

## 8.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

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Section 15128, Effects Not Found To Be Significant, of the *California Environmental Quality Act (CEQA) Guidelines* requires that an EIR contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and are, therefore, not discussed in detail in the EIR.

The City of Ventura completed a preliminary review, as described in Section 15060 of the *State CEQA Guidelines*, of the proposed Westside Community Planning project and determined an EIR should be prepared for this project. A Notice of Preparation (NOP) of this EIR was then prepared and circulated for public review to gather input from other public agencies and the public to determine the environmental topics to be evaluated in this EIR. The City also considered the policies and actions in the City's 2005 General Plan and the information and analysis in the General Plan and Downtown Specific Plan EIRs.

Based on this information, potential effects related to the topics discussed below were determined to either be less than significant, or potentially significant, but capable of being mitigated to a less than significant level with the implementation of policies and actions identified in the City's 2005 General Plan EIR and mitigation measures identified in the Final EIR for the City's Downtown Specific Plan.

### 8.0.1 AGRICULTURE AND FORESTRY RESOURCES

According to Appendix G of the *State CEQA Guidelines* under Section II, Agriculture and Forestry Resources, a project would have a significant impact if it would:

- II.a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use;
- II.b) Conflict with existing zoning for agricultural use, or a Williamson Act contract;

#### **Discussion:**

The Westside Community Planning Project area is characterized by features typical of an urban landscape and includes residential, industrial, and retail-commercial uses. Farmland, agricultural land, or related operations are not found in the boundaries of the Planning Area with the exception of the area east of Ventura Avenue, south of School Canyon Road and north of Pomo Drive and Hura Street. The 2005 General Plan designates this area for Neighborhood Medium uses. Implementation of the Westside Community Planning project would not involve changes that could result in conversion of designated

farmland to non-agricultural uses because there are no agricultural uses or farmland within the Planning Area. Therefore, there would be no conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. No impact to agricultural resources would result from implementation of the Westside Community Planning Project.

- II.c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g));
- II.d) Result in the loss of forest land or conversion of forest land to non-forest use;

**Discussion:**

The Westside Community Planning Project area is characterized by features typical of an urban landscape and includes residential, industrial, and retail-commercial uses. No forestland or related operations are found in the boundaries of the Planning Area. Implementation of the Westside Community Planning project would not involve changes that could result in conversion of forestland because there are no forestlands or use within the Planning Area. No impact to forest resources would result from implementation of the Westside Community Planning Project.

- II.e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

**Discussion:**

Refer to discussion under II a, b, c, and d, above. No impact would occur with the implementation of the Westside Community Planning Project.

**8.0.2 CULTURAL RESOURCES**

**Pre-Historic Resources**

According to Appendix G of the *State CEQA Guidelines* under Section V, Cultural Resources, a project would have a significant impact if it would:

- V.b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or

- V.c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.
- V.d) Disturb any human remains, including those interred outside of formal cemeteries.

The diversity of natural resources, the temperate climate that allows for long growing seasons, proximity to the coast, and abundant natural materials available for tool manufacturing all combine to produce an archaeological record in Ventura almost the entire chronological and cultural span of human activity in Southern California. There is considerable evidence that indigenous peoples inhabited the Ventura area, and especially the areas that became the Westside and Downtown. Subsurface pre-historic sites are located throughout the Westside and the Downtown. The Westside Planning Project lies within the historic territory of the Native American Indian group known as the Chumash. The Chumash occupied the region from San Luis Obispo County to Malibu Canyon on the coast, and inland as far as the western edge of the San Joaquin Valley and the four northern Channel Islands. Ventura County is within the historic territory of the Ventureno Chumash. The name Ventureno is derived from the mission with local jurisdiction, San Buenaventura.

In 1769, the Portola Expedition departed the San Diego settlement toward Monterey to establish five missions along the route, one of which Mission San Buenaventura established in 1782. After Mexican Independence in 1822, the mission was secularized in 1830 and lands granted to private parties. By the end of the Mexican-American War in the 1840s, most Spanish Europeans had fled the area, leaving the Indians at the Mission. American settlers slowly began to move into the area and large-scale subdivision of ranchos occurred in the 1860s. Ventura incorporated in 1866. The project area was subsequently developed during 20<sup>th</sup> century oil industry booms and has been subject to extensive disruption.

**Discussion:**

Archaeological materials are extremely fragile and non-renewable. Thus, any activity that alters the surface of the land, including archaeological pursuits, can affect these resources. An inventory of recorded archaeological sites based on information collected from the State Information Center, Institute of Archaeology, University of California at Los Angeles, site records, excavation reports, and relevant literature, along with materials obtained from the City, local museums, Native American organizations, and historical groups, was prepared for the 2005 General Plan. This inventory forms the basis of analysis of archaeological resources. Known archaeological sites, historic landmarks, and points of interest are present within the planning area, some of which may also contain subsurface cultural resources. Prior reports identify the areas west of Olive Street near the Ventura Rivers and throughout the project area along Ventura Avenue as sensitive areas for Native American Resources. Prehistoric sites generally

involve at least one of the following resources: middens, milling stone sites, large villages, cemeteries, hilltop bead shrines, flake scatters, and camp workshops. Drainages, especially the Ventura River, are also important archaeological locations.

The Westside Community Planning Project has not been formally surveyed for archaeological resources. The Westside Community Planning Project area has been substantially disturbed by past agricultural, grading and development activities. However, in developed areas where previously undocumented resources might exist, such as beneath 19<sup>th</sup> and early 20<sup>th</sup> century structures and within streets, there is the potential to adversely affect these resources. Therefore, while archaeological resources are not expected to be a major constraint to future development in the project area, archaeological investigations would be needed for projects that would occur within the project area in order to confirm the presence or absence of archaeological remains on individual sites. In the event that paleontological resources are unearthed during individual project subsurface activities, all earth-disturbing work must be temporarily suspended or redirected until a paleontologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume. Implementation of this standard requirement would reduce potential impacts to a level that is less than significant.

The 2005 General Plan and Downtown Specific Plan Final Environmental Impact Report identify the following policy, actions, and mitigation measures pertaining to archaeological resources in Chapter 9, *Our Creative Community* that would reduce the potential for impacts to less than significant.

- Policy 9D:                    Ensure proper treatment of archeological and historic resources.
  
- Action 9.14:            Require archaeological assessments for projects proposed in the Coastal zone and other areas where cultural resources are likely to be located.
  
- Action 9.15:            Suspend development activity when archaeological resources are discovered, and require the developer to retain a qualified archaeologist to oversee handling of the resources in coordination with the Ventura County Archaeological Society and local Native American organizations as appropriate.

Downtown Specific Plan Final EIR Mitigation Measures are as follows:

- Mitigation CR-1a:        Archaeological Monitoring. A City qualified archaeologist and Native American monitor shall be present during excavation in streets and beneath 19<sup>th</sup> and early 20<sup>th</sup> century structures. In the event archaeological materials are encountered during excavation, work shall be stopped immediately or redirected while the

archaeologist and Native American monitor evaluate the significance of the material. If the artifacts are found to be significant, the City shall conduct a data recovery program consistent with City and County archaeological mitigation guidelines. After the find has been appropriately mitigated, work in the area may resume. A qualified Native American monitor shall oversee any mitigation work associated with prehistoric cultural material. The City will provide an educational briefing to workers at the site to inform them of the high sensitivity of the resources, and to inform them of the legal prohibitions against collecting or disturbing artifacts.

Mitigation CR-1b Coroner Notification. If human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to the origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC).

### 8.0.3 GEOLOGY AND SOILS

According to Appendix G of the *State CEQA Guidelines* under Section VI, Geology and Soils, a project would have a significant impact if it would:

VI.e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

#### **Discussion:**

The Westside Community Planning Project does not propose the use of septic tanks or alternative wastewater disposal systems. Development or redevelopment projects would be connected to the City of Ventura's wastewater system. Therefore, no impact would occur with the implementation of the Westside Community Planning Project.

### 8.0.4 HAZARDS AND HAZARDOUS MATERIALS

According to Appendix G of the *State CEQA Guidelines* under Section VIII, Hazards and Hazardous Materials, a project would have a significant impact if:

- VIII.e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area;
- VIII.f) For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area;

**Discussion:**

No airports are located within the Westside Community Planning Project area. The nearest airports are Oxnard Airport (more than 10 miles from the eastern boundary of the Planning Area), Santa Paula Airport (more than 10 miles from the eastern boundary of the Planning Area), and Camarillo Airport (approximately 10 miles from the southern boundary of the Planning Area). Development within the Westside Community Planning Project area would not affect air traffic at any of these facilities or at any other airports within the region. Impacts to air traffic would not be significant.

**8.0.5 MINERAL RESOURCES**

According to Appendix G of the *State CEQA Guidelines* under Section XI, Mineral Resources, a project would have a significant impact if it would result in:

- XI.a) The loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or
- XI.b) The loss of availability of a locally important mineral resource recovery site delineated on a local general plan?

**Discussion:**

The Planning Area currently does not have active aggregate mining operations. Consequently, no impact to aggregate mineral resources would occur with the implementation of the Westside Community Planning Project.

Future development within the Westside Community Planning Project area could occur within the vicinity of existing oil wells. Oil production in the Ventura Avenue area has dropped dramatically since its peak production several decades ago and only a limited number of oil wells remain within the Planning Area. It is anticipated that the limited remaining wells could continue to produce as long as they are financially viable and would be replaced by development only as they are tapped out. In addition, any future development near these oil wells would be required to provide buffers and other

measures to allow for the continued production of such wells. Therefore, impacts relating to the accessibility of mineral resources are not considered significant.

#### 8.0.6 NOISE

According to Appendix G of the *State CEQA Guidelines* under Section XII, Noise, a project would have a significant impact if:

- XII.e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- XII.f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

#### **Discussion:**

No airports are located within the Westside Community Planning Project area. The nearest airports are Oxnard Airport (more than 10 miles from the eastern boundary of the Planning Area), Santa Paula Airport (more than 10 miles from the eastern boundary of the Planning Area), and Camarillo Airport (approximately 10 miles from the southern boundary of the Planning Area). Development within the Westside Community Planning Project area would not affect air traffic at any of these facilities or at any other airports within the region. Impacts to air traffic would not be significant.

#### 8.0.7 TRANSPORTATION/TRAFFIC

According to Appendix G of the *State CEQA Guidelines* under Section XVI, Transportation/Traffic, a project would have a potentially significant impact if it would:

- XVI.c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

#### **Discussion:**

No airports are located within the Westside Community Planning Project area. The nearest airports are Oxnard Airport (more than 10 miles from the eastern boundary of the Planning Area), Santa Paula Airport (more than 10 miles from the eastern boundary of the Planning Area), and Camarillo Airport (approximately 10 miles from the southern boundary of the Planning Area). Development within the Westside Community Planning Project area would not affect air traffic at any of these facilities or at any other airports within the region. Impacts to air traffic would not be significant.