Exhibit A
Public Comments Received
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<th>Commenter</th>
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<tbody>
<tr>
<td>1</td>
<td>Bruce Smith</td>
<td>10-31-17</td>
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<td>2</td>
<td>Kimberly Rivers, CFROG</td>
<td>11-2-17</td>
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On October 3, 2017, Susan Curtis and Shelley Sussman of the County Planning Division met with me to discuss how staff intended to respond to my April 27, 2017 comments on the Draft Background Report of the General Plan Update. In response to some of my comments, staff modified the Background Report. In response to other comments, staff stated that they intend to address these issues in future discussion of alternative land use/zoning strategies and EIR. As such, I will limit my comments herein to the revised text of the Background Report that I find are still confusing and inadequate.

Chapter 2- Demographics and Economics

Pg. 2-62, first bullet point under Major Findings:
"Southern California Association of Governments (SCAG) projections for Ventura County show a projected population of 965,400 residents (12.7 percent increase over 2016) by 2040, with the unincorporated areas projected to increase to 113,600 residents (15.5 percent increase over 2016) by 2040. This is a slower rate of growth than the county has experienced in the past."

Comment: Notwithstanding my April 27 comments, this paragraph is still incorrect and should read: "Southern California Association of Governments (SCAG) projections for Ventura County show a projected population of 965,400 residents (12.7 percent increase over 2016) by 2040, which is a slower rate of growth than the county experienced between 1990 and 2016. In contrast, the unincorporated areas are projected to increase to 113,600 residents (15.5 percent increase over 2016) by 2040, which is a higher rate of growth than the unincorporated county experienced from 1990 to 2016." The reason the 1990-2016 period is appropriate is because the last city to incorporate was Moorpark during the 1980's, and the 1990-2016 time period is roughly equal to the 24 year time period of the proposed General Plan (2017-2040). This time period also is long enough to take into account both periodic economic growth and downturns.

Pg. 2-62, fourth bullet point under Major Findings:
Comment: As I stated in my April 27 comments and similar to the preceding comment, unincorporated household projections for 2016-2040 need to be compared to the unincorporated household rate of growth over the last 26 years (1990-2016), both of which should be contrasted with the household projections and historical growth rates for the county as a whole/incorporated cities.
Pg. 2-62, fifth bullet point under Major Findings:
"The projected employment in Ventura County will total approximately 412,300 jobs by 2040, based on projections from the consulting firm Applied Development Economics (ADE). This is an increase of 31.9 percent over 2015, with unincorporated areas expecting a job total of 38,700 by 2040 (increase of 17.7 percent over 2015). This is slightly slower than the county has experienced in the past."
Comment: The reference to "412,300 jobs" is inconsistent with the "419,800 jobs" as noted on page 2-65. The last sentence of the paragraph is confusing since, as noted on page 2-65, it applies to the county as a whole, not the unincorporated area. Nonetheless, the report should compare and contrast all employment forecasts and historical development between the county as a whole, the incorporated cities and the unincorporated area.

Pg. 2-62, sixth bullet point under Major Findings:
"Employment is projected to grow at an annual rate of 1.0 percent through 2040. This is higher than the rate between 2002 and 2015 (0.4 percent), but lower than the rate between 1992 and 2015 (1.4 percent)."
Comment: This statement should be clarified that it is referring to the county as a whole. In addition, the future and historical employment growth rates of county as a whole, the incorporated cities, and the unincorporated county should be compared and contrasted using the 1990 to 2016 time period.

Pg. 2-63, third paragraph, first sentence:
"SCAG projections for Ventura County, which were developed through an extensive analytical and local consultation process to support regional transportation and air quality planning, ..."
Comment: In the meeting with County Planning Division staff on October 3, I was informed that, unlike the 2022 RHNA forecast allocation process; County staff was not extensively involved in the development or review of SCAG's 2040 Forecasts. Therefore, it is incorrect to imply that County staff had extensive analytical and local consultation with SCAG. Moreover, the Board of Supervisors was never asked to endorse SCAG's projections.

Pg. 2-63, fourth paragraph:
"It is important to note that the projected average growth rates for the county as a whole, and for the combined incorporated areas, are affected by the very low growth rates in the cities of Port Hueneme and Thousand Oaks, both of which have a CAGR of 0.1 percent. The low growth rate in these two cities has the effect of skewing the countywide average rate and the average incorporated cities rate so that they are lower than the unincorporated area rate. When the growth rates for Port Hueneme and Thousand Oaks are removed from the calculated average growth rate, the projected growth rates for the county as a whole and for the combined incorporated areas would be higher than for the unincorporated area."
Comment: This paragraph is conclusionary, lacks supporting documentation/references, and fails to compare the current forecasts to historic growth. In addition, this paragraph does not explain why the projected 2016-2040 growth rate for the
unincorporated area is significantly higher than the last 26 years. Moreover, this paragraph simply supports my previous comment of April 27 that the SCAG Forecast process is, at the County and jurisdictional level, simply an allocation process that is politically derived and not based on purely objective criteria and local constraints.

Pg. 2-64, Table 2-34:
Since comparative differences of seemingly small numbers can be statistically significant, the table (as well as the entire report) should express CAGR percentages in hundredths of a percent (x.xx), rather than tenths of a percent (x.x). As an example, the population and household growth rate for the unincorporated area (0.6% CAGR) is 20 percent higher than either the County as a whole or the incorporated cities (0.5% CAGR). This is statistically significant.

Pg. 2-69, Market Demand Measures for Different Land Uses:
General Comment: The Background Report still incorrectly characterizes the SCAG 2040 Forecasts as “market demand.” The title and text of this section, as well as the text of the Land Use chapter, should be changed to “Land Uses Needed to Meet SCAG 2040 Forecasts.”

Pg. 2-69, Introduction, first sentence:
“This section builds on Sections 2.3 and 2.4 to analyze potential land demand for economic uses in the unincorporated area and the extent to which the existing supply of developable land could support future growth as expressed in the current SCAG projections.”
Comment: The sentence should be changed to read: “This section builds on Sections 2.3 and 2.4 to analyze potential land uses needed to meet the SCAG projections in the unincorporated area and the extent to which the existing supply of developable land could support future growth to meet those projections.”

Pg. 2-69, last bullet point on this page:
“Construction completion data for the unincorporated area shows that over the last ten years, second dwelling unit construction averaged 19 units per year, individual farmworker dwelling units averaged three units per year, and farmworker complexes averaged 14 dwelling units per year (see Land Use Chapter, Section 3.7 Development Holding Capacity and Remaining Background Report County of Ventura Section 2.5: Market Demand Measures for Different Land Uses Revised Public Review Draft 2-70 October 2017 Development Potential). These historical construction completion averages are far lower than the theoretical capacity associated with these dwelling types.”
Comment: This paragraph, as well as the last paragraph on pg. 3-97 in the Land Use chapter, leads the reader to presume that these types of dwelling units can only be counted toward meeting the 2040 forecast based on a historically low rate of development. However, the dwelling unit discussion in the preceding bulleted paragraphs ignores the lower historic construction rate for single family and multi-family dwelling units in residential zones when compared to previous SCAG forecasts. The holding capacity of all types of dwelling units should be counted toward meeting the
forecasts. Furthermore, recent changes in State law regarding second dwelling units (accessory du's) will probably result in more such units being built each year. The County could also start an incentive program to encourage second (accessory) dwelling units, which should be discussed in the alternative strategy and/or Housing section of the General Plan Update.

Pg. 2-72 & -73
General Comment:
Regarding employment, the Background Report (Chapters 2 and 3) largely relies upon an analysis of land zoned for commercial and industrial uses. However, the report should also analyze employment from home occupation land uses.

Pg. 2-72, second paragraph, last sentence, reference to vacant commercial land:
"Typically, communities plan for the land supply to exceed demand by 25 to 30 percent in order to avoid reaching demand saturation. In areas without such “excess” supply, land costs tend to escalate and development tends to slow down due to lack of available sites."
Comment: This statement cites no studies to support its conclusions, and should be removed. It is well known that cities and some counties tend to over-zone for commercial uses, not because of any innate “demand” within the local community, but because those communities are desperate for retail sales and property tax revenues and are competing with nearby communities. It is also interesting to note that “demand saturation” and land cost escalation are not discussed in the context of housing. Generally, local jurisdictions don’t want a large oversupply of vacant residential land because residential uses require more in expenditures for public services than the property tax revenues they generate.

Pg. 2-72, third paragraph, last sentence, reference to vacant industrial land:
Comment: The preceding comment applies to industrial land as well.

Chapter 6 – Transportation and Mobility

Pg. 6-22, Existing Setting:
"Daily vehicle miles of travel (DVMT) is a general but robust measure of vehicle activity. It measures the extent of utilization a transportation network experiences by motorists. Although it is not a good indicator of congestion, it is an indicator of overall vehicle activity. DVMT is commonly applied on a per household or per-capita basis and is a primary input for regional air quality analyses and for developing safety and accident rates. Per SB 743, VMT is now the basis for transportation impact identification and mitigation under the California Environmental Quality Act.” (Emphasis added)

Pg. 6-34, California Environmental Quality Act (CEQA) Streamlining (SB 743):
“Adopted in 2013, SB 743 changes the metric used to evaluate transportation impact and mitigation under CEQA. Previously, CEQA analysis centered on Level of Service (LOS), but now under SB 743, the primary metric for identifying CEQA impacts and mitigation will be Vehicle Miles of Travel (VMT). CEQA impacts or mitigations will no longer be based on LOS. The intent of SB 743 is to streamline CEQA guidelines for
projects in urban infill locations and high transit priority areas. However, it will be eventually phased in to apply statewide. VMT was chosen as the primary metric to better integrate land use and multimodal transportation choices, to encourage alternative transportation, greater efficiency, and reduced GHG emissions. SB 743 also amended the state congestion management program statutes lifting the sunset clause for the designation of infill opportunity zones, where CMP LOS standards would no longer apply." (Emphasis added)

**Comment:** Under SB 743, the Office of Planning and Research (OPR) was tasked with preparing amendments to the CEQA Guidelines to implement the bill’s provisions within “Infill Opportunity Zones”, “Transit Priority Areas” and, possibly, throughout other areas of the State. In January of 2016, OPR circulated a revised draft of amendments to the CEQA Guidelines to implement SB 743, with a public comment period ending in February of 2016. The current status of these proposed revisions is unclear, but the revisions must be submitted to the Office of Administrative Law for legal review and the Natural Resources Agency for final adoption. As proposed, the CEQA Guidelines would eventually mandate VMT methodology and standards statewide and declares that automobile delay would no longer constitute a significant impact under CEQA. Until final adoption, the proposed revisions are not currently the basis for traffic impact identification and mitigation outside of Infill Opportunity Zones and Transit Priority Areas. If adopted, local jurisdictions will have up to two years to implement VMT methodologies in their locally adopted CEQA thresholds and guidelines.

Below are some of the important provisions of SB 742:

Under Section 4 of SB 743 (Congestion Management Plans) it states:

“(a) It is the intent of the Legislature to balance the need for level of service standards for traffic with the need to build infill housing and mixed use commercial developments within walking distance of mass transit facilities, downtowns, and town centers and to provide greater flexibility to local governments to balance these sometimes competing needs.

(b) Notwithstanding any other provision of law, level of service standards described in Section 65089 shall not apply to the streets and highways within an infill opportunity zone.

(c) The city or county may designate an infill opportunity zone by adopting a resolution after determining that the infill opportunity zone is consistent with the general plan and any applicable specific plan, and is a transit priority area within a sustainable communities strategy or alternative planning strategy adopted by the applicable metropolitan planning organization.” (emphasis added).

Under Section 5 of SB 743 (CEQA) it states:

“(b) (1) The Office of Planning and Research shall prepare, develop, and transmit to the Secretary of the Natural Resources Agency for certification and adoption proposed revisions to the guidelines adopted pursuant to Section 21083 establishing criteria for determining the significance of transportation impacts of projects within transit priority areas. Those criteria shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation

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networks, and a diversity of land uses. In developing the criteria, the office shall recommend potential metrics to measure transportation impacts that may include, but are not limited to, vehicle miles traveled, vehicle miles traveled per capita, automobile trip generation rates, or automobile trips generated. The office may also establish criteria for models used to analyze transportation impacts to ensure the models are accurate, reliable, and consistent with the intent of this section.

(2) Upon certification of the guidelines by the Secretary of the Natural Resources Agency pursuant to this section, automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment pursuant to this division, except in locations specifically identified in the guidelines, if any.

(3) This subdivision does not relieve a public agency of the requirement to analyze a project's potentially significant transportation impacts related to air quality, noise, safety, or any other impact associated with transportation. The methodology established by these guidelines shall not create a presumption that a project will not result in significant impacts related to air quality, noise, safety, or any other impact associated with transportation. Notwithstanding the foregoing, the adequacy of parking for a project shall not support a finding of significance pursuant to this section.

(4) This subdivision does not preclude the application of local general plan policies, zoning codes, conditions of approval, thresholds, or any other planning requirements pursuant to the police power or any other authority.

(5) On or before July 1, 2014, the Office of Planning and Research shall circulate a draft revision prepared pursuant to paragraph (1).

(c) (1) The Office of Planning and Research may adopt guidelines pursuant to Section 21083 establishing alternative metrics to the metrics used for traffic levels of service for transportation impacts outside transit priority areas. The alternative metrics may include the retention of traffic levels of service, where appropriate and as determined by the office.

(2) This subdivision shall not affect the standard of review that would apply to the new guidelines adopted pursuant to this section.

(d) (1) Aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.

(2) (A) This subdivision does not affect, change, or modify the authority of a lead agency to consider aesthetic impacts pursuant to local design review ordinances or other discretionary powers provided by other laws or policies.

(B) For the purposes of this subdivision, aesthetic impacts do not include impacts on historical or cultural resources.

(e) This section does not affect the authority of a public agency to establish or adopt thresholds of significance that are more protective of the environment. (Emphasis added).
Under Section 6 of SB 743 (CEQA) it states:

“(a) Except as provided in subdivision (b), a residential, employment center, as defined in paragraph (1) of subdivision (a) of Section 21099, or mixed-use development project, including any subdivision, or any zoning, change that meets all of the following criteria is exempt from the requirements of this division:

(1) The project is proposed within a transit priority area, as defined in subdivision (a) of Section 21099.
(2) The project is undertaken to implement and is consistent with a specific plan for which an environmental impact report has been certified.
(3) The project is consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy for which the State Air Resources Board, pursuant to subparagraph (H) of paragraph (2) of subdivision (b) of Section 65080 of the Government Code, has accepted a metropolitan planning organization’s determination that the sustainable communities strategy or the alternative planning strategy would, if implemented, achieve the greenhouse gas emissions reduction targets.

(b) Further environmental review shall be conducted only if any of the events specified in Section 21166 have occurred.” (Emphasis added).

Section 21166 is the general rule dealing with the conditions under which a subsequent or supplemental EIR must be prepared.

Based on the above, it is unclear as to whether OPR exceeded its authority by proposing to totally eliminate LOS from the CEQA Guidelines and prohibiting local jurisdictions from using LOS standards in environmental document preparation. In any event, state law still allows local jurisdictions to address LOS standards in their general plans and ordinances under their police powers.

Chapter 8 – Natural Resources

Pg. 8-65, Figure 8.7:
As I stated in my April 27 comments, the map is incorrect since it only shows the ridgelines along Highway 33 northerly of the urban areas of the Ojai Valley as being a scenic resource area. The SRP actually covers all land one-half mile on both sides of the roadway.

Chapter 9 - Agriculture

Pg. 9-13, Table 9-4
Comment: The revised table eliminated Avocados (262 gallons per pound) from the Water Use by Crop Type, and no explanation was provided. Avocados are still a major crop in Ventura County.

Pg. 9-44, Discussion of Open Space Contracts
Comments: Although Open Space Contracts are part of the County’s LCA program, its purpose is not specifically for agriculture land protection. Therefore, it would be more
appropriate to move or reference this information in either Chapter 3 – Land Use under the category of Open Space or Chapter 8 – Natural Resources.
Ms. Susan Curtis  
General Plan Update Manager  
Ventura County Planning Department  
800 S. Victoria Avenue  
Ventura, CA  93003  

Re: Background Report revisions  

Dear Ms. Curtis,  

Upon careful review of the revised Background Report, CFROG would like to thank planning staff for the changes made in response to our comments submitted earlier this year. However, we note a few items were not revised, and we hope that the county plans to address these issues in the analysis done as part of the Environmental Impact Report. Those specific items include:  

- Data related to the occurrence (number of incidents) and impacts related to spills, leaks, explosions and emergency flaring and other unauthorized discharges of fluids and air pollutants that occur (according to state, DOGGR records) in the course of oil and gas operations throughout Ventura County oil fields and pipelines.  
- Use of the most current data/science related to the Global Warming Potential (GWP) factor per IPCC Fifth Assessment Report (2014).  

CFROG would also like to submit a request, in the interest of clarity, transparency and encouraging public participation that all revised documents produced as part of the GenPlan Update process include an online legislative version showing all changes from the draft document.  

Sincerely,  

Kimberly Rivers  
Executive Director  

cc. Kim Prillhart, Shelley Sussman, Clay Downing