

# PACHOWICZ | GOLDENRING

## A Professional Law Corporation

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Mailing Address:  
6050 Seahawk Street, Ventura, CA 93003-6622

T: 805.642.6702  
F: 805.642.3145

September 13, 2021

**Via Email** [clerkoftheboard@ventura.org](mailto:clerkoftheboard@ventura.org)

Hon. Linda Parks, Chair  
Hon. Carmen Ramirez, Vice Chair  
Hon. Matt LaVere, Supervisor  
Hon. Kelly Long, Supervisor  
Hon. Robert Huber, Supervisor  
800 South Victoria Avenue  
Ventura, California 93009

Re: Board of Supervisors Hearing September 14, 2021  
Case No.: PL19-0039  
Agenda Item: 60  
Appeal From Planning Commission Hearing

Dear Chair Parks, Vice Chair Ramirez and Supervisors LaVere, Long and Huber:

Enclosed is the Noise Monitoring Services peer review study of the report submitted by Crestview Mutual Water Company (September 1, 2021) and the follow up confirmation and analysis of the further submissions by Crestview Mutual Water Company (September 2, 2021). When you review these two documents, we submit that, consistent with many of the reports submitted by the Water Company, upon peer review, the Water Company reports do not withstand scrutiny. As delineated in the two attached documents, not only will the project unambiguously exceed all regulatory noise limits but more importantly, there will be substantial and material construction vibration. Drilling a well and all of the construction activities associated cause substantial and material subterranean vibration. This is not merely some footings for a house. As the two reports delineate, the subterranean vibration consequence of this project has not been addressed by the Water Company and as the peer review authors conclude: “. . . there remains potential for structural damage to these structures.” In other words, whether it is the residences or the swimming pools or similar structures, some of which are within 13 feet only of what is proposed, there will likely be structural damage.

If this project is allowed to go forward, this will impose the additional burden on adjacent residences to fully document their properties, document any changes, all at the residents' cost because the Water Company has not offered to do any of this nor reimburse. Then, when there are the likely damages, the residents have the unfortunate task of having to seek recompense from the Water Company.

**Camarillo Location:**

4055 Mission Oaks Blvd., Suite A  
Camarillo, CA 93012

T: 805.987.4975  
F: 805.987.4980



Hon. Linda Parks, Chair; Hon. Carmen Ramirez, Vice Chair; Hon. Matt LaVere, Supervisor;  
Hon. Kelly Long, Supervisor; Hon. Robert Huber, Supervisor  
September 13, 2021  
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There is a reason why the CC&Rs do not allow this kind of activity in the neighborhood. Noise and vibration, with consequent disruption, obnoxious environment and potential structural or cosmetic damage to surrounding homes are not hard to recognize as bases for this project not proceeding in this residential community.

We have reviewed a new letter from the Water Company dated September 10, 2021, where the Water Company suggests that the project be conditioned on it obtaining amendment to the prohibitory land use covenants, including the deed restriction and the CC&Rs. That is backwards. These have been on the table through the entirety of this. The Water Company has never sought to remove these. Removal of them does not solve the CEQA failures. Removal does not solve all the other issues. It does not solve the environmental health limitations and consequences. How can a project be conditioned on a removal of a deed restriction and CC&Rs? It appears that the Water Company wants to continue on a path pitting neighbor against neighbor, demonizing people and trying to use its weight and money to bludgeon and scare the community to its knees. This should not be countenanced by the Board.

The Alliance and many in the community not affiliated with the Alliance urge in the strongest possible terms that this Board deny the project and uphold the unanimous Planning Commission denial.

On behalf of the Alliance and the community, we appreciate your attention to these matters.

Very truly yours,

PACHOWICZ | GOLDENRING  
A Professional Law Corporation

By: PETER A. GOLDENRING

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Enclosures  
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**Noise Monitoring Services**  
Sound and Vibration Measurement, Testing & Consulting

September 2, 2021

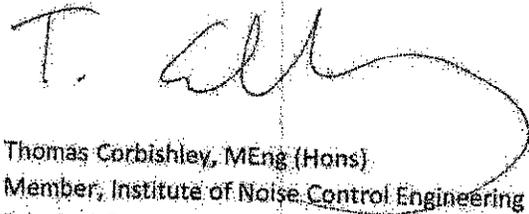
Mike Rolfs  
PO Box 7909  
Ventura, CA 93006

Subject: Vibration Analysis for Drilling at Well #7

Dear Mr. Rolfs,

Our review of the Vibration Impact Assessment for Water Well No. 7 and its addendum prepared by Z Consulting in our letter dated September 1, 2021 indicates the project's potential vibration impacts have not been fully addressed. The Z Consulting report considers only vibration caused by the drilling rig and does not provide an assessment of vibration created by the backhoe, crane or concrete mixer proposed for use at the site. Our own analysis indicates that this equipment can cause exceedances of the 0.2 inch per second vibration limit when working within 13 feet of a structure. Due to the close proximity of the adjacent residences, swimming pool and property line walls to the project site, there remains potential for structural damage to these structures unless this issue is addressed. This issue is not addressed in the Zim Industries letter to Crestview Mutual Water Company, dated August 25, 2021, and therefore the vibration issue remains unresolved.

Sincerely,



Thomas Corbishley, MEng (Hons)  
Member, Institute of Noise Control Engineering  
Principal Consultant

**Noise Monitoring Services**  
Sound and Vibration Measurement, Testing & Consulting

September 1, 2021.

Mike Rolls  
PO Box 7909  
Ventura, CA 93006

Subject: Review of Noise Impact Assessment Report for Water Well No. 7

Dear Mr. Rolls,

As requested, we have reviewed the *Noise Impact Assessment*, dated April 26, 2019, the *Vibration Impact Assessment*, dated July 29, 2019, and the addendum to these reports, dated October 31, 2019 for the Crestview Mutual Water Company Water Well No. 7 project, prepared by Z Consulting Company. Water Well 7 is proposed for construction at 191 Alviso Drive, which is currently a vacant lot in Ventura County. The lot is bounded by Alviso Drive to the south, beyond which existing residences are located; and by residences to the north, east and west.

The Z Consulting Company report contains an analysis of the noise levels associated with the construction and operation of the project. Our report includes a review of the local noise standards used to assess construction and operational noise, a review of Z Consulting's calculations and assumptions used to estimate noise levels during drilling and operations, and typical noise control recommendations provided in our own noise study reports for drilling projects.

On reviewing the Z Consulting reports, we conclude they contain multiple errors that lead to misleading statements on project's construction and operational noise and vibration impacts. The problems with the analysis include unrealistic assumptions concerning the equipment usage, incomplete construction vibration analysis, and a lack of acoustical requirements for the project's pump house. When these errors and unrealistic assumptions are corrected for, we anticipate that the noise levels during both drilling and operation of Well #7 will exceed the County's noise limits. These issues are discussed in more detail below.

## **Noise Standards**

### **Ventura County General Plan**

The Z Consulting report assesses Well #7's construction and operational noise levels against the Ventura County General Plan noise standards. The General Plan requires operational noise levels to not exceed the following noise limits when measured at the exterior wall of a residential building:

A one-hour average noise level of 55 dB(A) or ambient noise level plus 3 dBA, whichever is greater, during any hour from 6:00 a.m. to 7:00 p.m.

A one-hour average noise level of 50 dB(A) or ambient noise level plus 3 dBA, whichever is greater, during any hour from 7:00 p.m. to 10:00 p.m.

A one-hour average noise level of 45 dB(A) or ambient noise level plus 3 dBA, whichever is greater, during any hour from 10:00 p.m. to 6:00 a.m.

In our opinion Z Consulting has applied these noise standards appropriately in their analysis. It is noted that the Z Consulting report was prepared using the standards contained in the previous version of the County's General Plan. The latest General Plan update (the 2040 General Plan), adopted on September 15, 2020, contains the same noise standards as the previous General Plan.

### **City of Camarillo General Plan**

Although the project is outside the City of Camarillo, the Z Consulting study assess project's operational noise against the City's General Plan noise standards. The General Plan Noise Element contains noise standards for various land uses, including residential areas. The purpose of the Noise Element is to provide noise guidelines and policies to assist in making planning decisions. Assessment of noise levels against General Plan noise policies is standard practice for CEQA noise assessments and for studies for new noise-sensitive developments. The noise standards in the General Plan are provided in terms of Community Noise Equivalent Levels (CNEL's), which are calculated by averaging the sound level over a period of 24 hours after applying a correction to the evening and nighttime noise levels to account for the increased sensitivity to noise during these periods.

The General Plan requires a noise level of 60 dBA CNEL to be achieved at exterior areas of single family residential properties. The Z Consulting report assesses the operational noise of Well #7 against this CNEL standard and does not use this standard in the assessment of construction noise. In our opinion Z Consulting has applied this noise standard appropriately in their analysis.

The Ventura County General Plan noise limits are more stringent than the City's General Plan standard. Compliance with the Ventura County General Plan will ensure compliance with the City's General Plan

standard. Our review of the operational noise is focused on the noise levels relative to the County nighttime hourly limit of 45 dBA.

### **Ambient Sound Measurements**

Section 3.1 of the Z Consulting report provides the results of an ambient sound level measurement performed at the project site on August 3, 2018 between around 1:40 am and 2:50 am. The measured average noise level was 34.6 dBA.

A measurement of this relatively short duration is not adequate to properly document existing ambient sound levels at the site. For this type of project, it is standard practice to obtain ambient noise data for a minimum period of 24-hours at one or more locations representative of the noise level experienced at nearby receptors. This is performed in order that sound levels are documented at all hours of the day. Performing 24-hour noise measurements is beneficial to both the project applicant and the reviewing authority. The benefit to the applicant is that it provides evidence of the pre-construction noise levels that can be referenced in the event of a noise complaint during or after construction. The benefit to the reviewing authority is that it provides information that assists in making decisions on whether the proposed project is compatible with the surrounding uses. For projects in noise-sensitive areas that may result in a permanent increase in ambient noise, a common approach is to limit project noise to below the quietest measured hourly ambient noise level. This is a more conservative approach to dealing with long-term operational noise than just requiring the project meets compliance with the local ordinances. This approach is commonly used in CEQA noise studies and ensures the operational noise never increases the overall noise level by more than 3 dBA, which is considered a 'barely perceptible' increase. Although the Z-consulting report does assess project noise levels against the measured ambient noise level, an assessment of impact relative to the existing ambient noise levels cannot be accurately made since the 24-hour ambient noise levels are unknown.

We recommend that a noise measurement is obtained for a minimum period of 24-hour at a location representative of the residences adjacent to the project site before construction occurs to properly document the existing sound levels, as is standard practice for this type of project. This will permit an assessment of impact relative to the existing ambient levels for long-term operations.

### **Drilling Noise**

The Z Consulting report assesses drilling noise against the County's General Plan nighttime noise limit of 45 dBA. The report includes the results of drilling noise calculations performed using reference sound level data and equipment usage factors, and assumed mitigation noise reductions. The estimated noise levels take account of mitigation measures that will be installed at the site, including a 16- to 24-foot high sound barrier that will surround the construction area. The report states the estimated drilling noise levels will be between 39.4 dBA and 44.7 dBA at the nearby residential buildings.

The drilling noise assessment performed by Z Consulting contains several unrealistic assumptions regarding both the equipment usage and the performance of proposed mitigation measures, resulting in significant underestimates of the drilling noise. Our opinion is based on our own extensive experience in modeling, monitoring and designing mitigation for well drilling sites. The problems we have found in the Z Consulting report are as follows:

- The Z Consulting analysis assumes that the drilling rig will be in use only 4% of the time. Based on this usage factor, their analysis reduces the estimated noise level by 14 dBA. The Z Consulting report indicates that the rationale for this reduction is derived from the Ventura County Construction Noise Threshold Criteria and Control Plan guidelines for assessment of noise from domestic housing construction projects. After reviewing this document, it is unclear exactly where the 4% use factor is derived from, since this document does not include drilling rigs in the equipment usage data for that category of project. In any case, our experience shows the assumed 4% use factor is far lower than typical drilling rig usage on drilling projects. It is our opinion that Z consulting should have assumed the nighttime work will include hours when the rig operates 100% of the time and should not have made any usage factor adjustment. The 14 dBA reduction to the estimated noise level should therefore not have been applied.
- The Z Consulting report proposes installation of 8-foot-tall barriers alongside the drilling rig. Our experience in designing mitigation for drilling rigs indicates the noise reduction produced by barriers this low at the proposed locations will be minimal. Truck-mounted noise sources on drilling rigs are typically 6 feet or more above ground level. For any barriers alongside the rig to be effective, they would need to block the line-of-sight from the noise source to the top of the sound wall. It is typical for acoustic consultants to estimate the performance of acoustic barriers using site-specific three-dimensional noise modeling. Z Consulting has not performed noise modeling for this project.
- The Z Consulting analysis assumes that a muffler attached to the rig engine exhaust will reduce the noise source level by 10 dBA. The report is unclear on whether the 10 dBA reduction is based on fitting a muffler to an engine that currently has none, or whether this is a reduction that may be achieved by upgrading the exhaust muffler. Engine mufflers are standard equipment on drilling rig engines and it is unlikely that the reference data used in the analysis refers to an engine with no muffler. In our opinion, it is unlikely that an upgraded engine muffler alone would reduce the drilling rig noise level by 10 dBA. To achieve a 10 dBA reduction of the drilling rig, the other sources of noise on the rig would need to be mitigated. Noise emitted from the engine casing, cooling fans, pumps, hydraulic equipment and compressor would need to be addressed using acoustical barriers close to the rig (or mounted to the rig), or equipment enclosures.
- The Z Consulting report does not provide contingencies to ensure drilling noise complies with the County's noise limits. The report does not include a plan for measuring noise during drilling to ensure compliance, or a procedure in the event of an exceedance of the noise limit. While the report deals with average noise levels, it does not address occasional pipe impacts that cause

'clanging' sounds, which are frequently a cause of complaints during drilling projects. These noises are not expected to have a significant effect on the average sound level but can be reduced both in frequency and noise level with the implementation of administrative controls.

We estimate that, based on realistic assumptions concerning the drilling operation, and our own noise measurements of drilling operations with site perimeter sound walls installed, the drilling operation will result in noise levels of about 55 dBA at the adjacent residential properties. This noise level is 10 dBA higher than the County noise limits and more than 10 dBA higher than the highest drilling noise level estimated by Z Consulting. Reducing the drilling noise by 10 dBA, which would be required to comply with the County noise limits, may not be feasible for this project.

Implementation of a noise monitoring program and a procedure for the drilling contractor to follow in the case of excessive noise would assist in controlling noise. At a minimum, such a noise monitoring program would consist of periodic noise measurements throughout the drilling process. Since the project site is located in an area sensitive to noise, continuous 24-hour monitoring is recommended. This type of system would permit the County, water company and drilling contractor to remotely view noise levels in real time throughout the drilling operation.

### **Construction Vibration**

The Z-Consulting vibration assessment considers only the vibration created by drilling activities at the site. The analysis calculates vibration impacts at the adjacent residential properties based on the drilling rig vibration source at the borehole location. Vibration impacts are assessed against construction vibration significance threshold contained in the Federal Transit Association's (FTA) *Transit Noise and Vibration Impact Assessment Manual* (May, 2006). The report establishes a peak particle velocity (PPV) vibration limit of 0.2 inches per second at the residences.

The report states that the primary source of vibration associated with the project is drilling. However, no calculations have been performed to demonstrate this. While drilling may produce higher levels of vibration at the source than other onsite equipment, the other equipment would be expected to work closer to the residences and therefore may produce higher vibration levels at the nearby structures. The report indicates that a backhoe, crane and concrete mixer will operate at the site. Assuming that rubber-tired vehicles at the site would produce vibration levels equivalent to a loaded truck (0.076 inches per second at 25 feet from the source), this equipment would cause an exceedance the 0.2 inch per second limit when working within 13 feet of a structure. The proximity of the residences on the east and west side of the project to the site property line indicates there is potential for the vibration limit to be exceeded at these structures. There is therefore potential for structural damage to occur at these buildings. In our opinion the vibration impacts during construction should be re-assessed and should consider the distances of the equipment to the structures. Mitigation measures should be provided to prevent exceedance of the vibration limit. This may involve establishing a required distance from the structures within which the

equipment may not operate. Due to the potential for vibration limit exceedances, vibration monitoring during construction is an advisable precaution to reduce the possibility of damage to buildings.

## **Operational Noise**

It is proposed that the well's mechanical equipment will be contained within a pump house at the site. The building will include a rollup door and vents on the north side, and additional vents on the south side.

The Z Consulting report assesses operational noise against the County's General Plan nighttime noise limit of 45 dBA and the City's General Plan standard of 60 dBA CNEL. The report states the estimated operational noise levels are between 35.8 dBA and 38.2 dBA at the nearby residences. The report considers the noise level immediately outside the residential buildings but not at other exterior areas within the residential properties.

The operational analysis in the Z Consulting report was performed using noise measurement data obtained at a similar pump house at Well #6, located on Crestview Avenue. The future noise levels at the residences near Well #7 appear to have been estimated by extrapolating the measurement results to the distance of the residences from the Well #7 bore-hole location. The distance from the bore-hole to the residential buildings is significantly greater than the distance from the pump house wall in some cases. It is likely this error has led to an underestimate of the operational noise. The noise level calculations were performed by assuming a sound reduction of 6 dB per doubling in distance, which is a standard method to calculate the decrease in sound level at increasing distances from a point source (a sound source located at a single point in space). While this method is appropriate for point sources, it can lead to errors when extrapolating data obtained for other types of source when the measurements are obtained close to that source. Our experience in designing and modeling sound attenuating buildings has shown that the sound reduction is generally less than 6 dBA per doubling in distance at locations close to the building. This effect is due to the presence of multiple point sound sources and radiating façade elements on buildings. The Z Consulting report indicates that the noise measurements were obtained as close as 13 ft to the Well #6 pump house, which is likely too close to the building to permit accurate extrapolation of the noise levels using a 6 dB per doubling assumption. A further upwards correction would therefore need to be applied to the estimated noise levels at the residential properties to account for this effect. The operational noise levels would have been more accurately estimated by individually measuring the sound levels of sources on each façade and constructing a noise model for the actual site. This could be achieved using a standard noise modeling software package such as SoundPlan. This type of noise model would also permit any differences between the proposed building and the Well #6 pump house to be assessed in terms of their effects on noise level, including the Sound Transmission Class (STC) ratings of the door and wall panels used, and the positioning of vents.

The Z-Consulting report uses measurement data obtained from the side of the Well #6 pump house (where there are no vents or roll-up door) to estimate the noise levels at the residences east and west of Well #7. In reality, there locations immediately outside the east and west residential structures that have a

clear line-of-sight to the building's north façade and south façades, where the roll-up door and vents will be located. Noise levels at these locations will be significantly higher than estimated by Z Consulting. Based on the operational data in the Z-Consulting report, we estimate that the operational noise level is likely to be at least 48 dBA at the closest (west) property to the site (this noise level is inclusive of the estimated 5 dBA noise reduction provided by the property line wall). This level exceeds the County's nighttime noise limit by 3 dBA.

The Z Consulting report does not contain any recommendations for the acoustical properties of the building components. It does not contain any requirements for sound ratings for the walls, roof or doors. It does not contain any requirements for the vent locations or sizes, or any mitigation measures such as silencers that may be needed to achieve compliance with the noise ordinance.

The report does not contain any recommendations to help ensure the building is adequately sealed, such as requirements for sealing joints between panels, or for sealing gaps that may be present at the bottom of the wall panels on the moveable section. No administrative controls are recommended concerning use of the rollup door, such as requiring it to be kept closed under standard operational conditions, or requiring that it may only be opened during the daytime hours, or when the equipment inside the pump house is not operational. The missing information above are all items that would be expected to be included in an acoustical report for this type of project.

Of additional concern is the tonal noise described as being emitted from Well #6 by a local resident. Tonal noise is generally recognized as being more annoying than broadband noise of the same level. The Z Consulting report does not mention this type of noise, or contain measured frequency spectra. Since the well is located in a quiet area, this type of noise may be easily distinguishable from background noise and may impact the quality of life of nearby residents.

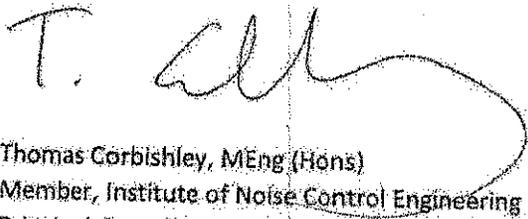
Given the erroneous assessment distances, and the likely inaccurate assumptions in the calculations, it is very likely that the Z Consulting report is incorrect in its conclusion regarding the impact of the operational noise. To accurately quantify the impact, the project applicant should perform a full acoustical analysis for the well operation. This should include a detailed acoustical model, with results presented as noise maps showing the propagation of noise into the surrounding area. The model should consider the design of the proposed pump house, and should consider the noise transmitted through the various building façade components. The estimated operational noise levels should be compared to the existing ambient noise levels during the quietest nighttime hours and not just the County's noise limits. To reduce the possibility of annoyance, we would recommend that the operational noise should be reduced below the most stringent noise limit or the quietest hourly ambient noise level, whichever is lower. To determine whether the noise will be tonal, 1/3<sup>rd</sup> octave band frequency spectrum measurements should be obtained at a similar existing facility. A determination of the presence of a tone can then be made using the definition provided in ISO 1996-2, Annex D.

## Summary

In summary, the Z Consulting noise analysis is deficient in multiple areas. These are:

- No 24-hour ambient measurements have been obtained at the site and therefore the existing ambient sound levels are not documented to the degree that would be expected of this type of assessment. Until these measurements are performed, it is not possible to comprehensively compare the project noise levels with the existing ambient noise levels. Due to the low existing ambient noise levels in the area, requiring operational noise level to be below the existing quietest hourly ambient noise level would be an appropriate and more conservative approach to controlling the pump house noise. This approach would limit the increase in overall noise level to no more than 3 dBA during any hour of the day.
- The drilling noise analysis contains unrealistic assumptions and the stated noise levels for this operation appear to have been significantly underestimated. Based on our own measurements of water well drilling operations, we estimate the drilling operation, as designed, will exceed the County noise limits by about 10 dBA. Compliance with the noise limits may not be feasible during drilling.
- The construction vibration analysis is incomplete as it does not consider various pieces of construction equipment that may operate close to residences. Our analysis indicates that there is potential for this construction equipment to exceed the vibration limits specified by Z Consulting.
- Due to assumptions that likely underestimate operational noise levels and erroneous assessment distances, the Z Consulting report incorrectly states that the operational noise will not cause a significant impact. We estimate the County's noise limit will be exceeded by about 3 dBA at the nearest residential property. The report does not include building structure requirements that would be expected for this type of project, including the acoustical ratings of the walls and doors, or administrative controls for use of the rollup door. The report does not include recommendations for sealing the building to reduce noise transmission through joints and gaps.

Sincerely,



Thomas Corbishley, MEng (Hons)  
Member, Institute of Noise Control Engineering  
Principal Consultant

### Curriculum Vitae

**Thomas T. Corbishley**

**Position:** Principal Consultant, Noise Monitoring Services (2013- )

**Prior Positions:** Environmental Noise Control (2009-2016)  
Engineering Manager

Wieland Acoustics, Inc. (2006-2009)  
Associate Acoustical Consultant

University of Southampton, UK (2006)  
Engineer

Fluid & Acoustic, Ltd (2003-2004)  
Research Engineer

**Education:** Institute of Sound and Vibration Research (ISVR), University of Southampton, UK

Master of Engineering (MEng) in Acoustical Engineering  
Graduated with First Class Honors

**Memberships:** Member, Institute of Noise Control Engineering (INCE)

**Courses:** Advanced Analysis Course, Brüel & Kjær  
SoundPLAN Computer Noise Modeling Course

Mr. Corbishley is an experienced engineer and project manager with 15 years of experience in the field of acoustical consulting. He has managed a wide variety of projects and led teams of acoustical engineers in producing numerous noise studies. As an engineer with a strong educational and theoretical background in acoustical principles, as well as extensive experience as a consultant, he brings effective project management and strong analytical and problem-solving skills to the projects.

Types of projects managed include long and short-term sound and vibration monitoring programs, EIR noise studies, new-build residential, commercial and office building noise studies, carwash noise studies, studies for hotels, restaurants and bars, interior noise criterion (NC) and reverberation assessments, OSHA noise assessments, water well drilling studies, oil & gas drilling, fracking and production facility studies, mechanical equipment noise certification, traffic and railroad noise studies, shooting range noise analyses, municipal code compliance assessments, blasting and mining noise studies and factory noise studies.

**Recent Project Information**

The following list provides examples of recent projects completed:

**Edinger Bridge Construction, Huntington Beach, CA**

Our services on this project include underwater (hydroacoustic) monitoring of noise levels during the installation of bridge piles during three construction phases. Noise levels were measured in accordance with FHWG guidelines. Our onsite personnel provided real-time noise level data to the County, as well as advice on mitigation measures (use of bubble curtains and the effect of water levels on noise).

**Lemon Well Drilling, Bradbury, CA**

Work included water well drilling noise modeling before construction to determine mitigation measures required to achieve compliance with the City's noise limits. Compliance measurements were performed during drilling.

**Well 110 Replacement Project, Temecula, CA**

Noise modeling was performed to determine mitigation measures required to achieve compliance with the Rancho California Water District noise limits.

**Porsche Experience Center, Carson, CA**

This long-term ongoing project requires noise monitoring of a new Porsche race track near Los Angeles. Currently, Phase 1 noise monitoring requires weekly site visits and monthly reporting of sound levels relative to the project's Conditions of Use. Future phases will include intensive, continuous monitoring as the surrounding areas are built up.

**Don Pedro Reservoir Transmission Line Construction, Jamestown, CA**

The project involved vibration monitoring adjacent to a reservoir during drilling for the construction of transmission lines crossing the water. Due to an existing underground pipe, the specifications required construction to be halted if vibration levels exceeded a pre-determined threshold. NMS wrote the monitoring plan and provided monitoring equipment that provided instantaneous vibration warnings.

**Marine Pump Sound and Vibration Certification, Tustin, CA**

Sound and tri-axial vibration testing of marine pumps and water separators to the requirements of the American Bureau of Shipping (ABS) Guide for Crew Habitability on Offshore Installations. The pumps were tested for the purpose of certification before their installation on shipping vessels. Full testing reports with documentation of test methodology and data were generated for various pieces of equipment.

**Pile Driving Vibration Monitoring, Los Angeles International Airport, CA**

This project involved the monitoring of vibration produced by ABI machines during the installation of shoring associated with the construction of the new Tom Bradley International Terminal at LAX. Both unattended and attended vibration monitoring services were provided for multiple contractors for the project.

**Condo Vibration Assessment, Alhambra, CA**

Project involved interior floor vibration measurements caused by a restaurant's kitchen extraction system fans. The vibration was assessed against the Federal Transit Administration's groundbourne vibration criteria before and after the installation of resilient mounts on the equipment.

**Noise Analysis for Mixed-Use Development, Glendale, CA**

An exterior-to-interior noise analysis was performed for a proposed mixed-use project in Glendale that included residential and commercial uses. Future estimated traffic noise was modeled at the site using three-dimensional noise modeling software. Construction recommendations were provided for the buildings, including the required Sound Transmission Class (STC) ratings for the windows and doors.

**Cafe Reverberation Testing, Los Angeles, CA**

Noise level and reverberation time testing inside a café to determine solutions to reduce the sound level of an extraction unit and specify the quantity of placement of acoustically absorptive material to install. Solutions to reduce noise levels were provided for the extractor and HVAC fans generating the noise and product and installation recommendations for sound absorptive panels.

**Construction Noise Analysis for Riverbank Replacement, Los Angeles, CA**

Work involved the prediction of noise levels during various phases of construction and design of noise mitigation measures to achieve the specified noise limits using three-dimensional noise modeling software. The work was performed for several individual project sites along the river.

**Bolt Factory Noise Assessment, Carson, CA**

Workplace noise assessment in a bolt factory. The project involved establishing worker locations where compliance with OSHA noise limits was not being achieved and designing mitigation measures to reduce noise exposure levels. Solutions were provided to reduce the noise generation at the sources and mitigate sound transmission paths with the use of acoustical enclosures, barriers and absorptive panels.

**Pipeline Replacement Sound and Vibration Monitoring, Ventura County, CA**

The work involved the production of a Noise and Vibration Control Plan with construction noise analysis and mitigation requirements for a horizontal directional drilling operation. Sound and vibration was monitored throughout the project and daily monitoring reports produced.

**Pile Driving Vibration Monitoring, Hollywood, CA**

Continuous vibration monitoring during soldier pile installation by a vibratory method using ABI machines. Vibration was monitored and assessed against the project specifications. Compliance was monitored in real time by a technician at the site and daily monitoring reports were provided to the client.

**Sheet Pile Installation and Removal Vibration Monitoring, San José, CA**

Vibration monitoring during the installation and removal of sheet piling for a grade separation project in San Jose. Monitoring was performed adjacent to residences by an on-site technician and data reports were provided daily to the client.

**Construction Noise Monitoring during Water Tank Replacement, Beverly Hills, CA**

Continuous noise monitoring during construction activities associated with the rebuilding of water tanks. Weekly monitoring reports were provided, which included an assessment of impact relative to the County of Los Angeles construction noise limits.

**Oil Production Site Environmental Impact Report Noise Study, Hermosa Beach, CA**

Environmental Impact Report (EIR) noise study for an urban oil production site in Hermosa Beach. The project involved computer modeling and analysis of noise for all construction, drilling and production phases and an assessment of traffic noise and vibration. Mitigation measures were designed to eliminate significant noise impacts and achieve local City ordinances and General Plan noise standards.

**Noise Modeling of Gas Production Facilities, Queensland, Australia**

Noise levels were modeled for three natural gas processing and compression facilities along a proposed pipeline route. The noise levels were predicted using SoundPLAN three-dimensional noise modeling software with noise levels based on manufacturer equipment data. Mitigation systems were designed to meet compliance with stringent noise limits at nearby residences under a variety of climate conditions.

**Freeway Traffic Noise Assessment and Study Review, Santa Barbara, CA**

Work involved reviewing a Caltrans freeway study to review sound wall recommendations on a section of freeway adjacent to residences. Noise measurements were obtained to determine the traffic noise levels at the residences and assess the adequacy of modeling assumptions.

**Code Compliance Assessment for Industrial Facility, Lynwood, CA**

Noise measurements were obtained for an industrial facility adjacent to a residential area where complaints about the facility's truck noise had been received. The measurements were made in order to verify whether noise citations had been correctly issued.

# CRESTVIEW MUTUAL WATER COMPANY

328 Valley Vista Drive  
Camarillo, CA 93010  
(805) 482-2001 - (805) 388-8281 Fax  
[www.crestviewwater.org](http://www.crestviewwater.org)

VIA EMAIL TO THE CLERK OF THE BOARD

[ClerkoftheBoard@ventura.org](mailto:ClerkoftheBoard@ventura.org)

September 10, 2021

The Honorable Linda Parks, Chair, Ventura County Board of Supervisors  
The Honorable Carmen Ramirez, Vice Chair, Ventura County Board of Supervisors  
The Honorable Matt LaVere, Ventura County Board of Supervisors  
The Honorable Kelly Long, Ventura County Board of Supervisors  
The Honorable Robert O. Huber, Ventura County Board of Supervisors

**Re: Crestview Mutual Water Company Additional Responses /  
PL19-0039, Minor Modification of Conditional Use Permit 4858**

Dear Honorable Supervisors:

Over the past month, we have submitted a comprehensive series of studies and reports to the Planning Director and staff for our appeal, which is scheduled to come before you on Tuesday, September 14, 2021. Our intention in writing again is to highlight from our materials for you, to respond to the unsubstantiated allegations made by project opponents over the last few days, and to reiterate the urgency and strong community support for our appeal.

**1. Our Well #7 Project.** Our project will decommission an unusable well, Well #5, and install a new well, numbered Well #7. This project is essential to the ability of Crestview Mutual Water Company (Crestview) to supply its ratepayers with affordable, safe, and reliable water. Our existing Wells #4 and #6 are unable to supply this water due to the ongoing drought and the historically low water levels. Our ratepayers look to us for their drinking water, as well as for their irrigation and fire suppression water. We must either pump a newly drilled well, or put our customers at the mercy of the dramatically higher costs and uncertain availability of purchased water. Our water rights are at risk too – if we do not pump our allocation, we may forever lose the right to pump in the future. A desire to seize our water allocation may be an unspoken driver of some project opposition.

**2. The Planning Commission Appeal.** Our application was heard by the Planning Commission in June 2020, at the height of the pandemic. The opponents raised last-minute questions about the scientific feasibility of our Well #7 site, 191 Alviso Drive, and recommended a preferred golf course location. Our experts had no time to investigate. The Planning Commission denied our project. They based the denial on this summarized fact-finding: (1) our project is not allowed by

the CC&R's of the Las Posas Hills Homeowners Association (HOA); (2) the temporary construction noise, the operational noise, and the grading and its truck trips would constitute a nuisance; (3) septic system owners within 200 feet of the project would face future costs at the time of repair or replacement of their systems; and (4) technical data was not provided to confirm that chlorine storage would be compatible with the surrounding residences.

**3. Short Planning Commission Answers:** Crestview has commissioned nearly a dozen new studies to support Well #7, and to respond to the Planning Commission. These have been delivered to the Planning Department. Most succinctly stated, Crestview affirms:

- **HOA CC&Rs.** As you know, the HOA CC&Rs are not a proper basis for action on Well #7. Case law tells us that private agreements, like CC&Rs, cannot supplant the obligation of decision-makers to evaluate a project on the merits of the jurisdiction's rules and regulations, which Well #7 emphatically meets. What's more, Well #4, which is waning, was built within the HOA boundaries – the HOA developer anticipated the need for a water well and reserved a lot for this purpose, never expecting our prolonged drought and the current need for a supplemental well. Precedent has been set. Perhaps most importantly, we believe, based on our survey, that the vast majority of our customers, including the 80 of our 620 who live within the HOA, support Well #7. We urge the Board of Supervisors to condition the project to require us to obtain their formal approval, which the HOA board would not let us do.
- **Construction Nuisance.** The time and truck trips to install Well #7, together with their neighborhood impacts, are materially shorter than would be required to build a single-family home at the Well #7 site. Crestview will meet all Camarillo and County noise requirements. Crestview has also committed to pay neighbors a \$500 per diem for lodging during the two 10-14 periods of well installation if they are bothered by the project's noise. This per diem commitment can be a condition of project approval.
- **Septic System Burdens.** Two studies have been commissioned to evaluate the likelihood of septic system impact. Their results are that pathogens travel only 10 feet in 1000 days before they die. The distances to neighboring septic systems are far greater. Regardless, Crestview has committed to reimburse neighbors for any regulatory cost they face in the unlikely event that Well #7 causes a problem for the repair or replacement of their septic systems. This too can be a condition of the project approval.
- **Chlorine Safety.** Crestview has now had the opportunity to supplement this record with chlorine safety information. In addition to its indoor storage of these required materials within a secondary containment vault, and the absence of any exposure of these materials to air and thus no odor, Crestview's safety record since 1953 contains NO notices of violation for chemical use or storage spills or failures. This includes the most recent inspection of late August 2021 by the County's Environmental Health Division.

**4. Current Opponent Allegations.** Within the past three days, we have received new (and old) claims from the handful of neighbors who oppose Well #7. Our widely-respected experts will be present at the upcoming hearing to respond to the opposition's inaccurate and misleading contentions. Here is a quick recitation of some of our experts' responses:

**Allegation: Crestview Should Just Re-drill Well #4.**

**Summary Response.** Our hydrogeologist will be on hand to provide you with the actual science of why this suggestion is infeasible. The short answer is that Well #4 is pumping water from a different part of the aquifer than will the 600-foot deeper proposed Well #7. Nothing that we could do to Well #4 will alter its limitations, and anything we might try can be expected to reduce (not increase) the pumping from Well #4 and to introduce contaminants into Well #4 that will destroy the water's ability to meet drinking water standards. This also leaves Crestview with no system redundancy, which is the same dilemma that faces Crestview today.

**Allegation: The Neighboring Septic Systems Will Require Costly New Sewer Connections.**

**Summary Response.** The sewer policy that is cited by the project opponents does not apply. That policy is triggered by an application to repair or replace a septic system, not by our water well application. More significantly, that policy does not apply to the septic system application of a single-family home. It pertains to a community project seeking to repair or replace many septic systems, as you might find with approval of a new subdivision.

**Allegation: A Blue Line Stream, Heritage Trees and a Wildlife Corridor Will Be Impacted.**

**Summary Response.** These contentions from the project's opposition are not new. But, as the County's experts confirmed, and as bears brief repeating: there is no blue line stream; there are no heritage tree driplines within the project's area of potential impact, and there is no wildlife corridor present. These claimed environmental issues are more red herrings.

**Allegation: The Preferred Well Site Is at the Las Posas Golf Course.**

**Summary Response.** This claim was first raised at the June 2020 Planning Commission hearing. We have now had time to investigate it. The facts are that the golf course is home to known nitrates, which are the benchmark evidence of potential water contamination. What's more, the golf course site would require \$1.3 to \$1.4 million just to construct the water pipeline connection, not to mention the damages that such an extensive pipeline is expected to entail.

**Allegation: The Flowage System Cannot Support the Project's Development Water.**

**Summary Response.** The opponents are correct that water will be removed from the Well #7 site during project construction and development. The amount of water has been quantified and determined by your experts and ours to be ably supported by the existing flowage system and catchment basin. The development water will be less than a storm for which these existing systems are designed. Further, the Regional Water Quality Control Board, with jurisdiction over all water issues, has reviewed Crestview's project and has issued an NPDES permit in approval.

**Allegation: Crestview's Well #7 Project Cannot Fit on the Site.**

**Summary Response.** This contention is refuted by the other projects that have installed wells on sites of the same size, including the City of Ventura's Saticoy Well #3. What's more, two responsive bidders to Crestview's project specifications have confirmed that they can accomplish the project on the Well #7 site.

**Allegation: Crestview's Excavated Well Soil Will Smell As It Dries.**

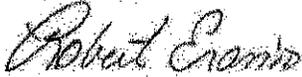
**Summary Response.** As with the other allegations, this one is unsubstantiated by science. Drying soil might create an odor if the soil from which it was excavated were a swamp. In this case, the excavated soil is clay-like. It is not expected to have any offending smell, and there is no documentation of any smell from this type of drying soil.

**5. Project Support.** We have conducted an anonymous survey of Crestview ratepayers. Their support for Well #7 is overwhelming. Ninety-five percent (95%) of the homeowners who do not live inside the HOA support the project. Eighty-five percent (85%) of those that do live inside the HOA support the project. We believe that they are motivated by the merits of our request, and by their urgent need for reliable, affordable water. At the time of this letter, we have received more than 80 letters from Crestview shareholders to your Board, all supporting the project. They are attached. We will continue to receive and provide support letters.

The project opponents challenge the validity of this support for Well #7. We wonder why the HOA did not commission its own survey and why the HOA board and the opposing neighbors refused to allow us to present our project and new studies to their members or, in the case of the opposing neighbors, to meet with us. But you need not wonder. Instead, please condition the project on our seeking HOA member support for a revision of the CC&Rs to allow this project. We firmly believe that we will obtain this support.

The daily benefits of Crestview's Well #7 project will be realized by the hundreds of residents that are members of our mutual water company. We thank you for your time and attention to this urgent matter. We are available to you at your convenience to answer any questions.

Respectfully,



Robert Eranio  
Consulting General Manager  
Crestview Mutual Water Company

cc: Dave Ward, Ventura County Planning Director  
Mindy Fogg, Ventura County Planning Department  
John Kessler, Ventura County Planning Department

**Attachments: Letters in Support of Well #7 – 91**