3 and surrounding community. West Nile virus is a serious issue that cannot be glossed over when there are reasonable alternatives to this project. Many people might end up suing the district for health issues resulting from this action.

The residents of Surfside 3's should not be sacrificed for this project. Vector Control has not been able to keep control of the mosquitos currently. I hate to see what it will be like if the backwater issues are not remedied and this project continues as planned.

Our property values will also be affected by the destruction of our landscape. If this project continues. We need to be duly compensated for its loss or have a 8 ft high solid fencing to screen off the view, sounds and odors from the sewer plant while new landscape chosen by Surfside 3 Hoa chooses can regrow.

Levy fencing would protect our property from any water breach from the canal.

Thank You,

Frances Woolston

RECEIVED

JAN 15 2010

WATERSHED PROTECTION DIST.

36-1

36-2

Comment Letter 36
Frances Woolston
January 5, 2010

1. The comment states general objection to the project and concern regarding mosquitoes. Please refer to Letter 13, response number 4 and response number 6 for a complete discussion regarding the mosquito issue and public health impacts.
2. This comment states concern over the removal of landscaping and how that will affect the property value. The comment also suggests that levy fencing will protect the property from flooding. Regarding landscaping, please see Letter 21b, response to comment number 2. Levee fencing along the Surfside III property would be insufficient, as it would still permit flooding of the Oxnard Waste Water Treatment Plant. Flooding could cause the electrical system at the OWWTP to malfunction, risking catastrophic discharge of untreated sewage to adjacent properties, roads, the Ormond Beach Lagoon, and Ormond Beach.

The District understands the concerns of the Surfside III residents. The construction staging and work will be performed within the confines of the public right-of-ways within the community. All feasible mitigation measures will be implemented to reduce inconvenience to the residents to the greatest extent possible. The District will continue to work with the Surfside III condominium community to address the residents' concerns and to the greatest extent feasible mitigate the impacts associated with the proposed project.

J Street Drain Project: DEIR PUBLIC MEETING RESPONSE

SUMMARY RE: DEIR

- * Failure to notify of Public Meetings [SSIII and J Street]
- * Failure to provide 100-Year Flood Risk verification
- * No records of local flooding [basis of project]
- * No acknowledgment of Vector Control failure
- * No proposal for Alternate solution to backwater-effect

RECEIVED

NOV 17 2009

PORT HADEN PROTECTION DIST.

37-1

PRIMARY ISSUE: STAGNANT WATER/MOSQUITOES

DEIR concedes backwater-effect/stagnant water/mosquito breeding is a current problem that will increase with the proposed project.

DEIR states that Vector Control will solve the problem, and therefore, the environmental impact will be less than significant. (No Problem.)

Vector Control does NOT work. Residents of SSIII know that abatement program completely failed to control mosquitoes. This is a very-significant PUBLIC HEALTH issue (Yes Problem!).

VCWPD was informed – but did NOT address the matter of Vector Control failure in the DEIR.

VCWPD has made no proposal for an ALTERNATIVE solution to stagnant water/mosquito problem in the DEIR.

37-2

NOTE: We have no objection to the Ormond Lagoon/Wetlands Project. We just don't want the canal to be part of the swamp!

SURFSIDE III: JSDP COMMITTEE

MARION KELEMEN
962 Lighthouse Way
PORT HADEN, 93041
Email: lighthousecrew@verizon.net

Letter 37
Marion Kelemen
November 17, 2009

1. This comment outlines bullet point areas of disagreement with the 2009 DEIR as follows:

- Failure to notify of public meetings

Please refer to Letter 21b, response number 4 for details regarding public disclosure of the project planning process.

- Failure to provide 100-year flood risk verification and lack of flooding evidence

Please refer to Letter 13, response number 11 for details regarding flood risk assessment and documentation.

- No acknowledgement of vector control failure

Please see Letter 13, response to comment number 6.

- No proposal for alternate solution to backwater-effect

Please refer to Letter 13, response number 7 and Letter 15, response to comment number 3.

2. This comment expresses the residents' concerns regarding mosquitoes.

Please refer to Letter 13, response number 4 and response number 6 for a complete discussion regarding the mosquito issue and public health impacts.

January 10, 2010

VENTURA COUNTY WATERSHED PROTECTION DISTRICT
TO: VCWPD / ATTN: Angela Bonfiglio Allen
800 So. Victoria Ave.
Ventura, CA 93009 - 1610

RE: J STREET DRAIN PROJECT: DEIR


I'm writing again to object to approval of the DEIR on this project.

Your stated objective is to prevent flooding by increasing the capacity of the canal – which will involve making the invert four feet deeper. But the DEIR states in Section 3.4-6 that the BACKWATER from the lagoon DECREASES the capacity of the canal.

It makes no sense to deepen the invert! The logical method of increasing capacity would be to eliminate the backwater. Instead, your plan is retain the backwater condition, and overcome the decrease in capacity by adding more depth to the channel. This will cause MORE backwater – which means that the residents of Surfside III will have to cope with MORE stagnant water and MORE mosquitoes!

There is no reason to plan a project that makes a really-bad situation worse. If you cannot create an ocean outlet for the water in the canal, then you need to revise your plan so that the water is pumped into the lagoon. Then, when the lagoon is full, it will naturally breach the sand berm and flow into the ocean.

This project – as currently designed – is a contradiction to reason and logic. A DRAIN is supposed to MOVE water. It is NOT supposed to retain water in a deep linear pond that becomes stagnant because it has no outlet!


968 Lighthouse Way
Port Huemul CA 93041

RECEIVED
JAN 14 2010
WATERSHED PROTECTION DIST.

38-1

38-2

Letter 38
Shannon D. Barbour
January 10, 2010

1. This comment states the resident's objection to the project and concern regarding the increase in backwater resulting in an increase in stagnant water and mosquito breeding habitat. Please see Letter 13, responses to comment numbers 4, 6 and 11; and Letter 15, response to comment number 3.
2. This comment suggests the water be pumped into the lagoon to eliminate backwater in the J Street Drain. This would be ineffective because the drain is directly connected to the lagoon; there is no separation between them. The continual removal of the backwater would require pumping out the standing water in the J Street Drain. This alternative, however, would not solve the original problem and impetus of the J Street Drain Project, which is the need for 100-year storm flow capacity. The dimensions of the current J Street Drain are not sufficient to contain the flow volume of a 100-year storm. The current J Street Drain would flood during a 100-year storm even if the outlet to the Pacific Ocean was open at the time and the channel was initially empty. This alternative assumes that (1) it is feasible to pump the water out of the J Street Drain and (2) such pumping would not violate the Endangered Species Act. It should be noted that it is unlikely either of these assumptions are correct. Pumping water out of J Street Drain would reduce the size of Ormond Beach Lagoon, resulting in a reduction of foraging habitat for endangered California least terns and critical habitat for endangered tidewater goby.

While generally it is considered good to reduce or eliminate standing water to minimize mosquito production, it is unlikely that a pump would be capable of removing all water in the drain, especially the small volumes of non-storm urban runoff. Remaining wet areas in depressions and debris would provide excellent mosquito breeding habitat. Additionally, pumps may require a sump, which would hold permanent water in a sheltered space that is good mosquito habitat. This option would require substantial additional maintenance to keep the channel and sump free of trash and debris. Also, additional monitoring and treatment would be necessary by the Ventura County Vector Control Program. This condition contrasts with the current J Street Drain, where, as discussed in Letter 13, response number 4, though standing water is present, the standing water is not good mosquito breeding habitat. Therefore, implementing a pump would essentially remove water that is not good mosquito habitat (current water in J Street Drain) and replace it with water that is good mosquito habitat (water that remains in the channel or in a sump).

Please also see Letter 13, response to comment number 7.

January 10, 2010

VENTURA COUNTY WATERSHED PROTECTION DISTRICT
TO: VCWPD / ATTN: Angela Bonfiglio Allen
800 So. Victoria Ave.
Ventura, CA 93009 - 1610

RE: J STREET DRAIN PROJECT: DEIR

I'm writing again to object to approval of the DEIR on this project.

Your stated objective is to prevent flooding by increasing the capacity of the canal – which will involve making the invert four feet deeper. But the DEIR states in Section 3.4-6 that the BACKWATER from the lagoon DECREASES the capacity of the canal.

It makes no sense to deepen the invert! The logical method of increasing capacity would be to eliminate the backwater. Instead, your plan is retain the backwater condition, and overcome the decrease in capacity by adding more depth to the channel. This will cause MORE backwater – which means that the residents of Surfside III will have to cope with MORE stagnant water and MORE mosquitoes!

There is no reason to plan a project that makes a really-bad situation worse. If you cannot create an ocean outlet for the water in the canal, then you need to revise your plan so that the water is pumped into the lagoon. Then, when the lagoon is full, it will naturally breach the sand berm and flow into the ocean.

This project – as currently designed – is a contradiction to reason and logic. A DRAIN is supposed to MOVE water. It is NOT supposed to retain water in a deep linear pond that becomes stagnant because it has no outlet!

Jessica Barbours
968 Lighthouse Way
Port Huachuca CA 93041

RECEIVED
JAN 14 2010
WATERSHED PROTECTION DIST.

39-1

39-2

Letter 39
Jessica Barbour
January 10, 2010

1. This comment states the resident's objection to the project and concern regarding the increase in backwater resulting in an increase in stagnant water and mosquito breeding habitat. Please see Letter 13, responses to comment numbers 4, 6 and 11; and Letter 15, response to comment number 3.
2. This comment requests a permanent ocean outlet or pumping the water into the lagoon. Please see Letter 25, response to comment number 5 for discussion of the feasibility of a permanent ocean outlet, and Letter 38, response to comment number 2 for details about pumping the water into the lagoon.

January 10, 2010

VENTURA COUNTY WATERSHED PROTECTION DISTRICT
TO: VCWPD / ATTN: Angela Bonfiglio Allen
800 So. Victoria Ave.
Ventura, CA 93009 - 1610

RE: J STREET DRAIN PROJECT: DEIR

I'm writing again to object to approval of the DEIR on this project.

Your stated objective is to prevent flooding by increasing the capacity of the canal – which will involve making the invert four feet deeper. But the DEIR states in Section 3.4-6 that the BACKWATER from the lagoon DECREASES the capacity of the canal.

It makes no sense to deepen the invert! The logical method of increasing capacity would be to eliminate the backwater. Instead, your plan is retain the backwater condition, and overcome the decrease in capacity by adding more depth to the channel. This will cause MORE backwater – which means that the residents of Surfside III will have to cope with MORE stagnant water and MORE mosquitoes!

There is no reason to plan a project that makes a really-bad situation worse. If you cannot create an ocean outlet for the water in the canal, then you need to revise your plan so that the water is pumped into the lagoon. Then, when the lagoon is full, it will naturally breach the sand berm and flow into the ocean.

This project – as currently designed – is a contradiction to reason and logic. A DRAIN is supposed to MOVE water. It is NOT supposed to retain water in a deep linear pond that becomes stagnant because it has no outlet!

R.A. Morris
852 BLUEWATER WAY
PORT HUENEME CA 93041

RECEIVED
JAN 14 2010
WATERSHED PROTECTION DIST.

40-1

40-2

Letter 40
Rita Morris
January 10, 2010

1. This comment states the resident's objection to the project and concern regarding the increase in backwater resulting in an increase in stagnant water and mosquito breeding habitat. Please see Letter 13, responses to comment numbers 4, 6 and 11; and Letter 15, response to comment number 3.
2. This comment requests a permanent ocean outlet or pumping the water into the lagoon. Please see Letter 25, response to comment number 5 for discussion of the feasibility of a permanent ocean outlet, and Letter 38, response to comment number 2 for details about pumping the water into the lagoon.

1/10/10

January 10, 2010

TO: VCWPD

RE: J STREET DRAIN PROJECT DEIR

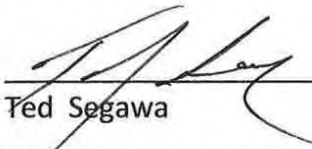
I'm writing again to object to approval of the DEIR on this project.

Your stated objective is to prevent flooding by increasing the capacity of the canal – which will involve making the invert four feet deeper. But the DEIR states in Section 3.4-6 that the BACKWATER from the lagoon DECREASES the capacity of the canal.

It makes no sense to deepen the invert! The logical method of increasing capacity would be to eliminate the backwater. Instead, your plan is retain the backwater condition, and overcome the decrease in capacity by adding more depth to the channel. This will cause MORE backwater – which means that the residents of Surfside III will have to cope with MORE stagnant water and MORE mosquitoes!

There is no reason to plan a project that makes a really-bad situation worse. If you cannot create an ocean outlet for the water in the canal, then you need to revise your plan so that the water is pumped into the lagoon. Then, when the lagoon is full, it will naturally breach the sand berm and flow into the ocean.

This project – as currently designed – is a contradiction to reason and logic. A DRAIN is supposed to MOVE water. It is NOT supposed to retain water in a deep linear pond that becomes stagnant because it has no outlet!



Ted Segawa
964 Lighthouse Way, Port Hueneme

RECEIVED

JAN 12 2010

WATERSHED PROTECTION DIST.

41-1

41-2

Letter 41
Ted Segawa
January 10, 2010

1. This comment states the resident's objection to the project and concern regarding the increase in backwater resulting in an increase in stagnant water and mosquito breeding habitat. Please see Letter 13, responses to comment numbers 4, 6 and 11; and Letter 15, response to comment number 3.
2. This comment requests a permanent ocean outlet or pumping the water into the lagoon. Please see Letter 25, response to comment number 5 for discussion of the feasibility of a permanent ocean outlet, and Letter 38, response to comment number 2 for details about pumping the water into the lagoon.

William Shanko
WILLIAM SHANKS
966 LIGANDIA ST. PORT HURON MI 48060

J Street Drain Project: DEIR PUBLIC MEETING RESPONSE

RECEIVED

SUMMARY RE: DEIR

- * Failure to notify of Public Meetings [SSIII and J Street]
- * Failure to provide 100-Year Flood Risk verification
- * No records of local flooding [basis of project]
- * No acknowledgment of Vector Control failure
- * No proposal for Alternate solution to backwater-effect

42-1

PRIMARY ISSUE: STAGNANT WATER/MOSQUITOES

DEIR concedes backwater-effect/stagnant water/mosquito breeding is a current problem that will increase with the proposed project.

DEIR states that Vector Control will solve the problem, and therefore, the environmental impact will be less than significant. (No Problem.)

Vector Control does NOT work. Residents of SSIII know that abatement program completely failed to control mosquitoes. This is a very-significant PUBLIC HEALTH issue (Yes Problem!).

VCWPD was informed – but did NOT address the matter of Vector Control failure in the DEIR.

VCWPD has made no proposal for an ALTERNATIVE solution to stagnant water/mosquito problem in the DEIR.

42-2

NOTE: We have no objection to the Ormond Lagoon/Wetlands Project. We just don't want the canal to be part of the swamp!

SURFSIDE III: JSDP COMMITTEE

Letter 42
William Shanks
November 17, 2009

This letter is part of the Surfside III: J Street Drain Project (JSDP) Committee forum letter.

1. This comment outlines bullet point areas of disagreement with the 2009 DEIR as follows:

- Failure to notify of public meetings

Please refer to Letter 21b, response number 4 for details regarding public disclosure of the project planning process.

- Failure to provide 100-year flood risk verification and lack of flooding evidence

Please refer to Letter 13, response number 11 for details regarding flood risk assessment and documentation.

- No acknowledgement of vector control failure

Please see Letter 13, response to comment number 6.

- No proposal for alternate solution to backwater-effect

Please refer to Letter 13, response number 7 and Letter 15, response to comment number 3.

2. This comment expresses the residents' concerns regarding mosquitoes.

Please refer to Letter 13, response number 4 and response number 6 for a complete discussion regarding the mosquito issue and public health impacts.

January 10, 2010

VENTURA COUNTY WATERSHED PROTECTION DISTRICT
TO: VCWPD / ATTN: Angela Bonfiglio Allen
800 So. Victoria Ave.
Ventura, CA 93009 - 1610

RE: J STREET DRAIN PROJECT: DEIR

I'm writing again to object to approval of the DEIR on this project.

Your stated objective is to prevent flooding by increasing the capacity of the canal – which will involve making the invert four feet deeper. But the DEIR states in Section 3.4-6 that the BACKWATER from the lagoon DECREASES the capacity of the canal.

It makes no sense to deepen the invert! The logical method of increasing capacity would be to eliminate the backwater. Instead, your plan is retain the backwater condition, and overcome the decrease in capacity by adding more depth to the channel. This will cause MORE backwater – which means that the residents of Surfside III will have to cope with MORE stagnant water and MORE mosquitoes!

There is no reason to plan a project that makes a really-bad situation worse. If you cannot create an ocean outlet for the water in the canal, then you need to revise your plan so that the water is pumped into the lagoon. Then, when the lagoon is full, it will naturally breach the sand berm and flow into the ocean.

This project – as currently designed – is a contradiction to reason and logic. A DRAIN is supposed to MOVE water. It is NOT supposed to retain water in a deep linear pond that becomes stagnant because it has no outlet!

William Shanks
966 LIGHTHOUSE WAY
PORT HUENEME CA 93041

RECEIVED

JAN 14 2010

WATERSHED PROTECTION DIST.

43-1

43-2

Letter 43

William Shanks

January 10, 2010

1. This comment states the resident's objection to the project and concern regarding the increase in backwater resulting in an increase in stagnant water and mosquito breeding habitat. Please see Letter 13, responses to comment numbers 4, 6 and 11; and Letter 15, response to comment number 3.
2. This comment requests a permanent ocean outlet or pumping the water into the lagoon. Please see Letter 25, response to comment number 5 for discussion of the feasibility of a permanent ocean outlet, and Letter 38, response to comment number 2 for details about pumping the water into the lagoon.

January 10, 2010

VENTURA COUNTY WATERSHED PROTECTION DISTRICT
TO: VCWPD / ATTN: Angela Bonfiglio Allen
800 So. Victoria Ave.
Ventura, CA 93009 - 1610

RE: J STREET DRAIN PROJECT: DEIR

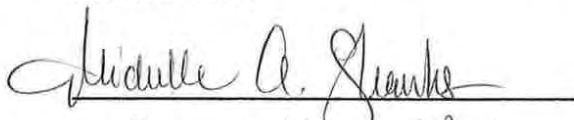
I'm writing again to object to approval of the DEIR on this project.

Your stated objective is to prevent flooding by increasing the capacity of the canal – which will involve making the invert four feet deeper. But the DEIR states in Section 3.4-6 that the BACKWATER from the lagoon DECREASES the capacity of the canal.

It makes no sense to deepen the invert! The logical method of increasing capacity would be to eliminate the backwater. Instead, your plan is retain the backwater condition, and overcome the decrease in capacity by adding more depth to the channel. This will cause MORE backwater – which means that the residents of Surfside III will have to cope with MORE stagnant water and MORE mosquitoes!

There is no reason to plan a project that makes a really-bad situation worse. If you cannot create an ocean outlet for the water in the canal, then you need to revise your plan so that the water is pumped into the lagoon. Then, when the lagoon is full, it will naturally breach the sand berm and flow into the ocean.

This project – as currently designed – is a contradiction to reason and logic. A DRAIN is supposed to MOVE water. It is NOT supposed to retain water in a deep linear pond that becomes stagnant because it has no outlet!


960 Lighthouse Way
Pork Haven 93041


RECEIVED
JAN 14 2010
WATERSHED PROTECTION DIST.

44-1

44-2

Letter 44**Michelle A. Shanks****January 10, 2010**

1. This comment states the resident's objection to the project and concern regarding the increase in backwater resulting in an increase in stagnant water and mosquito breeding habitat. Please see Letter 13, responses to comment numbers 4, 6 and 11; and Letter 15, response to comment number 3.
2. This comment requests a permanent ocean outlet or pumping the water into the lagoon. Please see Letter 25, response to comment number 5 for discussion of the feasibility of a permanent ocean outlet, and Letter 38, response to comment number 2 for details about pumping the water into the lagoon.

<p>J Street Drain Project Information Meeting November 17, 2009</p> 	<p>Name: <u>Bob BANFILL</u></p> <p>Address: <u>607 Lighthouse Way</u> <u>PORT HUENEME, CA. 93041</u></p> <p>Phone: <u>(805) 246-5388</u></p>
<p>E-mail: <u>bob-banf11@yahoo.com</u></p>	
<p>Question/Comment: 1. Access/Egress during @ phase of construction?</p> <p>2. ELEVATIONS at each street crossing + max depth study</p> <p>3. what "new" information led to change of flood distention.</p> <p>4. what is the "jurisdictional" water?</p> <p>5. What is the TOTAL PLAN OLD, J Street, Bubbling Gulch</p>	

45-1
45-2
45-3
45-4
45-5

Letter 45
Bob Banfill
November 17, 2009

1. This comment inquires about construction access and egress.

Transportation and Circulation is discussed in Section 4.5 of the DEIR. The intermittent road closures would include the streets that intersect with J Street in the project area with the exception of Pleasant Valley Road and Hueneme Road. Because the proposed project would be constructed in phases of approximately 3,000 to 4,000 linear feet segments, road closures would not require motorist detour. J Street, Pleasant Valley Road, and Hueneme Road would remain open during all construction phases with intermittent lane closures. On J Street, access to residential and commercial uses fronting J Street would remain open during construction. Motorists traveling along Pleasant Valley Road and Hueneme Road would likely experience delays during lane closures. Implementation of Mitigation Measure TR-1 requires the preparation of a construction worksite traffic control plan that will be submitted to the County and cities for review. This plan will include the location of any lane closures, restricted hours during which lane closures would not be allowed, local traffic detours, protective devices and traffic controls (such as barricades, cones, flagmen, lights, warning beacons, temporary traffic signals, warning signs), access to abutting properties, provisions for pedestrians and bicycles and provisions to maintain emergency access through construction work areas. Access via Surfside III community roads is not proposed.

2. This comment requests an elevation at each street crossing and maximum depth study. Section 3.0 of the DEIR provides a description of the proposed project and Figure 3.0-4 illustrates Orthogonal Views of J Street Drain, existing and proposed. More detailed preliminary design plans are available at the District or on the J Street Drain website at www.jstreetdrain.com.

3. This comment asks about the new information that led to the 100-year flood designation.

Please refer to Letter 13, response number 11 for details regarding flood risk assessment and documentation.

4. This comment asks what jurisdictional waters are.

According to the Jurisdictional Wetland Delineation Report prepared for the proposed project (2011 RDEIR Appendix D.2), the northern survey area does not support the appropriate indicators to be considered a federal or state jurisdictional wetland.

Clean Water Act (33 USC §1251-1376)

“Jurisdictional waters” are those streams or other water bodies subject to regulation under the Clean Water Act (CWA); this includes the J Street Drain. The CWA provides guidance for the restoration and maintenance of the chemical, physical, and biological integrity of the nation's waters. Section 401 requires that an applicant for a federal license or permit that allows activities resulting in a discharge to jurisdictional waters (including wetland/riparian areas) of the United States must obtain a state water quality certification that the discharge complies with other provisions of CWA. The Regional Water Quality Control Boards (RWQCBs) administer the certification program in California.

Section 402 is regulated by the U.S. Environmental Protection Agency (USEPA) and establishes a permitting system for the discharge of any pollutant (except dredge or fill material) into waters of the United States. It establishes a framework for regulating municipal and industrial storm water discharges under the National Pollutant Discharge Elimination System (NPDES) program. The RWQCBs also administer the NPDES permits for construction activities and operations.


Section 404 establishes a permit program administered by the U.S. Army Corps of Engineers (USACE) regulating the discharge of dredge or fill material into waters of the United States, including wetlands, and jurisdictional non-wetland waters. The USACE has permit authority derived from Section 404 of the CWA (33 CFR Parts 320-330). The permit review process includes an assessment of potential adverse impacts to wetlands and streambed habitats and determination of any required mitigation measures. As a condition of the 404 permitting process, a 401 Water Quality Certification or waiver is required from the RWQCB. Where federally listed species may be affected, a Section 7 consultation with the USFWS under the federal Endangered Species Act (ESA) is required. Compliance with Section 106 of the National Historic Preservation Act must also be met through coordination with the State Historic Preservation Officer (SHPO), the Advisory Council on Historic Preservation (ACHP), and other interested parties.

5. This comment asks what the total plan is for OID, J Street, and Bubbling Springs.

The District has prepared the Integrated Watershed Protection Plan (IWPP) as a planning document for these facilities. The IWPP is available at the County offices (http://portal.countyofventura.org/portal/page/portal/PUBLIC_WORKS/Watershed_Protection_District/Programs_and_Projects/Integrated%20Watershed%20Protection%20Plan).

The proposed J Street Drain project entails changing the existing open trapezoidal channel into an open rectangular channel with vertical rather than sloped walls. It also entails deepening the channel by four feet and widening it by approximately ten feet. The wider, deeper channel will increase the overall capacity of the channel and convey greater volumes of flood water to prevent the channel from over-topping and causing damage to property and vital facilities. Due to endangered species considerations, the deepening of the J Street Drain as part of the proposed project would not extend into Ormond Beach Lagoon. A complete updated description of the proposed project can be found in Section 3.0 of the RDEIR.

J Street Drain Project
Information Meeting
November 17, 2009



Name: D. BEAVER
Address: 830 Bluewater Wy
Pitt
Phone: 805-488-5657


E-mail: _____

Question/Comment: Against Project

] 46-1

Letter 46
C. Beaver
November 17, 2009

- 1 This comment is a general objection to the proposed project. The District understands the concerns of the Surfside III residents. The construction staging and work will be performed within the confines of the public right-of-ways within the community. All feasible mitigation measures will be implemented to reduce inconvenience to the residents to the greatest extent possible. The District will continue to work with the Surfside III condominium community to address the residents' concerns and to the greatest extent feasible mitigate the impacts associated with the proposed project.

<p>J Street Drain Project Information Meeting November 17, 2009</p> 	<p>Name: <u>MAURICE C. BILLMAN</u></p> <p>Address: <u>22550, VENTURA ROSES</u> <u>PORT HUENEME CA 97041</u></p> <p>Phone: _____</p>
<p>E-mail: <u>MAURBILL@VERIZON.NET</u></p>	
<p>Question/Comment:</p> <p><u>MORE BRACKISH WATER = MORE MOSQUITOS, VECTOR CONTROL NO GOOD</u></p> <p><u>FIXING BROKEN LEVEES INSTANT</u></p> <p>_____</p> <p>_____</p>	


47-1

Letter 48
Maurice Billman
November 17, 2009

1. This comment states the resident's concern regarding mosquitoes and the effectiveness of vector control problem. Please refer to Letter 13, response number 4 and response number 6 for a complete discussion regarding the mosquito issue and public health impacts.

This comment also suggests fixing the "broken levees" instead. It is unclear whether this comment refers to the Santa Clara River levees. While there is a need to address the Santa Clara River levees, there is also a need to address potential flooding within the J Street Drain watershed. The District has identified both projects as within the top 10 priority flood deficiencies requiring a solution in the Santa Clara River and other small coastal watersheds. Please refer to Letter 13, response number 11. Please also refer to Section 3.0 of the RDEIR, which has been revised to include a discussion of the District's project selection and funding processes.

J Street Drain Project
Information Meeting
November 17, 2009



Name: SUSAN CARR
Address: 908 LIGHTHOUSE WAY
PORT HUENEME
Phone: 805-899-4633
E-mail: SCARR2PORT@GMAIL.COM
Question/Comment:
Not clearly thought thru project, not well
funded, trash, noise, Natural habitat possibly
irreversibly damage, Where is water table
at? Security.

48-1

One of the problems also is
When one project is completed and another
project area needs to follow up has been
in consistent in the past (ie pump station)
Why should we believe that this project
will solve water shed. Try living next
to the canal in July/August during a heat
wave where you can't open your patio
Because the mosquitos are so severe (vector
control (you have got to be kidding).

48-2

48-3

Letter 48
Susan Carr
November 17, 2009

1. This comment raises issues related to project funding, trash, noise, potential for irreversible habitat impacts, water table depth and security issues.

Funding: The District has planned carefully for this project, and is working to ensure that sufficient funds will be available to construct each phase, when they are needed. The District funds capital improvement projects from a combination of revenues, including its portion of the 1 percent property tax revenues collected by the County Treasurer-Tax Collector on all taxable parcels countywide, interest earnings on its fund balance on deposit with the County Pooled Investment Fund, land development fees, and whenever feasible, project specific grant fund revenues.

The District's revenues are divided by four geographical zones, Zones 1 through 4. The boundaries of the first three zones roughly correspond to the boundaries of the Ventura River (Zone 1), Santa Clara River (Zone 2), and Calleguas Creek (Zone 3) watersheds. Zone 4 includes the extreme northwest and southeast portions of Ventura County (Figure 3.0-3).

Zone revenues are sequestered for use only in the zone from which they were collected. The J Street Drain Project is located within Zone 2. As of July 27, 2010, approximately \$66.8 million of revenue was projected to be available to fund District expenditures in Zone 2 between fiscal year (FY) 2010-11 and 2015-16. Of this amount, \$12.7 million would be available to construct Phase 1 of the Project, which is scheduled to be constructed during this period. The remaining three phases, totaling approximately \$23.0 million, would be constructed after FY 2015-16. Each phase would be implemented individually as funding becomes available.

The J Street Drain Project went through the District's rigorous capital improvement project (CIP) ranking and selection process. The process begins with identifying flood threats to residential, commercial, industrial, and agricultural lands throughout Ventura County. Where flood control facilities already exist, their current condition (e.g., concrete deterioration) is evaluated. Potential solutions to known flood threats, or CIPs, are developed through consideration of a range of alternatives.

All proposed CIPs are assigned points out of 100 possible, then ranked and prioritized in relation to one another. Points are distributed according to four categories (Table 3.0-1 of the 2011 RDEIR). Fiscal year 2010-11 CIP ranking and funding data for projects in all zones was presented to the District Board of Supervisors (Board) as Agenda Item No. 28 on July 27, 2010². These data are updated and presented to the Board annually in July to reflect projects completed, added, deleted, and re-ranked. As of July 27, 2010, Phase 1 of the J Street Drain Project was ranked 13th and Phases 2-4 were ranked 15th within Zone 2. As described above, these rankings may change annually due to new conditions.

Noise: Please see Letter 13, response to comment number 8.

Biological Resources: Incorporation of the identified mitigation measures in Section 4.2 of the RDEIR would reduce all potentially significant impacts to sensitive habitats, sensitive wildlife

² <http://bosagenda.countyofventura.org/sirepub/agdocs.aspx?doctype=agenda&itemid=34367>

species, wetlands, jurisdictional areas, and nesting birds/raptors to below a level of significance. By delineating sensitive areas, construction activities would be located and staged to avoid potential impacts. On February 3, 2010, a meeting with District staff, HDR personnel and Chris Dellith of the USFWS was held. Aspects of the project affecting federally protected species of tidewater goby were discussed. It was determined that breaching the lagoon would be disruptive to nesting birds and could be determined as causing take of gobies. Instead, a Beach Elevation Management Plan (BEMP) that would dictate how to groom the beach to a safe elevation that would facilitate natural breaching in response to storm runoff was preferable. Such an event should only occur during the rainy season, which is outside of the avian breeding season. Please also see the responses to letters 2 and 5, which address comments about biological resources raised by the U.S. Fish and Wildlife Service and the California Department of Fish and Game.


Water Table: The Oxnard Plain Groundwater Basin underlies the majority of this region. This basin has approximately 7,800,000 acre-feet of storage and is mostly confined (i.e., covered by an impermeable clay layer). The result is that rain or surface water cannot percolate into the basin. Therefore, groundwater recharge takes place at the margins of the basin where the restricting clay layer is absent.

According to the *Groundwater Modeling Summary for the J Street Drainage Improvement Project* (Appendix K of the 2011 RDEIR), groundwater that is in an unconfined condition is found to have elevations ranging from less than 2 feet below mean sea level (msl) near the coast to approximately 17.5 feet below msl at the northern extent of the channel near Redwood Street. Groundwater flows generally from north and east (i.e., inland and upland areas) toward the southwest and west (i.e., toward the coast).

Security: The channel is proposed to be enclosed with chain link fencing that will be locked. The District does not allow public access.

Trash: Please see Letter 11, responses to comment numbers 3, 4, and 6.

2. This comment asks why the recently completed pump station capacity improvement did not solve flooding. The pump station project involved increasing the capacity of that facility so that it could pump 100-year flows out of the Hueneme Drain. The currently proposed project addresses insufficient capacity of the J Street Drain, which is a different facility. The J Street Drain project would increase the channel's capacity from the existing 10-year flow to the Federal Emergency Management Agency standard 100-year flow.
3. This comment expresses concern over mosquitoes and the effectiveness of vector control. Please see Letter 13, responses to comment numbers 4 and 6.

<p>J Street Drain Project Information Meeting November 17, 2009</p> 	<p>Name: <u>MARILYN CHAVEZ</u></p> <p>Address: <u>802 BLUEWATER</u> <u>P.H. Ca 93041</u></p> <p>Phone: <u>488-3549</u></p> <p>E-mail: <u>YNEEMEMOMA@AOL.</u></p> <p>Question/Comment: <u>Choose another project!!!</u> <u>We don't want it!!!</u></p>
---	---


49-1

Letter 49

Marilyn Chavez

November 17, 2009

1. This comment states the resident's general opposition to the project. The District understands the concerns of the Surfside III residents. The construction staging and work will be performed within the confines of the public right-of-ways within the community. All feasible mitigation measures will be implemented to reduce inconvenience to the residents to the greatest extent possible. The District will continue to work with the Surfside III condominium community to address the residents' concerns and to the greatest extent feasible mitigate the impacts associated with the proposed project. The Board of Supervisors will review comment letters on the Draft EIR prior to rendering a decision on the project and this comment letter is part of the official record of the EIR.

<p>J Street Drain Project Information Meeting November 17, 2009</p> 	<p>Name: <u>AL GALLUZZO</u></p> <p>Address: <u>633 LIGHTHOUSE WAY</u> <u>PORT HUENEME, CA 93041</u></p> <p>Phone: <u>805-271-0381</u></p>
<p>E-mail: <u>galluzzo1@verizon.net</u></p>	
<p>Question/Comment:</p> <p><u>Oppose J Street Drain Project.</u></p> <p>① Use breach alternative to protect against 100 year flood.</p> <p>② Increased canal surface area will intensify mosquito infestation due to stagnant water. Health issue!!</p> <p>③ Please consider threats and inconveniences to humans as well as fish, animals and plants.</p>	

50-1
50-2
50-3


Letter 50

A. Galluzzo

November 17, 2009

1. This comment suggests that the District use the “breach alternative” to protect against 100-year flood. Please see Letter 13, response to comment number 11.
2. This comment states the resident’s concern regarding the mosquito problem. Please see Letter 13, responses to comment numbers 4 and 6.
3. This comment is a general request for consideration of threats and inconveniences to humans as well as fish, animals, and plants. The purpose of the project is to protect humans in the event of a 100-year flood, while minimizing impacts to fish, animals, and plants.

The purpose of an EIR is to analyze the potential environmental impacts associated with a project. *CEQA (Section 15002)* states that the purpose of an EIR is to: (1) Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities; (2) Identify the ways that environmental damage can be avoided or significantly reduced; (3) Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; (4) Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved. . The principal use of this EIR is to evaluate and disclose potential environmental impacts associated with the implementation of the J Street Drain Project, including potential impacts to human, plants and wildlife. Please refer to Sections 4.3, 4.8, and 4.11 of the 2011 RDEIR for discussion regarding biological resources, hazards and hazardous materials and public health and safety respectively.

<p>J Street Drain Project Information Meeting November 17, 2009</p> 	Name: <u>Lynne + Marcus Haile</u>
	Address: <u>727 Reef Cir</u> <u>Port Huene</u>
	Phone: <u>488-1329</u>
E-mail: <u>lynnehaile@hotmail.com</u>	
Question/Comment: <u>an alternative to this project should be used.</u> <u>Breach the sand beams as needed -</u> <u>The \$ for the project could be better used</u> <u>for cert county services this year + until</u> <u>the economy recovers -</u>	

51-1

51-2

51-3

Letter 51

Lynne and Marcus Haile

November 17, 2009

1. This comment requests selection of a different project; however, the comment does not identify a specific alternative to be analyzed. The *CEQA Guidelines* require an EIR to “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives” (*CEQA Guidelines* §15126.6(a)). The *CEQA Guidelines* direct that selection of alternatives focus on those alternatives capable of eliminating any significant environmental effects of the project or of reducing them to a less-than significant level, even if these alternatives would impede to some degree the attainment of project objectives, or would be more costly. In cases where a project is not expected to result in significant impacts after implementation of recommended mitigation, review of project alternatives is still appropriate.


The range of alternatives required within an EIR is governed by the “rule of reason” which requires an EIR to include only those alternatives necessary to permit a reasoned choice. The discussion of alternatives need not be exhaustive. Furthermore, an EIR need not consider an alternative whose implementation is remote and speculative or whose effects cannot be reasonably ascertained.

Alternatives that were considered but were rejected as infeasible during the scoping process should be identified along with a reasonably detailed discussion of the reasons and facts supporting the conclusion that such alternatives were infeasible.

Alternatives to the project were analyzed in Section 5.0 of the DEIR. The residents at Surfside III condominiums suggested an additional alternative that would pump out the standing water in the J Street Drain or allow for controlled breaching of the berms. The additional alternative assumes that (1) it is feasible to pump the water out of the J Street Drain and (2) such pumping would not violate the Endangered Species Act. It should be noted that it is unlikely either of these assumptions are correct. Pumping water out of J Street Drain would reduce the size of Ormond Beach Lagoon, resulting in a reduction of foraging habitat for endangered California least terns and critical habitat for endangered tidewater goby.

2. This comment suggests breaching the berms instead. Please see Letter 13, response to comment number 11.
3. This comment states the resident’s objection to the cost of the project. *Section 15088* of the *State CEQA Guidelines* requires that the Lead Agency evaluate comments on environmental issues received from parties who reviewed the Draft EIR and prepare a written response to each comment. The comment does not address the adequacy of the analyses presented in the 2009 DEIR. The Ventura County Watershed Protection District will review comments letters on the Draft EIR prior to rendering a decision on the project and this comment letter is part of the official record of the EIR. Please also see Letter 48, response to comment number 1 for a discussion of project selection and funding.

J Street Drain Project
Information Meeting
November 17, 2009



Name: MICHELLE HOFFMAN
Address: 607 LIGHTHOUSE WAY
PORT HUENEME
Phone: 246-5388
E-mail: lv4obike@yahoo.com
Question/Comment:
~~HOME~~ CONCERNS ABOUT J STREET DRAIN
PROJECT & LACK OF COMMUNICATION
TO NEARBY RESIDENTS

52-1


Letter 52

Michelle Hoffman

November 17, 2009

1. This comment states the resident's general concern over the project and states that there was a lack of communication to nearby residents. Please see Letter 21b, response to comment number 4.

J Street Drain Project
Information Meeting
November 17, 2009




Name: Marion Kelemen
Address: 962 Lighthouse Way
Port Hueneheme 93041
Phone: _____
E-mail: lighthousecrew@verizon.net
Question/Comment:
Leak Control does NOT work!
We need an ALTERNATE Solution to
the Backwater/Stagnant water
Mosquito problem.

53-1

Letter 53
Marion Kelemen
November 17, 2009

1. This comment expresses concerns about the effectiveness of vector control and a desire for an alternate solution to the backwater issue and mosquitoes. Regarding vector control, please see Letter 13, response to comment number 6. Regarding backwater, please see Letter 13, response to comment number 11 and Letter 15, response to comment number 3. Regarding mosquitoes, please see Letter 13, response to comment number 4.

J Street Drain Project
Information Meeting
November 17, 2009



Name: DEXTER KELLY
Address: 862 BLUEWATER WAY
PORT HUENEME CA 93041
Phone: 805-246-5462

E-mail: pinicola@gmail.com


Question/Comment: comment letter emailed to Angela Boylston on Nov. 17, 2009. I oppose the deepening and widening of the canal adjacent to Surfside III, and propose instead an alternative of controlled breaching of the lagoon for flood control and lagoon preservation.

54-1

Letter 54
Dexter Kelly
November 17, 2009

1. This comment states the resident's general objection to the project and suggests controlled breaching of the berm as an alternative. Please see Letter 13, response to comment number 11.

J Street Drain Project
Information Meeting
November 17, 2009



Name: LOUIS (Skip) PERRY
Address: 974 Lighthouse Way
Pear Harbor, CA 93041
Phone: 805 5581840
E-mail: _____
Question/Comment: PLEASE SEE ATTACHED IN ADDITION TO BELOW
AS A BD MEMBER OF SSIII ON BEHALF OF THE Bd, 309
OWNERS + OVER 1000 RESIDENTS WE ARE STRONGLY
OPPOSED TO THE CURRENT PLANS. LACK OF RESPONSE TO
OUR PREVIOUSLY ASKED QUESTIONS. AND OUR LEGAL (OVER)

55-1

- LEGAL COUNCIL'S CONCERNS
- SOME OF CONCERNS - BUT NOT ALL
- 1) FAILURE TO NOTIFY PUBLIC
 - 2) FAILURE TO PROVIDE COMPLETE SURVEY'S SHOWING MEASUREMENTS: AMOUNT OF TREES, LANDSCAPE AND BUILDINGS DAMAGED
 - 3) ADDRESSING STAGNANT WATER
 - 4) ADDRESSING MOSQUITO PROBLEMS - WHICH ARE HEALTH
 - 5) ADDRESSING ALTERNATIVES
 - 6) RE-CONNECTING 3 FOOT LINE TO OCEAN
 - 7) DEBRIS IN CANAL FLOWING TO OCEAN - FOR BLOCKING CANAL FLOW
 - 8) CONNECTION TO HAWAIIAN SLAY HEAP
 - 9) VEGETATION REPLACEMENT IS NOT ADEQUATE
 - 10) PRESENCE OF PLANS TO PROTECT GABI'S + WILDLIFE BUT NOT HUMAN LIFE
 - 11) PLANS TO COMPENSATE SSIII FOR DAMAGE

55-2

55-3

55-4

55-5

55-6

55-7

55-8

55-9

55-10

55-11

55-12

Letter 55

Louis (Skip) Perry

November 17, 2009

1. This comment states the resident's general opposition and raises eleven issue areas. This comment states that there was a failure to respond to previously asked questions. Because the specific questions are not provided in the comment, it is difficult to answer them here. However, the District did document Surfside III comments received prior to release of the DEIR in November 2009, and every effort was made to incorporate these requests in the DEIR.
2. This comment states that the District failed to notify the public. Please see Letter 21b, response to comment number 4.
3. This comment states that the District failed to provide a complete survey showing measurements for the number of trees, landscape and building damage.

Section 4.1 of the DEIR provides a discussion of the visual setting of the project area and the potential impacts to the trees and landscaping. Photographs of the surrounding area are provided in Section 4.1. The impact discussion is provided in Section 4.1.4 of the DEIR. Significant thresholds are addressed according to the thresholds set forth by the County of Ventura Initial Study Assessment Guidelines, County of Ventura Administrative Supplement to the State *CEQA Guidelines*, County of Ventura General Plan, and the State *CEQA Guidelines*. The impacts were analyzed in compliance with the significance thresholds provided in the documents listed. Mitigation measures were identified pursuant to *CEQA Guidelines Sections 15126.4(a)* and *15370*.

An estimate detailing the landscape and hardscape replacement costs resulting from the temporary work easement will be developed in coordination with the Surfside III Landscaping committee. The replacement costs would be borne by the District. Where retaining walls, walkways, and planters would be removed within the temporary work easement, they will be replaced in kind as part of the construction project to be administered by the District. The Real Estate Services Division will contact the Homeowner's Association Board to negotiate an agreement regarding plant replacement between the District and Surfside III Landscape Committee. In addition, property damage, if any, would be rectified by the contractor's insurance company as provided for in Section 7-4 of the Ventura County Standard Specification (VCSS).

The District will work with the Surfside III condominium community to address the residents' concerns and to the greatest extent feasible mitigate the impacts associated with the proposed project.

4. This comment states that the 2009 DEIR failed to address stagnant water. Please see Letter 15, response to comment number 3.
5. This comment states the resident's concern regarding mosquitoes. Please see Letter 13, responses to comment numbers 4 and 6.
6. This comments states "addressing alternatives"; however, the comment does not identify a specific alternative to be analyzed. Please see Letter 51, response to comment number 1.

7. This comment requests the District to reconnect a three-foot-diameter rubber line from the Hueneme Drain Pump Station to the ocean.

In the mid-1990s, the U.S. Army Corps of Engineers (USACE) authorized the District to install a 14-inch-diameter temporary floating polyethylene pipeline from a Hueneme Drain Pump Station outlet 900 feet to the Pacific Ocean. The purpose of the pipe was to prevent any rise in the J Street Drain water level above that observed on the date of pipe installation by discharging Hueneme Drain flow directly to the ocean. The permit expired, and the USACE required immediate removal of the temporary pipeline. Reinstalling this pipeline as a permanent feature would not resolve the issue of standing water in J Street Drain because the pipe outlet would become buried by sand due to wind and wave action, preventing discharge to the ocean and creating a maintenance obstacle. The RDEIR proposes a Beach Elevation Management Plan (BEMP) instead of a pipeline.

8. Debris in Drain

Please see Letter 11, responses to comments 3 and 4.

9. Connection to Halaco site.

The Halaco site is discussed in Section 4.8 of the RDEIR. Please see Letter 13, response to comment number 10.

10. Landscaping replacement



Please see Letter 21b, response to comment number 2, and Letter 33, response to comment number 3.

11. Plans to protect gobies and wildlife but not human life.

Please see Letter 50, comment number 3.

11. Compensation to Surfside III residents

An estimate detailing the landscape and hardscape replacement costs resulting from the temporary work easement will be developed in coordination with the Surfside III Landscaping committee. The replacement costs would be borne by the District. Where retaining walls, walkways, and planters would be removed within the temporary work easement, they will be replaced in kind as part of the construction project to be administered by the District. The Real Estate Services Division will contact the Homeowner's Association Board to negotiate an agreement regarding plant replacement between the District and Surfside III Landscape Committee. In addition, property damage, if any, would be rectified by the contractor's insurance company as provided for in Section 7-4 of the Ventura County Standard Specification (VCSS).

<p>J Street Drain Project Information Meeting November 17, 2009</p> 	<p>Name: <u>Anthony Tamez</u> Address: <u>814 Blue Water Way</u> <u>San Jose 111</u> Phone: <u>805 986-4226</u></p>
<p>E-mail: <u>HTRUET  @Yahoo.com</u> <u>zero</u></p>	
<p>Question/Comment: <u>What happened to the 3 foot Diameter</u> <u>Rubberized Pipe that extends from to</u> <u>Right Edge (facing ocean) of the J Street Canal</u> <u>to the Ocean ??</u></p>	

56-1

Letter 56


Anthony Truex

November 17, 2009

1. This comment requests the District to reconnect a three-foot-diameter rubber line from the Hueneme Drain Pump Station to the ocean.

In the mid-1990s, the U.S. Army Corps of Engineers (USACE) authorized the District to install a 14-inch-diameter temporary floating polyethylene pipeline from a Hueneme Drain Pump Station outlet 900 feet to the Pacific Ocean. The purpose of the pipe was to prevent any rise in the J Street Drain water level above that observed on the date of pipe installation by discharging Hueneme Drain flow directly to the ocean. The permit expired, and the USACE required immediate removal of the temporary pipeline. Reinstalling this pipeline as a permanent feature would not resolve the issue of standing water in J Street Drain because the pipe outlet would become buried by sand due to wind and wave action, preventing discharge to the ocean and creating a maintenance obstacle. The RDEIR proposes a Beach Elevation Management Plan (BEMP) instead of a pipeline.

J Street Drain Project
Information Meeting
November 17, 2009




Name: Linda Vpatch
Address: 858 Bluewater Way
Port Aueneme CA 93041
Phone: 805-469-9119
E-mail: lvbee20@yahoo.com
Question/Comment:
I have a concerns/health concerns
regarding the ^{excessive} mosquito issue that
is related to standing stagnant water
already on the J St. Canal. What issue's have
you investigated regarding this topic: and
How are you going to correct this health issue?

57-1

Letter 57
Linda Veatch
November 17, 2009


1. This comment states the resident's concern regarding mosquitoes. Please see Letter 13, responses to comment numbers 4 and 6.

<p>J Street Drain Project Information Meeting November 17, 2009</p> 	<p>Name: <u>JOHN WELKEIL</u></p> <p>Address: <u>812 BLUEWATER</u> <u>PH.</u></p> <p>Phone: <u>488 - 3738</u></p>
<p>E-mail: <u>JA. WELKEIL @ VERIZON . NET</u></p>	
<p>Question/Comment:</p> <p><u>WHERE DOES THE WATER GO AFTER THE END OF J ST.</u> <u>CANAL? - THIS IS NOT ADDRESSED IN EIR.</u></p>	

58-1

Letter 58
John Welker
November 17, 2009

1. This resident would like to know where the water goes after J Street Canal. Section 4.3 of the RDEIR provides a description of the existing hydrologic setting of the project area. The J Street Drain was constructed in the 1950s and lined with concrete in the early 1960s to channel urban runoff into the ocean. When constructed, the J Street Drain discharged water directly to the ocean by breaching. Presently, due to beach expansion and the formation of the current berm, this drain flows into the Ormond Lagoon. Man-made drainage improvements involving the OID, Hueneme Drain, and J Street Drain caused a second small lagoon to develop near the end of the J Street Drain. Eventually, the two small lagoons became hydraulically connected and grew to the current configuration. Ultimately, the water is discharged into the ocean when the lagoon breaches during winter storms. Please also see Letter 13, response to comment number 7.

<p>J Street Drain Project Information Meeting November 17, 2009</p> 	<p>Name: <u>MYRLE ANN WELKER</u> Address: <u>812 BLUEWATER WAY</u> <u>PORT HUENZEME</u> Phone: <u>488-3738</u></p>	<p>RECEIVED NOV 25 2009 WATERSHED PROTECTION DIST.</p>
<p>E-mail: <u>JAWELKER@VERIZON.NET</u></p>		
<p>Question/Comment: <u>This is all that's needed - <u>no</u></u> <u>Project</u></p>		
<p>The EAP defines a set of extreme environmental conditions that together constitute an emergency, triggering a predetermined list of actions to temporarily connect the lagoon to the ocean, preventing flooding of developed properties. The existing, and proposed, end of the Drain is at Ormond Lagoon, an environmentally sensitive coastal wetland.</p>		

59-1

Letter 59

Myrle Anne Welker

November 17, 2009

1. This comment states that the EAP is the only portion of the proposed project that is needed. The Emergency Action Plan has been replaced with the Beach Elevation Management Plan (BEMP). Please also see Letter 13, comment number 11, and Letter 15, comment number 3.

Jan 11 10:02:48p

Mr Parliamentarian

818 892 4608

p.2

Mister
Parliamentarian
managing the business of your meeting

JAMES STEWART
Professional Registered Parliamentarian

January 6, 2010

Ventura County Watershed Protection District
Attention: Angela Bonfiglio Allen
800 South Victoria Avenue
Ventura, CA 93009-1610

RE: Public Input to DEIR Clearinghouse # 2008041057 from Surfside III Residents

Dear Angela:

I have been engaged to provide an independent certification of the responses to the enclosed petition forms from owners at Surfside III. I certify that I am independent of the owners association and any individual owners of Surfside III.

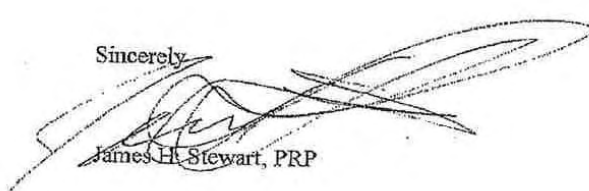
There are 130 signed petitions enclosed

The owners group circulated these petitions to garner public comment from the owners at Surfside III. I have been informed that the key issues are mosquitoes breeding in the standing water in the J Street drains and the general effect on quality of life that this proposed project would have on the residents of Surfside III.

Please accept the enclosed petitions as part of the public comment process to DEIR # 2008041057

60-1

Sincerely,


James H. Stewart, PRP

Phone: (818) 892-9478 • Fax: (818) 892-4608 • www.mr-parliamentarian.com • jim@mr-parliamentarian.com
8352 Costello Avenue, Panorama City, CA 91402

Letter 60

Mr. Parliamentarian (James H. Stewart)

January 6, 2010

1. This comment is the independent certification of the petition forms from the residents of Surfside III. *Section 15088* of the *State CEQA Guidelines* requires that the Lead Agency evaluate comments on environmental issues received from parties who reviewed the 2009 Draft EIR and prepare a written response to each comment. The comment does not address the adequacy of the analyses presented in the 2009 DEIR. No additional response is required.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment..."
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site."

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

NAME [print and sign] Craig Acerron Craig Acerron

[2nd] NAME [print and sign] Marianne Acerron Marianne Acerron

ADDRESS 636 Surfside Way Port Huemene CA 93041

DATE 11/30/09

Letter 61
Craig and Marianne Acerboni
November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (1 of 132)

1. This comment states the resident's general opposition to the project. *Section 15088 of the State CEQA Guidelines* requires that the Lead Agency evaluate comments on environmental issues received from parties who reviewed the Draft EIR and prepare a written response to each comment. The comment does not address the adequacy of the analyses presented in the DEIR. No additional response is required. However, the Board of Supervisors will review comments letters on the Draft EIR prior to rendering a decision on the project and this comment letter is part of the official record of the EIR. Please see Letter 48, response to comment number 1 regarding project selection and funding.

2. Protection from 100 year flood

This comment quotes the following District documentation: "the channel's ...effects have resulted in flooding in adjacent neighborhood." The source of this quote is unclear, as it does not appear to originate from the DEIR. The comment goes on to state that there is no record of flooding in adjacent neighborhoods. The District agrees that prior to the date of your letter, there was no record of flooding in the J Street Drain watershed. The watershed has not experienced a 100-year flood to date. However, in the event a flood of that magnitude does occur within the watershed, property damage would result. Please see Letter 13, response to comment number 11.

On January 18, 2010, the District did respond to a flood emergency caused by unusually tall sand build up between the Ormond Beach Lagoon and the Pacific Ocean. Perkins Road, the International Paper Plant, and the Oxnard Waste Water Treatment Plant (OWWTP) were inundated by several feet of water. Flooding affected electrical systems, threatening to shut down OWWTP operations and release untreated sewage into neighboring residential, industrial, road, beach, and lagoon areas. Catastrophic sewage release was averted by creating a breach channel from the lagoon to the ocean. The District obtained emergency permits from all regulatory agencies before initiating this work. The flooding occurred during a minor (less than 2-year) rainfall event. To prevent such a disaster in the future, the proposed project includes a Beach Elevation Management Plan (BEMP). The BEMP alone, without channel enlargement, would not provide flood protection for events larger than a 10-year flood. Such an event would overtop the existing channel walls and flow onto adjacent properties north of the lagoon and beach area.

FEMA – no flood hazard zone

Please see Letter 13, response to comment number 11.

3. Failure to notify the residents of public meetings and input opportunities.

Please see Letter 21b, response to comment number 4.

Elimination of Alternative Plans to Resolve Unacceptable Backwater Effect

Please see Letter 15, response to comment number 3.

4. Failure of vector control measures to address mosquitoes. Please see Letter 13, responses to comment nos. 4 and 6.
5. This comment reiterates the resident's opposition to the project and requests the 2009 DEIR be withheld until further analysis. Based upon new information, revisions to the *Ventura County Initial Study Assessment Guidelines*, and comments on the 2009 DEIR, the District has produced a Revised DEIR (RDEIR). The RDEIR will be available for a 45-day comment period and per Section 15088.5 (f) of the State CEQA Guidelines, the public is invited to comment on the Recirculated DEIR. Comments shall be limited to revised portions of the document, as indicated by underlined and ~~strike-through text~~.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

62-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

62-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

62-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

62-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

62-5

NAME [print and sign]

Melanie Adam

12th NAME [print and sign]

ADDRESS 655 Bluewater Way PortHueneme, CA 93041

DATE 12/1/09

mailing address: 1707 West Riverside Drive, Burbank, CA 91506

Letter 62
Melanie Adam
December 1, 2009

This letter is part of the Surfside III Residential Petition to the project (2 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

63-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

63-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment...".
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site."

63-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

63-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

63-5

NAME [print and sign] Joyce Alcorn Joyce Alcorn

[2nd] NAME [print and sign]

ADDRESS 755 Reef Cr. Port Huenehue, Ca 93041

DATE 12/2/09

Letter 63
Joyce Alcorn
December 2, 2009

This letter is part of the Surfside III Residential Petition to the project (3 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

NAME [print and sign] LINDA ALDOUS / Linda Aldous

[2nd] NAME [print and sign] CAROL LONGHOM / Carol Longhom

ADDRESS 649 SUNFISH WAY PORT HUENEME 93041

DATE 11/28/09

PS - the mosquito problem is very serious. we have been bitten several times sitting on our patio in the evening. I'm afraid of getting West Nile virus. Linda Aldous

Letter 64**Linda Aldous and Carol Longhorn****November 28, 2009**

This letter is part of the Surfside III Residential Petition to the project (4 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

Regarding comment number 6 handwritten at the bottom of the form letter, please see Letter 13, responses to comment nos. 4 and 6.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

65-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

65-2

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

65-3

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

65-4

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

65-5

NAME [print and sign]

LINDA ALDONS *Linda Aldons*

[2nd] NAME [print and sign]

Carol Longhorn *Carol Longhorn*

ADDRESS

649 Sunfish way Port Hueneme Ca 93041

DATE

12/4/09

Letter 65**Linda Aldous and Carol Longhorn****December 4, 2009**

This letter is part of the Surfside III Residential Petition to the project (5 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

66-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

66-2

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

66-3

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

66-4

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

66-5

NAME [print and sign]

BEVERLY ALEXANDER
Beverly Alexander

[2nd] NAME [print and sign]

ADDRESS *779 Reef Circle, Port Hueneme 93041*

DATE *12/3/09*

Letter 66
Beverly Alexander
December 3, 2009

This letter is part of the Surfside III Residential Petition to the project (6 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDE III COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval -- both as taxpayer in Ventura County and as an owner or resident of Surfside III -- of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

67-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

67-2

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment...".
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

67-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem -- and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "the impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

67-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

67-5

NAME [print and sign]

Melissa Allman

[2nd] NAME [print and sign]

Melissa

ADDRESS

916 Lighthouse Wy PT Hueneme CA 93041

DATE

12/2/09

Letter 67
Melissa Allman
December 2, 2009

This letter is part of the Surfside III Residential Petition to the project (7 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

68-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

68-2

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

68-3

* DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment..."

* DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site."

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

68-4

* DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.

* DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

68-5

NAME [print and sign]

Charles Ansel

[2nd] NAME [print and sign]

ADDRESS

687 Reef Circle, Pt. Puenente, CA

DATE

12/1/09

93041

Letter 68
Charles Ansel
December 1, 2009

This letter is part of the Surfside III Residential Petition to the project (8 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT

SURFSIDE III COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER EFFECT.

- * DEIR states (under 'Existing Conditions') "Water levels in the lagoon and the drain are a function of the increased standing water containment...".
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site."

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld until such time that VCWPD complies with its responsibility to protect us from the health hazard of stagnant water – by proposing a new plan to resolve this problem.

NAME [print and sign] Catherine Bandy Catherine Bandy

[2nd] NAME [print and sign] _____

ADDRESS 854 Bluewater Way, Pt. Pueneno, CA 93041

DATE 12-2-09



69-1

69-2

69-3

69-4

69-5

Letter 69
Catherine Bandy
December 2, 2009

This letter is part of the Surfside III Residential Petition to the project (9 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

70-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

70-2

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

70-3

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

70-4

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

70-5

NAME [print and sign]

[2nd] NAME [print and sign]

ADDRESS

DATE

Letter 70
Shannon D. Barbour
December 8, 2009

This letter is part of the Surfside III Residential Petition to the project (10 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

71-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD

VC WPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

71-2

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before **ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT**

DEIR states [under "Existing Conditions"] "Water levels in the lagoon and the drain are a function of the increased standing water containment..."

71-3

- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.

71-4

- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

71-5

NAME [print and sign] NANCY BARKER Nancy Barker

[2nd] NAME [print and sign] _____

ADDRESS 836 BLUEWATER WAY

DATE 11/28/09

Letter 71
Nancy Barker
November 28, 2009

This letter is part of the Surfside III Residential Petition to the project (11 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

72-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

72-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

72-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

72-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

72-5

NAME [print and sign]

NANCY BARKER Nancy Barker

[2nd] NAME [print and sign]

ADDRESS

806 BLUEWATER WAY

DATE

11/28/09

Letter 72
Nancy Barker
November 28, 2009

This letter is part of the Surfside III Residential Petition to the project (12 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

NAME [print and sign]

Tom Eugene Barwick *Tom Eugene Barwick*[2nd] NAME [print and sign]

ADDRESS

641 Bluewater Way Port Hueneme Ca 93041

DATE

Dec 3, 2009

[OWNER]

Letter 73

Tom E. Barwick

December 3, 2009

This letter is part of the Surfside III Residential Petition to the project (13 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

74-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

74-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

74-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

74-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

74-5

NAME [print and sign] Maureen Bates

[2nd] NAME [print and sign] Maureen Bates

ADDRESS 657 Reef Circle Port Huermes Ca

DATE 12-1-09

Letter 74

Maureen Bates

December 1, 2009

This letter is part of the Surfside III Residential Petition to the project (14 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

75-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

75-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

75-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

75-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

75-5

NAME [print and sign]

DONNA BAYET

[2nd] NAME [print and sign]

ADDRESS

603 W 1st St Santa Barbara CA 93101

DATE

11-28-09

Letter 75

Donna Bayet

November 28, 2009

This letter is part of the Surfside III Residential Petition to the project (15 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

76-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

76-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

76-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

76-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

76-5

NAME [print and sign] James Bell

[2nd] NAME [print and sign] [Signature]

ADDRESS 663 Surfside Way P.A. 93041

DATE 12-1-9

Letter 76
James Bell
December 1, 2009

This letter is part of the Surfside III Residential Petition to the project (16 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

77-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

77-2

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

77-3

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

77-4

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

77-5

NAME [print and sign]

Garen Bell *Garen Bell*

[2nd] NAME [print and sign]

ADDRESS

659 Sunfish Way P.A. 93041

DATE

12-1-09

Letter 77
Karen Bell
December 1, 2009

This letter is part of the Surfside III Residential Petition to the project (17 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDE III COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval -- both as taxpayer in Ventura County and as an owner or resident of Surfside III -- of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

78-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

78-2

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

78-3

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment...".
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem -- and subsequent failure of VCWPD to respond with Alternative Plan.

78-4

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

78-5

NAME [print and sign]

WILLIAM A. BETTS - *WABetts*[2nd] NAME [print and sign]

ADDRESS 556 EBBTIDE CIRCLE.

DATE 12/1/09

Letter 78
William A. Betts
December 1, 2009

This letter is part of the Surfside III Residential Petition to the project (18 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

79-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

79-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

79-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

79-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

79-5

NAME [print and sign]

NANCY BLACK

Nancy J. Black

[2nd] NAME [print and sign]

Robert M. Black

Robert M. Black

ADDRESS

810 Bluewater Way - Port Auferne

DATE

11-30-09

Letter 79

Nancy and Robert Black

November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (19 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

80-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

80-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

80-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

80-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

80-5

NAME [print and sign] SONORA GARNER BRIGGS Santa G. Briggs

[2nd] NAME [print and sign] VCWPD

ADDRESS 760 Seawind Way, Port Hueneume CA 93041

DATE 12-1-09

Letter 80
Sandra G. Briggs
December 1, 2009

This letter is part of the Surfside III Residential Petition to the project (20 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

81-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

81-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

81-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

81-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

81-5

NAME [print and sign]

EARL BRIDY *Earl Bridy*

[2nd] NAME [print and sign]

SUSAN BRIDY *Susan Bridy*

ADDRESS

681 Bluewater Way Pt Hueneme, CA 93041

DATE

12/2/2009

Letter 81
Earl and Susan Broidy
December 2, 2009

This letter is part of the Surfside III Residential Petition to the project (21 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

82-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

82-2

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

82-3

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment...".
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site."

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

82-4

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

82-5

NAME (print and sign) Amber Cannon

ADDRESS 809 BLENWATER WAY FORT HUEYME CA 93041

DATE 30 NOV 09

Letter 82

David and Lynn Cannon

November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (22 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

83-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

83-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

83-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

83-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

83-5

NAME [print and sign]

DAVID J. CANNON *David J. Cannon*

[2nd] NAME [print and sign]

Lynn W. Cannon *Lynn W. Cannon*

ADDRESS

804 BLUEWATER WAY Port Pueneme CA 93041

DATE

12/16/09

Letter 83

David and Lynn Cannon

December 16, 2009

This letter is part of the Surfside III Residential Petition to the project (23 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

84-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

84-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment...".
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

84-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

84-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

84-5

NAME [print and sign]

[2nd] NAME [print and sign]

ADDRESS

DATE

Letter 84

Janet D. Cauble

November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (24 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

85-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

85-2

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

85-3

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

85-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

85-5

NAME [print and sign] MARILYN R. CHAVEZ Marilyn R Chavez

[2nd] NAME [print and sign] _____

ADDRESS 702 BLUEWATER WAY PH. Ca 93041

DATE 12/5/09

Letter 85
Marilyn Chavez
December 5, 2009

This letter is part of the Surfside III Residential Petition to the project (25 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

86-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

86-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

86-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

86-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

86-5

NAME [print and sign]

Connie Cliff

[2nd] NAME [print and sign]

ADDRESS

914 Lighthouse Way

DATE

Dec 2, 09

Letter 86
Connie Clift
December 2, 2009

This letter is part of the Surfside III Residential Petition to the project (26 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

87-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

87-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

87-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

87-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

87-5

NAME [print and sign]

Lisa Costello [Signature]

[2nd] NAME [print and sign]

Antonio Garcia [Signature]

ADDRESS

984 Lighthouse Way Port Hueneme CA 93041

DATE

12-13-09

Letter 87

Lisa Costello and Antonio Garcia

December 13, 2009

This letter is part of the Surfside III Residential Petition to the project (27 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

88-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

88-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

88-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

88-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

88-5

NAME [print and sign] EDWARD D. CROZIER

[2nd] NAME [print and sign] CHERYL CROZIER

ADDRESS 775 REEF CIRCLE, PORT HUENEME, CA

DATE 12/3/09

Letter 88**Edward D. and Cheryl Crozier****November 29, 2009**

This letter is part of the Surfside III Residential Petition to the project (28 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

89-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

89-2

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

89-3

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment..."
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site."

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

89-4

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

89-5

NAME [print and sign] Antonio Lova

[2nd] NAME [print and sign] JANET STEWART COVA

ADDRESS 320 Cordova St. #114 - Paradise, CA. 91101

DATE Nov. 29, 2009

Letter 89**Antonio Cova and Janet Stewart-Cova****November 29, 2009**

This letter is part of the Surfside III Residential Petition to the project (29 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

90-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

90-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

90-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

90-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

90-5

NAME [print and sign]

[2nd] NAME [print and sign]

ADDRESS

DATE



Rosemarie Cowan
902 Lighthouse Way
Port Hueneme CA 93041-3529

Rosemarie Cowan

12-01-09

Letter 90
Rosemarie Cowan
December 1, 2009

This letter is part of the Surfside III Residential Petition to the project (30 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

91-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there:

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

91-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

91-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

91-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

91-5

NAME [print and sign]

MARILYN CURRIE-FITHIAN - *[Signature]*

[2nd] NAME [print and sign]

ADDRESS

617 Sunfish Way - Pt Hueneme 93041

DATE

12-3-09

Letter 91
Marilyn Cunial-Fithian
December 3, 2009

This letter is part of the Surfside III Residential Petition to the project (31 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

92-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

92-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

92-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

92-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

92-5

NAME [print and sign]

PATRICK DALTON

[2nd] NAME [print and sign]

DIANE DALTON

ADDRESS 992 LIGHTHOUSE WAY, PORT HUENEME, CA 93041

DATE 3 DECEMBER 2009

Letter 92

Patrick and Diane Dalton

December 3, 2009

This letter is part of the Surfside III Residential Petition to the project (32 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

93-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

93-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

93-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

93-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

93-5

NAME [print and sign]

Paul Diletti

[2nd] NAME [print and sign]

ADDRESS

828 Bluewater Ave

DATE

12-03-09

Letter 93
Paul Dileski
December 3, 2009

This letter is part of the Surfside III Residential Petition to the project (33 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

94-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

94-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

94-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

94-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

94-5

NAME [print and sign] BURTON DOLING - Burton Doling

[2nd] NAME [print and sign] ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT

ADDRESS 648 Sunfish Way - Port Auercus, Ca. 93041

DATE _____

Letter 94
Burton Doling
Undated

This letter is part of the Surfside III Residential Petition to the project (34 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

95-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

95-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

95-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

95-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

95-5

NAME [print and sign]

Linda Duenas

[2nd] NAME [print and sign]

Richard Chiochino

ADDRESS

1077 Light house Way

DATE

Dec 2, 2009

Letter 95**Linda Duenas and Richard Chiorino****December 2, 2009**

This letter is part of the Surfside III Residential Petition to the project (35 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

96-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

96-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

96-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

96-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

96-5

NAME [print and sign] WILLIAM D ELDER William D Elder

[2nd] NAME [print and sign] _____

ADDRESS 920 LIGHTHOUSE WAY PT HUE

DATE 12/12/09

Letter 96
William Elder
December 13, 2009

This letter is part of the Surfside III Residential Petition to the project (36 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

97-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

97-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

97-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

97-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

97-5

NAME [print and sign] Rosemarie F. Elias
[2nd] NAME [print and sign] J. J. Elias
ADDRESS 659 Bluewater Way, Port Huachuca, CA
DATE 12/6/09

Letter 97
Rosemarie E. Elms
December 6, 2009

This letter is part of the Surfside III Residential Petition to the project (37 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

* DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.

* DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

* DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.

DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

NAME [print and sign]

[2nd] NAME [print and sign]

ADDRESS

DATE

Letter 98
Penny Foote
December 4, 2009

This letter is part of the Surfside III Residential Petition to the project (38 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

The following additional comments were provided on the form letter.

6. This comment suggests that widening the drain will be visually unpleasing.

Please see Letter 13, response to comment no. 9.

7. This comment reiterates the resident's concern regarding the 100-year flood plain. Please see the response to comment number 2 in Letter 61 above. It also states mosquitoes are numerous. Please see the response to comment number 4 in Letter 61 above.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

99-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

99-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

99-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

99-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

99-5

NAME [print and sign] FRANK GALGANO

[2nd] NAME [print and sign] Frank Galgano

ADDRESS 761 Reef Circle Port Hueneme CA 93041

DATE December 1, 2009

Letter 99
Frank Galgano
December 1, 2009

This letter is part of the Surfside III Residential Petition to the project (39 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

100-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

100-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

100-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

100-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

100-5

NAME [print and sign] AL & SANDY GALLUZZO
 [2nd] NAME [print and sign] A Galluzzo Linda Galluzzo
 ADDRESS 633 WILKINSON WAY, PORT HUENEME, CA 93041
 DATE 12/15/09

Letter 100
Al and Sandy Galluzzo
December 15, 2009

This letter is part of the Surfside III Residential Petition to the project (40 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

101-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

101-2

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

101-3

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment..."
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site."

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

101-4

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

101-5

NAME [print and sign]

2nd NAME [print and sign]

ADDRESS

DATE

Letter 101
Steve and Robin Ginter
November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (41 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

102-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

102-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

102-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

102-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

102-5

NAME [print and sign]

Margaret Goyak Margaret Goyak

[2nd] NAME [print and sign]

ADDRESS

677 Reef Circle Port Hueneme

DATE

11-29-09

Letter 102
Margaret Goyak
November 29, 2009

This letter is part of the Surfside III Residential Petition to the project (42 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

103-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

103-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment..."
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site."

103-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

103-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

103-5

NAME [print and sign] BERTA GRACIANO

[2nd] NAME [print and sign] JOSEPH BUCHANAN

ADDRESS 651 Blue mals way, PH, CA 93041

DATE Dec. 3, 2009

Letter 103
Berta Graciano and Joseph Buchman
December 3, 2009

This letter is part of the Surfside III Residential Petition to the project (43 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

104-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

104-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment..."
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site."

104-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

104-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

104-5

NAME [print and sign]

Ira Green Ira Green

2nd NAME [print and sign]

ADDRESS 912 Lighthouse Way, Port Huena, CA 93041

mailing address 15440 W. Longbow Drive, Sherman Oaks, CA 91403-4960

DATE

12/20/2009

Major Issues 1. Vector Control

2. Surfside III Boarder damage

105-6

105-7

Letter 104
Ira Green
December 28, 2009

This letter is part of the Surfside III Residential Petition to the project (44 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

The following additional comments were provided on the form letter.

6. This comment reiterates the resident's concern with vector control. Please see response to comment number 4 in Letter 61 above regarding the mosquito issue.

The comment letter received from the Resource Management Agency, Environmental Health Division on December 21, 2009 (Letter 7) verifies that all mosquito breeding sources in the surfside area are inspected by the Environmental Health Division (EHD) on a routine basis and treated as needed. EHD states that mosquito control in the surfside area occurs more often in the wetland sources than the J Street Drain channel.

7. This comment states there will be damage to the border of the Surfside III Condominiums.

An estimate detailing the landscape and hardscape replacement costs resulting from the temporary work easement will be developed in coordination with the Surfside III Landscaping committee. The replacement costs would be borne by the District. Where retaining walls, walkways, and planters would be removed within the temporary work easement, they would be replaced in kind as part of the construction project to be administered by the District. The Real Estate Services Division will contact the Homeowner's Association Board to negotiate an agreement regarding plant replacement between the District and Surfside III Landscape Committee. In addition, property damage, if any, would be rectified by the contractor's insurance company as provided for in Section 7-4 of the Ventura County Standard Specification (VCSS).

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

105-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

105-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

105-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

105-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

105-5

NAME [print and sign]

Ira Giverson Jr. Sean

[2nd] NAME [print and sign]

948 Lighthouse Way, Port Huene, CA 93041

ADDRESS

Mailing address 15440 W. Longbow Drive, Sherman Oaks, CA

DATE

12/28/2009

91403-4910

Major Issues 1. Vector Control

2. SurfsideIII Border Damage

105-6

105-7

Letter 105
Ira Green
December 28, 2009

This letter is part of the Surfside III Residential Petition to the project (45 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 62, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

The following additional comments were provided on the form letter.

6. This comment reiterates the resident's concern with vector control. Please see response to comment number 4 in Letter 61 above regarding the mosquito issue, and response to comment number 6 in Letter 104.

7. This comment states there will be damage to the Surfside III Condominiums.

Please see Letter 104, response to comment number 7.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

106-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

106-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

106-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

106-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

106-5

NAME [print and sign]

Ira Green Ira Green

2nd NAME [print and sign]

ADDRESS 924 Lighthouse Way Port Hueneoma, CA 93041
mailing address 15440 W. Longhollow Drive, Sherman Oaks, CA 91403-4910

DATE

12/28/2009

Major Issues: 1. Vector Control
2. Surfside III Border Damage

106-6

106-7

Letter 106
Ira Green
December 28, 2009

This letter is part of the Surfside III Residential Petition to the project (46 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

The following additional comments were provided on the form letter.

6. This comment reiterates the resident's concern with vector control. Please see response to comment number 4 in Letter 61 above regarding the mosquito issue, and response to comment number 6 in Letter 104.

7. This comment states there will be damage to the Surfside III Condominiums.

Please see Letter 104, response to comment number 7.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

107-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

107-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

107-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

107-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

107-5

NAME [print and sign]

ALAN GRIERSON

[2nd] NAME [print and sign]

CAROLINE P. GRIERSON, CAROLINE P. GRIERSON

ADDRESS

703 Reef Circle Dr. Port Hueneme, CA 93041

DATE

12/15/09

Letter 107
Ralph and Caroline Grierson
December 15, 2009

This letter is part of the Surfside III Residential Petition to the project (47 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

108-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

108-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment...".
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

108-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

108-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

108-5

NAME [print and sign]

Nathan Gruenbaum

[2nd] NAME [print and sign]

BRADY TA... GRUENBAUM

ADDRESS

709 REEF CIRCLE, PORT HUENEME CA 93041

DATE

11/30/2009

Letter 108
Nathan and (illegible) Gruenbaum
November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (48 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDE III COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

109-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

109-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

109-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

109-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

109-5

NAME [print and sign]

Gwen Hardinghaus, Gwen Hardinghaus

[2nd] NAME [print and sign]

ADDRESS

634 Sunfish Way

DATE

11/30/09

Letter 109
Gwen Hardinghaus
November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (49 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

110-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

110-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment..."
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site."

110-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

110-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

110-5

NAME [print and sign]

MICHELLE HOFFMAN

[2nd] NAME [print and sign]

NADEP

ADDRESS

623 SUNFISH WAY PORT HUENEME *

DATE

12/8/09

OWNER - MY ADDRESS - 607 LIGHT HOUSE
 PORT HUENEME

Letter 110
Michelle Hoffman
December 8, 2009

This letter is part of the Surfside III Residential Petition to the project (50 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

111-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,790,000 flood there.

111-2

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

111-3

- * DEIR states [under “Existing Conditions”] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

111-4

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

111-5

NAME [print and sign]

[2nd] NAME [print and sign]

ADDRESS

DATE

Letter 111
Dorothy J. Holden
November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (51 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT

SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

112-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

112-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

112-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

112-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

112-5

NAME [print and sign]

Donna E. Holt Donna E. Holt

[2nd] NAME [print and sign]

Property Owner - Re:

631 Seafish Way
Port Huachuca, CA 93041

Residence:

ADDRESS 2404 Via Mariposa West-2A, Laguna Woods, CA 92637

DATE

12/7/09

Letter 112
Donna E. Holt
December 7, 2009

This letter is part of the Surfside III Residential Petition to the project (52 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

113-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

113-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

113-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

113-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

113-5

NAME [print and sign] MARTIN HOLZMAN

[2nd] NAME [print and sign] Rosalie Holzman

ADDRESS 695 Bluewater Way, Port Hueneme

DATE 11/30/09

Letter 113
Martin and Rosalie Holzman
November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (53 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

Letter 114
William and Jacqueline Hornbeck
December 2, 2009

This letter is part of the Surfside III Residential Petition to the project (54 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

115-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

115-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

115-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

115-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

115-5

NAME [print and sign]

Mary House

Mary House

[2nd] NAME [print and sign]

CELIA R. BACKWATER-EFFECT

ADDRESS

6601 BLUE WATER WAY, PT. MENDOZA

DATE

12-2-09

Letter 115
Mary House
December 2, 2009

This letter is part of the Surfside III Residential Petition to the project (55 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

116-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

116-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment..."
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site."

116-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

116-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

116-5

NAME [print and sign] Edmond Hui

[2nd] NAME [print and sign] Betty Hui

ADDRESS 665 Reef Circle, Port Hueneme CA 93041

DATE _____

Letter 116
Edmond and Betty Hui
Undated

This letter is part of the Surfside III Residential Petition to the project (56 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

117-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

117-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

117-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

117-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

117-5

NAME [print and sign]

Remo Tezza

[2nd] NAME [print and sign]

ADDRESS

606 Sunfish Way, Port Huenehue

DATE

11/30/09

Letter 117
Remo Iezza
November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (57 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

118-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

118-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

118-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

118-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

118-5

NAME [print and sign]

Remo Tezcan

[2nd] NAME [print and sign]

ADDRESS

737 Reef Circle, Port Hueneme

DATE

Letter 118
Remo Iezza
Undated

This letter is part of the Surfside III Residential Petition to the project (58 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

119-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

119-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.”

119-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

119-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

119-5

NAME [print and sign] CHERI JASINSKI

[2nd] NAME [print and sign]

ADDRESS 940 Light House Way, Port Pineda

DATE 11/29/09

Our development has already suffered severe loss to value. Please do not make it even worse by promoting mosquito habitats.

120-6

Letter 119
Cheri Jasinski
November 29, 2009

This letter is part of the Surfside III Residential Petition to the project (59 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

Comment number 6 states that the Surfside III development has suffered loss in value, and requests that the District not promote mosquito habitat. Please see response to Letter 61, comment number 4.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

120-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

120-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

120-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

120-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

120-5

NAME [print and sign]

[2nd] NAME [print and sign]

ADDRESS 5446 8 TH ST #19 Carpinteria CA 93013 765 Reef Circle PH

DATE 12/06/09

Letter 120
Stephen Joyce
December 6, 2009

This letter is part of the Surfside III Residential Petition to the project (60 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

121-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

121-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

121-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

121-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

121-5

NAME [print and sign]

MARION KEENE *Marion Keene*

[2nd] NAME [print and sign]

ADDRESS

962 Lighthouse Way Fort Huacana 93041

DATE

Dec 1, 2009

Letter 121
Marion Kelemen
December 1, 2009

This letter is part of the Surfside III Residential Petition to the project (61 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDE/III COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

122-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

122-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

122-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

122-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

122-5

NAME [print and sign]

DEXTER KELLY *Dexter Kelly*

[2nd] NAME [print and sign]

ELIZ. RINWANDER *Eliz. Rinwander*

ADDRESS

862 BLUE WATER Way, PORT HUENEME CA 93041

DATE

12/4/2009

Letter 122
Dexter Kelly and Eliz Rinnander
December 4, 2009

This letter is part of the Surfside III Residential Petition to the project (62 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

123-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

123-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment...".
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

123-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

123-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

123-5

NAME [print and sign]

PERDITA R. KLEHNT *Perdita R. Klehnt*

[2nd] NAME [print and sign]

ADDRESS 37503 Camino P. S. N. A., 1st DIO, CA. 92203 *mail address*

DATE

12/2/09

Letter 123
Perdita R. Klehmet
December 2, 2009

This letter is part of the Surfside III Residential Petition to the project (63 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

124-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

124-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

124-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

124-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

124-5

NAME [print and sign]

CARMELA LINA KNIEREM *Carmela Lina Knierem*

NAME [print and sign]

ADDRESS

602 Ebbtide Circle, Pt. Puenome, Ca.

DATE

12/4/09

Letter 124
Carmela L. Knieriem
December 4, 2009

This letter is part of the Surfside III Residential Petition to the project (64 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

125-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

125-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

125-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

125-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

125-5

NAME [print and sign]

Roo Kodman

[2nd] NAME [print and sign]

Linda Kodman

ADDRESS

866 Bluewater Way, Port Aleneme CA 93041

DATE

12/2/2009

Letter 125
Rod and Linda Kodman
December 2, 2009

This letter is part of the Surfside III Residential Petition to the project (65 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

126-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

126-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment..."
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site."

126-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

126-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

126-5

NAME [print and sign]

Daniel Kohantab

[2nd] NAME [print and sign]

ADDRESS 534 Ebtide Circle Port Hueneme CA 93041
 Mailing Address → 25155 Ave Stanford Valencia CA 91355
 DATE 11/30/09

Letter 126
Danial Kohantab
November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (66 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

127-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

127-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

127-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

127-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

127-5

NAME [print and sign] GARDON R. LINDEEN Gordon R. Lindeen

[2nd] NAME [print and sign] Ann Lindeen Ann Lindeen

ADDRESS 612 SUNFISH WAY, PORT AVENUE, CA 93041

DATE 12/21/2009 / MAIL TO: 4220 LOS ANGELES AVE. #204
Simi VALLEY, CA 93063

Letter 127
Gordon and Ann Lindeen
December 2, 2009

This letter is part of the Surfside III Residential Petition to the project (67 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

128-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

128-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

128-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

128-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

128-5

NAME [print and sign]

[2nd] NAME [print and sign]

ADDRESS

DATE

Letter 128
Maxine Litman
Undated

This letter is part of the Surfside III Residential Petition to the project (68 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

129-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

129-2

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

129-3

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment..."
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site."

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

129-4

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

129-5

NAME [print and sign]

Patty Littmann *Patty Littmann*

[2nd] NAME [print and sign]

ADDRESS

637 Bluewater Way *Patt Littmann*

DATE

11/29/09

Letter 129
Patty Littman
November 29, 2009

This letter is part of the Surfside III Residential Petition to the project (69 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

130-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

130-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

130-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

130-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

130-5

NAME [print and sign]

PETER J LATTI

[2nd] NAME [print and sign]

Beverly K Bryan

ADDRESS

757 Reef Circle, Port Hueneme, CA 93041

DATE

12.02.09

Letter 130
Peter Latta and Beverly Bryan
December 2, 2009

This letter is part of the Surfside III Residential Petition to the project (70 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

131-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

131-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

131-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

131-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

131-5

NAME [print and sign]

JUDY A. LUND

[2nd] NAME [print and sign]

ADDRESS

739 Reef Cir, Santa Barbara

DATE

11/20/09

Letter 131
Judy A. Lund
November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (71 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

132-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

132-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

132-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

132-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

132-5

NAME [print and sign] R. MACDONOUGH - R. Macdonough

[2nd] NAME [print and sign] _____

ADDRESS 647 Bluewater Way, Port Hueneme (CA 93041)

DATE 12/4/09

Letter 132
R. MacDonough
December 4, 2009

This letter is part of the Surfside III Residential Petition to the project (72 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

133-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

* No record of damage from flooding in newspaper archives.

* No record of flood at California Dept. of Water Resources.

* No recall of flooding by long-time residents along J Street.

* FEMA: No Flood Hazard Zone; No Flood Insurance required.

133-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

* DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.

* DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

133-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

* DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.

* DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

133-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

133-5

NAME [print and sign]

Judy Mocharen

[2nd] NAME [print and sign]

Larry Mocharen

ADDRESS

743 Reef Circle, Port Nuevame

DATE

12-1-09

Letter 133
Judy and Larry MacLaren
December 1, 2009

This letter is part of the Surfside III Residential Petition to the project (73 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

134-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

134-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

134-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

134-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

134-5

NAME [print and sign]

Deanna Maddox Deanna Maddox

[2nd] NAME [print and sign]

ADDRESS

643 Sunfish Way PH 93041

DATE

12/18/09

Letter 134
Deanna Maddox
December 8, 2009

This letter is part of the Surfside III Residential Petition to the project (74 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

135-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

135-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment...".
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

135-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

135-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

135-5

NAME [print and sign] Michael Madrigal

[2nd] NAME [print and sign] Michael Madrigal

ADDRESS 683 Reef Cir

DATE 11/30/09

Letter 135
Michael Madrigal
November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (75 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

136-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

136-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

136-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

136-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

136-5

NAME [print and sign]

JERRY MARKELL

[2nd] NAME [print and sign]

ADDRESS

641 SUNFISH LANE PORT HUENEME CA 93041

DATE

11-30-09

Letter 136
Jerry Markell
November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (76 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

137-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

137-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment...".
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

137-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

137-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

137-5

NAME [print and sign] ROMELIA MARQUEZ

[2nd] NAME [print and sign] Romelia Marquez

ADDRESS 693 Blue Waterway Port Hueneeme Cal

DATE 12-1-09

Letter 137
Romelia Marquez
December 1, 2009

This letter is part of the Surfside III Residential Petition to the project (77 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

138-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

138-2

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECTS.

138-3

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment..."
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site."

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

138-4

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

138-5

NAME (print and sign) Kay Maske Kay Maske

[2nd] NAME (print and sign) _____

ADDRESS 660 Surfside Way, Port Townsend, CA

DATE 12/3/09 12/3/09

Letter 138
Kay Mosko
December 3, 2009

This letter is part of the Surfside III Residential Petition to the project (78 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

139-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

139-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

139-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

139-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

139-5

NAME [print and sign] ERROL D McCUE

[2nd] NAME [print and sign] Paul D McCue

ADDRESS 285 REEF CIRCLE PORT HUENEME

DATE 12/1/09 CA 93041

Letter 139
Errol D. McCue
December 1, 2009

This letter is part of the Surfside III Residential Petition to the project (79 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

140-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

140-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before **ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.**

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

140-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

140-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

140-5

NAME [print and sign]

Robert McDonough

[2nd] NAME [print and sign]

ADDRESS

731 Reef Circle, Port Huene, CA 93041

DATE

11-29-09

Letter 140
Robert McDonough
November 29, 2009

This letter is part of the Surfside III Residential Petition to the project (80 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

141-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

141-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

141-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

141-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

141-5

NAME [print and sign]

BRIAN E. MCKEE Brian E. mckee

[2nd] NAME [print and sign]

ADDRESS 681 REEF CIRCLE, PORT HUENEME, CA 93041

DATE 12-9-09

Letter 141
Brian E. McKee
December 9, 2009

This letter is part of the Surfside III Residential Petition to the project (81 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

142-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

142-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

142-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

142-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

142-5

NAME [print and sign]

Fonijo H. Menasco

[2nd] NAME [print and sign]

Lawrence C. Menasco, Jr. Lawrence C. Menasco

ADDRESS

774 Seawind Way, PH

DATE

12/02/01

Letter 142
Tonijo and Lawrence Menasco
December 2, 2009

This letter is part of the Surfside III Residential Petition to the project (82 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

143-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

143-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

143-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

143-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

143-5

NAME [print and sign]

SHIRLEY MITTON Shirley Mitton

[2nd] NAME [print and sign]

ADDRESS

984 LIGHTHOUSE

DATE

12/1/09

Letter 143
Shirley Milton
December 1, 2009

This letter is part of the Surfside III Residential Petition to the project (83 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

144-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

144-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

144-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

144-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

144-5

NAME [print and sign]

SHALEY MILTON *Shaley Milton*

[2nd] NAME [print and sign]

ADDRESS

725 REEF CIRCLE P. HUENEME

DATE

12/2/09

Letter 144
Shirley Milton
December 2, 2009

This letter is part of the Surfside III Residential Petition to the project (84 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

145-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

145-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

145-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

145-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

145-5

NAME [print and sign]

SHIRLEY MITTON

Shirley Mitton

[2nd] NAME [print and sign]

ADDRESS

768 - J Street

DATE

12/1/09

Letter 145
Shirley Milton
December 1, 2009

This letter is part of the Surfside III Residential Petition to the project (85 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

146-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

* No record of damage from flooding in newspaper archives.

* No record of flood at California Dept. of Water Resources.

* No recall of flooding by long-time residents along J Street.

* FEMA: No Flood Hazard Zone; No Flood Insurance required.

146-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

* DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.

* DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

146-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

* DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.

* DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

146-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

146-5

NAME [print and sign]

M. MINIHANE M Minihane

[2nd] NAME [print and sign]

ADDRESS owner 771 Reef Circle, Port Hueneme CA 93041

DATE 11/30/09

Letter 146
M. Minihane
November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (86 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

147-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

147-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

148-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

147-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

147-5

NAME [print and sign] ROBERT B. MORELAND-Robert B Moreland

[2nd] NAME [print and sign] _____

ADDRESS 848 BLUEWATER WAY, PORT HUENEME CA. 93041

DATE 11/29/09

Letter 147
Robert B. Moreland
November 29, 2009

This letter is part of the Surfside III Residential Petition to the project (87 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

NAME [print and sign]

Rita A. Morris

[2nd] NAME [print and sign]

ADDRESS

852 Bluewater Way, Port Hueneme, CA 93041

DATE

12-3-2009

Letter 148
Rita A. Morris
December 3, 2009

This letter is part of the Surfside III Residential Petition to the project (88 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

149-1

Basis for Project. PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,706,000 flood there.

149-2

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

149-3

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment..."
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site."

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

149-4

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

149-5

NAME [print and sign] Dave Morse Dave Morse

[2nd] NAME [print and sign] CARRIE MORSE Carrie Morse

ADDRESS 948 Lighthouse Way, Port Hueneme, CA 93041

DATE 12/22/2009

Letter 149
Dave and Carmen Morse
December 2, 2009

This letter is part of the Surfside III Residential Petition to the project (89 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

150-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

150-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment..."
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

150-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

150-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

150-5

NAME [print and sign] JAMES MUIRHEAD James Muirhead

[2nd] NAME [print and sign] PATRICIA MUIRHEAD Patricia Muirhead

ADDRESS 80367 ROYAL ABERDEEN DR. INDIO, CA 92201

DATE DECEMBER 1, 2009

Letter 150
James and Patricia Muirhead
December 1, 2009

This letter is part of the Surfside III Residential Petition to the project (90 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

151-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

151-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

151-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

151-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

151-5

NAME [print and sign]

[2nd] NAME [print and sign]

ADDRESS

DATE

Letter 151
Kathy and Joe Murrillo
November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (91 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.
VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

NAME [print and sign] Larry NAVIS

12th NAME [print and sign] Larry NAVIS

ADDRESS 536 Ebbtide Circle

DATE 11-30-07

152-1

152-2

152-3

152-4

152-5

Letter 152

Larry and Lynne Navis

November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (92 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

153-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

153-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

153-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

153-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

153-5

NAME [print and sign]

Jon Ohlrich

[2nd] NAME [print and sign]

ADDRESS

675 Bluewater Way Port Hueneme CA 93041

DATE

11/27/09

Letter 153
Jon Ohlrich
November 27, 2009

This letter is part of the Surfside III Residential Petition to the project (93 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

154-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

154-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

154-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

154-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

154-5

NAME [print and sign] John A. Ortiz

[2nd] NAME [print and sign] Cornelia Ortiz

ADDRESS 970 Lighthouse Way Port Hueneme

DATE 12/03/09

Letter 154
John and Cornelia Ortiz
December 3, 2009

This letter is part of the Surfside III Residential Petition to the project (94 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

155-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

155-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

155-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

155-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

155-5

NAME [print and sign]

MARY WHITE OSTRANDER - Mary Ostrander

[2nd] NAME [print and sign]

ADDRESS 928 Light House Way, Port Hueneme, Ca

DATE

11-30-09

Letter 155
Mary W. Ostrander
November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (95 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

156-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

156-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

156-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

156-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

156-5

NAME [print and sign]

PHYLLIS PEPE *Phyllis Pepe*

[2nd] NAME [print and sign]

ADDRESS 5690 EUNICE AVE SIMI VALLEY CA 93063

DATE

12-3-09

Letter 156
Phyllis Pepe
December 3, 2009

This letter is part of the Surfside III Residential Petition to the project (96 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

157-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

157-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

157-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

157-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

157-5

NAME [print and sign]

Louis W. Perry

[2nd] NAME [print and sign]

Lynn M. Perry

ADDRESS

974 Light House Way, Port Newburg, CA 93041

DATE

12-7-09

Letter 157
Louis and Lynn Perry
December 7, 2009

This letter is part of the Surfside III Residential Petition to the project (97 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

158-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

158-2

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

158-3

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

158-4

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

158-5

NAME [print and sign]

ELBERT E. PHILLIPS
Elbert E. Phillips

[2nd] NAME [print and sign]

ADDRESS

532 EBBTIDE Pt HUENEME, CA 93041

DATE

11-28-09

Letter 158
Elbert E. Phillips
November 28, 2009

This letter is part of the Surfside III Residential Petition to the project (98 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

159-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

159-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

159-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

159-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

159-5

NAME [print and sign]

ELBERT E PHILLIPS
Elbert E Phillips

[2nd] NAME [print and sign]

ADDRESS

630 SUNFISH PORT HUENEME, CA 93041

DATE

11-28-09

Letter 159
Elbert E. Phillips
November 28, 2009

This letter is part of the Surfside III Residential Petition to the project (99 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

160-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

160-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

160-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

160-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

160-5

NAME [print and sign]

Polly S. PRIDE

[2nd] NAME [print and sign]

Polly Pride

ADDRESS

677 Blue water way

DATE

Port Huenehmo CA. 93041

Letter 160
Polly S. Pride
Undated

This letter is part of the Surfside III Residential Petition to the project (100 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

161-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

161-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

* DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.

* DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

161-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem -- and subsequent failure of VCWPD to respond with Alternative Plan.

* DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.

* DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

161-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

161-5

NAME [print and sign]

Charles Richlin

[2nd] NAME [print and sign]

Lisa Richlin

ADDRESS

830 Bluewater Wy Port Huene

DATE

11/30/09

Letter 161
Charles and Lisa Richlin
November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (101 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

162-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

162-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

162-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

162-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

162-5

NAME [print and sign] Bill Riegler Bill Riegler

[2nd] NAME [print and sign] Chris Riegler Chris Riegler

ADDRESS 350 Tyler Ave Vfa CA 93003

DATE 11-28-09

Letter 162
Bill and Chris Riegler
November 28, 2009

This letter is part of the Surfside III Residential Petition to the project (102 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

163-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

163-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

163-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

163-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

163-5

NAME [print and sign] Lawton Danere Powers Trustee Valerine Trust

[2nd] NAME [print and sign] [Signature]

ADDRESS 665 Surfside Way Port Hueneme

DATE 12-2-09

Letter 163**Lawton D. Powers, Trustee Valentine Trust****December 2, 2009**

This letter is part of the Surfside III Residential Petition to the project (103 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

164-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

164-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

164-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

164-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

164-5

NAME [print and sign]

Linda Rosenberger Linda Rosenberger

[2nd] NAME [print and sign]

ADDRESS

764 Seawind Way Port Hueneme, CA 93041

DATE

12-8-09

Letter 164
Linda Rosenberger
December 8, 2009

This letter is part of the Surfside III Residential Petition to the project (104 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

165-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

165-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

165-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

165-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

165-5

NAME [print and sign] Marvella Ross

[2nd] NAME [print and sign] ICENTYBEE BYCKATLEB-ELLIC

ADDRESS 651 Reef Circle - Port Hueneme, Ca.

DATE December 9, 2009

Letter 165
Marvelle Ross
December 9, 2009

This letter is part of the Surfside III Residential Petition to the project (105 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDE III COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

NAME [print and sign]

Julie St. Amant

[2nd] NAME [print and sign]

Bob St. Amant

ADDRESS

673 Reef Circle, Port Hueneme, CA 93041

DATE

11/29/19

166-1

166-2

166-3

166-4

166-5

Letter 166
Julie and Ron St. Amand
November 29, 2009

This letter is part of the Surfside III Residential Petition to the project (106 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

167-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

167-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

167-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

167-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

167-5

NAME [print and sign]

Abbie

[2nd] NAME [print and sign]

Sal

ADDRESS

620 Sanfish Way Port Hueneme CA

DATE

11/30/09

Letter 167
Abbie Salt
November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (107 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

168-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

168-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

168-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

168-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

168-5

NAME [print and sign] DON & ROSALIE SCHNEIDER

[2nd] NAME [print and sign] Rosalie Schneider

ADDRESS 11202 Lynrose St, Arcadia

DATE 11-30-09

Letter 168
Don and Rosalie Schneider
November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (108 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDE III COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

169-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

169-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

169-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

169-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

169-5

NAME [print and sign]

TED J SECARA

[2nd] NAME [print and sign]

ADDRESS

964 LIGHTHOUSE WAY FORT HENRIE CA 93041

DATE

12/23/2009

Letter 169
Ted J. Segawa
December 23, 2009

This letter is part of the Surfside III Residential Petition to the project (109 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

170-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

170-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment...".
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site."

170-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

170-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

170-5

NAME [print and sign]

KAY SHAMSA

K Shamsa

2nd NAME [print and sign]

ADDRESS

656 Sun & Sh Way

DATE

Port Huenene - CA 93041

Letter 170
Kay Shamsa
Undated

This letter is part of the Surfside III Residential Petition to the project (110 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

171-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

171-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

171-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

171-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

171-5

NAME [print and sign] WILLIAM SHANKS - William Shanks

[2nd] NAME [print and sign] MICHELLE SHANKS - Michelle A. Shanks

ADDRESS 966 LIGHTHOUSE WAY, PORT HUENEME, CA 93041

DATE 12/4/09

Letter 171
William and Michelle Shanks
December 4, 2009

This letter is part of the Surfside III Residential Petition to the project (111 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

RECEIVED

DEC 4 2009

WATERSHED PROTECTION DIST.

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

172-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

172-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment...".
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

172-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

172-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

172-5

NAME [print and sign]

DAVID F. SHEEHAN

[2nd] NAME [print and sign]

David F. Sheehan

ADDRESS

860 BLUEWATER WAY PORTHUEMME

DATE

3 DEC 2009

Comment Letter 172
David F. Sheehan
December 3, 2009

This letter is part of the Surfside III Residential Petition to the project (112 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

173-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

173-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

173-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

173-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

173-5

NAME [print and sign]

HOWARD SMALL *Howard Small*

[2nd] NAME [print and sign]

PATRICIA SMALL *Patricia Small*

ADDRESS

632 SUNFISH WAY Bldg. II

DATE

NOVEMBER 28, 2009

Letter 173
Howard and Patricia Small
November 28, 2009

This letter is part of the Surfside III Residential Petition to the project (113 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDE!!! COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

174-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

174-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

174-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

174-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

174-5

NAME [print and sign]

Terry Ann Smith Terry Ann Smith

[2nd] NAME [print and sign]

Owner 769 Reef Circle Port Hueneme, CA 93041
Mailing address 431 South Evergreen Dr. Ventura CA 93003

DATE

11/29/2009

Letter 174
Terry Ann Smith
November 29, 2009

This letter is part of the Surfside III Residential Petition to the project (114 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

Columbia Stenberg
657 Sunfish Way
Port Hueneme, CA 93041

, STAPLE [or tape] AND SEND.... (even if you sent a letter)



TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDE!!! COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues.

175-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

- * Flooding in adjacent neighborhood. Also expectation of a \$55,700,000 flood there.
- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

175-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states (under 'Existing Conditions'): "Water levels in the lagoon and the drain are a function of the increased standing water containment...".
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site."

175-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: "... with the continued mosquito surveillance and abatement..."
- Informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impact... status of public health would be less than significant indicating the District has completely discounted our critical mosquito situation."

175-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

175-5

NAME [print and sign]

COLUMBIA STENBERG

[2nd] NAME [print and sign]

ADDRESS 657 Sunfishway Port Hueneme CA 93041

DATE 12-3-09

Letter 175
Columbia Stenberg
December 3, 2009

This letter is part of the Surfside III Residential Petition to the project (115 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDE III COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

176-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

176-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states {under ‘Existing Conditions’} “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

176-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

176-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

176-5

NAME [print and sign]

[2nd] NAME [print and sign]

ADDRESS

DATE

Letter 176
Gretchen Sterling
December 2, 2009

This letter is part of the Surfside III Residential Petition to the project (116 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

177-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

177-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

177-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

177-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

177-5

NAME [print and sign]

RICHARD STRAKA

12th NAME [print and sign]

PURNA STRAKA

ADDRESS

699 Bluewater Port Hueneeme CA.

DATE

Letter 177
Richard and Purna Straka
Undated

This letter is part of the Surfside III Residential Petition to the project (117 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

178-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

178-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

178-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

178-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

178-5

NAME [print and sign]

RON THEAKER

[2nd] NAME [print and sign]

ADDRESS

772 Seawind Way Pt 93041

DATE

12-16-09

Letter 178
Ron Theaker
December 16, 2009

This letter is part of the Surfside III Residential Petition to the project (118 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

179-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

179-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

179-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “...with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

179-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

179-5

NAME [print and sign] Katherine Thompson

[2nd] NAME [print and sign] [Signature]

ADDRESS 784 Sea Wind Way Port Huernema, CA 93241

DATE 12/08/09

Letter 179
Katherine Thompson
December 8, 2009

This letter is part of the Surfside III Residential Petition to the project (119 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

180-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

V? WPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

180-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment...".
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site."

180-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

180-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

180-5

NAME [print and sign]

Anthony TRUAX Anthony Truax

[2nd] NAME [print and sign]

ADDRESS

814 Blue Water Way, RFA CA 93041

DATE

Dec 1, 2009

Letter 180
Anthony Truex
December 7, 2009

This letter is part of the Surfside III Residential Petition to the project (120 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

181-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

181-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

181-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

181-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

181-5

NAME [print and sign]

Cathi J. Tuando

[2nd] NAME [print and sign]

Victor R. Tuando

ADDRESS

988 Lighthouse Way, P.H. CA 93041

DATE

12/1/09

Letter 181
Cathi J. and Victor R. Tuando
December 1, 2009

This letter is part of the Surfside III Residential Petition to the project (121 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

182-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

182-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

182-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

182-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

182-5

NAME [print and sign]

LINDA VEATCH

[2nd] NAME [print and sign]

ADDRESS

858 Bluewater Way

DATE

12/4/09

Letter 182
Linda Veatch
December 4, 2009

This letter is part of the Surfside III Residential Petition to the project (122 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

183-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

183-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

183-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

183-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

183-5

NAME [print and sign]

SUSANN E. VENTZKE

12th NAME [print and sign]

BUTCH R. VENTZKE

ADDRESS

918 Lighthouse Way, Port Hueneme

DATE

9/29/09

Letter 183

Susann E. and Butch R. Ventzke

September 29, 2009

This letter is part of the Surfside III Residential Petition to the project (123 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

184-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

184-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment..."
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

184-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

184-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

184-5

NAME [print and sign]

JEAN WAHLSTROM *Jean Wahlstrom*

[2nd] NAME [print and sign]

JEAN WAHLSTROM *Jean Wahlstrom*

ADDRESS

653 SUNFISH WAY, SURFSIDE III

DATE

11-30-09

Letter 184
Jean Wahlstrom
November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (124 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

185-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

185-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

185-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

185-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

185-5

NAME [print and sign]

Anne Weaver [Signature]

[2nd] NAME [print and sign]

Mike Weaver [Signature]

ADDRESS

625 SUNFISH WAY Port Hueneme

DATE

11-30-09

Letter 185
Anne and Mike Weaver
November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (125 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

186-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

186-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

186-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

186-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

186-5

NAME [print and sign]

[2nd] NAME [print and sign]

ADDRESS

DATE

Letter 186
Ryan Wedemeyer
December 9, 2009

This letter is part of the Surfside III Residential Petition to the project (126 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

**RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE**

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

187-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

187-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

187-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

187-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

187-5

NAME [print and sign] JOHN A. WELKER John A. Welker

[2nd] NAME [print and sign] MYRLE ANN WELKER Myrle Ann Welker

ADDRESS 812 BLUEWATER WAY, PORT HUENEME, CA 93041

DATE 12/2/09

Letter 187

John A. and Myrle Ann Welker

December 2, 2009

This letter is part of the Surfside III Residential Petition to the project (127 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: "the channel's... effects have resulted in flooding in adjacent neighborhood." Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before **ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.**

- * DEIR states [under 'Existing Conditions'] "Water levels in the lagoon and the drain are a function of the increased standing water containment...".
- * DEIR concedes: "the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site."

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: "... with the continued mosquito surveillance and abatement..." informing us that the failed vector control measures will be continued.
- * DEIR concludes: "... impacts related to public health would be less than significant" indicating the District has completely discounted our critical mosquito situation.

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

NAME [print and sign] Thomas Noz

NAME [print and sign] Thomas Noz

ADDRESS 572 2nd St

DATE Port Hueneme, CA

Dec. 5, 2009

Letter 188
Thomas Wong
December 5, 2009

This letter is part of the Surfside III Residential Petition to the project (128 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

189-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

189-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

189-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

189-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

189-5

NAME [print and sign]

Thomas E Woolston

[2nd] NAME [print and sign]

Frances S Woolston

ADDRESS

669 Lighthouse Way Port Hueneme Ca 93041

DATE

12/4/2009

Letter 189
Thomas and Frances Woolston
December 4, 2009

This letter is part of the Surfside III Residential Petition to the project (129 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

190-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

190-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

190-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

190-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

190-5

NAME [print and sign]

George Wright

[2nd] NAME [print and sign]

ADDRESS

916 L1647HOUSE WAY

DATE

PORT HUENEME, CA 93041

Letter 190
George Wright
Undated

This letter is part of the Surfside III Residential Petition to the project (130 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] AND SEND.... (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDEIII COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

191-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

191-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

191-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

191-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water -- by proposing a new plan to resolve this problem.

191-5

NAME [print and sign] ROBERT R. YEATON Robert R Yeaton

[2nd] NAME [print and sign] NORMA A YEATON Norma a Yeaton

ADDRESS 697 Bluewater Way Port Hueneme, Ca

DATE 11-29-09

Letter 191**Robert R. and Norma A. Yeaton****November 29, 2009**

This letter is part of the Surfside III Residential Petition to the project (131 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

PLEASE SIGN, FOLD, STAPLE [or tape] **AND SEND....** (even if you sent a letter)

TO: VENTURA COUNTY WATERSHED PROTECTION DISTRICT

RE: DEIR: J STREET DRAIN PROJECT
SURFSIDE III COMMUNITY RESPONSE

This letter is a declaration of my protest against approval of the proposed J Street Drain Project DEIR. I want to convey my disapproval – both as taxpayer in Ventura County and as an owner or resident of Surfside III – of this expensive, unwarranted, and destructive project that presents a Public Health hazard to our community. I base my protest on the following issues:

192-1

Basis for Project: PROTECTION FROM 100-YEAR FLOOD.

VCWPD documentation states that: “the channel’s... effects have resulted in flooding in adjacent neighborhood.” Also expectation of a \$55,700,000 flood there.

- * No record of damage from flooding in newspaper archives.
- * No record of flood at California Dept. of Water Resources.
- * No recall of flooding by long-time residents along J Street.
- * FEMA: No Flood Hazard Zone; No Flood Insurance required.

192-2

Failure to Notify residents of Surfside III and J Street (major stakeholders) of public meetings and input opportunity, before ELIMINATION OF ALTERNATIVE PLANS TO RESOLVE UNACCEPTABLE BACKWATER-EFFECT.

- * DEIR states [under ‘Existing Conditions’] “Water levels in the lagoon and the drain are a function of the increased standing water containment...”.
- * DEIR concedes: “the proposed project would increase the surface area and amount of standing water for potential mosquito-breeding sites and create additional vector sources within the project site.

192-3

FAILURE of VECTOR CONTROL MEASURES to alleviate severe mosquito problem – and subsequent failure of VCWPD to respond with Alternative Plan.

- * DEIR states: “... with the continued mosquito surveillance and abatement...” informing us that the failed vector control measures will be continued.
- * DEIR concludes: “... impacts related to public health would be less than significant” indicating the District has completely discounted our critical mosquito situation.

192-4

Therefore, I am requesting that approval of the J Street Drain Project DEIR be withheld, until such time that VCWPD complies with its responsibility to protect us from the public health hazard of stagnant water – by proposing a new plan to resolve this problem.

192-5

NAME [print and sign] [Signature]

[2nd] NAME [print and sign] [Signature]

ADDRESS 647 Sunfish Way Port Hueneme CA 93041

DATE 11/30/2009

Letter 192
John Gaddis
November 30, 2009

This letter is part of the Surfside III Residential Petition to the project (132 of 132) and indicates opposition to the project, questions the need for flood protection and the project, raises issue with the notification of the document, creation of backwater effect and also vector control. This letter is a duplicate to comment Letter 61, above. The District has provided a comprehensive response to Letter 61. Therefore, please see Letter 61 for a complete set of responses to these items.

This page intentionally left blank.