



Office Of
AGRICULTURAL COMMISSIONER

P.O. Box 889, Santa Paula, CA 93061
815 East Santa Barbara Street
Telephone: (805) 933-3165
(805) 647-5931
FAX: (805) 525-8922

Agricultural Commissioner
W. Earl McPhail

Chief Deputy
David B. Buettner

January 25, 2002

Gary Sugano
Principal Planner
City of Oxnard
Planning and Environmental Services Division
300 West Third Street
Oxnard, CA 93030

SUBJECT: Draft Environmental Impact Report for the RiverPark Project

Dear Mr. Sugano:

Thank you for the opportunity to review the Draft EIR for the RiverPark project, and the additional time to submit our comments. We reviewed the Summary and Sections 1.0 (Introduction), 2.0 (Environmental Setting), 4.1 (Land Use Planning, Programs and Policies), 4.2 (Aesthetics—portion), 4.4 (Biological Resources—portion), 4.6 (Agricultural Resources), 5.0 (Alternatives), 6.0 (Growth Inducing Impacts), and 7.0 (Significant Irreversible Environmental Changes) of the document. The following are our comments.

Summary

Page S-8, first paragraph. The text indicates that runoff from large storm events (that is, those that would occur less frequent than a 10-year event) would not enter the existing mining pits. However, the last sentence of the second to the last paragraph on page S-7 states that runoff from storms larger than a 10-year event will overflow into the mining pits. Based on review of other sections of the Draft EIR, the statement on page S-7 appears to be correct. Please revise the text on page S-8.

VCAC-1

Page S-9, Agricultural Resources. The summary of impacts to agricultural resources should be revised to include a short discussion of the compatibility of the proposed residential and school/park uses with existing agricultural land located east of Vineyard Avenue, as provided on pages 4.6-15 and -16.

VCAC-2

Section 4.1—Land Use Planning, Programs and Policies

Page 4.1-27, last paragraph. The second to the last sentence should be revised to indicate that the proposed school/park site adjacent to Vineyard Avenue also would be located 1,500 feet from the agricultural operations to the east of Vineyard Avenue, as discussed on pages 4.6-15 and -16.

VCAC-3

Page 4.1-31, last paragraph. The first sentence should be revised to state "The County of Ventura is within the six-county jurisdiction of the Southern California Association of Governments . . . , which also includes Los Angeles, Orange, San Bernardino, Riverside, . . ."

VCAC-4

Page 4.1-42, first paragraph. The last sentence should be revised to state "The following policy of the Water Quality Chapter has some relevance to the proposed RiverPark Specific Plan." Only one policy is identified.

VCAC-5

Page 4.1-42, following second paragraph. The first paragraph on page 4.1-32 states that the SCAG *Regional Comprehensive Plan and Guide* includes a hazardous waste management chapter. Discussion of this chapter is not included in the Draft EIR, as were the other four core chapters.

VCAC-6

Page 4.1-46, top of page. The discussion of land use compatibility impacts should include or reference the discussion of the compatibility of the proposed residential and school/park uses with the agricultural operations to the east of Vineyard Avenue on pages 4.6-15 and-16.

VCAC-7

Section 4.2—Aesthetics

Figure 4.2-7. The use of the term "Greenbelt" in the legend may be confused with the Oxnard-Camarillo Greenbelt. The figure illustrates the Oxnard General Plan Community Design Structure Map, and indicates that the northern portion of RiverPark Area B is located within a "greenbelt". However, as noted on page 4.2-27, the Specific Plan area does not include any portion of the Oxnard-Camarillo Greenbelt. The boundary of the "greenbelt" shown on Figure 4.2-7 also is not consistent with the Oxnard-Camarillo Greenbelt boundary. If the "greenbelt" indicated on the General Plan Community Design Structure Map is intended to be different than the Oxnard-Camarillo Greenbelt, the legend on Figure 4.2-7 should be revised to indicate that they are not the same, to avoid confusion to decisionmakers and the public.

VCAC-8

Page 4.2-27, second paragraph. The text states that the Specific Plan Area is not adjacent to any greenbelt areas. However, the Oxnard-Camarillo Greenbelt boundary is located to the north of the abandoned extension of Central Avenue west of Vineyard Avenue, and appears to be separated from the northern boundary of the Specific Plan area by a single parcel. It would be helpful to revise Figure 2.0-2 or 2.0-3 to illustrate the location of the Oxnard-Camarillo Greenbelt, and reference the figure in the text.

VCAC-9

Section 4.4—Biological Resources

Page 4.4-4, last paragraph. The text states that at the time of field surveys for the Draft EIR, a portion of El Rio Retention Basin No. 2 was in agricultural production. Figure 4.4-1 indicates that El Rio Retention Basin No. 1 also was in production. The text should be revised accordingly.

VCAC-10

Section 4.6—Agricultural Resources

Page 4.6-2, first paragraph. The first sentence states that the California Association of Resource Conservation Districts, in conjunction with the California Department of Conservation, issue the *Important Farmlands Maps*. The maps themselves indicate that they are published by the Department of Conservation only. Please revise the text accordingly.

VCAC-11

Page 4.6-5, first paragraph. The Ventura County Agricultural Commissioner does not report information on the amount of agricultural land converted to other uses to the Department of

VCAC-12

Conservation. The Ventura County Planning Division provides this information. Please revise the text accordingly.

Page 4.6-8, first paragraph. The text should be revised to indicate that Land Conservation Act contracts may be entered into for a period of 10 or 20 years, and that each contract (at any given date) is always operable at least 9 or 19 years into the future.

VCAC-13

Page 4.6-8, bottom paragraph. The last sentence should be revised to indicate "With certain exceptions, the County SOAR Ordinance requires countywide voter approval of any change . . ."

VCAC-14

Page 4.6-10, first paragraph. The last sentence should be revised to state " . . . due to discretionary development on lands containing Prime farmland or Farmland of Statewide Importance agricultural soils."

VCAC-15

Page 4.6-10, bottom of page and -11, top of page. The text indicates that a strip of agricultural land located between Vineyard Avenue and El Rio Retention Basin No. 2 includes 16 acres located on the Retention Basin site and a small 3-acre parcel immediately north of this parcel. This statement is inconsistent with Figure 4.4-1, which illustrates that Retention Basin No. 2 is in agricultural production. Further, Figure 4.6-3 is inconsistent with Figure 4.4-1. Figure 4.6-3 shows that only the 19 acre strip adjacent to Vineyard Avenue is in agricultural production, and not Retention Basin Nos. 1 or 2. The figures and text should be revised to be consistent.

VCAC-16

Page 4.6-14, last paragraph. The last sentence should be revised to refer to the Agricultural Commissioner's Office.

VCAC-17

Page 4.6-15, third paragraph. The text states that in 1996, when *The Value of Agriculture to Ventura County: An Economic Analysis* was prepared, agricultural land within the County totaled 101,483 acres. However, based on the Department of Conservation 1998 data, currently there are 112,159 acres of farmland on the State Important Farmlands Maps. Due to the difference in these numbers (and because the text indicates that there was less farmland in 1996 than in 1998), the source of the data in *The Value of Agriculture to Ventura County* should be identified.

VCAC-18

Page 4.6-15, bottom paragraph. The second sentence should be revised to state that the residential and school/park areas proposed in the RiverPark Specific Plan would be located approximately 1,500 feet from the nearest agricultural land located east of Vineyard Avenue. The second sentence should be revised to state school/park uses.

VCAC-19

Section 5.0—Alternatives

Page 5.0-2, bottom of page. See comment on page S-8 above. The text should be revised to be consistent with page S-8, and should indicate "Runoff from storms that are less frequent than a 10-year event will be conveyed to the reclaimed mine pits." The second to the last sentence should be revised to state "Given the low frequency of these large storm events, this impact would not occur often." The last sentence is inconsistent with the information provided on page S-7. Runoff from storms with a frequency less than a 10-year event would enter the pits. Please revise the text accordingly.

VCAC-20

Page 5.0-28, Noise. The alternative being assessed is the Reduce Density Alternative. Under this alternative, development would occur in RiverPark Area B.

VCAC-21

Page 5.0-33, first paragraph. This alternative would require expansion of the sizes of the detention basins, as indicated at the top of the page. If the sizes of the detention basins increase, how would the amount of development within the Specific Plan Area remain the same since less development area would be available?

VCAC-22

Page 5.0-33, last paragraph. The text describes the water quality treatment system proposed by the project (not the alternative). The statement in the middle of the paragraph indicates that runoff from storms with a frequency less than a 10-year event would not enter the mine pits. However, the second sentence (and the information provided on page S-7 and the corrected discussion on page 5.0-2) states that the runoff from these storms would enter the pits. The text should be revised to be consistent.

VCAC-23

Page 5.0-35, first paragraph. This alternative would require expansion of the sizes of the detention basins, and the provision of additional structures to allow sediment loads to settle out prior to entering the basins, as indicated at the top of the page. If the sizes of the detention basins increase and sedimentation structures are required, how would the amount of development within the Specific Plan Area remain the same since less development area would be available?

VCAC-24

* * * * *

I would like to commend the preparers of the Draft EIR and City Planning staff for an excellent environmental document. Based on the sections we reviewed, the Draft EIR is very thorough, comprehensive and well illustrated. In particular, I found the analyses of the project's consistency with LAFCO and SCAG policies in Section 4.1 to be especially well done.

If you or the EIR consultant have any questions regarding the above comments, please contact me at 933-2095.

Sincerely,



Julie Bulla
Senior Planner

JB/jb

Ventura County Office of Agricultural Commissioner (VCAC)

VCAC-1

Comment noted. The referenced sentence on page S-8 is revised to read as follows:

Because runoff from storms with a frequency ~~less~~ greater than a 10-year frequency would not enter the pits, overall mass loading of these and other pollutant constituents would be reduced.

VCAC-2

Comment noted. The summary of impacts to agriculture is revised as follows:

Agricultural Resources

Approximately 155 acres of agricultural land is located in RiverPark Area 'A'. In addition to this agricultural land in RiverPark Area 'A', there is a small amount of agricultural land in RiverPark Area 'B'. There is a small strip of agricultural land located between Vineyard Avenue and El Rio Retention Basin No. 2. In addition, the County of Ventura currently leases the bottom of El Rio Retention Basin No. 2 for agricultural use. When this land currently used for agricultural purposes in RiverPark Area 'B' is considered, a total of 209 acres of agricultural land is located within the Specific Plan Area. All of the agricultural land within the Specific Plan Area is currently under cultivation with strawberries. The 155 acres of agricultural land in RiverPark Area 'A' is mapped as Prime Farmland on the Important Farmlands Map for Ventura County prepared by the State Department of Conservation. The property currently located in RiverPark Area 'B' is not currently identified as farmland on the Important Farmlands Map. The portion of the Specific Plan Area containing the 155 acres of Prime Farmland has been designated for urban uses since 1986 and the Project is consistent with the policies of the Oxnard 2020 *General Plan* addressing the preservation of agricultural land. The loss of agricultural land within the RiverPark Specific Plan Area would be an unavoidable significant impact resulting from the project.

The nearest agricultural land to the Specific Plan Area is located east of Vineyard Avenue and north of the El Rio Community. The closest residential areas proposed in the RiverPark Specific Plan would be located approximately 1,500 feet from this agricultural land. Because the nearest agricultural land will be buffered from the proposed residential and school uses by more than 1,500 feet, development of the uses allowed by the proposed Specific Plan would not have significant impacts on the this agricultural land, including such impacts as blocking solar access to agricultural sites and land use incompatibility.

Furthermore, the proposed Specific Plan consists of commercial and residential uses that would not generate a significant amount of dust or introduce agricultural pests and diseases. The RiverPark Project will also result in a net gain in local groundwater. No impact on agricultural water supplies, therefore, will result.

VCAC-3

Comment noted. The referenced text on page 4.1-27 is revised as follows:

Discussion

The proposed annexation will have no effect on the physical or economic integrity of agricultural lands contained within the Oxnard-Camarillo Greenbelt. While a small portion of the proposed annexation area is presently utilized for crop production, it is a secondary use on land that is improved for flood control purposes. More importantly, this land is located in the CURB and is a small parcel that is separated from farmland located in the Oxnard-Camarillo Greenbelt by Vineyard Avenue, residential development located due east of the Specific Plan Area, and an industrial park. As planned, the nearest residential neighborhood to the existing agricultural land across Vineyard Avenue would be 1,500 feet. The proposed school/park site on the eastern edge of Specific Plan Area would also be 1,500 feet from this existing agricultural land. Consequently, annexation to allow future development of said land promotes infill development that would not alter the physical boundary of the Greenbelt nor influence the economic integrity of agricultural lands.

VCAC-4

Comment noted. The referenced text on page 4.1-31 is revised as follows:

The County of ~~Los Angeles~~ Ventura is within the six-county jurisdiction of the Southern California Association of Governments ("SCAG"), which also includes ~~Ventura~~ Los Angeles, Orange, San Bernardino, Riverside, and Imperial Counties. SCAG has divided its jurisdiction into 13 subregions to facilitate regional planning efforts. As previously mentioned the RiverPark Specific Plan Area is located in the Ventura Council of Governments Subregion as defined by SCAG.

VCAC-5

Comment noted. The referenced text on page 4.1-42 is revised as follows:

The following policy Policies of the Water Quality Chapter, ~~which have~~ has some relevance to the proposed RiverPark Specific Plan, is ~~are~~ discussed below:

VCAC-6

SCAG submitted a response to the Notice of Preparation of the RiverPark EIR issued by the City. In this response, SCAG identified those policies in the Regional Comprehensive Plan and Guide (RCPG) that it felt were particularly applicable to the RiverPark Project and requested analysis of these policies in the Draft EIR. SCAG did not request analysis of consistency of the project with the policies in the Hazardous Waste Management Chapter. This is consistent with the purpose of this chapter of the RCPG. This chapter of the RCPG is a summary of the region's Hazardous Waste Plan. The stated purpose of this chapter is to "assist the region's counties and cities, the regional council of governments, and the state in their individual efforts to plan for current and future hazardous waste management requirements." This chapter does not contain any policies that are applicable to individual projects. For this reason, SCAG did not request discussion of this chapter in the Draft EIR.

VCAC-7

Comment noted. The following text is added to the top of page 4.1-46:

The Specific Plan also buffers existing natural resources in the Santa Clara River. As part of the proposed Landscape Master Plan, a multi-layered habitat will be created along the edge of the Specific Plan adjacent to the Santa Clara River. This setback will utilize native vegetation communities to attract and support a wide range of wildlife species, especially birds. Selected tree species will provide nesting and foraging habitat for the many species. This newly created forest will also contain an understory of numerous species of compatible native shrubs. In addition to the habitat benefits provided by this buffer, it will also serve as a transition between developed uses within the Specific Plan and the natural resources found within the Santa Clara River.

The proposed annexation will have no effect on the physical or economic integrity of agricultural lands contained within the Oxnard-Camarillo Greenbelt. While a small portion of the proposed annexation area is presently utilized for crop production, it is a secondary use on land that is improved for flood

control purposes. More importantly, this land is located in the CURB and is a small parcel that is separated from farmland located in the Oxnard-Camarillo Greenbelt by Vineyard Avenue, residential development located due east of the Specific Plan Area, and an industrial park. As planned, the nearest residential neighborhood to the existing agricultural land across Vineyard Avenue would be 1,500 feet. The proposed school/park site on the eastern edge of Specific Plan Area would also be 1,500 feet from this existing agricultural land. Consequently, annexation to allow future development of said land promotes infill development that would not alter the physical boundary of the Greenbelt nor influence the economic integrity of agricultural lands.

As proposed, the RiverPark Project will not create any land use incompatibilities.

VCAC-8

Figure 2-20 is a recreation of a portion of the 2020 Community Design figure contained in the Community Design Element of the Oxnard 2020 General Plan. This figure is citywide in scale and general. The text of the Community Design Element identifies the agricultural land in the Oxnard-Camarillo-Del Norte Greenbelt as a visual resource. The referenced figure has been revised to reflect the boundaries of this greenbelt. Please see the exhibit following this page. As mentioned in this comment, no portion of the proposed Specific Plan Area is located within the Oxnard-Camarillo-Del Norte Greenbelt.

VCAC-9

The referenced exhibit has been revised as discussed above in the response to Comment VCAC-8. The text in page 4.2-27 is revised to read as follows:

The Specific Plan Area contains a eucalyptus windrow that is proposed to be incorporated into a linear park space connecting the Central Park in Oxnard Boulevard west to a park at the western edge of the Specific Plan Area immediately north of the elementary school site. In addition to preserving this windrow, the new cottonwood forest proposed along the western edge of the Specific Plan Area in RiverPark Area 'B' will introduce additional tall trees visible from the Ventura Freeway. As previously mentioned, two sets of landscape treatments are proposed along the Ventura Freeway. This landscape buffer along the freeway varies in width but is more than thirty feet wide. As shown in Figure 4.2-27, ~~T~~the Specific Plan Area is not adjacent to any greenbelt areas. Vineyard Avenue separates the Specific Plan Area from the agricultural land to the east in the Oxnard-Camarillo-Del Norte Greenbelt and the Large Woolsey Mine Pit separates the proposed development areas in the Specific Plan Area from the greenbelt area to the north of Central Avenue. The portions of the Specific

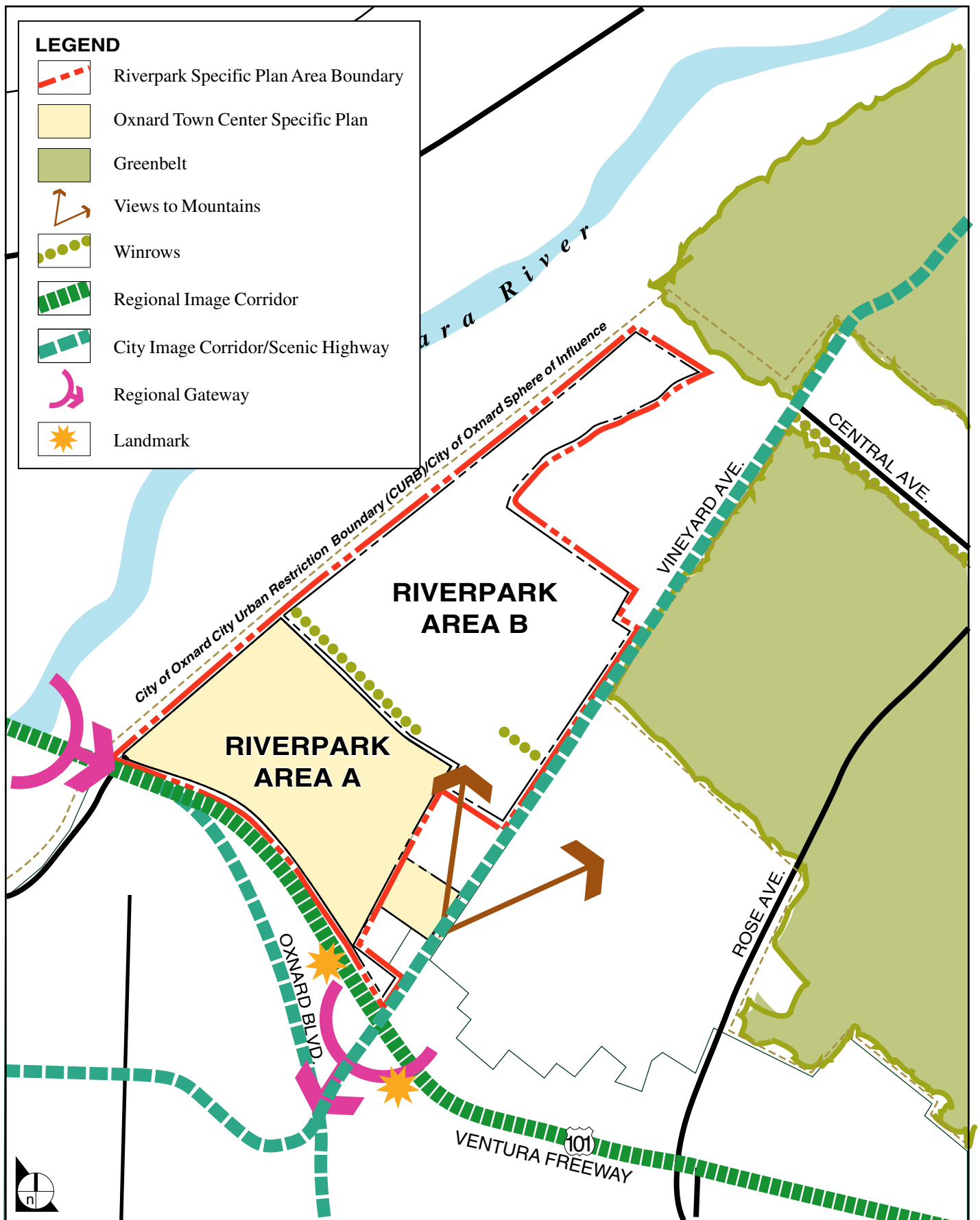


FIGURE 2-20

Revised General Plan Community Design Structure Map

Plan Area closest to the greenbelt consist of open space uses, including the reclaimed mine pits and a water quality detention basin. The school site located between Northpark Drive and Santa Clara River Boulevard will consist of grassy playfields along Vineyard Avenue. This edge of open space uses along Vineyard Avenue ensures land use compatibility with the agricultural uses in the greenbelt. The RiverPark Project is consistent with this policy.

VCAC-10

El Rio Retention Basin No. 1 is not used for agricultural purposes and was not in production at the time of the referenced field surveys. Figure 4.4-1 has been revised and is presented on the following page as **Figure 2-21**.

VCAC-11

Comment noted. The referenced text on page 4.6-2 is revised as follows:

Using Soil Conservation Service soil classifications, discussed above, the California Department of Conservation (DOC) ~~and the California Association of Resource Conservation Districts translate~~ translates soil survey data into an "Important Farmland Series" of maps for the State's agricultural counties.

VCAC-12

Comment noted. The referenced text on page 4.6-5 is revised as follows:

The amount of agricultural land converted to other uses has been monitored since 1984 by the DOC based on information reported by the Ventura County Planning Division. ~~County Agricultural Commissioner~~. This information is presented ~~below~~ in Table 4.6-1 on page 4.6-5 of the Draft EIR.

VCAC-13

Comment noted. The referenced text on page 4.6-8 is revised as follows:

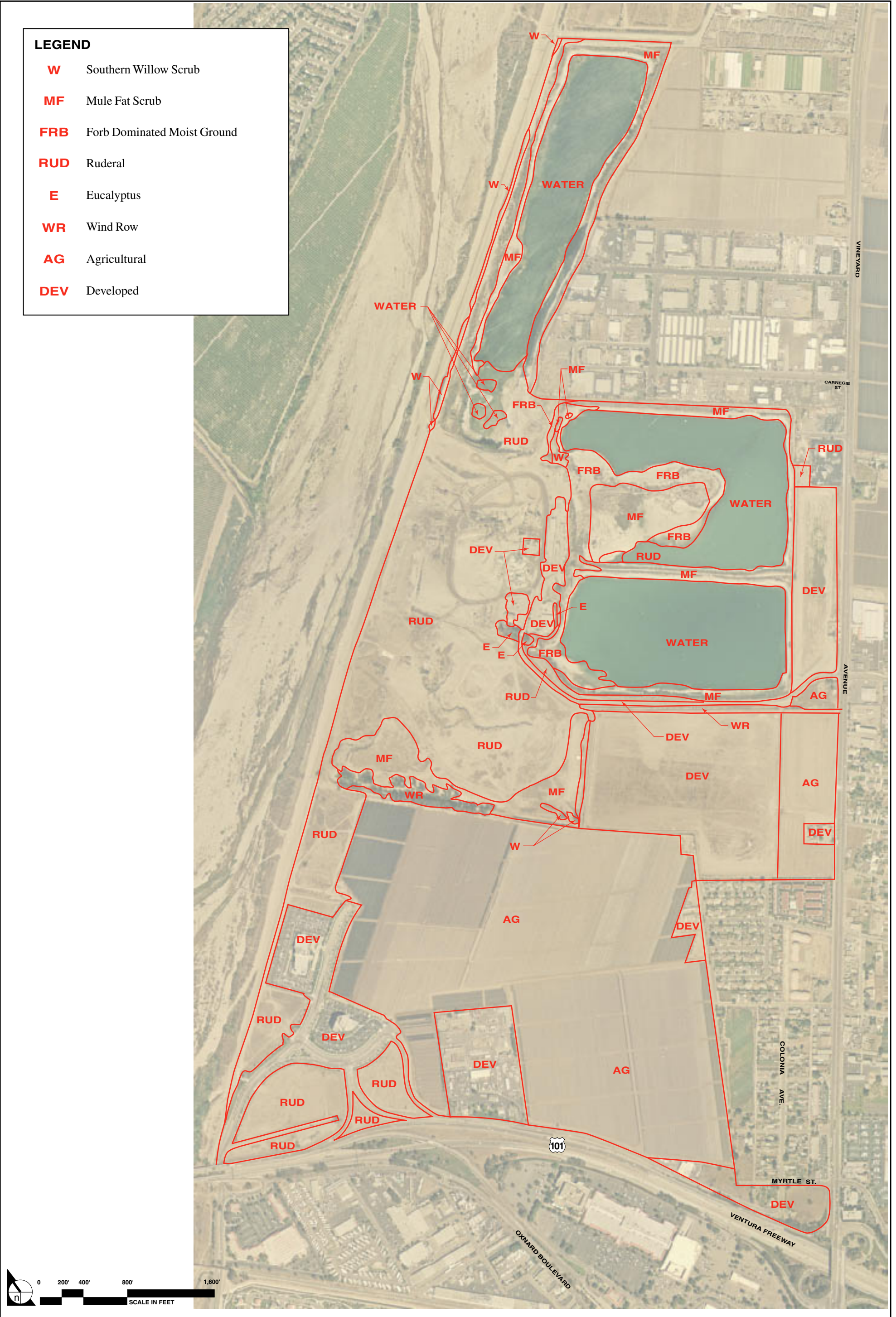


FIGURE 2-21

Revised Vegetation Communities

The Williamson Act

The California Land Conservation Act, also known as the Williamson Act, was adopted in 1965 in order to encourage the preservation of the state's agricultural lands and to prevent its premature conversion to urban uses. In order to preserve these uses, this act established an agricultural preserve contract procedure by which any county or city within the state taxes landowners at a lower rate using a scale based on the actual use of the land for agricultural purposes, as opposed to its unrestricted market value. In return, the owners guarantee that these properties would remain under agricultural production for a ten- or twenty-year period. This contract is renewed automatically unless a notice of non-renewal is filed by the owner. In this manner, each agricultural preserve contract (at any given date) is always operable at least nine or nineteen years into the future. No Williamson Act contracts exist in the Specific Plan Area.

VCAC-14

Comment noted. The referenced text on page 4.6-8 is revised as follows:

With certain exceptions, ~~t~~The County SOAR Ordinance requires countywide voter approval of any change to the County *General Plan* involving the Agricultural, Open Space, or Rural designations or any changes to a County *General Plan* goal or policy related to those land use designations.

VCAC-15

Comment noted. The referenced text on page 4.6-10 is revised as follows:

Specific policies to achieve that goal include: designating land outside the Existing Community- or Rural-designated areas within the El Rio/Del Norte Area Plan boundary which is currently in, or suitable for agricultural production as Agriculture and zoned such areas Agricultural Exclusive (A-E), prohibiting conflict of discretionary development located on land designated as Agricultural with the agricultural uses of those land, conditioning discretionary development adjacent to Agricultural designated land to ensure that impacts on the agricultural uses are minimized, requiring discretionary, non-agricultural land uses adjacent to Agricultural designated land to establish buffers, conditioning preservation of topsoil for reuse for discretionary development on lands containing Prime farmland or Farmland of Statewide Importance. Significance agricultural soils, and requiring evaluation regarding the feasibility of dedicating land or a conservation easement or cash-in-lieu fees to preserve agricultural land which is comparable to

any land which would be permanently lost due to discretionary development on lands containing Prime farmland or Farmland of Statewide Importance Significance agricultural soils.

VCAC-16

The text on pages 4.6-10 and 4.6-11 accurately represents existing agricultural uses in RiverPark Area 'B'. As presented in response to Comment VCAC-10 above, Figure 4.4- 1 has been revised to be consistent with 4.6-3. Figure 4.6-3 reflects the following information presented in the second paragraph on page 4.6-11:

As stated in this paragraph, a portion of the bottom of the basin is being used at this time for agricultural use. Due to the fact that this is a flood control basin, this does not represent land available for full time permanent agricultural use.

VCAC-17

Comment noted. The referenced text on page 4.6-14 is revised as follows:

At the request of the Ventura County Agricultural Commissioner's Office mentioned in the Notice of Preparation the following analysis examines the monetary effects of this crop loss.

VCAC-18

As indicated by the data produced by the State's Farmland Mapping and Monitoring Program, fluctuations in the type and amount of farmland throughout the state is normal as land is put into, or taken out of, agricultural production. In addition, it should be noted that there also have been changes in the methodology used by the State Department of Conservation to identify and map farmland. The *Value of Agriculture to Ventura County* report indicates that the State Farmland Mapping and Monitoring Program was one of several sources of data used in that study.

VCAC-19

Comment noted. The referenced text on page 4.6-15 is revised as follows:

The closest residential and school/park areas proposed in the RiverPark Specific Plan would be located approximately 1,500 feet from this agricultural land.

VCAC-20

Comment noted. The referenced text on page 5.0-2 is revised as follows:

The analysis shows that concentrations of four pollutant constituents will remain above the numerical thresholds of significance used. Runoff from storms that are less ~~more~~ frequent than a 10-year event storm will be conveyed to the reclaimed mine pits. Concentrations of iron, manganese and nickel in this runoff are calculated to remain above the thresholds being used. Given the low frequency of these large storm events, this impact would not occur often.

VCAC-21

Comment noted. The referenced text on page 5.0-28 is revised as follows:

Noise

The proposed project is expected to result in significant noise impacts to existing residential uses during construction. ~~With no development in RiverPark Area 'B', the duration of construction would be lessened. As a result, the duration of construction noise impacts would also be lessened, but not avoided.~~ Construction noise impacts would remain as site development and individual building projects would still occur. ~~in RiverPark Area 'A'.~~ With the proposed mitigation measures, these construction-related noise impacts would be reduced to less than significant levels. The potential for noise from a ballpark facility in RiverPark Area 'A' to impact the residential uses around it would not be avoided with this alternative. No significant roadway noise impacts were identified for the project and none would occur with this alternative.

VCAC-22

This alternative assumes the density of development would increase in the reduced area available for development.

VCAC-23

The referenced text on page 5.0-33 is revised as follows:

Water Resources

The proposed water quality treatment system would detain and treat all storms with runoff up to a 10-year storm event. Runoff from storms ~~less~~ more frequent than a 10-year event storm will be conveyed to the reclaimed mine pits.

VCAC-24

This alternative assumes the density of development would increase in the reduced area available for development.