

RESPONSES to COMMENTS on the DRAFT MND

This section includes the comments received during circulation of the Draft Mitigated Negative Declaration (MND) for the Ventura Botanical Gardens Master Plan Project and responses to those comments. Corrections or additional text discussed in the responses to comments are also shown in the text of the Final MND in strikethrough (for deleted text) and underline (for added text) format. Additional minor clarifications and corrections to typographical errors not based on responses to comments may also be shown in strikeout/underline format in the Final MND. None of these changes introduce significant new information or affect the conclusions of the MND.

The MND was circulated for a 20-day public review period that began on November 19, 2014 and concluded on December 10, 2014. The City received five comment letters on the Draft MND. Each commenter and the page number on which each commenter's letter appears are listed below.

Letter No. and Commenter	Page No.
Tricia Maier, Manager, Planning Program Section, County of Ventura Resource Management Agency (cover letter)	2
1. Alicia Stratton, Ventura County Air Pollution Control District	4
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The comment letters and responses follow. Each comment letter has been numbered sequentially and each separate issue raised by the commenter (if there was more than one issue raised) has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1.1, for example, would indicate that the response is for the first issue raised in comment Letter 1).



Cover Letter

COMMENTER: Tricia Maier, Manager, Planning Program Section, County of Ventura
Resource Management Agency

DATE: December 10, 2014

This letter is a cover letter that references all County of Ventura comments provided on Draft MND.

Please refer to the responses to letters 1, 2, and 3 (the attachments to the County cover letter).



Letter 1

COMMENTER: Alicia Stratton, Ventura County Air Pollution Control District

DATE: December 8, 2014

The commenter summarizes the Project and Project air quality impacts. The commenter agrees with the analysis and indicates that further air quality mitigation beyond that identified in the Draft MND is not required.

This comment is noted and does not challenge the MND analysis or conclusions.



Letter 2

COMMENTER: Transportation Department, County of Ventura Public Works Agency

DATE: December 10, 2014

The commenter indicates that the applicant would be required to pay fees to the County to address the Project's contribution to cumulative impacts to County roads, and requests a copy of the Final MND when it is available.

If the Project is approved and built, the applicant would be required to pay applicable traffic impact fees in accordance with the City's reciprocal fee agreement with the County. The amount of the fee will be determined at such time as building permits are issued through the various phases of the Master Plan implementation. See Use Permit Condition No. 97 that implements this fee requirement. The Final MND will be made available on the City's website prior to any hearings or decisions on the Project.



Letter 3

COMMENTER: Whitney Wilkinson, County of Ventura Resource Management Agency

DATE: December 10, 2014

Response 3.1

The commenter states that while they recognize that the project site lies solely within the City of Ventura, that impacts on biological resources within the City may indirectly affect biological resources in adjacent open space areas within unincorporated areas of the County. The commenter also cites the potential off-site water well and pipeline that may be constructed as part of the project as an example of a component of the project that may have direct impacts on biological resources in the unincorporated County.

Impacts on biological resources outside the jurisdictional limits of the City of Ventura are analyzed in Section IV, *Biological Resources*, of the MND, as further explained in the responses below.

Response 3.2

The commenter requests that a map showing the locations of Phase 1 and Phases 2-10 of the project in relation to biological resources be provided. However, as stated by the commenter, "Table 5 'Project Phasing' in Attachment A of the MND provides an adequate description of what will occur in each phase...". Table 5 also lists the Option Areas within which these activities would occur. Comparing this information to Figure 2 of Attachment A, which shows these Option Areas on an aerial map of the site, allows the reader to see where these activities would occur. This information adequately demonstrates where project-related impacts would occur, and a separate map showing this information is not necessary.

Response 3.3

The commenter states that preconstruction surveys, monitoring, and fencing for special-status reptiles are not included for Phase 1 of the project. The commenter also correctly states that there are two iterations of Mitigation Measure (MM) BIO-1, one for Phase 1 of the project and one for Phases 2 - 10 of the project, but that it is not clear why BIO-1 contains more measures for Phases 2 - 10 than for Phase 1.

As discussed in the impact analysis for Phase 1 (page 36 of the MND), potential impacts to special-status reptiles were determined to be less than significant, and therefore no mitigation measures are necessary. These conclusions are based on the limited project impacts (i.e. installation of Welcome Zone facilities within existing disturbed areas, and trail work) and because the surrounding habitat would provide refuge for any individuals that might occur within impact areas. MM BIO-1 for Phases 2 - 10 contains more measures because it is programmatic and the timing and specific impacts are somewhat unknown; therefore, more stringent measures are necessary to ensure that potential impacts to special status species are



reduced to less than significant levels. This issue has therefore been adequately analyzed in the MND.

Response 3.4

The commenter asks for confirmation that the potential offsite water well is within the County unincorporated area; clarification of where the water supply pipelines would be placed; and if these water supply pipelines would be placed along existing fuel breaks to minimize disturbance to native habitat. The commenter also states that temporary and permanent impacts associated with the wells and pipeline construction and operation should be analyzed.

As stated on page 15 of the MND, the potential offsite water well is located in the unincorporated County. As shown by the red dashed line on the first page of Attachment D of the Master Plan CUP and Rezone Application, which is included as Attachment A of the MND, the proposed route of the water supply pipelines is in the Grant Park Fuel Break. The MND and the July 2014 Biological Effects Memorandums (Attachment D of the MND) both analyze this issue. Phase 1 Biological Resources Mitigation Measure BIO-1 requires preconstruction survey and avoidance measures prior to ground disturbing project activities associated with the construction of the off-site well. This issue has therefore been adequately analyzed in the MND.

Response 3.5

The commenter asks what sound control measures will be instituted to minimize sound intrusion to the project site and to unincorporated County lands to the north, as stated on page 37 of the MND, and if these measures will be applied only during phased construction of the project, or also during operational phases of the project.

Analysis of the potential noise-related impacts of the project area analyzed in Section XII, *Noise*, of the MND. This section analyzes both long term operational noise impacts (pages 87-91) and short-term construction noise impacts (pages 92-92). This analysis concludes that operational noise impacts would be less than significant with incorporation of Mitigation Measure NSE-1, and that short-term construction impacts would be less than significant without mitigation. This section of the MND adequately addresses the commenter's question, and no revisions to the MND are required.

Response 3.6

The commenter states that pre-construction surveys for nesting birds should include the period of January 1 – June 30. In addition, the commenter recommends that surveys be conducted within a 300-foot buffer for common nesting birds and 500-foot buffer for raptors.

The actual extent of the avian nesting season varies from year to year based on seasonal and annual climatic conditions. As referenced in MM BIO-3, the February 1 – August 31 dates are adequate for capturing the period in which bird species are most likely to be nesting. Surveys would be conducted in late January for any project activities that began in early February, and biological surveys would also be conducted for other species in January (e.g. Monarch butterflies) thereby capturing the January timeframe. The survey buffers are also considered



adequate considering the urban environment in which the project is located. Any species that may nest in the vicinity of the site are likely adapted to existing disturbances associated with adjacent development. This issue has therefore been adequately analyzed in the MND.

Response 3.7

The commenter states that the project site contains two sensitive plant communities, purple needlegrass grassland and coast prickly pear scrub, and encourages that mitigation for impacts to these communities occur in phases. In addition, the commenter recommends that offsite mitigation areas, if selected, be preserved through a conservation instrument.

As described in MM BIO-5A, mitigation for impacts to purple needlegrass grassland and coast prickly pear scrub will occur in phases, as stipulated by the timing requirement in the Mitigation, Monitoring, and Reporting Program (MMRP). The Project's Long Term Adaptive Management and Monitoring Plan also requires annual monitoring reports; therefore, mitigation would be tracked and accounted for on an annual basis. Specific requirements for off-site mitigation are unknown at this time; however, MM BIO-5A requires a 2:1 ratio for mitigating impacts (e.g. 2 units of mitigation per 1 unit impacted), which is adequate for reducing potential impacts to these communities to a less than significant level. This issue has therefore been adequately analyzed in the MND.

Response 3.8

The commenter encourages implementation of MM BIO RM-6: "Retain Healthy, Mature Trees". The commenter also states that Monterey cypress trees could replace eucalyptus trees that are removed, as they provide over-wintering habitat for Monarch butterflies.

As described on page 57 of the MND, the City also recommends implementation of MM BIO RM-6; however, the measure is not required to reduce potential impacts sensitive biological resources to a less than significant level. Further, although Monterey cypress is an option for replacing non-native trees such as eucalyptus, the species does not occur naturally in this region, and other trees could also provide the same benefit. A requirement to replace eucalyptus trees with Monterey cypress trees is therefore unnecessary.

Response 3.9

The commenter asks that the locations for permanent fencing on the project site be defined in order to assist in the identification of potential barriers to wildlife movement, and recommends that Mitigation Measure BIO RM-7 "Permanent Fencing" be revised to include design specifications to facilitate wildlife movement to and through the property to maintain existing wildlife access.

Consistent with Mitigation Measure BIO RM-7, the City has incorporated this measure into the project's conditions of approval as Measure K under Condition No. 113. This condition states that "...avoidance and minimization measures should be developed to address the potential to entrap and/or attract wildlife that may travel through or around the Project Area." However, no significant impact related to such fencing was identified in the MND, and the commenter's



request for this measure to include design specifications is therefore unnecessary. Additionally, due to security issues associated with the Police Gun Range fence, which is the only fencing that may currently have a well-defined location, it is not appropriate to share technical specifications for this fencing with the public. For these reasons, no revisions to the MND are required.

Response 3.10

The commenter states that the cumulative impacts associated with the degradation or removal of special status species, communities, wetlands, and wildlife corridors in a regional context is not specifically addressed.

The analysis of species and habitats contained in the Biological Effects Memorandums (Attachment D of the MND) and Section IV, *Biological Resources* of the MND does adequately address cumulative impacts, for several reasons. Firstly, the analysis of potential impacts to species and habitats employs information regarding the status of these species, such as their status in the California Natural Diversity Database (CNDDDB), which takes into their status at the local, regional, and statewide levels. Secondly, the analysis specifically discusses potential offsite impacts, such as potential impacts from the proposed potential offsite well. Thirdly, the analysis also includes discussion of the project's potential impacts on habitat connectivity and wildlife corridors, including the fact that the project site is surrounded on three sides by urban areas, and thus is unlikely to have significant impacts in these regards outside its own boundaries. For all these reasons, and because the commenter does not specify what biological resources might be exposed to cumulative impacts from this project, this impacts has been adequately addressed in the MND, and edits to the MND or further response to this comment is required.



Letter 4

COMMENTER: Joseph Cahill, President of the Board, Ventura Botanical Gardens, Inc.

DATE: December 10, 2014

Response 4.1

The commenter (who is also the applicant) summarizes their involvement in the project to this point, states that some concerns they have raised through this process have been addressed but others remain to be resolved, and states that they have “no additional concerns at this time”. They also state that they will continue to work together with the City to ensure that the project will serve as an asset to the community. These comments are noted, but do not directly state what these unresolved issues are (other than, presumably, Comment 4.2, which is responded to below), so they cannot be directly addressed in this response.

Response 4.2

The commenter states, in regards to Mitigation Measure BIO-5B(d) (Phases 2-10) that, while there may be good reasons to conduct replacement mitigation for special status plant populations within the site, it would be highly preferable to conduct mitigation in suitable adjacent offsite areas, taking into consideration light, soil, habitat, future planning, and other factors.

The commenter does not state why off-site replacement mitigation is highly preferable to onsite mitigation. Both onsite and offsite mitigation are included in Mitigation Measure BIO-5B, but, as stated in section c of the mitigation measure, onsite mitigation is feasible because of “...the function of this project as a Botanical Garden, and the relatively low occurrence of these species relative to the size of the project site...”. Under Mitigation Measure BIO-5B, onsite mitigation would be required to be carried out at a 1:1 ratio, but if it cannot be conducted onsite, the mitigation measure does allow offsite replacement, but at a 2:1 ratio. This reflects the fact that onsite mitigation is preferable to offsite mitigation because it will occur as close to the impact as feasible; thereby benefiting the plants and wildlife that utilize the impacted habitat. Therefore, no change to this mitigation measure is required.



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VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT
Memorandum

TO: Laura Hocking/Lori Gaines, Planning DATE: December 8, 2014

FROM: Alicia Stratton

SUBJECT: Request for Review of Mitigated Negative Declaration for the Ventura Botanical Gardens Master Plan, City of Ventura (Reference No. 14-024)

Air Pollution Control District staff has reviewed the subject mitigated negative declaration, which is a Master Plan for the creation of a botanical garden with an ecological emphasis on the Ventura Coast and its relationship to regions of the world sharing its Mediterranean biome. The Master Plan represents the botanical Garden's plan for gardens and associated facilities that would be developed in phases over the 30-year implementation of the Master Plan, as funding is secured and the needs of the botanical garden and the public evolve. VBG, Inc. proposes to lease the land from the City through a Lease Agreement. The Master Plan includes: gardens, trails, support facilities including buildings and vehicular circulation, and parking areas. The project location is within Grant Park, located north of downtown Ventura at 398 Ferro Drive.

Section III of the mitigated negative declaration addresses air quality issues pertaining to the project. We concur with the findings of this discussion that significant air quality impacts would not result from the project. The assumptions and emissions shown in the CalEEMod model output and in Table 1, *Projected Daily Operational and Area Emissions*, are appropriate for this land use. Operational, long-term air emissions would be below the APCD's 25 lbs/day threshold of significance for ROG and NOx (7.1 lbs/day and 12.3 lbs/day, respectively). Construction related, short-term emissions may result from use of heavy construction equipment and potential generation of fugitive dust, as grading for the facilities would occur on 7.5 acres. Implementation of the standard building and grading permit conditions described on Pages 31-32 will ensure minimization of short-term air emissions from the project. No further air quality mitigation is needed.

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

December 10, 2014

City of Ventura
Community Development Department
Attn: Dave Ward, AICP, Planning Manager
501 Poli Street
Ventura, CA 93001

Email: dward@ci.ventura.ca.us

Subject: Comments on the Draft Mitigated Negative Declaration for the Ventura
Botanical Gardens Master Plan

Dear Mr. Ward:

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

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

If you have any questions regarding any of the comments, please contact the appropriate respondent. Overall questions may be directed to Laura Hocking at (805) 654-2443.

Sincerely,


Tricia Maier, Manager
Planning Programs Section

Attachments

County RMA Reference Number 14-024





Memorandum

County of Ventura • Resource Management Agency • Planning Division
800 S. Victoria Avenue, Ventura, CA 93009-1740 • (805) 654-2478 • ventura.org/rma/planning

DATE: December 10, 2014
TO: Laura Hocking, Ventura County Planning Division
FROM: Whitney Wilkinson, Ventura County Planning Division
SUBJECT: City of Ventura Botanical Garden Master Plan MND (RMA 14-024)

I have reviewed the City of Ventura’s Mitigated Negative Declaration (MND) for the Ventura Botanical Gardens Master Plan (RMA 14-024). It is recognized that the project lies solely within the City of Ventura; however, impacts on biological resources within the City can indirectly affect the biological resources in adjacent open space areas within the County unincorporated area. For instance, many biological resources, such as migrating wildlife, have the ability to move across jurisdictional boundaries. In addition, It appears the proposed offsite well and pipeline may be located in unincorporated areas.

4.1

1. Project Phase Map. Impacts and mitigation measures are addressed separately for Phase I and for Phases 2-10 respectively. A map showing the locations of Phase 1 and Phases 2-10 of the project in relation to biological resources would be beneficial in determining what resources will be impacted from all phases of the project. This will also assist in determining if the proposed mitigation is adequate in addressing these impacts. Table 5 “Project Phasing” in Attachment A of the MND provides an adequate description of what will occur in each phase by providing percentage of each project component planned for construction and the option areas involved; however, because of the spatial nature of biological resources and the project’s implementation over time, a map demonstrating project-related disturbance and biological resources would better demonstrate the impacts that will occur and mitigation measures (if any) that will be required for the project.

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2. Pre-Construction Surveys.

Sensitive Reptile Species: Pre-construction surveys are included for Phase I areas for Bryant’s woodrat and for bats; however, none are planned to address potential impacts to sensitive reptile species. Implementation of pre-construction surveys and temporary exclusionary fencing for sensitive species such as coastal western whiptail, coast horned lizard, and silvery legless lizard could prevent dire circumstances in which “some individuals may be killed by the initial development” (Page 36). Factors such as preferred habitat or prior observation of

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these species in the area may make fencing more or less applicable and could be left to the discretion of a qualified biological monitor.

BIO-1: There are two iterations of Mitigation Measure BIO-1 for preconstruction surveys and avoidance measures that only apply to the offsite well area; one iteration applies if well construction occurs in Phase I and the other version applies if well construction occurs in Phases 2-10. It is unclear why BIO-1 contains more avoidance measures for specific sensitive species, habitats, and wetlands on the project site only if the construction occurs in Phases 2-10. Impacts associated with well and pipeline construction will not differ whether they occur in Phase 1 or in Phases 2-10. Additionally, the iteration of BIO-1 that addresses construction occurring in Phases 2-10 more thoroughly addresses potential impacts to biological resources.

3. **Off-Site Well.** Attachment D (“Off-site Well Concept”) of the MND provides a figure of off-site well site locations. It appears that this location is within the County unincorporated area; please confirm this. Also it is unclear where the water supply pipelines will occur and if they will occur along existing fuel breaks to minimize disturbance to native habitat. Temporary and permanent impacts associated with the wells and pipeline construction and operation should be analyzed.

4. **Sound Control Measures.** The MND proposes using “measures ensuring sound control that will minimize sound intrusion to its own gardens and to the neighboring properties and will be in compliance with adopted City noise ordinances” (Page 37). However, it is not clear from the previous sentence whether these measures will be applied only during phased construction activities or during operational phases of the project. As sound has the potential to travel to areas within the County unincorporated area, please specify the measures that will be employed.

5. **Breeding and Nesting Birds.** Per recent direction from the California Department of Fish and Wildlife (CDFW), pre-construction surveys for breeding and nesting birds should include the period of January 1- June 30th when raptors have the potential to be present. For this reason, it is recommended the survey period within BIO-3 be extended from January 1- August 31 to account for passerine breeding bird season from February 1 – August 31 and raptor nesting season. In addition, it is recommended surveys be conducted within a 300 foot buffer area of disturbance activities for breeding and nesting bird surveys and 500 feet if raptors have the potential to nest.

6. **Protection of Special Status Species.** The project site contains two sensitive plant communities including purple needlegrass grassland and coast prickly pear scrub both defined as Vulnerable (S3) by CDFW and NatureServe. Mitigation measures intended to avoid or offset impacts to these sensitive plant

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communities are essential because of their status as vulnerable and because they support sensitive wildlife that may use adjacent open space areas within the County unincorporated area. In addition, the mitigation for impacts to these communities as determined by a Long Term Adaptive Mitigation and Monitoring Plan (LMP) is strongly encouraged and would be most effective if restoration and preservation occurred in phases so that impacted areas are efficiently offset and there are no substantial periods of time with a loss of sensitive communities prior to installation of mitigation sites. Finally, if offsite mitigation sites are chosen pursuant to BIO-5A.d., it is recommended these areas be subject to a deed restriction, conservation easement, or similar conservation instrument to ensure mitigation sites remain in perpetuity.

7. Protection of Mature Trees that support Wildlife Species. Mitigation Measure BIO RM-6: "Retain healthy, Mature Trees" is strongly encouraged for all non-invasive trees as these trees have been shown to support sensitive wildlife such as Monarch butterflies and breeding birds and bats. Because these species can be migratory by nature, any measures to support the retention of habitat in areas adjacent to County open space areas are encouraged and supported. The recommendation from the Opportunities and Constraints Analysis conducted in 2011 by Sespe Consulting states "If eucalyptus trees are to be removed, they could be replaced with Monterey cypress or other trees that serve the same monarch over-wintering function." This option provides the benefit of Monarch overwintering habitat and is propagating a rare native species.

8. Wildlife Movement and Permanent Fencing. It is understood that the project will be implemented over time; however, defining the locations planned for permanent fencing would assist in the identification of potential barriers to wildlife movement. Also, it is recommended that Mitigation Measure BIO RM-7 "Permanent Fencing" include design specifications to facilitate wildlife movement to and through the property to maintain existing wildlife access. Wildlife permeable fencing that facilitates movement within the project area and to adjacent open space areas would be beneficial to sensitive species such as coast horned lizard, silvery legless lizard, coastal whiptail, and Bryant's woodrat, as well as larger and more common species that possess larger territories such as coyotes and bobcats. Because the project site will continue to provide some habitat value and will likely have very little human presence during night hours, measures to facilitate wildlife movement to and from County lands adjacent to the project site are encouraged.

9. Cumulative Impacts Analysis
The MND states that cumulatively considerable impacts are less than significant with mitigation incorporated. Additionally, it states that the project "largely provides a cumulative benefit by protecting natural resource areas" (Page 110). However, the cumulative impacts associated with the degradation or removal of

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special status species, special status communities, wetlands, and wildlife corridors in a regional context is not specifically addressed.

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cont.

Thank you for the opportunity to comment on the MND. If you have questions regarding this submittal, please contact Whitney Wilkinson at 805-654-2462 or whitney.wilkinson@ventura.org.



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

MEMORANDUM

DATE: December 10, 2014

TO: RMA – Planning Division
Attention: Laura Hocking

FROM: Transportation Department *Ben*

SUBJECT: **REVIEW OF DOCUMENT 14-024** Draft Mitigated Negative Declaration (DMND)
Project: **Ventura Botanical Gardens Master Plan**
Lead Agency: **City of Ventura**
Planned 106.98-acre botanical garden with up to nine separate garden types on twelve parcels near and around Grant Park in the City of Ventura (city).

Pursuant to your request, the Public Works Agency Transportation Department has reviewed the DMND for the Ventura Botanical Gardens Master Plan.

The project is a planned 106.98-acre botanical garden with up to nine separate garden types as shown on the Master Plan on Page 10 of the DMND. The project involves twelve parcels and is solely accessed via Grant Park and public roadways under the city's jurisdiction. The project will generate traffic on the Regional Road Network and local public roadways.

We offer the following comment:

1. The cumulative impacts of the development of this project, when considered with the cumulative impact of all other approved (or anticipated) development projects in the County, will be potentially significant. To address the cumulative adverse impacts of traffic on the County Regional Road Network, the appropriate Traffic Impact Mitigation Fee (TIMF) should be paid to the County when development occurs. Based on the information provided in the Traffic Study for the DMND for the Ventura Botanical Gardens Master Plan, and the reciprocal agreement between the City of Ventura and the County of Ventura, the fee due to the County would be:

$$1,126 \text{ ADT}^{**} \times \$52.76/\text{ADT}^{***} = \$59,407.76$$

** 1,126 ADT per Page 9 of Traffic Study by ATE dated June 12, 2014

*** TIMF for Ventura Traffic District #10

The above-estimated fee may be subject to adjustment at the time of deposit, due to provisions in the TIMF Ordinance allowing the fee to be adjusted for inflation based on the Engineering News Record Construction Cost Index. The above is an estimate only, based on information provided in the DMND.

2. Please send us the final MND when it is available for our review and comment.

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

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VENTURA BOTANICAL GARDENS

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December 10, 2014

Mr. Dave Ward, AICP
Community Development Planning Manager
City of Ventura
501 Poli Street
Ventura, Ca 93001

Re: Review of Draft Conditions for the Ventura Botanical Gardens Master Plan

Dear Dave,

As you know, the Ventura Botanical Gardens team members have been working with City Staff and consultants for many months to create a long term master plan for the improvement of significant portions of Grant Park as a non-profit community botanical garden.

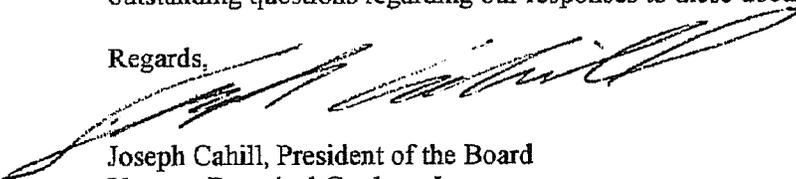
The draft MND issued on November 19 summarizes the key components of the master plan and provides proposed mitigations. In addition, city staff has provided us with draft conditions of approval related to the use permit currently being processed.

Regarding the MND, we have offered a number of comments through several iterations of the planning process. Some of those comments have been addressed and incorporated into the document, while some remain to be resolved, with the expectation that VBG and city staff will continue to work together to satisfy the concerns of each. We have no additional concerns to add at this time.

Regarding the draft Master Plan CUP, we have no additional concerns to add at this time.

We will continue to work in partnership with city staff to assure that this project will function as well-planned asset to the community. Please let me know if you have any outstanding questions regarding our responses to these documents.

Regards,



Joseph Cahill, President of the Board
Ventura Botanical Gardens, Inc.

Page 54 of 112.

BIO-5B regarding part d). The condition reads "If mitigation cannot be conducted within the project site,..."

VBG feels that there may be good reasons where it is possible to conduct mitigation within the site, but highly preferable to conduct mitigation in suitable adjacent off-site areas, taking into consideration light, soil, habitat, future planning, and other factors.