



June 12, 2019

Ventura County Planning Commission
County Government Center
800 S. Victoria Ave.
Ventura, CA 93009

RE: GPU Policy and Program Recommendations for the Hazards and Safety Element

Dear Planning Commissioners,

The 350 Ventura County Climate Hub submits the attached comments on the Hazards and Safety Element of the Draft General Plan.

Our three main focus areas are:

- 1) Ensuring hazard response plans for environmental justice communities include the voice of residents who live there and are designed to address the particular vulnerabilities of those communities.
- 2) Ensuring fire hazard reduction plans do not exacerbate impacts related to climate change and are based on established fire ecology standards for the appropriate habitat, of particular interest is chaparral.
- 3) Ensuring storm water infrastructure, whenever possible, be designed and/or rebuilt to slow, spread and sink, (ie. Infiltrate) storm water in order to prevent flooding and pollution, support ecological restoration and to recharge groundwater basins.

Thank you very much for your consideration.

Sincerely,

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HAZARDS AND SAFETY ELEMENT POLICIES & PROGRAMS

Section: *Introduction*

Comments: The introduction as written fails to mention the risk from earthquakes in Ventura County, while it is addressed in the element it should also be mentioned in the introduction.

The intro section also fails to acknowledge that currently Ventura County has the only Class II commercial waste facility in California and a landfill in Simi Valley that accepts waste not allowed in other areas. Large amounts of waste are disposed of from outside the county creating a particular area of risk, as experienced by a catastrophic explosion in 2014. This and other unique operations within the county should be acknowledged along with particular risks.

Suggested language to be included in the introduction for this section or incorporated into a goal:

Certain populations and communities are more vulnerable to impacts from hazards, therefore goals, policies and programs will be aimed at reducing those vulnerabilities. The county recognizes unique approaches may be needed in these areas such as emergency plan and responses be provided and conducted in the various languages spoken by residents (English, Spanish, Mixtecan, et al.).

Section: *7.1 Wildfire Hazards –*

GOAL: To improve the resilience of the County to wildfire risk by locating, designing, and constructing development in a manner that minimizes the risk, and by providing effective fire prevention, suppression, and rescue services and facilities. [Source: Existing GPP Goal 4.8.1.1 and Goal 2.13.1.2, modified]

Comment: In the event of a fire some areas of the county are likely to experience unique negative impacts to air quality such as valleys, locations where natural oil and gas seeps occur, neighborhoods next to waste facilities and so on. Addressing and seeking to minimize and respond appropriately to these particular vulnerabilities should be a goal of this section.

New Policies:

1. All policies related to reducing fuel loads and vegetation clear zones shall be consistent with **fire ecology standards** for the appropriate landscape, e.g. example chaparral, riparian, oak woodland, etc.
2. In order to reduce the risk to life and property of both residents and first responders all development in fire hazard areas will be properly designed and conditioned so as to reduce fire risk with a focus on limiting the expansion of development of any kind in high fire hazard severity zones and hazardous fire areas.
3. The county shall prioritize fire resistant design, including alternative building materials and structure design for buildings in the wildland urban interface areas.
4. Controlled burns shall be utilized only as consistent with established fire ecology policies for that habitat.
5. All education materials and activities shall be consistent with accepted fire ecology framework for applicable habitat. These shall be available in English, Spanish and Mixtecan, Brail and any other language as needed to ensure all residents have access.
6. Education programs will include information about effective measures to protect personal health related to air quality in the wake of fires, with particular attention to neighborhoods around industrial and commercial sites, including waste disposal areas, natural seeps, oil extraction and processing facilities, agricultural areas where farm workers may be working outdoors in the event of a wildfire.
7. Emergency response teams shall include bilingual personnel to ensure effective communication with residents who may not speak English.
8. The county shall advocate for state and federal policies related to managing fuel loads on federal and state owned/managed lands that is based on best practices per fire ecology for the appropriate habitat.
9. Develop and Implement Educational Programs for Wildfire Resilience In coordination with federal, state, and local partners (e.g., CAL FIRE), the County shall update and maintain educational programs related to such issues as:
 - i. Learning how to recognize the first signs of fire and take appropriate action;
 - ii. Living with the risks of fire within the wildland/urban interface;
 - iii. Methods of improving the resilience of homes and other structures, including not-yet-recognized investments for withstanding fire, such

Wildfire Hazards cont.

as installation of outdoor misters and ability to turn off indoor sprinklers, and construction of fire-resistant tiny homes for emergency refuge or storage of valuables before evacuation.

- iv. Communication methods during and in the wake of fire, including solar-powered phone chargers.
10. The county shall update and map new locations that may be vulnerable to wildfire hazards including areas with particular and unique vulnerabilities to fire and in the wake of fire such as areas where air quality is likely to be heavily impacted for example the Upper Ojai where natural seeps are likely to ignite and negatively impact air quality and other potential areas of concern or unique risk. And the settlements in the narrow canyons in the middle and upper Ventura River Valley, Santa Clara River Valley and above Santa Paula and Camarillo where wind patterns tend to concentrate smoke for extended duration.

7.2 Flood Hazards

GOAL: To minimize the loss of life, injury, property damage, and economic and social dislocations resulting from flooding, dam failure, seismic-induced flooding, post-fire debris flow, tsunamis, or other water inundation hazard. *[Source: Existing GPP Goal 2.10.1.1, modified]*

Suggested language to incorporate into goal:

Slow, Spread & Sink methodology will be used in designing and rebuilding storm water management infrastructure and plans in order to prevent flooding, debris flows, reduce runoff and pollution in runoff and to replenish groundwater aquifers.

New policies:

1. Floodway infrastructure will be designed and retrofitted based on the principals of slow, spread and sink.
 - a. Program: Develop a Slow It, Spread It, Sink It educational program providing best management practices for residential, commercial, industrial and agricultural applications. Partner with NGO's, agencies and community members to develop and disseminate.
 - b. Seek grant funding for redesign, construction etc. of existing and new infrastructure.

2. The County shall inform the Watershed Councils about applications for discretionary development for review and approval of proposed uses in floodplains.
3. All development which may contribute to downstream flooding that impacts development of any kind shall be conditioned so as to avoid flooding.
4. All properties, commercial, residential and industrial, must retain or percolate into the ground on-site the first half-inch of rainfall during any 24-hour period or otherwise incorporate best management practices based on Slow It, Spread It, Sink It methods.

Comment: As proposed currently this section contains no programs aimed at improving storm/flood water management systems to **slow, spread & sink water**. This process is also called infiltration, which is not the same as groundwater basin “recharge” because of the myriad of benefits related to infiltration.

A plan should be developed to shift our water management systems away from diverting all storm water as quickly as possible to gutters and drains, which direct water along with pollution to our waterways and ultimately to the ocean, and instead redesign the system to slow water, spread it and sink it. Current systems are more prone to flooding because they exacerbate flood events - systems designed to slow and sink water respond better to flash events of the type VC is likely to experience.

7.3 Coastal Flooding

GOAL: To improve resilience to sea level rise and coastal flooding. *[Source: New Goal]*

The introduction to this section should acknowledge the negative impacts of sea level rise on groundwater aquifers, namely sea water intrusion. This is already happening and sea level rise will continue to exacerbate the problem, especially on the Oxnard Plain.

Goal should incorporate the fact that state designated environmental justice communities are expected to be heavily impacted by sea level rise in unique ways - these vulnerabilities should be analyzed and appropriate measures identified to reduce impacts and support those where damage is unavoidable.

New Policies:

1. Plan for the inevitability of sea level rise, eventually the waters will not recede.

2. All educational outreach shall be developed in partnership with residents of environmental justice communities in the areas that may be impacted by coastal flooding exacerbated by sea level rise and climate change related flood events.
3. The county shall build partnerships with community-based organizations doing outreach and education on the impacts of climate change where resources can be leveraged to reach more people.

7.4 Geologic and Seismic Hazards

GOAL: To minimize the risk of loss of life, injury, collapse of habitable structures, and economic and social dislocations resulting from geologic and seismic hazards. (Source: Existing GPP Goal 2.2.1.1, 2.3.1.1, 2.4.1.1, 2.5.1.1, 2.7.1.1, and 2.8.1.1, modified)

New Policies:

1. The county shall prohibit the discretionary development and expansion of certain commercial and industrial activities in Earthquake-Rupture Hazard Zones that could lead to water with potential beneficial uses being contaminated unless a geologic investigation finds the water would not be jeopardized in the case of a seismic event.
2. Oil and gas pipelines and wells shall not be placed where water sources would be put at risk in the event of a rupture, leak or spill as a result of ground movement and/or seismic events. All pipelines should be equipped with automatic shutoffs that will operate in the event of any rupture.
3. Re. HAZ - 4.8 - In determining where habitable structures or hazardous material storage/disposal facilities are to be located, the county shall emphasize the protection of water resources.
4. All drainage plans will incorporate best available design methods for rainwater infiltration or the slowing, spreading and sinking of rainwater.
5. The county shall not allow residential, commercial or industrial activities that risk water resources in the case of a seismic event.
6. Commercial and industrial activities that have the potential to cause subsidence shall be prohibited.

7.5 Hazardous Materials

GOAL: To minimize the risk of loss of life, injury, serious illness, damage to property, and economic and social dislocations resulting from the use, transport, treatment and disposal of hazardous materials and wastes. [Source: Existing GPP Goal 2.15.1.1, modified]

New Policies:

1. The county shall recognize that some materials not designated as “hazardous” are in fact hazardous to human health.
2. The county will implement environmental justice policies to reduce and prohibit the clustering of waste sites and industrial activities resulting in pollution in communities which are overly burdened as recognized in CalEnviroScreen.
3. The county shall prohibit the expansion of waste facilities located in, or which impact state recognized disadvantaged communities.
4. All educational materials will be developed in partnership with individuals, groups and agencies working in communities.
5. Proposed policy in Draft GenPlan:

5.6 Hazardous Materials – County Regulatory Oversight

The County shall continue to provide regulatory oversight for all facilities or activities that store, use, or handle hazardous materials. (SO) [Source: Existing GPP Policy 2.15.2.3, modified]

Suggested language to add:

Except where it may be appropriate for a state or other government agency with the appropriate expertise to provide oversight in order to ensure proper protection of public health and safety and avoid conflicts of interest.

6. County planning shall **notify the Supervisor’s office regarding any and all existing and pending hazardous waste facilities in their district**, and shall notify the City Manager of any city with a county permitted hazardous waste facility located within 5 miles of a city boundary. The office of the appropriate Supervisor shall also be notified in the event of any and all violations as a result of any agency inspection, and in the event of any complaints made regarding any hazardous waste facilities in their district.
7. **Reducing Pollution Burden on Environmental Justice Communities** - The county shall require existing and any potential generators, disposers, handlers and

transporters of hazardous waste to conduct their operations in such a way as to reduce the pollution burden on state recognized environmental justice communities.

8. Minimize disposal of imported waste of any kind inside the county.
9. The County shall collaborate with the Sanitation District and the cities to educate the public avoiding exposure to regulated hazardous pesticides and double the number of locations throughout the county where surplus pesticides are accepted.
10. No organic waste to landfills: All organic waste must be either composted or processed in leak-tight anaerobic digesters.

Comments on specific policies in Hazardous Waste section:

Comment on 5.7 Presence of Hazardous Wastes

As currently written in GenPlan Draft:

Applicants shall provide a statement indicating the presence of any hazardous wastes on a site, prior to discretionary development. The applicant must demonstrate that the waste site is properly closed, or will be closed, pursuant to all applicable state and federal laws, before the project is inaugurated. (RDR) [Source: Existing GPP Policy 2.15.2.4, modified]

This language is extremely unclear. What does staff mean by “properly closed” and how can a new use inauguration be predicated on the potential closure of an operation at the site, when presumably the two operators are not affiliated? Request for staff clarification.

Comment on: 5.8 Siting Criteria for Hazardous Waste Generators

As currently written in GenPlan Draft:

The County shall require commercial or industrial uses which generate, store, or handle hazardous waste and/or hazardous materials to locate, operate, and maintain hazardous waste and/or hazardous materials in a manner that does not endanger public health and safety and is located based on objective criteria that do not disproportionately impact Designated Disadvantaged Communities. (RDR) [Source: Existing GPP Policy 2.15.2.5, modified]

As written this policy does nothing to bring equity to the situation these communities are in. They are overly burdened already. If the county merely strives to “not disproportionately impact” the communities further, there will be no reduction in the existing pollution burden,

and any new pollution would keep that community subjected to an undue share of pollution exposure. That is the opposite of environmental justice. A policy with a goal of bringing justice to a community must strive to actually reduce the existing burden not just give them an equal share of new burdens.

7.6 Transportation Related Hazards

GOAL: To minimize the loss of life, injury, damage to structures, and economic and social dislocations resulting from hazards created by proximity to airports, railroads and truck routes. [Source: Existing GPP Goal 2.14.1.1]

Comment: waste treatment and disposal sites are a hazard, and in the event of an air traffic catastrophe that risk is compounded - in the interest of precaution they should not be allowed in these zones.

7.7 Oil and Gas Production and Transportation Incidents

GOAL: To reduce or mitigate the effects of marine oil spills or onshore oil pipeline spills upon the population and environment. [Source: Existing GPP Goal 2.14.1.2]

This particular goal fails to address the causation of the hazard and should be aimed at reducing the occurrence of oil spills.

Suggested additions to the introduction as currently written in red/bold below:

The potential exists for offshore oil accidents and spills in Ventura County involving petroleum products due to oil and gas development, transportation of liquid bulk products by tanker, and other vessel traffic carrying petroleum products for fuel **and waste products for disposal**. An offshore spill can result in oil-contaminated beaches. The major potential sources of offshore spills are separated into the following categories:

Oil Platform Production. There are four platforms in federal waters offshore Ventura County. They are Chevron's Platforms Grace and Gail and Unocal's Platforms Gina and Gilda. There are no platforms in state waters (i.e., within three miles of shore). Rincon Island contains 68 inactive well ports is being decommissioned. There are additional platforms in state and federal waters offshore Santa Barbara County. The probability of an oil spill from a platform is small but possible. As a result of the Santa Barbara Oil well blowout in 1969, operating and safety requirements were substantially strengthened, **but due to current federal policies are at risk of being weakened making the need for local protections**

vital to protecting our valuable coastline. During drilling, all offshore wells are equipped with redundant blowout protectors that can be closed hydraulically from a remote-control station in the event of a blowout.

Subsea Pipelines. All of the platforms listed in the oil platform production section ship their oil to shore via subsea pipelines. Potential causes of pipeline spills include corrosion, mechanical defects, and ruptures caused by events such as anchor dragging or earthquakes. Oil pipelines are normally equipped with various sensors and/or valves that will allow the pipeline to be shut down rapidly and automatically in the event of a rupture. **Inspection and maintenance records are not held or reviewed by the county.**

Onshore Oil Pipeline Spill. Similar to a marine oil spill, an onshore oil pipeline spill can be a serious hazard to surface and groundwater resources, property, animals and human life. Oil and gas transport lines have been mapped on the County's Geographic Information System (GIS) to allow improved response to spills in the event of pipeline system failure or a seismic event. Although available to emergency responders and planners, GIS information on the location of these transport lines is proprietary and contact must be first made with the California State Fire Marshall. **Many miles of gathering lines throughout the county are unmapped and represent an ongoing hazard, the extent of which is unknown. Hundreds of spills and leaks are reported every year and a spill list is maintained by the Division of Oil, Gas & Geothermal Resources.**

General comment about introduction:

This section is called "oil and gas..." what about gas pipeline rupture? In Somis a gas pipeline crosses the property of the public elementary school. The inspection and maintenance records of the pipelines are not held or reviewed by the county. Such pipelines should be monitored as a potential hazard.

7.1 Oil Spill Prevention policy

Suggested added language in red/bold below:

The County shall review and analyze all proposed oil and gas exploration and production, **processing and transportation projects**, and shall condition all County discretionary permits for such projects, to require compliance with local, state, and federal oil spill prevention regulations. The County shall also provide input and comments on permit applications that are under the purview of an outside agency. (RDR, IGC) *[Source: Existing GPP Policy 2.14.2.4, modified]*

New Policies:

1. The County shall monitor and publish all pipeline inspection and maintenance reports especially including the backlog report on natural gas leaks
 2. The County shall conduct a review of inactive transport pipelines with active franchise fee payments being made annually to the county in lieu of proper clean up and removal in order to determine potential risks to public health and natural habitats and water resources.
 3. The County shall cause to be required on all existing and any new discretionary use permits for oil and gas operations to include - within 6 months of adoption of this rule - analysis of risk to nearby surface and groundwater resources. In the event that water resources will be jeopardized a significant impact shall be determined. And the county shall require maintenance logs and information to be submitted to planning every 12 months for all pipelines of any type within oil fields to be included in the public file for review. The county shall partner with other local, state and federal agencies that are gathering data relevant to this policy.
 4. Ventura County shall instill a fine for spills, leaks and other releases of oil and gas to build a real incentive for operators to avoid spills - it will be costly above and beyond the loss of product.
 5. The County shall collect and review production, flaring and backlog leak reports and periodically investigate their accuracy to determine the amount of carbon equivalent in each category for the purposes of calculating a carbon tax at the societal cost of the pollution of the atmosphere and the air, public health and other costs associated with produced and flared oil and gas and leaked unburnt methane.
 6. Ventura County Planning and the office of the appropriate supervisor shall be notified in the event of any spill, leak or other unauthorized discharge of any fluid at any location handling oil and gas operations and related activities.
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7.10 Air Quality

GOAL: To promote a high level of air quality in order to protect public health, safety, and welfare, and mitigate any adverse air quality impacts to the maximum extent feasible.

[Source: Existing GPP Goal 1.2.1.1 and 1.2.1.2, modified]

Suggested additions in red/bold below:

Introduction:

Clean air is a vital part of every person's life every day. Air Quality tells us whether that air is good or bad to breathe. Air quality is **measured by monitoring** the concentration of various pollutants in the atmosphere for a specific location or area. Air quality conditions at a particular location are a function of the type and amount of air pollutants emitted into the atmosphere, the size and topography of the regional air basin, and the prevailing weather conditions. Air quality is an important natural resource that influences public health and welfare, the economy, and quality of life. Air pollutants have the potential to adversely impact public health, the production and quality of agricultural crops, native vegetation, visibility, buildings, and other structures and materials.

New Policies:

1. **The County shall convert all County Fleet Vehicles to Zero Emission** where technically feasible by 2028 by a “zero emissions first” procurement policy for county fleets. 100% of new light duty purchases shall be electric.

Suggested additions to staff proposed policies in red/bold below:

10.1 Air Pollutant Reduction

The County shall strive to reduce air pollutants from stationary and mobile sources to protect human health, **welfare and the environment**, focusing efforts on shifting patterns and practices that contribute to the areas with the highest pollution exposures and health impacts **and on state designated environmental justice communities** (MPSP, RDR, SO, IGC, PI, JP) [Source: New Policy]

10.2 Air Quality Management Plan Consistency

The County shall prohibit discretionary development that is inconsistent with the most recent adopted Air Quality Management Plan (AQMP), unless the Board of Supervisors adopts a statement of overriding considerations **by a 2/3's vote**. (RDR) [Source: Existing GPP Policy 1.2.2.1, modified]

10.5 Air Pollution Impact Mitigation Measures for Discretionary Development

The County shall work with applicants for discretionary development projects to incorporate bike facilities, solar water heating, solar space heating, incorporation of electric appliances and equipment, and the use of zero and/or near zero emission vehicles and other measures to reduce air pollution impacts and reduce greenhouse gas (GHG) emissions. **Mitigation measures to include science supported measures such as planting of native and other appropriate trees as advised by experienced Southern California Integrative Plant Conservation experts**. (RDR) [Source: Existing Piru Area Plan Policy 1.7.2.4, modified]

10.7 Fuel Efficient County Vehicles

When purchasing new County vehicles, the County shall **when the needed vehicle is available shall purchase** fuel efficient vehicles, including the use of zero emission vehicles when feasible. (SO, FB)

10.11 Air Quality Assessment Guidelines

The County shall evaluate discretionary development for air quality impacts using the Air Quality Assessment Guidelines as adopted by the Ventura County Air Pollution Control District, **and for additional impacts associated with the undue burden of disadvantaged communities.** (RDR) [Source Existing GPP Policy 1.2.2.2, modified]

10.12 Conditions for Air Quality Impacts

The County shall require that discretionary development that would have a significant adverse air quality impact shall only be approved if it is conditioned with all reasonable mitigation measures to avoid, minimize or compensate (offset) for the air quality impact. **Disadvantaged communities will not be subject to more air pollution, any project with significant adverse air impacts in these areas will be extremely restricted/prohibited.** The use of innovative methods and technologies to minimize air pollution impacts shall be **encourage** in project design. (RDR) [Source Existing GPP Policy 1.2.2.3, modified]

7-11 Increasing Temperatures

GOAL: To improve resilience to increasing temperatures resulting from climate change.
[Source: New Goal]

New Policies:

1. Promote planting of appropriate native trees, reduce impermeable pavement - avoid the creation of heat islands

The following suggested new policies were also submitted under the Conservation and Open Space element but they apply to this section as well:

1. **Reduce Residential Neighborhood/Open Space Temperature Differential** by at least 1.7 degrees by 2025; and 3 degrees by 2035.
2. **Increase Tree Canopy by at Least 50% by 2028 and Support the Planting of 5,000 Trees Annually** by identifying low canopy corridors, leverage state and federal funding to plant, preserve, and maintain trees on residential and public properties in those areas and countywide, and expand tree maintenance green jobs training programs.

3. **Pilot 2 Cool Neighborhoods** in vulnerable communities by 2021; and 4 by 2025 to include a mix of cool roofs, cool pavements, and urban greening that may include innovative shade designs, water features, and cooling centers at parks and air temperature monitoring in air quality sensor deployments.
 4. **Update “Cool Surface” Regulations** to require that at least 50% of all non-roof (e.g., hardscape) surfaces around new buildings meet certain criteria to reduce urban heat island effect, to promote cooling strategies and “softening” of hardscape in alleys and parking lots, and to study cool streets to determine maximum potential of cooling strategies for reducing urban heat impacts.
 5. **Install Cool Pavement Material on 250 Lane Miles** of county streets, prioritizing neighborhoods with the most severe heat island effect
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7.12 Emergency Response

GOAL: To provide for the safe and efficient evacuation of residents in times of need.
(Source: New Goal)

Intro or suggested New Policy: Ventura County includes several state designated disadvantaged communities and neighborhoods with many monolingual residents, which have particular vulnerabilities in the event of emergency evacuations and in the response period after a natural disaster or hazardous event occurs. Particular attention will be directed to ensuring these communities have a voice in the development of emergency response plans including evacuation procedures for their neighborhoods.

New Policies:

1. The County shall conduct scenario planning to develop preparedness and public education in case an earthquake causes a rupture of oil and gas pipelines near and/or under Ventura City Hall, the Ventura County Government Center, Ventura County Medical Center and Community Memorial Hospital.
 2. The County shall engage the public in hazard prevention and disaster preparedness including by the expansion of CERT.
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7.13 Implementation Programs

General Comments:

1. Programs related to protecting estuaries, wetlands and groundwater basins will be designed in light of the fact that these areas also have the potential to be a buffer to manage sea level rise.
2. The Program titled “Marine Oil Spill Response Planning” also includes planning for onshore spills and the title should reflect that.
3. Re. program “Identify Critical Infrastructure Vulnerable to Extreme Heat

Note the recommendation in our comments for the COS element:

The County shall create a Carbon Sequestration Technical Advisory Committee that will coordinate with heat island mapping during countywide tree inventory and tracking; and will prioritize greening of trails and open space, tree planting and ecological restoration based on knowledge about heat islands...and develop plans/guidelines to prevent the creation of areas subject to “extreme heat” - greening the areas - less paving/concrete more green space and soil exposed - shade canopies from vegetation, etc.
