

ATTACHMENT A
Proposed New Findings

Insert after Existing Finding 16:

The Order requires projects where it has been demonstrated to be technically infeasible to achieve less than 30% Effective Impervious Area, to mitigate off-site 1.5 times the volume that would normally be required to be retained on site. The increase in off-site mitigation is warranted because it has been concluded that, at impervious land cover over 30%, impacts on streams and wetlands become more severe, and degradation is almost unavoidable without special measures (Prince George's County, MD 1999; BASMAA 1999; Center for Watershed Protection 2003). The off-site mitigation volume requirement may be met through retention and/or biofiltration.

Insert after Existing Finding 25:

A major concern expressed by commenters is the 30% EIA limitation may not allow some projects to be built. Part of the rationale supporting the feasibility of on site retention in Order 09-0057 was derived from the Richard Horner (2007) study. The Horner study purports to demonstrate that stormwater infiltration is feasible throughout Ventura County and is the key study for an upper-bound EIA requirement. Horner's approach to demonstrate feasibility is to estimate stormwater runoff volume and compare it to infiltration capacity. While the Horner report has value at a general level and complements findings of other studies in Southern California and elsewhere. Staff has the following concerns with the Horner study conclusions with regard to the universal feasibility of achieving less than 30% EIA:

- The Horner analysis is based on engineered infiltration basins rather than undisturbed pervious cover.
- The Horner analysis cites the UCSB infiltration studies which are based on a relatively high permeability soils. However, the EIR cited in the study by Horner shows a significant quantity percentage of the Ventura County soils are described as sandy loamy and are classified as "low permeability and slow draining.
- The Horner analysis normalizes runoff rates and infiltration capacity to an annual basis which may not address the critical conditions appropriate for the seasonal precipitation patterns in Ventura County.
- Horner states the study was limited in scope such that its universal applicability throughout Ventura County is not well supported.

Staff recognizes the significance of the 30% EIA threshold but cannot justify a strict cap.