# Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project

## Final Subsequent Environmental Impact Report

19EIR-00000-00002; SCH#2018031077

*prepared by*

**County of Santa Barbara**
Planning & Development
Development Review Division
624 West Foster Road, Suite C
Santa Maria, California 93455
Contact: Sean Stewart, Planner

*prepared with the assistance of*

**Rincon Consultants, Inc.**
1530 Monterey Street, Suite D
San Luis Obispo, California 93401

**July 2020**

RINCON CONSULTANTS, INC.
Environmental Scientists | Planners | Engineers
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# Executive Summary

This section summarizes the characteristics and environmental impacts of the proposed project, the project alternatives, and required and recommended mitigation measures.

## Project Synopsis

### Project Applicant

Orcutt Rancho, LLC
c/o HWM Group, Ltd
124 West Main Street Suite G
Santa Maria, California 93458

### Lead Agency Contact Person

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### Project Description

The proposed project is a request by Orcutt Rancho, LLC, for approval of the Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project, located on a portion of Key Site 21 in the OCP area. The proposed project involves a Specific Plan, two Vesting Tentative Tract Maps, two final Development Plans, two Minor Conditional Use Permits, Road Naming Application, and Comprehensive Plan Amendment entitlements to subdivide two existing parcels of approximately 107 gross acres and 70 gross acres into 148 lots for the development of 146 single-family residences. Approximately 96.7 acres (51%) of the site is proposed as undisturbed open space. The Specific Plan area also includes approximately 29.8 acres of privately managed open space that includes landscape, trailhead, trails, and fuel modification areas. The property is identified as Assessor's Parcel Numbers (APN) 113-250-015, -016, -017.

## Alternatives

Seven alternatives to the proposed project have been analyzed in this SEIR. The future development of the Key Site 21 project under the Orcutt Community Plan (OCP) and three alternatives were previously analyzed in the OCP EIR (1995). This SEIR also addresses four additional alternatives to the currently-proposed Key Site 21 development project. The seven alternatives are:

### OCP EIR Alternatives

- OCP EIR Alternative 1: No Project Alternative)
- OCP EIR Alternative 2: Low Buildout)
- OCP EIR Alternative 3: High Buildout)

### Additional Alternatives Considered in this SEIR

- Alternative 1: No Project Alternative
- Alternative 2: Only Hidden Canyon Neighborhood Development
- Alternative 3: Only Willow Creek Neighborhood Development
- Alternative 4: Reduced Units in Willow Creek and Hidden Canyon Neighborhoods

The Only Hidden Canyon Neighborhood Development Alternative (Alternative 2) and Only Willow Creek Neighborhood Development Alternative (Alternative 3) would result in the fewest significant and unavoidable impacts as compared to both the proposed project and to the original alternatives analyzed in the OCP EIR. Between these two alternatives, the Only Hidden Canyon Neighborhood Development Alternative (Alternative 2) would result in reduced impacts to biological resources, because it would avoid more perennial rye grass grassland and purple needle grass grassland west of the public golf course. Therefore, Alternative 2 would be considered environmentally superior overall.

As described in the analysis of alternatives in this section, Alternative 2 would avoid the project's significant and unavoidable project-specific impact to visual character, with incorporation of mitigation, and reduce overall impacts associated with development on steep slopes, adverse effects on sensitive species, demand on public services, and transportation/circulation. In addition, this alternative would avoid or reduce impacts on native plant communities, such that the associated mitigation measures and ratios may be reduced under this alternative. Furthermore, Alternative 2 does not present any new significant impacts that were determined to be less than significant in the analysis of the proposed project nor would it increase the severity of impacts identified for the proposed project. For these reasons, the Only Hidden Canyon Neighborhood Development Alternative (Alternative 2) is identified as the Environmentally Superior Alternative.

## Summary of Impacts and Mitigation Measures

Table ES-1 summarizes the identified environmental impacts for each issue area studied in the EIR, required mitigation measures (if any), and the level of significance after mitigation. Table ES-1 contains the project-specific impacts organized by impact level, followed by the cumulative impacts. Class I impacts are defined as significant and unavoidable adverse impacts, which require a statement of overriding considerations to be made per Section 15093 of the State CEQA Guidelines if the project is approved. Class II impacts are significant, adverse impacts that can be feasibly mitigated to a less than significant level, and which require findings to be made under Section 15091 of the State CEQA Guidelines. Class III impacts are considered less than significant impacts. Potential project-specific and cumulative impacts are listed below in summary form.

Based on comments received during the public hearing and NOP comment period, the County of Santa Barbara determined that there was no substantial evidence that the project would cause or otherwise result in significant environmental effects in the resource areas of forest resources, hazards and hazardous materials, historic resources, mineral resources, and population and housing. The substantiation for determining that these issues would result in no impact or a less-than-significant impact is described in Section 4.15, *Effects Found Not to be Significant,* and in further detail in the NOP and Scoping Paper in Appendix A.

## Class I – Significant and Unavoidable Impacts

- Visual quality and character
- Cumulative visual resources impacts
- Special status wildlife species
- Cumulative biological resources impacts
- Solid waste
- Cumulative public services impacts
- Cumulative traffic impacts

## Class II – Significant Impacts that Can Be Mitigated to Less than Significant Levels

- Light and Glare
- Cumulative impacts to scenic views and light and glare
- Loss of sensitive habitat, incl. riparian vegetation
- Special status plant species
- Wetlands
- Wildlife movement
- Protected trees
- Sensitive vegetation
- Archaeological resources and human remains
- Tribal cultural resources
- Cumulative cultural resources impacts
- Steep slopes
- Long-term erosive runoff and sedimentation
- Expansive soils
- Paleontological resources
- Cumulative impacts to geologic hazards
- Temporary and long-term increases in GHG emissions
- Consistency with GHG reduction plans and regulations
- Cumulative GHG emissions
- Quality of life compatibility
- Construction noise impacts
- Water supply resources

## Class III – Less than Significant Impacts

- Scenic vistas
- Scenic resources
- Cumulative impacts to visual quality and character
- Agricultural resources

- Cumulative impacts to agricultural resources
- Clean Air Plan consistency
- Construction air quality emissions
- Operational air quality emissions
- Odor emissions
- Cumulative air quality impacts
- Energy impacts
- Cumulative energy impacts
- Wildland fire hazards
- Fire protection services and facilities
- Cumulative impacts to fire protection
- Groundshaking
- Ground failure and liquefaction
- Landslides
- Orcutt Community Plan consistency
- Cumulative land use impacts
- Noise sensitive receptor exposure
- Traffic noise
- Cumulative noise impacts
- Schools
- Wastewater
- Police protection services
- Recreational facilities
- Intersection operations
- Roadway segment operations
- Traffic safety hazards
- Water quality
- Flood and stormwater runoff
- Cumulative impacts to drainage, flooding, and sedimentation
- Cumulative impacts to water supply and groundwater resources

**Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance After Mitigation**

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| **Class I Project-Specific Impacts (Significant and Unavoidable)** | | |
| **Aesthetics** | | |
| **Impact AES-2.** The project would convert semi-rural land uses to urban land uses, altering the visual quality and character of the project site, which serves as a gateway parcel to west Orcutt. This impact would be significant and unavoidable. | **AES-2(a) Requirements for Development Near Open Space Overlay.** All new development adjacent to areas within the open space overlay shall be sited and designed in such a manner to protect and enhance the visual character of the overlay area through use of landscape buffers, shielding of night lighting, screening of parking areas, and unit orientation. In semi-rural areas, natural building materials and colors compatible with surrounding terrain (i.e., earth tones and non-reflective paints) shall be used on exterior surfaces of all structures, including water tanks and fences. Understories and retaining walls higher than six (6) feet shall be in tones compatible with surrounding terrain using textured materials or construction methods which create a textured effect. Retaining walls shall be landscaped to provide screening from adjacent open space areas, using native species where appropriate.<br><br>**Plan Requirements and Timing**. These requirements shall be reflected on building plans for review by Planning & Development prior to zoning clearance issuance. **Monitoring**. The Owner/Applicant shall demonstrate that the submitted plans conform to the required conditions. Building inspectors and Planning & Development compliance monitoring staff shall ensure compliance in the field.<br><br>**AES- 2(b) Retention Basin Design (Implements OCP EIR Mitigation VIS-3).** All public and private retardation basins shall be designed to permit additional uses including active and passive recreation in more developed areas and wildlife habitat in more rural and biologically sensitive areas. The use of perimeter fencing shall be avoided to the maximum extent feasible. Where required, perimeter fencing shall be of a decorative nature in urban areas or designed to minimize interference with wildlife in more undeveloped areas. Perimeter landscaping of basins in urban areas shall consist of low maintenance trees and shrubs, as well as turf, etc. to accommodate recreational uses. Native trees, shrubs and groundcover shall be used within basins in undeveloped areas. Maintenance shall be determined through implementation of the Landscape-Open Space Maintenance District.<br><br>**Plan Requirements and Timing**. These requirements shall be reflected on landscaping plans for review by Planning & Development prior to zoning clearance issuance. **Monitoring**. The Owner/Applicant shall demonstrate that the submitted plans conform to the required conditions. Planning & Development compliance monitoring staff shall ensure compliance in the field.<br><br>**AES-2(c) Median and Landscape Design (Implements OCP EIR Mitigation VIS-4).** All medians and strips designated for landscaping shall utilize drought-tolerant species to the maximum extent feasible, consisting of low maintenance trees, shrubs, and groundcover which do not obstruct views [for] motorists, bicyclists, and pedestrians. Maintenance shall be determined through implementation of the Landscape-Open Space Maintenance District. | Implementation of Mitigation Measures AES-2(a) through AES-2(d) would reduce potential impacts to the project site's visual character; however, the project would still constitute the conversion of open space and semi-rural space to urban space. No additional mitigation is required as no other mitigation would be feasible to prevent this conversion of land uses. After implementation of Mitigation Measures AES-2(a) through AES-2(d), this impact would remain significant and unavoidable |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| | **Plan Requirements and Timing**. These requirements shall be reflected on landscaping plans for review by Planning & Development prior to zoning clearance issuance. **Monitoring**. The Owner/Applicant shall demonstrate that the submitted plans conform to the required conditions. Planning & Development compliance monitoring staff shall ensure compliance in the field.<br><br>**AES-2(d) Infrastructure Screening (Implements OCP EIR Mitigation VIS-5).** All proposed infrastructure visible from gateway roads, including the Hidden Canyon and Willow Creek Neighborhood driveways, shall be screened from viewers passing on SR 1.<br><br>**Plan Requirements and Timing.** These requirements shall be reflected on landscaping and building plans for review by Planning & Development prior to zoning clearance issuance. **Monitoring**. The Owner/Applicant shall demonstrate that the submitted plans conform to the required conditions. Planning & Development compliance monitoring staff shall ensure compliance in the field. | |
| **Biological Resources** | | |
| **Impact BIO-2.** Impacts to California tiger salamander would be Class I, significant and unavoidable. | **BIO-2(a) USFWS/CDFW Consultation.** Prior to zoning clearance issuance for grading, the applicant shall consult with USFWS and/or CDFW (depending on the species) regarding potential impacts to the California red-legged frog (CRLF) and the California tiger salamander (CTS). The applicant shall obtain all necessary permits and approvals and shall implement measures as required by these permits and approvals.<br><br>**Plan Requirements and Timing.** The applicant shall submit copies of correspondence and/or permits (as applicable) with applicable agencies to Planning and Development prior to zoning clearance issuance for grading. **Monitoring.** Planning and Development permit processing planner shall confirm that the applicant has obtained all necessary permits and approvals. Planning and Development compliance monitoring and building and safety staff shall monitor and inspect to ensure that required.<br><br>**BIO-2(b) California Tiger Salamander (CTS) and California Red-legged Frog (CRLF) Habitat Avoidance.** Development shall avoid impacting CTS and CRLF habitat to the greatest extent feasible. To protect habitat adjacent to and outside of the limits of disturbance of the proposed project, the Owner/Applicant shall install bright orange protective fencing to delineate the extent of disturbance areas associated with the project (including the proposed sewer line easement) under the direction of a County-approved qualified biologist. If CTS and CRLF habitat cannot be avoided, the Owner/Applicant shall provide Planning and Development with the total acreages for habitat that would be impacted prior to zoning clearance issuance for grading and implement Mitigation Measure BIO-2(c) below.<br><br>**Plan Requirements and Timing**. Grading plans showing the location of CTS and CRLF habitat as well as protective fencing locations for review and approval prior to issuance of zoning clearance for grading. **Monitoring**. Planning and Development compliance monitoring and/or building and safety staff shall inspect the site prior to initiation of grading activities and a minimum of once per week following the start of grading and construction to ensure protective fencing is in place.<br><br>**BIO-2(c) California Tiger Salamander (CTS) and California Red-legged Frog (CRLF) Compensatory Mitigation.** If CTS and CRLF habitat cannot be avoided per Mitigation Measure BIO-2(b), the Owner/Applicant shall establish | Potential impacts to CTS F, which require off-site compensatory mitigation (Mitigation Measure BIO-2[c]) may not be feasible due to lack of available off-site locations for CTS compensatory mitigation within the West Santa Maria/Orcutt metapopulation area. Therefore, potential impacts to CTS would remain significant and unavoidable. |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| | an off-site conservation easement(s) as compensatory mitigation to offset impacts to CTS and CRLF habitat. The compensatory mitigation shall incorporate the conditions and compensatory mitigation requirements specified in the incidental take permit(s) and/or incidental take statement that could be issued by CDFW and USFWS for this project but shall meet the minimum standards specified in this measure. Compensatory mitigation shall be provided at a ratio of not less than 2:1 (area mitigated: area impacted) for upland habitat and 3:1 for aquatic habitat. Compensatory mitigation must occur off-site and shall not occur within the open space or other location on Key Site 21. Areas proposed for preservation must contain verified extant populations of CTS and/or CRLF depending on the species the preserved area is compensating for. These off-site locations for CTS compensatory mitigation must occur within the West Santa Maria/Orcutt metapopulation area (Appendix D of the Recovery Plan for the Santa Barbara County Distinct Population Segment of the California Tiger Salamander [Ambystoma californiense]; USFWS 2016).<br><br>Compensatory mitigation areas shall have a restrictive covenant prohibiting future development/disturbance and shall be managed in perpetuity to encourage persistence and enhancement of the preserved target species. Compensatory mitigation lands cannot be located on land that is currently held publicly for resource protection. The compensatory mitigation areas shall be managed by a conservation lands management entity or other qualified easement holder.<br><br>The CDFW and organizations approved by CDFW that meet the criteria below may be considered qualified easement holders for those species for which the CDFW has regulatory authority. To qualify as a "qualified easement holder" a private land trust must at a minimum have:<br><br>1. Substantial experience managing conservation easements that are created to meet mitigation requirements for impacts to special-status species;<br>2. Adopted the Land Trust Alliance's Standards and Practices; and;<br>3. A stewardship endowment fund to pay for its perpetual stewardship obligations.<br><br>Other specific conditions for qualified easement holders may be outlined in incidental take permit(s) and/or incidental take statement that could be issued by CDFW and USFWS for this project.<br><br>The County shall determine whether a proposed easement holder meets these requirements. The owner/applicant shall also be responsible for donating to the conservation easement holder fees sufficient to cover administrative costs incurred in the creation of the conservation easement (appraisal, documenting baseline conditions, etc.) and funds in the form of a non-wasting endowment to cover the cost of monitoring and enforcing the terms of the conservation easement in perpetuity. The amount of these administrative and stewardship fees shall be determined by the conservation easement holder in consultation with the County.<br><br>Conservation easement(s) shall be held in perpetuity by a qualified easement holder (as defined above), and be subject to a legally binding agreement that shall: (1) Be recorded with the County Recorder(s); and (2) Contain a succession clause for a qualified easement holder if the original holder is dissolved.<br><br>The following factors shall be considered in assessing the quality of potential mitigation habitat: (1) current land use, (2) location (e.g., habitat corridor, part of a large block of existing habitat, adjacency to source populations, | |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| | proximity to potential sources of disturbance), (3) vegetation composition and structure, (4) slope, (5) soil composition and drainage, and (6) level of occupancy or use by all relevant species.<br>To meet the requirement that the mitigation habitat is of value equal to, or greater than, the habitat impacted on the project site, the mitigation habitat must be either "suitable habitat" or "enhanced habitat" as described below:<br>**Suitable Habitat.** To meet the requirements for suitable habitat that provides equal or greater habitat value for listed animal species than the impacted habitat, the habitat must:<br>1. Provide habitat for special status animal species, such that special status animal species populations can regenerate naturally when disturbances are removed;<br>2. Not be characterized by (or adjacent to areas characterized by) high densities of invasive species, such as yellow star-thistle, or species that might jeopardize habitat recovery and restoration;<br>3. Not contain hazardous wastes that cannot be removed to the extent that the site could not provide suitable habitat; and<br>4. Not be located on land that is currently publicly held for resource protection.<br>**Enhanced Habitat.** If suitable habitat is unavailable, or in lieu of acquiring already suitable special status animal species habitat, the applicant may enhance potential habitat that:<br>1. Is within an area with potential to contribute to habitat connectivity and build linkages between populations;<br>2. Consists of actively farmed land or other land containing degraded habitat that will support enhancement;<br>3. Supports suitable soils, slope, and drainage patterns consistent with special status animal species requirements;<br>4. Cannot be located on land that is currently held publicly for resource protection; and<br>5. Does not contain hazardous wastes or structures that cannot be removed to the extent that the site could not provide suitable habitat.<br>**Enhanced Habitat Standards.** For enhanced habitat conditions to equal or exceed habitat conditions on the project site, the enhanced habitat shall meet the following habitat criteria: After five years, these sites must consist of suitable habitat or contain other habitat characteristics (e.g., small mammal burrows in upland habitat for CTS, wetlands, ponds, etc.) that are consistent with the known ecology of the special status animal species to which compensatory mitigation is being applied and the habitat components for which the mitigation is compensating for.<br>**Plan Requirements and Timing.** The applicant shall calculate the total acreages required to meet all compensatory mitigation obligations and submit these totals to County Planning and Development prior to final map clearance. The applicant shall then obtain County approval of the location of mitigation lands, the holder of conservation easements, and the restrictions contained in the easement(s) created for the permanent protection of these lands. Documentation of recorded easement(s) shall be submitted to and approved by the | |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| | County prior to map clearance. Verification of having met habitat mitigation requirements shall be reviewed and approved prior to final inspection. **Monitoring**: Planning and Development permit processing planner shall review and approve documentation of compensatory mitigation land acquisition and associated restrictive covenant for consistency with the conditions outlined in the measure. These lands may be identified through independent consultation with CDFW and/or USFWS. The Owner/Applicant shall provide evidence to Planning and Development permit processing planner of the establishment of a permanent conservation easement and maintenance endowment prior to final map clearance.<br><br>**BIO-2(d) Listed Species Habitat Mitigation and Monitoring Plan.** The applicant shall retain a County-approved qualified biologist to prepare a Habitat Mitigation and Monitoring Plan (HMMP) to ensure the success of compensatory mitigation sites required for compensation of habitat impacts to the California tiger salamander (CTS) and the California red-legged frog (CRLF) that are to be enhanced pursuant to Mitigation Measure BIO-2(c). The HMMP shall be submitted to the County prior to zoning clearance issuance for grading. The HMMP shall include, at a minimum, the following information:<br><br>a. A summary of habitat and species impacts and the proposed mitigation for each element;<br><br>b. A description of the location and boundaries of the mitigation site(s) and description of existing site conditions;<br><br>c. A description of any measures to be undertaken to enhance (e.g., through focused management) the mitigation site for special status species;<br><br>d. Identification of an adequate funding mechanism for long-term management and identification of a conservation lands management entity to manage the conservation easement lands;<br><br>e. A description of management and maintenance measures intended to maintain and enhance habitat for the target species (e.g., weed control, fencing maintenance);<br><br>f. A description of habitat and species monitoring measures on the mitigation site, including specific, objective performance criteria, monitoring methods, data analysis, reporting requirements, monitoring schedule, etc.; monitoring shall document compliance with each element requiring habitat compensation or management;<br><br>g. A contingency plan for mitigation elements that do not meet performance or final success criteria within described periods; the plan shall include specific triggers for remediation if performance criteria are not met and a description of the process by which remediation of problems with the mitigation site (e.g., presence of noxious weeds) shall occur;<br><br>h. A requirement that the applicant shall be responsible for monitoring, as specified in the HMMP, for at least five years post-construction; during this period, regular reporting shall be provided to the County;<br><br>i. Reporting shall include:<br><br>1. An annual monitoring report to be submitted to the County; and<br><br>2. Demonstration that the compensatory mitigation and management (1) will fully mitigate for any take of a CESA-listed species as defined by CESA, (2) minimize and mitigate any take of an FESA-listed species to | |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| | the maximum extent practicable as defined by FESA, and (3) ensure that impacts from the project are not likely to jeopardize the listed species continued existence as defined by FESA.<br><br>**Plan Requirements and Timing**. The HMMP shall be submitted to Planning and Development, USFWS and CDFW for review and approval prior to zoning clearance issuance for grading. Proof of purchase or an easement controlling off-site acreage shall also be submitted to Planning and Development prior to zoning clearance issuance for grading. **Monitoring**. The restoration components shall be monitored by a County-approved qualified biologist for five years. Planning and Development permit processing planner shall ensure that the restoration requirements of the project included in this condition are addressed prior to issuance of zoning clearance for grading. Planning and Development permit compliance staff shall oversee implementation of the HMMP through periodic monitoring on-site during construction and a final restoration site inspection upon completion in accordance with the approved restoration plans. Monitoring shall continue for 5 years at a minimum and continue until the restoration requirements are achieved.<br><br>**BIO-2(e) California Tiger Salamander (CTS) and California Red-legged Frog (CRLF) Avoidance and Minimization.** The following measures shall be implemented during grading and construction activities and implementation of the compensatory mitigation and fuel management program included in the Open Space Management Plan (OSMP).<br><br>a. Pre-construction surveys for CTS and CRLF shall be conducted where suitable habitat is present by a County-approved biologist not more than 48 hour prior to the start of construction activities. The survey area should include the proposed disturbance area and all proposed ingress/egress routes, plus a 100-foot buffer. If any life stage of CRLF or CTS is found within the survey area, the USFWS and/or CDFW should be consulted to determine the appropriate course of action or the appropriate measures implemented in accordance with the Biological Opinion issued or Habitat Conservation Plan approved by the USFWS (relevant to CRLF and CTS) and/or the Incidental Take Permit issued by the CDFW (relevant to CTS).<br><br>b. Ground disturbance shall be limited to the minimum necessary to complete construction activities. Construction limits of disturbance shall be flagged. All equipment and material storage, parking, staging and other support areas shall be identified prior to issuance of a grading permit. Areas of special biological concern within or adjacent to construction limits shall have highly visible orange construction fencing installed between said area and the limits of disturbance.<br><br>c. All development activities occurring within/adjacent to aquatic habitats (including riparian habitats and wetlands) shall be completed between ~~April~~ June 1 and October 31, to avoid impacts to sensitive aquatic species.<br><br>d. To avoid encountering migrating California tiger salamander within range of potentially suitable aquatic habitat, ~~construction~~ initial ground disturbance within upland areas within the range of California tiger salamander should be limited to July 15 to October 15. Work should be postponed if chance of rain is greater than 70% based on the NOAA National Weather Service forecast or within 48 hours following a rain event greater than 0.1 inch. If work must occur during these conditions, a qualified biologist shall conduct a | |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| | clearance sweep of work areas prior to the start of work.<br>e. All work shall occur during daylight hours.<br>f. All projects occurring within or adjacent to habitats that may support CTS or CRLF shall have a County approved biologist present during all initial ground disturbing/vegetation clearing activities.<br>g. No CTS or CRLF shall be captured and relocated without expressed permission from the CDFW and/or USFWS.<br>h. If at any time during construction CTS or CRLF enters the construction site or otherwise may be impacted by the project, all construction activities shall cease. A County-approved biologist shall document the occurrence and consult with the CDFW and/or USFWS as appropriate.<br>i. Upon completion of construction all excess materials and debris shall be removed from the project site and disposed of appropriately.<br>j. The work area shall remain clean. All food-related trash items shall be enclosed in sealed containers and removed from the site regularly.<br>k. Pets shall be prohibited at the construction site.<br>l. All vehicle maintenance/fueling/staging shall occur not less than 60 feet from any riparian habitat or water body. Suitable containment procedures shall be implemented to prevent spills. A minimum of one spill kit shall be available at each work location near riparian habitat or water bodies.<br>m. All equipment operating within aquatic habitat shall be in good conditions and free of leaks. Spill containment shall be installed under all equipment staged within stream areas and extra spill containment and clean up materials shall be located in close proximity for easy access.<br>n. At the end of each work day, excavations shall be secured with cover or a ramp provided to prevent wildlife entrapment.<br>o. All trenches, pipes, culverts or similar structures shall be inspected for animals prior to burying, capping, moving, or filling.<br>p. If any CTS or CRLF are harmed, the County-approved biologist shall document the circumstances that led to harm and shall determine if project activities should cease or be altered in an effort to avoid additional harm to these species. Dead or injured special status species shall be disposed of at the discretion of the CDFW and USFWS. All incidences of harm shall be reported to the CDFW and USFWS within 48 hours.<br>q. To ensure that diseases are not conveyed between work sites by the qualified biologist, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force should be followed at all times.<br>**Plan Requirements and Timing**. These measures are to be implemented during grading and construction activities. **Monitoring**. The applicant shall maintain a County-approved biologist to monitor compliance with the above avoidance and minimization measures. The approved biologist shall submit monthly maintenance reports during construction to Planning and Development permit compliance staff. | |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| **Public Services and Recreation** | | |
| **Impact PS/R-3.** The project would generate solid waste that would increase demand on the Santa Maria landfill. This impact would be significant and unavoidable. | **PS/R-1 Source Reduction and Solid Waste Management Plan (SRWMP).** The applicant shall prepare a Source Reduction and Solid Waste Management Plan (SRWMP) subject to County approval prior to issuance of grading permits. The SRWMP shall describe commitments to reduce the amount of waste generated during construction of the project and estimate the reduction in solid waste generated during each phase of project construction. The SRWMP shall include, at a minimum:<br>**1. Construction Source Reduction**<br>a. A description of how fill will be used on the construction site, instead of landfilling.<br>b. A program to purchase materials that have recycled content for project construction.<br>**2. Construction Solid Waste Reduction**<br>a. Prior to construction, the contractor will arrange for construction recycling service with a waste collection provider. Roll-off bins for the collection of recoverable construction materials will be located onsite. The applicant, or authorized agent thereof, shall arrange for pick-up of recycled materials with a waste collection provider or shall transport recycled materials to the appropriate service center. Wood, concrete, drywall, metal, cardboard, asphalt, soil, and land clearing debris may all be recycled.<br>b. The contractor will designate a person to monitor recycling efforts and collect receipts for roll-off bins and/or construction waste recycling. All subcontractors will be informed of the recycling plan, including which materials are to be source-separated and placed in proper bins.<br>c. Recycling and composting programs including separating excess construction materials on-site for reuse/recycling or proper disposal (e.g., concrete, asphalt, wood, brush). Provided separate on-site bins as needed for recycling.<br>**3. Operation Solid Waste Reduction**<br>a. Provision of space and/or bins for storage of recyclable materials within common areas of the project site.<br>b. Implementation of a green waste source reduction program for composting in open areas, and the use of mulching mowers in all common open space lawns.<br>**Plan Requirements and Timing:** The Owner/Applicant shall submit a Source Reduction and Solid Waste Management Plan to P&D for review and approval prior to approval of zoning clearance. The applicant shall implement all aspects of the Plan during construction and operation of the project in accordance with the above-described conditions. **Monitoring:** The applicant shall demonstrate to P&D compliance monitoring staff that all required source reduction and solid waste reduction measures are implemented during project construction and operational solid waste reduction measures are implemented prior to occupancy. | Although Mitigation Measure PS/R-1 would reduce solid waste generation during the construction phase of the project and during project operation, waste generated by the project may still exceed the County's annual solid waste threshold of 196 tons per year. The project would result in the construction of more than 200,000 square feet of new residential buildings. Therefore, the project would exceed the County's solid waste thresholds for construction and operation. Impacts related to solid waste would be significant and unavoidable. |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| **Class I Cumulative Impacts (Significant and Unavoidable)** | | |
| **Aesthetics** | | |
| Cumulative Impacts to Aesthetics (Scenic Resources) | **Mitigation Measures AES-2(a) through AES -2(d)** would apply. | The project would result in substantial degradation of scenic resources in the Orcutt area through the conversion of semi-rural land to urban land. As a result, the project's contribution to cumulative conversion of semi-rural land to urban land would be cumulatively considerable. |
| **Biological Resources** | | |
| Cumulative Impacts to Biological Resources (Sensitive Habitats**)** | **Mitigation Measure BIO-2** would apply. | The project's contribution to cumulative loss of sensitive habitats in general, and in particular to loss of upland and potentially suitable aquatic habitat for the federally and State listed California tiger salamander Santa Barbara County DPS and federally listed California red-legged frog in northern Santa Barbara County would be significant and unavoidable (Class I). |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
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| **Public Services and Recreation** | | |
| Cumulative Impacts to Public Services (Solid Waste) | **Mitigation Measure PS/R-1** would apply. | Implementation of Mitigation Measure PS/R-1 would reduce solid waste generation during the construction phase of the project and during project operation. However, waste generated by the project would still exceed the County's 40 tons per year cumulative solid waste threshold. Therefore, the project would result in significant and unavoidable (Class I) contribution to cumulative solid waste impacts. |
| **Transportation and Circulation** | | |
| Cumulative Impacts to Transportation and Circulation | As discussed above, the project would contribute to significant cumulative impacts at the Foxenwood Lane/Clark Avenue intersection, which is forecast to operate at LOS F during the AM and PM peak traffic hours under both cumulative and cumulative + project conditions. To offset project contributions to cumulative traffic impacts, the project applicant shall contribute fair share transportation fees to mitigate impacts to the existing circulation system in the Orcutt Planning Area (OPA). The amount of the fee would be determined by the County Public Works/Transportation Division, based on adopted fee schedules at the time of payment.<br>This potential cumulative impact would be reduced by payment of the transportation impact fee for transportation improvements identified in the Orcutt Transportation Improvement Plan (OTIP). The OTIP contains a listing of roadway and intersection improvements, neighborhood "traffic calming" measures and other roadway improvements (i.e., sidewalks, bus turn outs, etc.) that would mitigate future development while reducing travel times throughout the planning area. Installation of a traffic signal at the Foxenwood Lane/Clark Avenue intersection would result in a signalized corridor from Foxenwood Lane to Orcutt Road with coordinated traffic signals, and the intersection would operate at LOS C or better under cumulative conditions. However, the SR 135 ramps immediately east of the intersection and Orcutt Creek corridor west of the intersection have historically represented physical constraints that limit signalization options at this intersection. In addition, the cumulative traffic volumes do not satisfy traffic signal warrants. County Public Works/Transportation Division would be responsible for determining the appropriate intersection | As a result of feasibility concerns associated with potential mitigation options at the Foxenwood Lane/Clark Avenue intersection, the project contribution to cumulative impacts would remain significant and unavoidable (Class I). |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
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| | improvements at the time of implementation, but for the purpose of this analysis, signalization of the Foxenwood Lane/Clark Avenue intersection is considered potentially infeasible. | |
| **Class II Project Specific Impacts (Significant But Mitigable)** | | |
| **Aesthetics** | | |
| **Impact AES-3.** The project would introduce new sources of light and glare. However, implementation of OCP development standards and OCP EIR Mitigation Measure VIS-2 would reduce this impact to a less than significant level. | **AES-3 Exterior Lighting Requirements (Implements OCP EIR Mitigation VIS-2)**. In all developments adjacent to areas with the Open Space Overlay, exterior lighting shall be designed and constructed in such a manner to direct light overflow away from the open space areas. Essential security lighting within or adjacent to open space areas shall be hooded/shielded to minimize the spread of light. Night lighting shall not be permitted within or immediately adjacent to designated wildlife corridor areas unless essential for public safety.<br>**Plan Requirements and Timing**. The owner/applicant shall develop a lighting plan for Board of Architectural Review and Planning and Development approval incorporating the above requirements. The lighting plan shall show the locations and height of all exterior lighting fixtures and the direction of light being cast by each fixture. This requirement shall be reflected on grading, zoning and building plans, subject to review and approval by the Planning and Development Department. Planning and Development and the Board of Architectural Review shall review the lighting plan for compliance with this condition prior to zoning clearance issuance. Lighting shall be installed in compliance with this condition prior to final building inspection clearance. **Monitoring**. Planning and Development permit compliance and building and safety staff shall site inspect upon installation to ensure that exterior lighting fixtures have been installed consistent with their depiction and specifications on the final lighting plan. | Implementation of Mitigation Measure AES-3 and compliance with OCP development standards would reduce this impact to less than significant (Class II). |
| **Biological Resources** | | |
| **Impact BIO-1.** The project would result in impacts to special status plant species. This impact would be less than significant with implementation of mitigation. | **BIO-1(a) Special Status Plant Species Pre-Construction Surveys.** Updated surveys for special status plants (i.e., plants either state or federally listed or California Rare Plant Ranked) shall be completed by a County-approved biologist for all proposed disturbance areas prior to grading or construction activities associated with the project. The surveys shall be floristic in nature and shall be seasonally-timed to coincide with the flowering time for the target species. All plant surveys shall be conducted by a County-approved qualified biologist no more than two years prior to the start of grading or construction activities associated with the project. All special status plant species identified on site shall be mapped onto a site-specific aerial photograph and topographic map. Surveys shall be conducted in accordance with the most current protocols established by the California Department of Fish and Wildlife (CDFW) and the United States Fish and Wildlife Service (USFWS). A report of the survey results shall be submitted to the County, and the CDFW and/or USFWS as appropriate, for review and approval.<br>**Plan Requirements and Timing**. A report of the special status plant survey results shall be submitted to Planning and Development for review prior to zoning clearance issuance for development including sewer line construction. Mapped locations of special status plants shall be shown on grading and zoning plans. **Monitoring**. Planning and Development permit processing planner shall ensure that the special status plant surveys have | Implementation of the above mitigation measures would reduce impacts to special status plant species to a less than significant level (Class II). |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
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| | been completed prior to issuance of zoning clearance. Grading inspectors shall inspect as needed.<br>**BIO-1(b) Special Status Plant Species Avoidance, Minimization, and Mitigation (Implements OCP EIR Mitigation BIO-29).** If Federally or State listed or California Rare Plant Ranked species are identified during special status plant species pre-construction surveys (Mitigation Measure BIO-1[a]), development shall avoid impacting these plant species to the greatest extent feasible. Special status plant occurrences that are not within the immediate disturbance footprint but are located within 50 feet of disturbance limits shall have bright orange protective fencing installed at least 30 feet beyond their extent, or other distance as approved by a qualified biologist, to protect them from harm during grading and construction activities.<br>Where special status plant species cannot be feasibly avoided, impacts to special status plant species shall be mitigated at a minimum ratio of 2:1 (number of acres/individuals restored to number of acres/individuals impacted) for each species impacted. The Draft Open Space Management Plan (OSMP) shall be revised to include compensatory mitigation of impacted special status plant species. The Final OSMP shall be submitted to the County for approval (Note: if a state listed plant species will be impacted, the restoration plan shall also be submitted to the CDFW for approval and authorization for impacts must be obtained from CDFW). The compensatory mitigation component of the Draft OSMP shall be revised to include, at a minimum, the following components:<br>a. Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type);<br>b. Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved];<br>c. Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values);<br>d. Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan [including species to be used, container sizes, seeding rates, etc.]);<br>e. Maintenance activities during the monitoring period, including weed removal and irrigation as appropriate (activities, responsible parties, schedule);<br>f. Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports);<br>g. Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of the prescribed number of container plants and 30 percent relative cover by vegetation type;<br>h. An adaptive management program and remedial measures to address any shortcomings in meeting success | |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
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| | criteria;<br>i. Notification of completion of compensatory mitigation and agency confirmation; and<br>j. Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).<br>**Plan Requirements and Timing**. The results of the survey shall be submitted to Planning and Development for review and approval prior to zoning clearance issuance. Planning and Development shall inspect the site prior to initiation of ground disturbance activities to ensure the protective fencing is installed properly. If special status plants cannot be avoided, the applicant shall submit the Final OSMP to Planning and Development for review and approval prior to zoning clearance issuance. **Monitoring**. The protective fencing shall be monitored by Planning and Development permit compliance and building and safety staff until grading and construction activities are complete. Planning and Development shall ensure that the proposed development avoids impacts to special status plant species or impacts are mitigated for per the requirements of this measure. | |
| **Impact BIO-2.** The project would result in impacts to special status animal species. This impact would be Class II, significant but mitigable. | **BIO-2(f) Western Spadefoot Toad Avoidance and Minimization.** The following measures shall be implemented to reduce the potential for impacts with the final goal of no net loss of the species.<br>a. Not more than two weeks prior to initiation of ground disturbing activities and vegetation removal, a County-approved qualified biologist shall conduct a pre-construction survey for western spadefoot toads. The survey area should include the project site and all proposed ingress/egress routes, plus a 100-foot buffer, where legally accessible. If the project is phased, a clearance survey shall be required for each phase of construction and/or individual lot development.<br>b. If this species is found and individuals are likely to be killed or injured by construction activities, a County-approved biologist shall capture and relocate the animals from the project site before construction activities begin. The County-approved qualified biologist shall relocate individuals the shortest distance possible to a location that contains suitable habitat not likely to be affected by activities associated with the proposed project. The biologist(s) should maintain sufficiently detailed records of any individual observed, captured, relocated, etc., including size, coloration, any distinguishing features and photographs to assist him or her in determining whether translocated animals are returning to the project site.<br>c. To ensure that diseases are not conveyed between work sites by the qualified biologist, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force shall be followed at all times.<br>d. A County-approved biologist shall be present during all initial ground disturbing activities, including vegetation removal, to recover western spadefoot toads that may be unearthed by construction activities. Individuals that are unearthed during excavation, if in good health, shall be immediately relocated to a designated relocation area to be determined by a County-approved biologist in coordination with CDFW. Individuals shall be relocated the shortest distance possible in a location that contains suitable habitat not likely to be affected by activities associated with the proposed project. The biologist(s) shall maintain sufficiently detailed records of any individual observed, captured, relocated, etc., including size, coloration, any distinguishing features and photographs (preferably digital) to assist him or her in determining whether | Implementation of mitigation measures would reduce impacts to special status animal species to a less than significant level (Class II). |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
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| | translocated animals are returning to the project site. If injured, a CDFW-approved specialist shall be contacted to determine if the animal can be rehabilitated for release into the designated release area or be deposited at an approved vertebrate museum.<br><br>**Plan Requirements and Timing.** Prior to zoning clearance issuance for ground-disturbing activities, the name, qualifications, scope, and contact information for the surveying biologist must be submitted to the Planning and Development permit processing planner for approval in advance of the surveys. Proposed relocation areas shall be identified and approved by Planning and Development prior to beginning the work. A report of the results of the surveys and any required capture and relocation efforts shall be submitted to the Planning and Development permit processing planner for review prior to zoning clearance issuance for ground-disturbing activities. Monitoring measures are to be implemented during construction. This measure shall be printed on all grading and construction plans. **Monitoring**. The applicant shall maintain a County-approved biologist to monitor compliance with the above avoidance and minimization measures. Planning and Development permit processing planner shall receive and review the results of the surveys prior to zoning clearance issuance for ground-disturbing activities. Planning and Development compliance monitoring and building and safety staff shall monitor on-site throughout grading and construction activities for compliance.<br><br>**BIO-2(g) Preconstruction Surveys for Nesting Birds and Raptors**. For grading and/or construction activities occurring during the nesting season (generally February 1 to September 15), surveys for nesting birds and raptors covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a County-approved qualified biologist no more than 14 days prior to vegetation and tree removal activities. The survey area for nesting birds and raptor species shall include the disturbance footprint plus a 300-foot and 500-foot buffer, respectively. If active nests (nests with eggs or chicks) are located, the qualified biologist shall establish an appropriate avoidance buffer ranging from 50 to 300 feet based on the species biology and the current and anticipated disturbance levels occurring in vicinity of the nest. The objective of the buffer shall be to reduce disturbances to nesting birds. All buffers shall be marked using high-visibility flagging or fencing, and, unless approved by the qualified biologist, no construction activities shall be allowed within the buffers until the adults and young have fledged from the nest and are no longer reliant on the nest site. The qualified biologist shall confirm that breeding/nesting is completed and that the young have fledged prior to the removal of the buffer.<br><br>**Plan Requirements and Timing.** The surveys shall be conducted no more than 30 days prior to the initiation of vegetation and/or tree removal activities. A report of the nesting bird survey results shall be submitted to Planning and Development for review and approval prior to zoning clearance issuance for grading or construction activities which involve tree or vegetation removal. These measures are to be implemented during grading and construction activities. **Monitoring.** The applicant shall maintain a County-approved biologist to monitor compliance with the above avoidance and minimization measures. Planning and Development compliance monitoring and building and safety staff shall review the report for compliance and inspect the site during construction activities to ensure compliance. Active nests shall be monitored periodically by the County-approved biologist until it has been determined that the nest is no longer being used by either the young or | |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
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| | adults.<br>**BIO-2(h) Burrowing Owl Avoidance and Minimization Measures.** The following measures shall be implemented in order to avoid and minimize impacts to burrowing owl.<br>a. Ground-disturbance activities associated with construction of the project shall begin outside of the burrowing owl nesting season (nesting season is typically February 1 through September 15).<br>b. Not more than 30 days prior to initiation of ground-disturbing activities, and again within 24-hours of the initiation of ground-disturbing activities associated with construction, a County-approved biologist shall conduct a take avoidance survey of the project site and surrounding areas to a distance of 150 meters, in accordance with the methods outlined in the Mitigation Methods –Pre-construction and Appendix D Surveys for Take Avoidance of the CDFG Staff Report on Burrowing Owl Mitigation (CDFG 2012). The pre-construction survey will cover all areas within 150 meters of the portion of the site where construction is scheduled to start. Areas within 150 meters that are not accessible due to property access restrictions shall be surveyed using binoculars. Surveys will be phased, based on the grading and construction schedule, such that they are conducted not more than 30 days before the start of ground disturbing activities in new areas. If grading and/or construction activities in portions of the site cease for a period of 14 days, those portions of the site will be resurveyed for burrowing owls prior to the resumption of grading and/or construction activities. If no occupied (breeding or wintering) burrowing owl burrows are identified, no further mitigation would be required. If occupied burrows are identified on the site or within 150 meters of the Project disturbance area, one of the following actions shall be taken: 1) permanent avoidance of the burrow or 2) establishment of a temporary avoidance buffer followed by passive relocation and compensatory mitigation for loss of habitat in conjunction with the measures below:<br>1. Site-specific, no-disturbance buffer zones shall be established and maintained between Project activities and occupied burrows, using the distances recommended in the CDFW guidelines (CDFG 2012) or as otherwise determined appropriate by the County-approved biologist in consultation with CDFW.<br>2. During the non-breeding season, if an occupied burrow cannot be avoided, and the burrow is not actively in use as a nest, the burrowing owls can be excluded from burrows in accordance with an approved Burrowing Owl Exclusion Plan, which shall be prepared and submitted for approval by CDFW prior to passive relocation of any burrowing owls. The Burrowing Owl Exclusion Plan shall be based on the recommendations made in the CDFG Staff Report on Burrowing Owl Mitigation (CDFG 2012) and shall include the following information for each proposed passive relocation:<br>a. Confirmation by site surveillance that the burrow(s) is empty of burrowing owls and other species;<br>b. Identification of type of scope to be used and appropriate timing of scoping;<br>c. Occupancy factors to look for and what shall guide determination of vacancy and excavation timing;<br>d. Methods for burrow excavation;<br>e. Removal of other potential owl burrow surrogates or refugia on site; | |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
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| | f. Methods for photographic documentation of the excavation and closure of the burrow;<br>g. Monitoring of the site to evaluate success and, if needed, to implement remedial measures to prevent subsequent owl use to avoid take;<br>h. Methods for assuring the impacted site shall continually be made inhospitable to burrowing owls and fossorial mammals; and<br>i. Method(s) for compensatory mitigation for burrow loss<br>**Plan Requirements and Timing**. The name, qualifications, scope, and contact information for the County-approved qualified surveying biologist must be submitted to Planning and Development in advance of the surveys. The biologist implementing the above mitigation measure must also submit documentation of coordinating this effort with Planning and Development prior to implementation. The above impact avoidance measure shall be included on all grading and construction plans prior to the issuance of zoning clearance for grading. A report on the implementation of impact avoidance measures used shall be included on all grading and construction plans prior to zoning clearance issuance for grading. A report on the implementation of impact avoidance measures implemented shall be submitted to Planning and Development permit compliance staff and CDFW upon completion of the construction project. If passive relocation is required, the Burrowing Owl Exclusion Plan must be submitted and approved by Planning and Development prior to conducting exclusion activities. **Monitoring**. The applicant shall retain a qualified County- and CDFW-approved biologist to monitor all construction activities as warranted to ensure compliance. The approved biologist shall submit monitoring reports to Planning and Development and CDFW for review and approval.<br>**BIO-2(i) Vernal Pool Branchiopod Surveys and Mitigation**. Prior to the issuance of zoning clearance for grading, protocol surveys for listed branchiopods (i.e., vernal pool fairy shrimp) shall occur within suitable habitat within the project site impact footprint and a 250-foot buffer. The protocol surveys shall be consistent with the Survey Guidelines for the Listed Large Branchiopods (USFWS 2015) or the current protocol established by the USFWS at the time surveys are conducted. If vernal pool fairy shrimp are detected and occupied habitat will be impacted, compensatory mitigation shall be provided at a ratio of not less than 3:1 for impacted vernal pool fairy shrimp impacted habitat. Compensatory mitigation and agency consultation shall be consistent with mitigation measure BIO-2(a). Compensatory mitigation shall be located off-site and the establishment of conservation easements and criteria for determining habitat value shall be consistent with the processes described in Mitigation Measure BIO-2(c). If enhancement of off-site mitigation areas will occur, a Habitat Mitigation and Monitoring Plan shall also be prepared and implemented consistent with Mitigation Measure BIO-2(d). If protocol surveys result in negative findings, no further action is required.<br>**Plan Requirements and Timing**. The applicant shall submit the results of the protocol surveys to Planning and Development permit processing planner and to USFWS for review and approval prior to zoning clearance issuance for grading. **Monitoring**. Planning and Development shall ensure that documentation is received prior to zoning clearance issuance for grading. Planning and Development compliance monitoring and building and safety staff shall oversee implementation of mitigation plans if compensatory mitigation is required. | |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
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| | **BIO-2(j) Worker Environmental Awareness Program (WEAP).** Prior to the initiation of grading or construction activities (including staging and mobilization), a County-approved qualified biologist shall conduct a WEAP training to be attended by all personnel associated with project construction. The purpose of the WEAP is to aid personnel in recognizing special status resources that may occur in the project site area. The specifics of this program shall include identification of the sensitive species and habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employers, and other personnel involved with construction of the project. In addition, personnel will be briefed on the reporting process in the event of an unintended occurrence or inadvertent injury to a special status species during construction or operations. All employees shall sign a form provided by the trainer documenting that they have attended the WEAP and understand the information presented to them.<br>**Monitoring**. Planning and Development compliance monitoring staff shall be notified by the owner/applicant of the date and time the training is scheduled so that they may attend. Fact sheets shall be reviewed and approved by Planning and Development prior to conducting the training. The required notification and an attendance log that includes the names and signatures of all personnel that have received the training shall be provided to Planning and Development compliance monitoring staff prior to the start of grading or construction activities.<br>**BIO-2(k) Incorporation of Species Protection Measures into the Open Space Management Plan (OSMP).** Prior to zoning clearance issuance for grading, the applicant shall revise the OSMP to incorporate applicable species protections measures described in Mitigation Measures BIO-1(a) through BIO-1(b) and BIO-2(a) through BIO-2(j) of the SEIR to ensure that impacts to special status plants and animals from restoration and fuel management activities are avoided or minimized within the open space areas. Requirements from the Incidental Take Permit and/or incidental take statement that may be issued by the USFWS and/or CDFW shall also be incorporated, as applicable relevant to federal and/or state listed species.<br>**Plan Requirements and Timing**. The owner/applicant shall submit the revised OSMP to Planning and Development as well as the USFWS and/or CDFW (as applicable to permits that may be issued for impacts to federal and state listed species) for review and approval prior to zoning clearance issuance for grading as well as the proposed sewer line construction. **Monitoring**. The applicant shall retain a qualified County-approved biologist to monitor restoration and fuel management activities as warranted to ensure compliance. The approved biologist shall submit monitoring reports to Planning and Development compliance monitoring staff. | |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
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| **Impact BIO-3.** The project would result in impacts to sensitive habitats, including riparian areas. This impact would be significant but mitigable (Class II). | **BIO-3(a) Sensitive Community Avoidance**. Impacts to sensitive communities shall be avoided to the maximum extent feasible. Bright orange construction fencing shall be placed to delineate the extent of disturbance areas associated with the project (including the proposed sewer line easement) under the direction of a County-approved qualified biologist in order to protect sensitive communities that will not be impacted by the project. The fencing shall be installed prior to the start of any initiation of ground disturbance activities and shall remain in place until grading and construction activities are complete. No vehicles, person, materials, or equipment will be allowed in protected areas. Grading plans shall show the location of these habitats and protective fencing. If sensitive communities cannot be avoided, Mitigation Measure BIO-3(b) below shall be implemented.<br>**Plan Requirements and Timing**. Grading plans showing the location of sensitive communities as well as protective fencing locations for review and approval prior to issuance of zoning clearance for grading.<br>**Monitoring**. Planning and Development compliance monitoring and/or building and safety staff shall inspect the site prior to initiation of grading activities and a minimum of once per week following the start of grading and construction to ensure protective fencing is in place.<br>**BIO-3(b) Sensitive Community Mitigation (implements OCP EIR Mitigation Measure BIO-3).** Where sensitive communities cannot be avoided, impacts shall be offset through habitat restoration within the open space area (as delineated in the Final OSMP) and/or an off-site location at a ratio of 2:1 for impacted sensitive communities (habitat restored to habitat impacted). The location of restoration shall be determined by a County-approved biologist. On-site restoration is preferable, however off-site habitat acquisition and off-site restoration and/or enhancement may be considered if on site restoration is determined as unachievable to the satisfaction of Planning and Development, as long as the off-site approach results in equal compensatory value. The restoration shall include locally native species approved by the County. The restoration shall be incorporated into the final OSMP and/or be incorporated into an Off-Site Habitat Restoration Plan to be developed by a County-approved biologist pursuant to the requirements listed below.<br>Upon final design, the County-approved biologist shall determine the final impacts to sensitive communities and the subsequent amount of acreage needed for restoration for the project. The restoration shall be implemented for a period of not less than five years, or until restoration has been completed successfully as determined by a County-approved biologist in coordination with Planning and Development. Replacement ratios for off-site mitigation may be different than those required for on-site mitigation. The restoration program incorporated into the OSMP and/or the Off-Site Habitat Restoration Plan shall include, at a minimum, the following components:<br>a. Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type);<br>b. Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved];<br>c. Description of the proposed compensatory mitigation-site (location and size, ownership status, existing | Implementation of the above mitigation measures would reduce impacts to sensitive communities to a less than significant level through compensation for sensitive natural communities and riparian habitat (Class II). |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
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| | functions and values of the compensatory mitigation-site);<br>d. Implementation plan for the compensatory mitigation-site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan [including plant species to be used, container sizes, seeding rates, etc.]);<br>e. Maintenance activities during the monitoring period, including weed removal and irrigation as appropriate (activities, responsible parties, schedule);<br>f. Monitoring plan for the compensatory mitigation-site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports);<br>g. Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation type;<br>h. An adaptive management program and remedial measures to address negative impacts to restoration efforts;<br>i. Notification of completion of compensatory mitigation and agency confirmation; and<br>j. Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).<br>**Plan Requirements and Timing.** Grading plans showing the location of sensitive communities, as well as the revised OSMP and or Off-Site Habitat Restoration Plan shall be submitted to Planning and Development for review and approval prior to issuance of zoning clearance for grading. **Monitoring.** Planning and Development compliance monitoring and/or building and safety staff shall inspect the site prior to initiation of grading activities and a minimum of once per week following the start of grading and construction to ensure protective fencing is in place. Planning and Development shall review and approve the Final OSMP and/or Off-Site Habitat Restoration Plan.<br>**BIO-3(c) Invasive Weed Prevention Best Management Practices.** The following weed prevention best management practices shall be implemented to prevent the introduction of invasive weed species.<br>a. During grading and construction, the project owner/applicant will make all reasonable efforts to limit the use of imported soils for fill. Soils currently existing on site should be used for fill material. If the use of imported fill material is necessary, the imported material must be obtained from a source that is known to be free of invasive plant species; or the material must consist of purchased clean material such as crushed aggregate, sorted rock, or other similar substances.<br>b. To avoid the spread of invasive species, the contractor shall stockpile topsoil and redeposit the stockpiled soil after construction or transport the topsoil to a certified landfill for disposal.<br>c. The erosion control/ restoration plans for the project must emphasize the use of native species that are expected to occur in the area and that are considered suitable for use at the project site. | |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
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| | d. All erosion control materials including straw bales, straw wattles, or mulch used on-site must be free of invasive species seed.<br>e. Exotic and invasive plant species will be excluded from any erosion control seed mixes and/or landscaping plant palettes associated with the proposed project.<br>**Plan Requirements and Timing.** This measure shall be printed on grading plans and are to be implemented during grading and construction activities. **Monitoring.** The applicant shall maintain a County-approved biologist to monitor compliance with the above weed prevention measures.<br>**BIO-3(d) Biologist Review of Landscape Plans**<br>Landscape plans for future development shall be reviewed and approved by Planning and Development in coordination with a County-approved biologist. All landscaping shall be with native, locally collected plant species. The use of non-native invasive species shall be prohibited.<br>**Plan Requirements and Timing**. The Owner/Applicant shall incorporate this requirement into landscaping plans to be reviewed and approved by Planning and Development in coordination with a County-approved biologist prior to zoning clearance issuance for the construction of single family dwellings or common area landscaping. Landscaping shall be installed prior to Final Building Inspection Clearance. **Monitoring**. Planning and Development compliance monitoring staff shall monitor implementation in the field. | |
| **Impact BIO-4.** The project would impact state and federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. This impact would be significant but mitigable (Class II). | **BIO-4(a) Agency Coordination.** Impacts to drainages and wetlands as a result of the project may require permits from U.S. Army Corps of Engineers, Regional Water Quality Control Board, and California Department of Fish and Wildlife. The owner/applicant shall obtain and produce for the County correspondence from applicable state and federal agencies regarding compliance of the proposed development with state and federal laws.<br>**Plan Requirements and Timing**. The applicant shall submit copies of correspondence and/or permits (as applicable) with applicable agencies to Planning and Development prior to zoning clearance issuance for grading. **Monitoring**. Planning and Development permit processing planner shall review agency correspondence prior to zoning clearance issuance for grading. Planning and Development compliance monitoring and building and safety staff shall monitor and site inspect to ensure that the project meets any requirements outlined by the agencies.<br>**BIO-4(b) Wetland and Drainage Avoidance.** Impacts to wetlands and drainages shall be avoided to the maximum extent feasible. Bright orange construction fencing shall be placed to delineate the extent of disturbance areas associated with the project (including the proposed sewer line easement) under the direction of a County-approved qualified biologist in order to protect wetlands and drainages that will not be impacted by the project. The fencing shall be installed prior to the start of any initiation of ground disturbance activities and shall remain in place until grading and construction activities are complete. No vehicles, person, materials, or equipment will be allowed in protected areas. Grading plans shall show the location of these areas and protective fencing. If wetlands and drainages cannot be avoided, Mitigation Measure BIO-4(c) below shall be implemented.<br>**Plan Requirements and Timing**. Grading plans showing the location of wetlands and drainages as well as | Implementation of the above mitigation measures would reduce impacts to jurisdictional areas to a less than significant level (Class II). |

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| | protective fencing locations for review and approval prior to issuance of zoning clearance for grading. **Monitoring**. Planning and Development compliance monitoring and/or building and safety staff shall inspect the site prior to initiation of grading activities and a minimum of once per week following the start of grading and construction to ensure protective fencing is in place.<br><br>**BIO-4(c) Wetland and Drainage Mitigation**. Impacts to wetlands and drainages shall be mitigated at a minimum ratio of 2:1 (acres of habitat restored to acres impacted) for permanent impacts and minimum ratio of 1:1 (acres of habitat restored to acres impacted) for temporary impacts. Upon final design, the County-approved biologist shall determine the final impacts to wetlands and the subsequent amount of acreage needed for restoration for the project. Restoration on the project site is preferable. However, the County may approve off-site restoration at a location in the same watershed as the project (Upper Orcutt Creek; HUC180600080501) that results in equal compensatory value if the applicant can demonstrate to the County's satisfaction that restoration on the project site cannot be achieved. The Draft OSMP shall be revised or an Off-Site Restoration Plan developed by a County-approved biologist in accordance with Mitigation Measure BIO-3(a) above and shall be implemented for no less than five years after construction, or until the local jurisdiction and/or the permitting authority (e.g., USACE) has determined that restoration has been successful.<br><br>**Plan Requirements and Timing**. The applicant shall submit the revised OSMP or off-site Restoration Plan to Planning and Development as well as U.S. Army Corps of Engineers and/or Regional Water Quality Control Board, and/or California Department of Fish and Wildlife (depending upon the agencies permitting authority over the project) for review and approval prior to issuance of grading permits.<br><br>**BIO-4(d) Jurisdictional Areas Best Management Practices During Construction.** The following best management practices shall be required for grading and construction within or 100 feet from jurisdictional areas or wetlands.<br><br>a. Access routes, staging, and construction areas shall be limited to the minimum area necessary to achieve the project goal and minimize impacts to other waters (federal and state) including locating access routes and ancillary construction areas outside of jurisdictional areas.<br><br>b. To control erosion and sediment runoff during and after project implementation, appropriate erosion control materials shall be deployed and maintained to minimize adverse effects on jurisdictional areas in the vicinity of the project.<br><br>c. Project activities within the jurisdictional areas should occur during the dry season (typically between May 1 and September 30) in any given year, or as otherwise directed by the regulatory agencies. Deviations from this work window can be made with permission from the relevant regulatory agencies.<br><br>d. During construction, no litter or construction debris shall be placed within jurisdictional areas. All such debris and waste shall be picked up daily and properly disposed of at an appropriate site.<br><br>e. All project-generated debris, building materials, and rubbish shall be removed from jurisdictional areas and from areas where such materials could be washed into them.<br><br>f. Raw cement, concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum | |

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| | products, or any other substances which could be hazardous to aquatic species resulting from project-related activities, shall be prevented from contaminating the soil and/or entering jurisdictional areas.<br>g. All refueling, maintenance, and staging of equipment and vehicles shall occur at least 100 feet from bodies of water and in a location where a potential spill would not drain directly toward aquatic habitat (e.g., on a slope that drains away from the water source). Prior to the onset of work activities, a plan must be in place for prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should an accidental spill occur.<br>**Plan Requirements and Timing.** These measures shall be implemented during grading and construction and shall be included on all land use, grading, and building plans. **Monitoring**. The applicant shall retain a County-approved biologist to monitor compliance with the above measures. Planning and Development compliance monitoring and building and safety staff shall periodically inspect for compliance. | |
| **Impact BIO-5.** The project would impact wildlife movement. This impact would be significant but mitigable (Class II). | **BIO-5(a) Wildlife Impact Avoidance.** The project shall incorporate the following design measures to reduce impacts to wildlife:<br>a. Roadway widths adjacent to open space areas shall be the minimum width possible while maintaining Fire Department requirements for emergency access.<br>b. Appropriate signage warning residents of the potential presence of wild animals on roadways and bike paths shall be installed along roads adjacent to open space areas. Interpretative educational signage discussing sensitive resources on site (oak woodland, rare plants and animals etc.) shall be installed along all bike paths, hiking trails and rest areas. Information on educational signage shall be developed by a County-approved biologist and installed and maintained by the developer and/or HOA, with the exception of the signage along the public trail, which is to be~~. Such signage shall be maintained by the developer or HOA~~ maintained by the Santa Barbara Parks Department following installation by the developer and/or HOA.<br>c. Utilities, such as electrical, water and sewer, shall be installed under paved roads and sidewalks wherever possible.<br>d. Informational brochures shall be provided to potential buyers and included as an attachment to the subdivision's CC&Rs outlining the impacts associated with non-native animals, (especially feral cats and dogs), impacts associated with introduction of invasive landscaping plants, and impacts associated with use of pesticides. The informational brochures shall also inform potential buyers of the potential for wild animals, such as coyotes, to prey upon domestic animals.<br>**Plan Requirements and Timing**. Grading and building plans shall include the above measures and shall be submitted to Planning and Development for review and approval prior to issuance of zoning clearance for grading and subdivision improvements. The informational brochure shall be submitted to Planning and Development for review and approval prior to zoning clearance issuance for the first residence. Signage shall be installed prior to occupancy clearance of the first residence. **Monitoring**. Planning and Development compliance monitoring and building and safety staff shall site inspect upon completion of construction.<br>**BIO-5(b) Fence Design.** Project fencing for accessory components (i.e., roads, trail, etc.) shall be designed to | Implementation of the required mitigation measures would reduce indirect impacts to wildlife movement to a less than significant level (Class II). |

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| | minimize impacts to wildlife. Fencing shall not block wildlife movement. Where fencing is required for public safety concerns, the fence shall be designed to permit wildlife movement by incorporating design features such as:<br>a. A minimum 18 inches between the ground and the bottom of the fence to provide clearance for small animals;<br>b. A minimum 12 inches between the top two wires, or top the fence with a wooden rail, mesh, or chain link instead of wire to prevent animals from becoming entangled; and<br>c. If privacy fencing is required near open space areas, openings at the bottom of the fence measure at least 16 inches in diameter shall be installed at reasonable intervals to allow wildlife movement.<br>**Plan Requirements and Timing**. Grading and building plans shall include the above measures and shall be submitted to Planning and Development for review and approval prior to issuance of zoning clearance for grading and subdivision improvements. **Monitoring**. Planning and Development shall site inspect upon completion of construction.<br>**BIO-5(c) Lighting Plan**. The owner/applicant shall develop a lighting plan for the project to reduce light pollution in open space habitat areas, subject to review and approval by the Board of Architectural Review and Planning and Development. All lighting shall be dark sky compliant to reduce impacts on nocturnal ecosystems and the night sky. All lighting fixtures shall be fully shielded and fully cut-off. Lighting shall be low intensity, the minimum wattage required and of minimum height. The use of high-intensity floodlights on residential lots shall be restricted and all exterior lighting features within 100 feet of open space shall be fully shielded and fully cut-off to prevent "spill-over" into adjacent habitat. Night lighting of public areas shall be kept at the minimum necessary for safety purposes. All exterior lighting is to be turned off or dimmed after 10:00 p.m.<br>**Plan Requirements and Timing.** The owner/applicant shall develop the lighting plan for Board of Architectural Review and Planning and Development approval incorporating the above requirements. The lighting plan shall show the locations and height of all exterior lighting fixtures and the direction of light being cast by each fixture. This requirement shall be reflected on grading, zoning and building plans. Planning and Development and the Board of Architectural Review shall review the lighting plan for compliance with this condition prior to zoning clearance issuance. Light fixtures shall be installed in compliance with this condition prior to final building inspection clearance. **Monitoring.** Planning and Development permit compliance and building and safety staff shall site inspect upon installation to ensure that exterior light fixtures have been installed consistent with their depiction and specifications on the final lighting plan.<br>**BIO-5(d) Wildlife Passage**. Soft-bottomed culverts or similar passageway crossing structures shall be incorporated into the roadway design for the access road to the Willow Creek Neighborhood to encourage and permit small animals such as the California tiger salamander to pass underneath the roadway. Passageways shall be installed at 200-foot intervals along the roadway. Passageway shall be designed in a way that encourages use by the target species.<br>**Plan Requirements and Timing.** This requirement shall be reflected on grading, zoning and building plans. | |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
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| | Planning and Development shall review and approve the crossing design prior to zoning clearance issuance. Planning and Development shall seek input from the CDFW and USFWS, as necessary, regarding the adequacy of the crossing design prior to approval. Crossing structures shall be installed in compliance with this condition and the approved plans prior to final building inspection clearance. **Monitoring.** Planning and Development permit compliance staff shall inspect the completed roadway to ensure that wildlife crossing structures have been installed consistent with their depiction and specifications on the design plans. | |
| **Impact BIO-6.** The project would result in impacts to protected trees. This impact would be significant but mitigable (Class II). | **BIO-6(a) Tree Protection Plan.** The applicant shall submit a Tree Protection Plan (TPP) prepared by a County-approved biologist and/or arborist designed to avoid impacts to protected trees that are not planned for removal. The TPP shall include the following components:<br>a. Prior to the onset of any construction activities, high visibility orange construction fencing shall be installed around existing stands and individuals that are to be retained at a buffer/extent radius of six feet beyond the canopy dripline, wherever the topography allows for such fencing or otherwise marked in the field to protect them from harm during grading and construction.<br>b. No construction equipment shall be parked, stored, or operated within 25 feet of any protected tree dripline.<br>c. No fill soil, rocks, or construction materials shall be stored or placed within 25 feet of the dripline of a protected tree.<br>d. No artificial surface, pervious or impervious, shall be placed within 25 feet of the dripline of any protected tree, except for County-approved project access roads.<br>e. Any roots encountered that are one inch in diameter or greater shall be cleanly cut. This shall be done under the direction of a County-approved arborist/biologist.<br>f. Any construction activity required within three feet of a protected tree's dripline shall be done with hand tools.<br>g. No permanent irrigation shall occur within the dripline of any existing protected tree.<br>h. Only designated trees shall be removed. All grading and construction plans shall clearly delineate those trees to be removed and those to remain.<br>**Plan Requirements and Timing**. The owner/applicant shall: (1) submit the TPP; (2) Include all applicable components in the Tree Replacement Plan and/or Landscape and Irrigation Plans if these are required; and (3) include as notes or depictions all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures. The owner/applicant shall comply with this measure prior to zoning clearance issuance for grading and tract improvements. The owner/applicant shall install tree protection measures on site prior to the issuance of grading/building permits and pre-construction meeting. **Monitoring**. The owner/applicant shall demonstrate to Planning and Development compliance monitoring and building and safety staff that trees identified for protection were not damaged or removed or, if damage or removal occurred, that replacement is completed as | Implementation of the above mitigation measures would reduce impacts to protected trees to a less than significant level (Class II). |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
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| | required by the TPP prior to final building inspection clearance.<br>**BIO-6(b) Tree Replacement Plan**. For protected trees that require removal, a Tree Replacement Plan shall be prepared and/or incorporated into the Final OSMP (depending upon on site and/or off-site replacement) by a certified arborist or landscape architect. The tree replacement plan shall be designed to replace native trees removed by the proposed project at a ratio of 10:1 (trees planted: trees impacted) for oak trees, 3:1 (trees planted: trees impacted) for arroyo willow, and 1:1 (native trees planted: non-native trees impacted) for non-native trees. Upon final design, the applicant's biologist shall determine the final impacts to protected trees and the subsequent number of replacement plantings needed for restoration for the project. Replacement trees shall be installed on-site. Required arroyo willow replacement trees may also be incorporated as a component of mitigation sites (under Mitigation Measure BIO-3[b]) required to mitigate for impacts to sensitive vegetation communities where this species is found. Monitoring of planted trees shall be for a minimum of seven years or until stasis has been determined by a certified arborist. The plan shall include the following components at a minimum:<br>a. Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type);<br>b. Goal(s) of the compensatory mitigation project;<br>c. Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values);<br>d. Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan [including species to be used and container sizes]);<br>e. Maintenance activities during the monitoring period, including weed removal and irrigation as appropriate (activities, responsible parties, schedule);<br>f. Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports);<br>g. Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants;<br>h. An adaptive management program and remedial measures to address any shortcomings in meeting success criteria;<br>i. Notification of completion of compensatory mitigation; and<br>j. Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).<br>**Plan Requirements and Timing**. The Tree Replacement Plan and/or revised OSMP shall be submitted to Planning and Development for review and approval prior zoning clearance issuance for grading for tract | |

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| | improvements. Plan components shall be included on grading and landscaping plans. Prior to zoning clearance issuance, the owner/applicant shall post a performance security to ensure the installation and maintenance of replacement trees for a minimum of five years. **Monitoring**. The applicant shall demonstrate to Planning and Development compliance monitoring staff that all required components of the approved tree replacement plan (or revised OSMP) are in place as required prior to final inspection clearance and maintained throughout maintenance period. Planning and Development compliance monitoring staff signature is required to release the installation security upon satisfactory installation of all items in approved plans and maintenance security upon successful implementation of the replacement plan. | |
| **Impact BIO-7.** The project would result in removal and degradation of environmentally sensitive vegetation for fuel management purposes. This impact would be significant but mitigable (Class II). | **BIO-7 Fuel Management Plan.** The applicant shall prepare a Fuel Management Plan to be incorporated into the Final OSMP. The Fuel Management Plan shall include the following:<br>a. The goal of the plan would be to meet the dual goals of public safety and protection of special-status plant species habitat and sensitive plant communities.<br>b. The plan shall depict fuel management zones (i.e., zone 1, 2, and 3) wherever required and shall include specific special-status species habitat or sensitive plant communities protection and fuel management measures to be used in each fuel management zone for each plant community. On-site vegetation management shall be limited to the zones and clearance requirements/percentages conceptually described.<br>c. Depending on the resource(s) to be encountered within fuel management zones, the Fuel Management Plan shall incorporate mitigation actions from the resource-specific Mitigation Measures BIO-1(a) through BIO-1(b), BIO-2(a) through BIO-2(k), BIO-3(a) through BIO-3(d), and BIO-4(a) through BIO-4(d) to avoid, minimize or compensate for significant impacts to special status species. If compensatory mitigation is required for fuel management activities, the mitigation actions from the resource-specific Mitigation Measures BIO-1(b), BIO-2(c), BIO-3(b), and BIO-4(c) shall be incorporated into the Final OSMP (or Off-Site Habitat Restoration Plan, if applicable).<br>**Plan Requirements and Timing**. The Fuel Management Plan shall be reviewed and approved by Planning and Development prior to zoning clearance issuance for grading. Site plans shall show any proposed fuel management zones and measures to protect any special-status species habitat occurring within the zones. Vegetation clearance within the fuel management zones shall be conducted in compliance with the Fuel Management Plan. Planning and Development shall also verify that the contents of the fuel management plan are also incorporated into the revised OSMP. **Monitoring**. Planning and Development permit compliance staff shall monitor implementation of the Fuel Management Plan and respond to complaints. | Implementation of the above mitigation measures would reduce special status species, sensitive communities and wetlands impacts from fuel management activities to a less than significant level (Class II). |

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| **Cultural and Tribal Resources** | | |
| **Impact CUL-1.** Ground disturbing activities associated with project construction could cause a substantial adverse change to previously undiscovered archaeological resources, pursuant to State CEQA Guidelines Section 15064.4. This impact would be less than significant with implementation of mitigation. | **CUL-1(a) Avoidance of Site CA-SBA-1169/H.** CA-SBA-1169/H currently is protected by dense natural vegetation which serves as a barrier and discourages entry. To protect the site, this vegetation shall not be cleared at any time. Additionally, hiking or riding trails shall not be routed within 100 feet of the site, and its presence and location shall not be publicized in print or signage.<br>**Plan Requirements and Timing**. Final site plans for the Specific Plan (Case No. 16SPP-00000-00001) shall demonstrate avoidance of Site CA-SBA-1169/H. Planning & Development staff shall ensure that project features are designed to avoid cultural resources entirely. **Monitoring**. Planning & Development staff shall ensure receipt of the revised site plan ~~and distribution of the plan to the County Historic Landmarks Advisory Commission~~. Permit Compliance shall ensure that the plan is implemented prior to construction. To mitigate potential direct and indirect impacts to undiscovered archaeological resources the following mitigation measures, which implement OCP EIR Mitigation Measures ARCH-5 and ARCH-10, would apply.<br>**CUL-1(b) Archaeological Monitoring.** All initial earth disturbances, including grading, grubbing, scarification and placement of fill, shall be monitored by a P&D approved archaeologist in compliance with the provisions of the County Cultural Resource Guidelines.<br>**Plan Requirements and Timing:** Prior to issuance of a land use permit for grading and subdivision improvements, the applicant shall submit for P&D review and approval, a contract or Letter of Commitment between the applicant and the archaeologist, consisting of a project description and scope of work, and once approved, shall execute the contract. **Monitoring:** The applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by the archaeologist and P&D grading inspectors shall spot check field work.<br>**CUL-1(c) Stop Work at Encounter.** In the event cultural remains are encountered during grading, construction, landscaping or other construction-related activity (incorporates OCP EIR Mitigation Measure ARCH-10), the applicant and/or their agents, representatives, or contractors shall stop or redirect work immediately. Cultural resource remains may include artifacts, shell, bone, features, foundations, and trash pits, etc. The applicant shall retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with County Cultural Resource Guidelines provisions for Phase 2 and Phase 3 investigations. All work shall be funded by the applicant (incorporates OCP EIR Mitigation Measures ARCH-1 through ARCH-8).<br>**Plan Requirements and Timing**: This condition shall be printed on all building and grading plans prior to approval of such plans. A Worker Education Program (WEP) shall be designed and implemented for all project construction supervisors and field personnel who may encounter unknown cultural resources during earthmoving activities. The WEP shall be presented at a pre-construction workshop conducted by a County-qualified archaeologist and a local tribal representative funded by the applicant. Attendees shall include the applicant, archaeologist, tribal representative, construction supervisors, and heavy equipment operators to | Implementation of the Mitigation Measures CUL-1(a) through CUL-1(c) would reduce impacts associated with the potential to indirectly impact CA-SBA-1169/H and/or unearth previously ~~undiscovered~~ unknown cultural resources during ~~grading and construction~~ earthmoving activities to a less than significant level (Class II). |

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| | ensure that all parties understand the cultural resources monitoring program and their respective roles and responsibilities. The names of all personnel who attend the workshop shall be recorded and all personnel attendees shall be issued hardhat stickers denoting that they have received workshop training. This workshop shall be videotaped and shown to any new employees or subcontractors that may be needed during ground-disturbance construction activities. Names of newly trained personnel shall be recorded and those personnel issued appropriate hardhat stickers.<br>Examples of archaeological artifacts (e.g., ground and chipped stone tools) and other cultural materials (soils containing evidence of food refuse, localized activity areas such as roasting pits) that may be reasonably encountered during construction shall be illustrated on posters that are shown at the preconstruction workshop. The posters shall remain in construction worker break room or similar common onsite areas where they may be accessible for reference as necessary.<br>**Monitoring**: Planning & Development permit processing planner shall check plans prior to issuance of zoning clearance and Planning & Development compliance monitoring staff shall attend the pre-construction workshop, and spot check in the field throughout grading and construction. | |
| **Impact CUL-2.** Ground disturbing activities associated with the project could cause a substantial adverse change to previously undiscovered tribal cultural resources. This impact would be less than significant with implementation of mitigation. | **CUL-2 Continued Tribal Cultural Resources Consultation and Preservation**. In the event that previously unidentified tribal cultural resources are identified by a Native American representative during the implementation of the project, the County shall contact California Native American tribe(s) that have expressed interest and begin or continue consultation procedures with that tribe(s). If, as a result of the consultation, the County determines that the resource is a tribal cultural resource and the proposed project will have a potentially significant impact, additional mitigation measures as discussed with the tribe to avoid or reduce impacts to the resource shall be required and implemented where feasible.<br>**Plan Requirements and Timing**. This condition shall be printed on all building and grading plans. **Monitoring.** A County Planning & Development permit processing planner shall check plans prior to issuance of zoning clearance for grading and subdivision improvements, and Planning & Development compliance monitoring staff shall spot check in the field throughout grading and construction. | Implementation of Mitigation Measures CUL-~~2~~1(a) through CUL-1(c) would ensure that previously ~~unidentified~~ unknown tribal cultural resources would ~~not~~ be properly addressed ~~impacted~~ if encountered during project construction. With implementation of these measures, potential impacts to tribal cultural resources would be less than significant (Class II). |

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| **Geologic Processes** | | |
| **Impact GEO-2.** The project would involve grading activities on slopes which exceed 20 to 30 percent gradients, which exceeds the allowable slopes for development under the Orcutt Community Plan. This impact would be less than significant with mitigation (Class II). | **GEO-2. Soils Engineering Report Measures for Slope Stability.** On-site development shall require, and comply with, all recommendations contained in Section 13.0 of the Soils Engineering Report and Engineering Geology Investigation prepared for the project by GeoSolutions in June 2016 (Appendix E), including, but not limited to the following measures intended to reduce impacts from development on steep slopes and slope stability:<br>▪ Use engineered fill for building pads.<br>▪ Cut benches every four feet within any fill areas constructed on slopes greater than 10:1 (horizontal to vertical). Each bench shall be a minimum of 10 feet wide, with a minimum of two percent slope gradient.<br>▪ The construction contractor shall ensure that no continuous cut slopes exceed 15 feet in height as measured from the lowest finished grade.<br>▪ Exterior continuous footings shall be founded at a minimum depth of 12 inches below the lowest adjacent final grade for single-story structures and 18 inches below the lowest adjacent final grade for two-story structures. Foundations shall be designed in accordance to Section 1808.6.1, 2016 California Building Code.<br>▪ The minimum footing and grade beam sizes and depths in engineered fill shall be reviewed and approved by County of Santa Barbara Public Works Department staff or a County-approved geotechnical consultant.<br>▪ All foundation excavations shall be observed and approved by County of Santa Barbara Public Works Department staff or a County-approved geotechnical consultant. For foundation excavations for required embedment depth, County of Santa Barbara Public Works Department staff or a County-approved geotechnical consultant shall observe and approve excavation activities prior to the placement of reinforcing steel and/or concrete.<br>▪ Concrete slabs-on-grade and flatwork shall not be placed directly on unprepared native materials. Floor slabs shall be a minimum of 4 inches thick and reinforced with a minimum of #3 bars spaced at a maximum of 18 inches on-center, each way. Where lapping of the slab steel is required, laps in adjacent bars shall be staggered a minimum of every five feet. If floor loads exceed 200 pounds per square foot, County of Santa Barbara Public Works Department staff or a County-approved geotechnical consultant shall review and approve the slab design.<br>These requirements shall be identified on project grading plan and development plans. Planning & Development staff shall review and approve all final plans prior to issuance of grading permits.<br>**Plan Requirements and Timing**. All recommendations contained in Section 13.0 of the Soils Engineering Report and Engineering Geology Investigation prepared for the project by GeoSolutions in June 2016 (Appendix E) shall be reflected on grading and building plans. **Monitoring**. The Owner/Applicant shall demonstrate that the submitted plans conform to the required conditions. Planning & Development staff will review grading plans for compliance prior to issuance of grading permits. Grading and building inspectors shall ensure compliance in the field. | Mitigation Measure GEO 2 would reduce impacts from potential hazards of slope failure to a less than significant level. |

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| **Impact GEO-3.** The location and fill requirements of the project could result in long-term erosive runoff and sedimentation in nearby waterways. Compliance with existing County best management practices, as well as OCP policies and development standards, would reduce erosion potential. Nevertheless, long-term erosive runoff and sedimentation may result in potentially significant hazards associated with long-term erosive runoff and sedimentation. This impact would be less than significant with mitigation. | **GEO-2 Fill Compaction**. Fill depths exceeding 4-feet deep shall be compacted to a minimum relative density of 95 percent (ASTM D1557-07) to reduce long-term sedimentation resulting from proposed filling of topographic depressions within the project site. **Plan Requirements and Timing**. This requirement shall be reflected on grading and building plans. **Monitoring**. The Owner/Applicant shall demonstrate that the submitted plans conform to the required conditions. Grading and building inspectors shall ensure compliance in the field. | Implementation of Mitigation Measures ~~GEO-1~~ GEO-2 and GEO-3 and implementation of applicable Santa Barbara County erosion control BMPs, as well as OCP policies and development standards, would reduce impacts associated with the short-term exposure of graded soils and potential for soil erosion and sedimentation into drainages resulting from buildout of the project to as less than significant level. |
| **Impact GEO-4.** The project would be located on potentially expansive soils that pose a risk for settlement. Compliance with California Building Code requirements would reduce the risk of potential hazards associated with expansive soils. Nevertheless, long-term development on soils with a high potential for expansion or settlement may result in potentially significant hazards. This impact would | **GEO-3 Soil Engineering Report Measures for Expansive/Liquefiable Soils**. On-site development shall require, and comply with, all recommendations contained in Section 13.0 of the Soils Engineering Report and Engineering Geology Investigation prepared for the project by GeoSolutions (Appendix E), including, but not limited to the following measures intended to reduce impacts from expansive and/or liquefiable soils:<br>▪ Isolated pad footings shall be a minimum of two square feet in size and are permitted for single floor loads only. Foundations shall be designed in accordance to Section 1808.6.2, 2013 CBC, Foundations on Expansive Soils.<br>▪ The minimum footing and grade beam sizes and depths in engineered fill shall be reviewed and approved by County of Santa Barbara Public Works Department staff or a County-approved geotechnical consultant.<br>▪ All foundation excavations shall be observed and approved by County of Santa Barbara Public Works Department staff or a County-approved geotechnical consultant. For foundation excavations for required embedment depth, County of Santa Barbara Public Works Department staff or a County-approved geotechnical consultant shall observe and approve excavation activities prior to the placement of reinforcing steel and/or concrete.<br>▪ The base of all grade beams and footings shall be level and stepped as required to accommodate any change | Implementation of Mitigation Measures ~~GEO-1~~ GEO-2, GEO-3, and GEO-4 would ensure that impacts associated with expansive and liquefiable soils would be reduced to a less than significant level (Class II). |

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| be less than significant with mitigation. | in grade while maintaining the minimum required footing embedment and slope setback distance.<br>▪ Concrete slabs-on-grade and flatwork shall not be placed directly on unprepared native materials and shall be a minimum of four inches in thickness. Reinforcing shall be placed on-center both ways at or slightly above the center of the structural section, and reinforcing bars shall be #3 bars at 18 inches on-center each way with a minimum clear cover of 1.5 inches. Where lapping of the slab steel is required, laps in adjacent bars shall be staggered a minimum of every five feet. If floor loads exceed 200 pounds per square foot, County of Santa Barbara Public Works Department staff or a County-approved geotechnical consultant shall review and approve the slab design.<br>All on-site structures shall comply with applicable provisions of the California Building Code. These requirements shall be identified on project grading plan and development plans. The County of Santa Barbara Public Works Department shall review and approve all final plans for the removal of expansive and/or liquefiable soils prior to issuance of grading permits. Compliance with these requirements shall be verified by the County of Santa Barbara Public Works Department prior to issuance of grading permits.<br>**Plan Requirements and Timing**. Prior to zoning clearance issuance for grading, the owner/applicant shall include all recommendations contained in Section 13.0 of the Soils Engineering Report and Engineering Geology Investigation prepared for the project by GeoSolutions in June 2016 (Appendix E) shall be reflected on grading and building plans. **Monitoring**. The Owner/Applicant shall demonstrate that the submitted plans conform to the required conditions. Grading and building inspectors shall ensure compliance in the field. | |
| **Impact GEO-5.** Ground disturbance during project construction could potentially destroy a unique paleontological resource or site; however, implementation of recommended best management practices would minimize potential impacts to less than significant. | **GEO-5(a) Worker Paleontological Resource Awareness Session**. The Permittee, or consultant selected by the Permittee, shall develop a worker awareness program to educate all workers regarding the protection of any paleontological resources that may be discovered during project development, as well as appropriate procedures to enact should paleontological resources be discovered. The Permittee, or consultant selected by the Permittee, shall develop appropriate training materials including a summary of geologic units present at the development site, potential paleontological resources that may be encountered during development, and worker attendance sheets to record workers' completions of the awareness session. The worker awareness session for paleontological resources shall occur prior to project development, and as new employees are added to the project site workforce. The Permittee shall provide awareness session sign-in sheets documenting employee attendance to the County as requested.<br>**Plan Requirements and Timing**. The worker awareness program shall be reviewed and approved by Planning & Development prior to grading/building permit issuance. The Owner/Applicant shall provide Planning & Development compliance monitoring staff with the name and contact information for the qualified consultant prior to grading/building permit issuance and pre-construction meeting. **Monitoring**. The Owner/Applicant shall demonstrate that the worker awareness program conforms to the required conditions.<br>**GEO-4(b) Paleontological Resources Inadvertently Discovered During Grading.** If any potentially significant paleontological resources are uncovered during ground disturbance or construction activities, the Permittee shall: | With incorporation of Mitigation Measures GEO-5(a) and GEO-5(b), the project would result in less than significant impacts to paleontological resources in the project area. |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
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| | ▪ Temporarily cease grading within 50 feet of the finds and redirect activity elsewhere to ensure the preservation of the resource in which the discovery was made;<br>▪ Immediately notify the Santa Barbara County Planning and Development and Public Works Departments regarding the resource and redirected grading activity;<br>▪ Obtain the services of a professional paleontologist who shall assess the significance of the find and provide recommendations as necessary for its proper disposition for review and approval by Santa Barbara County Planning and Development; and<br>▪ Complete all significance assessment and mitigation of impacts to the paleontological resource and verification reviewed and approved by Santa Barbara County Planning and Development prior to resuming grading in the area of the find.<br>Upon discovery of potentially significant paleontological resources and completion of the above measures, the Permittee shall submit to Santa Barbara County Planning and Development a report prepared by the qualified paleontologist documenting all actions taken. Additional documentation may be required to demonstrate that all recommendations have been completed in a paleontological report.<br>**Plan Requirements and Timing**. This condition shall be printed on all building and grading plans. **Monitoring**. Planning & Development compliance monitoring staff shall confirm monitoring by the qualified consultant and grading inspectors shall spot check field work. | |
| **Greenhouse Gas Emissions** | | |
| **Impact GHG-1.** Project construction and operation would generate temporary and long-term increases in GHG emissions. These emissions would result in a potentially significant contribution to global climate change. This impact would be less than significant with mitigation (Class II). | **GHG-1 GHG Emissions Reduction Plan.** The project developer shall prepare and implement a plan to reduce operational GHG emissions through implementation of one or more of the following measures:<br>a. Prior to zoning clearance issuance, the project applicant shall develop a project Greenhouse Gas Reduction Program (GGRP) that reduces annual GHG emissions from the project by a minimum of 246.2 MT of CO2e per year (0.6 MT of CO2e per person per year) over the operational life of the project. The plan shall be implemented on-site by the project applicant and may include, but not be limited to, the following components:<br>1. Installation of renewable energy facilities (e.g., solar photovoltaics)<br>2. Construction of residences that achieve energy and water efficiencies beyond those specified in the California Code of Regulations, Title 24 requirements<br>3. Implementation of energy efficient building design exceeding California Building Code requirements<br>4. Installation of energy-efficient equipment and appliances exceeding California Green Building Code standards<br>5. Installation of outdoor water conservation and recycling features, such as smart irrigation controllers and reclaimed water usage<br>6. Installation of low-flow bathroom and kitchen fixtures and fittings | Implementation of Mitigation Measure GHG-1 would reduce the project's GHG emissions to approximately 3.3 MT of $CO_2e$ per person per year, which would not exceed the locally-appropriate, project-specific 2024 efficiency threshold of 3.3 MT of $CO_2e$ per person per year. Therefore, with Mitigation Measure GHG-1, the project's GHG emissions would be not impede substantial progress toward meeting the State's 2030 and 2045 |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| | 7. Installation of light emitting diode (LED) lights<br>8. Provision of incentives and outreach for future residents to promote alternative transportation and transit use<br>9. Promotion of alternative fuel vehicles<br>10. Implementation of carbon sequestration measures;<br>11. Off-site mitigation fees paid to SBCAPCD to implement local GHG reduction projects. Projects may include, but are not limited to, replacement of diesel school and/or urban buses with battery electric or fuel cell electric buses, installation of electric vehicle charging stations, retrofits of existing residential buildings to improve energy efficiency, installation of rooftop solar on existing residential buildings, and installation of residential and/or commercial battery energy storage systems. The final amount of off-site mitigation fees shall be determined based on accepted methodologies for assessing the per-unit cost of GHG emissions in Santa Barbara County;<br>OR<br>b. If GHG emissions cannot be reduced through implementation of the GGRP, the project applicant shall purchase carbon offsets to reduce GHG emissions below threshold levels. Carbon offsets shall be purchased from a validated source[1] to offset annual GHG emissions or to offset one-time carbon stock GHG emissions.<br>**Plan Requirements and Timing**. The GGRP shall be submitted by the project developer and reviewed and approved by the County Planning & Development Department as being in compliance with this measure prior to zoning clearance. Applicable elements of the approved GGRP shall be reflected on project site plans prior to permit approval. If GHG emissions cannot be reduced through compliance with such a plan, purchased carbon offsets shall be approved by Planning & Development staff prior to permit approval. **Monitoring**. Condition compliance shall monitor and verify implementation of measures included in the GGRP to ensure implementation of mitigation measures included in the plan. | GHG reduction goals, and impacts related to GHG emissions would be reduced to a less than significant level (Class II). |
| **Impact GHG-2.** The project would be consistent with the emissions-reduction goals of the County's ECAP and the SBCAG 2040 RTP-SCS; however, it would be inconsistent with the GHG reduction targets in the | Implementation of Mitigation Measure GHG-1 would be required to reduce the project's GHG emissions to a level that is consistent with the GHG reduction targets contained in the 2017 Scoping Plan and EO B-55-18. | Implementation of Mitigation Measure GHG-1 would ensure that the project is consistent with the GHG reduction targets contained in the 2017 Scoping Plan and EO B-55-18. Therefore, with |

[1] Validated sources are carbon offset sources that follow approved protocols and use third-party verification. At this time, appropriate offset providers include only those that have been validated using the protocols of the Climate Action Registry, the Gold Standard, or the Clean Development Mechanism (CDM) of the Kyoto Protocol. Credits from other sources will not be allowed unless they are shown to be validated by protocols and methods equivalent to or more stringent than the CDM standards.

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| 2017 Scoping Plan. This impact would be less than significant with mitigation (Class II). | | Mitigation Measure GHG-1, the project would be consistent with applicable GHG reduction plans, policies, and regulations, and impacts would be less than significant with mitigation (Class II). |
| **Land Use** | | |
| **Impact LU-1.** The project would result in a change in character of the site and the scale of development on the site. This would present potential quality of life compatibility issues. This impact would be less than significant with mitigation. | Mitigation measures and OCP development standards related to long-term compatibility conflicts are discussed in Section 4.1, *Aesthetics*. Mitigation Measures AES-2(a) through AES-2(d), and AES-3 would apply. No additional mitigation measures are required, as no additional significant impacts were identified. | With implementation of Mitigation Measures AES-2(a) through AES-2(d), and AES-3, impacts associated with long-term compatibility impacts related to nuisance noise and visual compatibility would be adverse, but less than significant (Class II). |
| **Noise** | | |
| **Impact N-1.** Project construction could intermittently generate high noise levels on and adjacent to the project site. Project construction would take place adjacent to the RMGC fairways, thereby temporarily exposing sensitive receptors to noise levels exceeding County thresholds. | **N-1(a) Construction Hours Limitations (Modification of OCP EIR Mitigation Measure NSE-5).** Noise-generating construction activity for site preparation and for future project development shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. No construction shall occur on weekends or State or County holidays (e.g., Thanksgiving, Labor Day). Construction equipment maintenance shall also be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions.<br>**Plan Requirements and Timing**. The Owner/Applicant shall provide and post signs stating these restrictions at all construction site entries. Signs shall be posted prior to commencement of construction and maintained throughout construction. **Monitoring**. The Owner/Applicant shall demonstrate to Planning & Development permit compliance monitoring staff that signs are posted prior to grading/building issuance and pre-construction meeting. Building inspectors and permit compliance staff shall spot check and respond to complaints.<br>**N-1(b) Construction Noise Control Measures.** The following noise attenuation measures shall be implemented during project construction:<br>▪ **Mufflers.** During all project site excavation and grading, all construction equipment, fixed or mobile, shall be | Implementation of Mitigation Measures N-1(a) and N-1(b) would ensure that construction activities only occur during normal daytime hours and on weekdays, when people are less likely to be disturbed by noise and would reduce sound levels from the loudest individual pieces of construction equipment. These measures would reduce overall construction noise and prevent nighttime |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| | operated with closed engine doors and shall be equipped with properly operating and maintained mufflers consistent with manufacturers' standards.<br>▪ **Stationary Equipment.** All stationary construction equipment shall be located and oriented so that emitted noise is directed away from the nearest noise sensitive receptors.<br>▪ **Equipment Staging Areas.** Equipment staging shall be located in areas that will create the greatest distance feasible between construction-related noise sources and noise sensitive receptors.<br>▪ **Electrically-Powered Tools and Facilities.** Where available, electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities.<br>▪ **Smart Back-up Alarms.** Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction.<br>▪ **Additional Noise Attenuation Techniques**<br>**Plan Requirements and Timing**. These measures shall be reflected on grading and building plans. **Monitoring**. The Owner/Applicant shall demonstrate that the submitted plans conform to the required conditions prior to zoning clearance issuance. Planning & Development compliance monitoring staff and Grading and building inspectors shall ensure compliance in the field during construction activities. | construction noise, which would ensure that average daily construction noise levels would not exceed the County of Santa Barbara's maximum acceptable level of 65 dBA CNEL. Therefore, with implementation of these mitigation measures, construction noise impacts would be less than significant (Class II). |
| **Water Resources and Flooding** | | |
| **Impact WR-3.** Specific Plan development would result in a projected net increase in water demand. The use of groundwater to serve the development would not result in further overdraft of the Santa Maria Groundwater Basin. However, groundwater wells in Key Site 21 may produce groundwater with a total dissolved solids concentration that would exceed the Orcitt Community Plan's 425 mg/L standard per Policy WAT-O- | **WR-3 Modern Drilling, Analysis, and Well Construction Techniques.** Using geologic, geophysical, and water quality data, wells shall be designed using modern drilling, analysis, and well construction methods, including, but not limited to:<br>▪ Discrete perforation intervals adjacent to the best quality aquifer materials (should zones between perforations indicate poor quality groundwater, intermediate cement or clay seals shall be installed to prevent poorer quality water from entering the production stream);<br>▪ After development, step-drawdown and constant-rate pumping tests shall be conducted at the wells, with water quality samples collected at various rates and durations to optimize the blend of water quality;<br>▪ If produced water quality exceeds the 425 mg/L standard a reverse-osmosis (RO) above-ground treatment facility shall be implemented. The RO facility would divert high-quality stream to residential uses. The resulting brine solution may be disposed at a discharge facility approved by Planning & Development, or other method approved by the Central Coast Regional Water Quality Control Board.<br>**Plan Requirements and Timing**. Prior to zoning clearance issuance the owner/applicant shall submit proof of water system permits to Planning and Development. These requirements shall be reflected on the water system plans. **Monitoring**. The Owner/Applicant shall demonstrate that the submitted plans conform to the required conditions. Santa Barbara County Environmental Health Services shall permit the water system and review plans | The project would not result in significant impacts to existing well users, and the residual impact related to water resources would be adverse, but less than significant (Class III). Impacts to the overdrafted SMGB would be adverse, but less than significant without mitigation (Class III). Implementation of Mitigation Measure WR-3 would ensure new wells would meet the OCP Policy WAT-O-5 standard for TDS concentrations of 425 mg/L |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| 5. This impact would be less than significant with mitigation (Class II). | to ensure compliance. Planning & Development staff will review building plans for compliance prior to issuance of building permits. Building inspectors shall ensure compliance in the field. | (Appendix L). Therefore, Mitigation Measure WR-3 would reduce impacts related to groundwater quality to a less than significant level (Class II). |
| **Class II Cumulative Impacts (Significant but Mitigable)** | | |
| **Aesthetics** | | |
| Cumulative Impacts to Aesthetics (Scenic Views and Light and Glare) | Mitigation Measure AES-3 would apply. | Implementation of Mitigation Measure AES-3 would reduce potential cumulative impacts to a less than significant level. |
| **Biological Resources** | | |
| Cumulative Impacts to Biological Resources | Mitigation Measures BIO-1 through BIO-7 would apply. | Implementation of Mitigation Measures BIO-1 through BIO-7 would reduce potential cumulative impacts to a less than significant level. |
| **Cultural and Tribal Cultural Resources** | | |
| Cumulative Impacts to Cultural and Tribal Cultural Resources | Mitigation Measures CUL-1 through CUL-2 and OCP EIR Mitigation Measures ARCH-1 through ARCH-8, and ARCH-10 would apply. | Cumulative impacts to cultural resources and tribal resources in the Orcutt area would be adverse, but less than significant. |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| **Geologic Processes** | | |
| Cumulative Impacts to Geologic Hazards | Mitigation Measures ~~GEO-1~~ GEO-2, GEO-3, GEO-4, GEO-5(a), and GEO-5(b), where applicable) would apply. | Compliance with County regulations and policies (including compliance with County development standards; OCP development standards; CBC requirements; OCP EIR mitigation; and Mitigation Measures ~~GEO-1~~ GEO-2, GEO-3, GEO-4, GEO-5(a), and GEO-5(b), where applicable) would reduce seismic and geologic hazards. Seismic and geologic hazards would be addressed on a case-by-case basis and would not result in cumulatively considerable impacts. Cumulative geologic hazard impacts would be adverse, but less than significant with mitigation (Class II). |
| **Greenhouse Gas Emissions** | | |
| Cumulative Impacts to Greenhouse Gas Emissions | Mitigation Measure GHG-1 would apply. | GHG emissions associated with the project would be less than significant with implementation of Mitigation Measure GHG-1 and the project would not conflict with applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions with |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| | | implementation of Mitigation Measure GHG-1. Therefore, the project's contribution to significant cumulative impacts related to GHG emissions is not cumulatively considerable with implementation of required mitigation (Class II). |
| **Transportation and Circulation** | | |
| Cumulative Impacts to Transportation and Circulation | Mitigation Measure T-1 would apply. | Implementation of Mitigation Measure T-1, which would require payment of fair-share fees toward transportation improvements, retain the existing geometry of two eastbound travel lanes on Clark Avenue, and result in a signalized corridor from Foxenwood Lane to Orcutt Road with coordinated traffic signals, would ultimately reduce delays at the Foxenwood Lane/Clark Avenue intersection. With Mitigation Measure T-1 potential cumulative impacts would be reduced to a less than significant level. |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| **Class III Project Specific Impacts (Less than Significant)** | | |
| **Aesthetics** | | |
| **Impact AES-1.** The project would impact views of nearby scenic vistas from the Rancho Maria Golf Club and State Route 1. However, implementation of development standards contained in the OCP would ensure this impact remains less than significant. | No mitigation measures are required. | Class III (less than significant). |
| **Agricultural Resources** | | |
| **Impact AG-1.** The project would not convert FMMP-designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), would not conflict with existing zoning for agricultural use or a Williamson Act contract, and would not involve any other changes that would convert farmland to non-agricultural use. Impacts to agricultural resources would be less than significant. | No mitigation measures are required. | Class III (less than significant). |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| **Air Quality** | | |
| **Impact AQ-1.** The project would accommodate new residents in unincorporated Santa Barbara County, but this increase in population would not exceed the SBCAG growth forecasts used to prepare the 2016 Ozone Plan. This impact would be less than significant. | No mitigation measures are required. | Class III (less than significant). |
| **Impact AQ-2.** Project construction activity would generate temporary increases in criteria air pollutant emissions of ozone precursors, CO, SO2, PM10, and PM2.5, but these emissions would not significantly degrade regional and local air quality. This impact would be less than significant. | No mitigation measures are required. | Class III (less than significant). |
| **Impact AQ-3.** The project would generate criteria air pollutant emissions, but these emissions would not significantly degrade regional and local air quality or significantly contribute to the area's nonattainment-transitional designation for ozone and nonattainment designation for PM10. This impact would be less than | No mitigation measures are required. | Class III (less than significant). |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| significant. | | |
| **Impact AQ-4.** Construction and operation of the project would generate emissions of carbon monoxide and toxic air contaminants, which can contribute to human health hazards. However, sensitive receptors would not be exposed to substantial concentrations of these pollutants. This impact would be less than significant. | No mitigation measures are required. | Class III (less than significant). |
| **Impact AQ-5.** Short-term project construction may result in temporary odors, but Specific Plan development would not include land uses that would result in long-term odor emissions that would adversely affect a substantial number of people. This impact would be less than significant. | No mitigation measures are required. | Class III (less than significant). |
| **Energy** | | |
| **Impact E-1.** Project construction and operation would require temporary and long-term consumption of energy resources, which would result in emissions of air pollutants and GHGs that would impact the environment. However, | No mitigation measures are required. | Class III (less than significant). |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| project construction and operation would not result in the wasteful, inefficient, or unnecessary consumption of energy resources. This impact would be less than significant. | | |
| **Impact E-2.** The project would fall within the plan area for the Santa Barbara County ECAP and SB 100. The project would be consistent with these plans and would therefore not conflict with or obstruct a state or local plan for renewable energy of energy efficiency. This impact would be less than significant. | No mitigation measures are required. | Class III (less than significant). |
| **Fire Protection** | | |
| **Impact FP-1.** The project would create additional sources and increased risk of wildland fires in a high fire hazard area. Compliance with SBCFD requirements, applicable OCP development standards, and Conditions of Approval pertaining to fire management would ensure that potential impacts associated with wildland fire hazards would be less than | No mitigation measures are required. | Class III (less than significant). |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| significant (Class III). | | |
| **Impact FP-2.** The project would increase demand on the Santa Barbara County Fire Department, resulting in a reduction in the fire protection service ratio. The project would be subject to the Orcutt Planning Area fire mitigation fee, which provides funding for new fire stations and acquisition of new equipment and apparatus required to serve new development. Therefore, this impact would be less than significant (Class III). | No mitigation measures are required. | Class III (less than significant). |
| **Geologic Processes** | | |
| **Impact GEO-1.** The project site may be subject to strong groundshaking, which has the potential to cause fill material to settle, destabilize slopes, and/or cause physical damage to structures, property, utilities, road access, and people. Compliance with OCP EIR mitigation measures, OCP development standards, and existing local, State, and federal regulations would ensure that impacts related to groundshaking remain | No mitigation measures are required. | Class III (less than significant). |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| less than significant. | | |
| **Land Use** | | |
| **Impact LU-2.** The project would be consistent with the applicable policies and development standards in the Orcutt Community Plan. This impact would be less than significant. | No mitigation measures are required. | Class III (less than significant). |
| **Noise** | | |
| **Impact N-2.** The project would not expose sensitive receptors on the project site, including the proposed residences of the Willow Creek and Hidden Canyon neighborhoods, to noise in excess of County standards. This impact would be less than significant (class III). | No mitigation measures are required. | Class III (less than significant). |
| **Impact N-3.** Project-generated traffic would not increase noise levels on area roadways in excess of County standards. This impact would be less than significant (Class III). | No mitigation measures are required. | Class III (less than significant). |
| **Public Services and Recreation** | | |
| **Impact PS/R-1.** The project would increase the demand for schools. Through the required payment of State-mandated impact mitigation fees, potential impacts to public schools would be | No mitigation measures are required. | Class III (less than significant). |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| adverse, but less than significant. | | |
| **Impact PS/R-2.** The project would not substantially diminish the LCSD's wastewater treatment capacity. This impact would be less than significant. | No mitigation measures are required. | Class III (less than significant). |
| **Impact PS/R-4.** Buildout of the project would increase demand on the Santa Barbara county sheriff's department (SBCSD). The project would be subject to police protection service mitigation fees, which provide funding for capital facilities and related equipment associated with hiring new Sheriff deputies required to serve new development. Therefore, this impact would be less than significant. | No mitigation measures are required. | Class III (less than significant). |
| **Impact PS/R-5.** The project would not significantly increase the demand for recreational facilities or require the construction or expansion of recreational facilities that may have an adverse physical effect on the environment. This impact would be less than significant. | No mitigation measures are required. | Class III (less than significant). |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| **Transportation and Circulation** | | |
| **Impact T-1.** The project would add new vehicle trips to study area intersections. All study area intersections would continue to operate at acceptable levels of service with implementation of the project. The project would result in less than significant project-specific intersection impacts (Class III). | No mitigation measures are required. | Class III (less than significant). |
| **Impact T-2.** The project would add new vehicle trips to study area roadways. All study area roadway segments are forecast to operate within the County's acceptable capacity with implementation of the project. This impact would be less than significant (Class III). | No mitigation measures are required. | Class III (less than significant). |
| **Impact T-3.** The project includes two new full-access connections and one new secondary access connection to State Route 1. Project access and design would not result in new or exacerbated safety issues at these locations. This impact would be less than significant (Class III). | No mitigation measures are required. | Class III (less than significant). |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| **Water Resources and Flooding** | | |
| **Impact WR-1.** Construction activities associated with Specific Plan development could degrade water quality through increased rates of erosion and sedimentation. Compliance with NPDES permit requirements, the required SWPPP and applicable BMPs, and the County's grading ordinance and applicable OCP development standards would ensure that potential water quality impacts during project construction would be less than significant (Class III). | No mitigation measures are required. | Class III (less than significant). |
| **Impact WR-2.** New impervious surfaces would alter existing drainage patterns and increase stormwater runoff. Compliance with applicable programmatic mitigation measures from the OCP EIR, design guidelines, applicable SBCFCD requirements for post-development peak stormwater flows and BMPs and maintenance requirements described in the proposed project's Stormwater Control Plans would ensure that potential flooding impacts and | No mitigation measures are required. | Class III (less than significant). |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| impacts to on-site and off-site drainage would be less than significant (Class III). | | |
| **Class III Cumulative Impacts (Less than Significant)** | | |
| **Aesthetics** | | |
| Cumulative Impacts to Visual Quality and Character | No mitigation measures are required. | Class III (less than significant). |
| **Agricultural Resources** | | |
| Cumulative Impacts to Agricultural Resources | No mitigation measures are required. | Class III (less than significant). |
| **Air Quality** | | |
| Cumulative Impacts to Air Quality | No mitigation measures are required. | Class III (less than significant). |
| **Energy** | | |
| Cumulative Impacts to Energy | No mitigation measures are required. | Class III (less than significant). |
| **Fire Protection** | | |
| Cumulative Impacts to Fire Protection | No mitigation measures are required. | Class III (less than significant). |
| **Land Use** | | |
| Cumulative Impacts to Land Use | No mitigation measures are required. | Class III (less than significant). |
| **Noise** | | |
| **C**umulative Impacts to Noise | No mitigation measures are required. | Class III (less than significant). |
| **Public Services and Recreation** | | |
| Cumulative Impacts to Schools | No mitigation measures are required. | Class III (less than significant). |

| Impact | Mitigation Measure (s) | Significance After Mitigation |
|---|---|---|
| Cumulative Impacts to Wastewater Services | No mitigation measures are required. | Class III (less than significant). |
| Cumulative Impacts to Police Protection | No mitigation measures are required. | Class III (less than significant). |
| Cumulative Impacts to Recreational Facilities | No mitigation measures are required. | Class III (less than significant). |
| **Water Resources** | | |
| Cumulative Impacts to Drainage, Flooding, and Sedimentation | No mitigation measures are required. | Class III (less than significant). |
| Cumulative Impacts to Water Demand/Water Quality | No mitigation measures are required. | Class III (less than significant). |

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# 1 Introduction

This document is a Subsequent Environmental Impact Report (SEIR) that examines the potential effects of implementing the proposed Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project on an approximately 341-acre site in northern Santa Barbara County. The project is described in detail in Section 2, *Project Description*. This section describes: (1) the general background of the project; (2) the purpose of and legal authority for the SEIR; (3) the scope and content of the SEIR; (4) lead, responsible and trustee agencies; and (5) the environmental review process required under the California Environmental Quality Act (CEQA).

## 1.1 Project Background

### 1.1.1 Summary of the Project

The proposed project includes a Specific Plan, two Vesting Tentative Tract Maps (VTTM), two Final Development Plans, two Minor Conditional Use Permits, road naming, and a Comprehensive Plan Amendment to develop 146 residential units in two residential neighborhoods on Key Site 21. Each of these components of the project is described in detail in Section 2, *Project Description*. The properties included in the project are identified by Assessor's Parcel Numbers (APN) 113-250-015 through 113-250-017.

### 1.1.2 Relationship of the Project to the Orcutt Community Plan

The project site is located within the Orcutt Community Plan (OCP) area. The OCP provides a blueprint for the future development of the Orcutt community located in northern Santa Barbara County. The OCP EIR (95-EIR-01) was prepared as a programmatic EIR that programmatically analyzed the general environmental effects of the OCP as a whole. The OCP EIR identified significant and unavoidable (Class I) impacts with full buildout under the OCP in the areas of Land Use, Biology, Agriculture, Geology, Flooding and Drainage, Water Supply/Groundwater Resources, Archaeology, Historical Resources, Traffic and Circulation, Noise, Air Quality, Risk of Upset/Polluting Sources, Wastewater, Fire Protection, Police Protection, Solid Waste, Library Services, Visual/Aesthetics, Parks Recreation and Trails, and Schools. Mitigation measures identified to minimize impacts were incorporated as Policies and Development Standards in the adopted OCP. The OCP EIR also evaluated more specific impacts pertaining to 45 designated "Key Sites," including Key Site 21, that were identified in the OCP as areas where future development would occur in the community.

The OCP EIR analyzed the development of up to 150 units and designated the areas along the southern and western boundaries of the site as subject to the Open Space Overlay. The OCP EIR identified and evaluated site-specific impacts to Biological Resources associated with the loss of vegetation and habitat, and impacts to wildlife, that could occur if the site were developed. The OCP EIR also identified and evaluated site-specific impacts to Visual Resources/Open Space regarding changes in the visual character of Key Site 21 and impacts to the State Route (SR) 1 scenic corridor. The OCP EIR also discussed both general and site-specific mitigation measures for each environmental issue identified. Impacts associated with the loss of vegetation and habitat were

found to be less than significant with mitigation (Class II). Impacts to wildlife and impacts related to Visual Resources/Open Space were found to be significant and unavoidable (Class I).

Pursuant to Section 15162 of the *CEQA Guidelines* this document has been prepared as a SEIR to the OCP EIR. Insofar as the project being reviewed herein could result in new or more severe significant environmental impacts than those identified in the OCP EIR, a SEIR must be prepared to analyze impacts in accordance with Section 15168 of the *CEQA Guidelines*, as well as Article V, Section E, 4 of the County of Santa Barbara Guidelines for the Implementation of CEQA (2010). To the extent that the OCP EIR adequately analyzed environmental impacts from the development of Key Site 21, the SEIR may rely on that analysis and/or incorporate it by reference, focusing on project-specific effects not analyzed adequately in the OCP EIR.

A summary of impacts identified in the OCP EIR and applicable mitigation from the OCP EIR is included under the heading of Previous Environmental Review in the discussion of each environmental issue area in Section 4, *Environmental Impact Analysis*.

### 1.1.3 Areas of Known Public Controversy

Section 15123 of the *CEQA Guidelines* states that an EIR shall identify areas of controversy known to the lead agency, including issues raised by the agency and the public. In accordance with the *CEQA Guidelines*, a Notice of Preparation (NOP) and Environmental Scoping Document (Scoping Paper) for this SEIR was distributed for review by affected agencies and the public on March 27, 2018. The NOP, responses received during the NOP comment period, and Scoping Paper are presented in Appendix A of this report. Based on comments received during the public hearing and NOP comment period, the following issues are known to be of concern and may be controversial. Each issue is further evaluated in the SEIR.

- Public services, including fire and public safety;
- Aesthetics/visual resources;
- Traffic, circulation, and access;
- Water supply and groundwater resources;
- Existing recreational facilities, including Rancho Maria Golf Course;
- Biological resources, wildlife, and wildlife habitat;
- Safety hazards;
- Construction and operational (long-term) noise, and adjacent noise sensitive receptors;
- Air quality issues;
- Land use compatibility;
- Tribal Cultural Resources, Assembly Bill 52 and Senate Bill 18 requirements;
- Runoff, drainage, and flooding; and
- Cumulative wastewater generation, and new sewer line placement/sizing.

## 1.2 Purpose and Legal Authority

Several of the project's proposed actions including implementation of the Specific Plan, two VTTMs, and two Development plans, a Comprehensive Plan amendment, road naming, and Minor Conditional Use permits are discretionary actions requiring approval of the Board of Supervisors. Therefore, the project is subject to the requirements of CEQA. In accordance with Section 15121 of the *CEQA Guidelines*, the purpose of this EIR is to serve as an informational document that:

> "...will inform public agency decision makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project."

As discussed above, this document is a SEIR to the OCP EIR pursuant to Section 15162 of the *CEQA Guidelines*. An SEIR is appropriate when "substantial changes are proposed in the project which will require major revisions of the previous EIR."

This SEIR is to serve as an informational document for the public and County of Santa Barbara decision-makers. The process will culminate with Planning Commission and Board of Supervisors hearings to consider certification of a Final SEIR as well as the project's requested approvals.

Although the project includes a specific plan and development plans, this SEIR contains a project-level environmental review that fulfills the requirement of a project-level SEIR. As defined in *CEQA Guidelines* Section 15161, a project-level EIR:

> "…examines the environmental impacts of a specific development project. This type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project including planning, construction, and operation."

Pursuant to *CEQA Guidelines* Section 15182, "where a public agency has prepared an EIR on a specific plan after January 1, 1980, no EIR or negative declaration need be prepared for a residential project undertaken pursuant to and in conformity to that specific plan […]," as long as the residential project is within the scope of the EIR, no new environmental effects are anticipated to occur, and no new mitigation measures are required for the residential project.

## 1.3 Scope and Content

Through the NOP and SEIR scoping process, the County of Santa Barbara determined that there was no substantial evidence that the project would cause or otherwise result in significant environmental effects in the areas of forest resources, hazards and hazardous materials, historic resources, mineral resources, and population and housing. No further environmental review of these issues is necessary for the reasons summarized in the Section 4.15, *Effects Found Not to be Significant*. The substantiation for determining that these issues would result in no impact, or a less-than-significant impact is described in further detail in the NOP and Scoping Paper in Appendix A, pursuant to Section 15128 of the *CEQA Guidelines*.

Based on those issues identified during the NOP and scoping process as issues of concern and potentially controversial, the SEIR contains the following detailed environmental impact analysis sections:

- Aesthetics/Visual Resources
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources and Tribal Cultural Resources
- Energy
- Fire Protection
- Geologic Processes
- Greenhouse Gas Emissions
- Land Use
- Noise
- Public Services and Recreation
- Transportation/Circulation
- Water Resources/Flooding

This SEIR builds upon the programmatic analysis ~~performed~~ identified in the OCP EIR and addresses the issues referenced above and identifies potentially significant environmental impacts, including site-specific and cumulative effects of the project in accordance with the provisions set forth in CEQA and the *CEQA Guidelines*. In addition, the SEIR recommends feasible mitigation measures, where possible, that would reduce or eliminate adverse environmental effects.

A summary of cumulative impacts, which gives consideration to other projects in the vicinity, are described in each resource section within Section 4, *Environmental Impact Analysis*. Cumulative project analyses represent a comprehensive assessment of potential impacts on County resources using a list of past, present, and probable future projects capable of producing related or cumulative impacts.

Alternatives to the project consistent with CEQA requirements are considered to examine a reasonable range of approaches to minimize environmental impacts while achieving most of the project objectives. The alternatives to the project are evaluated in Section 6, *Alternatives,* of this SEIR.

In preparing the SEIR, use was made of pertinent County policies and guidelines, existing EIRs and background documents prepared by the County, and documents that guide land use in the neighboring City of Santa Maria. A full reference list is contained in Section 7, *References*, of this SEIR.

The level of detail contained throughout this SEIR is consistent with the requirements of CEQA and applicable court decisions. The *CEQA Guidelines* provide the standard of adequacy on which this document is based. The Guidelines state:

> An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure. (Section 15151).

## 1.4 Lead, Responsible, and Trustee Agencies

The *CEQA Guidelines* define "lead," "responsible" and "trustee" agencies. The County of Santa Barbara is the lead agency for the project because it has the principal responsibility for approving the project. Discretionary approval of the project is vested with the County of Santa Barbara Board of Supervisors.

A "responsible agency" refers to public agencies other than the "lead agency" that have discretionary approval over the project. The California Department of Transportation (Caltrans) will be a responsible agency for frontage improvements within Caltrans right-of-way along SR 1. Other responsible agencies include the Regional Water Quality Control Board (RWQCB) for review of National Pollutant Discharge Elimination System (NPDES) permit requests, and the County Flood Control District for review of the proposed detention basin system.

A "trustee agency" refers to a state agency having jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State of California. The California Department of Fish and Wildlife (CDFW) has jurisdiction over biological resources, including waters of the State and rare and endangered plant species, which may be affected by project development, and is, therefore, a trustee agency.

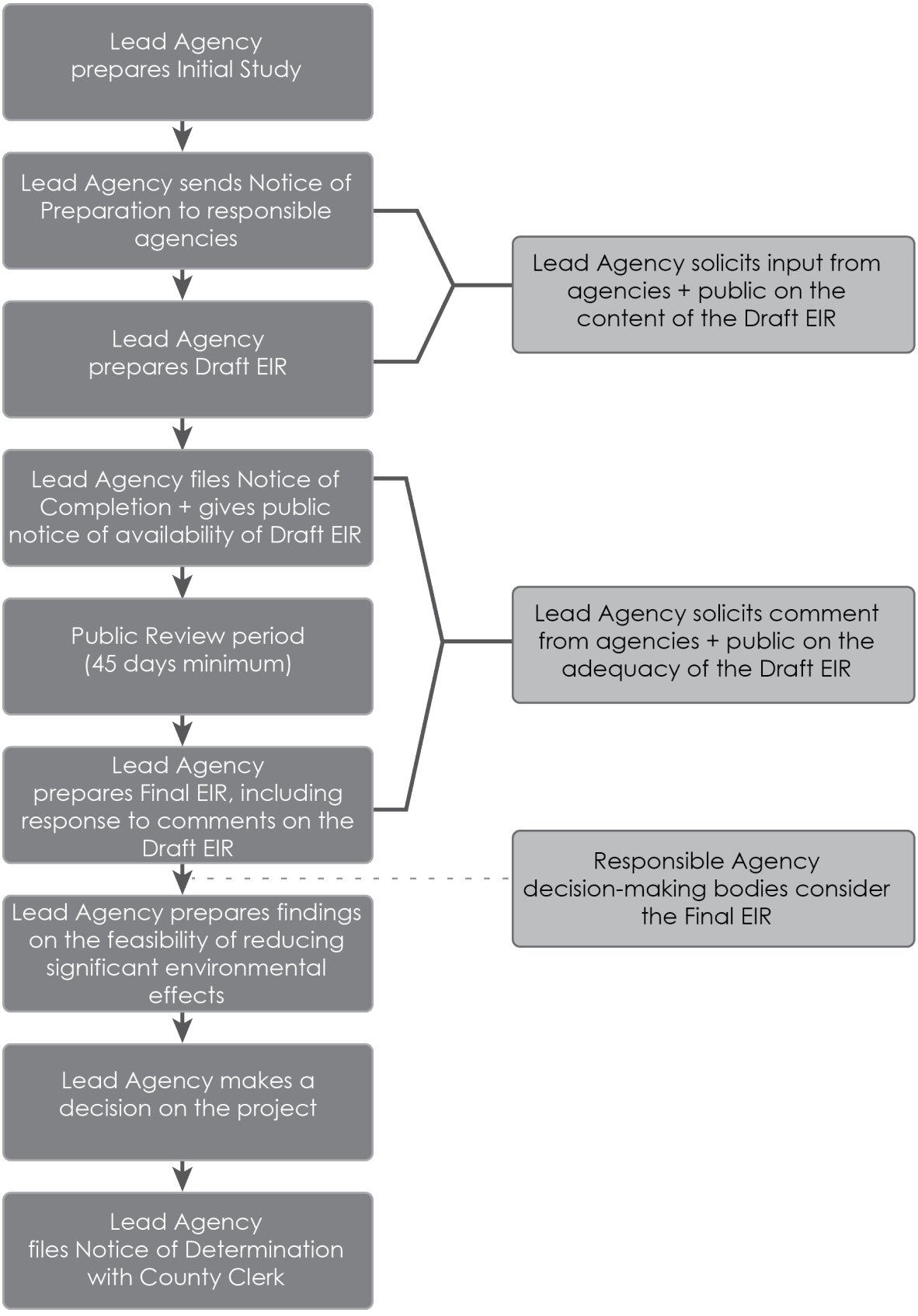
## 1.5 Environmental Review Process

The environmental impact review process, as required under CEQA, is summarized below and illustrated in Figure 1-1. The steps are presented in sequential order.

1. **Notice of Preparation (NOP).** Immediately after deciding that an EIR is required, the lead agency must file a NOP soliciting input on the EIR scope to "responsible," "trustee," and involved federal agencies; to the State Clearinghouse, if one or more state agencies is a responsible or trustee agency; and to parties previously requesting notice in writing (*CEQA Guidelines* Section 15082; Public Resources Code Section 21092.2). The NOP must be posted in the County Clerk's office for 30 days.
2. **Draft Environmental Impact Report.** The Draft EIR must contain: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) significant impacts (direct, indirect, cumulative, growth-inducing and unavoidable impacts); f) alternatives; g) mitigation measures; and h) irreversible changes.
3. **Public Notice and Review.** A lead agency must prepare a Notice of Availability of an EIR. The Notice must be placed in the County Clerk's office for 30 days (Public Resources Code Section 21092). The lead agency must send a copy of its Notice to anyone requesting it (*CEQA Guidelines* Section 15087). Additionally, public notice of DEIR availability must be given through at least one of the following procedures: (a) publication in a newspaper of general circulation; (b) posting on and off of the project site; or (c) direct mailing to owners and occupants of contiguous properties. The lead agency must consult with and request comments on the Draft EIR from responsible and trustee agencies, and adjacent cities and counties (Public Resources Code Sections 21104 and 21253). The minimum public review period for a Draft EIR is 30 days. When a DEIR is sent to the State Clearinghouse for review, the public review period must be 45 days unless a shorter period is approved by the Clearinghouse (Public Resources Code 21091).
4. **Final EIR.** A Final EIR must include: (a) the DEIR; (b) copies of comments received during public review; (c) a list of persons and entities commenting; and (d) responses to comments.

5. **Final EIR Certification.** Prior to approving a project, the lead agency must certify that: (a) the Final EIR has been completed in compliance with CEQA; (b) the Final EIR was presented to the decision-making body of the lead agency and that the lead agency considered the information in the Final EIR; and c) the Final EIR reflects the lead agency's independent judgment and analysis (*CEQA Guidelines* Section 15090).
6. **Lead Agency Decision.** A lead agency may: (a) disapprove a project because of its significant environmental effects; (b) require changes to a project to reduce or avoid significant environmental effects; or (c) approve a project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (*CEQA Guidelines* Sections 15042 and 15043).
7. **Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, the lead or responsible agency must find, based on substantial evidence, that either: (a) the project has been changed to avoid or substantially reduce the magnitude of the impact; (b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or (c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (*CEQA Guidelines* Section 15091). If an agency approves a project with unavoidably significant environmental effects, it must prepare a written Statement of Overriding Considerations that set forth the specific social, economic or other reasons supporting the agency's decision.
8. **Mitigation Monitoring/Reporting Program.** When a lead agency makes findings on significant effects identified in a Final EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.
9. **Notice of Determination.** The lead agency must file a Notice of Determination after deciding to approve a project for which an EIR is prepared (*CEQA Guidelines* Section 15094). A local agency must file the Notice with the County Clerk. The Notice must be posted for 30 days and sent to anyone previously requesting notice. Posting of the Notice starts a 30-day statute of limitations on CEQA challenges (Public Resources Code Section 21167[c]).

**Figure 1-1 Environmental Review Process**



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# 2 Project Description

This section describes the proposed project, including the project applicant, the project site and surrounding land uses, major project characteristics, project objectives, and discretionary actions needed for approval.

## 2.1 Project Applicant

Orcutt Rancho, LLC
c/o HWM Group, Ltd
124 West Main Street Suite G
Santa Maria, California 93458

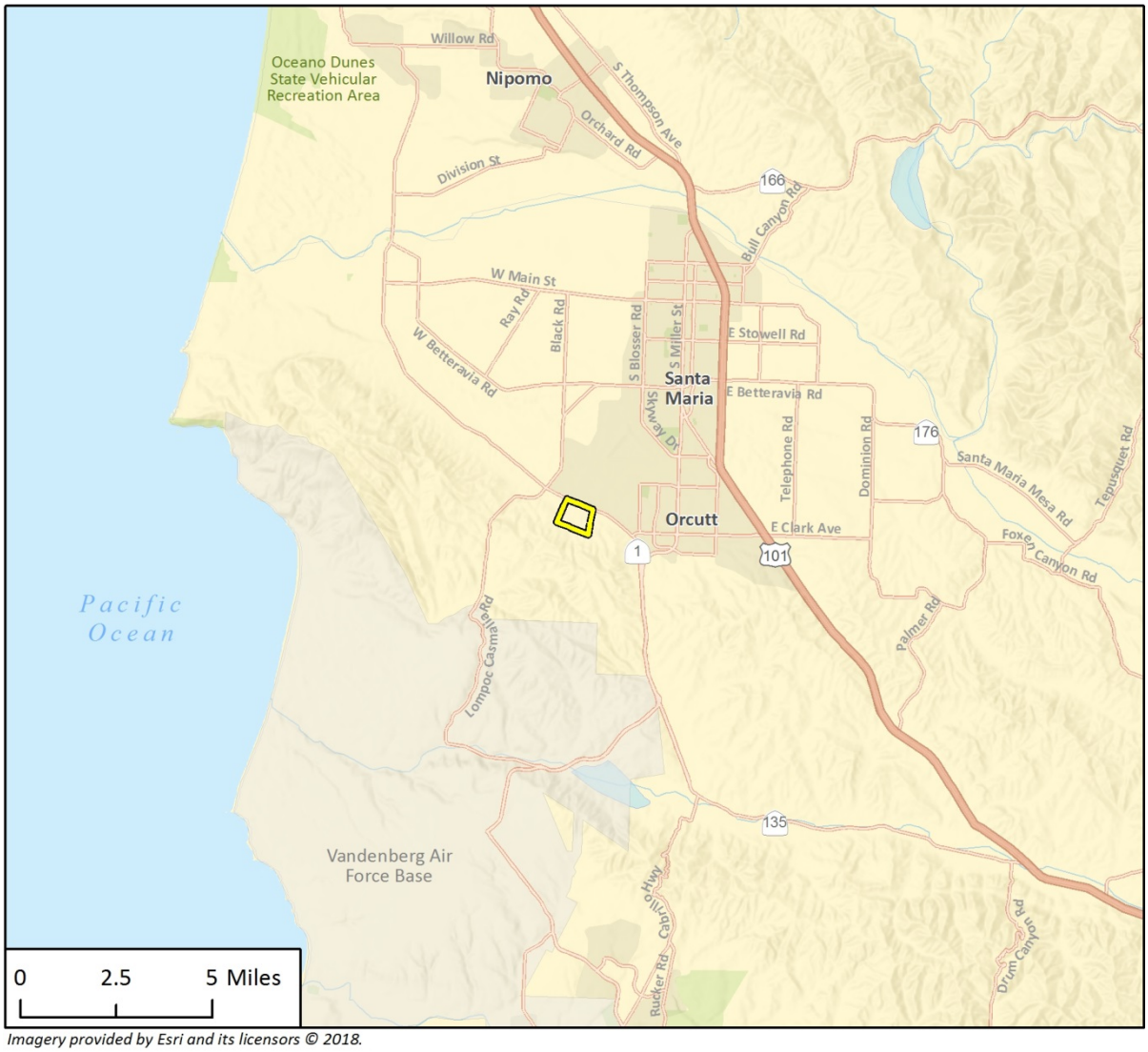
## 2.2 Lead Agency Contact Person

Sean Stewart, Planner
Santa Barbara County
Planning and Development
624 West Foster Road, Suite C
Santa Maria, California 93455

## 2.3 Project Location

The project site is located on Key Site 21 in the Orcutt Community Plan (OCP) area in the community of Orcutt in northern Santa Barbara County. Key Site 21 is located on the south side of State Route (SR) 1 between Solomon Road and Black Road, approximately ½ mile west of the SR 1/Solomon Road intersection. Key Site 21 includes a total of seven parcels, consisting of approximately 340.7 acres. The Rancho Maria Golf Club, a public 18-hole golf course, is located on the central parcel of Key Site 21, occupying 130 acres of the site. The project site is comprised of three undeveloped parcels (APNs 113-250-015, -016, -017), totaling approximately 190 acres and situated on the eastern and western portions of Key Site 21 at the outer edges of the golf course and between the fairways. Rural agricultural lands surround Key Site 21, including the project site, to the east, west, and south. Figure 2-1 shows the regional location of the project site, while Figure 2-2 shows the site in its local context.

## Figure 2-1 Regional Location

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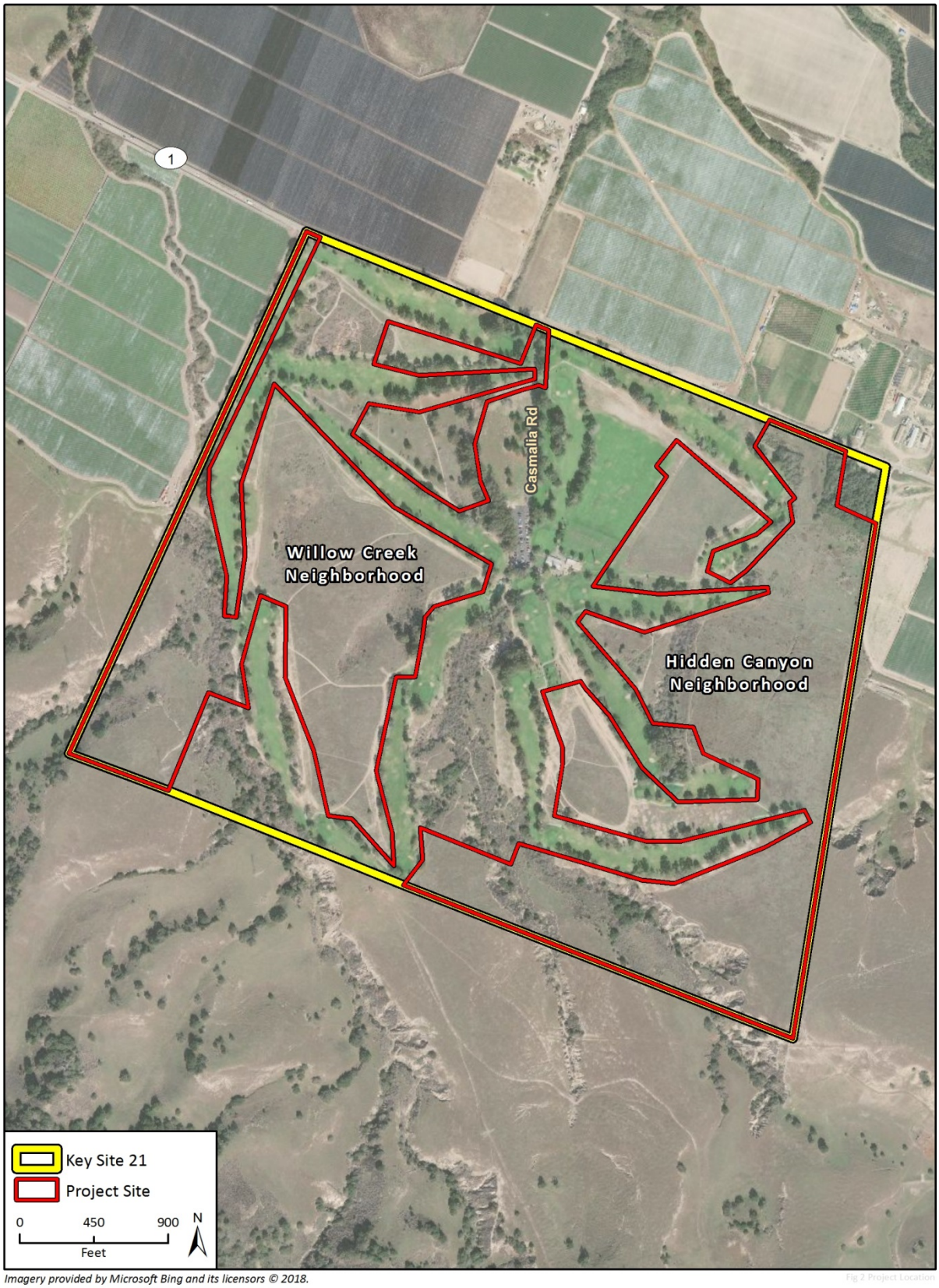
Key Site 21

N

**Figure 2-2 Project Site Location**

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# 2.4 Existing Project Site Characteristics

## 2.4.1 Current Land Use Designation and Zoning

The project site is currently vacant and undeveloped and has an existing land use designation of Planned Development (PD), 150 units maximum/Visitor Serving Commercial. The PD designation is intended for large areas within urban boundaries that are appropriate for residential development but require comprehensive site planning to account for existing opportunities and constraints on the site, such as existing visitor-serving activities, biology, view corridors, slopes, and flood and fire hazards. The PD designation also promotes flexibility and innovative design to provide desirable aesthetic and efficient use of space while preserving important natural and scenic resources of the site.

As discussed in Section 1, *Introduction*, the OCP provides a blueprint for the future development of the Orcutt community, and the OCP EIR (95-EIR-01) evaluated specific impacts pertaining to 45 designated "Key Sites" that were identified in the OCP as areas where future development would likely occur in the community. The entire Key Site 21, including the project site, is designated as an Existing Developed Rural Neighborhood (EDRN) in the OCP. As described in the Santa Barbara County Land Use & Development Code (LUDC) an EDRN is an area shown on the County's Comprehensive Plan maps within which development has occurred historically with lots smaller than those found in the surrounding Rural or Inner Rural Areas (County of Santa Barbara 2019).

The project site is zoned Planned Residential Development (PRD). The purpose of this zone district is to ensure comprehensively planned development of large acreage within designated urban areas intended primarily for residential use. The intent, in part, is to promote innovative residential design, allow a diversity of housing types, and provide recreational opportunities for both residents of the site and the public (LUDC Section 35.23.020, Santa Barbara County 2019).

## 2.4.2 Surrounding Land Uses

The project site is located on a portion of Key Site 21 in the OCP area and includes parcels immediately to the west and east of the Rancho Maria Golf Club (refer to Figure 2-2). Land uses and zoning surrounding Key Site 21 are as follows:

- North: Cultivated Agriculture/RR-20 (Residential Ranchette)
- South: Vacant, Grazing/RMZ-320 (Resource Management)
- East: Cultivated Agriculture, Grazing, Vacant/AG-II-320
- West: Cultivated Agriculture, grazing, vacant/AG-II-320

# 2.5 Project Characteristics

The proposed project is a request by Orcutt Rancho, LLC, for approval of the Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project, located on a portion of Key Site 21 in the OCP area. The project includes the seven planning and entitlement requests detailed in this section.

### 2.5.1 Specific Plan

The project includes a Specific Plan (Case No. 16SPP-00000-00001) that provides for the design and regulatory framework to provide for orderly development including housing, a public trail, open space, and biological protection measures. The Specific Plan includes the following:

- A mix of lot sizes to be responsive to market trends;
- Design Guidelines to provide standards and guidance for architectural design, development, and landscaping;
- Lot standards per the provisions of the Specific Plan and PRD zone district;
- Incorporates the current Santa Barbara County Inclusionary Housing Ordinance specifications to pay in-lieu fees for the entire Affordable Housing project requirement;
- Public trails; and
- Provides SR 1 frontage improvements to include two paved 12-foot travel lanes, deceleration/turn lanes located at the new entrances to the Willow Creek and Hidden Canyon neighborhoods, and two paved 8-foot shoulders that would also serve as Class 3 bike lanes.

### 2.5.2 Vesting Tentative Tract Maps

The project proposes two Vesting Tentative Tract Maps (VTTM) to subdivide two lots of approximately 107 gross acres and 70 gross acres, as shown in Table 2-1.

**Table 2-1 VTTM Proposed Subdivisions**

| Name and VTTM | Hidden Canyon Neighborhood (16TRM-00000-00003/TM 14,822) | Willow Creek Neighborhood (16TRM-00000-00004/TM 14,823) |
|---|---|---|
| APN | 113-250-016 | 113-250-017 |
| Total Area | 107 acres | 70 acres |
| Residential Development Area | 56 single family lots (39.3 acres) | 90 single family lots (37.2 acres) |
| Other Uses | One (1) open space/private roadway lot | One (1) open space/private roadway lot |

The residential lots in the Hidden Canyon neighborhood would range in size from 10,351 square feet (sf) to 40,091 sf. The residential lots in the Willow Creek neighborhood would range in size from 8,000 sf to 27,706 sf.

### 2.5.3 Development Plans

The project proposes two Final Development Plans (Case Nos. 16DVP-00000-00008 and 17DVP-00000-00011) for the development of 146 single family residences and associated infrastructure including landscaping, fencing, lighting, access ways, open space areas and onsite detention basins in the proposed Willow Creek and Hidden Canyon neighborhoods.

The Willow Creek neighborhood would include residential areas on 37.2 acres, and would provide 90 single family lots with an average residential lot size of 11,400 sf, a maximum building height of 35 feet, and a single story restriction on lots immediately adjacent to the golf course fairway. The Willow Creek neighborhood improvements also include gated secondary access at the golf course parking lot for emergency personnel and residents, installation of ~~a~~ approximately 550 linear feet of 60-foot high golf course ~~safety~~ protective netting to avoid errant golf ball activity within the

proposed access road on the western property boundary, and associated landscaping and screening vegetation.

The Hidden Canyon neighborhood would include residential areas on 39.3 acres, and would provide 56 single family lots with an average residential lot size of 18,000 sf, a maximum building height of 35 feet, and a single-story restriction on lots immediately adjacent to the golf course fairway. The Hidden Canyon neighborhood improvements also include a public hiking trail connection, hiking trail, and trailhead staging area with parking for up to six (6) vehicles.

Figure 2-3 shows the Development Plan for the proposed Hidden Canyon neighborhood and Figure 2-4 shows the Development Plan for the proposed Willow Creek neighborhood.

Common characteristics of the Willow Creek and Hidden Canyon neighborhood developments plans include:

- **Architecture.** The proposed Specific Plan includes design standards and guidelines for architectural development. Houses are proposed to be built in various architectural styles including Traditional California Bungalow, Mediterranean, California Ranch, and Modern styles. Subdivisions would provide pedestrian walkways through the Specific Plan area that connect with the proposed trail system. Where possible, cul-de-sac streets and adjacent lots in new residential subdivisions would be designed to provide pedestrian links between the end of the cul-de-sac and the adjacent cul-de-sac, or between the cul-de-sac and a larger pedestrian pathway system.
- **Landscaping.** The proposed Specific Plan would provide specific planting guidelines for the proposed neighborhoods as a whole, adjacent to streets, in parks, in the proposed neighborhoods, and adjacent to the golf course in Homeowner Association-owned and maintained open space areas, providing a buffer to the golf course. The planting guidelines would include specific plants to be used.
- **Lighting.** Project lighting would be installed in accordance with the Specific Plan and would be compliant with the ordinance requirements of the International Dark Sky Association, which provides guidelines for outdoor lighting depending on specific uses and conditions. Street lighting would be shielded so that it does not intrude into residences or open space areas. Neighborhood entry lighting would be limited to the immediate vicinity of the entry and associated directional signage for the proposed neighborhoods. No trail lighting is proposed.
- **Fencing.** Fencing would be installed in accordance with the Specific Plan. Rear and side yard fences would be constructed of wood fence panels, vinyl, or composite fencing. Rear and side yard fences on residential home sites adjoining the golf course or open space areas may be constructed of wrought iron, tubular steel, wood rail, or similar open fencing.
- **Lot Standards.** The minimum setbacks for single family residential units in the Willow Creek and Hidden Canyon neighborhoods are 15-foot front yard with 20-foot minimum to the garage door where it faces the street, 10-foot rear and five-foot side yard setbacks.
- **Access & Circulation.** Access to the project site would be provided from three new entry drives off SR 1. The Willow Creek neighborhood would include a new private road constructed approximately 1,200 feet west of the main entrance to the golf course via a previously granted 60-foot wide easement paralleling the westerly property line. This road would cross the golf course property to serve as primary access to the 90 home sites at the Willow Creek neighborhood. A private secondary access road from the Willow Creek neighborhood through the golf course and out to SR 1 would be provided with gated egress. Exiting through the gate would be unrestricted and automatic. The Hidden Canyon neighborhood would include two new

**Figure 2-3 Development Plan for Hidden Canyon Neighborhood**

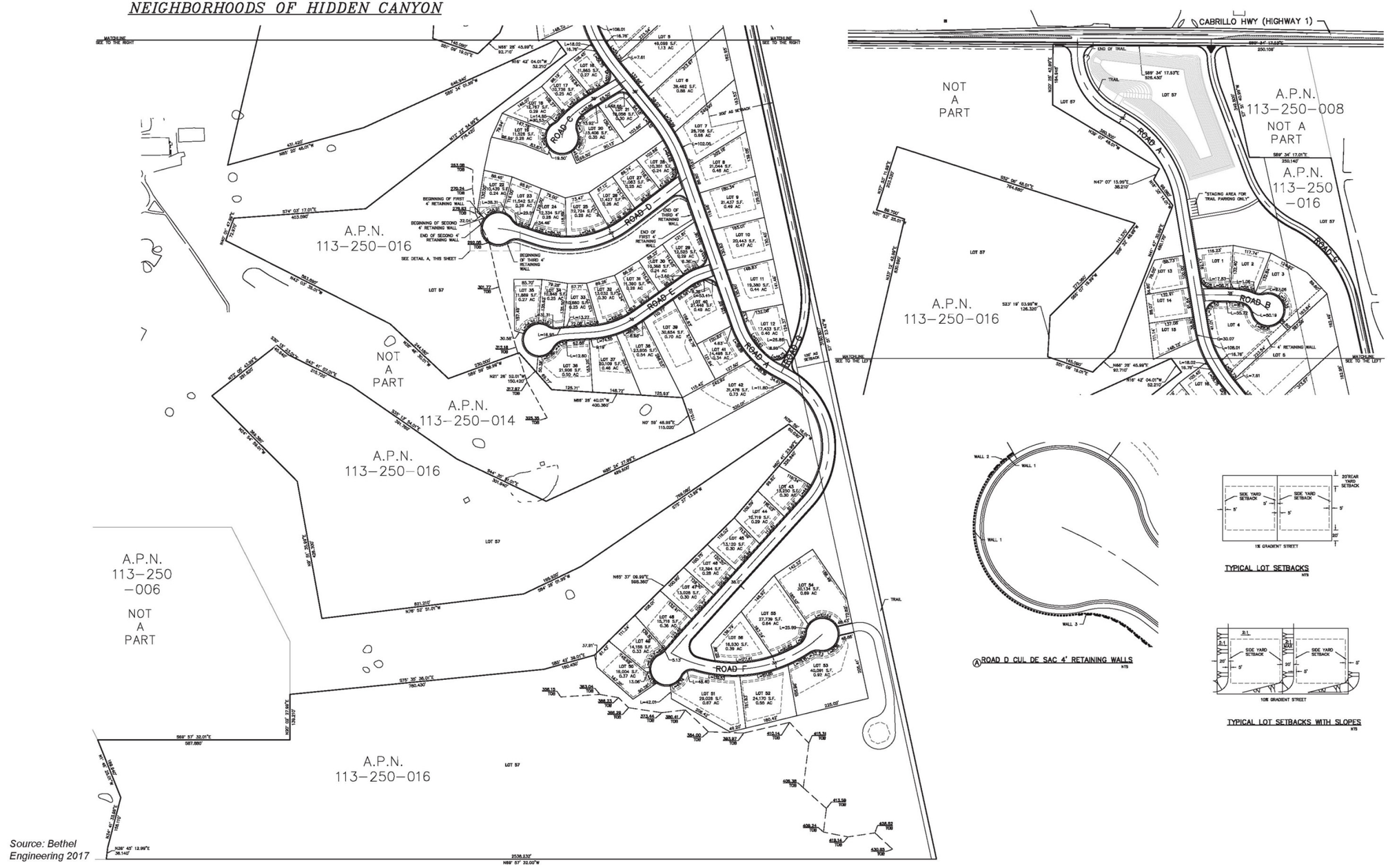
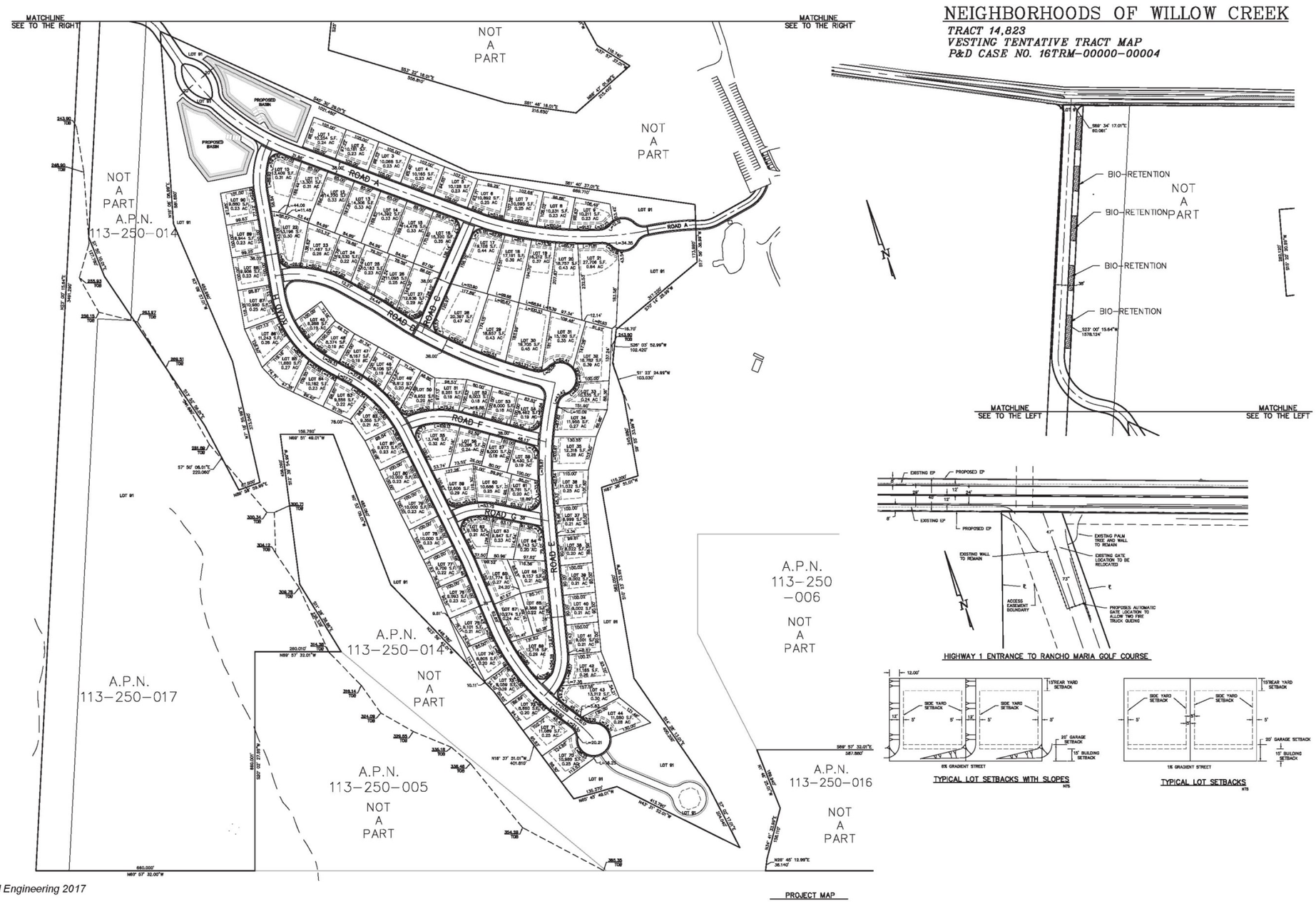


**Figure 2-4 Development Plan for Willow Creek Neighborhood**




*Source: Bethel Engineering 2017*

private roads constructed approximately 1,100 and 1,900 feet east of the existing golf course entry. These roads would provide primary and secondary access to the 56 home sites in the Hidden Canyon neighborhood.

Proposed frontage improvements include widening SR 1 at the two full-access intersections to provide 12-foot travel lanes, a 12-foot westbound left-turn lane, and 8-foot shoulders. Because SR 1 is a State facility, intersection design, including left-turn channelization and deceleration, would conform to the design criteria contained in Topic 405 – Intersection Design Standards of the California Department of Transportation (Caltrans) Highway Design Manual.

The primary private access roads would be 38 feet wide, with parking allowed on both sides of the roadway. The secondary private roads would be 24 feet wide, with no parking allowed. Frontage improvements to SR 1 would include two paved 12-foot travel lanes, deceleration/turn lanes located at the new entrances to the Willow Creek and Hidden Canyon neighborhoods, and two paved eight-foot shoulders that would also serve as Class 3 bike lanes.

- **Emergency Access.** The County Fire Department has identified acceptable road locations and widths to provide for full, private, secondary access that includes a driveway and a roadway at the eastern edge of the Hidden Canyon neighborhood providing a right turn egress onto SR 1. A raised median island and right-turn-only signage would be installed at the driveway to discourage left turns onto SR 1, but would allow access for emergency personnel. The secondary egress for the Willow Creek neighborhood would be through the existing emergency vehicular access (EVA) easement through the golf course parking lot and through the existing golf course entrance.
- **Parking Standards.** Single family residences would have a minimum of two off-street parking spaces. The trailhead area would provide for a total of six parking spaces.
- **Sustainable Design Features.** The proposed Specific Plan would incorporate the following sustainable design features: 1) providing homes with rooftop ~~wiring for future access to~~ solar ~~power~~ collectors for electrical energy use; 2) energy efficiency improvements (achieving the California Energy Commission Title 24 Building Energy Efficiency Standards); 3) water conservation improvements to reduce indoor and outdoor water use by 20 percent; and, 4) architectural and site design features to increase building efficiency and encourage pedestrian circulation including pedestrian network improvements and traffic calming measures.
- **Grading and Drainage.** Grading amounts for the proposed neighborhoods, including roadways and building pads for the proposed residences, are shown in Table 2-2. The grading was designed to result in a balance of cut and fill between the two neighborhoods. No fill material would be imported to or exported from Key Site 21, and no fill material would be placed in the undeveloped natural open space areas.

**Table 2-2 Grading Details**

| Hidden Canyon TM 14,822 (East Side) | Willow Creek TM 14,823 (West Side) |
|---|---|
| Cut: 335,516 cubic yards[1] | Cut: 197,110 cubic yards[1] |
| Fill: 251,149 cubic yards | Fill: 224,141 cubic yards |
| Net Cut: 84,367 cubic yards[1] | Net Fill: 27,031 cubic yards[1] |

[1] Anticipated shrinkage from cut soil is approximately 10%, resulting in an imbalance of approximately 4,000 cubic yards between both tracts. This soil imbalance would be distributed over the disturbed portions of the project site.

The Specific Plan would be subject to a Storm Water Pollution Prevention Plan (SWPPP), which requires implementation of erosion control measures and minimizes water quality degradation through stormwater monitoring. In both proposed neighborhoods, slopes would be contoured to the extent possible to provide smooth transitions between the graded areas and the adjacent natural land contours. Retaining walls outside of the building footprints would not exceed four feet in height as a result of the neighborhood configurations.

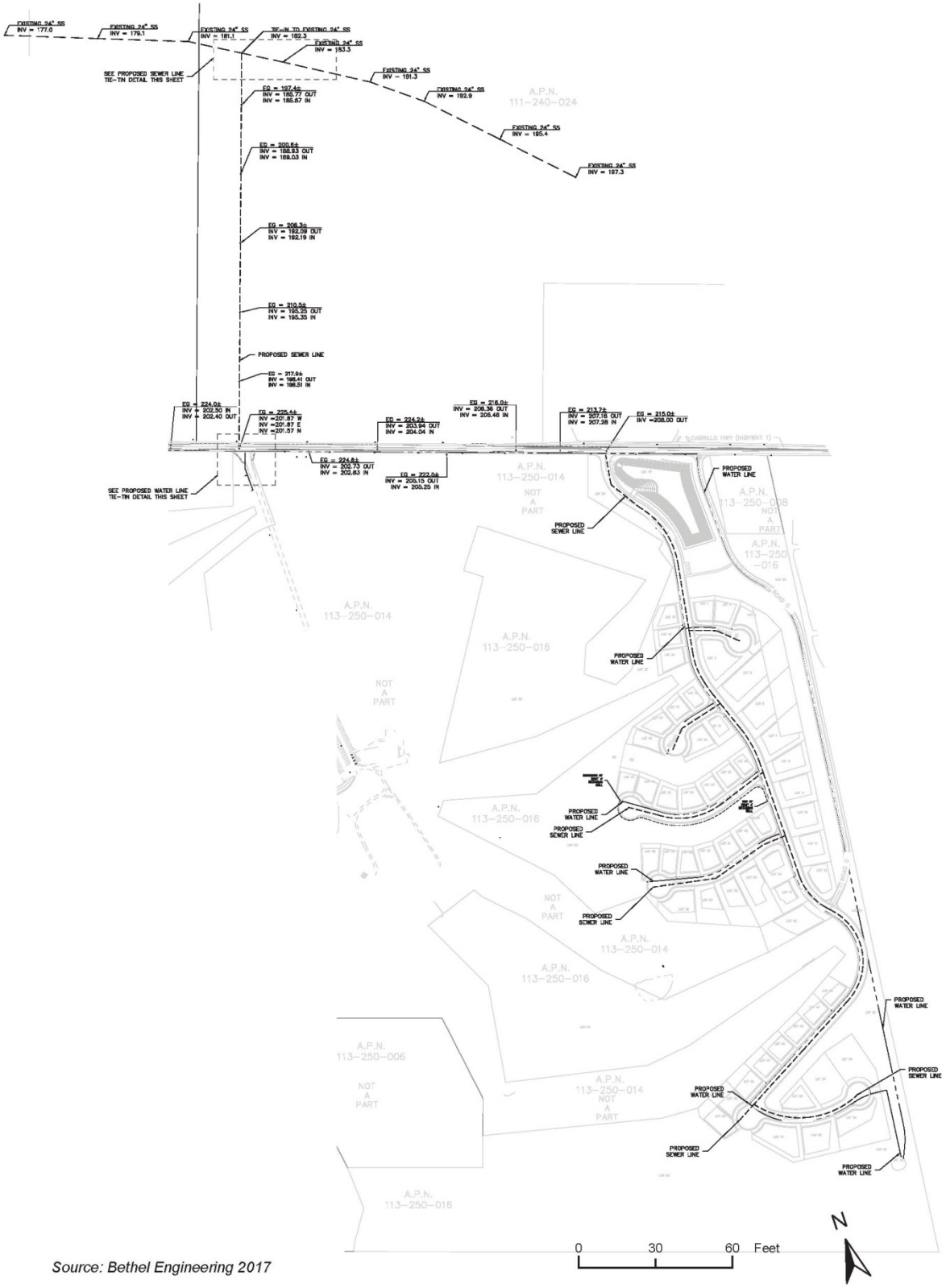
Runoff from the proposed lots and roadways would be directed to bio-retention facilities where feasible, with overflow captured in de-silting/retention basins. Drainage from the Willow Creek neighborhood would be directed to two on-site retardation basins and five bio-retention basins totaling 1.6 acres, designed to contain a 100-year storm event, while utilizing Low Impact Design (LID) features including diversion of drainage to landscaped areas to promote infiltration. Drainage from the Hidden Canyon neighborhood would be directed to one on-site detention basin totaling 1.9 acres. This basin would be designed to contain a 100-year storm event and provide an overland escape to the natural drainage course near the northeast corner of the project site, while utilizing LID features. The proposed developments would include improvements such as roof drains to promote infiltration and low flow swales and a detention basin to promote infiltration of the runoff from the 1.2-inch storm event. Excess runoff would follow the historical drainage course that runs south-to-north along the center of the project site, between the two neighborhoods.

- **Open Space Areas.** The Specific Plan includes 96.7 acres of private, undisturbed open space in the two neighborhoods (12.5 acres of natural open space would be located on APN 113-250-015, which is included in the Specific Plan, but is not a part of either of the proposed VTTMs). These undisturbed open spaces comprise approximately 51 percent of the overall Specific Plan area. The Specific Plan area also includes approximately 29.8 acres of privately managed open space that includes landscape, trailhead, trails, and fuel modification areas.
- **Public Trail.** The Hidden Canyon neighborhood would include a public hiking trail to provide access from the residential development and SR 1 to neighboring foothills as well as the Orcutt regional trail system, as required by the OCP Key Site 21 Design Standard KS 21-5.
- **Affordable Housing.** The project applicant would pay in-lieu fees for affordable housing to comply with the County's Inclusionary Housing Ordinance.
- **Water and Sewer Services.** Water for the Specific Plan area would be provided through a newly formed mutual water company for the project. The project proposes a community water system that would include two new water wells. In creating the mutual water company, overlying water rights holders would retain legal title to their water rights by a reservation of title clause, or similar legal mechanism. Waterlines would be installed from the water system to each of the neighborhoods. A hydro-pneumatic tank system and a storage tank facility would be installed as a part of the water system.

  Sewer service for Specific Plan area would be provided by the Laguna County Sanitation District. The proposed onsite collection system would be comprised of a network of gravity sewer lines located in the private roads serving the individual units that will meet at SR 1 and tie into a recorded easement for a 24-inch sewer main to the north.

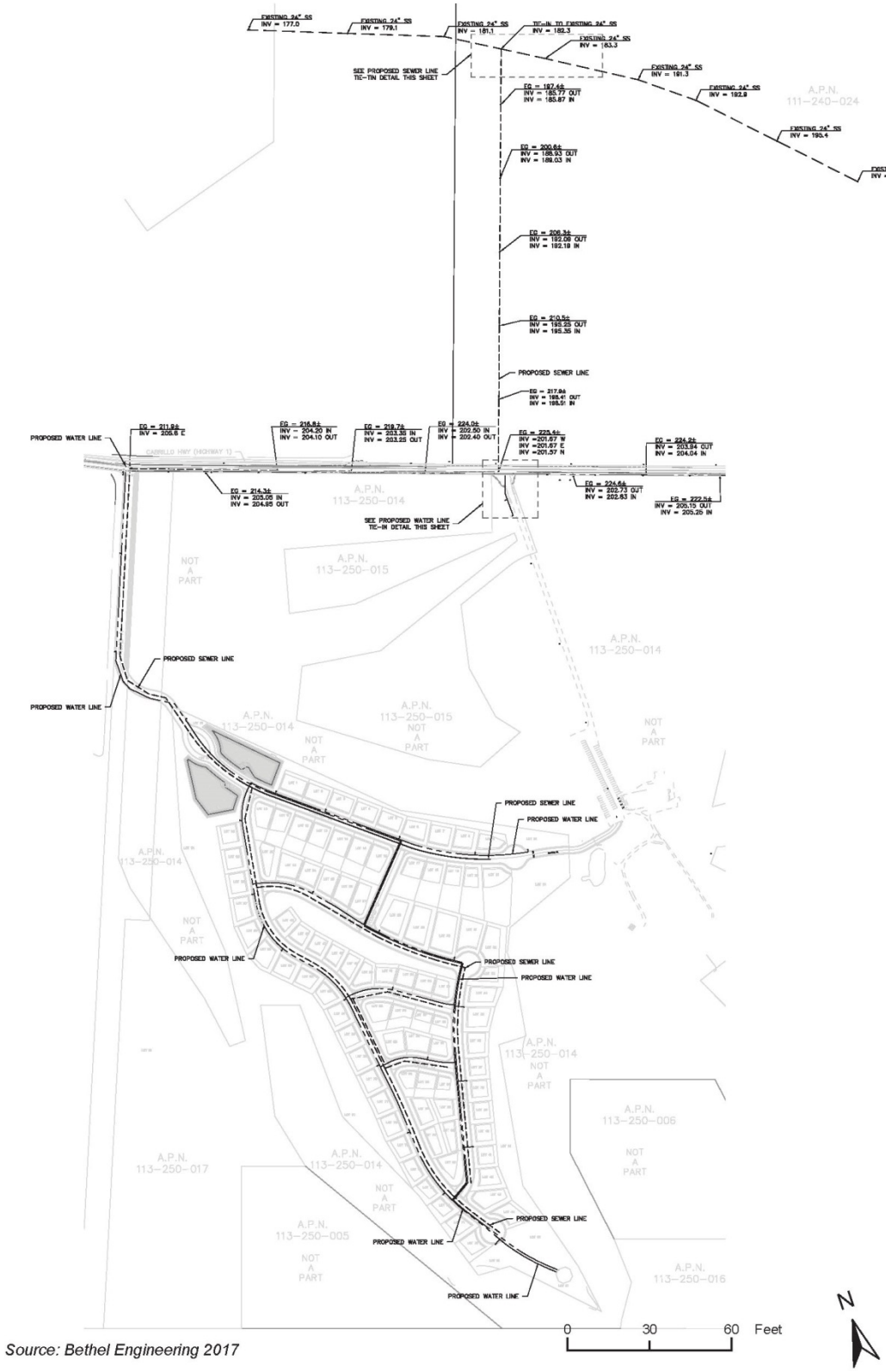
  The proposed water and sewer connections for the two neighborhoods are shown on Figure 2-5 and Figure 2-6.

**Figure 2-5 Water and Sewer Connections for Hidden Canyon Neighborhood**




*Source: Bethel Engineering 2017*

## Figure 2-6 Water and Sewer Connections for Willow Creek Neighborhood




*Source: Bethel Engineering 2017*

- **Agricultural Buffer.** A 200-foot wide agricultural buffer would be provided along the eastern and western edges of the Specific Plan area between the planned residential development and existing cultivated agricultural fields located on adjacent parcels to the east and west. A 100-foot buffer would be provided along the eastern, western, and southern edges of the Specific Plan area between the planned residential development and existing grazing lands. No buildings or structures would be permitted in the agricultural buffer areas. Only access roadways, private backyards, public trails, and open space areas would be located in the agricultural buffer areas.

### 2.5.4 Minor Conditional Use Permit – Community Water System

The project would require a Minor Conditional Use Permit (Case No. 17CUP-00000-00030) for the development of a new community water system to serve the Hidden Canyon and Willow Creek neighborhoods. The water system would include two new water wells, a hydro-pneumatic tank system and a storage tank. Waterlines would be installed from the water system to each of the neighborhoods.

### 2.5.5 Minor Conditional Use Permit – Entrance Monument Signs

The project would require a Minor Conditional Use Permit (Case No. 16CUP-00000-00033) for two entrance monument signs (one for the Willow Creek neighborhood and one for the Hidden Canyon neighborhood), each with a maximum size of 20 sf.

### 2.5.6 Road Naming Application

The project proposes a road naming application (Case No. 17RDN-00000-00002) to name the proposed private roads in the proposed Willow Creek and Hidden Canyon neighborhoods in compliance with Chapter 35.76 of the County Land Use and Development Code.

### 2.5.7 Comprehensive Plan Amendment

The project includes a Comprehensive Plan Amendment (Case No. 17GPA-00000-00005) to relocate the proposed trail staging area from the location shown in OCP Figure KS 21-1 (adjacent to SR 1) to the project site. The project also includes a text amendment to OCP Key Site 21 Development Standard DevStd KS21-1 as follows:

- DevStd KS21-1: No applications for development shall be ~~accepted~~ approved prior to approval of a Specific Plan for the entire site.

## 2.6 Project Objectives

The primary objectives for the Key Site 21 project are as follows:

- To develop the site consistent with the Orcutt Community Plan designation as one of the major residential Key Sites identified for future development.
- To develop the site in a manner that is responsive to and consistent with the County Housing element, current environmental requirements, and the physical characteristics of the site.
- To provide single family homes to meet the needs of the Orcutt Community, the County of Santa Barbara, and the State of California by constructing up to 146 homes to help meet the demand to construct 350,000 homes annually for the next seven years to address the current State-wide housing shortage of two million units.

- Payment of in-lieu fees to meet Santa Barbara County Affordable Housing requirements to build much-needed affordable units in the Orcutt/Santa Maria housing area.
- To provide development that is compatible with the existing Rancho Maria Golf Club on Key Site 21.
- To provide a public hiking trail with access to the Orcutt regional trail system.
- To preserve approximately 51 percent of the overall Specific Plan area in private and privately managed open space, including landscape, trailhead, trails, fuel modification areas, and undisturbed, natural open space.

## 2.7 Required Approvals

Implementation of the project would require the following discretionary approvals from the County of Santa Barbara:

- Specific Plan
- Two VTTMs subdivide the project parcels
- Two final Development Plans to allow for development of 146 residences and associated improvements
- Two Minor Conditional Use Permits
- Road Naming Application
- Comprehensive Plan Amendment

In addition, the Regional Water Quality Control Board (RWQCB) will be a responsible agency for review of National Pollutant Discharge Elimination System (NPDES) permit requests. The County Flood Control District will be a responsible agency for review of the proposed detention basin system. Caltrans will be a responsible agency for frontage improvements within Caltrans right-of-way along SR 1. The California Department of Fish and Wildlife (CDFW) will be a responsible agency for administering the California Endangered Species Act and would authorize "take" of state listed species by reviewing application for and issuance of an Incidental Take Permit subject to Sections 2081(b) and 2081(c) of the California Fish and Game Code. The United States Fish and Wildlife Service (USFWS) will be a responsible agency for implementing the Federal Endangered Species Act and would authorize incidental "take" of federally listed species through Section 7 or Section 10 of the federal Endangered Species Act.

# 3 Environmental Setting

This section provides a general overview of the environmental setting for the project. More detailed descriptions of the environmental setting for each environmental issue area can be found in Section 4.0, *Environmental Impact Analysis*.

## 3.1 Regional Setting

The project site is located in the Santa Maria Valley, a roughly east-west trending valley in northern Santa Barbara County. The Valley is bound by the Nipomo Mesa and Sierra Madre Mountains on the north and east, by the Solomon Hills and Casmalia Hills on the south, and by the Guadalupe Dunes and Pacific Ocean on the west.

The Santa Maria Valley is a flat coastal plain whose native vegetation consists primarily of coastal dune sage. The edges of the valley are characterized by rolling hills with oak woodlands, native and non-native grasses, and chaparral. Much of the area is rural in nature, characterized by such uses as grazing, crude oil production, open space, and cultivated agriculture, which is the dominant land use due to the valley's fertile alluvial soils and exceptional climate for crop production.

Important water features in the Santa Maria Valley include Twitchell Reservoir, Betteravia Lakes (also known as Guadalupe Lake), the Santa Maria River, and Orcutt/Solomon, Pine, Graciosa, and San Antonio Canyon Creeks. The Santa Maria River is the principal drainage for the Valley. It is formed at the confluence of the Cuyama and Sisquoc Rivers and ultimately drains into the Pacific Ocean near the Santa Barbara County/San Luis Obispo County border.

The Santa Maria Valley's Mediterranean climate is characterized by warm, dry summers and cool, damp winters with occasional rainy periods. Annual rainfall typically ranges from about 13 to 18 inches, with nearly all precipitation occurring between October and April. Light to moderate sea breezes generally predominate during the day, while land breezes from the east dominate during night and early morning hours.

## 3.2 Project Site Setting

The project site is located on Key Site 21 in the Orcutt Community Plan (OCP) area in the community of Orcutt in northern Santa Barbara County. Key Site 21 is located on the south side of State Route (SR) 1 between Solomon Road and Black Road, approximately ½ mile west of the SR 1/Solomon Road intersection. Key Site 21 includes a total of seven parcels, consisting of approximately 340.7 acres. The Rancho Maria Golf Club, a public 18-hole golf course, is located on the central parcel of Key Site 21, occupying 130 acres of the site. The project site is comprised of three undeveloped parcels (APNs 113-250-015, -016, -017), totaling approximately 190 acres and situated on the eastern and western portions of Key Site 21 at the outer edges of the golf course and between the fairways. Rural agricultural lands surround Key Site 21, including the project site, to the east, west, and south.

The project site is located at the base of the northern edge of the east-west trending Casmalia Hills. The topography consists of gentle slopes from 220 feet in elevation at the northwest corner of the

property to 420 feet in elevation along the southern perimeter. Three unnamed drainages, which are tributaries to Orcutt Creek located to the north, flow in a northwesterly direction through the site. Various other small ravines and gullies bisect portions of the site, eventually draining toward Orcutt Creek.

A variety of native and non-native communities are found within and in the immediate area surrounding the project site, including arroyo willow thickets, coast live oak woodland, California sagebrush scrub, coyote brush scrub, purple needlegrass grassland, perennial rye grass grassland, cattail marshes, California annual grassland and eucalyptus groves. California annual grasslands cover the majority of the project site. Along with natural vegetation, seasonal ponds and drainages provide habitat for wildlife and plant species, such as the California tiger salamander (*Ambystoma californiense*), on the site.

## 3.3 Cumulative Development

A project's cumulative impacts are the possible environmental effects that may be cumulatively considerable when considered with other reasonably foreseeable projects (*CEQA Guidelines* Section 15065[a][3]). Cumulatively considerable impacts occur when the incremental effects of a particular project or program are significant when viewed in connection with the effects of other past, current, or probable future projects or programs that are not incorporated into baseline or existing conditions.

As defined in Section 15355 of the *CEQA Guidelines*, a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. According to Section 15130 of the *CEQA Guidelines*, the discussion of cumulative impacts must reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by standards of practicality and reasonableness and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects that do not contribute to the cumulative impact. Impacts that do not result in part from the project evaluated in an EIR need not be discussed.

The impact subsections of Section 4.0 of this SEIR discuss the potential cumulative environmental impacts resulting from the project in association with other planned, pending, and reasonably foreseeable projects in the vicinity of the project area. Other cumulative development in the northern part of Santa Barbara County includes 1,259 new residential units and 279 commercial residential units that are currently proposed, in process, approved, or under construction, in addition to 650,000 square feet of commercial and institutional development and approximately 50,000 square feet of agricultural and winery development. Various other solar, mining, and oil and gas projects are currently in process. Table 3-1 lists the projects included in the cumulative impact analyses.

## Table 3-1 Northern Santa Barbara County Cumulative Projects List

| Project Name/APNs | Use Type | # of Units, Square Footage, or Misc. |
|---|---|---|
| **Approved** | | |
| Stoker Development Plan<br>097-730-021 | Residential | 14 units |
| Pence Ranch Winery (Tier II)<br>099-220-013 | Wineries | 19,979 sq. ft. |
| Orcutt Union Plaza Phase II Amendment<br>105-121-006 | Commercial | 19 units and 16,880 sf |
| Terrace Villas Tract Map 14,770<br>129-300-001 to -020 | Residential | 16 units |
| Inn At Mattei's Tavern<br>135-064-002<br>135-064-011<br>135-064-020<br>135-064-021<br>135-073-003<br>135-073-005 | Commercial | 37,200 sf |
| The Golden Inn & Village<br>141-380-014 | Institutional (schools, churches, etc.) | 36,991 sf (Assisted living/memory care facility) |
| Larner Tier II Winery<br>137-100-001 | Wineries | 4,702 sf |
| Addamo Winery/Diamante [TM 14,616]<br>129-151-042 | Residential | 5 units |
| Santa Rosa Road Tier II Winery<br>083-170-015 | Wineries | 17,300 sf |
| Spear Winery Tier II | Wineries | 19,775 sf |
| Pence Ranch Winery Development Plan Amendment<br>099-220-013 | Wineries | |
| Sagebrush Junction<br>101-260-006<br>101-260-007 | Commercial | 5,600 sf and 8 units |
| Skytt Family Lot Split (TPM 14,745)<br>099-190-039<br>099-190-040 | Parcel Map | 4 units |
| **Under Construction** | | |
| North County Jail General Plan Amendment<br>113-210-004<br>113-210-013 | Institutional (schools, churches, etc.) | 250,465 sf |
| Clark Avenue Commercial<br>103-750-038 | Commercial | 12,875 sf |
| Clubhouse Estates Tract Map (TM 14,629)<br>097-371-008 | Residential | 52 units |

| Project Name/APNs | Use Type | # of Units, Square Footage, or Misc. |
|---|---|---|
| Rice Ranch Development Plan<br>101-010-013<br>101-020-004<br>105-140-016 | Residential | 725 units |
| Key Site 30 MR-O Apartments and Fine Grading<br>107-250-008 | Residential | 214 units |
| Nojoqui Ranch Tier II Winery<br>081-020-024 | Commercial | 12,500 sf |
| Key Site 30 Development Plan<br>107-250-008 | Residential | 69 units |
| **In Process** | | |
| Sepulveda Building Materials Mining Rev to 90-Rp-001<br>083-060-009<br>083-060-015<br>083-070-010<br>083-070-018 | Mines | 2,000 tons/year |
| PCEC Solar Photovoltaic System Grading<br>101-020-074 | Alternative Energy | 20 acres of solar development |
| ERG Oil & Gas Pipeline Development Plan<br>129-080-006<br>129-080-007<br>129-090-016<br>129-090-021<br>129-090-032<br>129-090-033<br>129-090-037<br>129-090-038<br>129-100-014<br>129-100-015<br>129-100-025<br>129-100-034<br>129-100-035<br>129-100-036<br>129-180-007<br>129-180-008<br>129-180-013<br>129-180-015 | Oil and Gas | 2.9-mile oil pipeline |
| Key Site 3 Development Plan and Tract Map<br>129-151-026 | Residential | 125 units |
| Oasis General Plan Amendment<br>105-020-063<br>105-020-064 | Commercial | 15,333 sf |

| Project Name/APNs | Use Type | # of Units, Square Footage, or Misc. |
|---|---|---|
| Orcutt Gateway Retail Center (Key Site 2)<br>129-280-001 | Commercial | 49,921 sf |
| Key Site 3 New Multi-Family Residential Project | Residential | 160 units |
| Granite Gardner Ranch Mining Revisions Project<br>137-270-015<br>137-270-032 | Mines | 250,000 tons/year |
| Bridlewood Development Plan Revision<br>135-051-019 | Wineries | 7,662 sf comm. and 1,595 sf ag. dev. |
| Orcutt Public Marketplace<br>129-120-024 | Commercial | 252 units and 211,264 sf |

Source: County of Santa Barbara 2018

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# 4 Environmental Impact Analysis

This section discusses the possible environmental effects of the project for the specific issue areas that were identified through the Notice of Preparation (NOP)/Scoping process as having the potential to result in significant effects.

"Significant effect" is defined by the *CEQA Guidelines* Section 15382 as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment but may be considered in determining whether the physical change is significant."

The assessment of each issue area begins with a discussion of the environmental setting related to the issue, which is followed by the impact analysis. Within the impact analysis, the first subsection identifies the methodologies used and the "significance thresholds," which are those criteria adopted by the County, other agencies, universally recognized, or developed specifically for this analysis to determine whether potential effects are significant. The next subsection describes each impact of the project, mitigation measures for significant impacts, and the level of significance after mitigation. Each effect under consideration for an issue area is separately listed in bold text, with the discussion of the effect and its significance following. Each bolded impact listing also contains a statement of the significance determination for the environmental impact as follows:

- **Class I. Significant and Unavoidable:** An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved per Section 15093 of the *CEQA Guidelines*.
- **Class II. Significant but Mitigable:** An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings to be made under Section 15091 of the *CEQA Guidelines*.
- **Class III. Not Significant:** An impact that may be adverse but does not exceed the threshold levels and does not require mitigation measures.
- **Class IV. Beneficial:** An effect that would reduce existing environmental problems or hazards.

Following each environmental impact discussion is a listing of mitigation measures (if required) and the residual effects or level of significance remaining after the implementation of the measures. If the mitigation measure for an impact could have a significant environmental impact in another issue area, this impact is discussed and evaluated as a secondary impact. The impact analysis concludes with a discussion of cumulative effects, which evaluates the impacts associated with the project in conjunction with other future development in the area.

Section 15065 of the *CEQA Guidelines* also requires the following specific issues be addressed as part of the environmental review for the project:

- The potential for the project to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community,

substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory;

- Project impacts that are individually limited, but cumulatively considerable. ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects); and
- Environmental effects of the project which will cause substantial adverse effects on human beings, either directly or indirectly.

Section 4.4, *Biological Resources*, describes the project's potential effects of the project on plant and animal species populations, habitats, communities, and migratory patterns. Section 4.5, *Cultural and Tribal Cultural Resources*, describes the project's potential effects on important historical and prehistorical cultural and tribal cultural resources on the project site. Potential adverse environmental effects to human beings are discussed in Section 4.3, *Air Quality*, Section 4.7, *Fire Protection*, Section 4.8, *Geologic Processes*, Section 4.10, *Land Use*, Section 4.11, *Noise*, and Section 4.14, *Water Resources and Flooding*. Furthermore, as discussed above, each environmental analysis section of the EIR concludes with a discussion of the project's contribution to cumulative effects.

Also refer to the Executive Summary of this EIR, which summarizes all impacts and mitigation measures that apply to the project.

# 4.1 Aesthetics/Visual Resources

## 4.1.1 Setting

### a. Project Site Setting

The proposed project site is located in the Santa Maria Valley at the base of the northern flanks of the east-west trending Casmalia Hills. The Santa Maria Valley is primarily a flat coastal plain bordered by the Nipomo Mesa and Sierra Madre Mountains on the north and east, by the Solomon Hills and Casmalia Hills on the south, and by the Guadalupe Dunes and Pacific Ocean on the west. Outside of the Santa Maria/Orcutt urban areas, typical views throughout the valley consist of long-range vistas of the surrounding mountains and foothills, open grazing lands and agricultural fields. The visual character of the region surrounding the Santa Maria and Orcutt urban areas is primarily rural in nature, characterized by such uses as grazing, open space, crude oil production, and cultivated agriculture, which is the dominant land use due to the valley's fertile alluvial soils and exceptional climate for crop production. The Solomon Hills southeast of Key Site 21 and the Orcutt Creek corridor, which runs through the Key Site 21, are heavily vegetated with a variety of trees and shrubs.

The City of Santa Maria and the community of Orcutt are more urban in nature. The character of urban development varies with denser, more urban areas in Old Town Orcutt and the downtown area of Santa Maria, surrounded by lower-density suburban development. Overall, the Santa Maria Valley is characterized as a low-density urban center, with supporting suburban residential development in unincorporated Orcutt.

U.S. Highway 101 (US-101) and State Route 1 (SR 1) provide the primary travel corridors in the Santa Maria Valley and Santa Maria/Orcutt area. Throughout Santa Barbara County, US-101 is eligible for designation as a scenic highway (Caltrans 2018). SR 1 has been designated as a scenic highway between US-101 at Las Cruces and SR 246 near Lompoc, but is not eligible for designation elsewhere in the County.

### b. Scenic Views and Visual Character of the Project Site

The project site is located on Key Site 21 in the Orcutt Community Plan (OCP, County of Santa Barbara 2004) area in the community of Orcutt in northern Santa Barbara County. Key Site 21 is located on the south side of SR 1 between Solomon Road and Black Road, approximately 0.5 mile west of the SR 1/Solomon Road intersection. Key Site 21 is surrounded by Agricultural lands north of SR 1 and to the northwest and east. Key Site 22, north of the project site, is zoned for residential uses but is currently utilized for cultivated agriculture. Key Site 21 is bound to the south and southwest by open space and the Casmalia Hills, respectively. Key Site 21 includes a total of seven parcels, consisting of approximately 340.7 acres. The Rancho Maria Golf Club (RMGC), a 130-acre public 18-hole golf course, is located on the central parcel of Key Site 21. The project site consists of three undeveloped parcels totaling approximately 190 acres on the eastern and western portions of Key Site 21 at the outer edges of the golf course and between the fairways (refer to Figure 2-2 in Section 2, *Project Description*). The public golf course provides views of the Casmalia Hills immediately south of the site and is surrounded by undeveloped open space that provides scenic views. Refer to the existing site photos included in the visual simulations provided in Figure 4.1-1 through Figure 4.1-4, below. While the County does not specifically identify the Casmalia Hills as a scenic or visual resource, the Scenic Value maps in the County's Comprehensive Plan Open Space

Element illustrate the area immediately surrounding Key Site 21 as having moderate scenic value (Santa Barbara County 2009). In addition, the County's Comprehensive Plan Open Space Element identifies parks and recreational areas as significant visual resources with aesthetic value. As such, the RMGC public golf course is considered a visual resource and is visible from the SR 1 corridor.

Key Site 21 serves as a visual gateway to west Orcutt for eastbound travelers on SR 1. Views to the southeast across the site include expanses of rolling grasslands, agriculture, eucalyptus windrows along the central drainage, and the RMGC public golf course. The site currently has no street lighting, lighted nighttime activity, or structures that produce glare. Receptors in the immediate vicinity that may be sensitive to visual changes, increased levels of night lighting, or new sources of daytime glare, include existing single-family residences located north of SR 1 immediately across the roadway from Key Site 21, and travelers along SR 1.

## c. Regulatory Setting

Santa Barbara County regulates the design of the built environment through its Comprehensive Plan and Land Use and Development Code (LUDC, County of Santa Barbara 2019). New development is required to be consistent with the Comprehensive Plan visual resource policies and development standards, as well as the applicable policies of the OCP. The Land Use and Open Space elements include policies pertaining to design of development and preservation of scenic resources. Pertinent policies from the Land Use Element that would be applied to this project include the following:

- Visual Resource Policy 1, which requires all commercial, industrial, and planned developments to submit a landscaping plan to the County for approval;
- Visual Resource Policy 2, which requires signage to be of a size, location and appearance so as to not detract from scenic areas or views from public roads and other viewing points;
- Visual Resource Policy 3, which requires utilities to be placed underground in new developments in accordance with the rules and regulations of the California Public Utilities Commission, except where cost of undergrounding would be so high as to deny service;
- Visual Resource Policy 4, which requires plans for development to minimize cut and fill operations; and
- Visual Resource Policy 5, which requires all development be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to a minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible.

The LUDC contains height and size limits, including guidelines ~~for hillside development~~ that regulate the design of future development, in some cases, through review of project plans by the regional (North County) Board of Architectural Review (NBAR). The NBAR has review authority over the northern portion of Santa Barbara County, including the project site, and the project will be subject to review by the NBAR. The purpose of the NBAR is to encourage "development which exemplifies the best professional design practices so as to enhance the visual quality of the environment, benefit surrounding property values, and prevent poor quality of design" (County of Santa Barbara 2018c). The NBAR reviews project plans and NBAR applications and evaluates the project design to ensure that impacts on visual resources are minimized. These evaluations include reviewing the structure's shape, scale, layout, location, and orientation; mechanical and electrical equipment integration; material, color, and composition; harmony with existing and proposed adjoining properties; and landscaping, signage, and lighting.

In addition, the OCP includes visual resources protection policies and development standards. Applicable OCP policies and development standards are listed below. Consistency with these and other OCP policies are addressed in Section 4.10, *Land Use*.

- Policy VIS-O-1, which requires the protection of significant scenic and visual natural resources in Orcutt to preserve the semi-rural character of the Orcutt Planning Area;
- DevStd VIS-O-1.1, which requires all development, including buildings, understories, fences, water tanks, and retaining walls, adjacent to natural open space areas be sited and designed to protect the visual character of these areas;
- Policy VIS-O-2, which requires the protection of prominent public view corridors and public viewsheds;
- DevStd VIS-O-2.1, which requires development to be sited and designed to minimize the disruption of important public view corridors and viewsheds through building orientation, minimization of grading on slopes, landscaping, and minimization of sound walls;
- Policy VIS-O-3, which requires parcels along primary entryways into Orcutt be developed in a manner that preserves the semi-rural character and provides an inviting and visually pleasing entrance to the community;
- DevStd VIS-O-3.1, which requires development be sited and designed with adequate street frontage building setbacks to allow an average 35-foot landscaped buffer containing sufficient plantings of major trees and shrubs to obscure parking areas from public view;
- DevStd VIS-O-3.3, which requires sound wall construction to be minimized through the alternative use of landscaped berms for noise reduction;
- DevStd VIS-O-3.4, which requires trash enclosures be located outside of public view to the maximum extent feasible;
- DevStd VIS-O-3.6, which requires developers of gateway parcels fund and construct median strips along designated gateway roads that include landscaping with low maintenance trees, shrubs, and groundcover designed to minimize the obstruction of views by motorists, bicyclists, and pedestrians;
- DevStd VIS-O-3.7, which requires development on gateway parcels be subject to review of the Santa Barbara County BAR and/or the Orcutt BAR;
- Policy VIS-O-4, which requires public and private stormwater systems be designed and maintained to be visually attractive;
- DevStd VIS-O-4.1, which requires basins be engineered so that perimeter fencing is minimized;
- Policy VIS-O-6, which requires outdoor lighting in Orcutt be designed and placed to minimize impacts on neighboring properties and the community in general;
- DevStd VIS-O-6.1, which requires low pressure sodium lighting or other alternative methods use for street lighting, parking lot lighting, and security lighting be investigated by the Public Works Department to reduce off-site impacts from night lighting;
- DevStd VIS-O-6.3, which requires night lighting fixtures adjacent to residential areas be of the minimum height and intensity required for security and safety purposes;
- DevStd KS21-4, which requires that open space areas designated in Figure KS21-1 of the Orcutt Community Plan (OCP) remain undeveloped open space, and that no development except trails or roadways to parcel 113-250-17 be permitted within the open space and no structures be permitted within 50 feet of the top of the creek bank;

- DevStd KS21-5, which requires that the developer dedicate an easement for and construct a public staging area and hiking trail along the east side of the site boundary;
- DevStd KS21-6, which requires development along SR 1 include installation and maintenance of an average 50-foot wide landscaped buffer along the highway with trees that would exceed 50 feet in height at maturity planted in clusters a maximum of every 100 feet. This development standard additionally requires that the buffer be landscaped with a sufficient density of trees and shrubs to screen views of all parking areas and to break up and screen views of development of SR 1;
- DevStd KS21-8, which requires all development be sited to preserve the natural landforms of the site and minimize grading; and
- DevStd KS21-11, which requires development to minimize visual impacts to SR 1 and the surrounding rural area using low-profile design, earth tone colors, and vegetated setbacks.

### 4.1.2 Previous Environmental Review

The OCP EIR examined potential impacts to visual and aesthetic resources that would result from development under the OCP. The OCP EIR determined that buildout of the OCP would result in significant and unavoidable (Class I) impacts to visual resources associated with conversion of open space and rural landscape to low density housing at full buildout of the OCP including Key Site 21. The OCP EIR also identified a Class I impact to visual resources associated with impacting the scenic view corridor on the southern side of SR 1 between Black Road and Solomon Road by interrupting the views of the rolling hills with low density housing.

The OCP EIR identified seven potentially significant visual impacts that pertain to development in the Orcutt Planning Area in general, including: transformation from semi-rural to urban land uses (VIS-1), increased night lighting (VIS-2), degradation of views along gateway roads to communities (VIS-5), removal of scenic natural resources (VIS-7), elimination of existing open space (VIS-14), expansion of urban activities into existing rural open space (VIS-17), and degradation of views to designated scenic corridors (VIS-18). The OCP EIR determined that implementation of feasible mitigation measures would reduce impacts associated with project siting and design to a less than significant level (Class II).

The mitigation measures included in the OCP EIR to reduce visual impacts associated with project design include adoption of an Open Space Overlay by the County (VIS-1a), adoption of an Open Space Plan by the County (VIS-1b), formation of a Landscape-Open Space Maintenance District by the County (VIS-1c), designing of lighting fixtures to direct light overflow away from open space areas (VIS-2), designing of public and private retention basins to permit additional uses including active and passive recreation in more developed areas and wildlife habitat in more rural and biologically sensitive areas (VIS-3), inclusion of measures to protect and enhance public views in the County's Land Use designations (VIS-5), and establishment of building design standards for development adjacent to open space (VIS-7). The OCP EIR also includes two mitigation measures intended to mitigate potentially significant impacts specifically at Key Site 21. These measures include KS21-VIS-1, which requires the Open Space Overlay to be applied to the area extending along the central drainage corridor and the drainage corridor crossing the southwest corner of the site, and KS21-VIS-2, which requires development of the site to include vegetated buffers of a minimum of 50 feet in width along SR 1 that include trees exceeding 50 feet in height at maturity in clusters at a maximum of every 100 feet.

## 4.1.3 Impact Analysis

### a. Methodology and Significance Thresholds

### Methodology

Assessing the visual impacts of a project involves two steps. First, the visual resources of the project site must be evaluated. Important factors in this evaluation include the physical attributes of the site, its visibility, and its uniqueness. The visibility of an area refers the public's ability to access views of and through that area. The Santa Barbara County Environmental Thresholds and Guidelines Manual (County of Santa Barbara 2018b) identifies four types of areas as especially important in terms of visibility: coastal areas, mountainous areas, the urban fringe, and travel corridors. Next, the potential impact of the project on visual resources located on-site and on views in the project vicinity which may be partially or fully obstructed by the project must be determined. Determining compliance with local and State policies regarding visual resources is also an important part of visual impact assessment. All views discussed herein refer to public views, not private views.

The County's Comprehensive Plan Open Space Element (Santa Barbara County 2009) identifies the following potentially significant visual resources:

- Scenic highway corridors;
- Parks and recreational areas;
- Views of coastal bluffs, streams, lakes, estuaries, rivers, watersheds, mountains, and cultural resource sites; and
- Scenic areas.

### Significance Thresholds

Appendix G of the CEQA guidelines considers a project to have a significant visual impact if the project would:

1. Have a substantial adverse effect on a scenic vista;
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
3. Substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
4. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

The following questions from the Santa Barbara County Environmental Thresholds and Guidelines Manual are intended to provide information to address the Appendix G criteria in the CEQA Guidelines. Affirmative answers to the following questions indicate potentially significant impacts to visual resources (Santa Barbara County 2009).

1a. Does the project site have significant visual resources by virtue of surface waters, vegetation, elevation, slope, or other natural or man-made features which are publicly visible?

1b. If so, does the proposed project have the potential to degrade or significantly interfere with the public's enjoyment of the site' existing visual resources?

2a. Does the project have the potential to impact visual resources of the Coastal Zone or other visually important area (i.e., mountainous area, public park, urban fringe, or scenic travel corridor)?

2b. If so, does the project have the potential to conflict with the policies set forth in the Coastal Land Use Plan, the Comprehensive Plan, or any applicable community plan to protect the identified views?

3. Does the project have the potential to create a significantly adverse aesthetic impact through obstruction of public views, incompatibility with surrounding uses, structures, or intensity of development, removal of significant amounts of vegetation, loss of important open space, substantial alteration of natural character, lack of adequate landscaping, or extensive grading visible from public areas?

## b. Project Impacts

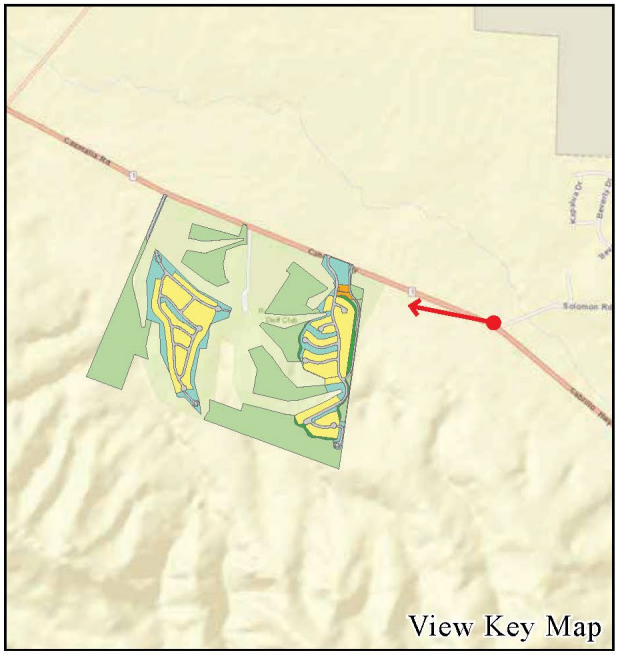
| | |
|---|---|
| **Threshold:** | Would the project have a substantial adverse effect on a scenic vista? |
| **Threshold:** | Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? |

### Impact AES-1 THE PROJECT WOULD ALTER VIEWS FROM THE RANCHO MARIA GOLF CLUB PUBLIC GOLF COURSE AND STATE ROUTE 1 BUT WOULD NOT SUBSTANTIALLY IMPACT NEARBY SCENIC VISTAS OR DAMAGE SCENIC RESOURCES. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT (CLASS III).

The project would alter views of the Casmalia Hills and the surrounding scenic vistas from the RMGC public golf course and SR 1 by developing residential units in existing viewsheds that are currently dominated by open space. The Casmalia Hills, which are the dominant visual feature in the project site vicinity, present a gradual climb in elevation leading away to the south from Key Site 21. Views of the hills from SR 1 and the public golf course are occasionally limited by the scattered layout of trees varying in height and species.

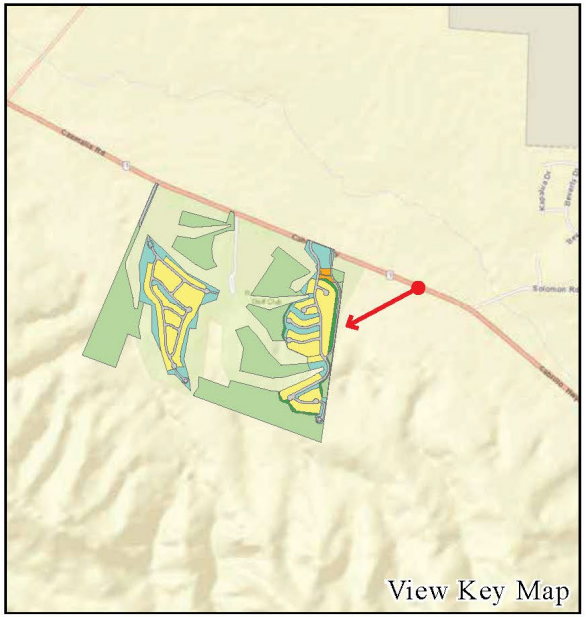
The nearest single family residences to SR 1 would be approximately 650 feet (in the Hidden Canyon Neighborhood) to 1,200 feet (in the Willow Creek Neighborhood) from SR 1. The nearest structures to the public golf course would be adjacent to the existing fairways. The project would result in approximately 80 feet of roadway and easement development where the Willow Creek neighborhood connects with SR 1 and approximately 500 feet of roadway, easement, trail, and retention basin development where the Hidden Canyon neighborhood connects with SR 1. The Specific Plan area would include approximately 97 acres of undisturbed open space and approximately 30 acres of managed open space with landscaped areas, trailhead, trails, and fuel modification areas. The project also includes a 200-foot-wide agricultural buffer along the eastern and western edges of the project site where residential development would border existing cultivated agricultural fields and a 100-foot-wide buffer along the eastern, western, and southern edges of the Specific Plan area where residential development would border existing grazing land. Figure 4.1-1 through Figure 4.1-4 show public views of Key Site 21 as seen from SR 1, including simulated views of the project site with the proposed development with and without planned landscaping. The location of each public view was identified by Planning and Development staff during a site visit. Figure 4.1-5 through Figure 4.1-8 show views of Key Site 21 as seen from the RMGC public golf course, including simulated views of the project site with the proposed development with and without planned landscaping.

**Figure 4.1-1 View 1 Toward the Proposed Hidden Canyon Neighborhood from SR 1 Looking Southeast**

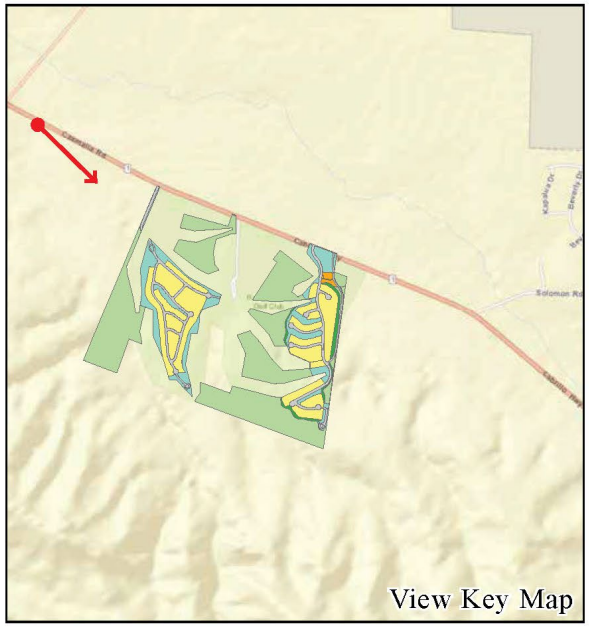

*Source: Created by Videoscapes for the Neighborhoods Specific Plan Environmental Documentation Report, 2018.*

**Figure 4.1-2 View 2 Toward the Proposed Hidden Canyon Neighborhood from SR 1 Looking Southeast**

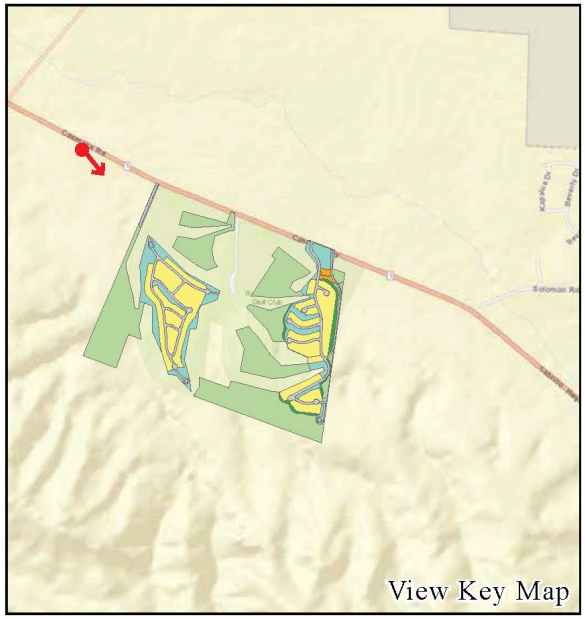

*Source: Created by Videoscapes for the Neighborhoods Specific Plan Environmental Documentation Report, 2018.*

**Figure 4.1-3 View 1 Toward the Proposed Willow Creeks Neighborhood from SR 1 Looking Southwest**

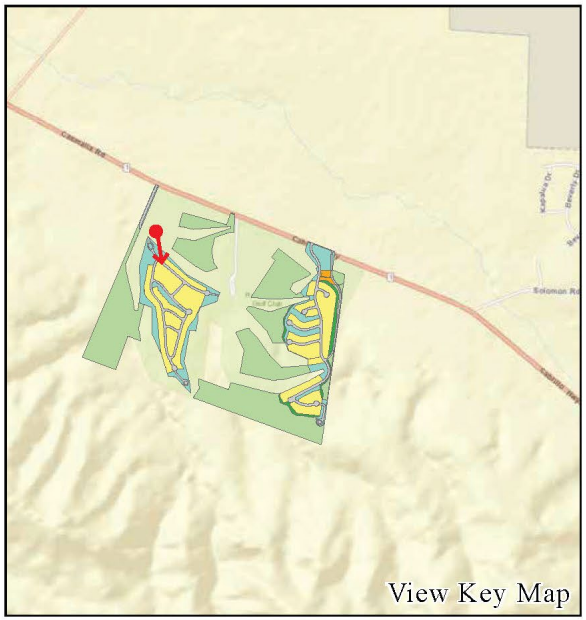

*Source: Created by Videoscapes for the Neighborhoods Specific Plan Environmental Documentation Report, 2018.*

**Figure 4.1-4 View 2 Toward the Proposed Willow Creeks Neighborhood from SR 1 Looking Southwest**

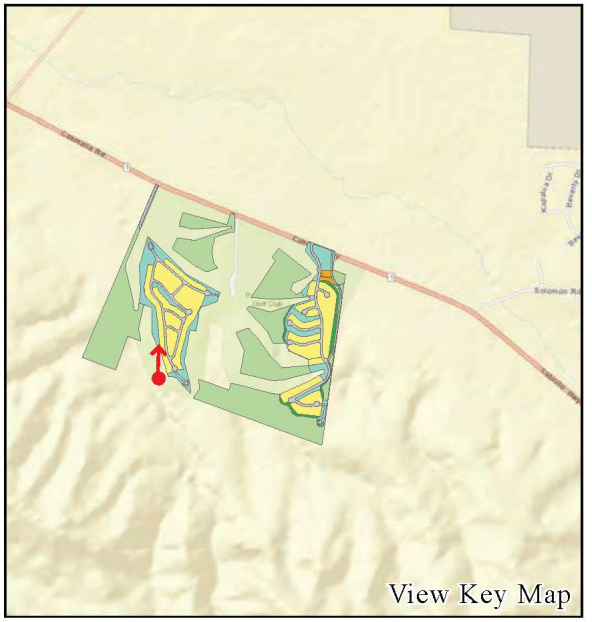

*Source: Created by Videoscapes for the Neighborhoods Specific Plan Environmental Documentation Report, 2018.*

**Figure 4.1-5 View Toward the Proposed Hidden Canyon Neighborhood from Public Golf Course Hole 6 Looking East**

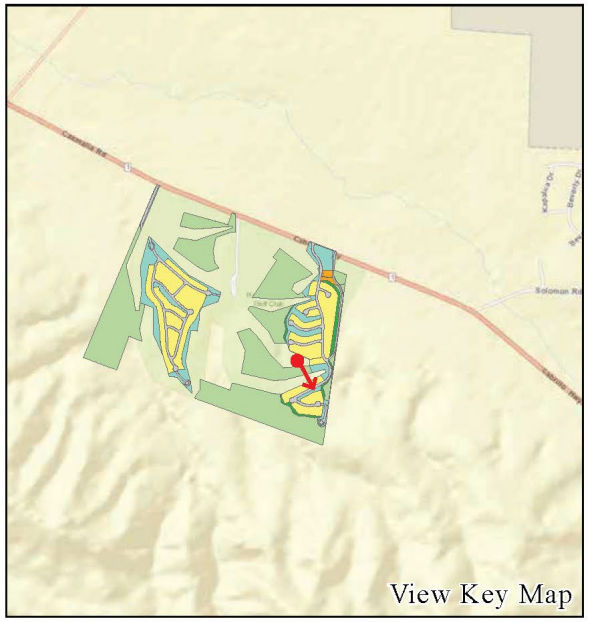

*Source: Created by Videoscapes for the Neighborhoods Specific Plan Environmental Documentation Report, 2018.*

**Figure 4.1-6 View Toward the Proposed Hidden Canyon Neighborhood from Public Golf Course Hole 6 Looking Southeast**

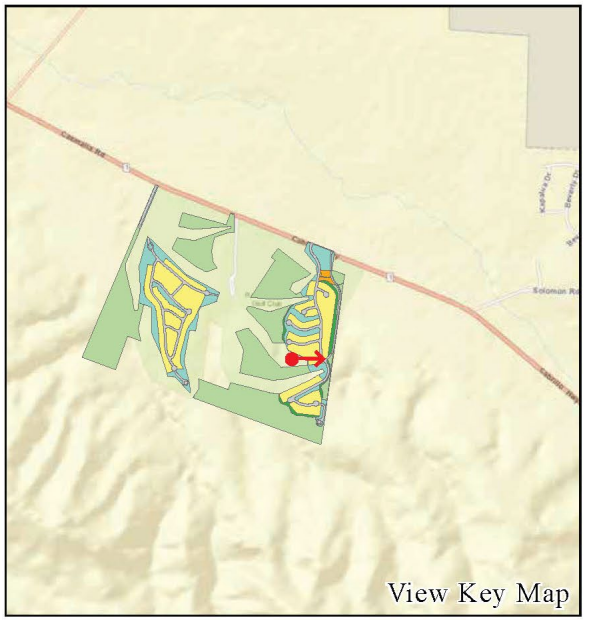

*Source: Created by Videoscapes for the Neighborhoods Specific Plan Environmental Documentation Report, 2018.*

**Figure 4.1-7 View Toward the Proposed Willow Creeks Neighborhood from Public Golf Course Hole 13 Looking North**


*Source: Created by Videoscapes for the Neighborhoods Specific Plan Environmental Documentation Report, 2018.*

**Figure 4.1-8 View Toward the Proposed Willow Creeks Neighborhood from Public Golf Course Hole 18 Looking South**


*Source: Created by Videoscapes for the Neighborhoods Specific Plan Environmental Documentation Report, 2018.*

While the County does not specifically identify the Casmalia Hills as a scenic or visual resource, the Scenic Value maps in the County's Comprehensive Plan Open Space Element illustrate the area immediately surrounding Key Site 21 as having moderate scenic value (Santa Barbara County 2009).

As discussed in Section 4.1.3(a), *Methodology and Significance Thresholds*, the County's Comprehensive Plan Open Space Element identifies parks and recreational areas as ~~significant~~ important visual resources with aesthetic value. As such, the RMGC public golf course is identified by the County as a visual resource and is visible from the SR 1 corridor. As shown in Figure 4.1-1 through Figure 4.1-4, motorists traveling along SR 1 have views beyond Key Site 21 of the Casmalia Hills to the south. The Casmalia Hills would remain the dominant background visual feature in the majority of views from SR 1 with development of the proposed residences on the project site. The proposed residences would be visible in the middle ground from vantage points along SR 1, with higher visibility from westbound views, with eastbound views being substantially screened by existing and planned buffer trees. As shown in Figure 4.1-4, the project also includes safety netting along the western primary access road to the Willow Creek Neighborhood, which would be visible from vantage points along SR 1. The project includes landscaping that would screen views of the proposed safety netting. Although SR 1 is not a designated or eligible State scenic highway, project development would substantially impact scenic vistas or damage scenic resources visible from the SR 1 corridor.

As shown in Figure 4.1-5 through Figure 4.1-8, users of the public golf course have limited views beyond Key Site 21 of the Casmalia Hills to the south, with existing on-site trees and landscaping providing some screening of existing views through the site. The proposed residences would be visible in the foreground and middle ground from vantage points on the public golf course, with higher visibility of structures in the Willow Creek Neighborhood. The proposed residential structures would be limited to a maximum building height of 35 feet, with a single-story restriction on lots immediately adjacent to the golf course fairway and would generally not obstruct the horizon line of the Casmalia Hills. Proposed landscaping would provide screening for views of the proposed residential structures from the public golf course. Overall, the proposed project would not substantially obstruct scenic vistas or damage scenic resources for motorists on SR 1 or users of the public golf course.

## Mitigation Measures

No mitigation is required because the project would not have a substantial adverse effect on a scenic vista or damage scenic resources. This impact would be less than significant (Class III).

| | |
|---|---|
| **Threshold:** | Would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? |

### Impact AES-2 THE PROJECT WOULD CONVERT SEMI-RURAL LAND USES TO URBAN LAND USES, ALTERING THE VISUAL QUALITY AND OPEN SPACE CHARACTER OF THE PROJECT SITE, WHICH SERVES AS A GATEWAY PARCEL TO WEST ORCUTT. THIS IMPACT WOULD BE SIGNIFICANT AND UNAVOIDABLE (CLASS I).

The existing visual character of the project site is semi-rural. As discussed in Section 4.1.1(b), *Scenic Views and Visual Character of* the Project Site, Key Site 21 serves as a visual gateway to west Orcutt for southbound travelers on SR 1. As discussed in Section 4.1.3(a), *Methodology and Significance Thresholds*, the County's Comprehensive Plan Open Space Element identifies parks and recreational

areas as significant visual resources with aesthetic value. The RMGC public golf course is visible from the SR 1 corridor and acts as a foreground element to unobstructed background views of the Casmalia Hills. The project would convert 189 acres of open space within Key Site 21 to residential development, substantially altering the visual quality and character of these visual resources by converting existing open space to low density residential housing.

As discussed in Section 4.1.2, Previous Environmental Review, the OCP EIR identified residential buildout of Key Site 21 as a substantial change in the open space character of the project site, particularly experienced from public view corridors, resulting in a significant and unavoidable impact. The OCP assumed buildout of 150 units, whereas the proposed project would result in 146 units.

The proposed project would include approximately 97 acres of undisturbed open space and approximately 30 acres of managed open space with landscaped areas, trailhead, public trails, and fuel modification areas. The project also includes a 200-foot-wide agricultural buffer along the eastern and western edges of the project site where residential development would border existing cultivated agricultural fields and a 100-foot-wide buffer along the eastern, western, and southern edges of the Specific Plan area where residential development would border existing grazing land. The agricultural buffers and open space would offer a transition from rural to urban visual character.

The proposed project includes the development of three retention basins. One basin would be located along the Hidden Canyon neighborhood's connection with SR 1, and two basins would be located on either side of the western access point to the Willow Creek neighborhood. Development of these retention basins would be required to comply with OCP Policy VIS-O-4 and DevStd VIS-O-4.1, which require public and private stormwater systems be designed and maintained to be visually attractive and that basins be engineered to minimize perimeter fencing. The Specific Plan Design Guidelines for the proposed project identify that these basins would be landscaped with native grasses and sedges and would not be fenced.

The reduced residential buildout of the project in comparison to the OCP, combined with the proposed open space areas and agricultural buffers included in the project, would incrementally reduce potential impacts to the visual quality and open space character of the site. Nonetheless, buildout of the project would convert 189 acres of existing open space to low density residential housing. Overall, the change in open space character resulting from buildout of the project would be potentially significant, consistent with the impacts identified in the OCP EIR.

## Mitigation Measures

The project would be required to implement OCP EIR Mitigation Measures VIS-3 and VIS-4. These measures shall be implemented through the following mitigation measures:

### *AES-2(a) Requirements for Development Near Open Space Overlay*

All new development adjacent to areas within the open space overlay shall be sited and designed in such a manner to protect and enhance the visual character of the overlay area through use of landscape buffers, shielding of night lighting, screening of parking areas, and unit orientation. In semi-rural areas, natural building materials and colors compatible with surrounding terrain (i.e., earth tones and non-reflective paints) shall be used on exterior surfaces of all structures, including water tanks and fences. Understories and retaining walls higher than six (6) feet shall be in tones compatible with surrounding terrain using textured materials or construction methods which create

a textured effect. Retaining walls shall be landscaped to provide screening from adjacent open space areas, using native species where appropriate.

**Plan Requirements and Timing.** These requirements shall be reflected on building plans for review by Planning & Development prior to zoning clearance issuance.

**Monitoring**. The Owner/Applicant shall demonstrate that the submitted plans conform to the required conditions. Building inspectors and Planning & Development compliance monitoring staff shall ensure compliance in the field.

### *AES-2(b) Retention Basin Design (Implements OCP EIR Mitigation VIS-3)*

All public and private retention basins shall be designed to permit additional uses including active and passive recreation in more developed areas and wildlife habitat in more rural and biologically sensitive areas. The use of perimeter fencing shall be avoided to the maximum extent feasible. Where required, perimeter fencing shall be of a decorative nature in urban areas or designed to minimize interference with wildlife in more undeveloped areas. Perimeter landscaping of basins in urban areas shall consist of low maintenance trees and shrubs, as well as turf, etc. to accommodate recreational uses. Native trees, shrubs and groundcover shall be used within basins in undeveloped areas. Maintenance shall be determined through implementation of the Landscape-Open Space Maintenance District.

**Plan Requirements and Timing.** These requirements shall be reflected on landscaping plans for review by Planning & Development prior to zoning clearance issuance.

**Monitoring**. The Owner/Applicant shall demonstrate that the submitted plans conform to the required conditions. Planning & Development compliance monitoring staff shall ensure compliance in the field.

### *AES-2(c) Median and Landscape Design (Implements OCP EIR Mitigation VIS-4)*

All medians and strips designated for landscaping shall utilize drought-tolerant species to the maximum extent feasible, consisting of low maintenance trees, shrubs, and groundcover which do not obstruct views [for] motorists, bicyclists, and pedestrians. Maintenance shall be determined through implementation of the Landscape-Open Space Maintenance District.

**Plan Requirements and Timing.** These requirements shall be reflected on landscaping plans for review by Planning & Development prior to zoning clearance issuance.

**Monitoring**. The Owner/Applicant shall demonstrate that the submitted plans conform to the required conditions. Planning & Development compliance monitoring staff shall ensure compliance in the field.

### *AES-2(d) Infrastructure Screening (Implements OCP EIR Mitigation VIS-5)*

All proposed infrastructure visible from gateway roads, including the Hidden Canyon and Willow Creek Neighborhood driveways, shall be screened from viewers passing on SR 1.

**Plan Requirements and Timing.** These requirements shall be reflected on landscaping and building plans for review by Planning & Development prior to zoning clearance issuance.

**Monitoring**. The Owner/Applicant shall demonstrate that the submitted plans conform to the required conditions. Planning & Development compliance monitoring staff shall ensure compliance in the field.

## Significance After Mitigation

Compliance with these required mitigation measures would reduce potential impacts to the project site's visual character to the maximum extent feasible. Nevertheless, the project would result in the elimination and fragmentation of existing open space, alteration of identified scenic resources, and conversion of semi-rural land uses to urban land uses. No additional mitigation is available that would prevent the conversion of semi-rural land uses to urban land uses. Therefore, this impact would remain significant and unavoidable (Class I), consistent with the impact identified in the OCP EIR.

| | |
|---|---|
| **Threshold:** | Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? |

### Impact AES-3 THE PROJECT WOULD INTRODUCE NEW SOURCES OF LIGHT AND GLARE. HOWEVER, IMPLEMENTATION OF OCP DEVELOPMENT STANDARDS AND OCP EIR MITIGATION MEASURE VIS-2 WOULD REDUCE THIS IMPACT TO A LESS THAN SIGNIFICANT LEVEL (CLASS II).

The proposed project would introduce ambient nighttime lighting on undeveloped portions of the project site. Additional lighting from streetlights, entry lights, interior lights, and landscape lighting have the potential to disrupt views of the night sky, impact low density residential development located north of the project site, and impact views for motorists on SR 1. In addition, new sources of glare would be introduced as a result of building materials, such as windows and reflective roofing materials, and an increase in vehicle trips to and from the project site. Consistent with the Specific Plan's Design Guidelines, roofing materials would be of concrete tile, fire flat or barrel clay tiles, slate, or triple laminate (Class A firing rating materials).

Project lighting is proposed to comply with the ordinance requirements of the International Dark Sky Association, which provides guidelines for outdoor lighting depending on specific uses and conditions. Consistent with the Specific Plan's Community Lighting Plan, street lighting would be shielded so that it does not intrude into residences or open space areas. Neighborhood entry lighting would be limited to the immediate vicinity of the entry and associated directional signage for the proposed neighborhoods. No nighttime trail lighting is proposed.

The proposed project would be required to comply with applicable OCP policies and development standards to reduce potential visual impacts from lighting and glare, including DevStd-VIS-O-1.1, DevStd VIS-O-6.1 through 6.3,which require outdoor lighting in Orcutt be designed and placed in a manner that minimizes impacts on neighboring properties and the community and the use of alternative methods for street lighting, parking lot lighting, and security lighting to reduce off-site impacts from night lighting. Moreover, the OCP EIR identified Mitigation Measure VIS-2 as sufficient supplementary mitigation for lighting and glare impacts. OCP EIR Mitigation Measure VIS-2 requires all development adjacent to areas with the Open Space Overlay, including the project site, to design and construct exterior lighting in a manner to direct light overflow away from open space areas. According to OCP EIR Mitigation Measure VIS-2, essential security lighting within or adjacent to open space areas shall be hooded or shielded to minimize the spread of light and night lighting shall not be permitted within or immediately adjacent to designated wildlife corridor areas unless essential for public safety. The OCP EIR concluded that implementation of the OCP policies and development standards and OCP EIR Mitigation Measure VIS-2 would be sufficient to reduce this potentially significant impact to less than significant (Class II).

## Mitigation Measures

*AES-3 Exterior Lighting Requirements (Implements OCP EIR Mitigation VIS-2)*

In all developments adjacent to the designated Open Space areas, exterior lighting shall be designed and constructed in such a manner to direct light overflow away from the open space areas. All lighting shall be dark sky compliant to reduce impacts on nocturnal ecosystems and the night sky. All lighting fixtures shall be fully shielded and fully cut-off. Lighting shall be of low intensity, the minimum wattage required and of minimum height. Night lighting shall not be permitted within or immediately adjacent to designated wildlife corridor areas unless essential for public safety. All exterior lighting is to be turned off or dimmed after 10:00 p.m.

**Plan Requirements and Timing.** The owner/applicant shall develop a lighting plan for Board of Architectural Review and Planning and Development approval incorporating the above requirements. The lighting plan shall show the locations and height of all exterior lighting fixtures and the direction of light being cast by each fixture. This requirement shall be reflected on grading, zoning and building plans, subject to review and approval by the Planning and Development Department. Planning and Development and the Board of Architectural Review shall review the lighting plan for compliance with this condition prior to zoning clearance issuance. Lighting shall be installed in compliance with this condition prior to final building inspection clearance.

**Monitoring**. Planning and Development permit compliance and building and safety staff shall site inspect upon installation to ensure that exterior lighting fixtures have been installed consistent with their depiction and specifications on the final lighting plan.

## Significance After Mitigation

Implementation of Mitigation Measure AES-3, in addition to Mitigation Measures AES-2 (which includes lighting and glare requirements for development near the open space overlay) and compliance with OCP development standards would reduce this impact to less than significant (Class II).

## c. Cumulative Impacts

Cumulative development in the Orcutt area would gradually alter the visual makeup of the vicinity from rural, semi-rural, or suburban to a more suburban or urban condition. As discussed in Section 3.0, *Environmental Setting*, 1,260 residential units and 280 units of commercial development are currently proposed, in process, approved, or under construction in the Santa Maria Valley. Additional development would be located on infill sites throughout the community, as well as large tracts of undeveloped open spaces along the area's urban perimeters. Although much of the new development will generally be of a type and intensity similar to existing urban uses, cumulative development in the Orcutt area will result in a perceptible transformation of the visual character of the community through increased urbanization that would be cumulatively significant. The proposed project would result in substantial degradation of scenic resources in the Orcutt area through the conversion of semi-rural land to urban land. As a result, the project's contribution to cumulative conversion of semi-rural land to urban land would be cumulatively considerable (Class I).

The OCP EIR identified significant impacts to the scenic view corridor on the southern side of SR 1 between Black Road and Solomon Road by interrupting the views of the rolling hills with low density housing. However, the project would not substantially obstruct scenic vistas or damage scenic resources from SR 1, and potential impacts from other projects in the Santa Maria Valley would be

evaluated on a case-by-case basis based on conditions and views associated with individual sites. Cumulative impacts to scenic vistas and scenic resources would be adverse, but less than significant (Class III).

The OCP EIR included mitigation to address potential impacts associated with new sources of lighting and glare. The project would not substantially contribute to significant cumulative impacts related to the introduction of new sources of light and glare with incorporation of Mitigation Measure AES-3, which implements OCP EIR Mitigation VIS-2. Potential cumulative impacts from other projects in the Santa Maria Valley would be evaluated on a case-by-case basis based on conditions and views associated with individual sites and the planned design of specific projects. Cumulative impacts associated with new sources of lighting and glare would be less than significant with mitigation (Class II).

# 4.2 Agricultural Resources

## 4.2.1 Setting

### a. Regional Agricultural Resources

In 2017, agriculture was the largest industry in Santa Barbara County by revenue. Agricultural operations in the County provide 25,370 jobs (Santa Barbara County Agricultural Production Report 2017). Table 4.2-1 summarizes agricultural productivity by crop type in Santa Barbara County for 2017, including harvested acreage and total gross values.

**Table 4.2-1 Santa Barbara County Agricultural Summary**

| Crop Types | Harvested Area | Total Gross Value |
|---|---|---|
| Vegetable Crops | 66,587 acres | $588,662,957 |
| Fruit and Nut Crops | 17,956 acres | $605,447,793 |
| Seed Crops | 1,401 acres | $7,916,288 |
| Wine Grapes | 21,572 acres | $146,129,595 |
| Cut Flowers | 807 acres/ 9,023,517 greenhouse square feet | $85,548,067 |
| Cut Foliage | 6,001 greenhouse square feet | $101,397 |
| Nursery Products | 373 acres/ 5,667,132 greenhouse square feet | $100,654,079 |
| Livestock | n/a | 36,807,327 |
| Dairy and Apiary | n/a | $7,430,595 |
| Rangeland and Field Crops | 584,855 acres | $11,652,493 |
| **Total** | **693,551 acres/ 14,696,650 greenhouse square feet** | **$1,590,350,591** |

Source: Santa Barbara County 2017

Rising land values and cost of inputs (water, fuel, fertilizer, etc.) have contributed to an increase in the conversion of agricultural land to non-agricultural uses throughout California as well as the intensification of agricultural land uses, whereby lower value products are replaced by high-value crops (e.g., grazing or dry farming replaced with row crops, orchards, or vineyards). Between 1984 and 2012, nearly 1.4 million acres of agricultural land in California were converted to non-agricultural purposes. From the 2010 to 2012, the State experienced no net loss or gain of farmland due to conversion. Consistent with the statewide trend relative to the conversion of farmland, the County experienced no net loss or gain of farmland between 2010 and 2012 (California Department of Conservation 2015).

### b. Important Farmland

The Department of Conservation (DOC) Division of Land Resource Protection implements the Farmland Mapping and Monitoring Program (FMMP), which identifies the suitability of land for

agricultural production. The FMMP is non-regulatory and was developed to inventory land and provide categorical definitions of Important Farmlands and consistent and impartial data to decision-makers for use in assessing status, reviewing trends, and planning for the future of California's agricultural land resources. The program does not necessarily reflect local General Plan actions, urban needs, changing economic conditions, proximity to market, and other factors, which may be taken into consideration when government considers agricultural land use policies. The FMMP produces Important Farmland Maps, which depict resource quality (soils), irrigation status, and land use information.

The DOC divides land into seven general categories, with Important Farmland comprising the following four categories: Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance. The remaining three FMMP categories include Grazing Lands, Urban and Built-up Land, and Other Lands. The best quality land is Prime Farmland.

Figure 4.2-1 shows the mapped FMMP designations on Key Site 21. As shown on Figure 4.2-1, the project site consists of Grazing Land and Urban and Built-up Land. The remaining FMMP designations, including the Important Farmland designations, do not occur on the project site.

## c. Agricultural Resources in the Project Vicinity

The project site is undeveloped and is designated Planned Development (PD), 150 units maximum/Visitor Serving Commercial. The project site is zoned Planned Residential Development (PRD). The entire Key Site 21, including the project site, is designated as an Existing Developed Rural Neighborhood (EDRN) in the Orcutt Community Plan (OCP, County of Santa Barbara 2004). Although an approximately 40-acre portion of the project site (APN 113-250-016) was previously used for row crop agriculture and cattle grazing, no agricultural uses or operations have occurred on the site since 2005.

Land uses and zoning surrounding Key Site 21 and the project site include:

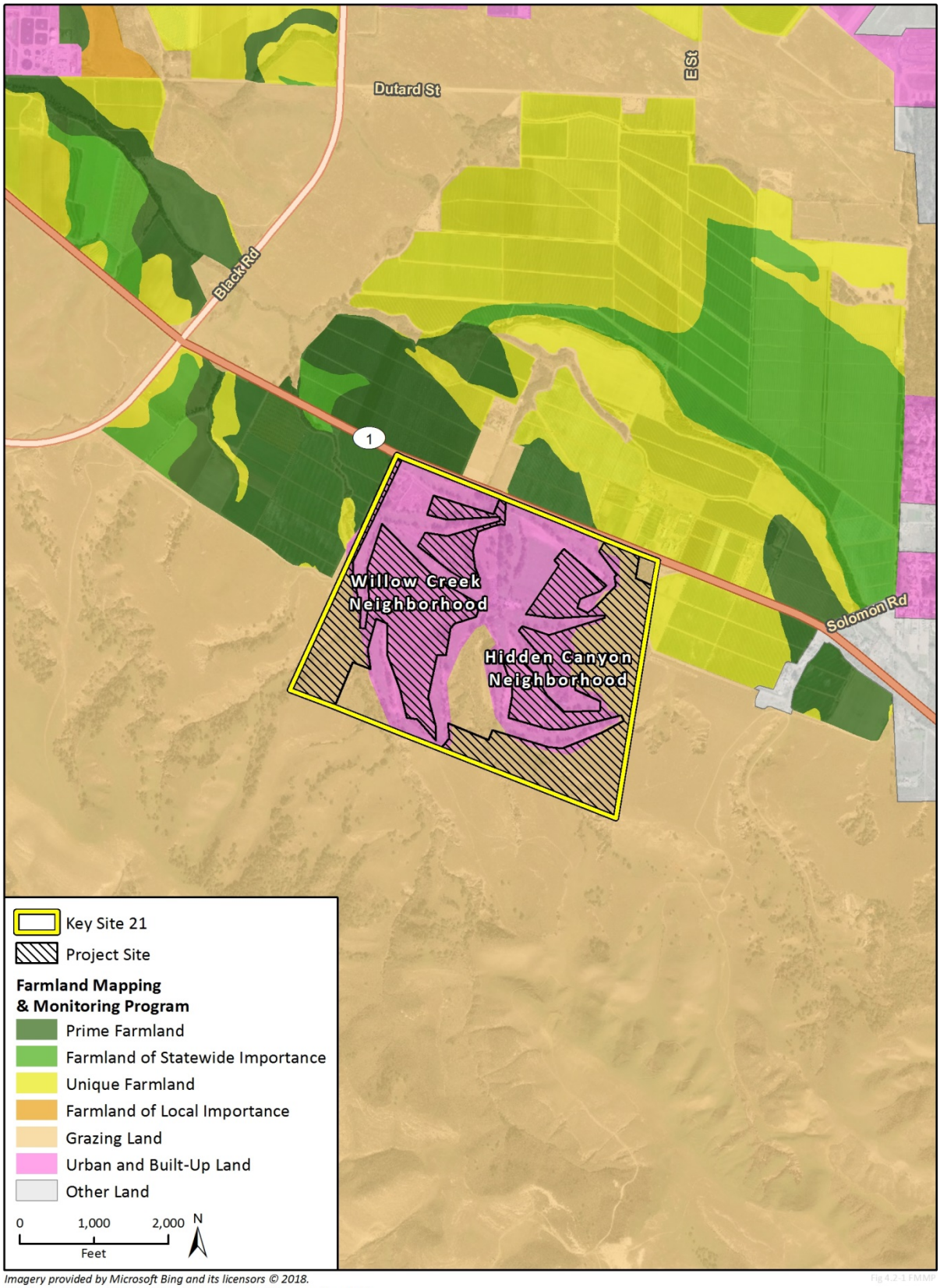
- **North:** Cultivated Agriculture/RR-20 (Residential Ranchette)
- **South:** Vacant, Grazing/RMZ-320 (Resource Management)
- **East:** Cultivated Agriculture, Grazing, Vacant/AG-II-320
- **West:** Cultivated Agriculture, grazing, vacant/AG-II-320

## d. Soil Quality

The Natural Resource Conservation Service (NRCS) has developed a land capability classification system to describe soils types, their physical characteristics and limitations, and their suitability for agriculture and other uses. The NRCS groups soils according to their suitability for most kinds of field crops. The capability class is designated by Roman numerals I through VIII. The numbers indicate progressively greater limitations and narrower choices for practical use as follows:

- **Classes I and II** – Soils with few limitations that restrict their use for agriculture are placed in Capability Classes I and II and are considered "prime agricultural soils" because almost all crops can be grown successfully on these soils.
- **Class III and IV** – Soils with agricultural limitations, which would affect management or choice of crop, are placed in Capability Classes III and IV either because fewer crops can be grown on these soils or special conservation and production measures are required.

**Figure 4.2-1 Farmland Mapping and Monitoring Program Map**




*Imagery provided by Microsoft Bing and its licensors © 2018.*
*Additional data provided by California Department of Conservation, 2016.*

- **Class V** – Soils with little or no hazard of erosion but have other limitations, impractical to remove, that limit their use to pasture, range, forestland, or wildlife food and cover. There are no soils of Class V in the County.
- **Class VI and VII** – Soils that fall into these classes are suited primarily for rangeland.
- **Class VIII** – Soils and landforms that are unsuitable for agricultural use are placed in Class VIII.

Figure 4.7-1 in Section 4.8, *Geologic Processes*, shows the soil types on Key Site 21 and the project site. Table 4.2-2 shows the approximate area of each soil type on Key Site 21 and the project site as well as the capability classifications of these soils (only the irrigated capability class is shown). Soils that meet the criteria for Class I or II are considered prime agricultural soils, if irrigated, and are shown in bold.

### Table 4.2-2 Land Capability Class of Soils on Key Site 21 and the Project Site

| Name | Map Name | Land Capability Class | Acres on Key Site 21 | Acres on the Project Site |
|---|---|---|---|---|
| Betteravia loamy sand, 2-9 % slopes | BmC | IV | 4.7 | 2.7 |
| Betteravia loamy sand, dark variant, 0-5 % slopes, eroded | BnB2 | III | 40.3 | 7.7 |
| Botella loam, 2-15 % slopes, eroded | BoD2 | III | 6.3 | 6.2 |
| **Botella clay loam, 2-9 % slopes, MLRA 14** | **BtC** | **II** | **12.9** | **3.7** |
| Chamise shaly loam, 15-45 % slopes | ChF | VI | 6.8 | 6.2 |
| Chamise shaly loam, 30-75 % slopes, eroded | ChG2 | VII | 0.3 | 0.3 |
| Corralitos sand, 0-2 % slopes | CtA | IV | 17.1 | 11.9 |
| Corralitos loamy sand, 2-9 % slopes | CuC | III | 22.4 | 12.0 |
| Corralitos loamy sand, 9-15 % slopes | CuD | III | 5.1 | 3.3 |
| **Elder sandy loam, 2-9 % slopes, eroded** | **EdC2** | **II** | **15.6** | **3.6** |
| Gullied land | GuE | VIII | 29.9 | 17.2 |
| **Pleasanton sandy loam, 2-9 % slopes** | **PnC** | **II** | **21.1** | **9.9** |
| Rough broken land | RuG | VII | 0.2 | 0.2 |
| Tierra sandy loam, 2-9 % slopes, MLRA 14 | TnC | III | 4.4 | 4.4 |
| Tierra sandy loam, 9-15 % slopes, eroded | TnD2 | IV | 2.9 | 2.8 |
| Tierra loam, 5-30 % slopes, severely eroded | TrE3 | VII | 146.2 | 94.0 |
| **Total** | | | **336.2** | **186.1** |

Note: Areas are approximate based on map data and total may vary slightly from total acreage of Key Site 21.
Soils that meet the criteria for Class I or II are considered prime agricultural soils, if irrigated, and are shown in **bold**.

As shown in Table 4.2-2, approximately 50 acres on Key Site 21 and approximately 17 acres on the project site include Class II soils. The soils on the project site are not irrigated and do not qualify as prime agricultural soils. The predominant soil on Key Site 21 and the project site is Tierra loam (Class VII).

## e. Regulatory Setting

### Land Conservation Act

The California Land Conservation Act of 1965, also known as the Williamson Act (California Administrative Code Section 51200 et seq.), creates a legal arrangement whereby private landowners contract with local governments to voluntarily restrict land to agricultural and open space uses. In return, restricted parcels are assessed for property tax purposes at a rate consistent with their actual use rather than potential market value, which saves landowners from 20 percent to 75 percent in property tax liability each year.

Existing Williamson Act contracted lands in the project site vicinity are shown in Figure 4.2-2. There are no Williamson Act contracted lands on Key Site 21.

### Agricultural Nuisances and Consumer Information Ordinance

Chapter 3, Article V, Section 3-23 of the County Code is the County's "Right-to-Farm" Ordinance. The purpose of the ordinance is to protect agricultural land uses on land designated for agriculture from conflicts with non-agricultural land uses that may result in financial hardship to agricultural operators or the termination of their operation. Under this ordinance, no agricultural activity, operation or facility, or appurtenances thereof, conducted or maintained for commercial purposes, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the same locality, is to be considered a public or private nuisance, due to any changed condition in or about the locality, after the same has been in operation for more than three years if it was not a nuisance at the time it began.

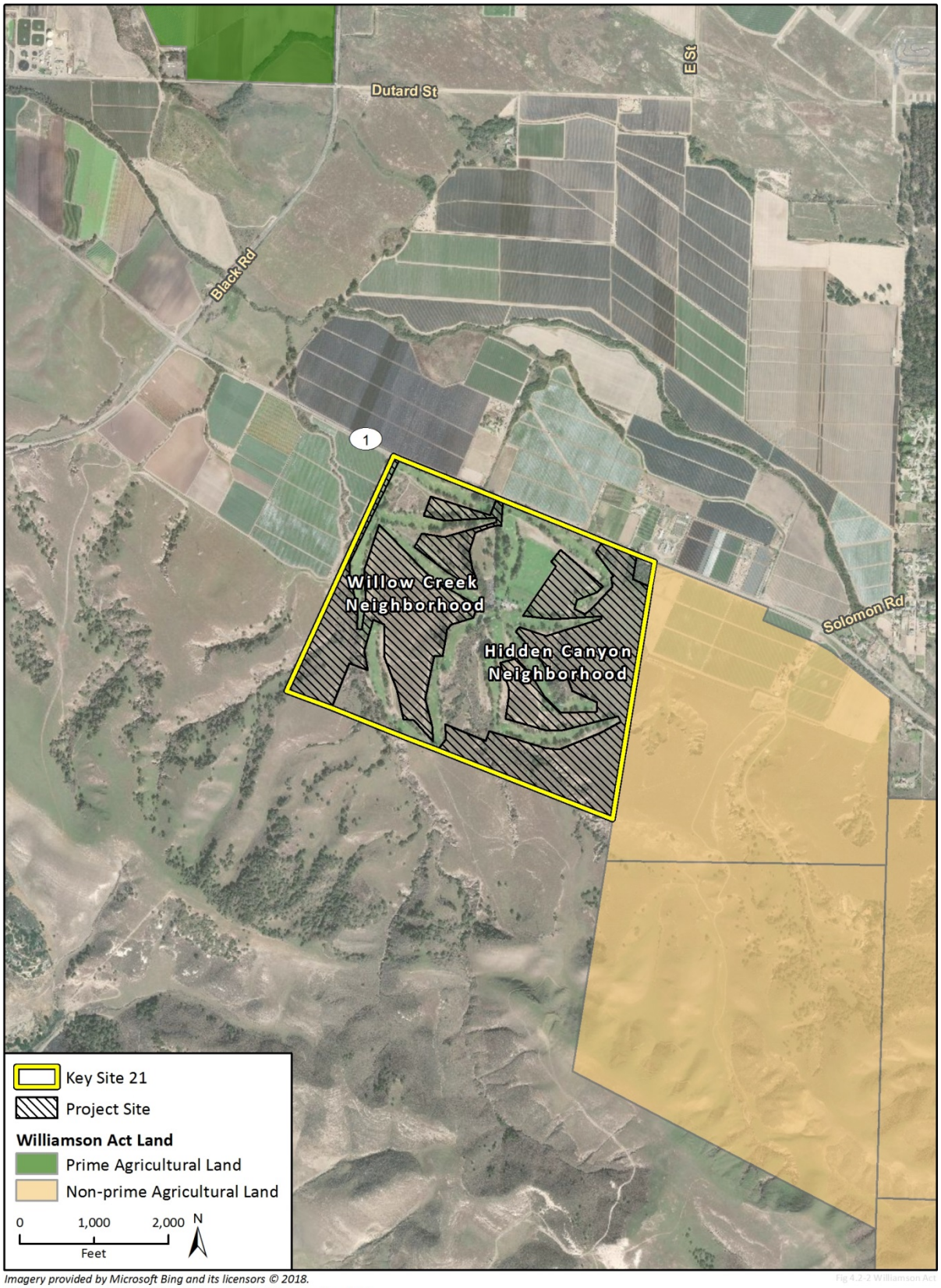
The Right to Farm Ordinance also requires purchasers and residents of property adjacent to or near agricultural operations be advised of the inherent potential problems associated with such purchase or residence including, but not limited to, the sounds, odors, dust and chemicals that may accompany agricultural operations so that such purchasers and residents will understand the inconveniences that accompany living adjacent to agriculture and are prepared to accept such problems as the natural result of living in or near agricultural areas.

### Ordinance 4851 Agricultural Buffer Ordinance

The Agricultural Buffer Ordinance (Section 35.30.025 of the Land Use and Development Code [LUDC], County of Santa Barbara 2019), adopted in 2013 and updated in 2019, implements Comprehensive Plan policies by establishing development standards between agricultural uses and new non-agricultural development and uses in inland portions of the County. Buffers are used to minimize potential conflicts between agricultural and adjacent land uses that result from noise, dust, light, and odor incidental to normal agricultural operations as well as potential conflicts originating from residential and other non-agricultural uses such as domestic pets, insect pests, and invasive weeds. The agricultural buffer width can range from 100 to 400 feet depending on the type of agriculture and proposed non-agricultural use or development. The buffer is required to be located on the lot which contains the non-agricultural project, adjacent to the common lot line between the project site and the adjacent agricultural lot.

This ordinance applies to inland areas of the County when there is a discretionary application for non-agricultural development which: (1) is located in an Urban or Inner Rural Area, on an EDRN, or located on property zoned industrial that is located in the Rural Areas, and (2) is located

## Figure 4.2-2 Williamson Act Contracted Lands in the Project Vicinity




*Imagery provided by Microsoft Bing and its licensors © 2018.*
*Additional data provided by California Department of Conservation, 2016.*

immediately adjacent to agriculturally zoned land that is located in a Rural Area. The ordinance does not apply to single-family dwellings. The project site is designated as an EDRN in the OCP, but the project would allow for the development of single-family dwelling units on the site. Therefore, the Agricultural Buffer Ordinance does not apply to the project.

## County of Santa Barbara Environmental Thresholds and Guidelines Manual

The Agricultural Resource Guidelines in the County's Environmental Thresholds and Guidelines Manual include a weighted point allocation system ("weighted point system" or WPS) to assign values to characteristics of a site's agricultural productivity. The WPS is a preliminary screening tool, which examines a site's agricultural suitability and productivity to determine whether the project's impact on loss or impairment of agricultural resources would be a potentially significant impact. The WPS assigns relative values to characteristics of a site's agricultural productivity (e.g., soil type, water supply, parcel size). The Environmental Thresholds and Guidelines Manual states:

> "As a general guideline, an agricultural parcel of land should be considered to be viable if it is of sufficient size and capability to support an agricultural enterprise independent of any other parcel. To qualify as agriculturally viable, the area of land in question need only be of sufficient size and/or productive capability to be economically attractive to an agricultural lessee. This productivity standard should take into consideration the cultural practices and leasehold production units in the area, as well as soil type and water availability."

The WPS is further described as it relates to the project in Section 4.2.3(a), *Methodology and Significance Thresholds*.

## Comprehensive Plan Goals and Policies

The County Comprehensive Plan includes several elements which contain goals and policies relevant to agricultural resources. These elements are discussed as follows:

### *Agricultural Element*

The Agricultural Element contains goals encouraging protection and enhancement of agricultural resources. Goals I and II discourage incompatible uses and adverse urban influences, promote freedom of agricultural methods, and encourage agricultural land improvement programs. Goal III calls for the preservation of remaining agricultural lands by discouraging expansion of urban uses into the Rural Area. Goal IV recognizes that agriculture can enhance and protect natural resources and encourages resource protection techniques such as range improvements, erosion control and fire reduction programs, and the prevention of grading and brush clearing on steep slopes and hillsides. Goals V and VI allow for supporting agricultural uses and installations as well as access roads compatible with agricultural machinery. The Comprehensive Plan contains various policies that support Goals I through VI. For example, Policy III.A states that urban expansion into active agricultural lands outside of urban limits is to be discouraged so long as infill development is available.

### *Environmental Resource Management Element*

The Environmental Resource Management Element states that existing croplands on prime soils should be preserved. Agricultural lands on less than prime soil should be preserved when possible. Under Category A, urbanization should be prohibited where existing croplands have a high agricultural suitability rating (within study areas), a Class I or II soil capability classification, or where

agricultural preserves are subject to Williamson Act agreements. Under Category B, urbanization should be prohibited except where existing croplands have a moderate or low agricultural suitability rating (in I in the Urban Area), a Class III or IV soil capability classification, or with lands highly suitable for expansion of cultivated agriculture. It is noted that agricultural preserves, although not subject to environmental constraints, are included in Category A. The reason is that in entering into Williamson Act agreements, the County has made a legal commitment that the land will remain in agricultural use for a minimum of 10 years, subject to automatic annual renewal. As shown in Table 4.2-2, approximately 17 acres on the project site include Class II soils and would fall under Category A. However, the Class II soils on the project site are not irrigated and do not qualify as prime agricultural soils.

#### *Land Use Element*

The Land Use Element also contains goals and policies pertaining to agricultural resources. This element states that "In the rural areas, cultivated agriculture shall be preserved and, where conditions allow, expansion and intensification should be supported. Land with both prime and non-prime soil shall be reserved for agricultural uses."

### Orcutt Community Plan

The OCP incorporates policies and development standards to provide compatibility between agricultural lands and other development in the OCP area. OCP policies and development standards applicable to sites adjacent to agricultural lands include:

- Policy LUA-O-2 which requires development in Orcutt to be compatible with adjacent or nearby agricultural lands;
- DevStd LUA-O-2.1 which requires that fencing, berming and/or landscaping be installed along property lines or across ends of street stubs adjacent to agricultural operations unless a waiver to the satisfaction of Planning & Development is obtained from the adjacent property owner(s) and/or operators;
- DevStd LUA-O-2.2 which requires a buyer beware notification be recorded on a separate information sheet with the final tract and/or parcel maps of properties within 1,000 feet of agriculturally zoned land, consistent with the County's adopted Right to Farm Ordinance.; and
- DevStd LUA-O-2.3 which requires that all new urban and EDRN development which borders agriculturally designated lands include a minimum 100-foot buffer between structures and agricultural land and include appropriate landscaping to reduce noise, odor, dust or chemical effects associated with the agricultural operations. This buffer is a minimum adjacent to lighter agricultural uses (such as grazing) and should be adjusted upward for more intensive agricultural operations (such as strawberry cultivation).

## 4.2.2 Previous Environmental Review

The OCP EIR examined potential impacts to agricultural resources and determined that buildout of the OCP would result in a significant and unavoidable (Class I) impact to agricultural resources associated with increased urban-rural conflicts and loss of agricultural land. The Key Site 21 site specific analysis in the OCP EIR did not include an evaluation of agricultural resources at Key Site 21. The programmatic analysis in the OCP EIR identified two potentially significant agricultural impacts that applied to development on Key Site 21 at the time the EIR was prepared when a portion of the site was still in use for agricultural purposes. These potential agricultural impacts included:

conversion of agricultural land (AG-1) and land use conflicts (AG-2). The OCP EIR identified measures that would minimize potential agricultural impacts, including: establishment of higher density zone districts (AG-1), installation of fencing (AG-2), required buyer beware notifications (AG-3), and implementation of setbacks and screening measures (AG-4). The residual impact on agricultural resources after mitigation was identified as significant and unavoidable (Class I).

## 4.2.3 Impact Analysis

### a. Methodology and Significance Thresholds

### Methodology

The County's Environmental Thresholds and Guidelines Manual WPS provides a preliminary screening of a project's agricultural impacts. The WPS is used to assign values to characteristics of a site's agricultural productivity and suitability to determine if a project may have a significant impact on agricultural resources. Factors included in the analysis are: parcel size, soil classification, water availability, agricultural suitability, existing and historic land use, comprehensive plan designation, adjacent land uses, agricultural preserve potential, and combined farming operations.

The WPS is weighted toward physical environmental resources rather than economics. This emphasis is in keeping with CEQA's emphasis on physical environmental impacts (State CEQA Guidelines Section 15131).

### Significance Thresholds

Based on the County Environmental Thresholds and Guidelines Manual, agricultural resource impacts would be considered significant if the project:

- Results in the conversion of prime agricultural land to non-agricultural use, impairment of agricultural land productivity (whether prime or non-prime), or conflict with agricultural preserve programs; or
- Results in any effect [potentially significant adverse effect] upon any unique or other farmland of State or Local Importance.

The project site is not zoned for agricultural use, is not in use for agricultural purposes, does not contain prime agricultural soils, and is not enrolled in an agricultural preserve program. Therefore, the project would not result in the conversion of prime agricultural land to non-agricultural use, impairment of agricultural land productivity (whether prime or non-prime), or conflict with agricultural preserve programs, and the first County threshold, does not require further analysis, including evaluation under the County's WPS. For the second threshold, the FMMP Important Farmlands Map is used to evaluate the impact.

Appendix G of the CEQA Guidelines considers a project to have a significant impact on agricultural resources if the project would:

- 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;
- Conflict with existing zoning for agricultural use, or a Williamson Act contract; or
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use.

Potential impacts to forest resources are discussed in Section 4.15, *Effects Found Not to be Significant*.

## b. Project Impacts and Mitigation Measures

Impacts and mitigation measures described in the OCP EIR are incorporated below, with corresponding analysis pertaining to the proposed Neighborhoods of Willow Creek and Hidden Canyon Project. Impacts identified in the OCP EIR are compared with those that are anticipated to occur under the project.

| | |
|---|---|
| **Threshold:** | Would the project 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? |
| **Threshold:** | Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract? |
| **Threshold:** | Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use? |

### Impact AG-1 THE PROJECT WOULD NOT CONVERT FMMP-DESIGNATED PRIME FARMLAND, UNIQUE FARMLAND, OR FARMLAND OF STATEWIDE IMPORTANCE (FARMLAND), WOULD NOT CONFLICT WITH EXISTING ZONING FOR AGRICULTURAL USE OR A WILLIAMSON ACT CONTRACT, AND WOULD NOT INVOLVE ANY OTHER CHANGES THAT WOULD CONVERT FARMLAND TO NON-AGRICULTURAL USE. IMPACTS TO AGRICULTURAL RESOURCES WOULD BE LESS THAN SIGNIFICANT (CLASS III).

As discussed in Section 4.2.3(a), the project site is not zoned for agricultural use, is not in use for agricultural purposes, does not contain prime agricultural soils, and is not enrolled in an agricultural preserve program. Accordingly, the project does not require evaluation under the County's WPS.

As shown in Figure 4.2-1, the project site is designated as Grazing Land and Urban and Built-up Land under the FMMP. The project site is undeveloped and zoned for residential development. As shown in Figure 4.2-2, the project site does not contain any land enrolled in a Williamson Act contract. The property immediately east of Key Site 21 is designated as Non-Prime Agricultural Land under a Williamson Act contract and the properties surrounding Key Site 21are zoned for agricultural use. The project would require earthwork, which would result in fugitive dust that could impact off-site crops and other agricultural activities. As discussed in Section 4.3, *Air Quality*, project construction activities would be subject to the County's grading ordinance to minimize fugitive dust emissions. The County of Santa Barbara and the Santa Barbara Air Pollution Control District (SBCAPCD) also require implementation of standard dust control measures for all discretionary projects to reduce $PM_{10}$ emissions. Implementation of required dust control measures during earthmoving activities would minimize $PM_{10}$ emissions during construction, mitigating fugitive dust emissions and ensuring adjacent agricultural operations are not impacted by ongoing construction.

The increase in the number of residents in the area and new accessible pedestrian pathways, bike paths, and roadways would increase public access near existing agricultural areas, increasing the potential for conflicts, such as vandalism to farm equipment or fencing, and theft of crops at adjacent agricultural uses. These effects can result in direct economic impacts to agricultural operations, potentially impacting the overall economic viability of continued agricultural operations.

OCP DevStd LUA-O-2.3 requires all new urban development bordering agriculturally designated lands to include a minimum 100-foot buffer between structures and agricultural land. As described in Section 2, *Project Description*, and in compliance with OCP DevStd LUA-O-2.3, the project includes a 200-foot wide agricultural buffer along the eastern and western edges of the proposed development area between the planned residential development and existing cultivated agricultural fields located on adjacent parcels to the east and west. The project also includes a 100-foot buffer along the eastern, western, and southern edges of the proposed development area between the planned residential development and existing grazing lands. No buildings or structures would be permitted in the agricultural buffer areas. These buffers would reduce and/ or avoid noise, dust, light impacts, odors, chemical use, and pesticide drift to new residential uses on the project site as well limit public access that may result in vandalism to farm equipment or fencing, and theft of crops at adjacent agricultural uses. Ultimately, these buffers would serve to limit potential conflicts between residential development on the project site and the adjacent lands zoned for agricultural use and under Williamson Act contract that may impact the overall economic viability of continued agricultural operations. Development on the project site would also be required to comply with the County's Right to Farm Ordinance, to protect agricultural land uses from conflicts with non-agricultural land uses that may result in financial hardship to agricultural operators or the termination of their operation by notifying prospective purchasers and residents of property adjacent to or near agricultural operations of the inherent problems, including sounds, odors, dust, and chemicals associated with such purchases or residing in such areas.

As shown in Table 4.2-2, 13.6 acres within the Willow Creek neighborhood development area and 3.6 acres within the Hidden Canyon neighborhood development area, totaling approximately 17 acres on the project site, contain Class II soils. These soils are not currently irrigated and, thus, do not qualify as prime agricultural soils. The project would not result in conversion of FMMP-designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), would not conflict with existing zoning for agricultural use or a Williamson Act contract, and would involve any other changes that would convert farmland to non-agricultural use. Therefore, impacts to agricultural resources would be less than significant (Class III).

### Mitigation Measures

No mitigation is required because impacts are less than disclosed in the OCP EIR and would be less than significant (Class III).

## c. Cumulative Impacts

The project would not result in conversion of any prime agricultural land or soils. However, cumulative development in the northern part of Santa Barbara County would increase urban-rural conflicts and loss of agricultural land in Orcutt and the surrounding areas. These issues were identified as potentially significant impacts to agricultural resources in the OCP EIR.

Implementation of the policies and development standards in the OCP related to agricultural resources, compliance with applicable Santa Barbara County policies, and implementation of SBCAPCD dust control measures and proposed agricultural buffers in compliance with the requirements of OCP DevStd LUA-O-2.3, would minimize these potential cumulative impacts. Accordingly, the project would not contribute to the increased conversion of agricultural lands or urban-rural conflicts. Therefore, the project's contribution to cumulative impacts to agricultural resources would be less than significant (Class III).

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# 4.3 Air Quality

This section analyzes the potential for the project to cause significant impacts to regional and local air quality. The analysis in this section is based on an Air Quality Analysis Technical Report prepared for the project by Dudek in January 2019, and peer reviewed by Rincon Consultants, Inc. (Dudek 2019a) The full study is provided in Appendix B.

## 4.3.1 Setting

### a. Project Site Setting

The project site is located within the South Central Coast Air Basin (SCCAB), which includes all of San Luis Obispo, Santa Barbara, and Ventura counties. The Santa Barbara County portion of the SCCAB is under the jurisdiction of the Santa Barbara County Air Pollution Control District (SBCAPCD).

### b. Air Quality Background

### Climate and Topography

The climate of the SCCAB is strongly influenced by its proximity to the Pacific Ocean and the location of the high-pressure cell in the northeastern Pacific. With a Mediterranean-type climate, the project area is characterized by warm, dry summers and cool winters with occasional rainy periods.

Cool, humid marine air causes frequent fog and low clouds along the coast, generally during the night and morning hours in the late spring and early summer months. The project area is subject to a diurnal cycle in which daily onshore winds from the west and northwest are replaced by mild offshore breezes flowing from warm inland valleys during night and early morning hours. This alternating cycle can create a situation where suspended pollutants are swept offshore at night, and then carried back onshore the following day. Dispersion of pollutants is further degraded when the wind velocity for both day and nighttime breezes is low. The region is also subject to seasonal "Santa Ana" winds. These are typically hot, dry northerly winds which blow offshore at 15 to 20 miles per hour (mph), but can reach speeds in excess of 60 mph.

Two types of temperature inversions (warmer air on top of cooler air) are created in the area: subsidence and radiational. The subsidence inversion is a regional effect created by the Pacific high in which air is heated as it is compressed when it flows from the high-pressure area to the low pressure areas inland. This type of inversion generally forms at about 1,000 to 2,000 feet and can occur throughout the year, but it is most evident during the summer months. Radiational, or surface, inversions are formed by the more rapid cooling of air near the ground during the night, especially during winter. This type of inversion is typically lower (0 to 500 feet at Vandenberg Air Force Base, for example) and is generally accompanied by stable air. Both types of inversions limit the dispersal of air pollutants within the regional airshed, with the more stable the air (low wind speeds, uniform temperatures), the lower the amount of pollutant dispersion.

### Air Pollutants of Primary Concern

The general characteristics of the six criteria pollutants regulated by the federal Clean Air Act and California Clean Air Act are described below.

### *Ozone*

Ozone ($O_3$) is produced by a photochemical reaction (triggered by sunlight) between nitrogen oxides ($NO_X$) and reactive organic compounds (ROC).[1] $NO_X$ are formed during the combustion of fuels, while ROC is formed during combustion and evaporation of organic solvents. Because $O_3$ requires sunlight to form, it mostly occurs in concentrations considered serious between the months of April and October. Ozone is a pungent, colorless, toxic gas with direct health effects on humans, including respiratory and eye irritation and possible changes in lung functions. Groups most sensitive to $O_3$ include children, the elderly, persons with respiratory disorders, and people who exercise strenuously outdoors.

### *Carbon Monoxide*

Carbon monoxide (CO) is a localized pollutant that is found in high concentrations only near its source. The major source of CO, a colorless, odorless, poisonous gas, is automobile traffic. Therefore, elevated concentrations are usually only found near areas of high traffic volumes. Carbon monoxide health effects are related to its affinity for hemoglobin in the blood. At high concentrations, CO reduces the amount of oxygen in the blood, causing heart difficulties in people with chronic diseases, reduced lung capacity, and impaired mental abilities.

### *Nitrogen Dioxide*

Nitrogen dioxide ($NO_2$) is a by-product of fuel combustion, with the primary source being motor vehicles and industrial boilers and furnaces. The principal form of $NO_2$ produced by combustion is nitric oxide (NO), but NO reacts rapidly to form $NO_2$, creating the mixture of NO and $NO_2$ commonly called $NO_X$. Nitrogen dioxide is an acute irritant. A relationship between $NO_2$ and chronic pulmonary fibrosis may exist, and an increase in bronchitis in young children at concentrations below 0.3 parts per million (ppm) may occur. Nitrogen dioxide absorbs blue light, gives a reddish-brown cast to the atmosphere, and reduces visibility. It can also contribute to the formation of small particulate matter ($PM_{10}$) and acid rain.

### *Suspended Particulates*

Small particulate matter measuring no more than 10 microns in diameter is considered $PM_{10}$, while $PM_{2.5}$ is fine particulate matter measuring no more than 2.5 microns in diameter. Suspended particulates are mostly dust particles, nitrates, and sulfates. Both $PM_{10}$ and $PM_{2.5}$ are by-products of fuel combustion and wind erosion of soil and unpaved roads and are directly emitted into the atmosphere through these processes. Suspended particulates are also created in the atmosphere through chemical reactions. The characteristics, sources, and potential health effects associated with small particulates ($PM_{10}$) and fine particulates ($PM_{2.5}$) can be very different. $PM_{10}$ generally comes from windblown dust and dust kicked up from mobile sources. $PM_{2.5}$ is generally associated with combustion processes, as well as formation in the atmosphere as a secondary pollutant through chemical reactions. $PM_{2.5}$ is more likely to penetrate deeply into the lungs and poses a

[1] Organic compound precursors of ozone are routinely described by a number of variations of three terms: hydrocarbons (HC), organic gases (OG), and organic compounds (OC). These terms are often modified by adjectives such as total, reactive, or volatile, and result in a rather confusing array of acronyms: HC, THC (total hydrocarbons), RHC (reactive hydrocarbons), TOG (total organic gases), ROG (reactive organic gases), TOC (total organic compounds), ROC (reactive organic compounds), and VOC (volatile organic compounds). While most of these differ in some significant way from a chemical perspective, two groups are important from an air quality perspective: non-photochemically reactive in the lower atmosphere, or photochemically reactive in the lower atmosphere (HC, RHC, ROG, ROC, and VOC). SBCAPCD uses the term ROC to denote organic precursors.

health threat to all groups, but particularly to the elderly, children, and those with respiratory problems. More than half of the small and fine particulate matter that is inhaled into the lungs remains there. These materials can damage health by interfering with the body's mechanisms for clearing the respiratory tract or by acting as carriers of an absorbed toxic substance.

### *Sulfur Dioxide*

Sulfur dioxide ($SO_2$) is included in a group of highly reactive gases known as "oxides of sulfur." The largest sources of $SO_2$ emissions are from fossil fuel combustion at power plants (73 percent) and other industrial facilities (20 percent). Smaller sources of $SO_2$ emissions include industrial processes such as extracting metal from ore and the burning of fuels with a high sulfur content by locomotives, large ships, and non-road equipment. Sulfur dioxide is linked with a number of adverse effects on the respiratory system.

### *Lead*

Lead (Pb) is a toxic metal that can be emitted from industrial sources, leaded aviation gasoline, and lead-based paint. Lead may cause a range of health effects, from behavioral problems and learning disabilities to seizures and death.

### *Toxic Air Contaminants*

Toxic air contaminants (TAC) are a diverse group of air pollutants that may cause or contribute to an increase in deaths or serious illness or that may pose a present or potential hazard to human health. TACs include both organic and inorganic chemical substances that may be emitted from a variety of common sources, including gasoline stations, motor vehicles, dry cleaners, industrial operations, painting operations, and research and teaching facilities. One of the main sources of TACs in California is diesel engines that emit exhaust containing solid material known as diesel particulate matter (DPM, CARB 2019). TACs are different than the criteria pollutants previously discussed because ambient air quality standards have not been established for TACs. TACs occurring at extremely low levels may still cause health effects, and it is typically difficult to identify levels of exposure that do not produce adverse health effects. TAC impacts are described by carcinogenic risk and by chronic (i.e., long duration) and acute (i.e., severe but of short duration) adverse effects on human health.

## Sensitive Receptors

Certain population groups are considered more sensitive to air pollution than others, particularly children, the elderly, and acutely ill and chronically ill persons, especially those with cardio-respiratory diseases. Sensitive land uses include those locations where such individuals are concentrated, such as hospitals, schools, residences, and parks with active recreational uses. Sensitive receptors most likely to be affected by the proposed project include rural residences located north of the project site. Although the existing golf course is a recreational use, it is not considered a sensitive receptor because individuals are not concentrated for extended periods of time at any location along the golf course.

## c. Regulatory Setting

### Federal and State Standards for Criteria Pollutants

The federal and State Clean Air Acts regulate the emission of airborne pollutants from various mobile and stationary sources. The United States Environmental Protection Agency (USEPA) is the federal agency designated to administer air quality regulation, while the California Air Resources Board (CARB) is the state equivalent within the California Environmental Protection Agency (CalEPA). These agencies have established ambient air quality standards for the protection of public health. Local air quality management control and planning is provided through regional Air Pollution Control Districts (APCDs) established by CARB for the 14 statewide air basins. The CARB is responsible for control of mobile emission sources, while the local APCDs are responsible for control of stationary sources and enforcing regulations. As stated above, the County is located in the SCCAB, and is under the jurisdiction of the SBCAPCD.

The CARB and the USEPA establish ambient air quality standards for major pollutants at thresholds intended to protect public health. Federal and State standards have been established for $O_3$, CO, $NO_2$, $SO_2$, lead, $PM_{10}$, and $PM_{2.5}$. Table 4.3-1 summarizes the California Ambient Air Quality Standards (CAAQS) and the National Ambient Air Quality Standards (NAAQS) for each of these pollutants. California standards are more restrictive than federal standards for each of these pollutants, except for lead, the eight-hour average for CO, and the eight-hour average for $O_3$. Local APCDs are required to monitor air pollutant levels to ensure that air quality standards are met and, if they are not, to develop strategies to meet these standards. Depending on whether the standards are met or exceeded, the local air basin is classified as being in "attainment" or "nonattainment." The Santa Barbara County portion of the SCCAB is currently designated nonattainment-transitional for the State eight-hour ozone standard and nonattainment for the State $PM_{10}$ standard but is in attainment for all other federal and state standards (CARB 2018, USEPA 2018).[2]

[2] Areas are designated as nonattainment-transitional for ozone if no monitoring location in the nonattainment area has recorded more than three exceedance days during the previous calendar year (California Code Section 70303.5).

**Table 4.3-1 Current Federal and State Ambient Air Quality Standards**

| Pollutant | Federal Standard | California Standard |
|---|---|---|
| Ozone | 0.070 ppm (8-hr avg) | 0.09 ppm (1-hr avg)<br>0.07 ppm (8-hr avg) |
| Carbon Monoxide | 35.0 ppm (1-hr avg)<br>9.0 ppm (8-hr avg) | 20.0 ppm (1-hr avg)<br>9.0 ppm (8-hr avg) |
| Nitrogen Dioxide | 0.053 ppm (annual avg) | 0.18 ppm (1-hr avg)<br>0.030 ppm (annual avg) |
| Sulfur Dioxide | 0.075 ppm (1-hr avg)<br>0.14 ppm (24-hr avg) | 0.25 ppm (1-hr avg)<br>0.04 ppm (24-hr avg) |
| Lead | 0.15 μg/m$^3$ (3-month avg) | 1.5 μg/m$^3$ (30-day avg) |
| Particulate Matter ($PM_{10}$) | 150 μg/m$^3$ (24-hr avg) | 50 μg/m$^3$ (24-hr avg)<br>20 μg/m$^3$ (annual avg) |
| Particulate Matter ($PM_{2.5}$) | 35 μg/m$^3$ (24-hr avg)<br>12 μg/m$^3$ (annual avg) | 12 μg/m$^3$ (annual avg) |
| Visibility Reducing Particles | n/a | Extinction of 0.23 per kilometer (8-hour avg)[1] |
| Sulfates | n/a | 25 μg/m$^3$ (24-hr avg) |
| Hydrogen Sulfide ($H_2S$) | n/a | 0.03 ppm (1-hour avg) |
| Vinyl Chloride | n/a | 0.01 ppm (24-hour avg) |

n/a = not applicable

ppm= parts per million

μg/m$^3$ = micrograms per cubic meter

[1] The statewide standard for visibility reducing particles is equivalent to a visibility of 10 miles.

Source: CARB 2016

## Regional

Under State law, the SBCAPCD is required to prepare a plan for air quality improvement for pollutants for which the District is in nonattainment. The SBCAPCD regulates air quality in the portion of the SCCAB that is in Santa Barbara County and is responsible for attainment planning related to criteria air pollutants and for district rule development and enforcement.

The 2016 Ozone Plan was adopted by the SBCAPCD Board on October 20, 2016 and is the most recent applicable air quality plan. The 2016 Ozone Plan is the triennial update required by the State to demonstrate how the SBCAPCD plans to meet the State eight-hour ozone standard. The 2016 Ozone Plan incorporates and builds upon the prior Clean Air Plans and predominantly focuses on achieving attainment of the State ozone standards, in addition to the federal ozone standard. The 2016 Ozone Plan focuses on reducing ozone precursor emissions through implementation of transportation control measures, which would serve to reduce mobile source emissions, which are the primary source of ROC and $NO_X$ emissions in the County. In addition, the 2016 Ozone Plan utilizes SBCAG's Regional Growth Forecast and CARB on-road emissions forecasts to project population growth and associated air pollutant emissions within Santa Barbara County (SBCAPCD 2016).

## Orcutt Community Plan

The Orcutt Community Plan (OCP) incorporates policies and development standards aimed at limiting air pollution emissions from construction and operation of new and existing development in the OCP area. A summary of the OCP policies and development standards that would apply to the project is provided below. Policies and Development Standards for air quality include:

- Policy AQ-O-1, Program AQ-O-1.1, Program AQ-O-1.2, and Action AQ-O-1.3, which encourage land use planning and development design that reduce air pollution through development of transportation infrastructure supportive of alternative modes of transportation and pedestrian oriented developments;
- Policy AQ-O-2, which encourages implementation of appropriate construction restrictions and control measures to reduce significant fugitive dust and $PM_{10}$ emissions; and
- Policy AQ-O-3, which promotes the use of alternative fuels, solar energy systems, and use of construction techniques to conserve energy and minimize pollution.

OCP Policies and Development Standards for transportation that would contribute to improved air quality include:

- Policy CIRC-O-1 and Action CIRC-O-1.1, which encourage implementation of long-term improvements to roadways and alternative transportation facilities, such as transit and alternative modes of transportation (e.g., bikeways and pedestrian paths);
- Policy CIRC-O-6, Action CIRC-O-6.1, and Action CIRC-O-6.2, which encourage development of all feasible forms of alternative transportation, including transit services and park-and-ride facilities;
- Policy CIRC-O-7, which encourages Caltrans to accommodate planned bicycle facilities in highway overpasses; and
- Policy CIRC-O-9, which requires development to be sited and designed to provide maximum access to non-motor vehicle forms of transportation where feasible.

## d. Current Air Quality

The SBCAPCD and USEPA monitor air pollutant concentrations throughout the SCCAB at various monitoring stations. The monitoring station closest to the project site is the Santa Maria Monitoring Station, located approximately five miles northeast of the project site at 906 South Broadway, and its air quality trends are representative of the ambient air quality in the project area. The pollutants monitored at this station are $O_3$, $NO_2$, CO, $PM_{10}$, and $PM_{2.5}$. Data for $SO_2$ was sourced from the Vandenberg Air Force Base Monitoring Station, located approximately 8.5 miles southwest of the project site, which is the closest monitoring station with available $SO_2$ data. Table 4.3-2 summarizes the ambient air quality data measured at these stations between 2015 and 2017.

**Table 4.3-2 Ambient Air Quality Data**

| Pollutant | 2015 | 2016 | 2017 |
|---|---|---|---|
| Ozone (ppm), Worst Hour[1] | 0.066 | 0.062 | 0.068 |
| Number of days of state exceedances (>0.09 ppm) | 0 | 0 | 0 |
| Number of days of federal exceedances (>0.12 ppm) | 0 | 0 | 0 |
| Ozone (ppm), 8-Hour Average[1] | 0.056 | 0.057 | 0.063 |
| Number of days of state and federal exceedances (>0.07 ppm) | 0 | 0 | 0 |
| $NO_2$ (ppm), Worst Hour[1] | 0.046 | 0.036 | 0.044 |
| Number of days of state exceedances (>0.18 ppm) | 0 | 0 | 0 |
| Number of days of federal exceedances (>0.10 ppm) | 0 | 0 | 0 |
| CO (ppm), Worst Hour[1] | 2.9 | 3.6 | 1.0 |
| Number of days of state exceedances (>20 ppm) | 0 | 0 | 0 |
| Number of days of federal exceedances (>35 ppm) | 0 | 0 | 0 |
| $SO_2$ (ppm), Worst Hour[2] | 0.03 | 0.03 | 0.02 |
| Number of days of federal exceedances (>0.075 ppm) | 0 | 0 | 0 |
| $PM_{10}$ (μg/m$^3$), Worst 24 Hours[1] | 66.4 | 78.6 | 106.9 |
| Number of days of state exceedances (>50 μg/m$^3$) | 10 | 16 | 22 |
| Number of days of federal exceedances (>150 μg/m$^3$) | 0 | 0 | 0 |
| $PM_{2.5}$ (μg/m$^3$), Worst 24 Hours[2] | 19.2 | 19.4 | 19.9 |
| Number of days of federal exceedances (>35 μg/m$^3$) | 0 | 0 | 0 |

[1] Data from Santa Maria Monitoring Station

[2] Data from Vandenberg Air Force Base Monitoring Station

As shown in Table 4.3-2, ambient air quality data indicates that the State $PM_{10}$ standard was exceeded 10 days in 2015, 16 days in 2016, and 22 days in 2017. No other State or federal standards were exceeded at these monitoring stations.

## 4.3.2 Previous Environmental Review

The OCP EIR examined potential impacts to air quality that would result from development under the OCP. The OCP EIR determined that buildout of the OCP would result in potentially significant air quality impacts associated with generation of fugitive dust and $PM_{10}$ during construction-related activities. The EIR identified dust control measures for earthmoving activities (AQ-10) that would minimize potential construction-related air quality impacts. The OCP EIR determined that implementation of feasible mitigation measures would reduce the identified construction-related air quality impacts to a less than significant level (Class II).

The OCR EIR also identified two significant and unavoidable (Class I) impacts, including: emissions of ozone precursors from long-term planned growth and development activities and inconsistency with the then current 1994 Clean Air Plan as a result of allowing residential development at a rate higher than that anticipated by the Clean Air Plan. The EIR identified measures that would reduce air quality impacts from emissions of ozone precursors, including $NO_X$ and ROC control measures for stationary and mobile sources and construction equipment (AQ-1 and AQ-2); coordination to

expand the Santa Maria Area Transit network (AQ-3); land use planning that encourages the use of public transit and alternative transportation (AQ-4, AQ-9, and AQ-9.1); coordination with the California Department of Transportation (Caltrans) to incorporate park-and-ride facilities into freeway interchange improvement projects (AQ-5); development of a transportation demand management (TDM) program (AQ-6); institution of a Transportation Impact fee (AQ-7); and provision of funding for park-and-ride facilities and long-distance commuter services (AQ-8). However, the analysis found that emissions of $NO_X$ and ROC would still contribute substantial ozone precursor emissions to an area designated as nonattainment for ozone. Therefore, impacts related to ozone precursor emissions were identified as significant and unavoidable (Class I). No feasible mitigation measures were identified that would reduce impacts from inconsistency with the Clean Air Plan. Therefore, impacts related to consistency with the applicable air quality management plan were identified as significant and unavoidable (Class I). Site specific analysis was not performed for air quality at Key Site 21.

## 4.3.3 Impact Analysis

### a. Methodology and Significance Thresholds

### Methodology

Air pollutant emissions from construction and operation of the project were estimated using the California Emissions Estimator Model (CalEEMod) version 2016.3.2 based on information provided by the project applicant and CalEEMod default values for projects in Santa Barbara County when project specifics were not known. The trip generation rates calculated in the project Traffic and Circulation Study (Stantec 2019, Appendix K) were used as inputs in CalEEMod. See Appendix B for a detailed discussion of methodology and modeling assumptions.

The evaluation of whether a project would conflict with or obstruct implementation of the applicable air quality plan is based on the project's consistency with the land use and population forecasts that underlie the air pollutant emissions forecasts contained in the plan. Therefore, consistency with the 2016 Ozone Plan was evaluated based on whether the population growth accommodated by the project was accounted for in SBCAG's Regional Growth Forecasts.

### Significance Thresholds

Based on the Santa Barbara County Environmental Thresholds and Guidelines Manual, air quality impacts would be considered significant if the project:

- Interferes with progress toward the attainment of the ozone standard by releasing emissions which equal or exceed the established long-term quantitative thresholds for $NO_X$ and ROC; or
- Equals or exceeds the State or federal ambient air quality standards for any criteria pollutant (as determined by modeling).

According to the SBCAPCD, a residential project in an area not regulated by a residential growth management ordinance would be inconsistent with the 2016 Ozone Plan if it would accommodate an increase in dwelling units that is above the projections contained in the Ozone Plan (SBCAPCD 2017).

The Santa Barbara County Environmental Thresholds and Guidelines Manual and the SBCAPCD do not provide thresholds for short-term construction emissions. However, SBCAPCD recommends

quantification of construction-related emissions from construction activities and uses 25 tons per year for ROC or $NO_X$ as a guideline for determining the significance of construction impacts. In addition, under SBCAPCD Rule 202.F.3, if the combined emissions from all construction equipment used to construct a stationary source which requires an Authority to Construct have the potential to exceed 25 tons of any pollutant, except carbon monoxide, in a 12-month period, the owner of the stationary source shall provide offsets under the provisions of Rule 804 and shall demonstrate that no ambient air quality standard would be violated. Therefore, this analysis uses 25 tons per year as a significance threshold for construction-related emissions of ROC, $NO_X$, $SO_2$, $PM_{10}$, and $PM_{2.5}$.

SBCAPCD requires dust mitigation measures for all discretionary construction activities that involve earth-moving activities regardless of project size or duration because the Santa Barbara County region is designated nonattainment for the state $PM_{10}$ standard (County of Santa Barbara 2018b; SBCAPCD 2017).

The Santa Barbara County Environmental Thresholds and Guidelines Manual provides operational emission thresholds, which state that operational air quality impacts would be considered significant if the project:

- Emits (from all project sources, mobile and stationary), more than the daily trigger for offsets of any pollutant, which is currently 55 pounds per day (lbs/day) for $NO_X$ and ROC and 80 lbs/day for $PM_{10}$
- Emits 25 lbs/day or more of $NO_X$ or ROC from motor vehicle trips only;
- Causes or contributes to a violation of a California or National Ambient Air Quality Standard (except ozone);
- Exceeds the SBCAPCD's health risk public notification thresholds adopted by the SBCAPCD board; or
- Is inconsistent with the adopted federal and State Air Quality Plans.

The Santa Barbara County Environmental Thresholds and Guidelines Manual also states that a project will have a significant air quality impact if it causes a CO "hotspot" by adding emissions to existing background CO levels that exceed the California one-hour standard of 20 parts per million, which typically occurs at severely congested intersections. The County provides the following screening criteria for CO impacts:

- If a project contributes less than 800 peak hour trips, then CO modeling is not required.
- Projects contributing more than 800 peak hour trips to an existing congested intersection at level of service (LOS) D or below, or that will cause an intersection to reach LOS D or below, may be required to model for CO impacts. However, projects that will incorporate intersection modifications to ease traffic congestion are not required to perform modeling to determine potential CO impacts.

The Santa Barbara County Environmental Thresholds and Guidelines Manual recommends discussing the following issues if they are applicable to the project:

- Emissions which may affect sensitive receptors (e.g., children, elderly, or acutely ill);
- Toxic or hazardous air pollutants in amounts which may increase cancer risk for the affected population; or
- Odor or another air quality nuisance problems impacting a considerable number of people.

Appendix G of the CEQA Guidelines considers a project to have a significant air quality impact if the project would:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard;
- Expose sensitive receptors to substantial pollutant concentrations; or
- Result in other emissions (such as those leading to odor) adversely affecting a substantial number of people.

## b. Project Impacts and Mitigation Measures

Impacts and mitigation measures described in the OCP EIR are incorporated below, with corresponding analysis pertaining to the proposed Willow Creek and Hidden Canyon Residential Project. Impacts identified in the OCP EIR are compared with those that are anticipated to occur under the proposed Willow Creek and Hidden Canyon Residential Project.

| | |
|---|---|
| **Threshold:** | Would the project conflict with or obstruct implementation of the applicable air quality plan? |

### Impact AQ-1 THE PROJECT WOULD ACCOMMODATE NEW RESIDENTS IN UNINCORPORATED SANTA BARBARA COUNTY, BUT THIS INCREASE IN POPULATION WOULD NOT EXCEED THE SBCAG GROWTH FORECASTS USED TO PREPARE THE 2016 OZONE PLAN. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT (CLASS III).

In order to be determined to be consistent with the 2016 Ozone Plan, a project's direct and indirect emissions must be accounted for in the growth assumptions of the Ozone Plan and the project must be consistent with the policies in the Ozone Plan (SBCAPCD 2017). In addition, in order to be consistent with Ozone Plan, all projects involving earthmoving activities must implement the standard dust control measures. The project would be required to implement Mitigation Measure AQ-10 from the OCP EIR, which includes the standard dust control measures required by the SBCAPCD for all discretionary projects.

As described in Section 4.3.3(a), *Methodology and Significance Thresholds*, a residential project would be inconsistent with the 2016 Ozone Plan if it would accommodate population growth above the amount forecast for unincorporated Santa Barbara County. Vehicle use and emissions are directly related to population, as additional residents would result in more vehicular use. Populations that remain within Clean Air Plan and SBCAG forecasts are accounted for with regard to SBCAPCD emissions inventories. When population growth exceeds these forecasts, emission inventories could be surpassed, affecting attainment status. The 2016 Ozone Plan is based on land use and population projections provided by SBCAG, which are shown in Table 4.3-3. Residential projects that exceed the amount of forecast growth for the specific jurisdiction or sub-region would be considered inconsistent with the 2016 Ozone Plan. The project would result in fewer homes being built on Key Site 21 than assumed for the site under buildout of the OCP. With less residential development, the Specific Plan would accommodate fewer new residents. The project would construct 146 residences by 2024, which would accommodate approximately 431 residents.

**Table 4.3-3 SBCAG Housing Projections for Santa Maria Unincorporated Sub-Regional Area within Unincorporated Santa Barbara County**

| Year | Population Forecast | Households |
|---|---|---|
| 2010 | 32,737 | 11,642 |
| 2020 | 32,751 | 11,647 |
| 2035 | 39,244 | 13,917 |
| 2040 | 39,829 | 14,123 |

Source: SBCAG 2012

Planned and pending projects would add approximately 884 units to the Santa Maria sub-regional area of unincorporated Santa Barbara County (County of Santa Barbara 2018a). The total number of housing units generated by the project, in combination with other reasonably foreseeable residential development in the unincorporated County near Santa Maria, would be 1,030 units, which would not exceed the forecasted increase of 2,270 housing units between 2020 and 2035 in the Santa Maria sub-regional area of unincorporated Santa Barbara County. The increase of 146 residences would comprise approximately 6.5 percent of the projected growth in the Santa Maria sub-regional area of unincorporated Santa Barbara County, which would be consistent with growth forecast assumptions used in the 2016 Ozone Plan.

The OCP EIR determined that the OCP would conflict with the then current 1994 Clean Air Plan due to an increased rate of population growth that was not anticipated by the Clean Air Plan. However, implementation of the proposed project would not result in more development than anticipated by SBCAG and the current 2016 Ozone Plan. Therefore, the project would not conflict with or obstruct implementation of the applicable air quality plan, and this impact would be less than significant (Class III).

## Mitigation Measures

No mitigation is required because impacts would be adverse, but less than significant (Class III).

| | |
|---|---|
| **Threshold:** | Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? |

### Impact AQ-2 PROJECT CONSTRUCTION ACTIVITY WOULD GENERATE TEMPORARY INCREASES IN CRITERIA AIR POLLUTANT EMISSIONS OF OZONE PRECURSORS, CO, $SO_2$, $PM_{10}$, AND $PM_{2.5}$, BUT THESE EMISSIONS WOULD NOT SIGNIFICANTLY DEGRADE REGIONAL AND LOCAL AIR QUALITY. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT (CLASS III).

The project would result in fewer homes being built on Key Site 21 than under buildout of the OCP. With less site disturbance and development, overall construction activity would be less for the proposed Specific Plan than construction required for buildout under the OCP. Nevertheless, project construction activity would emit ozone precursors $NO_X$ and ROC as well as CO, $SO_2$, $PM_{10}$, and $PM_{2.5}$. The majority of construction-related emissions would result from grading due to the use of heavy-duty construction equipment. Other emissions would result from building construction and the evaporation of ROC from architectural coatings (paint).

Construction emissions modeling assumed that construction would occur over the course of 55 months, beginning in June 2019 and ending in January 2024, with construction occurring concurrently at both the Willow Creek and Hidden Canyon locations. The estimated commencement of construction is now in June 2021. Emission factors calculated assuming a construction commencement in 2019 are a worst-case assessment, as equipment used in two years will be generally cleaner as older, less efficient pieces are taken out of the construction fleet. The construction equipment mix was based on CalEEMod default values for the SBCAPCD region. Soil material would be balanced on-site between the two locations. Estimated maximum annual construction emissions are shown in Table 4.3-4.

**Table 4.3-4 Project Construction Emissions**

| | Maximum Annual Emissions (~~lbs/day~~ tons/year) | | | | | |
|---|---|---|---|---|---|---|
| | **ROC** | **$NO_X$** | **CO** | **$SO_2$** | **$PM_{10}$** | **$PM_{2.5}$** |
| Construction Year 2019[1] | 0.7 | 7.4 | 3.6 | <0.1 | 1.5 | 0.9 |
| Construction Year 2020[1] | 1.0 | 10.7 | 6.7 | <0.1 | 1.3 | 0.8 |
| Construction Year 2021[1] | 2.5 | 7.5 | 6.9 | <0.1 | 0.9 | 0.4 |
| Construction Year 2022[1] | 2.4 | 6.8 | 6.5 | <0.1 | 0.9 | 0.4 |
| Construction Year 2023 | 1.0 | 3.1 | 3.2 | <0.1 | 0.5 | 0.2 |
| Construction Year 2024 | 0.3 | <0.1 | <0.1 | <0.1 | <0.1 | <0.1 |
| **Maximum Annual Emissions** | **2.7** | **10.8** | **7.0** | **<0.1** | **3.8** | **1.9** |
| ~~SBCAPCD~~ County Threshold | 25 | 25 | n/a | 25 | 25 | 25 |
| **Threshold Exceeded?** | **No** | **No** | **n/a** | **No** | **No** | **No** |

[1] From 2019 through 2022, construction activities would be occurring simultaneously at both the Willow Creek and Hidden Canyon locations; therefore, maximum annual emissions are the sum of modeled emissions from construction activities at both locations.

Notes: All emissions modeling was completed using CalEEMod. See Appendix B for modeling results. Some numbers may not sum exactly due to rounding. Emission data shown is from "mitigated" results, which account for compliance with regulations and project design features. Emissions presented are the highest of the winter and summer modeled emissions.

As shown in Table 4.3-4, project construction would generate up to approximately 3 tons per year of ROC emissions, 11 tons per year of $NO_X$ emissions, and 4 tons per year of $PM_{10}$ emissions. Construction emissions would not exceed the ~~SBCAPCD~~ County's threshold of 25 tons per year for ROC, $NO_X$, $SO_2$, $PM_{10}$, and $PM_{2.5}$. Furthermore, the County of Santa Barbara considers short-term construction emissions of $NO_X$ to be less than significant because countywide emissions of $NO_X$ from construction equipment is insignificant compared to regional $NO_X$ emissions from other sources, such as vehicles (County of Santa Barbara 2018b).

Project construction activities would be subject to the County's grading ordinance to minimize fugitive dust emissions and associated impacts to air quality. The grading ordinance requires a grading permit and an Erosion and Sediment Control Plan for all new grading, excavations, fills, cuts, borrow pits, stockpiling, compaction of fill, and land reclamation projects on privately owned land where the transported amount of materials exceeds 50 cubic yards or the cut or fill exceeds three

feet in vertical distance to the natural contour of the land.[3] The County of Santa Barbara and the SBCAPCD also require implementation of standard dust control measures for all discretionary projects to reduce $PM_{10}$ emissions. Although $PM_{10}$ emissions from project construction activities would not exceed the ~~SBCAPCD~~ County's thresholds, the project would still be required to implement these standard dust control measures, consistent with Mitigation Measure AQ-10 of the OCP EIR and Policy AQ-O-2 of the OCP. Implementation of required dust control measures during earthmoving activities would minimize $PM_{10}$ emissions during construction, mitigating fugitive dust emissions (SBCAPCD 2017). Therefore, construction-related air quality impacts would be adverse, but less than significant (Class III).

## Mitigation Measures

No mitigation is required. Compliance with standard dust control measures required by the County of Santa Barbara and SBCAPCD and the County's grading ordinance would ensure that potential air quality impacts during project construction would be adverse, but less than significant (Class III).

| | |
|---|---|
| **Threshold:** | Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? |

### Impact AQ-3 THE PROJECT WOULD GENERATE CRITERIA AIR POLLUTANT EMISSIONS, BUT THESE EMISSIONS WOULD NOT SIGNIFICANTLY DEGRADE REGIONAL AND LOCAL AIR QUALITY OR SIGNIFICANTLY CONTRIBUTE TO THE AREA'S NONATTAINMENT-TRANSITIONAL DESIGNATION FOR OZONE AND NONATTAINMENT DESIGNATION FOR $PM_{10}$. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT (CLASS III).

The project would generate long-term emissions from new vehicle trips (mobile emissions), combustion of natural gas (energy emissions), and consumer products, architectural coatings, and landscaping equipment (area emissions). ~~Table 4.2-7~~ Table 4.3-5 summarizes estimated operational emissions associated with the project.

[3] The County accepts a Stormwater Pollution Prevention Plan (SWPPP) in lieu of an Erosion and Sediment Control Plan, as long as the SWPPP contains the requirements of the County's Erosion and Sediment Control Plan.

**Table 4.3-5 Project Operational Emissions**

| Emission Source | Maximum Daily Emissions (lbs/day) | | | | | |
|---|---|---|---|---|---|---|
| | ROC | $NO_x$ | CO | $SO_2$ | $PM_{10}$ | $PM_{2.5}$ |
| Area | 9.4 | 0.6 | 12.0 | < 0.1 | 0.1 | 0.1 |
| Energy | 0.1 | 1.1 | 0.5 | < 0.1 | 0.1 | 0.1 |
| Mobile | 2.1 | 7.1 | 20.6 | 0.1 | 5.7 | 1.6 |
| **Total Emissions** | **11.6** | **8.8** | **33.1** | **0.1** | **5.9** | **1.8** |
| County of Santa Barbara Vehicle Source Emission Thresholds | 25 | 25 | N/A | N/A | N/A | N/A |
| **Vehicle Source Emission Threshold Exceeded?** | **No** | **No** | N/A | N/A | N/A | N/A |
| County of Santa Barbara Area + Vehicle Sources Emission Thresholds | 55 | 55 | N/A | N/A | 80 | N/A |
| **Area + Vehicle Sources Emission Threshold Exceeded?** | **No** | **No** | N/A | N/A | **No** | N/A |

Notes: All emissions modeling was completed using CalEEMod. See Appendix B for modeling results. Some numbers may not add up due to rounding. Emission data is pulled from "mitigated" results that include compliance with SBCAPCD Rule 323 (Architectural Coatings) and project design features that will be included in the project. Emissions presented are the highest of the winter and summer modeled emissions.

The County of Santa Barbara is designated nonattainment-transitional for the State eight-hour ozone standard and nonattainment for the State $PM_{10}$ standard; therefore, emissions of ROC, $NO_X$, and $PM_{10}$ would contribute to the area's current nonattainment status. However, as shown in ~~Table 4.2-7~~ Table 4.3-5, emissions would not exceed ~~SBCAPCD~~ the County's operational thresholds for ROC, $NO_X$, or $PM_{10}$. Therefore, project operation would not result in a cumulatively considerable net increase of criteria pollutants for which the project region is in nonattainment, and this impact would be adverse, but less than significant (Class III).

## Mitigation Measures

No mitigation is required because this impact would be adverse, but less than significant (Class III).

| | |
|---|---|
| **Threshold:** | Would the project expose sensitive receptors to substantial pollutant concentrations? |

**Impact AQ-4 CONSTRUCTION AND OPERATION OF THE PROJECT WOULD GENERATE EMISSIONS OF CARBON MONOXIDE AND TOXIC AIR CONTAMINANTS, WHICH CAN CONTRIBUTE TO HUMAN HEALTH HAZARDS. HOWEVER, SENSITIVE RECEPTORS WOULD NOT BE EXPOSED TO SUBSTANTIAL CONCENTRATIONS OF THESE POLLUTANTS. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT (CLASS III).**

## Carbon Monoxide Hotspots

Localized CO "hotspots" can occur at intersections with heavy peak hour traffic. Specifically, hotspots can be created at intersections where traffic levels are sufficiently high such that the local

CO concentration exceeds the federal AAQS of 35.0 parts per million (ppm) or the State AAQS of 20.0 ppm.

~~SBCAPCD~~ The County of Santa Barbara recommends a local CO hotspot analysis if the project would contribute~~s~~ more than 800 peak hour trips to an existing congested intersection at LOS D or below. According to the Traffic and Circulation Study (Stantec 2019, Appendix K), the project would generate approximately 104 AM peak hour trips and 145 PM peak hour trips, which would be distributed at several intersections in the project area. Therefore, project-generated traffic would not exceed the screening criteria of adding 800 peak hour trips to an existing congested intersection, and a local CO hotspot analysis is not warranted. In addition, according to SBCAPCD, due to the relatively low background ambient CO levels in Santa Barbara County, localized CO hotspot impacts associated with congested intersections are not expected to exceed the CO health-related air quality standards. Therefore, SBCAPCD no longer requires CO hotspot analyses. ~~Impacts related to CO hotspots would be adverse, but less than significant (Class III).~~ No impact related to CO hotspots would occur (Class IV).

## Toxic Air Contaminants

Project construction would result in emissions of Toxic Air Contaminants (TACs), primarily in the form of DPM emissions from heavy equipment operations and heavy-duty trucks during project construction. The following measures are required by State law to reduce DPM emissions:

- Fleet owners of mobile construction equipment are subject to the CARB Regulation for In-Use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, Section 2449), the purpose of which is to reduce DPM and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles.
- All commercial diesel vehicles are subject to Title 13, Section 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to 5 minutes; electric auxiliary power units should be used whenever possible.

As discussed in Section 4.3.1, *Setting*, sensitive receptors include schools, daycare facilities, hospitals, and adult/elderly care facilities. The closest existing sensitive receptor is a single-family residence located approximately 50 feet to the north of the project site's boundary.

The Air Quality Analysis Technical Report prepared for the project determined that project construction would not result in significant emissions of TACs as a result of the short duration of construction and the recommendation of the SBCAPCD to not include construction emissions in health risk assessments within the County.

Project operation would not include stationary sources that would emit air pollutants or TACs. Examples of projects that emit pollutants include oil and gas processing, gasoline dispensing, dry cleaning, electronic and parts manufacturing medical equipment sterilization, freeways, and rail yards. Therefore, operation of the proposed project would not result in substantial TAC emissions. Accordingly, neither construction nor operation of the project would result in substantial TAC emissions that would pose a significant health risk to nearby sensitive receptors. This impact would be adverse, but less than significant (Class III).

## Mitigation Measures

No mitigation is required because this impact would be adverse, but less than significant (Class III).

| **Threshold:** | Would the project result in other emissions (such as those leading to odor) adversely affecting a substantial number of people? |
|---|---|

**Impact AQ-5 SHORT-TERM PROJECT CONSTRUCTION MAY RESULT IN TEMPORARY ODORS, BUT SPECIFIC PLAN DEVELOPMENT WOULD NOT INCLUDE LAND USES THAT WOULD RESULT IN LONG-TERM ODOR EMISSIONS THAT WOULD ADVERSELY AFFECT A SUBSTANTIAL NUMBER OF PEOPLE. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT (CLASS III).**

During construction activities, temporary odors from diesel equipment, gasoline fumes, and solvents would occur. Odors from these sources would be localized and generally confined to the project site. The closest sensitive receptor to the project site is a single-family residence located approximately 50 feet to the north of the project site across State Route 1. Construction activities would generally be during the workday when many residents would not be at home. Construction-related odors would be short-term, would cease upon completion, and would not generally occur at magnitudes that would affect a substantial number of people.

Land uses that typically produce objectionable odors include landfills, rendering plants, chemical plants, agricultural uses, wastewater treatment plants, refineries, fast food restaurants, bakeries, and coffee roasting facilities (CARB 2005; SBCAPCD 2017). The proposed residential uses are not considered odor-generating land uses. Therefore, odor impacts would be adverse, but less than significant (Class III).

## Mitigation Measures

No mitigation is required because this impact would be adverse, but less than significant (Class III).

## c. Cumulative Impacts

Growth within Santa Barbara County contributes to existing exceedances of ambient air quality standards. However, as discussed in the SBCAPCD's *Scope and Content of Air Quality Sections in Environmental Documents,* the cumulative contribution of project emissions to regional levels should be compared with existing programs and plans, including the most recent Clean Air Plan (SBCAPCD 2017). As discussed under Impact AQ-1, the project would not conflict with the 2016 Ozone Plan (Class III).

In analyzing cumulative impacts of the proposed project, an assessment must evaluate a project's contribution to the cumulative increase in pollutants for which the County is designated as nonattainment for the NAAQS or CAAQS. The County is currently in attainment of all NAAQS and is in attainment for all CAAQS with the exception of the State eight-hour ozone standard and the State $PM_{10}$ standard. Construction and operation of the project would generate emissions of ozone precursors as well as emissions of $PM_{10}$. As discussed under Impact AQ-2, the project would be required to comply with the County's grading ordinance and implement standard dust control measures required by the County of Santa Barbara and SBCAPCD, which would reduce $PM_{10}$ emissions during construction, and annual operational emissions of $PM_{10}$ would not exceed the ~~SBCAPCD~~ County's annual operational emission threshold. Therefore, the project's contribution to the County's nonattainment status for the State $PM_{10}$ standard would not be cumulatively considerable (Class III).

The OCP EIR determined that buildout of the OCP would result in a significant and unavoidable impact related to emissions of ozone precursors from long-term planned growth and development activities. As a result, the OCP EIR required implementation of several mitigation measures (AQ-3

through AQ-9.1) at the County-level that would reduce this impact (see Section 4.3.2, *Previous Environmental Review*, for more information). These measures were incorporated into the OCP as Policy AQ-O-1, Program AQ-O-1.1, Program AQ-O-1.2, Action AQ-O-1.3, Action CIRC-O-6.1, Action CIRC-O-6.2, Policy CIRC-O-9, DevStd CIRC-O-11, and Policy CIRC-O-7. However, the OCP EIR determined that this impact would remain significant and unavoidable; therefore, operational emissions of ozone precursors by buildout of the OCP was identified as a significant cumulative impact. Nevertheless, as discussed under Impact AQ-3, operational emissions generated by the project would not exceed ~~SBCAPCD~~ the County's annual operational emission thresholds for ozone precursors ROC and $NO_X$. Therefore, the project's contribution to the County's nonattainment status for the State eight-hour ozone standard and the cumulative impact related to ozone precursor emissions identified by the OCP EIR would not be cumulatively considerable (Class III).

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# 4.4 Biological Resources

This section evaluates potentially significant impacts to biological resources associated with the Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project in the Orcutt Community Plan (OCP) area in northern Santa Barbara County. The analysis in this section evaluates development of the proposed Willow Creek neighborhood, Hidden Canyon neighborhood, and tie-in to the recorded sewer line easement on Key Site 22 north of the site (collectively referred to as "the project"). This section outlines the results of biological resources analyses prepared by Dudek and Storrer Environmental Services and peer reviewed by Rincon Consultants, Inc. (Appendix C). These documents include:

- Biological Resources Assessment Report for The Neighborhoods of Willow Creek & Hidden Canyon (2019 BRA) (Dudek Environmental Planning [Dudek] 2019b)
- Wetland Delineation and Jurisdictional Determination for The Neighborhoods of Willow Creek & Hidden Canyon (2018 JD) (Dudek 2018)
- Draft Open Space Management Plan for The Neighborhoods of Willow Creek & Hidden Canyon (Draft OSMP) (Dudek 2019c)
- California Tiger Salamander Aquatic Survey Results Rancho Maria Golf Course (Storrer Environmental Services [Storrer] 2017)

## 4.4.1 Setting

### a. Environmental Setting

### Vegetation Communities

Ten naturally occurring vegetation communities and three man-made vegetation land cover types occur on Key Site 21 and the proposed sewer line easement, which is located north of Key Site 21 on Key Site 22. Table 4.4-1 shows vegetation communities/land cover types within the proposed Willow Creek and Hidden Canyon neighborhoods. These vegetation communities and land cover types are described below based on descriptions provided in the 2019 BRA (Appendix C) and are shown in Figure 4.4-1.

**Table 4.4-1 Vegetation Summary on Key Site 21 and the Sewer Line Easement**

| | Key Site 21 | | | Sewer Line Easement |
|---|---|---|---|---|
| Vegetation Community/ Land Cover Type | Total Acres | Occurs in Willow Creek | Occurs in Hidden Canyon | Total Acres |
| California annual grassland | 157.19 | Yes | Yes | 0.02 |
| Purple needlegrass grassland | 1.86[1] | Yes | Yes | 0 |
| Perennial rye grass grassland | 0.73[1] | Yes | No | 0 |
| Bristly ox-tongue | 0.92 | No | Yes | 0 |
| Cattail marshes | 0.13 | No | Yes | 0 |
| Coyote brush scrub | 20.10 | Yes | Yes | 0 |
| California sagebrush scrub | 5.91 | Yes | Yes | 0 |
| Arroyo willow thickets | 3.79 | No | Yes | 0.11 |
| Eucalyptus grove | 5.08 | Yes | Yes | 0 |
| Coast live oak woodland | 25.20[2] | Yes | Yes | 0 |
| Developed | 112.72 | Yes | Yes | 0.01 |
| Debris | 0.74 | No | No | 0 |
| Fallow agriculture | 0 | No | No | 0.66 |

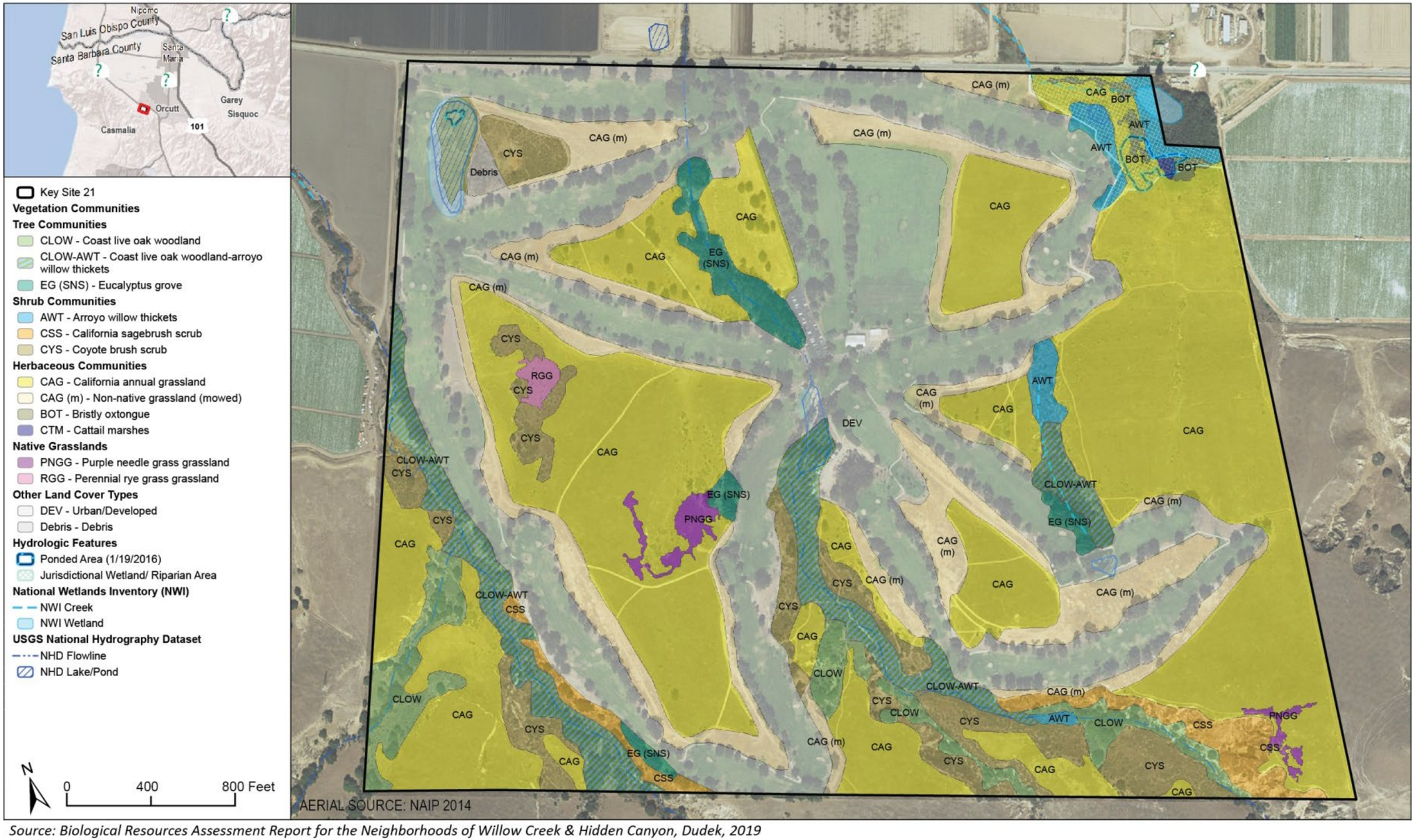
[1] Mapped by Dudek within project site only

[2] 15.17 acres consists of the sensitive Coast Live Oak Woodland-Arroyo Willow Thicket Association.

### *California Annual Grassland*

Vegetation in this habitat type is composed primarily of non-native short to tall annual grasses and native and non-native broad-leafed forbs. Noxious weeds are also present in disturbed areas adjacent to this habitat type. Dominant grasses include ripgut brome (*Bromus diandrus*), red brome (*Bromus madritensis*), wild oat (*Avena fatua*), Italian ryegrass (*Festuca perennis*), rat-tail fescue (*Festuca myuros*), and dove weed (*Croton setiger*). Flowering herbs include western vervain (*Verbena lasiostachys*), scarlet pimpernel (*Lysimachia arvensis*), common catchfly (*Silene gallica*), and island false bindweed (*Calystegia macrostegia* ssp. *cyclostegia*). No vegetation associations or alliances in A Manual of California Vegetation, Second Edition (MCV2; Sawyer et al. 2009) appropriately characterize this type of vegetation within Key Site 21, however, it is generally consistent with the California annual grassland as described in A Manual of California Vegetation, First Edition (MCV1; Sawyer and Keeler-Wolf 1995). California annual grassland is abundant throughout the both the proposed Willow Creek and Hidden Canyon neighborhoods (refer to Figure 4.4-1 and Table 4.4-1).

**Figure 4.4-1 Vegetation Communities on Key Site 21**




*Source: Biological Resources Assessment Report for the Neighborhoods of Willow Creek & Hidden Canyon, Dudek, 2019*

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### *Native Grasslands*

The County of Santa Barbara Environmental Thresholds and Guidelines Manual discusses native grasslands as follows:

> "For purposes of resource evaluation in Santa Barbara County, a native grassland is defined as an area where native grassland species comprise 10 percent or more of the total relative cover.
>
> Removal or severe disturbance to a patch or patches of native grasses less than one-quarter acre, which is clearly isolated and is not a part of a significant native grassland or an integral component of a larger ecosystem, is usually considered insignificant. …Native grasslands which are dominated by perennial bunch grasses such as purple needlegrass (Stipa pulchra) tend to be patchy (the individual plants and groups of plants tend to be distributed in patches). Therefore, for example, where a high density of small patches occurs in an area of one acre, the whole acre should be delineated if native grassland species comprise 10 percent or more of the total relative cover, rather than merely delineating the patches that would sum to less than one acre."

Native grasslands were evaluated on the project site to determine whether areas meet the County of Santa Barbara criteria for native grasslands, a sensitive community, in those locations where combined cover of native grassland patches totals at least 0.25 acre within 1.0 acre of land. All patches of native grasses, regardless of size, were evaluated for percent cover of species and extent of grassland (Appendix C).

As described in the County's definition, perennial bunchgrass dominated grasslands tend to be patchy and, therefore, evaluation of these native vegetation communities included all patches encountered during field surveys. Several smaller patches of purple needlegrass occur on the project site; however, these patches did not meet the County criteria of 0.25-acre patch size. Those areas that were mapped have diagnostic presence of native herbs and grasses, and at least 10 percent cover of native grassland species. Native grasslands mapped on the project site were consistent with the Purple Needlegrass Grasslands (*Stipa* [=*Nassella*] *pulchra*) Herbaceous Alliance and Creeping Rye Grass Turf (*Leymus triticoides*) Herbaceous Alliance membership rules (Sawyer et al. 2009) and County native grassland definition. These native grasslands are discussed below.

### *Purple Needle Grass Grassland*

Purple needle grass grassland occurs in patches on site, particularly in the central portion of the proposed Willow Creek neighborhood and southeastern portions of the proposed Hidden Canyon neighborhood (refer to Figure 4.4-1 and Table 4.4-1). Species occurring on the project site that are associated in the purple needle grass grassland alliance include ripgut grass, soft brome (*Bromus hordeaceus*), wild oat, and Italian ryegrass. Native flowering herbs include scarlet pimpernel, common catchfly, common sandaster (*Corethrogyne filaginifolia*), and island false bindweed (Appendix C).

### *Perennial Rye Grass Grassland*

One patch of perennial rye grass grassland occurs in the central-western portion of the proposed Willow Creek neighborhood surrounded by annual brome grasslands and coyote brush scrub (refer to Figure 4.4-1 and Table 4.4-1). This vegetation community is dominated largely by beardless wildrye (*Leymus triticoides*) and also includes wild oat and Italian ryegrass in the herbaceous layer.

### *Bristly Ox-Tongue*

The bristly ox-tongue vegetation community is dominated by bristly ox-tongue (*Helminthotheca echioides*). These patches occur most commonly in seasonally wet places near the coast of southern California. Bristly ox-tongue often occurs in waste places, roadsides, pastures, fields, crop fields, vineyards, orchards, gardens, landscaped areas, and other disturbed open places. Bristly ox-tongue patches occur in the slightly depressed area in the northeast corner of the proposed Hidden Canyon neighborhood (refer to Figure 4.4-1 and Table 4.4-1). This vegetation community is it is not described in MCV2 (Sawyer et al. 2009).

### *Cattail Marshes*

This vegetation community is dominated by broadleaf cattail (*Typha latifolia*) and occurs in a wetland area located in the northwest corner of the proposed Hidden Canyon neighborhood (refer to Figure 4.4-1 and Table 4.4-1). Cattail marsh corresponds to the *Typha latifolia* Herbaceous Alliance (Sawyer et al. 2009).

### *Coyote Brush Scrub*

Coyote brush scrub includes coyote brush (*Baccharis pilularis*) as the dominant or co-dominant shrub in the canopy. Coyote brush scrub has a variable shrub canopy less than 10 feet in height with a variable ground layer. Species associated with coyote brush scrub on site include California sagebrush (*Artemisia californica)*, poison oak (*Toxicodendron diversilobum*), and California figwort (*Scrophularia californica*). Herbaceous species found in association with this community on-site include bromes, wild oat, and black mustard (*Brassica nigra*). This vegetation community occurs in the southern portions of the proposed Willow Creek and Hidden Canyon neighborhoods (refer to Figure 4.4-1 and Table 4.4-1) This vegetation community corresponds to the *Baccharis pilularis* Shrubland Alliance (Sawyer et al. 2009). In addition, coyote brush scrub as it is characterized on site would also be considered as coastal scrub by the OCP (County of Santa Barbara 2004).

### *California Sagebrush Scrub*

California sagebrush scrub contains California sagebrush as the sole or dominant shrub species. It has a continuous or intermittent shrub canopy of less than seven feet in height with a variable ground layer. Stands of this vegetation community are located on the upper slopes of the canyon features associated with the ephemeral waterways that traverse the southern portions of the proposed Willow Creek and Hidden Canyon neighborhoods (refer to Figure 4.4-1 and Table 4.4-1). Species associated with the California sagebrush scrub include Menzies' goldenbush (*Isocoma menziesii*), ladies' tobacco (*Pseudognaphalium californicum*), coyote brush, black sage (*Salvia mellifera*), and poison oak. The herbaceous understory includes a sparse cover of various brome species, as well as scarlet pimpernel and redstem stork's bill (*Erodium cicutarium*). This vegetation community corresponds to the *Artemisia californica* Shrubland Alliance (Sawyer et al. 2009). In addition, California sagebrush scrub as it is characterized on site would also be considered as central coastal sage scrub and coastal scrub under the OCP (County of Santa Barbara 2004).

### *Arroyo Willow Thickets*

Arroyo willow thickets consist of arroyo willow (*Salix lasiolepis*) as the dominant or co-dominant shrub or tree in the canopy. Arroyo willow thickets have an open to continuous canopy less than 33 feet in height with a variable ground layer. These stands are generally located within the canyon bottoms associated with the ephemeral waterways and other drainages and wetlands within the

project site (refer to Figure 4.4-1 and Table 4.4-1). This community is dominated by arroyo willow and sometimes includes a low cover of coyote brush, poison hemlock (*Conium maculatum*), poison oak, and coast live oak (*Quercus agrifolia*). This vegetation community corresponds to the *Salix lasiolepis* Shrubland Alliance (Sawyer et al. 2009).

### *Eucalyptus Grove*

Eucalyptus groves on the project site consist of Tasmanian bluegum (*Eucalyptus globulus*) and red ironbark (*Eucalyptus sideroxylon*) as the dominant species. Eucalyptus groves have an intermittent to continuous canopy less than 164 feet in height with a sparse to intermittent shrub and herbaceous layer. On site the shrub and herbaceous layers are largely absent. Eucalyptus groves on the project site occur in three patches (in the central, central-northern, and central eastern portions) (refer to Figure 4.4-1 and Table 4.4-1). Two of these stands are located within the canyon bottoms associated with ephemeral waterways. This vegetation community corresponds to the *Eucalyptus* spp. Woodland Semi-Natural Alliance (Sawyer et al. 2009).

### *Coast Live Oak Woodland*

Coast live oak woodland includes stands of coast live oak as the dominant or co-dominant species in the tree canopy. This vegetation community has an open to continuous canopy less than 98 feet in height with a sparse to intermittent shrub layer and a sparse or grassy the herbaceous layer. Coast live oak woodland vegetation occurs in several linear patches in the southwestern, central-southern and southeastern portions of the proposed Willow Creek and Hidden Canyon neighborhoods (refer to Figure 4.4-1 and Table 4.4-1). This vegetation community corresponds to the *Quercus agrifolia* Woodland Alliance (Sawyer et al. 2009).

In addition, a unique association of coast live oak woodland occurs within the proposed Willow Creek and Hidden Canyon neighborhoods, Coast Live Oak Woodland-Arroyo Willow Thicket (*Quercus agrifolia-Salix lasiolepis* [Sawyer et al. 2009]). This association consists of coast live oak and arroyo willow as co-dominant species in the tree canopy.

This association occurs in several linear patches within the canyon bottoms associated with the on-site ephemeral waterways (refer to Figure 4.4-1 and Table 4.4-1). Understory vegetation consists of intermittent cover of Pacific poison oak and coyote brush.

### *Developed*

Developed is a land cover type not recognized in MCV2. These areas are characterized as currently built environments related to the Rancho Maria Golf Club (RMGC) public golf course, including an abundance of open space largely made up of turf grass and row trees. Vegetation present within the developed land that provides habitat for wildlife species largely consists of tree species including Tasmanian blue gum, Aleppo pine (*Pinus halapensis*), Italian stone pine (*Pinus pinea*), Monterey pine (*Pinus radiata*) and shrub species including myoporum (*Myoporum laetum*). Herbaceous species cover is generally very low within the developed land due to regular maintenance associated with the golf course operations. In addition, paved roadway occurs where the sewer line easement crosses State Route 1 occurs.

### *Debris*

Debris is a land cover type not recognized in MCV2. One area classified as this cover type occurs within Key Site 21, but is not found within project site and is entirely man-made consisting of

stockpiled landscape material including wood chips and tree trimmings associated with the public golf course.

### *Fallow Agriculture*

Fallow agriculture is not recognized in MCV2. Fallow agriculture comprises approximately 0.66 acre exclusively within the sewer line easement. These areas are characterized by areas previously under agricultural cultivation.

## Drainages and Wetlands

### *Drainages*

Drainages and wetlands on Key Site 21 are shown on Figure 4.4-2. ~~Two~~ Three major unnamed drainages occur on Key Site 21, two ~~both~~ of which are tributary to Orcutt Creek. One is located in the ~~southeastern~~ southwestern corner within the open space area, while the last ~~other~~ is in the central portion of Key Site 21. The latter also occurs within the sewer line easement and supports hydrophytic vegetation, hydric soils, and wetland hydrology indicators within the stream channel. Vegetation associated with these drainages consists of a combination of eucalyptus grove, coast live oak woodland, and arroyo willow thicket communities. In addition, three ephemeral drainages occur on Key Site 21, two of which occur within the development footprints of the proposed Willow Creek and Hidden Canyon neighborhoods. The third occurs within the northern portion of the proposed Willow Creek neighborhood (within an area designated as open space per the Draft OSMP) as well as extends north and intersects the end of the proposed sewer easement.

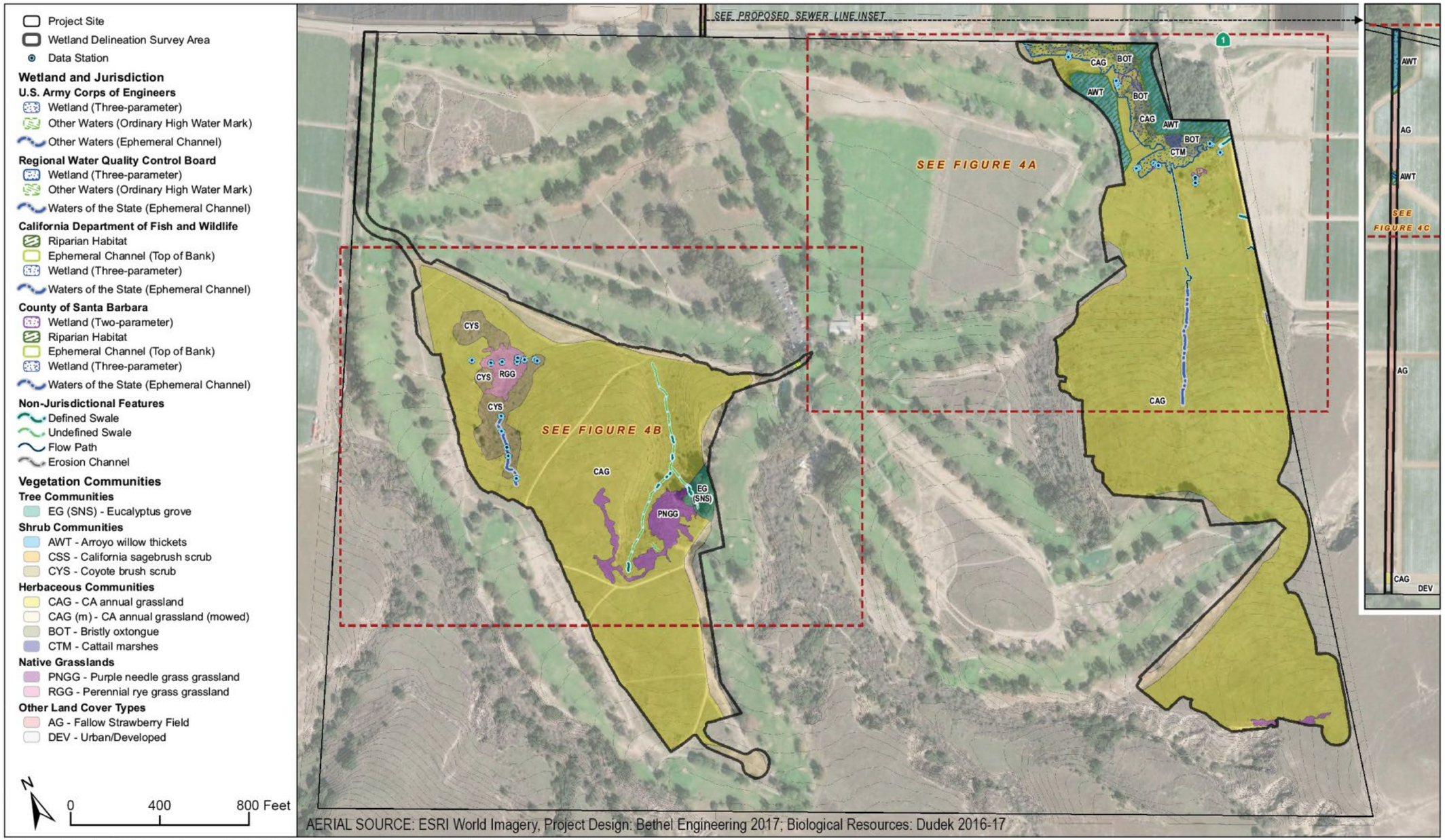
### *Wetlands*

Wetlands are regarded as important biological resources both because of their rarity and because they serve a variety of functional values. Several types of wetlands exist in Santa Barbara County, including freshwater marshes, vernal pools, and riparian habitats. According to the County of Santa Barbara Environmental Thresholds and Guidelines Manual, wetlands must have one or more of the following attributes (County of Santa Barbara 2008):

- At least periodically, the land supports predominantly hydrophytes, that is plants adapted to moist areas,
- The substrate is predominantly un-drained hydric soil, and
- The substrate is non soil and is saturated with water or covered by shallow water at some time during the growing season of each year. (County of Santa Barbara 2009)

A wetland feature occurs within the northern portion of the proposed Hidden Canyon neighborhood that supports hydrophytic vegetation, hydric soils, and wetland hydrology, and therefore, constitutes a three-parameter wetland (refer to Figure 4.4-2 and Figure 4.4-3). This feature consists of herbaceous, largely non-native wetland species including bristly ox-tongue and curly dock (*Rumex crispus*), though native wetland species including pale spikerush (*Eleocharis macrostachya*) are present in varying concentrations and in relatively isolated areas. The historic drainage pattern is presumed to have been altered due to the presence of a drainage channel in the northern portion of the feature and a culvert under State Route 1, which direct flows from the wetland feature to the north and into an off-site agricultural ditch and ultimately into Orcutt Creek. Additional potential County two-parameter wetlands, consisting of mature stands arroyo willow and hydric soil indicators, were also identified within the proposed Hidden Canyon neighborhood surrounding the

**Figure 4.4-2 Drainages and Wetlands on Key Site 21**




*Source: Wetland Delineation and Jurisdictional Determination for the Neighborhoods of Willow Creek & Hidden Canyon, Dudek, 2018*

**Figure 4.4-3 Drainages and Wetlands – Hidden Canyon Neighborhood**


*Source: Wetland Delineation and Jurisdictional Determination for the Neighborhoods of Willow Creek & Hidden Canyon, Dudek, 2018*

three-parameter wetland. Riparian areas within the project site consisting of hydrophytic vegetation (such as arroyo willow thickets [Figure 4.4-1]) would also constitute as potential County wetlands.

### *Special Status Species*

For the purpose of this analysis, special status species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the United States Fish and Wildlife Service (USFWS) under the federal Endangered Species Act; those listed or proposed for listing, or candidates for listing as rare, threatened, or endangered by the California Department of Fish and Wildlife (CDFW) under the state Endangered Species Act; animals designated as "Fully Protected," "Species of Special Concern," "Rare," or "Watch List" by the CDFW, and plants recognized on the California Rare Plant Rank (CRPR) lists. Those plants ranked as CRPR 1, 2, 3, or 4 are considered special status species in this EIR, per the following code definitions:

- Rank 1A = Plants presumed extirpated in California, and either rare or extinct elsewhere;
- Rank 1B.1 = Rare or endangered in California and elsewhere; seriously threatened in California (over 80% of occurrences threatened/high degree and immediacy of threat);
- Rank 1B.2 = Rare or endangered in California and elsewhere; fairly threatened in California (20-80% occurrences threatened);
- Rank 1B.3 = Rare or endangered in California and elsewhere, not very threatened in California (<20% of occurrences threatened or no current threats known);
- Rank 2A = Plants presumed extirpated in California, but more common elsewhere;
- Rank 2B = Rare, threatened or endangered in California, but more common elsewhere;
- Rank 3 = Plants about which more information is needed (most are species that are taxonomically unresolved; some species on this list meet the definitions of rarity under California Native Plant Society and California Endangered Species Act);
- Rank 4.2 = Plants of limited distribution (watch list), fairly threatened in California (20-80% occurrences threatened); and
- Rank 4.3= Plants of limited distribution (watch list), not very threatened in California (<20% occurrences threatened or no current threats known).

CRPR List 4 species have limited distribution globally but are fairly common within their range. CRPR List 3 and List 4 plant species are typically not considered for analysis under CEQA except where they are designated as locally rare or otherwise protected by local government as is the case for those projects located under the jurisdiction of the County of Santa Barbara. In 1988, the County prepared a list of species considered to be of "local concern" because of local or regional scarcity (Wiskowski 1988). Although this list is outdated, plants occurring on this list may meet the definition of a locally designated special status species. An updated list was prepared in 2005 and updated in 2007 by the Santa Barbara Botanic Garden (Central Coast Center for Plant Conservation 2007) and includes species the County may consider special status.

Queries of the following databases were conducted to assess regionally occurring special status species:

- Query of the CDFW California Natural Diversity Database (CNDDB) occurrences of special-status species documented within the *Orcutt, California* USGS 7.5-minute topographic quadrangle and the eight surrounding quadrangles (Appendix C)

- Rincon conducted a query of the California Native Plant Society (CNPS) Online Inventory of Rare and Endangered Plants of California, which included records from the *Orcutt, California* USGS 7.5-minute topographic quadrangle and the eight surrounding quadrangles (Table 1 in Appendix C [note that plant species already evaluated in the 2019 BRA (Appendix C) were not included in the evaluation table])

Focused special status plant surveys were conducted between December 2015 and June 2016 to evaluate the potential for special status species to occur within the project area. The methodology and results of the focused botanical surveys are included in the 2019 BRA (Appendix C). The results of these queries and discussion of those special status plant and wildlife species present or with potential to occur on the project site are discussed below. Those species determined to not occur on the project site are evaluated in Appendix C.

### SPECIAL STATUS PLANT SPECIES

Based on the database and literature review, 63 special status plant species documented in the *Orcutt, California* USGS 7.5-minute topographic quadrangle; the eight surrounding quadrangles were assessed for their potential to occur in the project site. Of those 37 special status plant species have potential to occur within the project site based on the geographic range of each species and the presence of potentially suitable habitat. These species include:

- Beach layia (*Layia carnosa*)
- Beach spectaclepod (*Dithyrea maritima*)
- Black-flowered figwort (*Scrophularia atrata*)
- Blochman's dudleya (*Dudleya blochmaniae* ssp. *blockmaniae*)
- California adder's-tongue (*Ophioglossum californicum*)
- California spineflower (*Mucronea californica*)
- Cambria morning-glory (*Calystegia subacaulis* ssp. *episcopalis*)
- Chaparral ragwort (*Senecio aphanactis*)
- Crisp monardella (*Monardella undulata* ssp. *crispa*)
- Davidson's salkscale (*Atriplex serenana* var. *davidsonii*)
- Douglas' fiddleneck (Amsinckia douglasiana)
- Elegant wild buckwheat (*Eriogonum elegans*)
- Gaviota tarplant (*Deinandra increscens* ssp. *villosa*)
- Hoover's bent grass (*Agrostis hooveri*)
- Hubby's phacelia (*Phacelia hubbyi*)
- Jones' bush-mallow (*Malacothamnus jonesii*)
- Kellogg's horkelia (*Horkelia cuneata* var. *sericea*)
- La Graciosa thistle (*Cirsium scariosum* var. *loncholepis*)
- La Purisima manzanita (*Arctostaphylos purissima*)
- Mesa horkelia (*Horkelia cuneata* var. *puperula*)
- Palmer's spineflower (*Chorizanthe palmeri*)
- paniculate tarplant (*Deinandra paniculata*)
- Pecho manzanita (Arctostaphylos pechoensis)

- Robinson's pepper-grass (*Lepidium virginicum* var. *robinsonii*)
- Saints' daisy (*Erigeron sanctarum*)
- San Bernardino aster (*Symphyotrichum defoliatum*)
- San Luis Obispo monardella (*Monardella undulata* ssp. *undulata*)
- San Luis Obispo wallflower (*Erysimum capitatum* var. *lompocense*)
- Sand almond (*Prunus fasciculata* var. *punctate*)
- Sand mesa manzanita (*Arctostaphylos rudis*)
- Santa Barbara honeysuckle (*Lonciera subspicata* var. *subspicata*)
- Seaside bird's-beak (*Cordylanthus rigidus* ssp. *littoralis*)
- Short-lobed broomrape (*Orobanche parishii* ssp. *brachyloba*)
- Small-flowered morning-glory (*Convolvulus simulans*)
- South coast branching phacelia (*Phacelia ramosissima* var. *austrolitoralis*)
- Southern curly-leaved monardella (*Monardella sinuate* ssp. *sinuate*)
- Straight-awned spineflower (*Chorizanthe rectispina*)

Of these, two special status plant species have been observed and verified to occur on the project site during surveys conducted LFR in 2004/2005 and by Dudek in 2016, Blochman's dudleya (*Dudleya blochmaniae* ssp. *blochmaniae*; CRPR 1B.1) and Kellogg's horkelia (*Horkelia cuneata* var. *sericea*; 1B.1). This species was observed within the southwest corner of Key Site 21. In addition, one other special status plant species was potentially observed, blackflowered figwort (*Scrophularia atrata*; CRPR 1B.2). The specimen observed was not blooming or identifiable and therefore was documented as *Scrophularia* sp. (Appendix C). The remaining species that have potential to occur within the project site are those that generally occur in woodland, grassland or coastal scrub habitats as well as those that are associated with wetlands. The project site is located within federally designated critical habitat for La Graciosa thistle.

#### SPECIAL STATUS WILDLIFE SPECIES

Thirty-six special status animal species were reported to occur regionally, based on the database search and literature review (Appendix C). Of these, 13 species were eliminated from further analysis due to the absence of suitable habitat at the project site, or the occurrence of the project site outside of the species' known range. Several previous focused and reconnaissance survey efforts have been conducted on the project site in the past, and four special status animal species have been documented on the project site: California red-legged frog (CRLF; *Rana draytonii*), California tiger salamander (CTS; *Ambystoma californiense*), northern harrier (*Circus cyaneus*) (not documented by the CNDDB in the database query), and Monarch butterfly (*Danaus plexippus*). In addition to these species twenty other special status animal species were determined to have potential to occur based on the presence of suitable habitat. Following is a list of all 24 species and discussions of their potential to occur:

- American badger (*Taxidea taxus*)
- Blainville's horned lizard (*Phrynosoma blainvilli*)
- Burrowing owl (*Athene cunicularia*)
- California red-legged frog
- California tiger salamander

- Coast patch-nosed snake (*Salvadora hexalepis virgultea*)
- Golden eagle (*Aquila chrysaetos*)
- Grasshopper sparrow (*Ammodramus savannarum*)
- Loggerhead shrike (*Lanius ludovivanus*)
- Monarch butterfly
- Northern harrier
- Pallid bat (Antrozous pallidus)
- San Diego desert woodrat (Neotoma lepida intermedia)
- Silvery legless lizard (*Anniella pulchra pulchra*)
- Townsend's big-eared bat (*Corynorhinus townsendii*)
- Tricolored blackbird (*Agelaius tricolor*)
- Two-striped garter snake (*Thamnophis hammondii*)
- Vernal pool fairy shrimp (*Branchinecta lynchi*)
- Western pond turtle (*Actinemys marmorata*)
- Western red bat (Lasiurus blossevilii)
- Western spadefoot (*Spea hammondii*)
- White-tailed kite (*Elanus leucurus*)
- Yellow warbler (*Setophaga petechia*)
- Yellow-breasted chat (*Icteria virens*)

**Federal and State Listed**

*California Tiger Salamander*

The CTS consists of three distinct population segments (DPSs): the Santa Barbara County DPS, the Sonoma County DPS, and the Central DPS. The Santa Barbara County DPS and Sonoma County DPS are both federally listed as endangered while the Central DPS is federally listed as threatened. The CTS is state listed as threatened throughout its range. CTS breed in long-lasting rain pools (e.g., seasonal ponds, vernal pools, slow-moving streams) that are often turbid, and occasionally in permanent ponds lacking fish predators. During the non-breeding season, adults occur in upland habitats and occupy ground squirrel (*Otospermophilus beecheyi*) or pocket gopher (*Thomomys bottae*) burrows. They migrate nocturnally to aquatic sites to breed during relatively warm winter or spring rains. Juveniles emigrate at night from the drying pools to upland refuge sites, such as rodent burrows and cracks in the soil. Following breeding, adults move 9 to 518 feet (3 to 158 m) away from breeding ponds within the first night (Loredo et al., 1996; Trenham 2001). Most salamanders continue to move to different burrow systems further from the pond over the next one to four months, with an average distance of 374 feet (114 m) from the pond (Trenham 2001). The CTS utilize upland habitat within 1.24 miles of breeding ponds as noted in the Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander (USFWS, 2003).

The project site is located within the West Santa Maria/Orcutt Metapopulation Area as defined in the Recovery Plan for CTS (USFWS 2016). Critical habitat designated in the Draft Recovery Plan (Critical Habitat Unit 1) for this metapopulation includes 15 known breeding ponds. No critical habitat for this species is designated at the project site.

Prior focused surveys for CTS found the species throughout the northern portion of Key Site 21. These previous focused surveys consisted of a drift fence study conducted in the winter of 2004-2005 within the project site. Results of this survey included the detection of 10 CTS in pitfall traps (Appendix C). The basin in the northwest corner of the Key Site 21 (refer to Figure 4.4-1) is identified as SAMA-21, a known breeding pond, by the USFWS (2010). In April 2004, aquatic surveys of the breeding pond in the northwestern portion of Key Site 21 were conducted in which no CTS larvae were found (LFR 2004). In April 2017 aquatic surveys were conducted at SAMA-21 as well as two historic irrigation ponds and two irrigation reservoirs located on Key Site 21 within the RMGC (Appendix C). Twenty one CTS larvae were captured at SAMA-21. CTS were not detected at the other irrigation ponds and reservoirs sampled. Overall, the available aquatic habitat appears to be largely unchanged and wetland and ponded areas within Key Site 21 are potentially suitable breeding habitat for this species (refer to Figure 4.4-2). In addition, the entirety of the project site provides suitable upland habitat for the species due to proximity from potential and known breeding habitat.

The removal of agricultural operations has increased the amount of available upland habitat for the CTS and has improved the movement and dispersal habitat for the species. The upland habitat supports numerous small mammal burrows; however, the majority of these burrows appear to be associated with Botta's pocket gopher and only a small number of California ground squirrel burrows were observed. In addition, potential breeding ponds outside of Key Site 21 are located within the dispersal range of the species and the available upland habitat is suitable for movement and dispersal between breeding ponds. Presence of these habitat features, along with the previous observations of the species during focused surveys, show that the species is likely still present within the project site.

*California Red-legged Frog*

The CRLF is federally listed as threatened and a state species of special concern throughout its range. The historic range of the CRLF extended along the California coast from the vicinity of Point Reyes National Seashore, Marin County, and inland from the vicinity of Redding, Shasta County, southward to northwestern Baja California, Mexico. The species has lost approximately 70 percent of its former range; CRLF are locally abundant in the San Francisco Bay area and the central coast, but only isolated populations have been documented in the Sierra Nevada, northern Coast, and northern Transverse ranges.

The CRLF inhabits quiet pools of streams, marshes, and ponds. All life history stages are most likely to be encountered in and around breeding sites, which include coastal lagoons, marshes, springs, permanent and semi-permanent natural ponds, and ponded and backwater portions of streams, as well as artificial impoundments such as stock ponds, irrigation ponds, and siltation ponds. Eggs are typically deposited in permanent pools, attached to emergent vegetation.

The project site is located within Santa Maria River-Santa Ynez River Core Area, as defined in the Recovery Plan for the species (USFWS 2002). Designated critical habitat for the species borders the east, west, and south boundaries of Key Site 21. The CNDDB identifies several occurrences of the CRLF, on and near the project site. Additionally, a protocol-level survey for CRLF was completed in 2004 following the USFWS protocol survey guidelines for the species (USFWS 1997), which has since been updated (USFWS 2005). Results of the previous survey included the observation of nine CRLF individuals at a man-made pond immediately west of the RMGC clubhouse during a nighttime spotlighting survey (LFR 2004). No CRLF were observed at this or any other location during the daytime portion of the 2004 surveys (LFR 2004). During CTS aquatic surveys conducted in 2017 by

Storrer, CRLF tadpoles were captured within an irrigation reservoir in the southeastern portion of the RMGC (Appendix C).

The man-made pond identified to support CRLF in 2004 is situated outside of the development footprint; however, the project site does provide suitable movement habitat for this species. Although no other ponds were identified to support CRLF in 2004, this species may traverse the project site during dispersal periods in search of suitable breeding ponds in the vicinity of the project site as well as utilize drainages on the project site. Presence of these habitat features, along with the previous observations of the species during focused surveys, indicate that the species may still be present on Key Site 21, and may utilize the habitat within the project site.

*Vernal Pool Fairy Shrimp*

Vernal pool fairy shrimp is a federally threatened species. No definitive surveys focused on determining presence of vernal pool fairy shrimp within the project site have been conducted; however, the seasonally ponded features detected on the site (Appendix C) may be suitable habitat for vernal pool fairy shrimp. The time to maturity and reproduction for vernal pool fairy shrimp is temperature dependent, varying between 18 days and 147 days, with a mean of 39.7 days (Helm 1998). At this point in time, there is currently not enough information to determine the typical hydroperiod of the seasonally ponded features on Key Site 21, and specifically on the proposed Hidden Canyon neighborhood (refer to Figure 4.4-2 and Figure 4.4-3) and consequently whether these features hold water for durations suitable for vernal pool fairy shrimp to complete their life cycle. Vernal pool fairy shrimp are documented by the CNDDB regionally, but not on the project site. Cysts of vernal pool fairy shrimp are most commonly transported from one pool to another from the deposition of feces from water fowl and mammals that may have ingested cysts as well as muds containing cysts also attached to these animals (Belk 1999). As such, inoculation of the seasonally ponded areas of the project site could occur and based on the species habitat requirements, known occurrences in the vicinity of the project site and potentially suitable habitat found within the project site, this species has potential to occur.

**Species of Special Concern**

*Monarch Butterfly*

Monarch butterflies are protected by County of Santa Barbara local policies. The central coast of California is within the migratory route for the species, and there are several known autumnal and over-wintering sites on the central coast, including a known autumnal site at the public golf course (Appendix C). The project site provides suitable roosting habitat in the form of mature stands of eucalyptus trees, and the species has potential to occur during migration and over-wintering.

*Reptiles (western pond turtle, silvery legless lizard, Blainville's horned lizard, coast patch-nosed snake, and two-striped garter snake)*

Several reptiles designated as Species of Special Concern have potential to occur within the Key Site 21 based on the availability of suitable habitat. These species include western pond turtle, silvery legless lizard, Blainville's horned lizard, coast patched-nose snake, and two-striped garter snake. Western pond turtle and two-striped garter snake could potentially occur within the available seasonal or perennial ponds within Key Site 21 and the project site (including the proposed Willow Creek and Hidden Canyon neighborhoods). However, upland habitat in the vicinity of these features can also support these species. Suitable habitat for silvery legless lizard and Blainville's horned lizard is also present within Key Site 21 and the project site (including the proposed Willow Creek and

Hidden Canyon neighborhoods) consisting of grasslands, shrub lands and oak woodlands. Suitable habitat for the coast patch-nosed snake occurs in the areas of Key Site 21 and the project site (including the proposed Willow Creek and Hidden Canyon neighborhoods) that consist of shrub lands. These reptile species can also be found within the ephemeral waterways traversing the site and the seasonal/perennial ponds. No reptile Species of Special Concern were identified during the 2015-2016 field surveys (Appendix C).

*Amphibians (western spadefoot)*

The western spadefoot toad is almost completely terrestrial, entering water only to breed. Pools that are suitable for breeding are those which do not contain bullfrogs, fish, or crayfish and that pond for at least thirty (30) days for successful completion of larval development (Morey and Reznick, 2004). Outside the breeding season, the western spadefoot toad spends the majority of the time underground to avoid desiccation and prefer open areas with sandy or gravelly soils in a variety of habitats in the vicinity of a suitable breeding pond, including chaparral. Breeding (i.e., aquatic) and upland habitat is present within Key Site 21. Specifically, potential breeding habitat occurs within the seasonal or perennial ponds within Key Site 21 including those found in the northern portion of the proposed Hidden Canyon neighborhood. Suitable upland habitat consists of grassland, shrub lands and woodlands in close proximity to potential breeding habitat. Western spadefoot were not observed during surveys of Key Site 21.

*Mammals (American badger, San Diego desert woodrat, western red bat, Townsends's big-eared bat, and pallid bat)*

Suitable foraging habitat for Townsend's big-eared bat, western red bat, and pallid bat is present throughout the project site and surrounding area. Roosting habitat for western red bat and pallid bat is largely confined to the canyon features associated with the ephemeral waterways traversing the site as well as in the native and non-native woodlands associated with the public golf course and adjacent properties. No suitable roosting habitat for Townsend's big-eared bat is present within the project site or surrounding area (Appendix C), as this species preferred roosting habitat consists of rocky areas that are protected from high temperatures.

The San Diego desert woodrat is a subspecies of the desert woodrat that occurs from San Diego north to San Luis Obispo County. Nests that are constructed by this species are typically located within scrub habitats and often in rocky areas that can be found on Key Site 21 (including the proposed Willow Creek and Hidden Canyon neighborhoods).

No American badgers or burrows suitable to support the species were detected during previous field surveys; however, American badgers have been documented regionally by the CNDDB. This species utilizes a wide variety of scrub, forest and grassland habitats with friable soils and is expected to occur in the region. Key Site 21 provides suitable habitat for this species. Based on the habitat requirements, known occurrences in the vicinity and presence of suitable habitat, this species has potential to occur.

*Special Status Birds, Nesting birds, and Raptors (including tri-colored blackbird, grasshopper sparrow, yellow-breasted chat, loggerhead shrike, burrowing owl, yellow warbler, white-tailed kite and golden eagle, northern harrier)*

Several birds species protected by the California Fish and Game Code (CFGC) and Bald and Golden Eagle Protection Act may also nest in trees and shrubs on site. Two fully protected bird species (golden eagle and white-tailed kite), one state candidate Endangered/Species of Special Concern

(tri-colored blackbird), and six state Species of Special Concern bird species (burrowing owl, yellow warbler, grasshopper sparrow, yellow-breasted chat, loggerhead shrike, and northern harrier) have potential to occur or are known to occur on the project site.

The tri-colored blackbird requires open water, protected nesting substrate, and foraging areas with insect prey within a few miles of the colony. A small amount of emergent vegetation (i.e., cattails) and dense willow thickets are present within the northern portion of the proposed Hidden Canyon neighborhood that can provide potential nesting habitat for this species.

The burrowing owl is a Species of Special Concern that requires underground burrows or occasionally, other cavities, for nesting, roosting, and cover. Burrows used by the owls are usually dug by other species, termed host burrowers. In California, California ground squirrel burrows are frequently used by burrowing owls, but they may use dens or holes dug by other fossorial species including American badger and canid species. In some instances, owls have been known to excavate their own burrows. Natural rock cavities, debris piles, culverts, and pipes also are used for nesting and roosting (CDFG 2012). This species has been documented regionally by the CNDDB. No suitable burrows to support the species were detected during field surveys (Appendix C), however suitable vegetation communities that are known to support this species occur on Key Site 21. Therefore, this species has potential to occur.

Several species of raptors are known to utilize the project site for foraging and perching (Appendix C), and have the potential to nest in and immediately adjacent to the project site. During the 2015-2016 field surveys, nine inactive raptor nests were identified within the project site and surrounding area. Raptor nesting surveys completed in 2016 found no active raptor nests within the study area (Appendix C). However, several raptor species were identified including red-tailed hawk, white-tailed kite, northern harrier, golden eagle (*Aquila chrysaetos*), Cooper's hawk (*Accipiter cooperi*), red-shouldered hawk (*Buteo lineatus*), turkey vulture (*Cathartes aura*), great horned owl (*Bubo virginianus*), and American kestrel (*Falco sparverius*). Of these raptor species observed during the survey, red-tailed hawk, red-shouldered hawk, Cooper's hawk, great horned owl, and American kestrel were observed perched within the woodland areas within the project site. The remaining species were only observed soaring and/ or foraging over the project site. Northern harrier was observed on multiple occasions foraging within the project site and golden eagle was observed on one occasion soaring over and to the south of the project site. Based on the available suitable habitat, red-tailed hawk, red-shouldered hawk, Cooper's hawk, great horned owl, white-tailed kite, and American kestrel have potential to nest within the project site and surrounding areas. Key Site 21 does not provide suitable nesting habitat for golden eagle, but the project site does contain foraging habitat.

### *Sensitive Natural Communities*

Nine sensitive natural communities are identified by the CNDDB as occurring in the regional vicinity of Key Site 21 and include central coast arroyo willow riparian, central dune scrub, central foredunes, central maritime chaparral, coastal and valley freshwater marsh, southern California coastal lagoon, southern cottonwood willow riparian, southern vernal pool, and southern willow scrub. None of these communities are mapped by the CNDDB within Key Site 21 or the sewer line easement. The Sensitive Natural Communities List in the CNDDB is not currently maintained and no new information has been added. Therefore, vegetation types on site were also compared with the List of Vegetation Alliances and Associations (CDFW 2018). According to the CDFW's Vegetation Program, Alliances with State ranks of S1-S3 are considered to be imperiled, and thus, potentially of special concern. Three additional vegetation types with rank S1-S3 or otherwise designated as high

priority or potentially rare in the hierarchical list are present in the project site and include Purple Needlegrass Grasslands (*Stipa* [=*Nassella*] *pulchra*) Herbaceous Alliance, Creeping Rye Grass Turf (*Leymus triticoides*) Herbaceous Alliance, and Oak Woodland-Arroyo Willow Thicket (*Quercus agrifolia-Salix lasiolepis*) Association (refer to Figure 4.4-1 and Table 4.4-1). In addition, Coastal scrub (in the form of coyote brush scrub and California sagebrush scrub on the site) as well as California sagebrush scrub alone are considered sensitive under the OCP (County of Santa Barbara 2004). As noted above, California sage brush scrub would be considered as central coastal sage scrub under the OCP. The County of Santa Barbara Environmental Thresholds and Guidelines Manual also considers California sagebrush scrub as locally sensitive (2008). In addition, coast live oak woodlands on the project site are considered locally sensitive by the County of Santa Barbara. See Figure 4.4-1 for the locations of these natural communities.

### *Protected Trees*

In 1998 the County's Board of Supervisors initiated a collaborative public process to develop recommendations for oak protection. By July 2001 the County adopted the Oak Tree Protection and Regeneration Program (County of Santa Barbara 2009b). An outcome of this program was the Santa Barbara County Comprehensive Plan Conservation Element Oak Tree Protection in the Inland Rural Areas of Santa Barbara County as adopted in 2003, and republished in 2009. This document outlined protection goals, development standards, policies and implementing actions to promote the conservation, protection, and regeneration of native oak populations and oak woodlands.

- Oak Tree Protection Policy 1 states that "native oak trees, native oak woodlands and native oak savannas shall be protected to the maximum extent feasible in the County's rural and/or agricultural lands. Regeneration of oak trees shall be encouraged."
- Development Standard 1 (Protection of all species of mature oak trees) states that "development shall avoid removal of or damage to mature oak trees, to the maximum extent feasible." Mature oak trees are defined as live oak trees six inches or greater in diameter at breast height (DBH). "Native oak trees that cannot be avoided shall be replanted on site or on a receiver site known to be capable of supporting the particular oak tree species. Replanting shall conform to the County's Standard Conditions and Mitigation Measures."

The County's Environmental Thresholds and Guidelines Manual (October 2008, revised July 2015) states that individual native specimen trees (mature trees that are healthy and structurally sound and have grown into the natural stature particular to the species) are potentially significant. In general, the loss of 10 percent or more of the trees (by number or by canopy cover) of biological value on a project site is considered potentially significant.

In addition, the OCP (County of Santa Barbara 2004) protects native trees that are considered established and protected if they are six feet in height. Protected non-native trees are those with a DBH of 25 inches or greater (County of Santa Barbara 2004).

Ten tree species occur on the project site. These include: eucalyptus (*Eucalyptus* sp.), myoprum (*Myoporum laetum*), Monterey pine (*Pinus radiata*), coast redwood (*Sequoia sempervirens*), arroyo willow, Monterey cypress (*Cupressus macrocarpa*), Mexican fan palm (*Washingtonia robusta*), coast live oak, Modesto ash (*Fraxinus velutina*), and olive (*Olea* sp.) (see Appendix C for the full inventory of trees).

### *Wildlife Movement Corridors*

Wildlife movement corridors, or habitat linkages, are generally defined as connections between habitat patches that allow for physical and genetic exchange between otherwise isolated animal populations. Such linkages may serve a local purpose, such as providing a linkage between foraging and denning areas, or they may be regional in nature. Some habitat linkages may serve as migration corridors, wherein animals periodically move away from an area and then subsequently return. Others may be important as dispersal corridors for young animals. A group of habitat linkages in an area can form a wildlife corridor network.

The habitats within the link do not necessarily need to be the same as the habitats that are being linked. Rather, the link merely needs to contain sufficient cover and forage to allow temporary inhabitation by ground-dwelling species. Typically habitat linkages are contiguous strips of natural areas, though dense plantings of landscape vegetation can be used by certain disturbance-tolerant species. Depending upon the species using a corridor, specific physical resources (such as rock outcroppings, vernal pools, or oak trees) may need to be located within the habitat link at certain intervals to allow slower-moving species to traverse the link. For highly mobile or aerial species, habitat linkages may be discontinuous patches of suitable resources spaced sufficiently close together to permit travel along a route in a short period of time.

Corridors usually connect one large habitat area with another, and while there is no pre-defined size limit for such areas, they most often are on the scale of mountain ranges, valleys, rivers and creeks, or clearly delimited ecological situations (e.g., vernal pools). The *Missing Linkages: Restoring Connectivity to California Landscape* (Penrod et al., 2001) conference refers to such corridors as "landscape linkages." These are specifically defined in that report as:

> "large, regional connections between habitat blocks ("core areas") meant to facilitate animal movement and other essential flows between different sections of a landscape (taken from Soulé and Terborgh 1999). These linkages are not necessarily constricted, but are essential to maintain connectivity function in the ecoregion."

Wildlife movement corridors can be both large and small scale. The project site is not located within a landscape linkage identified by the above reference. Regionally, the project site is not located within an Essential Connectivity Area (ECA) as mapped in the report, California Essential Habitat Connectivity Project: A Strategy for Conserving a Connected California (2010). ECAs represent principle connections between Natural Landscape Blocks. ECAs are regions in which land conservation and management actions should be prioritized to maintain and enhance ecological connectivity. ECAs are mapped based on coarse ecological condition indicators, rather than the needs of particular species and thus serve the majority of species in each region. Small scale habitat corridors are also present on site and include drainages and other topographic features that facilitate movement. The drainages found within Key Site 21 and the sewer line easement, may provide opportunities for small scale regional connections for a number of species including, but not limited to the American badger, California mule deer (*Odocoileus hemeonus californicus*), and coyote (*Canis latrans*).

## b. Regulatory Setting

Federal, state, and local authorities under a variety of statutes and guidelines share regulatory authority over biological resources. The primary authority under CEQA for general biological resources lies within the land use control and planning authority of local jurisdictions, which in this instance is the County of Santa Barbara. The CDFW is a trustee agency for biological resources

throughout the State under the CEQA and also has direct jurisdiction under the CFGC, which includes, but is not limited to, resources protected by the State of California under the California Endangered Species Act (CESA). Below are discussions of the federal, state, and local regulations that form the regulatory basis for the impact analysis in Section 4.4.3.

## Federal

### *Federal Endangered Species Act*

Under the federal Endangered Species Act (FESA), authorization is required to "take" a listed species. Take is defined under FESA Section 3 as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Under federal regulation (50 Code of Federal Regulations Sections 17.3, 222.102); "harm" is further defined to include habitat modification or degradation where it would be expected to result in death or injury to listed wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. Critical habitat is a specific geographic area(s) that is essential for the conservation of a threatened or endangered species and that may require special management and protection. Critical habitat may include an area that is not currently occupied by the species but that will be needed for its recovery. FESA Section 7 outlines procedures for federal interagency cooperation to conserve federally listed species and designated critical habitat.

Section 7(a)(2) of FESA and its implementing regulations require federal agencies to consult with USFWS or National Marine Fisheries Service to ensure that they are not undertaking, funding, permitting, or authorizing actions likely to jeopardize the continued existence of listed species, or result in the destruction or adverse modification of critical habitat. For projects where federal action is not involved and take of a listed species may occur, the project proponent may seek to obtain an incidental take permit under FESA Section 10(a). Section 10(a) allows USFWS to permit the incidental take of listed species if such take is accompanied by a Habitat Conservation Plan that includes components to minimize and mitigate impacts associated with the take.

The USFWS and National Marine Fisheries Service share responsibility and regulatory authority for implementing FESA (7 United States Code [USC] Section 136, 16 USC Section 1531 et seq.).

### *Bald and Golden Eagle Protection Act*

The Bald and Golden Eagle Protection Act is the primary law protecting eagles, including individuals and their nests and eggs. The USFWS implements the Migratory Bird Treaty Act (16 USC Section 703-711) and the Bald and Golden Eagle Protection Act (16 USC Section 668). Under the Act's Eagle Permit Rule (50 Code of Federal Regulations 22.26), USFWS may issue permits to authorize limited, non-purposeful take of bald eagles and golden eagles.

## State

### *California Endangered Species Act (California Fish and Game Code Section 2050 et seq.)*

CESA establishes the policy of the state to conserve, protect, restore, and enhance threatened or endangered species and their habitats. CESA mandates that state agencies should not approve projects that would jeopardize the continued existence of threatened or endangered species if reasonable and prudent alternatives are available that would avoid jeopardy. For projects that would affect a listed species under both CESA and FESA, compliance with the FESA would satisfy the

CESA, if CDFW determines that the federal incidental take authorization is "consistent" with CESA under California Fish and Game Code Section 2080.1. Before a project results in take of a species listed under the CESA, a take permit must be issued under Section 2081(b).

### *California State Fish and Game Code Sections 2080, 2081*

Section 2080 of the CFGC states, "No person shall import into this state [California], export out of this state, or take, possess, purchase, or sell within this state, any species, or any part or product thereof, that the Commission [State Fish and Game Commission] determines to be an endangered species or threatened species, or attempt any of those acts, except as otherwise provided in this chapter, or the Native Plant Protection Act, or the California Desert Native Plants Act." Pursuant to Section 2081, CDFW may authorize individuals or public agencies to import, export, take, or possess state listed endangered, threatened, or candidate species. These otherwise prohibited acts may be authorized through permits or Memoranda of Understanding if the take is incidental to an otherwise lawful activity, impacts of the authorized take are minimized and fully mitigated, the permit is consistent with any regulations adopted pursuant to any recovery plan for the species, and the project operator ensures adequate funding to implement the measures required by CDFW, which makes this determination based on available scientific information and considers the ability of the species to survive and reproduce.

### *California Fish and Game Code Sections 3511, 4700, 5050, and 5515*

Protection of fully protected species is described in Fish and Game Code Sections 3511, 4700, 5050, and 5515. These statutes prohibit take or possession of fully protected species. Incidental take of fully protected species may be authorized under an approved Natural Community Conservation Plan.

### *Native Plant Protection Act (California Fish and Game Code Sections 1900-1913)*

CDFW also has authority to administer the Native Plant Protection Act (NPPA) (CFGC Section 1900 et seq.). The NPPA requires the CDFW to establish criteria for determining if a species, subspecies, or variety of native plant is endangered or rare. Under Section 1913(c) of the NPPA, the owner of land where a rare or endangered native plant is growing is required to notify the department at least 10 days in advance of changing the land use to allow for salvage of the plant(s).

### *California Fish and Game Code Section 1600 et seq.*

Section 1600 et seq. of the CFGC prohibits, without prior notification to CDFW, the substantial diversion or obstruction of the natural flow of, or substantial change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake. For these activities to occur, CDFW must receive written notification regarding the activity in the manner prescribed by the department, and may require a lake or streambed alteration agreement. Lakes, ponds, perennial and intermittent streams and associated riparian vegetation, when present, are subject to this regulation.

### *California State Fish and Game Code Sections 3503 and 3503.5*

Under these sections of the CFGC, the project operator is not allowed to conduct activities that would result in the taking, possessing, or destroying of any birds of prey; the taking or possessing of any migratory nongame bird as designated in the MBTA; the taking, possessing, or needlessly

destroying of the nest or eggs of any raptors or nongame birds protected by the MBTA; or the taking of any nongame bird pursuant to CFGC Section 3800.

### *California Environmental Quality Act Guidelines Section 15380*

In addition to the protections provided by specific federal and state statutes, CEQA Guidelines Section 15380(b) provides that a species not listed on the federal or state list of protected species nonetheless may be considered rare or endangered for purposes of CEQA if the species can be shown to meet certain specified criteria. These criteria are modeled on the definition in FESA and the section of the CFGC dealing with rare or endangered plants or animals.

## Santa Barbara County

The County of Santa Barbara adopted the OCP in 1995 to guide development within the Orcutt area. The OCP EIR identified biological impacts for a variety of properties within Orcutt, including Key Site 21. Mitigation measures prescribed for these impacts were outlined in the OCP EIR, and several of these mitigation measures were incorporated into the OCP as policies and development standards. In addition, the County of Santa Barbara maintains a list of locally important plant species and attempts to minimize development impacts to these species. The County also regulates impacts to wetlands through the discretionary permitting process. Requirements for the protection of biological resources in the unincorporated area of Santa Barbara County are provided by the Comprehensive Plan Conservation Element, Environmental Resource Management Element (ERME), Land Use Element, Community Plans, and the Coastal Land Use Plan (if within the Coastal Zone). These documents identify sensitive habitats and species, and provide measures to direct project design and policies to protect biological resources.

The following OCP policies and Development standards, many of which serve to implement mitigation measures identified in the OCP EIR, would apply:

**Policy BIO-O-1:** Important natural resources in Orcutt, including sandhill chaparral, central dune scrub, wetlands, oak trees and woodland, Bishop pine forest, specimen trees, and central sage scrub shall be protected, consistent with the Open Space Plan and the standards below, unless this would prevent reasonable development of a property.

**DevStd BIO-O-1.1**: Development shall be sited and designed to avoid disruption and fragmentation of significant natural resources within and adjacent to designated undeveloped natural open space areas, minimize removal of significant native vegetation and trees, preserve wildlife corridors and provide reasonable levels of habitat restoration. Where possible, significant natural resources, such as specimen trees, adjacent to designated, natural undeveloped open space corridors should be preserved. (Implements OCP EIR Mitigation Measure BIO-20)

**DevStd BIO-O-1.2**: Development within or adjacent to designated natural open space areas shall be reviewed for, and required to implement, habitat restoration where site-specific impacts require restoration. If restoration on or near the site is not feasible, acquisition and preservation of additional habitat acreage should be considered, as a last resort if no other like-kind habitat mitigation options are available, payment into a mitigation bank program within the OPA that is acceptable to the County as provided for by the

new DevStd BIO-O-1.8. Mitigation and restoration plans should identify acreage impacted, replacement ratios, success criteria, remedial measures, and funding and responsibility for long-term maintenance and monitoring. All such restoration projects shall utilize native plants derived from local (Orcutt) seed and cutting stock, or as deemed biologically acceptable by a County qualified biologist. Wildlife relocation should be avoided. However, any wildlife relocation should be coordinated with Fish and Game and be consistent with applicable State standards.

**DevStd BIO-O-1.3:** Landscaping for development on the edge of designated natural undeveloped open space areas shall include native trees and shrubs, with habitat restoration efforts focused on buffers. Planting of highly invasive weedy plants (e.g., iceplant, pampas grass, veldt grass, Monterey pine, eucalyptus, spiny clotbur, and Australian fireweed) shall be prohibited within 500 feet of natural undeveloped open space areas as designated on the Open Space map. (Implements OCP EIR Mitigation Measure BIO-28)

**DevStd BIO-O-1.5:** The edges of designated undeveloped natural open space areas shall be clearly delineated and fenced where necessary to protect resources both during construction and, when appropriate, over the life of the project. Long term fencing shall be designed to accommodate wildlife passage where appropriate.

**DevStd BIO-O-1.7:** Development adjacent to undeveloped natural open space within high fire hazard areas shall be sited and designed to minimize fire protection activities (e.g., fuel breaks) that may potentially disrupt these areas. Structures shall be sited a minimum of 100 feet from the edge of designated open space areas in the rural area and along the urban/rural corridors (e.g., Orcutt Creek). This setback may be adjusted downward to retain open space vegetation and allow reasonable use of a property. Firefighting equipment access shall be allowed within this setback and landscaping within this area should not impede the use of such equipment. Paved roads and trails may be allowed within the setback area. (Implements OCP EIR Mitigation Measure BIO-15)

**DevStd BIO-0-1.8:** Where new development eliminates important onsite habitat (e.g. coastal sage scrub, grasslands, riparian habitat, and wetlands), county shall require development to restore or enhance habitat and wetlands), County shall require development to restore or enhance like-kind habitat either onsite or offsite. If restoration site are limited or unavailable, County shall require payment of adequate fees into a mitigation bank program acceptable to County to permanently protect a comparable or greater amount of created or restored habitat elsewhere within the OPA.

**Policy BIO-O-2:** Consistent with necessary flood control practices, natural stream channels and riparian vegetation in Orcutt shall be maintained in an undisturbed state in order to protect banks from erosion, enhance wildlife passageways, and provide natural greenbelts, unless this would prevent reasonable development of a property.

**DevStd BIO-O-2.1:** Development shall include: a minimum setback of 50 feet from the outside edge of riparian vegetation or the top of creek bank (whichever is further) which may be adjusted upward depending on slopes, biological resources and erosion potential; hooding and directing lights away from the creek; drainage plans shall direct polluting drainage away from the creek or include appropriate filters; and erosion and sedimentation control plans shall be implemented during construction. (Implements OCP EIR Mitigation Measure BIO-24)

**Policy BIO-O-3:** Established native trees in designated open space areas shall be protected. Established native trees in developable areas shall be incorporated into the site landscaping plan to the greatest degree feasible except where it would interfere with reasonable development of a property. Native trees shall be considered established if they are six feet in height.

**DevStd BIO-O-3.1:** To the maximum extent feasible, development shall be designed to avoid damage to established native trees (e.g., oaks) by incorporating setbacks, clustering, or other appropriate methods. Areas protected from grading, paving, and other disturbances shall include the area 6 feet outside of established native tree driplines, unless this distance would interfere with reasonable development of a property. Where native trees are removed, they shall be replaced in a manner consistent with County standards. (Implements OCP EIR Mitigation Measure BIO-26)

**Policy BIO-O-4:** Non-native trees (e.g., eucalyptus groves and windrows) that provide known raptor nesting or key roosting sites shall be protected; non-native specimen trees shall be protected to the greatest degree feasible except where it would interfere with reasonable development of a property. Non-native trees of less than 25 inches in diameter at breast height do not qualify as specimens for this Policy.

**DevStd BIO-O-4.1:** Where non-native specimen trees are removed for development the County should consider replacement with native trees.

**Policy BIO-O-5:** New facilities in Orcutt, including roads, bike paths/trails, sewer lines and retention basins, shall to the maximum extent feasible be site sited and designed to avoid disruption of significant natural resources within designated natural undeveloped open space areas, minimize removal of significant native vegetation and trees and provide for reasonable levels of habitat restoration for significant habitats disrupted by construction.

**DevStd BIO-O-5.1:** Road construction shall minimize filling within creeks, stream corridors and wetlands and avoid or minimize removal of riparian vegetation. To the maximum extent feasible, bridges (rather than culverts) shall be required over all major creeks and wildlife corridors. Such bridges shall be designed to facilitate wildlife passage by providing at least 6 feet of vertical clearance and locate support structures outside of creek banks, if feasible. Crossings of tributaries and drainages should use bridges if a bridge would avoid or substantially reduce impacts to sensitive habitat and sediment buildup. Road projects should also preserve the hydrologic

connectivity between wetlands, and between wetlands and upland areas. (Implements OCP EIR Mitigation Measure BIO-1)

**DevStd BIO-O-5.3:** Multi-use trail construction should avoid removal of riparian vegetation to the maximum extent feasible. The Orcutt Creek multi-use trail shall be set back a minimum of 50 feet from the outside edge of riparian vegetation or the top-of-bank (whichever is further), unless this would make the multi-use trail link infeasible. Trail construction shall include riparian restoration between the edge of existing native vegetation and the bicycle path. Trail lighting should be directed away from the creek. (Implements OCP EIR Mitigation Measure BIO-2)

**DevStd BIO-O-5.4:** Trails should follow existing dirt road and trail alignments and utilize existing bridges where feasible. Where this is not possible, prior to final trail alignment proposed trail routes should be surveyed and rerouted where necessary to avoid sensitive species, subject to final approval by P&D and the Park Department. All trails shall be sited and designed to avoid or minimize impacts to sensitive resources, areas of steep slopes and/or highly erosive/sandy soils, where feasible. Developers shall fund sign installation along certain trails (as identified in the Multi Use Trail Guidelines) providing educational and interpretive information and advising dog owners to keep their dogs out of sensitive habitats. (Implements OCP EIR Mitigation Measure BIO-9)

**DevStd BIO-O-5.5:** Siting and construction of a new or expanded sewage treatment facility and associated ponds and/r spraying grounds and sewer trunk line extensions shall avoid important natural resources and should be based on results of sensitive species surveys. Facilities shall be constructed a minimum distance of 50 feet from the edge of riparian, marsh and wetland areas and shall avoid amphibian retreat areas. Sewer trunk lines should be placed under or adjacent to roads, bike path or trails, not within creeks or wetland areas.

**DevStd BIO-O-5.6:** Excavated fill for retention basin construction shall not be placed within important natural resource areas. Areas adjacent to or within habitats which are disturbed during construction shall be revegetated with appropriate native species. All sensitive habitat areas adjacent to proposed retention basins shall be fenced before grading begins to prevent disturbance and stockpiling in these areas. (Implements a portion of OCP EIR Mitigation Measure BIO-13)

**DevStd KS21-4:** The area depicted in Figure KS21-1 shall remain in natural, undeveloped open space. No development except trails or a roadway to parcel 113-250-17 and/or the existing parking lot shall be permitted within this open space and no structures shall be permitted within 550 feet of the top of the creek bank. The 50-foot setback shall be delineated by a low fence and plantings of native trees and shrubs. (Implements a portion of OCP EIR Mitigation Measure KS21-BIO-1)

## 4.4.2 Previous Environmental Review

The Biological Resources section of the OCP EIR examined the biological resources of the project region and the potential impacts as a result of development under the OCP. Impacts and mitigation measures applicable to Key Site 21, including measures that apply to the Orcutt Planning Area as a whole as well as site-specific mitigation measures, are outlined in Table 4.4-2. The OCP EIR concluded that impacts to riparian vegetation would be reduced to a less than significant level but impacts to wildlife and loss of habitat in general would remain significant and unavoidable.

**Table 4.4-2 Summary of Biological Impacts Identified in OCP Final EIR in Relation to the Proposed Project**

| OCP EIR Impact | Impact Summary | OCP EIR Impact Type | OCP EIR Mitigation | Impact Modified by Proposed Project? |
|---|---|---|---|---|
| **Orcutt Planning Area Analysis** | | | | |
| BIO-19 | **Habitat Elimination/Habitat Fragmentation**. Permanent loss or fragmentation of threatened or very threatened communities, diminution of wildlife populations through direct loss of habitats, disruption of wildlife corridors through encroachment, disturbance, introduction of domestic animals (especially predators), and weed invasion. | Class I | BIO-17a<br>BIO-17b<br>BIO-17c<br>BIO-20<br>BIO-21 | Yes. Class II See analysis for Impact BIO- 3 below. |
| Bio-20 | **Elimination of wetlands**. Elimination of 200 acres of wetlands would eliminate a substantial percentage of the last remaining freshwater wetlands on the central coast of California (90 percent of original statewide total has been eliminated) and would constitute a potentially significant impact. The elimination of the vernal wetlands in particular including "the best example of vernal pools in the County" [Olson 1991], (less than 2,000 acres remain in California) would create potentially significant impacts to these habitats. The loss of these wetlands would result in potentially significant impacts to a number of shorebirds and waterfowl such as black-necked stilt, killdeer, cinnamon teal, wood duck, and possibly the federal candidate species of tri-colored blackbird and long billed curlew through the loss of critical foraging and breeding habitat. | Class I | BIO-17c<br>BIO-18 | Yes. Class II. See analysis for Impact BIO- 4 below. |
| BIO-22 | **Fragmentation of wetland and upland habitat**. Development between wetland and upland retreat sites of amphibians (or on the uplands themselves) would have a potentially significant impact on two federal candidates for the Endangered Species List: California tiger salamander and spadefoot toad, and would lead to their elimination from the Orcutt Planning area. | Class II | BIO-17c<br>BIO-18<br>BIO-19<br>BIO-20 | No. Remains Class II. |

| OCP EIR Impact | Impact Summary | OCP EIR Impact Type | OCP EIR Mitigation | Impact Modified by Proposed Project? |
|---|---|---|---|---|
| BIO-23 | **Elimination of grasslands**. Elimination of approximately 900 acres of grassland would create potentially significant impacts through elimination of habitat for at least eight California Species of Special Concern: coast horned lizard, white-tailed kite, golden eagle, northern harrier, Cooper's hawk, California horned lark, loggerhead shrike, badger and burrowing owl (also a State candidate for listing as threatened or endangered), as well as numerous other wildlife species either wholly or partially dependent on these areas. | Class I | BIO-17c | Yes. Class II. See analysis for Impact BIO- 3 below. |
| BIO-27 | **Elimination of central coastal sage scrub**. Urban development on roughly 150 acres of central coastal sage scrub would cause potentially significant impacts to this declining community (Table 5.2-1) and the uncommon Lompoc monkey flower. | Class I | BIO-17c<br>BIO-23 | Yes. Class II. See analysis for Impact BIO- 3 below. |
| BIO-28 | **Elimination of riparian communities**. Development on, and encroachment near streams and creeks, construction of road bridges and culverts will potentially result in removal of riparian vegetation, polluted runoff, noise, light and glare, fill importation, sedimentation, increased maintenance, alteration of creek channels, and increased disturbance from humans, dogs, and cats. | Class I | BIO-17a<br>BIO-17b<br>BIO-17c<br>BIO-24. | Yes. Class II. See analysis for Impact BIO-3 below. |
| BIO-30.1 | **Elimination of rare plants**. Elimination of rare plants such as purisima and sand mesa manzanita, Lompoc yerba santa, sand almond, curly-leaved monardella, and others, could occur as a result of development of the Community Plan. This is potentially significant. | Class II | BIO-25<br>BIO-29 | No. Remains Class II. |
| BIO-31 | **Removal of oak trees**. Removal of oak trees due to site development would be potentially significant due to the wildlife habitat value that even a single oak tree in an urban environment provides for insects, reptiles, birds, and small mammals. | Class II | BIO-26 | No. Remains Class II. |
| BIO-32 | **Removal of eucalyptus woodlands**. Removal of eucalyptus woodlands that are used as a roosting and/or nesting site for songbirds and raptors could have a potentially significant impact on raptor populations, many of whom are California Species of Special Concern. | Class II | BIO-27 | No. Remains Class II. |
| BIO-33 | **Weed invasion**. Landscaping with weedy species in the proposed newly urbanized areas could have a potentially significant impact on the remaining acreages of native plant communities by displacing native species and thus significantly altering habitat characteristics and ecological functions.<br>These weedy species include iceplant, pampas grass, veldt grass, eucalyptus, spiny clotbur and Australian fireweed. | Class II | BIO-28 | No. Remains Class II. |

| OCP EIR Impact | Impact Summary | OCP EIR Impact Type | OCP EIR Mitigation | Impact Modified by Proposed Project? |
|---|---|---|---|---|
| **Key Site 21 Analysis** | | | | |
| KS21-BIO-1 | **Loss of Vegetation and Habitat**. Development of residential units, the hiking trail and the extension of sewer lines would lead to potentially significant impacts to riparian vegetation along the drainage corridors, coastal sage scrub, eucalyptus, and two sensitive plant species through the construction of roads and building sites. | Class II | KS21-BIO-1<br>KS21-BIO-2 | No. Remains Class II. |
| KS21-BIO-2 | **Impacts to Wildlife**. Development would create potentially significant impacts to wildlife through disturbance of habitat by domestic animals, disturbance from noise and light sources, and disruption of wildlife migration routes. | Class I | KS21-BIO-1<br>KS21-BIO-2<br>KS21-BIO-3 | Yes. Class II. See analysis for Impact BIO-5 below. |

## 4.4.3 Impact Analysis

### a. Methodology and Significance Thresholds

Appendix G of the CEQA guidelines considers a project to have significant impact on biological resources if the project would:

- Substantially, adversely impact, either directly or through habitat modifications, any endangered, rare, or threatened species, as listed in Title 14 of the California Code of Regulations (§670.2 or 670.5) or in Title 50, Code of Federal Regulations (§17.11 or 17.12);
- Have a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;
- Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service;
- Adversely impact state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) either individually or in combination with the known or probable impacts of other activities through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan.

Potential impacts related to potential conflicts with the provisions of an approved local, regional, or state habitat conservation plan are discussed in Section 4.15, *Effects Found Not to be Significant*.

Guidelines for evaluation of biological impacts and significance thresholds are contained in the County of Santa Barbara Environmental Thresholds and Guidelines Manual (October 2008, revised July 2015) and the Santa Barbara County Planner's Guide to Conditions of Approval and Mitigation Measures (2005). Determination of significance for disturbance to habitats or species within the County is based on the following criteria:

a. Conflict with adopted environmental plans and goals of the community where it is located;
b. Substantially affect a rare or endangered species of animal, plant or the habitat of the species;
c. Interfere substantially with the movement of any resident or migratory fish or wildlife species; or
d. Substantially diminish habitat for fish, wildlife, or plants.

The evaluation of project impacts as detailed in the Environmental Thresholds and Guidelines Manual calls for an assessment of both short- and long-term impacts. Significant impacts to species or habitats are those which substantially impact significant resources in the following ways:

a. Substantially reduce or eliminate species diversity or abundance;
b. Substantially reduce or eliminate quantity or quality of nesting areas;
c. Substantially limit reproductive capacity through losses of individuals or habitat;
d. Substantially fragment, eliminate, or otherwise disrupt foraging areas and/or access to food sources;
e. Substantially limit or fragment range and movement (geographic distribution or animals and/or seed dispersal routes); or
f. Substantially interfere with natural processes, such as fire or flooding, upon which the habitat depends.

Instances in which project impacts would be less than significant include:

a. Small acreages of non-native grassland if wildlife values are low;
b. Individuals or stands of non-native trees if not used by important animal species such as raptors or monarch butterflies;
c. Areas of historical disturbance such as intensive agriculture;
d. Small pockets of habitats already significantly fragmented or isolated, and degraded or disturbed; or
e. Areas of primarily ruderal species resulting from pre-existing man-made disturbance.

Additional County guidelines are provided for specific biological communities. These are used in conjunction with the general impact assessment guidelines described above.

## Wetlands

Based on the County guidelines, the following types of project-created impacts may be considered significant:

a. Projects that result in a net loss of important wetland area or wetland habitat value, either through direct or indirect impacts to wetland vegetation, degradation of water quality, or

would threaten the continuity of wetland-dependent animal or plant species are considered to have a potentially significant effect on the environment;

b. Wildlife access, use, and dispersal in wetland habitats are key components of their ecosystem value. Projects that substantially interrupt wildlife access, use and dispersal in wetland areas, would typically be considered to have potentially significant impacts; and

c. The hydrology of wetlands systems must be maintained if their function and values are to be preserved. Therefore, maintenance of hydrological conditions, such as the quantity and quality of runoff, must be assessed in project review.

## Riparian Habitats

Based on the County guidelines, the following types of project-related impacts may be considered significant:

a. Direct removal of riparian vegetation;

b. Disruption of riparian wildlife habitat, particularly animal dispersal corridors and or understory vegetation;

c. Intrusion within the upland edge of the riparian canopy (generally within 50 feet in urban areas, within 100 feet in rural areas, and within 200 feet of major rivers), leading to potential disruption of animal migration, breeding, etc. through increased noise, light and glare, and human or domestic animal intrusion;

d. Disruption of a substantial amount of adjacent upland vegetation where such vegetation plays a critical role in supporting riparian-dependent wildlife species (e.g., amphibians), or where such vegetation aids in stabilizing steep slopes adjacent to the riparian corridor, which reduces erosion and sedimentation potential; and

e. Construction activity that disrupts critical time periods (nesting, breeding) for fish and other wildlife species.

## Oak Woodlands and Forests

Based on the County guidelines, project-created impacts on oak woodlands and forests may be considered significant due to changes in habitat value and species composition such as the following:

a. Habitat fragmentation;

b. Removal of understory;

c. Alteration to drainage patterns;

d. Disruption of the canopy; or

e. Removal of a significant number of trees that would cause a break in the canopy or disruption in animal movement in and through the woodland.

## Individual Native Trees

Based on the County guidelines, the following types of project-related impacts may be considered significant:

a. Impacts to native specimen trees, regardless of size. Specimen trees are defined as mature trees that are healthy and structurally sound and have grown into the natural stature particular to the species;

b. Impacts to rare native trees, which are very low in number or isolated in distribution; or
c. In general, the loss of 10% or more of the trees of biological value on a project site.

## b. Project Impacts and Mitigation Measures

Impacts and mitigation measures described in the OCP EIR are incorporated below, with corresponding analysis pertaining to the proposed Willow Creek and Hidden Canyon Residential Project. Impacts identified in the OCP EIR are compared with those that are anticipated to occur under the proposed Neighborhoods of Willow Creek and Hidden Canyon Project.

| | |
|---|---|
| **Threshold:** | Would the project substantially, adversely impact, either directly or through habitat modifications, any endangered, rare, or threatened species, as listed in Title 14 of the California Code of Regulations (§670.2 or 670.5) or in Title 50, Code of Federal Regulations (§17.11 or 17.12)? |
| **Threshold:** | Would the project have a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? |

### Impact BIO-1 THE PROJECT WOULD RESULT IN IMPACTS TO SPECIAL STATUS PLANT SPECIES. THIS IMPACT WOULD BE CLASS II, SIGNIFICANT BUT MITIGABLE.

Thirty-seven special status plant species, two of which are federally endangered (beach layia [also state endangered] and La Graciosa thistle), have the potential to occur based on the presence of suitable habitat within Key Site 21 and the sewer line easement.

The 2004/2005 field survey conducted by LFR documented two special-status plant species within Key Site 21, Blochman's dudleya and Kellogg's horkelia (Appendix C). During surveys conducted in 2016, Blochman's dudleya was observed, but Kellogg's horkelia was not observed. Blochman's dudleya was observed outside of the development footprints for Willow Creek and the Hidden Canyon proposed development footprints. In addition, black-flowered figwort was potentially observed during the 2016 surveys. However, the specimen was not blooming or identifiable and therefore could only be identified as *Scrophularia* sp. In addition, during 2016 surveys no *Scrophularia* sp. were found at the location of the population noted in 2004/005. California figwort (*Scrophularia californica*) were positively identified on site associated with the Coyote Brush Scrub Alliance.

Focused botanical surveys which encompass the bloom periods of special status plant species that may occur on-site were not conducted within the natural communities that occur at the proposed sewer line easement; however, a reconnaissance level survey was conducted to assess the potential for special status plants to occur along the sewer line. In addition, the 2004/2005 field survey and 2016 botanical surveys were completed 14 and 3 years ago, respectively. Although no special status plant were detected within the development footprints for the two communities, in the intervening time, conditions on the project site may have changed, and the areas occupied by special status plants may have changed. In addition, presence of black flowered figwort could not be adequately assessed. Therefore, impacts to special status species with potential to occur are still possible at the time of project implementation. Direct impacts to special status plant species include mortality of individual special status plant species during construction activity within the Willow Creek and Hidden Canyon development footprints as well as along the proposed sewer line easement and

restoration and fuel management activities within the open space. Indirect impacts include invasion by non-native weeds into areas disturbed by construction activities within these areas. Impacts to special status plant species would be potentially significant.

## Mitigation Measures

OCP EIR Mitigation Measure BIO-29 requires a mitigation plan wherever impacts to rare plants occur and encourages consultation with CDFW. The following mitigation measures, which implement OCP EIR Mitigation Measure BIO-29, are required to mitigate potential impacts to special status plants.

### *BIO-1(a) Special Status Plant Species Pre-Construction Surveys*

Updated surveys for special status plants (i.e., plants either state or federally listed or California Rare Plant Ranked) shall be completed by a County-approved biologist for all proposed disturbance areas prior to grading or construction activities associated with the project. The surveys shall be floristic in nature and shall be seasonally-timed to coincide with the flowering time for the target species. All plant surveys shall be conducted by a County-approved qualified biologist no more than two years prior to the start of grading or construction activities associated with the project. All special status plant species identified on site shall be mapped onto a site-specific aerial photograph and topographic map. Surveys shall be conducted in accordance with the most current protocols established by the California Department of Fish and Wildlife (CDFW) and the United States Fish and Wildlife Service (USFWS). A report of the survey results shall be submitted to the County, and the CDFW and/or USFWS as appropriate, for review and approval.

**Plan Requirements and Timing.** A report of the special status plant survey results shall be submitted to Planning and Development for review prior to zoning clearance issuance for development including sewer line construction. Mapped locations of special status plants shall be shown on grading and zoning plans.

**Monitoring.** Planning and Development permit processing planner shall ensure that the special status plant surveys have been completed prior to issuance of zoning clearance. Grading inspectors shall inspect as needed.

### *BIO-1(b) Special Status Plant Species Avoidance, Minimization, and Mitigation (implements OCP EIR Mitigation Measure BIO-29)*

If Federally or State listed or California Rare Plant Ranked species are identified during special status plant species pre-construction surveys (Mitigation Measure BIO-1[a]), development shall avoid impacting these plant species to the greatest extent feasible. Special status plant occurrences that are not within the immediate disturbance footprint but are located within 50 feet of disturbance limits shall have bright orange protective fencing installed at least 30 feet beyond their extent, or other distance as approved by a qualified biologist, to protect them from harm during grading and construction activities.

Where special status plant species cannot be feasibly avoided, impacts to special status plant species shall be mitigated at a minimum ratio of 2:1 (number of acres/individuals restored to number of acres/individuals impacted) for each species impacted. The Draft Open Space Management Plan (OSMP) shall be revised to include compensatory mitigation of impacted special status plant species. The Final OSMP shall be submitted to the County for approval (Note: if a state listed plant species will be impacted, the restoration plan shall also be submitted to the CDFW for approval and authorization for impacts must be obtained from CDFW). The compensatory

mitigation component of the Draft OSMP shall be revised to include, at a minimum, the following components:

a. Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type);
b. Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved];
c. Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values);
d. Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan [including species to be used, container sizes, seeding rates, etc.]);
e. Maintenance activities during the monitoring period, including weed removal and irrigation as appropriate (activities, responsible parties, schedule);
f. Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports);
g. Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of the prescribed number of container plants and 30 percent relative cover by vegetation type;
h. An adaptive management program and remedial measures to address any shortcomings in meeting success criteria;
i. Notification of completion of compensatory mitigation and agency confirmation; and
j. Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).

**Plan Requirements and Timing.** The results of the survey shall be submitted to Planning and Development for review and approval prior to zoning clearance issuance. Planning and Development shall inspect the site prior to initiation of ground disturbance activities to ensure the protective fencing is installed properly. If special status plants cannot be avoided, the applicant shall submit the Final OSMP to Planning and Development for review and approval prior to zoning clearance issuance.

**Monitoring.** The protective fencing shall be monitored by Planning and Development permit compliance and building and safety staff until grading and construction activities are complete. Planning and Development shall ensure that the proposed development avoids impacts to special status plant species or impacts are mitigated for per the requirements of this measure.

## Significance After Mitigation

Implementation of the above mitigation measures would reduce impacts to special status plant species to a less than significant level (Class II).

| | |
|---|---|
| **Threshold:** | Would the project substantially, adversely impact, either directly or through habitat modifications, any endangered, rare, or threatened species, as listed in Title 14 of the California Code of Regulations (§670.2 or 670.5) or in Title 50, Code of Federal Regulations (§17.11 or 17.12)? |
| **Threshold:** | Would the project have a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? |

**Impact BIO-2 THE PROJECT WOULD RESULT IN IMPACTS TO SPECIAL STATUS ANIMAL SPECIES. IMPACTS TO MOST SPECIAL STATUS ANIMAL SPECIES WOULD BE CLASS II, SIGNIFICANT BUT MITIGABLE; HOWEVER, IMPACTS TO CALIFORNIA TIGER SALAMANDER WOULD BE CLASS I, SIGNIFICANT AND UNAVOIDABLE.**

Three special status animal species are known to occur on Key Site 21: California red-legged frog, California tiger salamander, and monarch butterfly. Twenty other special status animals have the potential to occur on-site and be impacted by the proposed development, based on the presence of suitable habitat.

## Federal and State Listed

### *California Tiger Salamander*

The wetland areas and basins and ponds located within Key Site 21 and the sewer line easement are potential CTS breeding areas. In addition, the basin (refer to Figure 4.4-2) in the northwest corner of Key Site 21 on the RMGC public golf course ~~the project site~~ is identified as SAMA-21, a known breeding pond, by the USFWS (2010). The drift fence study conducted in the winter of 2004-2005 as well as aquatic survey conducted the RMGC in 2017 detected CTS within Key Site 21. Direct impacts to CTS would occur through mortality or injury during any initial ground disturbing activities (from development of proposed neighborhoods, sewer line installation, as well as mitigation and fuel management program described in the Draft OSMP). Development of the project would also impact suitable upland habitat (up to 79.82 acres permanently removed and up to 0.80 acre of temporary impacts) and potential breeding/wetland habitat (up to 2.36 acres permanently removed and up to 0.11 acre of temporary impacts). Impacts to CTS are potentially significant.

### *California Red-legged Frog*

The project could result in the loss or substantially degrade or reduce wetlands habitat suitable for special-status wildlife species resulting in incidental mortality of CRLF. Wetlands which are known to support CRLF are located within the public golf course, immediately adjacent to the project site. A total of nine CRLF individuals were observed within a man-made pond immediately west of the RMGC clubhouse. In addition, CRLF tadpoles were captured during April 2017 aquatic surveys within an irrigation reservoir at the southeastern portion of the RMGC. As currently proposed, the project will not impact this man-made pond; however, use of the project site by CRLF is not known definitively and other ponding locations and/ or upland habitats within and adjacent to the project site may be used by this species. Direct impacts to CRLF could occur through mortality or injury during any initial ground disturbing activities. Direct impacts to upland habitat will occur during construction of the residential development as well as potentially during the implementation of the mitigation and fuel management program described in the Draft OSMP. Up to 82.97 acres of upland and dispersal habitat could be permanently removed by the proposed project and up to 0.80 acre

temporarily impacted. In addition, up to 2.36 acres of potentially suitable wetlands or aquatic habitat could be permanently removed and up to 0.11 acre temporarily impacted. Indirect impacts to CRLF may occur during construction in the vicinity of drainages or ponds that contain suitable aquatic habitat through degradation of water quality from potential spills or construction generated erosion if upslope of such features. Impacts to CRLF are potentially significant.

### *Vernal Pool Fairy Shrimp*

The project could result in the potential loss or degradation of vernal pool fairy shrimp habitat as well as direct mortality of individuals within suitable habitat. The project includes the proposed removal of aquatic habitat suitable for vernal pool fairy shrimp. Direct impacts to vernal pool fairy shrimp may occur as a result of ground disturbing activities. Up to 2.36 acres of vernal pool fairy shrimp habitat, corresponding to potential wetland habitat on site could be permanently removed and up to 0.11 acre temporarily impacted. Indirect impacts to vernal pool fairy shrimp may also occur during construction in the vicinity of suitable wetland habitat through degradation of water quality from potential spills or fill from construction generated erosion if activities occur upslope of such features. Impacts to vernal pool fairy shrimp are potentially significant.

## Species of Special Concern

### *Monarch Butterfly*

The project could result in the potential loss or degradation of monarch butterflies autumnal and over-wintering habitat.

Monarchs are known to migrate through the area during winter months along the coastal strip from Los Angeles to Santa Barbara with a known autumnal site on the public golf course. The autumnal site is not located on the project site and no impacts to the site are expected. The project site does provide~~s~~ suitable roosting habitat in the form of a large mixed eucalyptus windbreaks in the central, central-northern, and central-eastern portions of the site. The project will permanently impact approximately 0.49 acres of eucalyptus stands on the site. Due to the small overall impact area to eucalyptus stands (compared to the 5.08 total acres which occur on Key Site 21), the impact would be considered minimal to monarch butterflies. In addition, long-term indirect impacts from development would be minimal in comparison to existing disturbances of the golf course. Therefore, impacts to monarch butterflies would be less than significant.

### *Reptiles (Western Pond Turtle, Silvery Legless Lizard, Blainville's Horned Lizard, Coast Patch-nosed Snake, and Two-striped Garter Snake)*

Suitable habitat can be found within the woodland, coastal scrub, and grassland habitats found on the site. Direct impacts to these species could occur from direct mortality during ground disturbing activities. The project site represents a small proportion of suitable habitat in comparison to suitable habitat to the south of the proposed project area. The existing disturbance level within the project site is influenced by the public golf course. Compared to the regional population of these species a relatively small number of individuals are expected to be encountered. Based on these factors, impacts as a direct result of the proposed project are not expected to cause a downward trend in the species range wide or regional/local populations or restriction in these species ranges that would lead to a federal or state listing. Impacts to reptile species of special concern are expected to be less than significant.

*Amphibians (Western Spadefoot)*

The wetland areas and basins and ponds located within Key Site 21 and the sewer line easement are potential breeding areas for western spadefoot. Suitable upland habitat for this species occurs in the immediate vicinity of these wetland areas and basins. Direct impacts to western spadefoot include mortality or injury of individuals during initial ground disturbance activities, as well as permanent or temporary impacts to potentially suitable breeding and upland habitat. Because this species has high breeding site fidelity and exhibits highly localized movement patterns mainly in the vicinity of suitable breeding habitat, populations are at a high risk of local extirpation from the loss of breeding habitat in combination with injury or mortality of individuals in uplands. Therefore, impacts to the western spadefoot from the proposed project are potentially significant.

*Mammals (American Badger, San Diego Desert Woodrat, Western Red Bat, Townsends's Big-eared Bat, and Pallid Bat)*

The project could result in the potential loss or degradation of special-status mammal habitat as well as direct mortality of individual mammal species as the project includes the proposed removal of habitat suitable for special status mammal species including American badger and San Diego desert woodrat. Specifically, direct impacts to these special status mammals may occur as a result of ground disturbing activities through injury, direct mortality, and destruction of dens or nests. However, only a small number of individuals compared to the regional population are expected to be impacted. Impacts as a direct result of the proposed project are not expected to cause a downward trend in these species range wide or regional/local populations or cause a restriction in these species ranges that would lead to a federal or state listing. Impacts to American badger and San Diego desert woodrat are expected to be less than significant.

The project could also result in the potential loss or degradation of bat roosting habitat. The project includes the proposed removal of existing trees around the periphery of the public golf course, which could potentially be utilized as roosting habitat by several bat species, including western red bat and pallid bat. Loss of roosting habitat is potentially significant considering roosting sites generally have unique characteristics that make them suitable. For example, the loss of maternity roosts can lower the reproductive success of a population. No direct impacts to Townsend's big-eared bat are expected as the site only provides suitable foraging habitat. Indirect impacts to these three bat species would include loss of foraging areas which could result in the reduction of prey populations available. However, based on the relatively small amount of area to be disturbed compared to the foraging habitat available immediately south of Key Site 21, this impact would be less than significant.

### Special Status Birds, Nesting birds, and Raptors (including Tri-colored Blackbird, Grasshopper Sparrow, Yellow-breasted Chat, Loggerhead Shrike, Burrowing Owl, Yellow Warbler, White-tailed Kite, Golden Eagle, and Northern Harrier)

In addition to the special status animal species discussed above, several bird species protected by the California Fish and Game Code and Bald and Golden Eagle Protection Act may also nest in trees and shrubs on site. Two fully protected bird species (golden eagle and white-tailed kite), one state candidate Endangered/Species of Special Concern (tri-colored blackbird), and six state Species of Special Concern bird species (burrowing owl, yellow warbler, grasshopper sparrow, yellow-breasted chat, loggerhead shrike, and northern harrier) have the potential to occur or are known to occur on the project site. Impacts to golden eagle are unlikely due to the site only providing foraging habitat for the species and no direct or indirect impacts to golden eagle nesting are anticipated.

Development and sewer line construction may result in direct or indirect impacts to other nesting bird species, should they be present within and/or in the immediate vicinity of areas of disturbance at the time of construction. Potential nesting habitat for the tri-colored blackbird is available at the cattail marsh and arroyo willow thickets found within the development areas while the grasslands, woodlands, and shrub lands within the project site provide suitable nesting habitat for the remaining special status as well as other native bird species. Direct impacts to nesting birds may occur due to removal or trimming of trees, shrubs, and other nesting substrates that may contain active nests. Impacts could occur during initial ground disturbing activities as well as site preparation (clearing, grubbing, and weeding associated with mitigation and fuel management (thinning of vegetation and limbing) activities associated with the Draft OSMP. Indirect impacts to nesting birds may occur from construction activities in the vicinity of an active nest resulting in distress to adults and disruption of nesting behavior leading to abandonment or nest failure. Considering the amount of nesting habitat that would be impacted, in proportion to the available amount within Key Site 21, impacts from the proposed project would likely incur potentially significant impacts to the local bird populations within the Key Site. In addition, agriculture and other development in the west Santa Maria/Orcutt Area are predominant. Due to limitations of nesting habitat, It is likely that a higher proportion of individuals are nesting on Key Site 21 compared to surrounding area. Therefore, impacts to the success of avian breeding within Key Site 21 through direct or indirect impacts are potentially significant.

## Mitigation Measures

The following mitigation measures would be required to reduce potentially significant impacts to special status animal species from the proposed development.

### *BIO-2(a) USFWS/CDFW Consultation*

Prior to zoning clearance issuance for grading, the applicant shall consult with USFWS and/or CDFW (depending on the species) regarding potential impacts to the California red-legged frog (CRLF) and the California tiger salamander (CTS). The applicant shall obtain all necessary permits and approvals and shall implement measures as required by these permits and approvals.

**Plan Requirements and Timing.** The applicant shall submit copies of correspondence and/or permits (as applicable) with applicable agencies to Planning and Development prior to zoning clearance issuance for grading.

**Monitoring.** Planning and Development permit processing planner shall confirm that the applicant has obtained all necessary permits and approvals. Planning and Development compliance monitoring and building and safety staff shall monitor and inspect to ensure that required measures are implemented during grading and construction of the project.

### *BIO-2(b) California Tiger Salamander (CTS) and California Red-legged Frog (CRLF) Habitat Avoidance*

Development shall avoid impacting CTS and CRLF habitat to the greatest extent feasible. To protect habitat adjacent to and outside of the limits of disturbance of the proposed project, the Owner/Applicant shall install bright orange protective fencing to delineate the extent of disturbance areas associated with the project (including the proposed sewer line easement) under the direction of a County-approved qualified biologist. If CTS and CRLF habitat cannot be avoided, the Owner/Applicant shall provide Planning and Development with the total acreages for habitat that

would be impacted prior to zoning clearance issuance for grading and implement Mitigation Measure BIO-2(c) below.

**Plan Requirements and Timing.** Grading plans showing the location of CTS and CRLF habitat as well as protective fencing locations shall be submitted to Planning and Development for review and approval prior to issuance of zoning clearance for grading.

**Monitoring.** Planning and Development compliance monitoring and/or building and safety staff shall inspect the site prior to initiation of grading activities and a minimum of once per week following the start of grading and construction to ensure protective fencing is in place.

### *BIO-2(c) California Tiger Salamander (CTS) and California Red-legged Frog (CRLF) Compensatory Mitigation*

If CTS and CRLF habitat cannot be avoided per Mitigation Measure BIO-2(b), the Owner/Applicant shall establish an off-site conservation easement(s) as compensatory mitigation to offset impacts to CTS and CRLF habitat. The compensatory mitigation shall incorporate the conditions and compensatory mitigation requirements specified in the incidental take permit(s) and/or incidental take statement that could be issued by CDFW and USFWS for this project but shall meet the minimum standards specified in this measure. Compensatory mitigation shall be provided at a ratio of not less than 2:1 (area mitigated: area impacted) for upland habitat and 3:1 for aquatic habitat. Compensatory mitigation must occur off-site and shall not occur within the open space or other location on Key Site 21. Areas proposed for preservation must contain verified extant populations of CTS and/or CRLF depending on the species the preserved area is compensating for. These off-site locations for CTS compensatory mitigation must occur within the West Santa Maria/Orcutt metapopulation area (Appendix D of the Recovery Plan for the Santa Barbara County Distinct Population Segment of the California Tiger Salamander [*Ambystoma californiense*]; USFWS 2016).

Compensatory mitigation areas shall have a restrictive covenant prohibiting future development/disturbance and shall be managed in perpetuity to encourage persistence and enhancement of the preserved target species. Compensatory mitigation lands cannot be located on land that is currently held publicly for resource protection. The compensatory mitigation areas shall be managed by a conservation lands management entity or other qualified easement holder.

The CDFW and organizations approved by CDFW that meet the criteria below may be considered qualified easement holders for those species for which the CDFW has regulatory authority. To qualify as a "qualified easement holder" a private land trust must at a minimum have:

1. Substantial experience managing conservation easements that are created to meet mitigation requirements for impacts to special-status species;
2. Adopted the Land Trust Alliance's Standards and Practices; and;
3. A stewardship endowment fund to pay for its perpetual stewardship obligations.

Other specific conditions for qualified easement holders may be outlined in incidental take permit(s) and/or incidental take statement that could be issued by CDFW and USFWS for this project.

The County shall determine whether a proposed easement holder meets these requirements. The owner/applicant shall also be responsible for donating to the conservation easement holder fees sufficient to cover administrative costs incurred in the creation of the conservation easement (appraisal, documenting baseline conditions, etc.) and funds in the form of a non-wasting endowment to cover the cost of monitoring and enforcing the terms of the conservation easement

in perpetuity. The amount of these administrative and stewardship fees shall be determined by the conservation easement holder in consultation with the County.

Conservation easement(s) shall be held in perpetuity by a qualified easement holder (as defined above), and be subject to a legally binding agreement that shall: (1) Be recorded with the County Recorder(s); and (2) Contain a succession clause for a qualified easement holder if the original holder is dissolved.

The following factors shall be considered in assessing the quality of potential mitigation habitat: (1) current land use, (2) location (e.g., habitat corridor, part of a large block of existing habitat, adjacency to source populations, proximity to potential sources of disturbance), (3) vegetation composition and structure, (4) slope, (5) soil composition and drainage, and (6) level of occupancy or use by all relevant species.

To meet the requirement that the mitigation habitat is of value equal to, or greater than, the habitat impacted on the project site, the mitigation habitat must be either "suitable habitat" or "enhanced habitat" as described below:

**Suitable Habitat.** To meet the requirements for suitable habitat that provides equal or greater habitat value for listed animal species than the impacted habitat, the habitat must:

1. Provide habitat for special status animal species, such that special status animal species populations can regenerate naturally when disturbances are removed;
2. Not be characterized by (or adjacent to areas characterized by) high densities of invasive species, such as yellow star-thistle, or species that might jeopardize habitat recovery and restoration;
3. Not contain hazardous wastes that cannot be removed to the extent that the site could not provide suitable habitat; and
4. Not be located on land that is currently publicly held for resource protection.

**Enhanced Habitat.** If suitable habitat is unavailable, or in lieu of acquiring already suitable special status animal species habitat, the applicant may enhance potential habitat that:

1. Is within an area with potential to contribute to habitat connectivity and build linkages between populations;
2. Consists of actively farmed land or other land containing degraded habitat that will support enhancement;
3. Supports suitable soils, slope, and drainage patterns consistent with special status animal species requirements;
4. Cannot be located on land that is currently held publicly for resource protection; and
5. Does not contain hazardous wastes or structures that cannot be removed to the extent that the site could not provide suitable habitat.

**Enhanced Habitat Standards.** For enhanced habitat conditions to equal or exceed habitat conditions on the project site, the enhanced habitat shall meet the following habitat criteria: After five years, these sites must consist of suitable habitat or contain other habitat characteristics (e.g. small mammal burrows in upland habitat for CTS, wetlands, ponds, etc.) that are consistent with the known ecology of the special status animal species to which compensatory mitigation is being applied and the habitat components for which the mitigation is compensating for.

**Plan Requirements and Timing**. The applicant shall calculate the total acreages required to meet all compensatory mitigation obligations and submit these totals to County Planning and Development prior to final map clearance. The applicant shall then obtain County approval of the location of mitigation lands, the holder of conservation easements, and the restrictions contained in the easement(s) created for the permanent protection of these lands. Documentation of recorded easement(s) shall be submitted to and approved by the County prior to map clearance. Verification of having met habitat mitigation requirements shall be reviewed and approved prior to final inspection.

**Monitoring**: Planning and Development permit processing planner shall review and approve documentation of compensatory mitigation land acquisition and associated restrictive covenant for consistency with the conditions outlined in the measure. These lands may be identified through independent consultation with CDFW and/or USFWS. The Owner/Applicant shall provide evidence to Planning and Development permit processing planner of the establishment of a permanent conservation easement and maintenance endowment prior to final map clearance.

### *BIO-2(d) Listed Species Habitat Mitigation and Monitoring Plan*

The applicant shall retain a County-approved qualified biologist to prepare a Habitat Mitigation and Monitoring Plan (HMMP) to ensure the success of compensatory mitigation sites required for compensation of habitat impacts to the California tiger salamander (CTS) and the California red-legged frog (CRLF) that are to be enhanced pursuant to Mitigation Measure BIO-2(c). The HMMP shall be submitted to the County prior to zoning clearance issuance for grading. The HMMP shall include, at a minimum, the following information:

a. A summary of habitat and species impacts and the proposed mitigation for each element;
b. A description of the location and boundaries of the mitigation site(s) and description of existing site conditions;
c. A description of any measures to be undertaken to enhance (e.g., through focused management) the mitigation site for special status species;
d. Identification of an adequate funding mechanism for long-term management and identification of a conservation lands management entity to manage the conservation easement lands;
e. A description of management and maintenance measures intended to maintain and enhance habitat for the target species (e.g., weed control, fencing maintenance);
f. A description of habitat and species monitoring measures on the mitigation site, including specific, objective performance criteria, monitoring methods, data analysis, reporting requirements, monitoring schedule, etc.; monitoring shall document compliance with each element requiring habitat compensation or management;
g. A contingency plan for mitigation elements that do not meet performance or final success criteria within described periods; the plan shall include specific triggers for remediation if performance criteria are not met and a description of the process by which remediation of problems with the mitigation site (e.g., presence of noxious weeds) shall occur;
h. A requirement that the applicant shall be responsible for monitoring, as specified in the HMMP, for at least five years post-construction; during this period, regular reporting shall be provided to the County;
i. Reporting shall include:
    1. An annual monitoring report to be submitted to the County; and

2. Demonstration that the compensatory mitigation and management (1) will fully mitigate for any take of a CESA-listed species as defined by CESA, (2) minimize and mitigate any take of an FESA-listed species to the maximum extent practicable as defined by FESA, and (3) ensure that impacts from the project are not likely to jeopardize the listed species continued existence as defined by FESA.

**Plan Requirements and Timing.** The HMMP shall be submitted to Planning and Development, USFWS and CDFW for review and approval prior to zoning clearance issuance for grading. Proof of purchase or an easement controlling off-site acreage shall also be submitted to Planning and Development prior to zoning clearance issuance for grading.

**Monitoring.** The restoration components shall be monitored by a County-approved qualified biologist for five years. Planning and Development permit processing planner shall ensure that the restoration requirements of the project included in this condition are addressed prior to issuance of zoning clearance for grading. Planning and Development permit compliance staff shall oversee implementation of the HMMP through periodic monitoring on-site during construction and a final restoration site inspection upon completion in accordance with the approved restoration plans. Monitoring shall continue for 5 years at a minimum and continue until the restoration requirements are achieved.

### *BIO-2(e) California Tiger Salamander (CTS) and California Red-legged Frog (CRLF) Avoidance and Minimization*

The following measures shall be implemented during grading and construction activities and implementation of the compensatory mitigation and fuel management program included in the Open Space Management Plan (OSMP).

a. Pre-construction surveys for CTS and CRLF shall be conducted where suitable habitat is present by a County-approved biologist not more than 48 hours prior to the start of construction activities. The survey area should include the proposed disturbance area and all proposed ingress/egress routes, plus a 100-foot buffer. If any life stage of CRLF or CTS is found within the survey area, the USFWS and/or CDFW should be consulted to determine the appropriate course of action or the appropriate measures implemented in accordance with the Biological Opinion issued or Habitat Conservation Plan approved by the USFWS (relevant to CRLF and CTS) and/or the Incidental Take Permit issued by the CDFW (relevant to CTS).
b. Ground disturbance shall be limited to the minimum necessary to complete construction activities. Construction limits of disturbance shall be flagged. All equipment and material storage, parking, staging and other support areas shall be identified prior to issuance of a grading permit. Areas of special biological concern within or adjacent to construction limits shall have highly visible orange construction fencing installed between said area and the limits of disturbance.
c. All development activities occurring within/adjacent to aquatic habitats (including riparian habitats and wetlands) shall be completed between ~~April~~ June 1 and October 31, to avoid impacts to sensitive aquatic species.
d. To avoid encountering migrating California tiger salamander within range of potentially suitable aquatic habitat, ~~construction~~ initial ground disturbance within upland areas within the range of California tiger salamander should be limited to July 15 to October 15. Work should be postponed if chance of rain is greater than 70% based on the NOAA National

Weather Service forecast or within 48 hours following a rain event greater than 0.1 inch. If work must occur during these conditions, a qualified biologist shall conduct a clearance sweep of work areas prior to the start of work.

e. All work shall occur during daylight hours.
f. All projects occurring within or adjacent to habitats that may support CTS or CRLF shall have a County approved biologist present during all initial ground disturbing/vegetation clearing activities.
g. No CTS or CRLF shall be captured and relocated without expressed permission from the CDFW and/or USFWS.
h. If at any time during construction CTS or CRLF enters the construction site or otherwise may be impacted by the project, all construction activities shall cease. A County-approved biologist shall document the occurrence and consult with the CDFW and/or USFWS as appropriate.
i. Upon completion of construction all excess materials and debris shall be removed from the project site and disposed of appropriately.
j. The work area shall remain clean. All food-related trash items shall be enclosed in sealed containers and removed from the site regularly.
k. Pets shall be prohibited at the construction site.
l. All vehicle maintenance/fueling/staging shall occur not less than 60 feet from any riparian habitat or water body. Suitable containment procedures shall be implemented to prevent spills. A minimum of one spill kit shall be available at each work location near riparian habitat or water bodies.
m. All equipment operating within aquatic habitat shall be in good conditions and free of leaks. Spill containment shall be installed under all equipment staged within stream areas and extra spill containment and clean up materials shall be located in close proximity for easy access.
n. At the end of each work day, excavations shall be secured with cover or a ramp provided to prevent wildlife entrapment.
o. All trenches, pipes, culverts or similar structures shall be inspected for animals prior to burying, capping, moving, or filling.
p. If any CTS or CRLF are harmed, the County-approved biologist shall document the circumstances that led to harm and shall determine if project activities should cease or be altered in an effort to avoid additional harm to these species. Dead or injured special status species shall be disposed of at the discretion of the CDFW and USFWS. All incidences of harm shall be reported to the CDFW and USFWS within 48 hours.
q. To ensure that diseases are not conveyed between work sites by the qualified biologist, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force should be followed at all times.

**Plan Requirements and Timing.** These measures are to be implemented during grading and construction activities.

**Monitoring.** The applicant shall maintain a County-approved biologist to monitor compliance with the above avoidance and minimization measures. The approved biologist shall submit monthly maintenance reports during construction to Planning and Development permit compliance staff.

### *BIO-2(f) Western Spadefoot Toad Avoidance and Minimization*

The following measures shall be implemented to reduce the potential for impacts with the final goal of no net loss of the species.

a. Not more than two weeks prior to initiation of ground disturbing activities and vegetation removal, a County-approved qualified biologist shall conduct a pre-construction survey for western spadefoot toads. The survey area should include the project site and all proposed ingress/egress routes, plus a 100-foot buffer, where legally accessible. If the project is phased, a clearance survey shall be required for each phase of construction and/or individual lot development.

b. If this species is found and individuals are likely to be killed or injured by construction activities, a County-approved biologist shall capture and relocate the animals from the project site before construction activities begin. The County-approved qualified biologist shall relocate individuals the shortest distance possible to a location that contains suitable habitat not likely to be affected by activities associated with the proposed project. The biologist(s) should maintain sufficiently detailed records of any individual observed, captured, relocated, etc., including size, coloration, any distinguishing features and photographs to assist him or her in determining whether translocated animals are returning to the project site.

c. To ensure that diseases are not conveyed between work sites by the qualified biologist, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force shall be followed at all times.

d. A County-approved biologist shall be present during all initial ground disturbing activities, including vegetation removal, to recover western spadefoot toads that may be unearthed by construction activities. Individuals that are unearthed during excavation, if in good health, shall be immediately relocated to a designated relocation area to be determined by a County-approved biologist in coordination with CDFW. Individuals shall be relocated the shortest distance possible in a location that contains suitable habitat not likely to be affected by activities associated with the proposed project. The biologist(s) shall maintain sufficiently detailed records of any individual observed, captured, relocated, etc., including size, coloration, any distinguishing features and photographs (preferably digital) to assist him or her in determining whether translocated animals are returning to the project site. If injured, a CDFW-approved specialist shall be contacted to determine if the animal can be rehabilitated for release into the designated release area or be deposited at an approved vertebrate museum.

**Plan Requirements and Timing.** Prior to zoning clearance issuance for ground-disturbing activities, the name, qualifications, scope, and contact information for the surveying biologist must be submitted to the Planning and Development permit processing planner for approval in advance of the surveys. Proposed relocation areas shall be identified and approved by Planning and Development prior to beginning the work. A report of the results of the surveys and any required capture and relocation efforts shall be submitted to the Planning and Development permit processing planner for review prior to zoning clearance issuance for ground-disturbing activities. Monitoring measures are to be implemented during construction. This measure shall be printed on all grading and construction plans.

**Monitoring.** The applicant shall maintain a County-approved biologist to monitor compliance with the above avoidance and minimization measures. Planning and Development permit processing

planner shall receive and review the results of the surveys prior to zoning clearance issuance for ground-disturbing activities. Planning and Development compliance monitoring and building and safety staff shall monitor on-site throughout grading and construction activities for compliance.

### *BIO-2(g) Preconstruction Surveys for Nesting Birds and Raptors*

For grading and/or construction activities occurring during the nesting season (generally February 1 to September 15), surveys for nesting birds and raptors covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a County-approved qualified biologist no more than 14 days prior to vegetation and tree removal activities. The survey area for nesting birds and raptor species shall include the disturbance footprint plus a 300-foot and 500-foot buffer, respectively. If active nests (nests with eggs or chicks) are located, the qualified biologist shall establish an appropriate avoidance buffer ranging from 50 to 300 feet based on the species biology and the current and anticipated disturbance levels occurring in vicinity of the nest. The objective of the buffer shall be to reduce disturbances to nesting birds. All buffers shall be marked using high-visibility flagging or fencing, and, unless approved by the qualified biologist, no construction activities shall be allowed within the buffers until the adults and young have fledged from the nest and are no longer reliant on the nest site. The qualified biologist shall confirm that breeding/nesting is completed and that the young have fledged prior to the removal of the buffer.

**Plan Requirements and Timing.** The surveys shall be conducted no more than 30 days prior to the initiation of vegetation and/or tree removal activities. A report of the nesting bird survey results shall be submitted to Planning and Development for review and approval prior to zoning clearance issuance for grading or construction activities which involve tree or vegetation removal. These measures are to be implemented during grading and construction activities.

**Monitoring.** The applicant shall maintain a County-approved biologist to monitor compliance with the above avoidance and minimization measures. Planning and Development compliance monitoring and building and safety staff shall review the report for compliance and inspect the site during construction activities to ensure compliance. Active nests shall be monitored periodically by the County-approved biologist until it has been determined that the nest is no longer being used by either the young or adults.

### *BIO-2(h) Burrowing Owl Avoidance and Minimization Measures*

The following measures shall be implemented in order to avoid and minimize impacts to burrowing owl.

a. Ground-disturbance activities associated with construction of the project shall begin outside of the burrowing owl nesting season (nesting season is typically February 1 through September 15).
b. Not more than 30 days prior to initiation of ground-disturbing activities, and again within 24-hours of the initiation of ground-disturbing activities associated with construction, a County-approved biologist shall conduct a take avoidance survey of the project site and surrounding areas to a distance of 150 meters, in accordance with the methods outlined in the Mitigation Methods –Pre-construction and Appendix D Surveys for Take Avoidance of the CDFG Staff Report on Burrowing Owl Mitigation (CDFG 2012). The pre-construction survey will cover all areas within 150 meters of the portion of the site where construction is scheduled to start. Areas within 150 meters that are not accessible due to property access restrictions shall be surveyed using binoculars. Surveys will be phased, based on the grading and construction schedule, such that they are conducted not more than 30 days before the

start of ground disturbing activities in new areas. If grading and/or construction activities in portions of the site cease for a period of 14 days, those portions of the site will be resurveyed for burrowing owls prior to the resumption of grading and/or construction activities. If no occupied (breeding or wintering) burrowing owl burrows are identified, no further mitigation would be required. If occupied burrows are identified on the site or within 150 meters of the Project disturbance area, one of the following actions shall be taken: 1) permanent avoidance of the burrow or 2) establishment of a temporary avoidance buffer followed by passive relocation and compensatory mitigation for loss of habitat in conjunction with the measures below:

1. Site-specific, no-disturbance buffer zones shall be established and maintained between Project activities and occupied burrows, using the distances recommended in the CDFW guidelines (CDFG 2012) or as otherwise determined appropriate by the County-approved biologist in consultation with CDFW.
2. During the non-breeding season, if an occupied burrow cannot be avoided, and the burrow is not actively in use as a nest, the burrowing owls can be excluded from burrows in accordance with an approved Burrowing Owl Exclusion Plan, which shall be prepared and submitted for approval by CDFW prior to passive relocation of any burrowing owls. The Burrowing Owl Exclusion Plan shall be based on the recommendations made in the CDFG Staff Report on Burrowing Owl Mitigation (CDFG 2012) and shall include the following information for each proposed passive relocation:
    a. Confirmation by site surveillance that the burrow(s) is empty of burrowing owls and other species;
    b. Identification of type of scope to be used and appropriate timing of scoping;
    c. Occupancy factors to look for and what shall guide determination of vacancy and excavation timing;
    d. Methods for burrow excavation;
    e. Removal of other potential owl burrow surrogates or refugia on site;
    f. Methods for photographic documentation of the excavation and closure of the burrow;
    g. Monitoring of the site to evaluate success and, if needed, to implement remedial measures to prevent subsequent owl use to avoid take;
    h. Methods for assuring the impacted site shall continually be made inhospitable to burrowing owls and fossorial mammals; and
    **i.** Method(s) for compensatory mitigation for burrow loss.

**Plan Requirements and Timing**. The name, qualifications, scope, and contact information for the County-approved qualified surveying biologist must be submitted to Planning and Development in advance of the surveys. The biologist implementing the above mitigation measure must also submit documentation of coordinating this effort with Planning and Development prior to implementation. The above impact avoidance measure shall be included on all grading and construction plans prior to the issuance of zoning clearance for grading. A report on the implementation of impact avoidance measures used shall be included on all grading and construction plans prior to zoning clearance issuance for grading. A report on the implementation of impact avoidance measures implemented shall be submitted to Planning and Development permit compliance staff and CDFW upon completion of the construction project. If passive relocation is required, the Burrowing Owl

Exclusion Plan must be submitted and approved by Planning and Development prior to conducting exclusion activities.

**Monitoring**. The applicant shall retain a qualified County- and CDFW-approved biologist to monitor all construction activities as warranted to ensure compliance. The approved biologist shall submit monitoring reports to Planning and Development and CDFW for review and approval.

### *BIO-2(i) Vernal Pool Branchiopod Surveys and Mitigation*

Prior to the issuance of zoning clearance for grading, protocol surveys for listed branchiopods (i.e., vernal pool fairy shrimp) shall occur within suitable habitat within the project site impact footprint and a 250-foot buffer. The protocol surveys shall be consistent with the Survey Guidelines for the Listed Large Branchiopods (USFWS 2015) or the current protocol established by the USFWS at the time surveys are conducted. If vernal pool fairy shrimp are detected and occupied habitat will be impacted, compensatory mitigation shall be provided at a ratio of not less than 3:1 for impacted vernal pool fairy shrimp impacted habitat. Compensatory mitigation and agency consultation shall be consistent with Mitigation Measure BIO-2(a). Compensatory mitigation shall be located off-site and the establishment of conservation easements and criteria for determining habitat value shall be consistent with the processes described in Mitigation Measure BIO-2(c). If enhancement of off-site mitigation areas will occur, a Habitat Mitigation and Monitoring Plan shall also be prepared and implemented consistent with Mitigation Measure BIO-2(d). If protocol surveys result in negative findings, no further action is required.

**Plan Requirements and Timing.** The applicant shall submit the results of the protocol surveys to Planning and Development permit processing planner and to USFWS for review and approval prior to zoning clearance issuance for grading.

**Monitoring.** Planning and Development shall ensure that documentation is received prior to zoning clearance issuance for grading. Planning and Development compliance monitoring and building and safety staff shall oversee implementation of mitigation plans if compensatory mitigation is required.

### *BIO-2(j) Worker Environmental Awareness Program (WEAP)*

Prior to the initiation of grading or construction activities (including staging and mobilization), a County-approved qualified biologist shall conduct a WEAP training to be attended by all personnel associated with project construction. The purpose of the WEAP is to aid personnel in recognizing special status resources that may occur in the project site area. The specifics of this program shall include identification of the sensitive species and habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employers, and other personnel involved with construction of the project. In addition, personnel will be briefed on the reporting process in the event of an unintended occurrence or inadvertent injury to a special status species during construction or operations. All employees shall sign a form provided by the trainer documenting that they have attended the WEAP and understand the information presented to them.

**Monitoring.** Planning and Development compliance monitoring staff shall be notified by the owner/applicant of the date and time the training is scheduled so that they may attend. Fact sheets shall be reviewed and approved by Planning and Development prior to conducting the training. The required notification and an attendance log that includes the names and signatures of all personnel

that have received the training shall be provided to Planning and Development compliance monitoring staff prior to the start of grading or construction activities.

*BIO-2(k) Incorporation of Species Protection Measures into the Open Space Management Plan (OSMP)*

Prior to zoning clearance issuance for grading, the applicant shall revise the OSMP to incorporate applicable species protections measures described in Mitigation Measures BIO-1(a) through BIO-1(b) and BIO-2(a) through BIO-2(j) of the SEIR to ensure that impacts to special status plants and animals from restoration and fuel management activities are avoided or minimized within the open space areas. Requirements from the Incidental Take Permit and/or incidental take statement that may be issued by the USFWS and/or CDFW shall also be incorporated, as applicable relevant to federal and/or state listed species.

**Plan Requirements and Timing.** The owner/applicant shall submit the revised OSMP to Planning and Development as well as the USFWS and/or CDFW (as applicable to permits that may be issued for impacts to federal and state listed species) for review and approval prior to zoning clearance issuance for grading as well as the proposed sewer line construction.

**Monitoring.** The applicant shall retain a qualified County-approved biologist to monitor restoration and fuel management activities as warranted to ensure compliance. The approved biologist shall submit monitoring reports to Planning and Development compliance monitoring staff.

## Significance After Mitigation

Implementation of the above mitigation measures would reduce impacts to special status animal species to a less than significant level (Class II), with the exception of potential impacts to CTS F, which require off-site compensatory mitigation (Mitigation Measure BIO-2[c]) that may not be feasible due to lack of available off-site locations for CTS compensatory mitigation within the West Santa Maria/Orcutt metapopulation area. Therefore, potential impacts to CTS would remain significant and unavoidable.

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|---|---|
| **Threshold:** | Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? |

### Impact BIO-3 THE PROJECT WOULD RESULT IN IMPACTS TO SENSITIVE HABITATS, INCLUDING RIPARIAN AREAS. THIS IMPACT WOULD BE SIGNIFICANT BUT MITIGABLE (CLASS II).

As described in Section 4.4.1(a), Environmental Setting, five sensitive plant communities occur on the project site, including purple needlegrass grassland, perennial ryegrass grassland, coast live oak woodland (including coast live oak woodland-arroyo willow thicket), coastal scrub (collectively coyote brush scrub and California sagebrush scrub on site). California sagebrush scrub (also referred to as central coast sage scrub) is also considered locally sensitive by the County of Santa Barbara Environmental Thresholds and Guidelines Manual (2008) and OCP (County of Santa Barbara 2004). Impacts to sensitive communities and riparian habitats include the removal of up to 1.5 acres of purple needlegrass grassland, 0.73 acre of perennial ryegrass grassland, 2.20 acres of coastal scrub (2.19 acres of coyote brush scrub and 0.01 acre of California sagebrush scrub) and well as the permanent removal of up to 1.55 acres and temporary impacts of up to 0.11 acre of riparian vegetation (arroyo willow thicket). No impacts to coast live oak woodland (including coast live oak

woodland-arroyo willow thicket associations) would occur. Impacts to sensitive natural communities are potentially significant.

## Mitigation Measures

The following mitigation measures, which implement OCP EIR Mitigation Measure BIO-3, are required to reduce potentially significant impacts to sensitive natural communities resulting from the project to less than significant.

### *BIO-3(a) Sensitive Community Avoidance*

Impacts to sensitive communities shall be avoided to the maximum extent feasible. Bright orange construction fencing shall be placed to delineate the extent of disturbance areas associated with the project (including the proposed sewer line easement) under the direction of a County-approved qualified biologist in order to protect sensitive communities that will not be impacted by the project. The fencing shall be installed prior to the start of any initiation of ground disturbance activities and shall remain in place until grading and construction activities are complete. No vehicles, person, materials, or equipment will be allowed in protected areas. Grading plans shall show the location of these habitats and protective fencing. If sensitive communities cannot be avoided, Mitigation Measure BIO-3(b) below shall be implemented.

**Plan Requirements and Timing.** Grading plans showing the location of sensitive communities as well as protective fencing locations for review and approval prior to issuance of zoning clearance for grading.

**Monitoring.** Planning and Development compliance monitoring and/or building and safety staff shall inspect the site prior to initiation of grading activities and a minimum of once per week following the start of grading and construction to ensure protective fencing is in place.

### *BIO-3(b) Sensitive Community Mitigation (implements OCP EIR Mitigation Measure BIO-3)*

Where sensitive communities cannot be avoided, impacts shall be offset through habitat restoration within the open space area (as delineated in the Final OSMP) and/or an off-site location at a ratio of 2:1 for impacted sensitive communities (habitat restored to habitat impacted). The location of restoration shall be determined by a County-approved biologist. On-site restoration is preferable, however off-site habitat acquisition and off-site restoration and/or enhancement may be considered if on site restoration is determined as unachievable to the satisfaction of Planning and Development, as long as the off-site approach results in equal compensatory value. The restoration shall include locally native species approved by the County. The restoration shall be incorporated into the final OSMP and/or be incorporated into an Off-Site Habitat Restoration Plan to be developed by a County-approved biologist pursuant to the requirements listed below.

Upon final design, the County-approved biologist shall determine the final impacts to sensitive communities and the subsequent amount of acreage needed for restoration for the project. The restoration shall be implemented for a period of not less than five years, or until restoration has been completed successfully as determined by a County-approved biologist in coordination with Planning and Development. Replacement ratios for off-site mitigation may be different than those required for on-site mitigation. The restoration program incorporated into the OSMP and/or the Off-Site Habitat Restoration Plan shall include, at a minimum, the following components:

a. Description of the project/impact site (i.e. location, responsible parties, areas to be impacted by habitat type);
b. Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved];
c. Description of the proposed compensatory mitigation-site (location and size, ownership status, existing functions and values of the compensatory mitigation-site);
d. Implementation plan for the compensatory mitigation-site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan [including plant species to be used, container sizes, seeding rates, etc.]);
e. Maintenance activities during the monitoring period, including weed removal and irrigation as appropriate (activities, responsible parties, schedule);
f. Monitoring plan for the compensatory mitigation-site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports);
g. Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation type;
h. An adaptive management program and remedial measures to address negative impacts to restoration efforts;
i. Notification of completion of compensatory mitigation and agency confirmation; and
j. Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).

**Plan Requirements and Timing.** Grading plans showing the location of sensitive communities, as well as the revised OSMP and or Off-Site Habitat Restoration Plan shall be submitted to Planning and Development for review and approval prior to issuance of zoning clearance for grading.

**Monitoring.** Planning and Development compliance monitoring and/or building and safety staff shall inspect the site prior to initiation of grading activities and a minimum of once per week following the start of grading and construction to ensure protective fencing is in place. Planning and Development shall review and approve the Final OSMP and/or Off-Site Habitat Restoration Plan.

### *BIO-3(c) Invasive Weed Prevention Best Management Practices*

The following weed prevention best management practices shall be implemented to prevent the introduction of invasive weed species.

a. During grading and construction, the project owner/applicant will make all reasonable efforts to limit the use of imported soils for fill. Soils currently existing on site should be used for fill material. If the use of imported fill material is necessary, the imported material must be obtained from a source that is known to be free of invasive plant species; or the material must consist of purchased clean material such as crushed aggregate, sorted rock, or other similar substances.
b. To avoid the spread of invasive species, the contractor shall stockpile topsoil and redeposit the stockpiled soil after construction or transport the topsoil to a certified landfill for disposal.

c. The erosion control/ restoration plans for the project must emphasize the use of native species that are expected to occur in the area and that are considered suitable for use at the project site.
d. All erosion control materials including straw bales, straw wattles, or mulch used on-site must be free of invasive species seed.
e. Exotic and invasive plant species will be excluded from any erosion control seed mixes and/or landscaping plant palettes associated with the proposed project.

**Plan Requirements and Timing.** This measure shall be printed on grading plans and are to be implemented during grading and construction activities.

**Monitoring.** The applicant shall maintain a County-approved biologist to monitor compliance with the above weed prevention measures.

*BIO-3(d) Biologist Review of Landscape Plans*

Landscape plans for future development shall be reviewed and approved by Planning and Development in coordination with a County-approved biologist. All landscaping shall be with native, locally collected plant species. The use of non-native invasive species shall be prohibited.

**Plan Requirements and Timing.** The Owner/Applicant shall incorporate this requirement into landscaping plans to be reviewed and approved by Planning and Development in coordination with a County-approved biologist prior to zoning clearance issuance for the construction of single family dwellings or common area landscaping. Landscaping shall be installed prior to Final Building Inspection Clearance.

**Monitoring.** Planning and Development compliance monitoring staff shall monitor implementation in the field.

## Significance After Mitigation

Implementation of the above mitigation measures would reduce impacts to sensitive communities to a less than significant level through compensation for sensitive natural communities and riparian habitat (Class II).

| | |
|---|---|
| **Threshold:** | Would the project adversely impact state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? |

### Impact BIO-4 THE PROJECT WOULD IMPACT STATE AND FEDERALLY PROTECTED WETLANDS (INCLUDING, BUT NOT LIMITED TO, MARSH, VERNAL POOL, COASTAL, ETC.) THROUGH DIRECT REMOVAL, FILLING, HYDROLOGICAL INTERRUPTION, OR OTHER MEANS. THIS IMPACT WOULD BE SIGNIFICANT BUT MITIGABLE (CLASS II).

Three wetland vegetation communities were documented on site, including arroyo willow thickets, cattail marshes, and bristly ox-tongue, which would be permanently impacted by the conversion of the project site into residential uses. Impacts would total 1.55 acres of arroyo willow thickets (also discussed in Impact BIO-3), 0.12 acre of cattail marshes, and 0.69 acre of bristly ox-tongue, totaling 2.6 acres of impacts to wetland vegetation. Development of the proposed sewer line connection would result in an additional 0.11 acre of temporary impacts to arroyo willow thickets north of Key Site 21 on Key Site 22. In addition, project activities could contribute to the spread of invasive

wetland vegetation or wildlife to other wetland areas nearby. These habitats associated with wetland features have the potential to be regulated by the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and CDFW. Additionally, the proposed sewer line easement potentially crosses a jurisdictional waterway north of Key Site 21. Impacts to USACE, RWQCB, and CDFW jurisdictional features would require permits pursuant to the CWA and CFGC. Impacts to protected wetlands are potentially significant.

## Mitigation Measures

The following mitigation measures would be required to reduce potentially significant impacts to protected wetlands to less than significant. Mitigation Measure BIO-3(b) above addresses potential impacts associated with the introduction of invasive weeds.

### *BIO-4(a) Agency Coordination*

Impacts to drainages and wetlands as a result of the project may require permits from U.S. Army Corps of Engineers, Regional Water Quality Control Board, and California Department of Fish and Wildlife. The owner/applicant shall obtain and produce for the County correspondence from applicable state and federal agencies regarding compliance of the proposed development with state and federal laws.

**Plan Requirements and Timing.** The applicant shall submit copies of correspondence and/or permits (as applicable) with applicable agencies to Planning and Development prior to zoning clearance issuance for grading.

**Monitoring.** Planning and Development permit processing planner shall review agency correspondence prior to zoning clearance issuance for grading. Planning and Development compliance monitoring and building and safety staff shall monitor and site inspect to ensure that the project meets any requirements outlined by the agencies.

### *BIO-4(b) Wetland and Drainage Avoidance*

Impacts to wetlands and drainages shall be avoided to the maximum extent feasible. Bright orange construction fencing shall be placed to delineate the extent of disturbance areas associated with the project (including the proposed sewer line easement) under the direction of a County-approved qualified biologist in order to protect wetlands and drainages that will not be impacted by the project. The fencing shall be installed prior to the start of any initiation of ground disturbance activities and shall remain in place until grading and construction activities are complete. No vehicles, person, materials, or equipment will be allowed in protected areas. Grading plans shall show the location of these areas and protective fencing. If wetlands and drainages cannot be avoided, Mitigation Measure BIO-4(c) below shall be implemented.

**Plan Requirements and Timing.** Grading plans showing the location of wetlands and drainages as well as protective fencing locations for review and approval prior to issuance of zoning clearance for grading.

**Monitoring.** Planning and Development compliance monitoring and/or building and safety staff shall inspect the site prior to initiation of grading activities and a minimum of once per week following the start of grading and construction to ensure protective fencing is in place.

### *BIO-4(c) Wetland and Drainage Mitigation*

Impacts to wetlands and drainages shall be mitigated at a minimum ratio of 2:1 (acres of habitat restored to acres impacted) for permanent impacts and minimum ratio of 1:1 (acres of habitat restored to acres impacted) for temporary impacts. Upon final design, the County-approved biologist shall determine the final impacts to wetlands and the subsequent amount of acreage needed for restoration for the project. Restoration on the project site is preferable. However, the County may approve off-site restoration at a location in the same watershed as the project (Upper Orcutt Creek; HUC180600080501) that results in equal compensatory value if the applicant can demonstrate to the County's satisfaction that restoration on the project site cannot be achieved. The Draft OSMP shall be revised or an Off-Site Restoration Plan developed by a County-approved biologist in accordance with Mitigation Measure BIO-3(a) above and shall be implemented for no less than five years after construction, or until the local jurisdiction and/or the permitting authority (e.g., USACE) has determined that restoration has been successful.

**Plan Requirements and Timing.** The applicant shall submit the revised OSMP or off-site Restoration Plan to Planning and Development as well as U.S. Army Corps of Engineers and/or Regional Water Quality Control Board, and/or California Department of Fish and Wildlife (depending upon the agencies permitting authority over the project) for review and approval prior to issuance of grading permits.

**Monitoring.** Planning and Development shall ensure that impacts to wetlands from the proposed development are properly mitigated for.

### *BIO-4(d) Jurisdictional Areas Best Management Practices During Construction*

The following best management practices shall be required for grading and construction within or 100 feet from jurisdictional areas or wetlands.

a. Access routes, staging, and construction areas shall be limited to the minimum area necessary to achieve the project goal and minimize impacts to other waters (federal and state) including locating access routes and ancillary construction areas outside of jurisdictional areas.
b. To control erosion and sediment runoff during and after project implementation, appropriate erosion control materials shall be deployed and maintained to minimize adverse effects on jurisdictional areas in the vicinity of the project.
c. Project activities within the jurisdictional areas should occur during the dry season (typically between May 1 and September 30) in any given year, or as otherwise directed by the regulatory agencies. Deviations from this work window can be made with permission from the relevant regulatory agencies.
d. During construction, no litter or construction debris shall be placed within jurisdictional areas. All such debris and waste shall be picked up daily and properly disposed of at an appropriate site.
e. All project-generated debris, building materials, and rubbish shall be removed from jurisdictional areas and from areas where such materials could be washed into them.
f. Raw cement, concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic species resulting from project-related activities, shall be prevented from contaminating the soil and/or entering jurisdictional areas.

g. All refueling, maintenance, and staging of equipment and vehicles shall occur at least 100 feet from bodies of water and in a location where a potential spill would not drain directly toward aquatic habitat (e.g., on a slope that drains away from the water source). Prior to the onset of work activities, a plan must be in place for prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should an accidental spill occur.

**Plan Requirements and Timing.** These measures shall be implemented during grading and construction and shall be included on all land use, grading, and building plans.

**Monitoring.** The applicant shall retain a County-approved biologist to monitor compliance with the above measures. Planning and Development compliance monitoring and building and safety staff shall periodically inspect for compliance.

## Significance After Mitigation

Implementation of the above mitigation measures would reduce impacts to jurisdictional areas to a less than significant level (Class II).

| | |
|---|---|
| **Threshold:** | Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? |

### Impact BIO-5 THE PROJECT WOULD IMPACT WILDLIFE MOVEMENT. THIS IMPACT WOULD BE SIGNIFICANT BUT MITIGABLE (CLASS II).

The project site is located on the edge of a public golf course that is not configured in such a way as to substantially inhibit wildlife movement for large animals. Areas designated as Open Space would maintain corridors for wildlife movement and be connectors to the natural landscapes to the south. However, movement for small animals such as the California tiger salamander would be impacted from construction of the proposed access road to the Willow Creek Neighborhood. Physical barriers such as curbs would prevent movement as well as have potential to trap individuals within the roadway. Movement between SAMA-21, a known breeding pond, and upland areas to the south would be inhibited. Indirect effects from development of the proposed access road to wildlife movement may occur from an increase in light, fencing, and noise disturbance, as well as an increased presence of domestic animals and humans. Impacts to wildlife movement would be potentially significant.

## Mitigation Measures

The following mitigation measures, which implement OCP EIR Mitigation Measures BIO-6 and KS21-BIO-3, are required to reduce potentially significant impacts to wildlife movement resulting from the project to less than significant.

### *BIO-5(a) Wildlife Impact Avoidance*

The project shall incorporate the following design measures to reduce impacts to wildlife:

a. Roadway widths adjacent to open space areas shall be the minimum width possible while maintaining Fire Department requirements for emergency access.

b. Appropriate signage warning residents of the potential presence of wild animals on roadways and bike paths shall be installed along roads adjacent to open space areas. Interpretative educational signage discussing sensitive resources on site (oak woodland, rare plants and animals etc.) shall be installed along all bike paths, hiking trails and rest areas. Information on educational signage shall be developed by a County-approved biologist and installed and maintained by the developer and/or HOA, with the exception of the signage along the public trail, which is to be~~. Such signage shall be maintained by the developer or HOA~~ maintained by the Santa Barbara Parks Department following installation by the developer and/or HOA.
c. Utilities, such as electrical, water and sewer, shall be installed under paved roads and sidewalks wherever possible.
d. Informational brochures shall be provided to potential buyers and included as an attachment to the subdivision's CC&Rs outlining the impacts associated with non-native animals, (especially feral cats and dogs), impacts associated with introduction of invasive landscaping plants, and impacts associated with use of pesticides. The informational brochures shall also inform potential buyers of the potential for wild animals, such as coyotes, to prey upon domestic animals.

**Plan Requirements and Timing.** Grading and building plans shall include the above measures and shall be submitted to Planning and Development for review and approval prior to issuance of zoning clearance for grading and subdivision improvements. The informational brochure shall be submitted to Planning and Development for review and approval prior to zoning clearance issuance for the first residence. Signage shall be installed prior to occupancy clearance of the first residence.

**Monitoring.** Planning and Development compliance monitoring and building and safety staff shall site inspect upon completion of construction.

### *BIO-5(b) Fence Design*

Project fencing for accessory components (i.e., roads, trail, etc.) shall be designed to minimize impacts to wildlife. Fencing shall not block wildlife movement. Where fencing is required for public safety concerns, the fence shall be designed to permit wildlife movement by incorporating design features such as:

a. A minimum 18 inches between the ground and the bottom of the fence to provide clearance for small animals;
b. A minimum 12 inches between the top two wires, or top the fence with a wooden rail, mesh, or chain link instead of wire to prevent animals from becoming entangled; and
c. If privacy fencing is required near open space areas, openings at the bottom of the fence measure at least 16 inches in diameter shall be installed at reasonable intervals to allow wildlife movement.

**Plan Requirements and Timing.** Grading and building plans shall include the above measures and shall be submitted to Planning and Development for review and approval prior to issuance of zoning clearance for grading and subdivision improvements.

**Monitoring.** Planning and Development shall site inspect upon completion of construction.

### *BIO-5(c) Lighting Plan*

The owner/applicant shall develop a lighting plan for the project to reduce light pollution in open space habitat areas, subject to review and approval by the Board of Architectural Review and Planning and Development. All lighting shall be dark sky compliant to reduce impacts on nocturnal ecosystems and the night sky. All lighting fixtures shall be fully shielded and fully cut-off. Lighting shall be low intensity, the minimum wattage required and of minimum height. The use of high-intensity floodlights on residential lots shall be restricted and all exterior lighting features within 100 feet of open space shall be fully shielded and fully cut-off to prevent "spill-over" into adjacent habitat. Night lighting of public areas shall be kept at the minimum necessary for safety purposes. All exterior lighting is to be turned off or dimmed after 10:00 p.m.

**Plan Requirements and Timing.** The owner/applicant shall develop the lighting plan for Board of Architectural Review and Planning and Development approval incorporating the above requirements. The lighting plan shall show the locations and height of all exterior lighting fixtures and the direction of light being cast by each fixture. This requirement shall be reflected on grading, zoning and building plans. Planning and Development and the Board of Architectural Review shall review the lighting plan for compliance with this condition prior to zoning clearance issuance. Light fixtures shall be installed in compliance with this condition prior to final building inspection clearance.

**Monitoring.** Planning and Development permit compliance and building and safety staff shall site inspect upon installation to ensure that exterior light fixtures have been installed consistent with their depiction and specifications on the final lighting plan.

### *BIO-5(d) Wildlife Passage*

Soft-bottomed culverts or similar passageway crossing structures shall be incorporated into the roadway design for the access road to the Willow Creek Neighborhood to encourage and permit small animals such as the California tiger salamander to pass underneath the roadway. Passageways shall be installed at 200-foot intervals along the roadway. Passageway shall be designed in a way that encourages use by the target species.

**Plan Requirements and Timing.** This requirement shall be reflected on grading, zoning and building plans. Planning and Development shall review and approve the crossing design prior to zoning clearance issuance. Planning and Development shall seek input from the CDFW and USFWS, as necessary, regarding the adequacy of the crossing design prior to approval. Crossing structures shall be installed in compliance with this condition and the approved plans prior to final building inspection clearance.

**Monitoring.** Planning and Development permit compliance staff shall inspect the completed roadway to ensure that wildlife crossing structures have been installed consistent with their depiction and specifications on the design plans.

## Significance After Mitigation

Implementation of the required mitigation measures would reduce indirect impacts to wildlife movement to a less than significant level (Class II).

| **Threshold:** | Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? |
|---|---|

**Impact BIO-6 THE PROJECT WOULD RESULT IN IMPACTS TO PROTECTED TREES. THIS IMPACT WOULD BE SIGNIFICANT BUT MITIGABLE (CLASS II).**

Based on County policies from the Conservation Element – Oak Tree Protection in the Inland Rural Areas of Santa Barbara County and OCP, development of the project would result in removal of 18 protected trees within the proposed Willow Creek neighborhood and five protected trees within the proposed Hidden Canyon neighborhood and approximately 64 protected trees along the proposed sewer line easement (Table 4.4-3 and Appendix C). Additionally, project development would impact the tree canopy and root zone of nine protected trees in the proposed Willow Creek neighborhood and five protected trees in the proposed Hidden Canyon neighborhood (Table 4.4-3 and Appendix C). Impacts to protected trees would be potentially significant.

**Table 4.4-3 Summary of Protected Tree Removals and Impacts to Canopy and Root Zones**

| | | Number of Removals | | | Number of Trees with Canopy and Root Zone Impacts | | |
|---|---|---|---|---|---|---|---|
| Common Name | Scientific Name | Willow Creek | Hidden Canyon | Sewer Line Easement | Willow Creek | Hidden Canyon | Sewer Line Easement |
| Acacia | *Acacia* sp. | 1 | -- | -- | -- | -- | -- |
| Arroyo willow | *Salix lasiolepis* | -- | 3 | 64 | -- | -- | -- |
| Canary Island Palm | *Phoenix canariensis* | 3 | -- | -- | -- | -- | -- |
| Coast Live Oak | *Quercus agrifolia* | 2 | -- | -- | -- | -- | -- |
| Eucalyptus | *Eucalyptus* sp. | 6 | -- | -- | 3 | 2 | -- |
| Monterey pine | *Pinus radiata* | 6 | 2 | -- | 4 | 1 | -- |
| Modesto ash | *Fraxinus velutina* | -- | -- | -- | 1 | 2 | -- |
| Monterey Cypress | *Cupressus macrocarpa* | -- | -- | -- | 1 | -- | -- |
| Total | | 18 | 5 | 64 | 9 | 5 | 0 |

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## Mitigation Measures

### *BIO-6(a) Tree Protection Plan*

The applicant shall submit a Tree Protection Plan (TPP) prepared by a County-approved biologist and/or arborist designed to avoid impacts to protected trees that are not planned for removal. The TPP shall include the following components:

a. Prior to the onset of any construction activities, high visibility orange construction fencing shall be installed around existing stands and individuals that are to be retained at a buffer/extent radius of six feet beyond the canopy dripline, wherever the topography allows for such fencing or otherwise marked in the field to protect them from harm during grading and construction.

b. No construction equipment shall be parked, stored, or operated within 25 feet of any protected tree dripline.
c. No fill soil, rocks, or construction materials shall be stored or placed within 25 feet of the dripline of a protected tree.
d. No artificial surface, pervious or impervious, shall be placed within 25 feet of the dripline of any protected tree, except for County-approved project access roads.
e. Any roots encountered that are one inch in diameter or greater shall be cleanly cut. This shall be done under the direction of a County-approved arborist/biologist.
f. Any construction activity required within three feet of a protected tree's dripline shall be done with hand tools.
g. No permanent irrigation shall occur within the dripline of any existing protected tree.
h. Only designated trees shall be removed. All grading and construction plans shall clearly delineate those trees to be removed and those to remain.

**Plan Requirements and Timing.** The owner/applicant shall: (1) submit the TPP; (2) Include all applicable components in the Tree Replacement Plan and/or Landscape and Irrigation Plans if these are required; and (3) include as notes or depictions all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures. The owner/applicant shall comply with this measure prior to zoning clearance issuance for grading and tract improvements. The owner/applicant shall install tree protection measures on site prior to the issuance of grading/building permits and pre-construction meeting.

**Monitoring.** The owner/applicant shall demonstrate to Planning and Development compliance monitoring and building and safety staff that trees identified for protection were not damaged or removed or, if damage or removal occurred, that replacement is completed as required by the TPP prior to final building inspection clearance.

### *BIO-6(b) Tree Replacement Plan*

For protected trees that require removal, a Tree Replacement Plan shall be prepared and/or incorporated into the Final OSMP (depending upon on site and/or off-site replacement) by a certified arborist or landscape architect. The tree replacement plan shall be designed to replace native trees removed by the proposed project at a ratio of 10:1 (trees planted: trees impacted) for oak trees, 3:1 (trees planted: trees impacted) for arroyo willow, and 1:1 (native trees planted: non-native trees impacted) for non-native trees. Upon final design, the applicant's biologist shall determine the final impacts to protected trees and the subsequent number of replacement plantings needed for restoration for the project. Replacement trees shall be installed on-site. Required arroyo willow replacement trees may also be incorporated as a component of mitigation sites (under Mitigation Measure BIO-3[b]) required to mitigate for impacts to sensitive vegetation communities where this species is found. Monitoring of planted trees shall be for a minimum of seven years or until stasis has been determined by a certified arborist. The plan shall include the following components at a minimum:

a. Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type);
b. Goal(s) of the compensatory mitigation project;

c. Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values);
d. Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan [including species to be used and container sizes]);
e. Maintenance activities during the monitoring period, including weed removal and irrigation as appropriate (activities, responsible parties, schedule);
f. Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports);
g. Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants;
h. An adaptive management program and remedial measures to address any shortcomings in meeting success criteria;
i. Notification of completion of compensatory mitigation; and
j. Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).

**Plan Requirements and Timing.** The Tree Replacement Plan and/or revised OSMP shall be submitted to Planning and Development for review and approval prior zoning clearance issuance for grading for tract improvements. Plan components shall be included on grading and landscaping plans. Prior to zoning clearance issuance, the owner/applicant shall post a performance security to ensure the installation and maintenance of replacement trees for a minimum of five years.

**Monitoring.** The applicant shall demonstrate to Planning and Development compliance monitoring staff that all required components of the approved tree replacement plan (or revised OSMP) are in place as required prior to final inspection clearance and maintained throughout maintenance period. Planning and Development compliance monitoring staff signature is required to release the installation security upon satisfactory installation of all items in approved plans and maintenance security upon successful implementation of the replacement plan.

## Significance After Mitigation

Implementation of the above mitigation measures would reduce impacts to protected trees to a less than significant level (Class II).

| | |
|---|---|
| **Threshold:** | Would the project substantially, adversely impact, either directly or through habitat modifications, any endangered, rare, or threatened species, as listed in Title 14 of the California Code of Regulations (§670.2 or 670.5) or in Title 50, Code of Federal Regulations (§17.11 or 17.12)? |
| **Threshold:** | Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? |
| **Threshold:** | Would the project adversely impact state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? |
| **Threshold:** | Would the project have a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? |

### Impact BIO-7 THE PROJECT WOULD RESULT IN REMOVAL AND DEGRADATION OF ENVIRONMENTALLY SENSITIVE VEGETATION FOR FUEL MANAGEMENT PURPOSES. THIS IMPACT WOULD BE SIGNIFICANT BUT MITIGABLE (CLASS II).

The Santa Barbara County Fire Department recommends a 100-foot vegetation fuel management zone from structures. Guidelines for fuel modification and vegetation management have been outlined in The Neighborhoods of Willow Creek and Hidden Canyon Specific Plan. The types of management will vary based on the slope, aspect, terrain, and density of vegetation. The guidelines include:

1. **General:** Vegetation management planting and thinning shall be implemented within a 100-foot vegetation management zone from residential structures adjacent to open natural areas intended for fire risk reduction. Individual residential lots shall incorporate low fuel and / or fire resistant plants into the design of the rear yard landscape.
2. **Residential graded pad-ornamental landscape zone:** The graded pad may consist of lawn and irrigated ground cover and shrubs and is considered an “irrigated zone,” equivalent to a “total clear zone.” Trees in this zone must be ten feet or more away from the residence.
3. **Landform graded slope zone (irrigated):** This zone includes the landform graded slopes created with grading of the residential pads. This zone shall begin a transition from the ornamental landscape to a more natural, but generally low fuel, landscape. This zone shall not include high fuel plants such as Chamise, Black sage, California sage and Coyote bush. Screen planting shall be arranged in a mosaic manner that limits the possibility of creating a fuel ladder into trees. This zone may extend beyond the graded slope into undisturbed open areas to allow for a naturalistic edge to be created that is visually harmonious with the larger natural setting. Irrigation shall be limited to the created slope and not extend into the undisturbed areas.
4. **Fuel Reduction Zone in natural areas:** Thinning of vegetation if necessary at the interface between the open space and the landform graded slope zone may include removal of dead wood and downed limbs in trees. Shrub thinning shall be done to transition smoothly into the adjoining undisturbed native plant community. Avoid contrived pruning and shaping to maintain a natural appearance.

5. **Tree Trimming:** Limbing-up of native trees (only if required to protect existing trees within the 100-foot fuel modification zone) and other incidental exotic trees such as eucalyptus or pine shall be up to six feet for Coast Live Oak and eight feet for all other species. Small oaks shall be limbed up to 1/3 of the tree's height.

Potential impacts would include vegetation removal, vegetation thinning, tree trimming, and removal of dead wood and downed tree limbs. Fuel management activities would focus on the removal and control of non-native species to meet the overall goals of the fuel management program. No ground disturbance is planned in association with the on-going fuel management program. However, long-term fuel management activities would potentially affect plant communities such as, coastal scrub, oak woodlands, native grasslands, and riparian vegetation, which would be a potentially significant impact.

## Mitigation Measures

The following measure would be required to reduce potentially significant impacts associated with long-term fuel management activities on the project site to less than significant (class II).

### *BIO-7 Fuel Management Plan*

The applicant shall prepare a Fuel Management Plan to be incorporated into the Final OSMP. The Fuel Management Plan shall include the following:

a. The goal of the plan would be to meet the dual goals of public safety and protection of special-status plant species habitat and sensitive plant communities.
b. The plan shall depict fuel management zones (i.e., zone 1, 2, and 3) wherever required and shall include specific special-status species habitat or sensitive plant communities protection and fuel management measures to be used in each fuel management zone for each plant community. On-site vegetation management shall be limited to the zones and clearance requirements/percentages conceptually described.
c. Depending on the resource(s) to be encountered within fuel management zones, the Fuel Management Plan shall incorporate mitigation actions from the resource-specific Mitigation Measures BIO-1(a) through BIO-1(b), BIO-2(a) through BIO-2(k), BIO-3(a) through BIO-3(d), and BIO-4(a) through BIO-4(d) to avoid, minimize or compensate for significant impacts to special status species. If compensatory mitigation is required for fuel management activities, the mitigation actions from the resource-specific Mitigation Measures BIO-1(b), BIO-2(c), BIO-3(b), and BIO-4(c) shall be incorporated into the Final OSMP (or Off-Site Habitat Restoration Plan, if applicable).

**Plan Requirements and Timing.** The Fuel Management Plan shall be reviewed and approved by Planning and Development prior to zoning clearance issuance for grading. Site plans shall show any proposed fuel management zones and measures to protect any special-status species habitat occurring within the zones. Vegetation clearance within the fuel management zones shall be conducted in compliance with the Fuel Management Plan. Planning and Development shall also verify that the contents of the fuel management plan are also incorporated into the revised OSMP.\

**Monitoring.** Planning and Development permit compliance staff shall monitor implementation of the Fuel Management Plan and respond to complaints.

## Significance After Mitigation

Implementation of the above mitigation measures would reduce special status species, sensitive communities and wetlands impacts from fuel management activities to a less than significant level (Class II).

## c. Cumulative Impacts

Significance for cumulative impacts to biological resources are based on:

a. The cumulative contribution of other approved and proposed development to fragmentation of open space in the project site's vicinity;
b. The loss of sensitive habitats and species;
c. Contribution of the proposed project to urban expansion into natural areas; and
d. Isolation of open space within the proposed project by future projects in the vicinity.

Cumulative impacts resulting from buildout of the Orcutt Planning Area was addressed in the OCP EIR and determined to be significant and unavoidable (Class I). Continued development in the northern part of Santa Barbara County will cumulatively increase the potential for impacts to biological resources, in combination with the proposed project. Cumulative development in the northern part of Santa Barbara County includes approximately 1,260 new residential units and 280 commercial units that are currently proposed, in process, approved, or under construction, in addition to approximately 973,500 square feet of commercial, winery, and institutional development. The proposed project would contribute incrementally to habitat loss within the Orcutt area taking into account all other projects, particularly in southern Orcutt where a number of key sites feature important sensitive resources. Native habitats support native wildlife species, many of which cannot survive in, or do not adapt to, the noise and disturbance associated with residential and urban developments. Species that tolerate developed, landscaped, and disturbed sites include aggressive, non-native species that further displace native plants and wildlife, or may prey upon native species. The project, both directly and indirectly, would contribute to the gradual reduction and fragmentation of native habitats (including sensitive habitats), loss of native plant species diversity and populations, and reduction in and potential loss of native wildlife diversity and populations.

Cumulative impacts to biological resources are addressed on a project-by-project basis through site-specific investigations and surveys as well as the development of the assessment of potential impacts and prescription of appropriate mitigation. Implementation of the mitigation measures described in Section 4.4.2(b), Project Impacts and Mitigation Measures, would reduce project-level impacts to biological resources to a less than significant level. However, the project's contribution to cumulative loss of sensitive habitats in general, and in particular to loss of upland and potentially suitable aquatic habitat for the federally and State listed California tiger salamander Santa Barbara County DPS and federally listed California red-legged frog in northern Santa Barbara County would be significant and unavoidable (Class I).

# 4.5 Cultural and Tribal Cultural Resources

This section evaluates potentially significant impacts to cultural and tribal cultural resources associated with the Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project in the Orcutt Community Plan (OCP) area in northern Santa Barbara County. The analysis in this section evaluates development of the proposed Willow Creek neighborhood, Hidden Canyon neighborhood, and tie-in to the recorded sewer line easement on Key Site 22 north of the site (collectively referred to as "the project").

## 4.5.1 Setting

### a. Regional Setting

### Prehistory

At European contact, the region was occupied by the Chumash, a diverse population living in settlements along the California coast from Malibu Creek in the south to Estero Bay in the north, and from Tejon Pass, Lake Casitas and the Cuyama River inland to the islands of San Miguel, Santa Rosa, and Santa Cruz. Chumash society became increasingly complex over the past 9,000 years (Wallace 1955, Warren 1968). Wallace (1955) and Warren (1968) developed chronologies for the region. Chester King (1981) proposed sequences based on changes in ornaments, beads, and other artifacts. After A.D. 1000, changes in bead types suggested the evolution of new economic subsystems that contributed to the highly developed economic system observed by early Spanish explorers.

Discussion of the Early (6,000 B.C.-1,400 B.C.), Middle (1,400 B.C.-A.D. 1,000), and Late (A.D. 1,000-1542) periods is based on a chronological sequence developed by King (1981) for the Santa Barbara Channel region. The Early Period of the Santa Barbara Channel mainland was originally defined by Rogers (1929) and referred to as the "Oak Grove" Period. The primary diagnostic feature of this period is the milling stone, which was used to grind hard seeds into flour. The Middle Period is characterized by larger and more permanent settlements. Materials from Middle Period sites reflect a greater reliance on marine resources and include marine shells, fish remains, and fishhooks. Toward the end of this period the plank canoe was developed, making ocean fishing and trade with the Channel Islands safer and more efficient (Arnold 1987). Terrestrial resources continued to be exploited as evidenced by the presence of contracting-stemmed and corner-notched projectile points from Middle Period sites (Bamforth 1984). The Late Period was a time of increased social and economic complexity. The population increased, and permanent and semi-permanent villages clustered along the Santa Barbara channel and on the Channel Islands. Trade networks, probably controlled by village chiefs, expanded and played an important part in local Chumash culture, reinforcing status of differences and encouraging craft specialization. Acorns were processed using stone pestles and mortars, and deer were hunted with the bow and arrow. During this period there was an increase in the number of residential base camps and in the diversity of site settings (King 1981; Gamble 2008; Rogers 1929).

Following the 1542 Cabrillo voyage numerous small Chumash settlements were abandoned, and large historic towns were founded. The protohistoric culture of the Chumash is chronologically equated with the arrival of a Spanish expedition led by Gaspar de Portola' in 1769. Subsequently, Chumash culture changed dramatically with the establishment of the Missions of Santa Barbara, Santa Ynez and La Purisima (King 1981; Gamble 2008).

## History

Landberg (1965) divided the historic occupation of the project vicinity into three settlement periods: the Mission Period (A.D. 1769-1834), the Mexican Rancho Period (ca. A.D. 1834-1849), and the American Period (ca. A.D. 1849-present). Gaspar de Portola and his crew, who camped at the mouth of the Santa Maria River in July 1769, ushered in the Mission Period. Construction of the Mission Santa Barbara in 1786, Mission La Purisima Conception in 1787, Mission Santa Ynez in 1808, along with the establishment of numerous ranchos, altered both the physical and cultural landscape of the region. The missions were the center of Spanish influence in the region and affected native patterns of settlement, culture, trade, industry, and agriculture. Following the Mexican Revolution of 1821, California became part of the Republic of Mexico, and secularization of the Mission lands soon followed. The emphasis on cattle-raising in the post-Mission Period marked a shift from stock raising to farming and more intensive land uses marked the advent of the American Period. Major forces of regional change during the last 100 to 125 years include the development of the railroad system, improvements in maritime shipping, the growth of agribusiness concerns, and the development of the oil industry (Landberg 1965; Erlandson et. al. 2008; Gamble 2008).

## b. Project Site Setting

A total of four prior archaeological investigations (Spanne 2004, Santoro and Toren 1995, Snethkamp and Colten 1982, Spanne 1980) have been conducted in the immediate project site vicinity. Three of the four archaeological investigations surveyed Key Site 21, including the project site (Spanne 2004, Snethkamp and Colten 1982, Spanne 1980). The remaining survey (Santoro and Toren 1995) surveyed Key Site 22 within which the proposed sewer line extension for the project would be located. All four investigations were conducted by County-qualified archaeologists and meet current standards and methods and are consistent with the County's Cultural Resource Guidelines. The findings of each of these investigations are detailed in the following paragraphs, in sequential order of when each occurred.

The 1980 Phase I survey of Key Site 21, including the project site (Spanne 1980), identified a historic-period solid waste disposal area (CA-SBA-1169/H) and an isolated prehistoric Monterey chert flake (RME-1) believed to be associated with Juan Arrellanes Adobe, which dates back to the Mexican Rancho Period of the mid-19th century. The historic-period solid waste disposal area is located outside of the project site, west of the drainage bordering the 14th fairway of the Rancho Maria Golf Club (RMGC) golf course, and contains animal bones, abalone and clam shell, ceramic tableware and glass bottle fragments, miscellaneous metal, and other domestic debris between 1874 and 1913. Greenwood and Associates evaluated the significance of CA-SBA-1169/H and determined that it qualifies as a significant historical resource according to CEQA standards (Greenwood, McIntyre, and Burkenroad 1980). The isolated Monterey chert flake was found on the golf course, outside of the project site. Spanne characterized the artifact as "an isolated find in areas where buried deposits are unlikely."

The survey of Key Site 22 (Snethkamp and Colten 1982) was conducted using 20-meter (65.5 foot) transect intervals. Ground surface visibility was limited by dense annual grasses. No cultural resources were identified within the portion of the Key Site 22 where the proposed sewer line for the project would be located.

The 1995 Phase I investigation was conducted in support of the County of Santa Barbara's OCP EIR and surveyed the project site and resurveyed Key Site 22. The surface survey using transect intervals spaced no more than 15-meters apart. No cultural resources were identified on the project site.

The most recent archaeological investigation included a Phase I Survey of 140 acres of Key Site 21, including the project site, using 15-meter transect intervals (Spanne 2004). The investigation also included a records search at the Central Coast Information Center at the University California Santa Barbara. Surface visibility was adequate to detect any cultural resources that might have been present. No prehistoric or historic cultural resources were identified during this investigation. No cultural resources were identified within the project site or in the area of the proposed sewer line extension during these recent archaeological studies.

Per the County Guidelines Section 2.3.2 Cultural Resources Identification, if an archaeological survey is older than ten years old but deemed to be sufficient, an addendum to the prior report(s) must be completed. The addendum is required to update all graphics to match the current development project; discuss any change in interpretation, impacts, or mitigation; and identify changes in circumstances or new information of substantial importance that cause one or more effects to cultural resources. Accordingly, an Addendum Phase I Archaeological Resources Investigation was conducted for the project site in December 2018 (refer to Appendix D). The Addendum Phase I Archaeological Resources Investigation determined that the two most recent studies conducted in 1995 and 2004 were sufficient. Based on the results of these surveys no cultural resources are known to occur on the project site.

## c. Regulatory Setting

A cultural resource may be designated as significant by federal, State, or local authorities. State historic preservation regulations include the statutes and guidelines contained in CEQA (Public Resources Code Sections 20183.2 and 21084.1 and Section 15064.5 of the CEQA Guidelines). In order for a resource to qualify for listing in the National Register of Historic Places (NHRP) or the California Register of Historical Resources (CRHR), it must meet one or more identified criteria of significance. Criteria for determination of significant impacts to historical, cultural, and archaeological resources, including criteria for consideration of a resource as "historically significant" under CRHR, are described in Section 4.5.3(a), Methodology and Significance Thresholds.

The disposition of human remains is governed by Section 7050.5 of the California HSC and Sections 5097.94 and 5097.98 of the Public Resources Code and falls within the jurisdiction of the Native American Heritage Commission (NAHC).

Section 35.60.040 of the Santa Barbara County Land Use and Development Code (LUDC) describes the County's resource protection standards that relate to historical and archaeological resources. Policies, actions, and development standards related to historical and archaeological resources in the Orcutt area are described in Section IV.E of the OCP.

The County Thresholds and Guidelines Manual incorporates mandates specified in CEQA Guidelines Sections 15064.5 and 15126.4. It also includes significance criteria for evaluating historic architectural resources identified in the County Cultural Resources Guidelines, which are described below in Section 4.5.3(a), Methodology and Significance Thresholds. According to the Santa Barbara County Historic Preservation Ordinance, in order for a resource to be eligible for designation as a County Landmark or Place of Historic Merit, it must meet the designation criteria defined in Section 18A-3 of the Santa Barbara County Municipal Code under consideration by the Historic Landmarks Advisory Commission and the Board of Supervisors. The Commission has bylaws which provide additional guidance on eligibility for establishing landmarks and places of historic merit (Ord. No. 4425 Section 1).

Assembly Bill (AB) 52 establishes a formal consultation process for California tribes regarding tribal cultural resources defined in Public Resources Code Section 21074. The consultation process must be completed before a CEQA document can be certified. AB 52 requires that lead agencies "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." Native American tribes to be included in the process are those that have requested notice of projects proposed in the jurisdiction of the lead agency.

Per California Government Code Section 65352.3 and Senate Bill (SB) 18 cities and counties are also required to formally consult with California Tribal government prior to adoption or amendment to a General Plan. Consultation shall occur with California Native American Tribes for the purpose of preserving or mitigating impacts to tribal cultural resources.

On November 30, 2017, pursuant to the requirements of AB 52 and SB 18, the County prepared and sent notification letters inviting tribes/tribal representatives listed with the NAHC to participate in consultation for the project. Tribal representatives/tribes contacted include: Julie Lynn Tumamait-Stenslie, Chair, Eleanor Arrellanes, and Raudel Joe Banuelos, Jr. of the Barbareno/Ventureno Band of Mission Indians; Gino Altamirano, Tribal Chair of the Coastal Band of the Chumash Nation; and Kenneth Kahn, Tribal Chairman of the Santa Ynez Band of Chumash Indians. On May 17, 2018, in response to the County's request for consultation, Freddie Romero, Cultural Resources Coordinator for the Santa Ynez Band of Chumash Indians, attended a site visit with Frances Romero, Director at FORMA Design and representative of the project applicant. Subsequent to the site visit Mr. Romero requested the inclusion of the standard "unexpected discovery" condition as a Condition of Approval for the project. The County did not receive any other requests for consultation or other pertinent information about potential tribal cultural resources on the project site in response to the AB 52 and SB 18 notification letters.

In addition, policies, actions, and development standards related to historical and archaeological resources in the Orcutt area are described in Section IV.E of the OCP. Several of these were modeled after mitigation measures in the OCP EIR. The following OCP policy would apply to the project as proposed:

- Policy HA-O-l: Archaeological and historic resources in the Orcutt Planning Area shall be protected and preserved to the maximum extent possible (County of Santa Barbara 2004).

## 4.5.2 Previous Environmental Review

The OCP EIR examined potential impacts to cultural resources in the Archeological Resources section of the document. The OCP EIR determined that buildout of the OCP would result in a significant and unavoidable (Class I) cumulative impact associated with destruction, pilferage, and vandalism of archaeological resources at full buildout of the OCP. Portions of Key Site 21 were surveyed, but site-specific analysis was not performed for archeological resources at Key Site 21 as part of the OCP EIR.

The OCP EIR identified two potentially significant archaeological impacts that pertain to development on Key Site 21, including: destruction of pre-historic resources as a direct result of surface and subsurface grading (ARCH-1) and increased incidents of pilferage and vandalism (ARCH-2). The OCP EIR identified mitigation measures for public and private development projects pursuant to the Santa Barbara County archaeological guidelines, the State Office of Historic Preservation, and the State of California Native American Heritage Commission to minimize potential impacts to archaeological resources. These measures include archaeological site avoidance (ARCH-1), implementation of buffers (ARCH-2), subsurface testing and data recovery programs in

the event that avoidance is not possible (ARCH-3 and ARCH-4), site disturbance monitoring by a County-qualified archaeologist and a Native American representative (ARCH-5), fencing (ARCH-6), prohibition of activities that could destroy or damage archaeological or cultural sites (ARCH-7), cooperation with the State of California NAHC (ARCH-8) and consultation of County-qualified archaeologist and Native American Representative, and suspension of construction if archaeological remains are uncovered (ARCH-10). The OCP EIR determined that implementation of feasible mitigation measures would reduce impact ARCH-1 to a less than significant (Class II) level. Impact ARCH-2 was determined to remain significant and unavoidable (Class I) with implementation of the identified mitigation measures.

## 4.5.3 Impact Analysis

### a. Methodology and Significance Thresholds

The significance of a cultural resource and impacts to the resource is determined by whether or not that resource can increase our knowledge of the past. The primary determining factors are site content and degree of preservation. A finding of archaeological significance follows the criteria established in the CEQA Guidelines and the Santa Barbara County Environmental Thresholds and Guidelines Manual.

CEQA declares that the State of California will “take all steps necessary to provide the people of this state with […] enjoyment of […] historic environmental qualities.” The CEQA definition of “environmental qualities” includes objects of historic, archaeological, aesthetic significance [Public Resources Code (PRC) 21001] (Gammage, Jones, and Jones, 1975).

CEQA Guidelines Section 15064.5, Determining the Significance of Impacts to Archaeological Resources, states:

Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code, Section 5024.1, Title 14 CCR, Section 4852) including the following:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Is associated with the lives of persons important in our past;
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Has yielded, or may be likely to yield, information important in prehistory or history.
- The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.
- A project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.

The County Cultural Resource Guidelines provide local criteria for determining the significance of archaeological resources. County criteria for "important archaeological resource" are identical to the CEQA criteria listed above.

Appendix G of the CEQA Guidelines considers a project to have a significant impact on cultural resources or tribal cultural resources if the project would:

- Cause a substantial adverse change in the significance of a historical resource pursuant to as defined in Section 15064.5;
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5;
- Disturb any human remains, including those interred outside of dedicated cemeteries; and/or
- Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
  - Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
  - A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Potential impacts to historical resources are discussed in Section 4.15, *Effects Not Found to be Significant*.

## b. Project Impacts and Mitigation Measures

Impacts and mitigation measures described in the OCP EIR are incorporated below, with corresponding analysis pertaining to the proposed Neighborhoods of Willow Creek and Hidden Canyon Project. Impacts identified in the OCP EIR are compared with those that are anticipated to occur under the proposed project.

| | |
|---|---|
| **Threshold:** | Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? |
| **Threshold:** | Would the project disturb any human remains, including those interred outside of dedicated cemeteries? |

### Impact CUL-1 GROUND DISTURBING ACTIVITIES ASSOCIATED WITH PROJECT CONSTRUCTION COULD RESULT IN DIRECT AND/OR INDIRECT IMPACTS TO CA-SBA-1169/H AND/OR PREVIOUSLY UNDISCOVERED ARCHAEOLOGICAL RESOURCES, PURSUANT TO STATE CEQA GUIDELINES SECTION15064.4. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT WITH IMPLEMENTATION OF MITIGATION (CLASS II).

~~According to the~~ The Addendum to the Phase 1 Archaeological Resources Investigation for the project (Appendix D)~~, during~~ identifies that the four most recent archaeological studies~~,~~ have results in the complete intensive investigation of all proposed Specific Plan development areas, including the proposed sewer line extension area on Key Site 22. Studies in support of projected buildout in

the 1995 OCP EIR and Key Site 21 Specific Plan building (2004) were consistent with present County Cultural Resource Guidelines using 15-meter (50-feet) survey spacing. No archeological resources were identified within the proposed development areas on the project site, or the proposed sewer line extension area on Key Site 22. One isolated Monterey chert flake was identified on Key Site 21, within the bounds of the RMGC public golf course, which is outside the proposed development areas for the project. According to the 1980 Phase I survey of Key Site 21, including the project site (Spanne 1980), this artifact was characterized as "an isolated find in areas where buried deposits are unlikely." A historic-period solid waste disposal area (CA-SBA-1169/H) was also identified in the 1980 Phase I survey. Greenwood and Associates evaluated the significance of CA-SBA-1169/H and determined that it qualifies as a significant historical resource according to CEQA standards (Greenwood, McIntyre, and Burkenroad 1980). The historic-period solid waste disposal area is located outside of the proposed development areas for the project, west of the drainage bordering the 14th fairway of the RMGC golf course. Although ~~there are~~ no known archeological resources were identified on the project site as a result of two intensive archaeological surveys completed consistent with County Cultural Resources Guidelines, project-related earth moving activities (e.g., during the construction of project) could impact previously undiscovered archaeological resources. Increased population on the project site could also result in an increase of artifact collecting and/or vandalism that could result in potential indirect impacts to the nearby historic-period solid waste disposal area (CA-SBA-1169/H) and/or previously undiscovered archaeological and historical sites. Examples of activities that could indirectly and substantially alter the integrity and significant qualities of such resources due to increased use of the project site include, but are not limited to: collection of unidentified artifacts from archaeological sites; unauthorized excavation or looting of sites; erosion and other damage resulting from non-motorized or motorized vehicle use (horses, bicycles, dirt bikes, etc.); illicit trash dumping; and vandalism to cultural features. Destruction or loss of integrity in these resources would result in a potentially significant impact requiring mitigation.

In addition, consistent with State law, if human remains are encountered during excavation within the project area, all work must halt, and the County Coroner must be notified (Section 7050.5-California Health and Safety Code). The coroner would determine if the remains are of forensic interest. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, the coroner would contact the NAHC. The NAHC would designate the most likely descendant (MLD), who would be responsible for the ultimate disposition of the remains, as required by Section 5097.98 of the Public Resources Code. The MLD shall make his/her recommendations within 48 hours of their notification by the NAHC. This recommendation may include:

- The nondestructive removal and analysis of human remains and items associated with Native American human remains;
- Preservation of Native American human remains and associated items in place;
- Relinquishment of Native American human remains and associated items to the descendants for treatment; or
- Other culturally appropriate treatment.

## Mitigation Measures

To mitigate potential indirect impacts to CA-SBA-1169/H the following mitigation measure would apply.

### *CUL-1(a) Avoidance of Site CA-SBA-1169/H*

CA-SBA-1169/H currently is protected by dense natural vegetation which serves as a barrier and discourages entry. To protect the site, this vegetation shall not be cleared at any time. Additionally, hiking or riding trails shall not be routed within 100 feet of the site, and its presence and location shall not be publicized in print or signage.

**Plan Requirements and Timing.** Final site plans for the Specific Plan (Case No. 16SPP-00000-00001) shall demonstrate avoidance of Site CA-SBA-1169/H. Planning & Development staff shall ensure that project features are designed to avoid cultural resources entirely.

**Monitoring.** Planning & Development staff shall ensure receipt of the revised site plan ~~and distribution of the plan to the County Historic Landmarks Advisory Commission~~. Permit Compliance shall ensure that the plan is implemented prior to construction.

To mitigate potential direct and indirect impacts to undiscovered archaeological resources the following mitigation measures, which implement OCP EIR Mitigation Measures ARCH-5 and ARCH-10, would apply.

### *CUL-1(b) Archaeological Monitoring*

The Owner/Applicant shall have all earth disturbances including scarification and placement of fill monitored by a Planning & Development approved archaeologist and a Native American consultant in compliance with the provisions of the County Archaeological Guidelines.

**Plan Requirements and Timing**. Prior to zoning clearance issuance, the Owner/Applicant shall submit a contract or Letter of Commitment between the Owner/Applicant and the archaeologist, consisting of a project description and scope of work, for Planning & Development staff review and approval. Once approved, the Owner/Applicant shall execute the contract.

**Monitoring**. The Owner/Applicant shall provide Planning & Development compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. Planning & Development compliance monitoring staff shall confirm monitoring by archaeologist and Native American consultant and Planning & Development grading inspectors shall spot check field work.

### *CUL-1(c) Stop Work at Encounter*

The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall immediately contact Planning & Development staff, and retain a Planning & Development approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of the County Archaeological Guidelines and conduct appropriate mitigation funded by the Owner/Applicant.

**Plan Requirements and Timing.** This condition shall be printed on all building and grading plans prior to approval of such plans. A Worker Education Program (WEP) shall be designed and implemented for all project construction supervisors and field personnel who may encounter unknown cultural resources during earthmoving activities. The WEP shall be presented at a pre-construction workshop conducted by a County-qualified archaeologist and a local tribal representative funded by the applicant. Attendees shall include the applicant, archaeologist, tribal representative, construction supervisors, and heavy equipment operators to ensure that all parties

understand the cultural resources monitoring program and their respective roles and responsibilities. The names of all personnel who attend the workshop shall be recorded and all personnel attendees shall be issued hardhat stickers denoting that they have received workshop training. This workshop shall be videotaped and shown to any new employees or subcontractors that may be needed during ground-disturbance construction activities. Names of newly trained personnel shall be recorded and those personnel issued appropriate hardhat stickers.

Examples of archaeological artifacts (e.g., ground and chipped stone tools) and other cultural materials (soils containing evidence of food refuse, localized activity areas such as roasting pits) that may be reasonably encountered during construction shall be illustrated on posters that are shown at the preconstruction workshop. The posters shall remain in construction worker break room or similar common onsite areas where they may be accessible for reference as necessary.

**Monitoring.** Planning & Development permit processing planner shall check plans prior to issuance of zoning clearance and Planning & Development compliance monitoring staff shall attend the pre-construction workshop, and spot check in the field throughout grading and construction.

## Significance After Mitigation

Implementation of the Mitigation Measures CUL-1(a) through CUL-1(c) would reduce impacts associated with the potential to indirectly impact CA-SBA-1169/H and/or unearth previously ~~undiscovered~~ unknown cultural resources during ~~grading and construction~~ earthmoving activities to a less than significant level (Class II).

| | |
|---|---|
| **Threshold:** | Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:<br>i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or<br>ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. |

### Impact CUL-2 GROUND DISTURBING ACTIVITIES ASSOCIATED WITH THE PROJECT COULD CAUSE A SUBSTANTIAL ADVERSE CHANGE TO PREVIOUSLY ~~UNDISCOVERED~~ UNKNOWN TRIBAL CULTURAL RESOURCES. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT WITH IMPLEMENTATION OF MITIGATION (CLASS II).

~~At this time~~ no No tribal cultural resources have been identified on the project site during two intensive archaeological surveys conducted by County-qualified archaeologists using standards consistent with County Cultural Resources Guidelines. However, Santa Barbara County has a long history of Native American occupation and, therefore, all ground-disturbing activities have the potential to uncover previously ~~undiscovered~~ unknown tribal cultural resources.

Pursuant to the requirements of AB 52 and SB 18 the County conducted Native American consultation for the project to identify potential concerns or issues associated with Native American

cultural resources within the project vicinity. In response to the County's request for consultation a site visit was conducted with Freddie Romero, Cultural Resources Coordinator for the Santa Ynez Band of Chumash Indians, and Frances Romero, a representative for the project applicant, on May 17, 2018. Subsequent to the site visit Mr. Romero requested the inclusion of the standard "unexpected discovery" condition as a Condition of Approval for the project. No other Native American tribes or tribal representatives provided response or information regarding potential tribal cultural resources on or in the vicinity of the project site.

As a result of Native American consultation for the project and because future development activities for the project have the potential to impact tribal cultural resources, impacts to tribal cultural resources would be potentially significant, requiring mitigation.

## Mitigation Measures

### *CUL-2 Continued Tribal Cultural Resources Consultation and Preservation*

In the event that previously unidentified tribal cultural resources are identified by a Native American representative during the implementation of the project, the County shall contact California Native American tribe(s) that have expressed interest and begin or continue consultation procedures with that tribe(s). If, as a result of the consultation, the County determines that the resource is a tribal cultural resource and the proposed project will have a potentially significant impact, additional mitigation measures as discussed with the tribe to avoid or reduce impacts to the resource shall be required and implemented where feasible.

**Plan Requirements and Timing**. This condition shall be printed on all building and grading plans.

**Monitoring.** A County Planning & Development permit processing planner shall check plans prior to issuance of zoning clearance for grading and subdivision improvements, and Planning & Development compliance monitoring staff shall spot check in the field throughout grading and construction.

## Significance After Mitigation

Implementation of Mitigation Measures CUL-~~2~~1(a) through CUL-1(c) would ensure that previously ~~unidentified~~ unknown tribal cultural resources would ~~not~~ be properly addressed ~~impacted~~ if encountered during project construction. With implementation of these measures, potential impacts to tribal cultural resources would be less than significant (Class II).

## c. Cumulative Impacts

Cumulative development in the northern part of Santa Barbara County includes approximately 1,260 new residential units and 280 commercial units that are currently proposed, in process, approved, or under construction, in addition to approximately 973,500 square feet of commercial, winery, and institutional development. This cumulative development would have the potential to disturb archaeological and tribal cultural resources as well as human remains. The OCP EIR determined that the potential destruction, pilferage, and vandalism of archaeological resources due to buildout of the OCP would represent a potentially significant impact.

Implementation of OCP Policy HA-O-l, which requires the County to protect and preserve archeological resources to the maximum extent possible, would minimize potential cumulative impacts to cultural and tribal cultural resources. Buildout of the project site, as well as other projects in the Orcutt area, would also be subject to the County's current Cultural Resource

Guidelines as well as Federal regulations, including AB 52. Project-specific mitigation applied on a case-by-case basis for development projects in the Orcutt area would reduce the potential for direct cumulative impacts to cultural resources to a less than significant level. However, as identified in the OCP EIR, the potential indirect cumulative impact associated with pilferage and vandalism of archaeological resources would be significant and unavoidable despite implementation of OCP EIR Mitigation Measures ARCH-1 through ARCH-8, and ARCH-10. Nevertheless, OCP EIR Mitigation Measures ARCH-1 through ARCH-8, and ARCH-10, as well as project-specific Mitigation Measures CUL-1 through CUL-2, which help implement the applicable OCP EIR mitigation measures, would ensure that the project's contribution to cumulative impacts would remain less than significant. Therefore, cumulative impacts to cultural resources and tribal resources in the Orcutt area as a result of the project are less than significant with implementation of mitigation (Class II).

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# 4.6 Energy

This section analyzes the potential for the project to cause significant impacts related to energy consumption, renewable energy, and energy efficiency. This analysis follows the guidance for evaluation of energy impacts contained in Appendix F and Appendix G of the State CEQA Guidelines.

## 4.6.1 Setting

Energy use relates directly to environmental quality, because energy use can adversely affect air quality and can generate greenhouse gas (GHG) emissions that contribute to climate change. Fossil fuels are burned to create electricity that powers residences, heats and cools buildings, and powers vehicles. Transportation energy use corresponds to the fuel efficiency of cars, trucks, and public transportation; the different travel modes such as auto, carpool, and public transit; and the miles traveled using these modes.

### a. Energy Supply

### Petroleum

California is one of the top producers of petroleum in the nation with drilling operations occurring throughout the state but concentrated primarily in Kern and Los Angeles counties. A network of crude oil pipelines connects production areas to oil refineries in the Los Angeles area, the San Francisco Bay area, and the Central Valley. California oil refineries also process Alaskan and foreign crude oil received at ports in Los Angeles, Long Beach, and the San Francisco Bay area. Crude oil production in California and Alaska is in decline, and California refineries depend increasingly on foreign imports (California Energy Commission [CEC] 2018a). According to the United States Energy Information Administration (EIA), California's field production of crude oil totaled 174.1 million barrels in 2017 (EIA 2018a).

#### *Santa Barbara County Petroleum Infrastructure*

In general, individual users, such as residents and employees, purchase petroleum fuels. One petroleum refinery is in Santa Maria in Santa Barbara County, and three gasoline stations are located in Orcutt (EIA 2018b, GasBuddy 2019). According to the California Department of Conservation (DOC) Division of Oil, Gas, and Geothermal Resources (DOGGR), hundreds of active, idle, and plugged oil and gas wells are in Santa Barbara County. Approximately 22 plugged wells, four idle wells, and two active wells are located in the Orcutt Planning Area (DOGGR 2018a).

#### *Alternative Fuels*

A variety of alternative fuels are used to reduce petroleum-based fuel demand. Their use is encouraged through various statewide regulations and plans, such as the Low Carbon Fuel Standard and Senate Bill (SB) 32. Conventional gasoline and diesel may be replaced, depending on the capability of the vehicle, with alternative fuels such as hydrogen, biodiesel, and electricity. Currently, 35 hydrogen refueling stations are located in California, but none are located in Santa Barbara County [United States Department of Energy (DOE) 2018]. Ten biodiesel refueling stations exist in California; one is located in Santa Barbara County, in the city of Santa Barbara (DOE 2018). Dozens of vehicle charging stations exist in Santa Barbara County, but only one is in Orcutt (DOE 2018).

## Electricity

In 2017, California's in-state electricity generation totaled 206,328 gigawatt-hours (GWh). Primary fuel sources for the state's electricity generation in 2017 included the following:

- Natural gas (43.4 percent)
- Large hydroelectric (17.9 percent)
- Solar photovoltaic (10.6 percent)
- Nuclear (8.7 percent)
- Wind (6.2 percent)
- Geothermal (5.7 percent)
- Small hydroelectric (3.1 percent)
- Biomass (2.8 percent)
- Solar thermal (1.2 percent)
- Coal (<1 percent)
- Petroleum coke (<1 percent)
- Waste heat (<1 percent)
- Oil (<1 percent)

In-state electricity generation capacity reached 79,644 megawatts (MW) in 2017 (CEC 2018c). Residential electricity demand accounted for approximately 32.7 percent of California's electricity consumption in 2017 while non-residential demand accounted for approximately 67.3 percent (CEC 2017a).

Every two years, the CEC prepares the Integrated Energy Policy Report (IEPR). This year's update to the IEPR highlights the implementation of California's innovative policies and the role the State played in establishing a clean energy economy. Volume II of the 2018 IEPR, scheduled for completion in February 2019, will provide more detail on several key energy issues and will encompass new analyses, as well as opportunities for public participation. According to the 2018 IEPR, California's electric grid relies increasingly on clean sources of energy such as solar, wind, geothermal, hydroelectricity, and biomass (CEC 2018d). As this transition advances, the grid is also expanding to serve new sectors including electric vehicles, rail, and space and water heating. California has installed more renewable energy than any other state in the United States with 22,250 MW of utility-scale systems operational (CEC 2018d).

### *Pacific Gas & Electric*

Pacific Gas and Electric (PG&E) is responsible for providing power supply to the Santa Maria Valley region of Santa Barbara County, which includes the project site. PG&E's power system is one of the nation's largest electric and gas utility companies, and it maintains 106,681 circuit miles of electric distribution lines and 18,466 circuit miles of interconnected transmission lines (PG&E 2018a). In 2017, PG&E's power mix, including all PG&E-owned generation plus the company's power purchases, consisted of 33 percent renewable resources (wind, geothermal, biomass, solar, and small hydro), 27 percent nuclear generation, 20 percent natural gas, 18 percent large hydroelectric facilities, and 2 percent unspecified power that is not traceable to sources by any auditable contract trail (PG&E 2018b).

PG&E's 2018 Integrated Resource Plan serves as a roadmap through 2030 and guides PG&E's efforts to supply reliable electricity in an environmentally responsible and cost-effective manner. The Integrated Resource Plan introduces new constraints and considerations into the power system planning process and is intended to help applicable parties understand how load serving entities plan to shape their future energy portfolios to meet the State's clean energy goals. In the 2018 Integrated Resource Plan, PG&E analyzes three scenarios for 2030 that differ in various aspects, including the share of electric vehicles in the statewide fleet and availability of different energy sources. According to these scenarios, PG&E anticipates meeting a 2030 energy load demand of between 36,922 GWh and 37,370 GWh (PG&E 2018c).

### *Central Coast Power*

The County of Santa Barbara and the Cities of Carpinteria, Goleta, and Santa Barbara (South Coast cities) are in the process of forming a joint powers authority (JPA) to create and administer a Community Choice Energy (CCE) program that will serve Santa Barbara County. In summer 2018, the Santa Barbara County CCE study was presented to the County Board of Supervisors and interested city councils, and the County of Santa Barbara and the South Coast cities agreed to pursue a CCE JPA (Central Coast Power 2018).

### *Santa Barbara County Electric Power Infrastructure*

Eight power plants are located in Santa Barbara County:

- Two solar power plants on Vandenberg Air Force Base and in Cuyama,
- Three natural gas power plants in Goleta and unincorporated Santa Barbara County near Gaviota, and
- Three biomass power plants in Santa Maria and unincorporated Santa Barbara County near Goleta (EIA 2018b).

## Natural Gas

Natural gas continues to play an important and varied role in California. The state's net natural gas production for 2017 was 162.7 billion cubic feet, or approximately 168,720 billion British thermal units (Btu), representing an increase of 3.6 percent from 2016 production (DOGGR 2018b).

California relies on out-of-state natural gas imports for nearly 90 percent of its supply (CEC 2019a). Its existing gas supply portfolio includes supplies from California onshore and offshore sources, southwestern United States supply sources, the Rocky Mountains, and Canada. The CEC estimates that approximately 45 percent of the natural gas burned across the state is used for electricity generation, and much of the remainder is consumed in the residential (21 percent), industrial (25 percent), and commercial (9 percent) sectors. Building and appliance energy efficiency standards account for up to 39 percent in natural gas demand savings since 1990 (CEC 2019a).

The 2018 California Gas Report presents a comprehensive outlook for natural gas requirements and supplies for California through the year 2035. The report is prepared in even-numbered years, followed by a supplemental report in odd-numbered years, in compliance with California Public Utilities Commission (CPUC) Decision D.95-01-039. The projections contained in the California Gas Report are for long-term planning and do not necessarily reflect the day-to-day operational plans of the utilities (California Gas and Electric Utilities [CGEU] 2018).

California natural gas demand, including volumes not served by utility systems, is expected to decrease at a rate of 0.5 percent per year from 2018 to 2035. The forecast decline is due to a combination of moderate growth in the natural gas vehicle market and across-the-board declines in all other market segments: residential, commercial, electric generation, and industrial markets (CGEU 2018). Residential gas demand is expected to decrease at an annual average rate of 1.4 percent. Demand in the commercial and industrial markets are expected to increase slightly at an annual rate of 0.2 percent. Stricter codes and standards coupled with more aggressive energy efficiency programs and new goals laid out in SB 350, discussed in Section 4.6(c), *Regulatory Setting*, are making a significant impact on the forecasted load for the residential, commercial, and industrial markets (CGEU 2018).

For the purposes of load-following as well as backstopping intermittent renewable resource generation, gas-fired generation will continue to be the primary technology to meet the ever-growing demand for electric power. However, overall gas demand for electric generation is expected to decline at 1.4 percent per year for the next 17 years due to more efficient power plants, statewide efforts to minimize GHG emissions through aggressive programs pursuing demand-side reductions, and the acquisition of preferred power generation resources that produce little or no carbon emissions (CGEU 2018).

### *Pacific Gas & Electric*

The project site is in PG&E's natural gas service area, which spans central and northern California (CEC 2018e). PG&E's service area is equipped with approximately 6,700 miles of gas transmission pipelines and 42,000 miles of gas distribution pipelines. The closest large-diameter gas transmission pipeline runs from Morro Bay to Kettleman City, approximately 36 miles northwest of the project site (PG&E 2019). Natural gas supplied by PG&E is sourced primarily by gas fields in the Sacramento Valley and the Permian, San Juan, and Anadarko basins in the Southwest (CGEU 2018).

In 2017, PG&E customers consumed a total of 4,714 million U.S. therms of natural gas. Residential users accounted for approximately 40 percent of PG&E's natural gas consumption. Industrial and commercials users accounted for another 36 percent and 20 percent, respectively. The remainder was used for mining, construction, agricultural, and water pump accounts (CEC 2017b). According to PG&E, although the number of households in its service area is projected to grow by approximately 0.86 percent per year from 2018 to 2035, residential sales are expected to decline by approximately 1.1 percent per year as a result of continued energy efficiency and electrification efforts as well as warming temperatures (CGEU 2018).

### *Santa Barbara County Natural Gas Infrastructure*

As discussed above, hundreds of active, idle, and plugged oil and gas wells are located in Santa Barbara County. Of these, approximately 22 plugged wells, four idle wells, and two active wells are located in the Orcutt Planning Area. In addition, one natural gas processing plant is in unincorporated Santa Barbara County near the City of Lompoc (DOGGR 2018a, EIA 2018b). Several natural gas transmission pipelines are also located in Santa Barbara County, one of which traverses the western portion of Orcutt (National Pipeline Mapping System 2019).

## b. Energy Demand

### Petroleum

#### *State*

In 2016, transportation accounted for nearly 40 percent of California's total energy demand, amounting to approximately 3,116 trillion Btu in 2016 (EIA 2018c). California's transportation sector, including rail and aviation, consumed roughly 574 million barrels of petroleum fuels in 2016 (EIA 2018d). In 2016, petroleum-based fuels were used for approximately 98.4 percent of the State's total transportation activity (EIA 2018d). The CEC produces the California Annual Retail Fuel Outlet Report, which is a compilation of gasoline and diesel fuel sales data from across the state available at the county level. According to the CEC, California's 2017 fuel sales totaled 15,584 million gallons of gasoline and 3,798 million gallons of diesel (CEC 2018f).

#### *Santa Barbara County*

Santa Barbara County fuel sales are compared to statewide sales herein to provide regional and statewide context for fuel consumption. As shown in Table 4.6-1, Santa Barbara County consumed an estimated 170 million gallons of gasoline and 19 million gallons of diesel fuel in 2017 (CEC 2018f). As shown in Table 4.6-1, with a current (2018) population of 453,457 (DOF 2018), Santa Barbara County's annual per capita gasoline consumption is approximately 374 gallons of gasoline and 42 gallons of diesel. Therefore, each person in Santa Barbara County consumes approximately 46.5 million Btu (MMBtu) of transportation fuel.

**Table 4.6-1 2017 Annual Gasoline and Diesel Consumption**

| Fuel Type | Santa Barbara County (gallons) | California (gallons) | Proportion of Statewide Consumption | County per Capita Consumption (gallons) | County per Capita Consumption (MMBtu)[1] |
|---|---|---|---|---|---|
| Gasoline | 170,000,000 | 15,584,000,000 | 1.1% | 374.9 | 41.2 |
| Diesel | 19,000,000 | 3,798,040,000 | 0.5% | 41.9 | 5.3 |
| **Total** | **189,000,000** | **19,382,040,000** | **–** | **416.8** | **46.5** |

Note: Diesel and gasoline volumes are expressed in gallons while Btu volumes are expressed in millions of Btu (MMBtu).
[1] Population estimate for Santa Barbara County in 2018 was sourced from the California Department of Finance (2018).
Source: CEC 2018f

### Electricity

#### *State*

According to the CEC, California consumed approximately 288,613 GWh in 2017, or approximately 984,749 billion Btu (CEC 2017a). According to the CEC's Energy Consumption Database, residential electricity demand accounted for approximately 32.7 percent of California's electricity consumption in 2017, and non-residential demand account for approximately 67.3 percent (CEC 2017a).

### *Santa Barbara County*

Electricity consumption by residential land uses in Santa Barbara County is compared to statewide consumption herein to provide regional and statewide context. As shown in Table 4.6-2, residential land uses in Santa Barbara County consumed approximately 774 GWh in 2017 (CEC 2017a). With a current (2018) population of 453,457 (DOF 2018), Santa Barbara County's per capita residential electricity consumption is approximately 1.7 MWh.

**Table 4.6-2 2017 Annual Residential Electricity Consumption**

| Energy Type | Santa Barbara County (GWh) | PG&E (GWh) | California (GWh) | Proportion of PG&E Consumption | Proportion of Statewide Consumption | County Per Capita Consumption (MWh)[1] |
|---|---|---|---|---|---|---|
| Electricity | 774 | 29,920 | 94,495 | 2.6% | 0.8% | 1.7 |

[1] Population estimate for Santa Barbara County in 2018 sourced from the California Department of Finance (2018).

Source: CEC 2017a

## Natural Gas

### *State*

In 2017, California consumed a total of 12,571 million U.S. therms of natural gas, or approximately 1,169 trillion Btu (CEC 2017c). According to the CEC's Energy Consumption Database, residential natural gas demand accounted for approximately 35.5 percent of California's total natural gas demand while non-residential natural gas demand accounted for approximately 64.5 percent (CEC 2017c).

### *Santa Barbara County*

Natural gas consumption by residential land uses in Santa Barbara County is compared to statewide consumption herein to provide regional and statewide context. As shown in Table 4.6-3, Santa Barbara County consumed approximately 55 million US therms in 2017 (CEC 2017c). With a 2018 population of 453,457, Santa Barbara County's per capita residential natural gas consumption is approximately 121 therms (DOF 2018).

**Table 4.6-3 2017 Annual Residential Natural Gas Consumption**

| Energy Type | Santa Barbara County (millions of US therms) | PG&E (Millions of US therms) | California (millions of US therms) | Proportion of PG&E Consumption | Proportion of Statewide Consumption | County Per Capita Consumption (US therms)[1] |
|---|---|---|---|---|---|---|
| Natural Gas | 55 | 1,873 | 4,457 | 2.9% | 1.2% | 121 |

[1] Population estimate for Santa Barbara County in 2018 sourced from the California Department of Finance (2018).

Source: CEC 2017b and 2017c

## c. Regulatory Setting

## Federal

### *Energy Independence and Security Act of 2007*

The Energy Independence and Security Act, enacted by Congress in 2007, is designed to improve vehicle fuel economy and help reduce the United States' dependence on foreign oil. It expands the production of renewable fuels, reducing dependence on oil and confronting climate change. Specifically, it does the following:

- Increases the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard, requiring fuel producers to use at least 36 billion gallons of biofuel in 2022, which represents a nearly five-fold increase over current levels.
- Reduces United States demand for oil by setting a national fuel economy standard of 35 miles per gallon (mpg) by 2020 – an increase in fuel economy standards of 40 percent.

### *Energy Policy and Conservation Act*

Enacted in 1975, the Energy Policy and Conservation Act established fuel economy standards for new light-duty vehicles sold in the United States. The law placed responsibility on the National Highway Traffic and Safety Administration (NHTSA), a part of the United States Department of Transportation (USDOT), for establishing and regularly updating vehicle standards. The United States Environmental Protection Agency (USEPA) administers the Corporate Average Fuel Economy (CAFE) program, which determines vehicle manufacturers' compliance with existing fuel economy standards. In 2012, the USEPA and NHTSA established final passenger car and light truck CAFE standards for model years 2017-2021, which will require in model year 2021, on average, a combined fleet-wide fuel economy of 40.3 to 41.0 miles per gallon (USDOT 2014).

### *Energy Star Program*

Energy Star is a voluntary labeling program introduced by USEPA to identify and promote energy-efficient products to reduce GHG emissions. The program applies to major household appliances, lighting, computers, and building components such as windows, doors, roofs, and heating and cooling systems. Under this program, appliances that meet specification for maximum energy use established under the program are certified to display the Energy Star label. In 1996, the USEPA joined with the Energy Department to expand the program, which now also includes qualifying commercial and industrial buildings, as well as homes (USEPA n.d.).

## State

### *California Energy Plan*

The California Energy Plan, prepared by the CEC, identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The 2008 California Energy Plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies several strategies, including assistance to public agencies and fleet operators in implementing incentive programs for zero-emission vehicles and addressing their infrastructure

needs, as well as encouragement of urban designs that reduce vehicle miles travelled and accommodate pedestrian and bicycle access.

### *Assembly Bill 2076*

Pursuant to Assembly Bill (AB) 2076 (Chapter 936, Statutes of 2000), the CEC and the California Air Resources Board (CARB) prepared and adopted a joint-agency report, *Reducing California's Petroleum Dependence,* in 2003. Included in this report are recommendations to increase the use of alternative fuels to 20 percent of on-road transportation fuel use by 2020 and 30 percent by 2030, significantly increase the efficiency of motor vehicles, and reduce per capita vehicle miles travelled. One of the performance-based goals of AB 2076 is to reduce petroleum demand to 15 percent below 2003 demand. Furthermore, in response to the CEC's 2003 and 2005 *Integrated Energy Policy Reports*, the Governor directed the CEC to take the lead in developing a long-term plan to increase alternative fuel use.

### *Integrated Energy Policy Report*

SB 1389 required the CEC to conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices. The CEC uses these assessments and forecasts to develop energy policies that conserve resources, protect the environment, ensure energy reliability, enhance the state's economy, and protect public health and safety. The most recent assessment, the *2018 Integrated Energy Policy Report*, contains two volumes. Volume I highlights the implementation of California's innovative policies and the role they have played in establishing a clean energy economy. Volume II, scheduled for completion in February 2019, will provide more detail on several key energy issues and will encompass new analyses, as well as significant opportunities for public participation (CEC 2018d).

### *Senate Bill 350*

The Clean Energy and Pollution Reduction Act of 2015 (SB 350) requires a doubling of the energy efficiency savings in electricity and natural gas for retail customers through energy efficiency and conservation by December 31, 2030.

### *Senate Bill 100*

Approved by the Governor on September 10, 2018, SB 100 accelerates the State's Renewable Portfolio Standard program, which was last updated by SB 350 in 2015. SB 100 requires electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

### *Assembly Bill 1493*

AB 1493, known as the Pavley bill, amended Health and Safety Code sections 42823 and 43018.5, requiring CARB to develop and adopt regulations that achieve maximum feasible and cost-effective reduction of GHG emissions from passenger vehicles, light-duty trucks, and other vehicles used for noncommercial personal transportation in California.

Implementation of new regulations prescribed by AB 1493 required that the state apply for a waiver under the federal Clean Air Act. Although the USEPA initially denied the waiver in 2008, the USEPA approved a waiver in June 2009, and in September 2009, CARB approved amendments to its initially adopted regulations to apply the Pavley standards that reduce GHG emissions from new passenger

vehicles in model years 2009 through 2016. According to CARB, implementation of the Pavley regulations is expected to reduce fuel consumption while also reducing GHG emissions.

### *Energy Action Plan*

In October 2005, the CEC and CPUC updated their energy policy vision by adding some important dimensions to the policy areas included in the original EAP, such as the emerging importance of climate change, transportation-related energy issues. and research and development activities. The CEC adopted an update to the EAP II in February 2008 that supplements the earlier EAPs and examines the state's ongoing actions in the context of global climate change.

### *Assembly Bill 1007*

AB 1007 required the CEC to prepare a plan to increase the use of alternative fuels in California. The CEC prepared the State Alternative Fuels Plan in partnership with CARB and in consultation with other federal, state, and local agencies. The State Alternative Fuels Plan presents strategies and actions California must take to increase the use of alternative non-petroleum fuels in a manner that minimizes costs to California and maximizes the economic benefits of in-state production. The State Alternative Fuels Plan assessed various alternative fuels and developed fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuels use, reduce GHG emissions, and increase in-state production of biofuels without causing a significant degradation of public health and environmental quality.

### *Bioenergy Action Plan (Executive Order S-06-06)*

Executive Order (EO) S-06-06 establishes targets for the use and production of biofuels and biopower and directs state agencies to work together to advance biomass programs in California while providing environmental protection and mitigation. The EO establishes the following target to increase the production and use of bioenergy, including ethanol and biodiesel fuels made from renewable resources: produce a minimum of 20 percent of its biofuels in California by 2010, 40 percent by 2020, and 75 percent by 2050. Executive Order S-06-06 also calls for the state to meet a target for use of biomass electricity. The 2011 Bioenergy Action Plan identifies those barriers and recommends actions to address them so that the state can meet its clean energy, waste reduction, and climate protection goals. The 2012 Bioenergy Action Plan updates the 2011 Plan and provides a more detailed action plan to achieve the following goals:

- Increase environmentally and economically sustainable energy production from organic waste
- Encourage development of diverse bioenergy technologies that increase local electricity generation, combined heat and power facilities, renewable natural gas, and renewable liquid fuels for transportation and fuel cell applications
- Create jobs and stimulate economic development, especially in rural regions of the state
- Reduce fire danger, improve air and water quality, and reduce waste

### *California Building Energy Efficiency Standards (2016) - California Code of Regulations, Title 24, Part 6*

California Code of Regulations, Title 24, Part 6, is California's Energy Efficiency Standards for Residential and Non-residential Buildings. The CEC established Title 24 in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption and provide energy efficiency standards for residential and nonresidential buildings. The standards are

updated on an approximately three-year cycle to allow consideration and possible incorporation of new efficient technologies and methods. In 2016, the CEC updated Title 24 standards with more stringent requirements effective January 1, 2017. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The CEC Impact Analysis for California's 2016 Building Energy Efficiency Standards estimates that the 2016 Standards are 28 percent more efficient than the previous 2013 standards for residential buildings and five percent more efficient for non-residential buildings. The building efficiency standards are enforced through the local plan check and building permit process. Local government agencies may adopt and enforce additional energy standards for new buildings as reasonably necessary due to local climatologic, geologic, or topographic conditions, provided these standards exceed those provided in Title 24.

### *California Green Building Standards Code (2016) - California Code of Regulations Title 24, Part 11*

California's Green Building Code, referred to as CalGreen, was developed to provide a consistent approach to green building in the State. Having taken effect in January 2016, the most recent version of CalGreen lays out the minimum requirements for newly constructed residential and nonresidential buildings to reduce GHG emissions through improved energy efficiency and process improvements. It also includes voluntary tiers to further encourage building practices that improve public health, safety, and general welfare by promoting a more sustainable design.

## Local

### *Santa Barbara County Energy and Climate Action Plan*

The County of Santa Barbara published the Energy and Climate Action Plan (ECAP) in 2015. The ECAP identified 53 emission reduction measures (ERM) that would enable the County to meet the GHG reduction target of 15 percent below baseline (2007) levels by 2020, consistent with AB 32. Several ERMs in the ECAP are targeted toward energy conservation, renewable energy, and energy efficiency, including an energy checklist for residential building permits (BE 2), energy efficiency education and outreach programs (BE 4), and support for small-scale renewable electricity generation (RE 3).

### *County of Santa Barbara Comprehensive Plan and County Code*

The County of Santa Barbara Comprehensive Plan includes an Energy Element that contains long-range planning guidelines and strategies to encourage energy efficiency and alternative energy sources in Santa Barbara County. However, it does not include requirements applicable to individual development projects (County of Santa Barbara 2015).

Santa Barbara County Code Article VI adopts the California Energy Code, 2016 Edition as the Primary Energy Code of the County. The California Energy Code has specific requirements for building design to reduce energy consumption, including the use of certain building materials to ensure a greater degree of energy efficiency during building operation and construction and energy efficiency standards for appliances, lighting amenities, and water fixtures, among other project components.

### *Orcutt Community Plan*

While the Orcutt Community Plan (OCP) does not address energy resources directly, it incorporates policies and development standards that serve to reduce energy consumption from construction

and operation of new and existing development in the OCP area. A summary of the OCP policies and development standards that would apply to the project is provided below. OCP Policies and Development Standards for air quality that would contribute to energy conservation include:

- Policy AQ-O-1, Prog. AQ-O-1.1, Prog. AQ-O-1.2, and Action AQ-O-1.3, which encourage land use planning and development design that is supportive of alternative modes of transportation and pedestrian oriented developments; and
- Policy AQ-O-3, which promotes the use of alternative fuels, solar energy systems, and use of construction techniques designed to conserve energy and minimize pollution.

OCP Policies and Development Standards for transportation that would contribute to energy conservation include:

- Policy CIRC-O-1 and Action CIRC-O-1.1, which encourage the implementation of long-term improvements to roadways and alternative transportation facilities, such as transit and alternative modes of transportation (e.g., bikeways and pedestrian paths);
- Policy CIRC-O-6, Action CIRC-0-6.1, and Action CIRC-O-6.2, which encourage development of all feasible forms of alternative transportation, including transit services and park-and-ride facilities;
- Policy CIRC-O-7, which encourages Caltrans to accommodate planned bicycle facilities in highway overpasses; and
- Policy CIRC-O-0, which requires development to be sited and designed to provide maximum access to non-motor vehicle forms of transportation where feasible.

## 4.6.2 Previous Environmental Review

The OCP EIR did not directly address impacts related to energy resources. Accordingly, this document includes a full analysis of potential impacts related to energy resources by construction and operation of the proposed project.

## 4.6.3 Impact Analysis

### a. Methodology and Significance Thresholds

### Methodology

The California Emissions Estimator Model (CalEEMod) version 2016.3.2 was used to estimate energy demand based on project data provided by the project applicant, locally-appropriate industry-standard assumptions, and CalEEMod default values for projects in Santa Barbara County when project specifics were not known. Modeling was completed as part of the Air Quality Analysis Technical Report and Greenhouse Gas Emissions Technical Report prepared for the project by Dudek in January 2019 and peer reviewed by Rincon Consultants, Inc. The trip generation rates calculated in the project Traffic and Circulation Study (Appendix K) were used as inputs in CalEEMod. See Appendix B for a detailed discussion of methodology and modeling assumptions.

The CalEEMod results provide the average travel distance, vehicle trip numbers, and vehicle fleet mix during construction and operation of the proposed project. The CalEEMod results also provide the estimated gross electricity and natural gas consumption by land use during operation of the project. The values contained therein are used in this analysis to determine the anticipated energy consumption during construction and operation of the project.

## Significance Thresholds

Appendix G of the CEQA guidelines considers a project to have a significant impact on energy resources if the project would:

- Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or
- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

### *Construction Energy Demand*

The primary energy demands resulting from project construction would include fuel consumed by construction equipment and construction workers' vehicles traveling to and from the construction site. Project construction activities would also use building materials that would require energy use during the manufacturing and/or procurement of that material. Section 15126.2(b) of the CEQA Guidelines states, "This [energy] analysis is subject to the rule of reason and shall focus on energy use that is caused by the project." This analysis reasonably assumes that manufacturers of building materials such as concrete, steel, lumber, or other building materials would employ energy conservation practices in the interest of minimizing the cost of doing business. Therefore, the consumption of energy required for the manufacturing and/or procurement of building and construction material is not within the scope of this analysis.

While there is no formally adopted criteria signifying the relative efficiency of a project during its construction phase, this analysis takes into consideration the equipment and processes employed during project construction to qualitatively determine, to the extent possible, whether energy consumed during construction would be wasteful, inefficient, or unnecessary.

### *Operational Energy Demand*

The per capita residential electricity and natural gas consumption for Santa Barbara County is described in Section 4.6(b), *Energy Demand*, to provide a regional understanding of existing consumption. However, these rates do not account for how consumption may differ among residential land use types depending on building square footage and are therefore not representative of the efficiency of energy used by residential land uses in the County. For example, single-family residences often consume more energy than multi-family residential units because single-family residences are often larger in size and thus require more lighting and heating. As a result, per capita consumption rates for single-family residences are often higher than those for multi-family residential units and do not provide a representative measure of energy efficiency. Therefore, countywide per capita electricity and natural gas consumption rates are not appropriate to use in determining whether operational energy consumption resulting from the project would be wasteful, inefficient, or unnecessary.

Average energy use intensity (EUI) data is therefore the appropriate metric to use in evaluating the project's operational energy usage because EUI measures energy consumption on a square footage basis, which provides a representative measure of energy efficiency. The EIA provides average EUI data for residential land uses in regions across the United States. This EUI data was developed in multi-year efforts that included constructing comprehensive lists of residential buildings, selecting statistically representative samples for those lists, and conducting thousands of interviews nationwide (EIA 2018e). Because California's Building Energy Efficiency Standards have placed the state on the forefront of energy efficiency and sustainability for residential and non-residential buildings, the EIA EUI data for the Pacific region of the U.S. is used herein as applicable criteria in

determining whether energy consumption resulting from the project would be wasteful, inefficient, or unnecessary (CEC 2018g). Although the EIA EUI data is provided at a multi-state level, it is applicable for use in this analysis because no statewide or local data is available for use as a numerical significance threshold. Therefore, if forecast energy consumption resulting from implementation of the project exceeds the average EUI for the Pacific region of the U.S., energy usage would be considered wasteful, inefficient, and unnecessary.

## b. Project Impacts and Mitigation Measures

Because the OCP EIR did not directly address impacts related to energy resources, this document includes a full analysis of potential impacts related to energy resources by construction and operation of the proposed project. Impacts of full buildout of the project site under the OCP EIR are compared with those that are anticipated to occur under the proposed Willow Creek and Hidden Canyon Residential Project.

| | |
|---|---|
| **Threshold:** | Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? |

**Impact E-1 PROJECT CONSTRUCTION AND OPERATION WOULD REQUIRE TEMPORARY AND LONG-TERM CONSUMPTION OF ENERGY RESOURCES. HOWEVER, PROJECT CONSTRUCTION AND OPERATION WOULD NOT RESULT IN THE WASTEFUL, INEFFICIENT, OR UNNECESSARY CONSUMPTION OF ENERGY RESOURCES. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT (CLASS III).**

### Construction

Project construction would require energy resources primarily in the form of fuel consumption to operate heavy equipment, light-duty vehicles, machinery, and generators. Temporary grid power may also be provided to construction trailers or electric construction equipment. Table 4.6-4 summarizes the anticipated energy consumption from construction equipment and vehicles, including construction worker trips to and from the project site.

**Table 4.6-4 Proposed Project Construction and Operation Energy Use**

| | Fuel Consumption (Gallons) | |
|---|---|---|
| **Source** | **Gasoline** | **Diesel** |
| Construction Equipment & Hauling Trips | – | 344,428 |
| Construction Worker Vehicle Trips | 155,037 | – |

See Appendix B for CalEEMod default values for fleet mix and average distance of travel, and Appendix M for energy calculation sheets.

As shown in Table 4.6-4, construction of the project would require approximately 155,037 gallons of gasoline and 344,428 gallons of diesel fuel. Energy use during construction would be temporary in nature, and construction equipment used would be typical of similar-sized construction projects in the region. Furthermore, in the interest of cost efficiency, construction contractors would not utilize fuel in a manner that is wasteful or unnecessary.

CalGreen includes specific requirements related to recycling, construction materials, and energy efficiency standards that would apply to project construction and would minimize wasteful,

inefficient, and unnecessary energy consumption. Therefore, project construction would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy, and impacts would be less than significant (Class III).

## Operation

Energy demand from project operation would include fuel consumed by passenger vehicles; natural gas consumed for heating residences; and electricity consumed by residences including, but not limited to lighting, water conveyance, and air conditioning. The project would include several features to reduce energy consumption, including natural heating and cooling via roof overhangs and window placement and building orientation, ~~pre-wiring for~~ rooftop solar ~~power~~ panels; recirculating, point-of-use, or on-demand water heaters; low-flow plumbing fixtures.

Vehicle trips associated with the project would require approximately 112,008 gallons of gasoline and 23,805 gallons of diesel fuel, or 15,331 MMBtu annually, which would result in annual per capita fuel consumption of 35.6 MMBtu (15,331 MMBtu / 431 residents) (see Appendix B for calculation of population accommodated by the project and Appendix M for energy calculation sheets). As shown in Table 4.6-1, average per capita fuel consumption in Santa Barbara County is 46.5 MMBtu per year. Therefore, per capita fuel consumption by future residents of the project would be below average per capita fuel consumption for residents of Santa Barbara County and would not be wasteful, inefficient, or unnecessary.

In addition to transportation energy use, the proposed residences would require permanent grid connections for electricity and natural gas. Construction of the proposed residences would comply with the California Energy Efficiency Standards for Residential and Non-residential Buildings and CalGreen (California Code of Regulations Title 24, Parts 6 and 11). This code requires the provision of electric vehicle charging stations, water-efficient plumbing fixtures and fittings, recycling services, and other energy-efficient measures. The proposed residences would consume approximately 4,030 MMBtu per year of electricity for lighting and large appliances, and approximately 4,244 MMBtu per year of natural gas for heating. According to CalEEMod, the total square footage of the proposed residences would be approximately 369,400 square feet, which is an average EUI of 0.0224 MMBtu per square foot ([4,030 MMBtu + 4,244 MMBtu] / 369,400 square feet). According to the EIA, average EUI for residences in the Pacific region of the United States is 0.0315 MMBtu per square foot. Therefore, the project's EUI would be below the average EUI for residences in the Pacific region of the U.S. As a result, operation of the proposed project would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy. Impacts would be less than significant.

## Mitigation Measures

No mitigation is required because this impact would be less than significant (Class III).

| | |
|---|---|
| **Threshold:** | Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency? |

### Impact E-2 THE PROJECT WOULD BE CONSISTENT WITH THE SANTA BARBARA COUNTY ECAP AND WOULD THEREFORE NOT CONFLICT WITH OR OBSTRUCT A STATE OR LOCAL PLAN FOR RENEWABLE ENERGY OF ENERGY EFFICIENCY. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT (CLASS III).

The Santa Barbara County ECAP contains several measures intended to increase energy efficiency and conservation and expanding the use of renewable energy. As discussed in detail in Section 4.9,

*Greenhouse Gas Emissions*, several measures of the Santa Barbara County ECAP are related to energy efficiency and renewable energy. Measures applicable to the proposed project include Measure T 3 (Alternative-Fuel Vehicles and Incentives), Measure T 4 (Alternative and Active Transportation), Measure RE 1 (Alternative Energy Development), and Measure RE 2 (Water Heaters). The project would be required by CalGreen to install electric vehicle supply equipment for future EV charging in all new single-family dwellings, consistent with Measure T 3. The project would also include connections to the planned Orcutt pedestrian and bicycle networks identified in the OCP and the addition of bicycle lanes to SR 1, consistent with Measure T4. Furthermore, all residences would be pre-wired for solar power, consistent with Measure RE 1, and recirculating, point-of-use, or on-demand water heaters would be installed in all residences, consistent with Measure RE 2. Therefore, the project would be consistent with the applicable ECAP measures related to renewable energy and energy efficiency, and no impact would occur in relation to state and local plans for renewable energy and energy efficiency.

## Mitigation Measures

No mitigation is required because this impact would be less than significant (Class III).

## c. Cumulative Impacts

Cumulative development in Santa Barbara County would increase demand for energy resources. However, new iterations of the California Building Energy Efficiency Standards and CalGreen would require increasingly more efficient appliances and building materials that reduce energy consumption in new development. In addition, vehicle fuel efficiency is anticipated to continue improving through implementation of the existing Pavley regulations under AB 1493, and implementation of the SBCAG 2040 RTP-SCS would reduce vehicle miles travelled in the county. Nevertheless, the combined increase in energy consumption in Santa Barbara County would potentially result in a significant cumulative impact related to the wasteful, inefficient, and unnecessary consumption of energy resources. However, the project would be constructed in accordance with the California Building Energy Efficiency Standards and CalGreen and would include energy-saving features that would reduce the potential for wasteful, inefficient, and unnecessary consumption of energy resources. In addition, the project would include several features to reduce energy consumption, including natural heating and cooling via roof overhangs and window placement and building orientation, ~~pre-wiring for~~ rooftop solar power panels; recirculating, point-of-use, or on-demand water heaters; low-flow plumbing fixtures. Furthermore, as discussed under Impact E-2, the project would be consistent with the Santa Barbara County ECAP, which was adopted to reduce the cumulative impact of energy consumption in the County. Therefore, the project would not have a cumulatively considerable contribution to this impact (Class III).

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# 4.7 Fire Protection

## 4.7.1 Setting

### a. Project Site Setting

The project site is located on a portion of Key Site 21 in the OCP area, and includes parcels immediately to the west and east of the Rancho Maria Golf Club (RMGC). Key Site 21 is bounded by State Route (SR) 1 to the north, and agricultural uses to the east and west. The land south of Key Site 21 consists of vacant land, zoned Resource Management (RMZ-320). The adjacent agricultural uses, including those across SR 1, consist of mainly cultivated agriculture. The topography of the site varies, ranging from essentially flat to gentle slopes on the southern boundary. Vegetation on the site consists of chaparral as well as oak woodland, oak savannah, coastal sage scrub, and native grasses. The portions of the proposed Hidden Canyon Neighborhood and Willow Creek Neighborhood development areas that abut the golf course fairways are bordered primarily by irrigated turf.

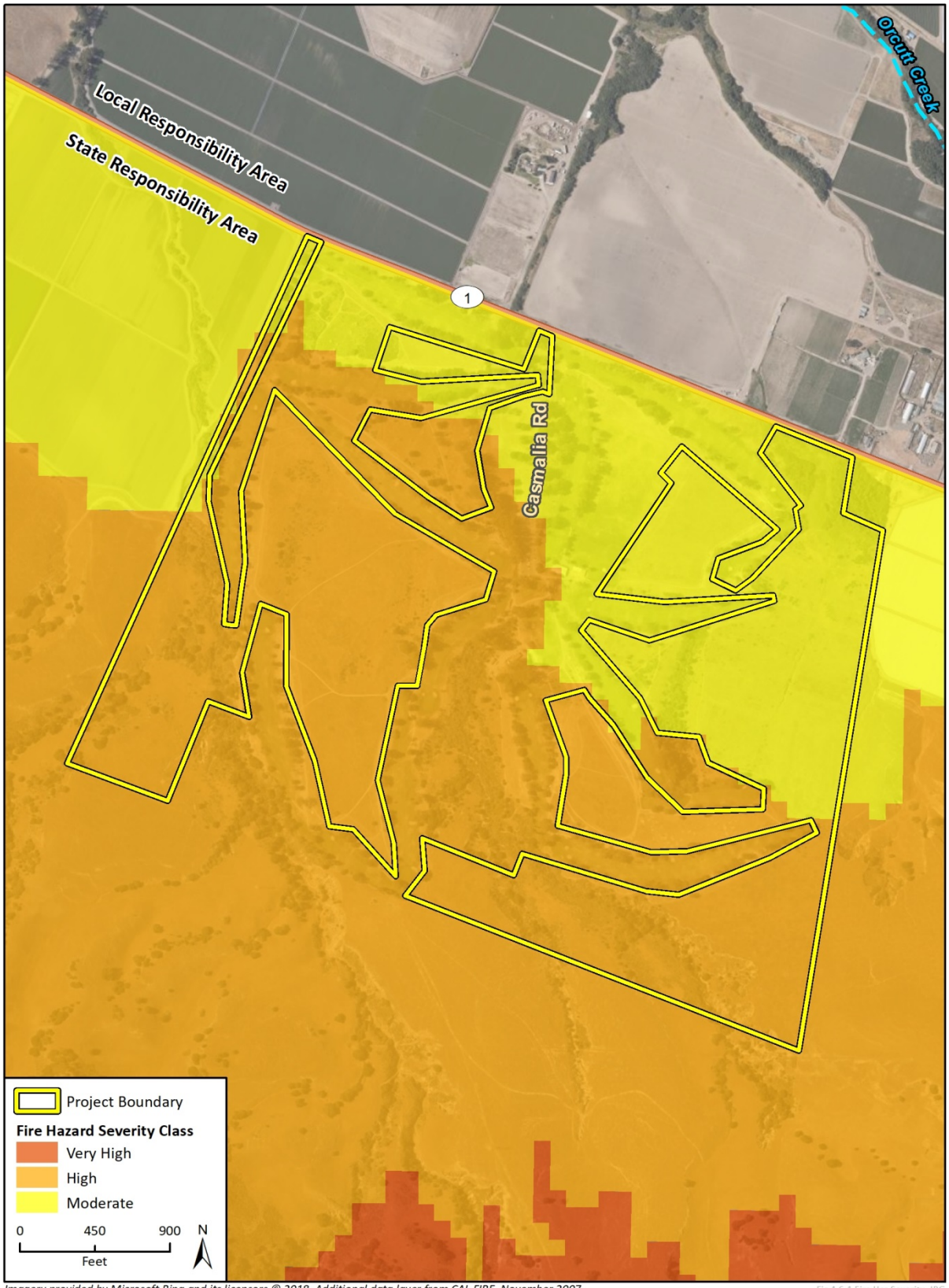
The California Department of Forestry and Fire Protection (CalFire) has designated the site as a high fire hazard area (CalFire 2008). Figure 4.7-1 shows the County's designated Fire Hazard Severity Zones on the project site and in the immediate vicinity. As depicted, the project site is located in a State Responsibility Area (SRA) and includes zones of moderate and high fire hazard severity. Classification of a zone as a moderate, high, or very high fire hazard zone is based on a combination of how a fire will behave and the probability of flames and embers threatening buildings in that area. "Moderate Fire Hazard Areas" are generally characterized by flatter terrain and limited wildland area exposure. A "High Fire Hazard Area" is an area designated by the Santa Barbara County Fire Department (SBCFD) as having a high propensity for wildfire due to the existence of excessive wild brush fuel, lack of adequate water for fire suppression, or lack of adequate access to firefighting equipment. This area is classified as a Wildland-Urban Interface Area by SBCFD.

Weather is the most influential component affecting wildfire. Specific weather events can occur that drastically alter the normally temperate Santa Barbara coastal plain climate to create catastrophic wildfire conditions. The winds that create extreme wildfire conditions in the Orcutt area are known as the "Santa Ana" winds.

The SBCFD provides fire prevention, fire suppression, and life safety services to the unincorporated areas of Santa Barbara County, including the community of Orcutt. SBCFD has 16 fire stations throughout the County, staffed year-round. There are two County fire stations that provide primary fire protection for the community of Orcutt and other unincorporated areas of Santa Maria Valley. Station 21, located approximately three miles from Key Site 21 at 335 Union Avenue in Orcutt, is staffed by one captain, one engineer, and one paramedic. Station 22 is located approximately five miles from Key Site 21, at 1600 Tiffany Park Court, and is staffed by one captain, one engineer, one firefighter/paramedic, and one firefighter. Station 22 would provide back-up firefighting support on an as-needed basis (Fidler 2018).

Primary access to the site would be provided by four driveways accessed from SR 1. Currently, the only route of ingress and egress to Key Site 21 is the RMGC entrance road, which extends south from SR 1 and terminates in the parking lot.

## Figure 4.7-1 Fire Hazard Map




*Imagery provided by Microsoft Bing and its licensors © 2018. Additional data layer from CAL FIRE, November 2007.*
*Fire Hazard Severity data not available for Local Responsibility Area.*

Fig 4.6-1 Fire Haz Severity_JPG

## b. Regulatory Setting

### State Requirements

The Division of Occupational Safety and Health of California (CAL-OSHA) requires that a minimum of two firefighters, operating as a team, conduct interior firefighting operations. In addition, a minimum of two firefighters must be positioned outside and remain capable of rapid intervention and rescue if needed. This is also known as the State of California's "Two-In, Two-out" law [29 CFR 1910.134(g)(4)]. If there are only three firefighters assigned to a fire engine, that engine company must wait for additional back-up to arrive before being able to engage in interior firefighting operations in order to be in compliance with State OSHA regulations.

### County Requirements

Building standards for high fire hazard areas, including roof coverings, construction materials, structural components, and clearing of brush and vegetative growth, are identified in the Uniform Building Code (administered by the Santa Barbara County Building and Safety Division) and the Uniform Fire Code (Orcutt Community Plan, July 1997, amended October 2004).

SBCFD uses the service standard of one on-duty firefighter per 4,000 residents as the absolute maximum population that can be adequately served, and the National Fire Protection Agency's (NFPA) five-minute response time standard from the fire station to the location of the emergency. As of 2018, the firefighter to population ratio in the Orcutt area is 1:4,129 (based on seven full-time firefighters and an estimated 2010 population of 28,905 [Santa Barbara County Regional Growth Forecast 2010-2040, December 2012]), which does not meet the SBCFD maximum firefighter to population ratio. Currently, there are four firefighters on duty at all times at Station 22 and three firefighters on duty at all times at Station 21 (Fidler 2018).

In addition to fire protection services, the SBCFD provides First Responder Emergency Medical Services in the event of a medical emergency. Each firefighter is a certified Emergency Medical Technician (EMT). Station 22 located at 1596 Tiffany Park Court also has a paramedic assigned which can provide Advanced Life Support (ALS) service. Ambulance service is provided by American Medical Response through contract with Santa Barbara County (Fidler 2018).

The County has adopted a number of fire safety requirements and regulations, as well as standard fees, for new development. SBCFD currently imposes a fire mitigation fee to all new development occurring within the Santa Barbara County Fire Protection District (SBCFPD). This fee funds the construction of new fire stations and acquisition of new equipment and apparatus. Within the Orcutt Planning Area, the County additionally requires an "Orcutt Planning Area Development Impact Mitigation Fee," which is charged to all new development (Orcutt Planning Area Fee Summary Sheet, FY 2018-2019).

Fire flow requirements are based on SBCFD standards. SBCFD standards refer to the Uniform Fire Code fire flow requirements for other than one and two family dwellings. Uniform Fire Code fire flow requirements are based on building size, type of construction per California Building Code, and fire flow duration. A two-hour fire flow duration is required by California Code of Regulations Title 22. The SBCFD requires fire flow for residential units to be a minimum of 750 GPM for a duration of two hours (Fidler 2018). In addition, the water supply system must be able to meet maximum day water demand along with required fire flows while maintaining a minimum system-wide residual pressure of 20 psi (Fidler 2018).

## Orcutt Community Plan

The Orcutt Community Plan (OCP) identified Orcutt as an area in need of a new fire station due to the imbalance of firefighter to population ratios and the inability of existing fire stations to respond to emergencies in the Orcutt area within the five-minute response time for urbanized areas. The OCP incorporates policies and development standards to ensure adequate fire protection services, including sufficient response times and service ratios. Several of these were modeled after mitigation measures in the OCP EIR. A summary of the OCP Development Standards, Actions, and policies that would apply to the project is provided below:

- Policy FIRE-O-1, which states the County shall strive to provide adequate fire protection services for the residents of Orcutt;
- Action FIRE-O-1.1, which requires the County to maintain the service ratio as set forth by the Board of Supervisors, as funds become available;
- Devstd FIRE-2.1, which requires development within or adjacent to high fire hazard areas to include fire prevention measures such as perimeter roads, trails, Class A or B roofs, adequate access to the urban/rural interface, and inclusion of structural setbacks. To minimize fire hazards, fencing located within the structural setback shall be comprised of fire-resistant materials;
- DevStd FIRE-2.2, which requires two routes of ingress and egress unless waived by the Fire Department;
- DevStd FIRE-2.3, which requires foothill development in Orcutt to be protected by water storage tanks connected to an existing water purveyor or private water supplies;
- Program FIRE-2.4, which requires Planning and Development and the County Fire Department to prepare a Fuel Management Program for wildlands within designated undeveloped open space areas. Implementation of this program shall be funded by fees assessed on affected parcels;
- Policy FIRE-O-3, which requires that the use of fuelbreaks in Orcutt be minimized, and where fuelbreaks are necessary, they shall be sited to minimize disruption of significant natural resources;
- DevStd FIRE-3.1, which states that fuelbreaks should incorporate perimeter roads and yards to the greatest extent feasible;
- DevStd FIRE-3.2, which states that to the maximum extent feasible, fuelbreaks shall not be constructed through riparian or wetland areas or result in the removal of healthy specimen oak trees. Within fuelbreaks, treatment of oak trees shall be limited to limbing the branches up to a height of 6-feet, removing dead wood, and mowing the understory. Where specimen oaks have multiple trunks, all trunks shall remain.

## 4.7.2 Previous Environmental Review

The OCP EIR examined the risk of upset and hazards, including those due to wildland fires, of the project region and the potential impacts resulting from development under the OCP. Previous site specific analysis was not performed for fire hazards at Key Site 21.

The OCP EIR concluded impacts related to the worsening of the firefighter to resident ratio under buildout of the Plan were significant and unavoidable, due to a shortage of fire protection services in Orcutt and a lack of available funding for additional resources. Mitigation Measures FIRE-1, FIRE-2, and FIRE-4, which address hiring of additional firefighters, additional development impact fees,

and a new fire station in West Orcutt) were identified as ways to help maintain adequate fire protection service levels, but uncertainty in the feasibility of implementing these measures resulted in the conclusion that this impact would remain significant and unavoidable (Class I). Since the approval of the OCP, fire mitigation fees have been raised consistent with the mitigation measures identified in the OCP EIR.

The OCP EIR also analyzed OCP Area-wide impacts related to wildland fire hazards, and concluded that Impacts FIRE-3 (wildland fire hazards), FIRE-5 (indirect effect from removal of vegetation), and FIRE-6 (cumulative fire impacts) were potentially significant but mitigable (Class II).The OCP EIR required Mitigation Measures FIRE-5 through FIRE-11 and FIRE-13 through FIRE-15 to mitigate wildland fire hazards to a less than significant level. These mitigation measures required the use of sprinkler systems and other mitigation identified by the Fire Department (FIRE-5); two routes of ingress and egress for the development and the incorporation of Uniform Fire Code standards in regards to access, building and water availability (FIRE-6); no development within 100 feet of flammable vegetation with the exception of spaced access points for fire-fighting access (FIRE-7); a requirement for use of Class A roofs (FIRE-8); the installation of water storage tanks (FIRE-9); and the construction of fire breaks of at least 100 feet between development and foothill vegetation and the annual maintenance of undergrowth and mature oak trees (FIRE-10). Other applicable measures included requirements that all fencing be composed of non-flammable material (FIRE-11), a Fuel Management Program for wildlands within the open space overlay prepared by Planning and Development with input from the County Fire Department (FIRE-13); fire breaks will be sited to minimize impacts to biological resources (FIRE-14); and siting development adjacent to open lands vegetated by chaparral, scrub or woodlands a minimum structural setback of 100 feet from the edge of the open space area to minimize fire hazards and include the use of paved roads on the perimeter between the development and open lands (FIRE-15).

## 4.7.3 Impact Analysis

### a. Methodology and Significance Thresholds

According to the County of Santa Barbara Environmental Thresholds and Guidelines Manual (October 2008), potentially significant human health and safety impacts would occur if project implementation would expose current or future site residents/employees/visitors to wildland fire-related hazards. The County's Environmental Thresholds and Guidelines Manual does not include specific significance thresholds for fire protection services or wildland fires. SBCFD has established a standard for the maximum acceptable service ratio as one on-duty firefighter per 4,000 residents and a maximum response time to emergency calls in urbanized areas of five minutes.

Appendix G of the CEQA guidelines considers a project to have a significant fire protection impact if the project would:

- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires;
- Result in a substantial adverse physical impact associated with the provision of new or physically altered fire service facilities;
- Result in the need for new or physically altered fire service facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for public services;
- Substantially impair an adopted emergency response plan or emergency evacuation plan;

- Exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors;
- Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
- Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Potential impacts associated with the proposed circulation and emergency access routes for the project are discussed in Section 4.13, *Transportation and Circulation*. As discussed therein, the project would include adequate emergency access and the on-site circulation plan would be required to comply with County design standards to accommodate emergency vehicles and service vehicles. Therefore, impacts associated with impairment of emergency response and evacuation plans would be less than significant and are not discussed further in this section.

Potential impacts related to slope stability and landslides are discussed in Section 4.8, *Geologic Processes*. As discussed therein, stable slope conditions exist within the project site and the potential for substantial landslides was found to be very low. Potential impacts related to flooding, runoff, and drainage are discussed in Section 4.14, *Water Resources and Flooding*. The project would be required to comply with existing design guidelines, applicable SBCFCD requirements for post-development peak stormwater flows and Best Management Practices, and maintenance requirements described in the Neighborhood Stormwater Control Plans to avoid and/or minimize flooding impacts and impacts to on-site and off-site drainage. Therefore, impacts associated with exposure of people or structures to downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes, would be less than significant and are not discussed further in this section.

## b. Project Impacts and Mitigation Measures

| | |
|---|---|
| **Threshold:** | Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires? |
| **Threshold:** | Would the project exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors? |
| **Threshold:** | Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? |

**Impact FP-1 THE PROJECT WOULD CREATE ADDITIONAL SOURCES AND INCREASED RISK OF WILDLAND FIRES IN A HIGH FIRE HAZARD AREA. COMPLIANCE WITH SBCFD REQUIREMENTS, APPLICABLE OCP DEVELOPMENT STANDARDS, AND CONDITIONS OF APPROVAL PERTAINING TO FIRE MANAGEMENT WOULD ENSURE THAT POTENTIAL IMPACTS ASSOCIATED WITH WILDLAND FIRE HAZARDS WOULD BE LESS THAN SIGNIFICANT (CLASS III).**

The Orcutt Fire and Police Protection map in the OCP identifies locations within the OCP area that contain vegetation types that are highly susceptible to wildfire hazards ("Highly Flammable

Vegetation"). The project site and adjacent lands are not identified as areas containing Highly Flammable Vegetation. However, the County of Santa Barbara has designated portions of the site as a high fire hazard area (refer to Figure 4.7-1). New residential uses, associated infrastructure installation and maintenance, and additional human activity in this designated high fire hazard area would create additional sources and increased risk of wildland fires in the project area.

Fire Station 21 serves the part of Orcutt in which Key Site 21, including the project site, is located. The travel distance between Fire Station 21 and the project site is approximately 2.8 miles. As such, the project site is located within the SBCFD's five-minute response time area (Fidler 2018). Standard Fire Department requirements such as road naming requirements, address number standards, hydrant requirements, and review of site circulation and design of secondary internal Emergency Vehicle Access (EVA) roads would apply to the project and would reduce the risk to people and structures from wildland fires. To comply with Standard Fire Department requirements, the project would also include a secondary emergency access road to the Willow Creek Neighborhood through the existing RMGC entrance road and a secondary access road to the Hidden Canyon Neighborhood along the eastern edge of the Hidden Canyon Neighborhood. The proposed secondary access roads would provide the 24-foot minimum width required by SBCFD.

The proposed development would be required to comply with OCP DevStds FIRE-2.1, FIRE-2.2, and DevStd FIRE-2.3, which incorporate a portion of OCP EIR Mitigation Measure FIRE-6 and the firewater storage requirements of OCP EIR Mitigation Measure FIRE-9, and require use of fire prevention measures, fencing comprised of fire-resistant materials in new residential development, and two routes of ingress and egress for the site. As Conditions of Approval on the project, project plans would also be required to include: a secondary emergency access plan for the Willow Creek Neighborhood, specifying road width to meet SBCFD standards and parking areas with general and accessible parking spaces to meet County requirements; fire/vegetation management plans for each proposed neighborhood that meets the SBCFD Development Standards; and onsite fire prevention construction techniques that meet SBCFD construction requirements. Incorporation of standard SBCFD requirements, applicable OCP development standards, and Conditions of Approval pertaining to fire management, would minimize impacts to people or structures as a result of project implementation increasing human activity and infrastructure and, thus new sources of wildland fires, pollutant concentrations from wildland fires, or the uncontrolled spread of wildland fires in the project area. This impact would be less than significant (Class III).

## Mitigation Measures

No mitigation is required. Compliance with SBCFD requirements, applicable OCP development standards, and Conditions of Approval pertaining to fire management would ensure that potential impacts associated with wildland fire hazards would be less than significant (Class III).

| | |
|---|---|
| **Threshold:** | Would the project result in a substantial adverse physical impact associated with the provision of new or physically altered fire service facilities? |
| **Threshold:** | Would the project result in the need for new or physically altered fire service facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for public services? |

**Impact FP-2 THE PROJECT WOULD INCREASE DEMAND ON THE SANTA BARBARA COUNTY FIRE DEPARTMENT, RESULTING IN A REDUCTION IN THE FIRE PROTECTION SERVICE RATIO. THE PROJECT WOULD BE SUBJECT TO THE ORCUTT PLANNING AREA FIRE MITIGATION FEE, WHICH PROVIDES FUNDING FOR NEW FIRE STATIONS AND ACQUISITION OF NEW EQUIPMENT AND APPARATUS REQUIRED TO SERVE NEW DEVELOPMENT. THEREFORE, THIS IMPACT WOULD BE LESS THAN SIGNIFICANT (CLASS III).**

The project site is located 2.8 miles from Fire Station 21 and is within the station's five-minute response time radius. As discussed in Section 4.7.1(b), the firefighter to population ratio in the Orcutt area is 1: 4,129, which does not meet the SBCFD maximum firefighter to population ratio of 1:4,000. The project would result in up to 146 new residential units and generate 431 new residents, based on an average household size of 2.95 persons per residential unit (Dudek 2019). An increase of 431 residents would result in a fire protection service ratio of 1:4,191 for the Orcutt area.

Buildout of the Specific Plan would result in additional residents within the Fire Station 21 service area. The increase in population anticipated as a result of the project would incrementally degrade service ratios and may eventually result in the need for additional equipment and facilities. However, future development on Key Site 21 (and all other development under the OCP) would be required to pay the Orcutt Planning Area fire mitigation fee, which was adopted following approval of the OCP. Fire mitigation fees are applied toward the construction of new fire stations and acquisition of new equipment and apparatus. In addition, property taxes generated from buildout would serve to fund additional fire protection services (Fidler 2018). Although development of new fire protection facilities could result in environmental impacts, new fire protection facilities would be subject to environmental review and would be required to implement mitigation measures to reduce identified environmental impacts. As the future locations of these facilities are currently unknown, the environmental effects would vary and are speculative. With the payment of the required fire mitigation fees, the potential environmental impacts to fire protection services would be adverse, but less than significant (Class III).

## Mitigation Measures

No mitigation is required. New fire protection facilities would be subject to environmental review and would be required to implement mitigation measures to reduce identified environmental impacts. Payment of the required fire mitigation fees would ensure that the potential environmental impacts to fire protection services would be adverse, but less than significant (Class III).

## c. Cumulative Impacts

Cumulative development in the Orcutt area, including the 146 single-family units on Key Site 21, would increase the demand on fire protection services and would place structures in high fire hazard areas. As discussed in Section 3.0, Environmental Setting, 1,259 residential units, 279 commercial units, and 650,000 square feet of commercial and institutional development, and approximately 305,000 square feet of agricultural and winery development are currently under

construction, approved without entitlement to begin construction, or under permit review in the Orcutt area. This development would create additional sources and increased risk of wildland fires in a County-designated high fire hazard area and would demand additional fire protection services.

However, implementation of the development standards and design guidelines described in Section 4.7.2, *Previous Environmental Review*, as well as incorporation of standard SBCFD requirements, applicable OCP development standards, and Conditions of Approval pertaining to fire management, would reduce fire hazard risks on the project site. As such, the contribution of Neighborhoods Specific Plan buildout to the cumulative demand on existing fire protection services in the region would be reduced to less than cumulatively considerable. Additional services required as a result of buildout of the Neighborhoods Specific Plan would be financed through development mitigation fees and property taxes collected at buildout as described in Impact FP-2. Cumulative development in the Orcutt area, including the project site, would be required to comply with OCP DevStds FIRE-2.1, FIRE-2.2, and DevStd FIRE-2.3, which incorporate a portion of OCP EIR Mitigation Measure FIRE-6 and the firewater storage requirements of OCP EIR Mitigation Measure FIRE-9. The project's contribution to cumulative impacts on fire hazards in the region would be adverse, but less than significant (Class III).

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# 4.8 Geologic Processes

## 4.8.1 Setting

### a. Geological Setting

A summary of the geology and soils in the general project area is discussed below. Additional information can be found in the Soils Engineering Report and Engineering Geology Investigation prepared for the project, prepared by GeoSolutions, Inc., dated June 7, 2016 (Appendix E), the Neighborhoods Specific Plan Environmental Documentation Report, prepared by Amec Foster Wheeler, Environmental & Infrastructure, Inc., dated March 2018 (Appendix F), and the Neighborhoods Specific Plan Paleontological Resource Assessment, prepared by Amec Foster Wheeler, Environmental & Infrastructure, Inc., dated January 7, 2019 (Appendix G).

### Topography and Soils

The Santa Maria Valley is located along the southern portion of the Coast Range province near the boundary with the Transverse Ranges geomorphic province of Southern California. The Santa Maria Valley is bounded between the Casmalia Hills to the south and the San Luis Range to the north. The Santa Maria basin is interpreted as a pull-apart structure from movement by the Little Pine-Foxen Canyon-Santa Maria River faults and the Santa Ynez fault. The Santa Maria Valley consists of greater than 200 feet of Quaternary age Alluvial deposits underlain by Quaternary and Tertiary marine deposits (Appendix E). Locally, the southern portion of the site is located predominantly on tierra loam while the northern portion of the site is located on a mix of Betteravia loamy sand, Pleasanton sandy loam, Corralitos loamy sand, elder sandy loam, Corralitos sand, and Botella clay loam (United States Geological Survey 2019). Figure 4.8-1 illustrates the soils underlaying the project site.

The project site is located at the base of the northern flanks of the east-west trending Casmalia Hills. The topography consists of gentle slopes that reach 420 feet in elevation along the southern perimeter of the site, dropping to 220 feet in elevation at the northwest corner of the property. The project site has a general downward slope from south to north at approximately 3:1 (horizontal to vertical) then flattens to 8:1. Surface drainage follows the topography to the north toward existing drainage gullies throughout the project site that lead to Orcutt Creek approximately 0.4 mile to the north (Appendix E). Figure 4.8-1 illustrates the topography of the project site.

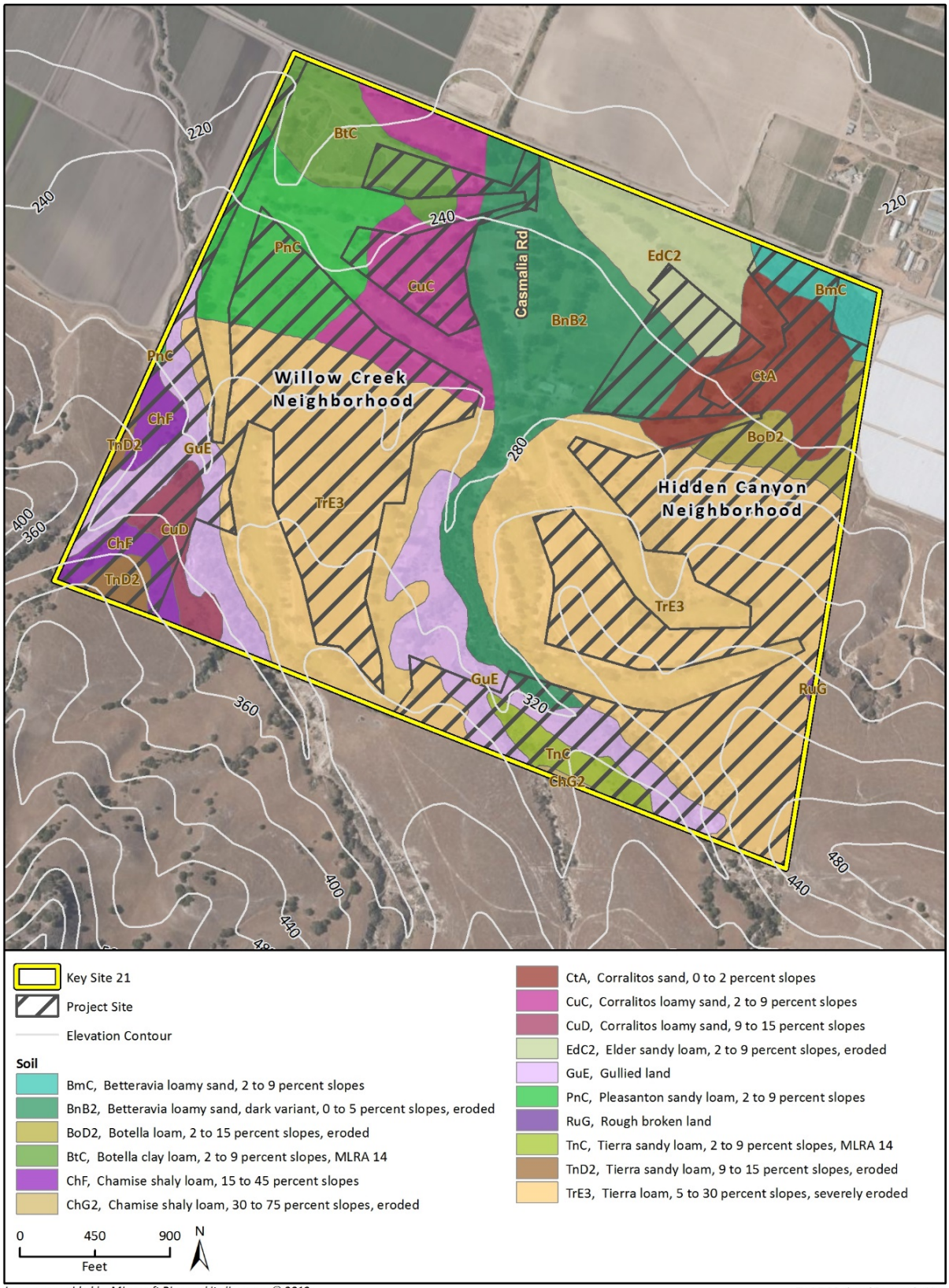
### Seismic and Other Soil Hazards

Similar to much of California, the project site is located in a seismically active region. The Transverse Ranges are characterized by east-west trending structural features in contrast to the dominant northwest-southeast structural trend of California. Regional faults are depicted in the Geological Formations Map included in the Orcutt Community Plan (OCP) and the County's Seismic Safety and Safety Element (Santa Barbara County 2015).

#### *Fault Rupturing*

Seismically-induced ground rupture occurs as the result of differential movement across a fault. An earthquake occurs when seismic stress builds to the point where rocks rupture. As the rocks rupture, one side of a fault block moves relative to the other side. The resulting shock wave is the

## Figure 4.8-1 Soils and Topography Map

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*Additional data provided Soil Survey Staff, Natural Resources Conservation Service, USDA. Soil Survey Geographic (SSURGO) Database 2018. USGS 2019.*

earthquake. If the rupture plane reaches the ground surface, ground rupture occurs. Active faults as defined by the State Geologist have been designated as Alquist-Priolo Fault Zones and require special regulation and study for projects proposed in these zones. Further discussion of the Alquist-Priolo Earthquake Fault Zoning Act is provided in the Regulatory Setting. According to the California Department of Conservation (DOC), the nearest Alquist-Priolo Earthquake Fault Zone is located approximately 16.7 miles southeast of the project site (DOC 2018).

No active faults are located on the project site or in the vicinity of the project site. The closest known active faults to the project site are the Los Alamos (13 miles to the southeast), Hosgri (31 miles to the northwest), and San Andreas (44 miles to the east) faults. The closest known potentially active faults are the Orcutt/Casmalia fault line, approximately one mile south of Key Site 21, and the Lions Head fault line located approximately 4 miles southwest of the project site. The OCP (1997) depicts the "Orcutt Frontal Fault" bisecting the northern portion of the subject property. However,the OCP indicates that the only fault with setback policy implications for new development is the potentially active Orcutt/Casmalia fault located outside of the urban area and crossing the southern foothills to the south of Key Site 21.

### *Groundshaking*

In addition to surface rupture, fault displacement can generate seismic groundshaking, which is the greatest cause of widespread damage in an earthquake. Whereas surface rupture affects a narrow area above an active fault, groundshaking covers a wide area and is greatly influenced by the distance of the site to the seismic source, soil conditions, and depth to groundwater. Many faults are mapped in the foothills of the Santa Ynez Mountains and coastal plans of Santa Barbara County of varying types, lengths, and ages. An active fault is one that shows evidence of displacement within the last 11,000 years (Recent epoch). A fault which displaces deposits of late Pleistocene age (500,000 to 11,000 years) but with no evidence of recent movement is termed potentially active. Inactive faults are those that show evidence of displacement of rocks of early Pleistocene or older (500,000 years or older).

According to the County of Santa Barbara Seismic Safety and Safety Element, the site may experience moderate levels of ground shaking. In addition to damage to structural development, ground shaking can also cause seismic settlement and subsidence, lurch cracking, and lateral spreading. Similar to the surrounding areas, the project site may be affected by moderate to major earthquakes centered on one of the known active faults mentioned above. The San Andreas fault is the most likely active fault to produce groundshaking at the project site. However, the San Andreas Fault has a low probability of generating the highest ground accelerations at Key Site 21 because of its distance from the project site (Appendix E).

### *Tsunamis and Seiches*

Tsunamis and seiches are two types of water waves that are generated by earthquake events. Tsunamis are broad-wavelength ocean waves and seiches are standing waves within confined bodies of water, typically reservoirs. As the property is at an elevation over 200 feet above mean sea level, the potential for a tsunami to affect the project site is low. Flooding associated with a seismic event (seiche) is considered low due to the absence of a body of water upslope of the property.

### *Liquefaction*

Liquefaction occurs when saturated cohesionless oils lose shear strength due to earthquake shaking. Ground motion from an earthquake may induce cyclic reversals of shear stresses of large amplitude. Lateral and vertical movement of the soil mass combined with the loss of bearing strength usually results from this phenomenon. Liquefaction potential of soil deposits during earthquake activity depends on soil type, void ratio, groundwater conditions, the duration of shaking, and confining pressures on the potentially liquefiable soil unit. Fine, poorly graded loose sand, shallow groundwater, high intensity earthquakes, and long duration of groundshaking are the principal factors leading to liquefaction. The Santa Barbara County Seismic Safety and Safety Element maps illustrating areas of liquefaction risk indicate that the project site has a low problem rating for liquefaction. In addition, the potential for seismic liquefaction at Key Site 21 is low based on the presence of sandy and clayey soils, the relative density of the in-situ soils, the depth to groundwater, and the expected ground acceleration (Appendix E).

### *Subsidence*

Subsidence involves deep-seated settlement due to the withdrawal of fluid (oil, natural gas, or water). According to the Santa Barbara County Seismic Safety and Safety Element, there are no documented instances of subsidence in Santa Barbara County (Santa Barbara County 2015). No oil or natural gas extraction activities currently take place on Key Site 21 or in the immediate vicinity.

### *Settlement and Compressible/Collapsible Soils*

Compressible soils typically consist of organic material and are common in estuaries and other areas where deposits of organic matter are found. Collapsible soils are typically low density, fine-grained, and dominantly granular, characteristic of loamy sands, such as a majority of the soils on the project site. Collapsible soils can settle under relatively low loads when saturated and destroy foundations. The Santa Barbara County Seismic Safety and Safety Element describes Key Site 21 as having moderate potential for compressible/collapsible soils (Santa Barbara County 2015). The OCP indicates that the Orcutt Sand and Dune Sands are, in general, unconsolidated, poorly cemented, highly erodible and potentially subject to collapse under certain load and moisture conditions.

### *Erosive Soils*

Soil erosion is the removal of soil by water and wind. Factors that influence erosion potential include the amount of rainfall and wind, the length and steepness of the slope, and the amount and type of vegetative cover. The Santa Barbara County Comprehensive Plan Seismic Safety and Safety Element identifies most soils in the County as susceptible to erosion. However, susceptibility to erosion can typically be effectively controlled. Key Site 21 has the potential for erosive soils, and gully erosion was observed throughout the project site (Appendix E).

### *Expansive Soils*

Soils with relatively high clay content are expansive due to the capacity of clay minerals to take in water and swell (expand) to greater volumes. The sandy characteristics of the soils on the project site are not highly susceptible to expansive soil hazards. The Santa Barbara County Seismic Safety and Safety Element identifies Key Site 21 as having a range of expansiveness potential ranging from no potential for expansive soils to moderate potential for expansive soils (Santa Barbara County 2015).

*Slope Stability/Landslides*

The Santa Barbara County Seismic Safety and Safety Element maps illustrating areas of slope stability/landslides, soil creep, and expansive soils indicate the site has a variable low to high potential for these types of soil hazards. Due to the nature of the geological formations beneath the project site area (Orcutt Sands and Dune Sands), slope stability is expected to be variable and dependent on grading plans. GeoSolutions conducted a numerical slope stability analysis and identified Key Site 21 as having a low potential for landslides (Appendix E).

## b. Regulatory Setting

### California Building Code

The California Building Code (CBC), Title 24, Part 2 provides building codes and standards for the design and construction of structures in California. The 2016 CBC is based on the 2015 International Building Code with the addition of more extensive structural seismic provisions. Chapter 16 of the CBC contains definitions of seismic sources and the procedure used to calculate seismic forces on structures. The CBC requires addressing soil-related hazards, such as treating hazardous soil conditions involving removal, proper fill selection, and compaction, prior to construction. In cases where soil remediation is not feasible, the CBC requires structural reinforcement of foundations to resist the forces of expansive soils. The County is responsible for enforcing the CBC.

### Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was signed into law following the 1971 San Fernando earthquake. The Act provides a mechanism for reducing losses from surface fault rupture on a statewide basis. The intent of the Act is to ensure public safety by prohibiting the siting of most structures for human occupancy across traces of active faults that constitute a potential hazard to structures from surface faulting or fault creep. This Act groups faults into categories of active, potentially active, and inactive. Historic and Holocene age faults are considered active, Late Quaternary and Quaternary age faults are considered potentially active, and pre-Quaternary age faults are considered inactive.

### Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act directs the California Geological Survey to delineate Seismic Hazard Zones. The purpose of the Act is to reduce the threat to public health and safety and to minimize the loss of life and property by identifying and mitigating seismic hazards. Cities, counties, and State agencies are directed to use seismic hazard zone maps developed by the California Geological Survey in their land-use planning and permitting processes. The Act requires that site-specific geotechnical investigations be performed prior to permitting most urban development projects within seismic hazard zones.

### California Environmental Quality Act

Paleontological resources are protected under the CEQA, which states, in part, that a project will "normally" have a significant effect on the environment if it, among other things, will disrupt or adversely affect a paleontological site except as part of a scientific study. Specifically, in Appendix G of the State CEQA Guidelines the question is posed, "Will the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature." To determine the uniqueness of

a given paleontological resource, it must first be identified or recovered. Therefore, mitigation of adverse impacts, to the extent practicable, to paleontological resources is mandated by CEQA.

## Santa Barbara County Comprehensive Plan

The Seismic Safety and Safety Element of the County's Comprehensive Plan, amended in February 2015, is intended to guide land use planning with goals and policies to minimize the adverse effects of hazards related to geology, seismicity, fires, and flooding. The following goals and policies are pertinent to the proposed project:

- Geologic and Seismic Goal 1, which expresses the County's intent to protect the community form risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, dam failure, mudslides and landslides, subsidence, liquefaction, and other seismic hazards.
- Geologic and Seismic Protection Policy 1, which requires the County to minimize the potential effects of geologic, soil, and seismic hazards through the development review process.
- Geologic and Seismic Protection Policy 2, which requires the County to refer to the California Building Code, the Land Use Development Code, County ordinances, the Coastal Land Use Plan, and the Comprehensive Plan when considering the siting and construction of structures in seismically hazardous areas.
- Geologic and Seismic Protection Policy 6, which encourages the County to reference the Santa Barbara County Multi-Jurisdictional Hazard Mitigation Plan when considering measures to reduce potential harm from seismic activity to property and lives.

## Orcutt Community Plan

The OCP incorporates policies and development standards to provide construction- and operational-phase geologic hazard mitigation to reduce potential impacts involving soil expansion, soil erosion, soil collapsibility, and the lack of septic capability. Several of these were modeled after mitigation measures in the OCP EIR. A summary of the OCP Policies and Development standards that would apply to the project is provided below.

- Policy GEO-O-1, which requires development to be sited to avoid geologically hazardous areas;
- DevStd GEO-O-1.1, which requires new construction to be set back a minimum of 50 feet from all known active or potentially active faults which have been mapped;
- Policy GEO-O-2, which requires development to be sited and designed to minimize increased erosion in areas of high erosion potential;
- DevStd GEO-O-2.1, which states that consistent with Hillside and Watershed Policy #1, excessive grading for creation or enhancement of views shall not be permitted. Where new roads and driveways would require substantial grading, development shall be sited close to existing access roads;
- DevStd GEO-2.2, which states that development shall be prohibited on slopes greater than 30% unless this would prevent reasonable development of a property. In areas of unstable soils, highly erosive soils or on slopes between 20% and 30% development shall not be allowed, unless an evaluation by a qualified professional (e.g., soils engineer, geologist, etc.) establishes that the proposed project will not result in unstable slopes or severe erosion or this would prevent reasonable development of a property;

- DevStd GEO-O-2.3, which requires large stands of trees, and natural flood channels to be preserved unless this would prevent reasonable development of a property;
- DevStd GEO-O-2.4, which requires surface water runoff to be culverted and diverted to avoid erosion of exposed slopes and shall be directed to the nearest natural drainage channel;
- DevStd GEO-O-2.5, which requires cut and fill slopes in foothill areas to be planted with slope-stabilizing plants. Only native species shall be planted within designated natural open space corridors, and shall be irrigated until the plants are established;
- DevStd GEO-O-2.6, which requires landscaping plans to be reviewed by Planning and Development to ensure re-vegetation of graded areas in areas of sandy soils. Landscape securities shall be required unless expressly waived by Planning and Development.
- DevStd GEO-O-2.7, which requires the County to consider allowing lots to be drained to the rear only where it can be demonstrated that such rear-draining will reduce overall grading associated with a project and will provide an equal level of flood control protection as standard front-draining design;
- Policy GEO-O-3, which prohibits grading in excess of 50 cubic yards (combined cut and fill) to be permitted within areas designated open space in the Orcutt Community Plan without an approved grading permit.

### Santa Barbara County Code, Section 14-29

Section 14-29 of the Santa Barbara County Code requires preparation and execution of an erosion and sediment control plan as part of grading plan requirements. The erosion and sediment control plan shall incorporate applicable County-approved best management practices. In lieu of such a plan, the County may accept a Stormwater Pollution Prevention Plan (SWPPP), if it contains the requirements of the County's erosion and sediment control Best Management Practices (BMP). Erosion and sediment control measures shall be in place prior to any grading on hillsides, sloping or mountainous terrain.

## 4.8.2 Previous Environmental Review

Evaluation of geologic resources in the OCP EIR focused on potential geologic hazards in the OCP planning area. The OCP analysis identified potentially significant (Class II) impacts, including increased erosion, sedimentation on creeks, collapsible soils, potential fault rupture, seismic shaking, and unstable slope development constraints, septic constraints from clay-rich soils, and conflicts with future oil exploration activities. The OCP analysis identified significant and unavoidable (Class I) impacts related to community-wide erosion and downstream sedimentation resulting from buildout of the OCP planning area. Site specific analysis was not performed for geologic or soil resources at Key Site 21.

The OCP EIR included mitigation measures to reduce impacts from geologic processes. Applicable mitigation measures from the OCP EIR are summarized below.

- Mitigation GEO-1 through Mitigation GEO-9 require that new development employ measures, strategies and project designs that reduce sediment flow, slope erosion, and siltation of nearby waterways. Special attention is given to new development that takes place on slopes of 20 percent or greater, such as in Mitigation GEO-2 and GEO-3 which prioritize the avoidance of development and ground disturbance on slopes of 20 percent or greater.

- Mitigation GEO-10 requires a site-specific geologic and soils investigation be conducted to determine if expansive or collapsible soils are present on the project site.
- Mitigation GEO-11 requires the avoidance of new buildings of all types on, or within 50 feet of, an active or potentially active fault.
- Mitigation GEO-12 and Mitigation GEO-13 require on-site testing to demonstrate adequate septic disposal capacity prior to approval of discretionary projects or issuance of a building permit for ministerial projects.

## 4.8.3 Impact Analysis

### a. Methodology and Significance Thresholds

Assessment of impacts is based on review of site information and conditions and County information regarding geologic issues. Based on the Santa Barbara County Environmental Thresholds and Guidelines Manual, impacts associated with geologic processes would be considered significant if:

- The project site or any part of the project is located on land having substantial geologic constraints, as determined by the Planning and Development Department or the Public Works Department. Areas constrained by geology include parcels located near active or potentially active faults and property underlain by rock types associated with compressible/collapsible soils or susceptible to landslides or severe erosion. Special Problem Areas designated by the Board of Supervisors have been established based on geologic constraints, flood hazards and other physical limitations to development.
- The project results in potentially hazardous geologic conditions such as the construction of cut slopes exceeding a grade of 1.5:1 (horizontal to vertical).
- The project proposes construction of a cut slope over 15 feet in height as measured from the lowest finished grade.
- The project is located on slopes exceeding 20 percent grade.

Appendix G of the State CEQA guidelines considers a project to have a significant hydrological impact if the project would:

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault;
  - Strong seismic ground shaking;
  - Seismic-related ground failure, including liquefaction; and
  - Landslides.
- Result in substantial soil erosion or the loss of topsoil;
- Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse;

- Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property;
- Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water; and/or
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Potential impacts related to soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems are discussed in Section 4.15, *Effect Found Not to be Significant.*

## b. Project Impacts and Mitigation Measures

Impacts and mitigation measures described in the OCP EIR are incorporated below, with corresponding analysis pertaining to the proposed Willow Creek and Hidden Canyon Residential Project. Impacts identified in the OCP EIR are compared with those that are anticipated to occur under the proposed Willow Creek and Hidden Canyon Residential Project.

**Threshold:** Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

- Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault;
- Strong seismic ground shaking;
- Seismic-related ground failure, including liquefaction; and
- Landslides.

**Impact GEO-1 THE PROJECT SITE MAY BE SUBJECT TO STRONG GROUNDSHAKING, WHICH HAS THE POTENTIAL TO CAUSE FILL MATERIAL TO SETTLE, DESTABILIZE SLOPES, AND/OR CAUSE PHYSICAL DAMAGE TO STRUCTURES, PROPERTY, UTILITIES, ROAD ACCESS, AND PEOPLE. COMPLIANCE WITH OCP EIR MITIGATION MEASURES, OCP DEVELOPMENT STANDARDS, AND EXISTING LOCAL, STATE, AND FEDERAL REGULATIONS WOULD ENSURE THAT IMPACTS RELATED TO GROUNDSHAKING REMAIN LESS THAN SIGNIFICANT (CLASS III).**

The nearest active fault to the project site is located in Los Alamos, approximately 13 miles south of the project site. None of the faults mapped in the vicinity of the project site are considered to be active. However, based on information in the OCP, the Orcutt/Casmalia Fault, located within one mile of the southern boundary of the project site, is potentially active. The Santa Barbara County Seismic Safety and Safety Element indicate that the area surrounding the project site could be subject to moderate ground shaking from the Orcutt/Casmalia fault. Movement on this fault would not generate surface rupture on the project site due to its distance from the project site. Therefore, the project site is not vulnerable to fault rupture.

The project site is located in a region with high seismicity and could be subject to strong groundshaking from earthquakes on regional or local causative faults. Besides the direct physical damage to structures caused by groundshaking, marginally stable slopes and inadequately compacted fill material could move and cause additional damage from landslides, liquefaction, subsidence, or collapse. Gas, water, and electrical lines can be ruptured during the ground shaking

or broken during the movement of material activated by the seismic event, which can jeopardize public safety after an earthquake.

The OCP EIR determined that seismically-induced liquefaction was not anticipated to occur within the OCP planning area. The Soils Engineering Report and Engineering Geology Investigation prepared for the project (Appendix E) identifies the potential for soil settlement resulting from building foundations being supported by two soil materials with different settlement characteristics. Potential impacts associated with settlement and expansive soils are discussed in Impact GEO-4, and Mitigation Measure GEO-3.

The OCP EIR identifies very low potential for substantial landslides to occur, as most of the OCP planning area is underlain by ancient dune sands deposits and has generally gentle slopes that would not result in substantial landslide potential. In addition, the OCP EIR included Mitigation Measures GEO-10 and GEO-11, which prohibits development on expansive or liquefiable soils and requires avoidance of building construction of all types within 50 feet of faults, respectively.

The slope stability analysis determined that stable slope conditions exist within the project site, and that the potential for the project to cause collapsible soil hazards would be low (Appendix E).

The most recent California Building Code (CBC) requirements and Santa Barbara County's Uniform Building Code ensure that new habitable structures are engineered to withstand the expected ground acceleration at a given location, minimizing the risk to life and property from seismic hazards. To conform to the CBC, the proposed buildings on-site would be designed to withstand probable groundshaking that could result from the Orcutt/Casmalia Fault. Compliance with all applicable provisions of the California Building Code would ensure that impacts from groundshaking remain less than significant.

## Mitigation Measures

No mitigation measures are required because this impact is less than significant (Class III).

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| **Threshold:** | Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? |

### Impact GEO-2 THE PROJECT WOULD INVOLVE GRADING ACTIVITIES ON SLOPES WHICH EXCEED 20 TO 30 PERCENT GRADIENTS. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION (CLASS II).

The proposed project would include grading to fill the side slopes of existing drainage gullies to achieve level residential pads and internal access roads. In addition, the project involves the construction of retaining walls outside residential footprints. Retaining walls would be limited to four feet in height, indicating landform modifications for creating building envelopes that would not result in steep elevation changes (Appendix E). In addition, engineering designs for the project do not limit cut slope heights to 15 feet or lower. Slopes in excess of 15 feet in height as measured from the lowest finished grade would increase the potential for unstable hillsides, creating a potential for landslides and other soil stability hazards.

The project would require grading on slopes exceeding 20 percent for 32 residential lots and 11 road segments, and grading on slopes exceeding 30 percent for 13 residential lots and six road segments (Appendix E). Of the residential lots that would encroach on slopes over 20 percent gradients, the majority would occur along a minor ravine draining the northwestern portion of APN 113-250-017 on the project site. Development Standard GEO-O-2.2 of the OCP, which incorporates OCP EIR

Mitigation Measure GEO-3, prohibits development on erosive soils or slopes between 20 and 30 percent unless a geotechnical evaluation or similar report by a qualified expert demonstrates that the proposed development will not result in unstable slopes or severe erosion. Because slope grades directly contribute to landslide and erosion risks associated with hillside development, this development standard further prohibits development on slopes greater than 30 percent unless this limitation would restrict reasonable development.

In compliance with this requirement, a site-specific geology investigation was prepared for the project to assess the site for geotechnical hazards associated with soils (refer to Appendix E). The geology investigation concluded that the portion of the project site proposed for development would not be subject to severe slope stability risks. Nonetheless, a number of residential lots and roadway segments would be located on slopes exceeding 20 and 30 percent gradients. Mitigation Measure ~~GEO-1~~ GEO-2 would be required to reduce impacts resulting from locating development on unstable soils.

## Mitigation Measures

Implementation of Mitigation Measure ~~GEO-1~~ GEO-2 -1 would reduce potential impacts resulting from cut slopes exceeding 15 feet in height and development on slopes exceeding 20 and 30 percent gradients.

### *GEO-2 Soils Engineering Report Measures for Slope Stability*

On-site development shall require, and comply with, all recommendations contained in Section 13.0 of the Soils Engineering Report and Engineering Geology Investigation prepared for the project by GeoSolutions in June 2016 (Appendix E), including, but not limited to the following measures intended to reduce impacts from development on steep slopes and slope stability:

- Use engineered fill for building pads.
- Cut benches every four feet within any fill areas constructed on slopes greater than 10:1 (horizontal to vertical). Each bench shall be a minimum of 10 feet wide, with a minimum of two percent slope gradient.
- The construction contractor shall ensure that no continuous cut slopes exceed 15 feet in height as measured from the lowest finished grade.
- Exterior continuous footings shall be founded at a minimum depth of 12 inches below the lowest adjacent final grade for single-story structures and 18 inches below the lowest adjacent final grade for two-story structures. Foundations shall be designed in accordance to Section 1808.6.1, 2016 California Building Code.
- The minimum footing and grade beam sizes and depths in engineered fill shall be reviewed and approved by County of Santa Barbara Public Works Department staff or a County-approved geotechnical consultant.
- All foundation excavations shall be observed and approved by County of Santa Barbara Public Works Department staff or a County-approved geotechnical consultant. For foundation excavations for required embedment depth, County of Santa Barbara Public Works Department staff or a County-approved geotechnical consultant shall observe and approve excavation activities prior to the placement of reinforcing steel and/or concrete.
- Concrete slabs-on-grade and flatwork shall not be placed directly on unprepared native materials. Floor slabs shall be a minimum of 4 inches thick and reinforced with a minimum of #3 bars spaced at a maximum of 18 inches on-center, each way. Where lapping of the

slab steel is required, laps in adjacent bars shall be staggered a minimum of every five feet. If floor loads exceed 200 pounds per square foot, County of Santa Barbara Public Works Department staff or a County-approved geotechnical consultant shall review and approve the slab design.

These requirements shall be identified on project grading plan and development plans. Planning & Development staff shall review and approve all final plans prior to issuance of grading permits.

**Plan Requirements and Timing**. All recommendations contained in Section 13.0 of the Soils Engineering Report and Engineering Geology Investigation prepared for the project by GeoSolutions in June 2016 (Appendix E) shall be reflected on grading and building plans.

**Monitoring**. The Owner/Applicant shall demonstrate that the submitted plans conform to the required conditions. Planning & Development staff will review grading plans for compliance prior to issuance of grading permits. Grading and building inspectors shall ensure compliance in the field.

## Significance After Mitigation

Mitigation Measure GEO 1 would reduce impacts from potential hazards of slope failure to a less than significant level.

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|---|---|
| **Threshold:** | Would the project result in substantial soil erosion or the loss of topsoil? |

### Impact GEO-3 THE LOCATION AND FILL REQUIREMENTS OF THE PROJECT COULD RESULT IN LONG-TERM EROSIVE RUNOFF AND SEDIMENTATION IN NEARBY WATERWAYS. COMPLIANCE WITH EXISTING COUNTY BEST MANAGEMENT PRACTICES, AS WELL AS OCP POLICIES AND DEVELOPMENT STANDARDS, WOULD REDUCE EROSION POTENTIAL. NEVERTHELESS, LONG-TERM EROSIVE RUNOFF AND SEDIMENTATION MAY RESULT IN POTENTIALLY SIGNIFICANT HAZARDS ASSOCIATED WITH LONG-TERM EROSIVE RUNOFF AND SEDIMENTATION. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION (CLASS II).

Development of the project would require grading of the project site, including approximately 1,007,916 cubic yards of cut and fill. The grading is planned to be balanced between the Hidden Canyon and Willow Creek Neighborhoods. This grading activity would result in temporary exposure of ground surfaces throughout the project site. Most of the project site is underlain by Tierra Loam soil of five to 30 percent slopes and is severely eroded, which may result in rapid surface runoff rapid and high erosion hazards.

Because grading is planned to occur outside of the dry season of the year (April 1 to September 30), a standard erosion-control plan would be required that incorporated Santa Barbara County Best Management Practices to address and minimize sedimentation. Erosion of temporarily exposed soils could result in erosion-induced siltation of drainages on the project site. Impervious services installed in the early stages of construction could concentrate water flow, leading to increased erosion and siltation of drainages.

The project includes a 1,500-foot long public trail on the easternmost side of Key Site 21 in the proposed Hidden Canyon neighborhood. Ground disturbance during trail maintenance activities would result in potential short-term erosion and sedimentation, resulting in potentially significant short-term impacts. However, such trail improvements would prevent long-term erosion, resulting in beneficial long-term impacts.

The project incorporates Santa Barbara County BMPs for erosion control, which include the following:

- Utilize landform grading techniques to blend constructed slopes to the natural landform in a gradual naturalistic manner.
- Slope banks needed to create a road or lot building area that extends beyond the road areas or residential lots shall have as gentle as possible slope and shall be revegetated to transition and match the natural open space character.
- Any temporary or permanent ground disturbance on slopes shall be treated with erosion control measures within 30 days of disturbance.
- Any permanent grading shall be planted within four weeks with permanent planting appropriate to the landscape zone the slope occurs in, along with any appropriate irrigation and/or erosion fabric, seed or other treatment, to protect the slope from erosion.
- Graded areas shall be revegetated within four weeks of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. If necessary, as determined by Planning & Development, irrigation shall be provided. Geotextile binding fabrics shall be used if necessary to hold slope soils until vegetation is established.
- During the rainy season (October 1 through March 30), slopes shall be treated for erosion control immediately consistent with County of Santa Barbara Public Works Standards.
- Methods such as retention basins, drainage diversion structures, spot grading, silt fencing/coordinated sediment trapping, straw bales, and sand bags, etc. shall be used to prevent erosion on slopes and siltation during grading and construction activities.
- After construction of tract improvements and until construction of individual homes, exposed areas shall be stabilized to prevent wind and water erosion, using methods approved by Planning & Development Grading Division and Air Pollution Control District.
- Cut and fill benches shall be constructed at regular intervals.
- Excavation and grading shall be limited to the dry season of the year (i.e., April 1 to September 30) unless a Planning & Development Building and Safety-approved erosion control plan is in place and all measures therein are in effect.

The OCP EIR identified potentially significant impacts associated with blowing sand, increased erosion, slope collapse, and sedimentation on creeks and local drainages due to development on steep slopes with highly erosive soils during construction grading. The following development standards and policies were identified in the OCP to address potentially significant impacts associated with erosion and sedimentation during construction:

**DevStd FLD-O-3.2** Silt fencing, straw bales, sand bags, sediment basins, etc., shall be used in conjunction with other methods to prevent erosion on slopes and siltation of stream channels.

**Policy GEO-O-2** In areas of high erosion potential, development shall be sited and designed to minimize increased erosion.

**DevStd GEO-O-2.4** All surface water runoff shall be culverted and diverted to avoid exposed slopes directed to the nearest natural drainage channel. Where such measures are feasible and would not substantially increase erosion, vegetated earthen channels should be substituted for culverts. Cribwalls or other methods should be used where necessary to retain slopes.

**DevStd GEO-O-2.6** Landscape plans shall be reviewed by P&D [Planning and Development] to ensure revegetation of graded areas in areas of sandy soils. Landscape securities shall be required unless expressly waived by P&D.

The above development standards and policy would reduce potential erosion induced siltation of creek and other drainages. However, the project site is located on loose surface soils and along a deep ravine with vertical slopes and would require filling of topographic depressions to provide level pads for planned development. The geology investigation prepared for the project identified potentially significant hazards associated with long-term erosive runoff and sedimentation that may impact the unnamed drainages feeding into Orcutt Creek to the north. Therefore, mitigation is required to reduce impacts associated with soil erosion and loss of topsoil to less than significant.

## Mitigation Measures

Mitigation Measure ~~GEO-1~~ GEO-2 includes fill requirements for slopes greater than 10:1 (horizontal to vertical). In addition, Mitigation Measure GEO-3 is also required to ensure that fill material is sufficiently compacted to reduce potential for soil erosion and sedimentation into drainages.

### *GEO-3 Fill Compaction*

Fill depths exceeding 4-feet deep shall be compacted to a minimum relative density of 95 percent (ASTM D1557-07) to reduce long-term sedimentation resulting from proposed filling of topographic depressions within the project site.

**Plan Requirements and Timing**. This requirement shall be reflected on grading and building plans.

**Monitoring**. The Owner/Applicant shall demonstrate that the submitted plans conform to the required conditions. Grading and building inspectors shall ensure compliance in the field.

## Significance After Mitigation

Implementation of Mitigation Measures ~~GEO-1~~ GEO-2 and GEO-3 and implementation of applicable Santa Barbara County erosion control BMPs, as well as conformity with OCP policies and development standards, would reduce impacts associated with the short-term exposure of graded soils and potential for soil erosion and sedimentation into drainages resulting from buildout of the project to as less than significant level.

| | |
|---|---|
| **Threshold:** | Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? |

**Impact GEO-4 THE PROJECT WOULD BE LOCATED ON POTENTIALLY EXPANSIVE SOILS THAT POSE A RISK FOR SETTLEMENT. COMPLIANCE WITH CALIFORNIA BUILDING CODE REQUIREMENTS WOULD REDUCE THE RISK OF POTENTIAL HAZARDS ASSOCIATED WITH EXPANSIVE SOILS. NEVERTHELESS, LONG-TERM DEVELOPMENT ON SOILS WITH A HIGH POTENTIAL FOR EXPANSION OR SETTLEMENT MAY RESULT IN POTENTIALLY SIGNIFICANT HAZARDS. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION (CLASS II).**

The OCP EIR determined that the western OCP area, including the project site, is underlain by "Dune Sand" of the Orcutt Formation, sandy alluvial deposits characterized by severe erosion and collapsible soil hazards. The Graciosa Canyon/Orcutt Creek area is also clay-rich and therefore has an expansive soil hazard potential. To reduce potential impacts from expansive soils, the OCP EIR

includes Mitigation GEO-10, which requires a site-specific geologic and soils investigation be conducted to determine whether expansive or collapsible soils are present on the project site. If that investigation identifies expansive and/or liquefiable soils on-site, then they would be removed and replaced with suitable engineered backfill, and expansive soils would be reused for landscaping purposes.

The Soils Engineering Report and Engineering Geology Investigation prepared for the project (Appendix E) identifies the potential for soil settlement resulting from expansive soils on the project site. Development on soils with the potential for expansion or settlement would result in a potentially significant impact, requiring mitigation.

## Mitigation Measures

Mitigation Measure ~~GEO-1~~ GEO-2 includes fill requirements for slopes greater than 10:1 (horizontal to vertical). Mitigation Measure GEO-3 requires that fill material is sufficiently compacted to reduce potential for soil erosion and sedimentation into drainages. In addition, Mitigation Measure GEO-4 is also required to ensure all recommendations contained in the Soils Engineering Report and Engineering Geology Investigation (Appendix E) are fully implemented.

### *GEO-4 Soils Engineering Report Measures for Expansive/Liquefiable Soils*

On-site development shall require, and comply with, all recommendations contained in Section 13.0 of the Soils Engineering Report and Engineering Geology Investigation prepared for the project by GeoSolutions in June 2016 (Appendix E), including, but not limited to the following measures intended to reduce impacts from expansive and/or liquefiable soils:

- Isolated pad footings shall be a minimum of two square feet in size and are permitted for single floor loads only. Foundations shall be designed in accordance to Section 1808.6.2, 2016 California Building Code.
- The base of all grade beams and footings shall be level and stepped as required to accommodate any change in grade while maintaining the minimum required footing embedment and slope setback distance.

All on-site structures shall comply with applicable provisions of the California Building Code. These requirements shall be identified on project grading plans and development plans. Planning & Development staff shall review and approve all final plans for the removal of expansive and/or liquefiable soils prior to issuance of grading permits.

**Plan Requirements and Timing**. Prior to zoning clearance issuance for grading, the owner/applicant shall include all recommendations contained in Section 13.0 of the Soils Engineering Report and Engineering Geology Investigation prepared for the project by GeoSolutions in June 2016 (Appendix E) shall be reflected on grading and building plans.

**Monitoring**. The Owner/Applicant shall demonstrate that the submitted plans conform to the required conditions. Grading and building inspectors shall ensure compliance in the field. Planning & Development staff will review grading plans for compliance prior to issuance of grading permits. Grading and building inspectors shall ensure compliance in the field.

## Significance After Mitigation

Implementation of Mitigation Measures ~~GEO-1~~ GEO-2, GEO-3, and GEO-4 would ensure that impacts associated with expansive and liquefiable soils would be reduced to a less than significant level (Class II).

| | |
|---|---|
| **Threshold:** | Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? |

### Impact GEO-5 GROUND DISTURBANCE DURING PROJECT CONSTRUCTION COULD POTENTIALLY DESTROY A UNIQUE PALEONTOLOGICAL RESOURCE OR SITE; HOWEVER, IMPLEMENTATION OF RECOMMENDED BEST MANAGEMENT PRACTICES WOULD MINIMIZE POTENTIAL IMPACTS TO LESS THAN SIGNIFICANT (CLASS II).

As discussed in the Neighborhoods Specific Plan Paleontological Resource Assessment prepared by Amec Foster Wheeler in January 2019 (Appendix G), ground disturbance during construction of the project would occur within Quarternary-aged older dune sands and Orcutt sand (Appendix G). These geological units have a low potential to contain significant paleontological resources. However, geologic units of similar age and geographic proximity have been found to contain fossil material in or around the City of Santa Maria. Because ground disturbance during project construction could unintentionally discover or destroy significant paleontological resources, the project would have a potentially significant impact on paleontological resources. Therefore, the recommended best management practices contained in the Neighborhoods Specific Plan Paleontological Resource Assessment are included herein as mitigation to reduce potential impacts to less than significant.

## Mitigation Measures

### *GEO-5(a) Worker Paleontological Resource Awareness Session*

A qualified consultant selected by the Permittee and approved by Planning & Development shall develop a worker awareness program to educate all workers regarding the protection of any paleontological resources that may be discovered during project development, as well as appropriate procedures to enact should paleontological resources be discovered. The qualified consultant shall develop appropriate training materials including a summary of geologic units present at the development site, potential paleontological resources that may be encountered during development, and worker attendance sheets to record workers' completions of the awareness session. The worker awareness session for paleontological resources shall occur prior to project development, and as new employees are added to the project site workforce. The qualified consultant shall provide awareness session sign-in sheets documenting employee attendance to the County as requested.

**Plan Requirements and Timing**. The worker awareness program shall be reviewed and approved by Planning & Development prior to grading/building permit issuance. The Owner/Applicant shall provide Planning & Development compliance monitoring staff with the name and contact information for the qualified consultant prior to grading/building permit issuance and pre-construction meeting.

**Monitoring**. The Owner/Applicant shall demonstrate that the worker awareness program conforms to the required conditions.

*GEO-5(b) Paleontological Resources Inadvertently Discovered During Grading*

If any potentially significant paleontological resources are uncovered during ground disturbance or construction activities, the Permittee, under the direction of the qualified consultant identified in Mitigation Measure GEO-5(a), shall:

- Temporarily cease grading within 50 feet of the finds and redirect activity elsewhere to ensure the preservation of the resource in which the discovery was made;
- Immediately notify the Santa Barbara County Planning and Development and Public Works Departments regarding the resource and redirected grading activity;
- Obtain the services of a professional paleontologist who shall assess the significance of the find and provide recommendations as necessary for its proper disposition for review and approval by Santa Barbara County Planning and Development; and
- Complete all significance assessment and mitigation of impacts to the paleontological resource and verification reviewed and approved by Santa Barbara County Planning and Development prior to resuming grading in the area of the find.

Upon discovery of potentially significant paleontological resources and completion of the above measures, the Permittee shall submit to Santa Barbara County Planning and Development a report prepared by the qualified paleontologist documenting all actions taken.

**Plan Requirements and Timing**. This condition shall be printed on all building and grading plans.

**Monitoring**. Planning & Development compliance monitoring staff shall confirm monitoring by the qualified consultant and grading inspectors shall spot check field work.

## Significance After Mitigation

With incorporation of Mitigation Measures GEO-5(a) and GEO-5(b), the project would result in less than significant impacts to paleontological resources in the project area.

## c. Cumulative Impacts

Buildout of the Orcutt area would place development in areas that are prone to earthquakes and seismic-related hazards, contribute to erosion or the loss of topsoil through construction and operational activities, place development on or result in unstable soils, or place development on expansive soils. The OCP EIR identified potential impacts associated with blowing sand and the presence of collapsible soils. However, the OCP EIR determined that the level of significance of these cumulative impacts would be determined on a case-by-case basis. The magnitude of geologic hazards for individual projects would depend upon the location, type, and size of development and the specific hazards associated with individual sites. Any specific geologic hazards associated with each individual site would be limited to that site without affecting other areas. Compliance with County regulations and policies (including compliance with County development standards; OCP development standards; CBC requirements; OCP EIR mitigation; and Mitigation Measures ~~GEO-1~~ GEO-2, GEO-3, GEO-4, GEO-5(a), and GEO-5(b), where applicable) would reduce seismic and geologic hazards. Seismic and geologic hazards would be addressed on a case-by-case basis and would not result in cumulatively considerable impacts. Cumulative geologic hazard impacts would be adverse, but less than significant with mitigation (Class II). Potential paleontological impacts for individual projects would depend upon the location, type, and size of development and the specific geologic units and paleontological potential on a given site. Potential impacts to paleontological

resources associated with each individual site would be limited to that site without affecting other areas and impacts to these resources would be mitigated on a case-by-case basis.

# 4.9 Greenhouse Gas Emissions

This section analyzes the potential for the project to cause significant impacts related to greenhouse gas (GHG) emissions and climate change. The analysis in this section is based on a Greenhouse Gas Emissions Technical Report prepared for the project by Dudek in January 2019 and peer reviewed by Rincon Consultants, Inc. The full study is provided in Appendix H.

## 4.9.1 Setting

### a. Climate Change and Greenhouse Gases

Climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period of time. The term "climate change" is often used interchangeably with the term "global warming," but "climate change" is preferred to "global warming" because it helps convey that there are other changes in addition to rising temperatures. The baseline against which these changes are measured originates in historical records identifying temperature changes that have occurred in the past, such as during previous ice ages. The global climate is continuously changing, as evidenced by repeated episodes of substantial warming and cooling documented in the geologic record. The rate of change has typically been incremental, with warming or cooling trends occurring over the course of thousands of years. The past 10,000 years have been marked by a period of incremental warming as glaciers have steadily retreated across the globe. However, scientists have observed acceleration in the rate of warming during the past 150 years. Per the United Nations Intergovernmental Panel on Climate Change (IPCC), the understanding of anthropogenic warming and cooling influences on climate has led to a high confidence (95% or greater chance) that the global average net effect of human activities has been the dominant cause of warming since the mid-20$^{th}$ century (IPCC 2013).

Gases that absorb and re-emit infrared radiation in the atmosphere are called greenhouse gases (GHGs). The gases that are widely seen as the principal contributors to human-induced climate change include carbon dioxide ($CO_2$), methane ($CH_4$), nitrous oxides ($N_2O$), fluorinated gases such as hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs), and sulfur hexafluoride ($SF_6$). Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere, and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

GHGs are emitted by both natural processes and human activities. Of these gases, $CO_2$ and $CH_4$ are emitted in the greatest quantities from human activities. Emissions of $CO_2$ are largely by-products of fossil fuel combustion, whereas $CH_4$ results from off-gassing associated with agricultural practices and landfills. Man-made GHGs, many of which have greater heat-absorption potential than $CO_2$, include fluorinated gases and $SF_6$ (United States Environmental Protection Agency [U.S. EPA] 2018). Different types of GHGs have varying global warming potentials (GWPs). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas ($CO_2$) is used to relate the amount of heat absorbed to the amount of the gas emissions, referred to as "carbon dioxide equivalent" ($CO_2e$), and is the amount of a GHG emitted multiplied by its GWP. Carbon dioxide has a 100-year GWP of one. By contrast, methane $CH_4$ has a GWP of 25, meaning its global warming effect is 25 times greater than carbon dioxide on a molecule per molecule basis (IPCC 2007).

## Carbon Dioxide

The global carbon cycle is made up of large carbon flows and reservoirs. Billions of tons of carbon in the form of $CO_2$ are absorbed by oceans and living biomass (i.e., sinks) and are emitted to the atmosphere annually through natural processes (i.e., sources). When in equilibrium, carbon fluxes among these various reservoirs are roughly balanced (U.S. EPA 2018). $CO_2$ was the first GHG demonstrated to be increasing in atmospheric concentration, with the first conclusive measurements being made in the second half of the 20th century. Concentrations of $CO_2$ in the atmosphere have risen approximately 45% since the industrial revolution. The global atmospheric concentration of $CO_2$ has increased from a pre-industrial value of about 280 parts per million (ppm) to 405 ppm in 2017 (IPCC 2007; National Oceanic and Atmospheric Association [NOAA] 2018a). The average annual $CO_2$ concentration growth rate was larger between 2008 and 2017 (average: 2.2 ppm per year) than it has been over the course of the past 39 years (1979-2017 average: 1.8 ppm per year), although there is year-to-year variability in growth rates (NOAA 2018b). Currently, $CO_2$ represents an estimated 74% of total worldwide GHG emissions (IPCC 2007). The largest source of $CO_2$ emissions, and of overall GHG emissions, is fossil fuel combustion.

## Methane

Methane is an effective absorber of radiation, though its atmospheric concentration is less than that of $CO_2$ and its lifetime in the atmosphere is limited to 10 to 12 years. Over the last 250 years, the concentration of $CH_4$ in the atmosphere has increased by 148% (IPCC 2007), although total emissions have declined from 1990 levels. Anthropogenic sources of $CH_4$ include enteric fermentation associated with domestic livestock, landfills, natural gas and petroleum systems, agricultural activities, coal mining, wastewater treatment, stationary and mobile combustion, and certain industrial processes (U.S. EPA 2018).

## Nitrous Oxide

Concentrations of $N_2O$ began to rise at the beginning of the industrial revolution and continue to increase at a relatively uniform growth rate (NOAA 2018). $N_2O$ is produced by microbial processes in soil and water, including those reactions that occur in fertilizers that contain nitrogen, fossil fuel combustion, and other chemical processes. Use of these fertilizers has increased over the last century. Agricultural soil management and mobile source fossil fuel combustion are the major sources of anthropogenic $N_2O$ emissions. The GWP of nitrous oxide is approximately 298 times that of $CO_2$ (IPCC 2007).

## Fluorinated Gases (HFCs, PFCs and $SF_6$)

Fluorinated gases, such as HFCs, PFCs, and $SF_6$, are powerful GHGs that are emitted from a variety of industrial processes. Fluorinated gases are used as substitutes for ozone-depleting substances such as chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), and halons, which have been regulated since the mid-1980s because of their ozone-destroying potential and are phased out under the Montreal Protocol (1987) and Clean Air Act Amendments of 1990. Electrical transmission and distribution systems account for most $SF_6$ emissions, while PFC emissions result from semiconductor manufacturing and as a by-product of primary aluminum production. Fluorinated gases are typically emitted in smaller quantities than $CO_2$, $CH_4$, and $N_2O$, but these compounds have much higher GWPs. $SF_6$ is the most potent GHG the IPCC has evaluated.

## b. Greenhouse Gas Emissions Inventory

### Federal Emissions Inventory

Total U.S. GHG emissions were 6,511.3 million metric tons (MMT or gigatonnes) of $CO_2e$ in 2016 (U.S. EPA 2018). Total U.S. emissions have increased by 2.4 percent since 1990; emissions decreased by 1.9 percent from 2015 to 2016 (U.S. EPA 2018). The decrease from 2014 to 2015 was a result of multiple factors, including: (1) substitution from coal to natural gas and other non-fossil energy sources in the electric power sector and (2) warmer winter conditions in 2016 resulting in a decreased demand for heating fuel in the residential and commercial sectors (U.S. EPA 2018). Since 1990, U.S. emissions have increased at an average annual rate of 0.1 percent. In 2016, the industrial and transportation end-use sectors accounted for 29 percent each of GHG emissions (with electricity-related emissions distributed), respectively. Meanwhile, the residential and commercial end-use sectors accounted for 15 percent and 16 percent of $CO_2e$ emissions, respectively (U.S. EPA 2018).

### California Emissions Inventory

Based on the California Air Resource Board's (CARB) California Greenhouse Gas Inventory for 2000-2016, California produced 429.4 MMT of $CO_2e$ in 2016 (CARB 2018a). The major source of GHGs in California is associated with transportation, contributing 41 percent of the state's total GHG emissions. The industrial sector is the second largest source, contributing 23 percent of the state's GHG emissions, and electric power accounted for approximately 16 percent (CARB 2018a). California emissions are due in part to its large size and large population compared to other states. However, a factor that reduces California's per capita fuel use and GHG emissions, as compared to other states, is its relatively mild climate. CARB has projected that statewide unregulated GHG emissions for the year 2020 will be 509 MMT of $CO_2e$ (CARB 2018b). These projections represent the emissions that would be expected to occur in the absence of any GHG reduction actions.

### Santa Barbara County Emissions Inventory.

In 2015, the County of Santa Barbara published its Energy and Climate Action Plan (ECAP). The ECAP included a 2007 GHG emissions inventory. Results of the inventory are shown in Table 4.9-1.

**Table 4.9-1 Santa Barbara County 2007 GHG Emissions Inventory**

| Source | Subsector | 2007 Total (MT of $CO_2e$) |
|---|---|---|
| Transportation | On-Road Transportation from Trips Beginning and/or Ending in the Unincorporated County | 521,160 |
| Residential Energy | Residential Electricity<br>Residential Natural Gas | 195,490 |
| Commercial Energy | Commercial Electricity<br>Commercial Natural Gas | 121,580 |
| Off-Road | Agricultural Equipment<br>Construction and Mining Equipment<br>Industrial Equipment<br>Lawn & Garden Equipment<br>Light Commercial Equipment | 102,140 |
| Solid Waste | Landfilled Waste<br>Alternative Daily Cover | 91,920 |
| Agriculture | Fertilizer Emissions<br>Livestock Emissions | 62,110 |
| Water and Wastewater | Electricity Used by Water Systems<br>Wastewater Emissions<br>Septic Tanks | 49,520 |
| Industrial Energy | Industrial Electricity<br>Industrial Natural Gas | 46,780 |
| Aircraft | Landings and Takeoffs from Santa Ynez Airport | 2,270 |
| **Total** | | **1,192,970** |

Source: County of Santa Barbara 2015

## c. Potential Effects of Climate Change

Globally, climate change has the potential to affect numerous environmental resources though potential impacts related to future air temperatures and precipitation patterns. Scientific modeling predicts that continued GHG emissions at or above current rates would induce more extreme climate changes during the 21st century than were observed during the 20th century. Long-term trends have found that each of the past three decades has been warmer than all the previous decades in the instrumental record, and the decade from 2000 through 2010 has been the warmest. The observed global mean surface temperature (GMST) for the decade from 2006 to 2015 was approximately 0.87°C (0.75°C to 0.99°C) higher than the average GMST over the period from 1850 to 1900. Furthermore, several independently analyzed data records of global and regional Land-Surface Air Temperature (LSAT) obtained from station observations are in agreement that LSAT as well as sea surface temperatures have increased. Due to past and current activities, anthropogenic GHG emissions are increasing global mean surface temperature at a rate of 0.2°C per decade. In addition to these findings, there are identifiable signs that global warming is currently taking place, including substantial ice loss in the Arctic over the past two decades (IPCC 2014 and 2018).

According to *California's Fourth Climate Change Assessment*, statewide temperatures from 1986 to 2016 were approximately 1°F to 2°F higher than those recorded from 1901 to 1960. Potential

impacts of climate change in California include loss in water supply from snow pack, sea level rise, more extreme heat days per year, larger and more frequent forest fires, and more drought years (State of California 2018). In addition to statewide projections, *California's Fourth Climate Change Assessment* includes regional reports that summarize climate impacts and adaptation solutions for nine regions of the state as well as regionally-specific climate change case studies (State of California 2018). While there is growing scientific consensus about the possible effects of climate change at a global, statewide, and regional level, current scientific modeling tools are unable to predict what local impacts may occur with a similar degree of accuracy. Below is a summary of some of the potential effects that could be experienced in California as a result of climate change.

## Air Quality

Higher temperatures, which are conducive to air pollution formation, could worsen air quality in California. Climate change may increase the concentration of ground-level ozone, but the magnitude of the effect, and therefore its indirect effects, are uncertain. As temperatures have increased in recent years, the area burned by wildfires throughout the state has increased, and wildfires have been occurring at higher elevations in the Sierra Nevada Mountains (State of California 2018). If higher temperatures continue to be accompanied by an increase in the incidence and extent of large wildfires, air quality would worsen. However, if higher temperatures are accompanied by wetter, rather than drier conditions, the rains would tend to temporarily clear the air of particulate pollution and reduce the incidence of large wildfires, thereby ameliorating the pollution associated with wildfires. Additionally, severe heat accompanied by drier conditions and poor air quality could increase the number of heat-related deaths, illnesses, and asthma attacks throughout the state (California Natural Resources Agency 2009).

## Water Supply

Analysis of paleoclimatic data (such as tree-ring reconstructions of stream flow and precipitation) indicates a history of naturally and widely varying hydrologic conditions in California and the west, including a pattern of recurring and extended droughts. Uncertainty remains with respect to the overall impact of climate change on future precipitation trends and water supplies in California. For example, many southern California cities have experienced their lowest recorded annual precipitation twice within the past decade; however, in a span of only two years, Los Angeles experienced both its driest and wettest years on record (California Department of Water Resources [DWR] 2008). This uncertainty regarding future precipitation trends complicates the analysis of future water demand, especially where the relationship between climate change and its potential effect on water demand is not well understood. However, the average early spring snowpack in the western United States, including the Sierra Nevada Mountains, decreased by about 10 percent during the last century. During the same period, sea level rose over 5.9 inches along the central and southern California coast (State of California 2018). The Sierra snowpack provides the majority of California's water supply by accumulating snow during the state's wet winters and releasing it slowly during the state's dry springs and summers. A warmer climate is predicted to reduce the fraction of precipitation falling as snow and result in less snowfall at lower elevations, thereby reducing the total snowpack (DWR 2008; State of California 2018). The State of California projects that average spring snowpack in the Sierra Nevada and other mountain catchments in central and northern California will decline by approximately 66 percent from its historical average by 2050 (State of California 2018).

## Hydrology and Sea Level Rise

As discussed above, climate change could potentially affect the amount of snowfall, rainfall, and snow pack; the intensity and frequency of storms; flood hydrographs (flash floods, rain or snow events, coincidental high tide and high runoff events); sea level rise and coastal flooding; coastal erosion; and the potential for salt water intrusion. Climate change has the potential to induce substantial sea level rise in the coming century (State of California 2018). The rising sea level increases the likelihood and risk of flooding. The rate of increase of global mean sea levels over the 2001-2010 decade, as observed by satellites, ocean buoys and land gauges, was approximately 3.2 millimeters (mm) per year, which is double the observed 20th century trend of 1.6 mm per year (World Meteorological Organization [WMO] 2013). As a result, global mean sea levels averaged over the last decade were about 8 inches higher than those of 1880 (WMO 2013). Sea levels are rising faster now than in the previous two millennia, and the rise is expected to accelerate, even with robust GHG emission control measures. The most recent IPCC report predicts a mean sea–level rise of 10 to 37 inches by 2100 (IPCC 2018). A rise in sea levels could completely erode 31 to 67 percent of southern California beaches, result in flooding of approximately 370 miles of coastal highways during 100-year storm events, jeopardize California's water supply due to salt water intrusion, and induce groundwater flooding and/or exposure of buried infrastructure (State of California 2018). In addition, increased $CO_2$ emissions can cause oceans to acidify due to the carbonic acid it forms. Increased storm intensity and frequency could affect the ability of flood-control facilities, including levees, to handle storm events.

## Agriculture

California has a $50 billion annual agricultural industry that produces over a third of the country's vegetables and two-thirds of the country's fruits and nuts (California Department of Food and Agriculture 2018). Higher $CO_2$ levels can stimulate plant production and increase plant water-use efficiency. However, if temperatures rise and drier conditions prevail, certain regions of agricultural production could experience water shortages of up to 16 percent; water demand could increase as hotter conditions lead to the loss of soil moisture; crop-yield could be threatened by water-induced stress and extreme heat waves; and plants may be susceptible to new and changing pest and disease outbreaks (State of California 2018). In addition, temperature increases could change the time of year certain crops, such as wine grapes, bloom or ripen, and thereby affect their quality (California Climate Change Center 2006).

## Ecosystems and Wildlife

Climate change and the potential resulting changes in weather patterns could have ecological effects on a global and local scale. Increasing concentrations of GHGs are likely to accelerate the rate of climate change. Scientists project that the annual average maximum daily temperatures in California could rise by 4.4 to 5.8°F in the next 50 years and by 5.6 to 8.8°F in the next century (State of California 2018). Soil moisture is likely to decline in many regions, and intense rainstorms are likely to become more frequent. Rising temperatures could have four major impacts on plants and animals related to (1) timing of ecological events; (2) geographic distribution and range; (3) species' composition and the incidence of nonnative species within communities; and (4) ecosystem processes, such as carbon cycling and storage (Parmesan 2006; State of California 2018).

## d. Regulatory Setting

### Federal Regulations

The U.S. Supreme Court in *Massachusetts et al. v. Environmental Protection Agency et al*. ([2007] 549 U.S. 05-1120) held that the U.S. EPA has the authority to regulate motor-vehicle GHG emissions under the federal Clean Air Act. The U.S. EPA issued a Final Rule for mandatory reporting of GHG emissions in October 2009. This Final Rule applies to fossil fuel suppliers, industrial gas suppliers, direct GHG emitters, and manufacturers of heavy-duty and off-road vehicles and vehicle engines, and requires annual reporting of emissions. In 2012, the U.S. EPA issued a Final Rule that establishes the GHG permitting thresholds that determine when Clean Air Act permits under the New Source Review Prevention of Significant Deterioration (PSD) and Title V Operating Permit programs are required for new and existing industrial facilities.

In 2014, the U.S. Supreme Court in *Utility Air Regulatory Group v. EPA* (134 S. Ct. 2427 [2014]) held that U.S. EPA may not treat GHGs as an air pollutant for purposes of determining whether a source is a major source required to obtain a PSD or Title V permit. The Court also held that PSD permits that are otherwise required (based on emissions of other pollutants) may continue to require limitations on GHG emissions based on the application of Best Available Control Technology (BACT).

### California Regulations

California Air Resources Board (CARB) is responsible for the coordination and oversight of State and local air pollution control programs in California. California has numerous regulations aimed at reducing the state's GHG emissions. These initiatives are summarized below.

#### *California Advanced Clean Cars Program*

Assembly Bill (AB) 1493 (2002), California's Advanced Clean Cars program (referred to as "Pavley"), requires CARB to develop and adopt regulations to achieve "the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles." On June 30, 2009, U.S. EPA granted the waiver of Clean Air Act preemption to California for its GHG emission standards for motor vehicles beginning with the 2009 model year. Pavley I regulates model years from 2009 to 2016 and Pavley II, which is now referred to as "LEV (Low Emission Vehicle) III GHG" regulates model years from 2017 to 2025. The Advanced Clean Cars program coordinates the goals of the Low Emissions Vehicles (LEV), Zero Emissions Vehicles (ZEV), and Clean Fuels Outlet programs, and would provide major reductions in GHG emissions. By 2025, when the rules will be fully implemented, new automobiles will emit 34 percent fewer GHGs and 75 percent fewer smog-forming emissions from their model year 2016 levels (CARB 2011).

#### *Assembly Bill 32*

California's major initiative for reducing GHG emissions is outlined in Assembly Bill (AB) 32, the "California Global Warming Solutions Act of 2006," which was signed into law in 2006. AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 and requires CARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHGs to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to require reporting and verification of statewide GHG emissions. Based on this guidance, CARB approved a 1990 statewide GHG level and 2020 limit of 427 MMT $CO_2e$. The Scoping Plan was approved by CARB on December 11, 2008 and included measures to address GHG emission reduction strategies related to energy efficiency, water use, and recycling and solid waste, among other measures. Many of the GHG reduction

measures included in the Scoping Plan (e.g., Low Carbon Fuel Standard, Advanced Clean Car standards, and Cap-and-Trade) have been adopted since approval of the Scoping Plan.

In May 2014, CARB approved the first update to the AB 32 Scoping Plan. The 2013 Scoping Plan update defined CARB's climate change priorities for the next five years and set the groundwork to reach post-2020 statewide goals. The update highlighted California's progress toward meeting the "near-term" 2020 GHG emission reduction goals defined in the original Scoping Plan. It also evaluated how to align the State's longer-term GHG reduction strategies with other State policy priorities, including those for water, waste, natural resources, clean energy, transportation, and land use (CARB 2014).

### *Senate Bill 97*

Senate Bill (SB) 97, signed in August 2007, acknowledges that climate change is an environmental issue that requires analysis in California Environmental Quality Act (CEQA) documents. In March 2010, the California Natural Resources Agency (Resources Agency) adopted amendments to the State CEQA Guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions. The adopted guidelines give lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHG and climate change impacts.

### *Senate Bill 375*

SB 375, signed in August 2008, enhances the state's ability to reach AB 32 goals by directing CARB to develop regional GHG emission reduction targets to be achieved from passenger vehicles by 2020 and 2035. In addition, SB 375 directs each of the state's 18 major Metropolitan Planning Organizations (MPOs) to prepare a "sustainable communities strategy" (SCS) that contains a growth strategy to meet these emission targets for inclusion in the Regional Transportation Plan (RTP). On March 22, 2018, CARB adopted updated regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035. The Santa Barbara County Association of Governments (SBCAG) was assigned targets of an 13% reduction in GHGs from transportation sources by 2020 and a 17% reduction in GHGs from transportation sources by 2035. The SBCAG 2040 Regional Transportation Plan and Sustainable Communities Strategy (2040 RTP-SCS) demonstrated that the SBCAG region would achieve its regional emissions reduction targets for the 2020 and 2035 target years.

### *Senate Bill 32*

On September 8, 2016, the governor signed Senate Bill 32 (SB 32) into law, extending AB 32 by requiring the State to further reduce GHGs to 40 percent below 1990 levels by 2030 (the other provisions of AB 32 remain unchanged). On December 14, 2017, CARB adopted the 2017 Scoping Plan, which provides a framework for achieving the 2030 target. The 2017 Scoping Plan relies on the continuation and expansion of existing policies and regulations, such as the Cap-and-Trade Program, as well as implementation of recently adopted policies and policies, such as SB 350 and SB 1383 (see below). The 2017 Scoping Plan also puts an increased emphasis on innovation, adoption of existing technology, and strategic investment to support its strategies. As with the 2013 Scoping Plan Update, the 2017 Scoping Plan does not provide project-level thresholds for land use development. Instead, it recommends that local governments adopt policies and locally-appropriate quantitative thresholds consistent with statewide per capita goals of six metric tons (MT) $CO_2e$ by 2030 and two MT $CO_2e$ by 2050 (CARB 2017). As stated in the 2017 Scoping Plan, these goals may be appropriate for plan-level analyses (city, county, subregional, or regional level), but not for specific individual projects because they include all emissions sectors in the state (CARB 2017).

### *Senate Bill 1383*

Adopted in September 2016, SB 1383 requires CARB to approve and begin implementing a comprehensive strategy to reduce emissions of short-lived climate pollutants. The bill requires the strategy to achieve the following reduction targets by 2030:

- Methane – 40 percent below 2013 levels
- Hydrofluorocarbons – 40 percent below 2013 levels
- Anthropogenic black carbon – 50 percent below 2013 levels

The bill also requires the California Department of Resources Recycling and Recovery (CalRecycle), in consultation with the CARB, to adopt regulations that achieve specified targets for reducing organic waste in landfills.

### *Senate Bill 100*

Adopted on September 10, 2018, SB 100 supports the reduction of GHG emissions from the electricity sector by accelerating the state's Renewables Portfolio Standard Program, which was last updated by SB 350 in 2015. SB 100 requires electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

### *Executive Order B-55-18*

On September 10, 2018, the governor issued Executive Order B-55-18, which established a new statewide goal of achieving carbon neutrality by 2045 and maintaining net negative emissions thereafter. This goal is in addition to the existing statewide GHG reduction targets established by SB 375, SB 32, SB 1383, and SB 100.

### *California Environmental Quality Act*

Pursuant to the requirements of SB 97, the Resources Agency has adopted amendments to the *State CEQA Guidelines* for the feasible mitigation of GHG emissions or the effects of GHG emissions. The adopted *CEQA Guidelines* provide general regulatory guidance on the analysis and mitigation of GHG emissions in CEQA documents, while giving lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts. To date, a variety of air districts have adopted quantitative significance thresholds for GHGs.

For more information on the Senate and Assembly Bills, Executive Orders, and reports discussed above, and to view reports and research referenced above, please refer to the following websites: www.climatechange.ca.gov and www.arb.ca.gov/cc/cc.htm.

## Local Regulations

### *SBCAG 2040 RTP-SCS*

SBCAG prepared a 2040 RTP-SCS, adopted in August 2017, which explains how the region will achieve the required GHG per capita emission targets as well the co-benefits of reducing criteria pollutants. The 2040 RTP-SCS is based on a preferred land use and transportation scenario, which lays out one possible pattern of future growth and transportation investment for the region. The 2040 RTP-SCS preferred scenario emphasizes a transit-oriented development and infill approach to land use and housing, supported by complementary transportation and transit investments. The

2040 RTP-SCS meets the requirements of SB 375 and successfully achieves the region's GHG emission targets in 2020 and 2035, while accommodating forecast growth and regional housing needs. The 2040 RTP-SCS would meet the SBCAG region's GHG emission targets from passenger vehicles for 2020 and 2035, achieving reductions in per capita $CO_2$ emissions from passenger vehicles of 13.3% by 2020 and 17.7% by 2035 (SBCAG 2017).

### *Santa Barbara Air Pollution Control District*

On April 30, 2015, the Santa Barbara Air Pollution Control District (SBCAPCD) adopted an "AB 32 Consistency" threshold for stationary sources that require a Permit to Operate from the District (including a screening level threshold of 10,000 MT $CO_2e$). The SBCAPCD has not adopted quantitative significance thresholds for land use projects.

### *County of Santa Barbara ECAP*

In May 2015, the County of Santa Barbara Board of Supervisors adopted its ECAP and certified the accompanying EIR. The ECAP commits the County to reduce community-wide GHG emissions by 15 percent below 2007 levels by 2020 consistent with the California Global Warming Solutions Act of 2006 (Assembly Bill 32) and the original Climate Change Scoping Plan (CARB 2008). The ECAP identified 53 emission reduction measures (ERMs) that would enable the County to meet the GHG reduction target of 15 percent below baseline (2007) levels by 2020, consistent with AB 32. Examples of the ERMs in the ECAP include, an energy checklist for residential building permits (BE 2), energy efficiency education and outreach programs (BE 4), and additional opportunities to recycle cardboard, glass, paper, and plastic products (WR 2). Specific projects included in the ECAP's emission forecast are not currently required to incorporate ERMs listed in the ECAP or any other mitigation measures to reduce GHG emissions. According to the most recent (2017) progress report, 2016 emissions from Santa Barbara County are 14 percent higher than 2007 levels due to increases in vehicle trips, construction activity, natural gas use in non-residential buildings, and agricultural fertilizer use. As a result, to meet its target of 15 percent below 2007 levels, the County would need to reduce emissions by 26 percent from 2016 levels (County of Santa Barbara 2018).

The ECAP included a GHG emissions forecast for unincorporated Santa Barbara County through 2020. The growth estimates used in the ECAP's GHG emissions forecast were based on SBCAG's Regional Growth Forecast 2005-2040 and the 2010 U.S. Census (SBCAG 2007). The growth estimates were based on factors that included population projections, vehicle trends, and planned land uses. The sources of GHG emissions included various sectors, such as transportation, residential energy, commercial energy, off-road, solid waste, agriculture, water and wastewater, industrial energy, and aircraft. As a result, most residential and commercial projects that are consistent with the County's zoning (in 2007) were included in the forecast. However, certain projects were not included in the emissions forecast, such as stationary source projects (e.g., large boilers, gas stations, auto body shops, dry cleaners, oil and gas production facilities, and water treatment facilities), Comprehensive Plan amendments, and community plans that exceed the County's projected population and job growth, due to uncertainty in forecasting their GHG emissions. Projects not included in the forecast must be evaluated on a case-by-case basis.

Concurrent with the ECAP, the Board of Supervisors also adopted an amendment to the Energy Element of the Comprehensive Plan that requires the County to monitor progress towards meeting the emission reduction target and, as necessary, update the ECAP.

The ECAP meets the criteria in CEQA Guidelines Section 15183.5(b) for a "plan to reduce GHG emissions." Therefore, the ECAP is a qualified GHG reduction plan for the purposes of tiering under

CEQA. However, the ECAP is not qualified to streamline development projects with a horizon year post-2020because it does not outline a discrete pathway to achieving the 2030 GHG emission reduction target established by SB 32 or the 2045 target established by EO B-55-18. The ECAP does not include quantitative significance thresholds for land use projects. Instead, it outlines a programmatic approach to review new development. Any project-specific environmental document that relies on the ECAP for its cumulative impacts analysis must identify specific ERMs applicable to the project and demonstrate the project's incorporation of the measures. In addition, the ECAP includes a checklist to assist project applicants and County staff in determining whether a proposed project that was considered in the County's 2020 and 2035 GHG emissions forecasts is within substantial compliance with the ECAP ("Appendix F. ECAP Consistency Checklist Template"). The County's GHG emissions forecasts were based on growth estimates contained in the SBCAG's 2007 Regional Growth Forecast (County of Santa Barbara 2015).

### *Orcutt Community Plan*

While the OCP does not address GHG emissions directly, the OCP incorporates policies and development standards that serve to reduce GHG emissions from construction and operation of new and existing development in the OCP area. A summary of the OCP policies and development standards that would apply to the project is provided below. OCP Policies and Development Standards for air quality that would contribute to GHG emissions reduction include:

- Policy AQ-O-1, Prog. AQ-O-1.1, Prog. AQ-O-1.2, and Action AQ-O-1., which encourage land use planning and development design that reduce air pollution through development of transportation infrastructure supportive of alternative modes of transportation and pedestrian oriented developments; and
- Policy AQ-O-3, which promotes the use of alternative fuels, solar energy systems, and use of construction techniques designed to conserve energy and minimize pollution.

OCP Policies and Development Standards for transportation that would contribute to GHG emissions reduction include:

- Policy CIRC-O-1 and Action CIRC-O-1.1, which encourage the implementation of long-term improvements to roadways and alternative transportation facilities, such as transit and alternative modes of transportation (e.g., bikeways and pedestrian paths);
- Policy CIRC-O-6, Action CIRC-0-6.1, and Action CIRC-O-6.2, which encourage development of all feasible forms of alternative transportation, including transit services and park-and-ride facilities;
- Policy CIRC-O-7, which encourages Caltrans to accommodate planned bicycle facilities in highway overpasses; and
- Policy CIRC-O-0, which requires development to be sited and designed to provide maximum access to non-motor vehicle forms of transportation where feasible.

## 4.9.2 Previous Environmental Review

The OCP EIR was certified in 1995, prior to the passage of any state legislation regulating GHG emissions or their analysis under CEQA. Therefore, the OCP EIR did not address impacts related to GHG emissions and climate change. Accordingly, this document includes a full analysis of potential impacts related to GHG emissions by construction and operation of the proposed project.

# 4.9.3 Impact Analysis

## a. Methodology and Significance Thresholds

### Methodology

GHG emissions from construction and operation of the project were estimated using the California Emissions Estimator Model (CalEEMod) version 2016.3.2 based on project data provided by the project applicant, locally-appropriate industry-standard assumptions, and CalEEMod default values for projects in Santa Barbara County when project specifics were not known. The trip generation rates calculated in the project Traffic and Circulation Study (Appendix K) were used as inputs in CalEEMod. See Appendix H for a detailed discussion of methodology and GHG emission modeling assumptions.

### Significance Thresholds

Appendix G of the CEQA Guidelines considers a project to have a significant impact related to GHG emissions if the project would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

In addition, CEQA Guidelines Section 15064.4(b) states that a lead agency should consider the following factors, among others, when assessing the significance of impacts from GHG emissions on the environment:

1. The extent to which the project may increase or reduce GHG emissions as compared to the existing environmental setting;
2. Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; and
3. The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions. Such requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project's incremental contribution of GHG emissions.

#### *Project-Specific Efficiency Threshold*

In accordance with CEQA Guidelines Section 15064.4(b)(2), this analysis develops a project-specific, locally-appropriate efficiency threshold to determine the significance of the project's GHG emissions. An efficiency threshold is calculated by dividing the allowable GHG emissions inventory in a selected calendar year by the service population (residents plus employees). This calculation identifies the quantity of emissions that can be permitted on a per service population basis without significantly impacting the environment. This approach is appropriate for the proposed project because it measures the project's emissions on a per-service population basis to determine its overall GHG efficiency relative to regulatory GHG reduction goals, as opposed to applying a relatively arbitrary threshold limit that may not be well substantiated.

For the proposed project, an efficiency threshold was calculated based on Santa Barbara County's projected target GHG emission levels that would be consistent with state targets and the service population of Santa Barbara County in the year of project buildout (2024). To develop the service population for the project's buildout year, forecasted population and employment data was sourced from the SBCAG Regional Growth Forecast, which is consistent with the assumptions in the ECAP (SBCAG 2012). Data from the SBCAG 2010-2040 Regional Growth Forecast was used to linearly interpolate population and employment for the year 2024 (SBCAG 2012). Calculations used to derive the 2024 service population are detailed below. As shown, the County's 2024 service population would be approximately 206,574 persons.

$$2024\ SP = 2020\ SP + (2035\ SP - 2020\ SP) * \frac{(2024 - 2020)}{(2035 - 2020)}$$

**Where:**

2020 SP = 145,581 residents + 55,779 employees: 201,360 persons (SBCAG 2012)

2024 SP = Linear interpolation between 2020 SP and 2035 SP: 206,574 persons

2035 SP = 160,588 residents + 60,324 employees: 220,912 (SBCAG 2012)

The County of Santa Barbara ECAP sets a target of reducing GHG emissions by 15 percent below baseline (2007) emissions by 2020, which is consistent with guidance to local governments contained in the AB 32 Climate Change Scoping Plan for achieving a return to 1990 levels in accordance with AB 32 (CARB 2008). However, the project would be operational in 2024 and must therefore demonstrate GHG emission reductions consistent with SB 32, which sets a statewide goal of reducing GHG emissions by 40 percent below 2020 levels by year 2030.

To develop a locally-applicable, project-specific 2024 threshold, the County's baseline (2007) GHG emissions inventory was modified by removing emission sectors that would not be directly affected by the proposed land-use changes, such as the industrial, agricultural, and aircraft sectors. As shown in Table 4.9-2, after removing emission sectors that do not apply to the project, the 2007 GHG emissions from the remaining sectors were then summed to estimate a project-applicable 2007 GHG emissions level, which is 1,006,530 MT of $CO_2e$. In accordance with AB 32, this baseline level was reduced by 15 percent to determine the applicable 2020 GHG emissions target (855,551 MT of $CO_2e$ per year). In accordance with SB 32, the 2020 target was then reduced by 5.2 percent per year through 2024 to determine the project-applicable 2024 GHG emissions target (677,596 MT of $CO_2e$ per year) (CARB 2015).

The project-applicable 2024 GHG emissions target was divided by the countywide 2024 service population to determine a locally-appropriate, project-specific threshold. As shown in Table 4.9-3, the locally-appropriate 2024 project-specific threshold consistent with the SB 32 target is 3.3 MT of $CO_2e$ per service population. Therefore, for this project-specific analysis, the project would be compliant with the SB 32 target if project emissions are below the locally-applicable, project-specific 3.3 MT $CO_2e$ per service population threshold.

## Table 4.9-2 Santa Barbara County 2007 GHG Emissions Inventory Sectors

| Source | Subsector | 2007 Total (MT of $CO_2e$) | Project-Specific? | Reason for Inclusion/Exclusion |
|---|---|---|---|---|
| Transportation | On-Road Transportation from Trips Beginning and/or Ending in the Unincorporated County | 521,160 | Yes | Residents would make vehicle trips to and from the project site. |
| Residential Energy | Residential Electricity | 185,610 | Yes | Residences would be powered electricity and natural gas. |
| | Residential Natural Gas | 109,880 | Yes | |
| Commercial Energy | Commercial Electricity | 41,960 | Yes | Efficiency thresholds are based on the service population, which includes both residents and employees. |
| | Commercial Natural Gas | 79,620 | Yes | |
| Off-Road | Agricultural Equipment | 67,500 | No | No agricultural uses are proposed. |
| | Construction and Mining Equipment | 58,560 | Yes | Construction equipment would be used during project construction. |
| | Industrial Equipment | 2,490 | No | No industrial uses are proposed. |
| | Lawn & Garden Equipment | 2,560 | Yes | On-site usage by residents |
| | Light Commercial Equipment | 1,030 | Yes | Efficiency thresholds are based on the service population, which includes both residents and employees. |
| Solid Waste | Landfilled Waste | 90,440 | Yes | Residents would generate and dispose of solid waste. |
| | Alternative Daily Cover | 1,480 | Yes | |
| Agriculture | Fertilizer Emissions | 34,080 | No | No agricultural uses are proposed. |
| | Livestock Emissions | 28,030 | No | |
| Water and Wastewater | Electricity Used by Water Systems | 42,680 | Yes | Residents would consume water and generate wastewater. |
| | Wastewater Emissions | 1,550 | Yes | |
| | Septic Tanks | 5,290 | No | No septic tanks are proposed. |
| Industrial Energy | Industrial Electricity | 33,490 | No | No industrial uses are proposed. |
| | Industrial Natural Gas | 13,290 | No | |
| Aircraft | Landings and Takeoffs from Santa Ynez Airport | 2,270 | No | Residents are not expected to regularly use the Santa Ynez Airport given that it is not a commercial airport. |
| **Total 2007 GHG Emissions** | | **1,192,970** | | |
| **Sectors Not Applicable to the Project** | | **(186,440)** | | |
| **2007 GHG Emissions Applicable to the Project** | | **1,006,530** | | |

Source: County of Santa Barbara 2015

**Table 4.9-3 SB 32 Locally-Appropriate Project-Specific Threshold**

| Source | | Metric |
|---|---|---|
| Locally-Appropriate 2030 Project Threshold | 2007 Countywide Project-Applicable GHG Emissions[1] | 1,006,530 |
| | 2020 Countywide Project-Applicable GHG Emissions Target[1] | 855,551 |
| | 2024 Countywide Project-Applicable GHG Emissions Target[2] | 677,596 |
| | 2024 Countywide Service Population[3] | 206,574 |
| | **2024 Service Person Target (MT of $CO_2e$ per Service Person)** | **3.3** |

[1] Source: SBCAG 2015

[2] Interpolation of AB 32 reduction target (15 percent reduction of baseline 2007 emission levels) and SB 32 target (40 percent in accordance with SB 32)

[3] Interpolation of 2020 and 2035 population and household data from SBCAG 2010-2040 Regional Growth Forecast (Appendices B and H)

At this time, the State has codified a target of reducing emissions to 40 percent below 1990 emissions levels by 2030 (SB 32) and has developed the 2017 Scoping Plan to demonstrate how the State will achieve the 2030 target and make substantial progress toward the 2050 goal of an 80 percent reduction in 1990 GHG emission levels set by EO S-3-05. In the recently signed EO B-55-18, which identifies a new goal of carbon neutrality by 2045 and supersedes the goal established by EO S-3-05, CARB has been tasked with including a pathway toward the EO B-55-18 carbon neutrality goal in the next Scoping Plan update.

While State and regional regulators of energy and transportation systems, along with the State's Cap and Trade program, are designed to be set at limits to achieve most of the reductions needed to hit the State's long-term targets, local governments can do their fair share toward meeting the State's targets by siting and approving projects that accommodate planned population growth and projects that are GHG-efficient. The AEP Climate Change Committee recommends that CEQA GHG analyses evaluate project emissions in light of the trajectory of state climate change legislation and assess their "substantial progress" toward achieving long-term reduction targets identified in available plans, legislation, or EOs. Consistent with AEP Climate Change Committee recommendations, horizon year (2024) GHG impacts are analyzed in terms of whether the project would impede "substantial progress" toward meeting the reduction goal identified in SB 32 and EO B-55-18. As SB 32 is considered an interim target toward meeting the 2045 State goal, consistency with SB 32 would be considered contributing substantial progress toward meeting the State's long-term 2045 goals. Avoiding interference with, and making substantial progress toward, these long-term State targets is important as these targets have been set at levels that achieve California's fair share of international emissions reduction targets that will stabilize global climate change effects and avoid the adverse environmental consequences described under Section 4.9.1, *Setting* (Executive Order B-55-18).

### *Project Service Population*

Average household size varies throughout California; therefore, the service population attributed to this project is based on average household size data specific to Santa Barbara County. Based on a linear interpolation of 2020 and 2035 population and household data from SBCAG's 2010-2040 Regional Growth, an average of 2.95 persons are anticipated to live in each dwelling in Santa

Barbara County in 2024 (Appendices B and H). Accordingly, the project would accommodate approximately 431 residents in 2024.[1]

## b. Project Impacts and Mitigation Measures

Because the OCP EIR did not address impacts related to GHG emissions and climate change, this document includes a full analysis of potential impacts related to GHG emissions by construction and operation of the proposed project. Impacts of full buildout of the project site under the OCP EIR are compared with those that are anticipated to occur under the proposed Willow Creek and Hidden Canyon Residential Project.

| | |
|---|---|
| **Threshold:** | Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? |

### Impact GHG-1 PROJECT CONSTRUCTION AND OPERATION WOULD GENERATE TEMPORARY AND LONG-TERM INCREASES IN GHG EMISSIONS. THESE EMISSIONS WOULD RESULT IN A POTENTIALLY SIGNIFICANT CONTRIBUTION TO GLOBAL CLIMATE CHANGE. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION (CLASS II).

Because the OCP EIR did not address impacts related to GHG emissions and climate change, this analysis does not take into account GHG emissions from buildout envisioned by the existing OCP because these emissions were not analyzed in the OCP EIR. Project construction would generate temporary GHG emissions primarily as a result of operation of construction equipment on-site, as well as from vehicles transporting construction workers to and from the project site and heavy trucks to transfer cut and fill soil between portions of the project site to balance grading. Site preparation and grading typically generate the greatest amount of emissions due to the use of grading equipment and soil hauling.

Modelling of construction emissions assumed that construction would occur over the course of 55 months, beginning in June 2019 and ending in January 2024, with construction occurring concurrently at both the Willow Creek and Hidden Canyon Neighborhood locations. The construction equipment mix was based on locally appropriate industry standard CalEEMod default values developed by SBCAPCD. Soil material would be balanced on-site between the two locations. Estimated annual construction GHG emissions are shown in Table 4.9-4.

[1] The project would not provide any employment opportunities; therefore, the service population does not include any employees.

**Table 4.9-4 Estimated GHG Emissions during Construction**

| | Emissions (MT of $CO_2e$) |
|---|---|
| 2019 | 615.1 |
| 2020 | 1,280.1 |
| 2021 | 1,694.2 |
| 2022 | 1,652.0 |
| 2023 | 851.7 |
| 2024 | 1.8 |
| **Total** | **6,095.0** |
| Amortized over estimated project lifetime (30 years) | 203.2 |

Notes: All emissions modeling was completed using CalEEMod. See Appendix H for modeling results. Some numbers may not sum exactly due to rounding. Emission data shown is from "mitigated" results, which account for compliance with regulations and project design features.

As shown in Table 4.9-4, project construction would emit approximately 6,095 MT of $CO_2e$ in total, or approximately 203 MT of $CO_2e$ per year when amortized over a 30-year period. [2]

New residential development would generate long-term GHG emissions from new vehicle trips (mobile emissions), combustion of natural gas and use of electricity (energy emissions), solid waste disposal, water use, and consumer products, architectural coatings, and landscaping equipment (area emissions). Table 4.9-5 summarizes and combines the amortized construction, operational, and mobile GHG emissions associated with the project.

[2] Neither the SBCAPCD nor the County of Santa Barbara have provided guidance on what the amortization period for individual projects should be. The South Coast Air Quality Management District (SCAQMD) recommends a period of 30 years (SCAQMD 2008). In contrast, the San Luis Obispo County Air Pollution Control District (SLOAPCD) recommends a 50-year period for residential projects and a 25-year period for non-residential or commercial projects (SLOAPCD 2012). To provide a conservative estimate of emissions, the SCAQMD 30-year amortization period is utilized in this analysis.

**Table 4.9-5 Combined Annual GHG Emissions (Construction and Operation)**

| Emission Source | Annual Emissions (MT of $CO_2e$) |
|---|---|
| **Construction** | 203.2 |
| **Operational** | |
| Area | 1.8 |
| Energy | 496.9 |
| Solid Waste | 23.7 |
| Water | 34.1 |
| **Mobile** | |
| $CO_2$ and $CH_4$ | 908.8 |
| $N_2O$ | 0.01 |
| **Total Project Emissions** | **1,668.5** |
| Project Service Population (SP) | 431 |
| **Project Emissions per Service Population (MT CO2e/SP/year)** | **3.9** |
| Project-Specific Efficiency Threshold (MT $CO_2e$/SP/year) | 3.3 |
| **Exceed Project Specific Threshold?** | **Yes** |

Notes: All emissions modeling was completed using CalEEMod. See Appendix H for modeling results. Some numbers may not sum exactly due to rounding. Emission data shown is from "mitigated" results, which account for compliance with regulations and project design features.

As shown in Table 4.9-5, combined annual GHG emissions would be approximately 3.9 MT of $CO_2e$ per service person per year, which would exceed the locally-appropriate, project-specific threshold of 3.3 MT of $CO_2e$ per service person per year. Therefore, the project would result in a potentially significant increase in GHG emissions.

## Mitigation Measure

### *GHG-1 GHG Emissions Reduction Plan*

The project developer shall prepare and implement a plan to reduce operational GHG emissions through implementation of one or more of the following measures:

a. Prior to zoning clearance issuance, the project applicant shall develop a project Greenhouse Gas Reduction Program (GGRP) that reduces annual GHG emissions from the project by a minimum of 246.2 MT of $CO_2e$ per year (0.6 MT of $CO_2e$ per person per year) over the operational life of the project. The plan shall be implemented on-site by the project applicant and may include, but not be limited to, the following components:
    1. Installation of renewable energy facilities (e.g., solar photovoltaics)
    2. Construction of residences that achieve energy and water efficiencies beyond those specified in the California Code of Regulations, Title 24 requirements
    3. Implementation of energy efficient building design exceeding California Building Code requirements

4. Installation of energy-efficient equipment and appliances exceeding California Green Building Code standards
5. Installation of outdoor water conservation and recycling features, such as smart irrigation controllers and reclaimed water usage
6. Installation of low-flow bathroom and kitchen fixtures and fittings
7. Installation of light emitting diode (LED) lights
8. Provision of incentives and outreach for future residents to promote alternative transportation and transit use
9. Promotion of alternative fuel vehicles
10. Implementation of carbon sequestration measures~~;~~
11. Off-site mitigation fees paid to SBCAPCD to implement local GHG reduction projects. Projects may include, but are not limited to, replacement of diesel school and/or urban buses with battery electric or fuel cell electric buses, installation of electric vehicle charging stations, retrofits of existing residential buildings to improve energy efficiency, installation of rooftop solar on existing residential buildings, and installation of residential and/or commercial battery energy storage systems. The final amount of off-site mitigation fees shall be determined based on accepted methodologies for assessing the per-unit cost of GHG emissions in Santa Barbara County;

OR

b. If GHG emissions cannot be reduced through implementation of the GGRP, the project applicant shall purchase carbon offsets to reduce GHG emissions below threshold levels. Carbon offsets shall be purchased from a validated source[3] to offset annual GHG emissions or to offset one-time carbon stock GHG emissions.

**Plan Requirements and Timing.** The GGRP shall be submitted by the project developer and reviewed and approved by the County Planning & Development Department as being in compliance with this measure prior to zoning clearance. Applicable elements of the approved GGRP shall be reflected on project site plans prior to permit approval. If GHG emissions cannot be reduced through compliance with such a plan, purchased carbon offsets shall be approved by Planning & Development staff prior to permit approval.

**Monitoring**. Condition compliance shall monitor and verify implementation of measures included in the GGRP to ensure implementation of mitigation measures included in the plan.

## Significance After Mitigation

Implementation of Mitigation Measure GHG-1 would reduce the project's GHG emissions to approximately 3.3 MT of $CO_2e$ per person per year, which would not exceed the locally-appropriate, project-specific 2024 efficiency threshold of 3.3 MT of $CO_2e$ per person per year. Therefore, with Mitigation Measure GHG-1, the project's GHG emissions would be not impede substantial progress toward meeting the State's 2030 and 2045 GHG reduction goals, and impacts related to GHG emissions would be reduced to a less than significant level (Class II).

[3] Validated sources are carbon offset sources that follow approved protocols and use third-party verification. At this time, appropriate offset providers include only those that have been validated using the protocols of the Climate Action Registry, the Gold Standard, or the Clean Development Mechanism (CDM) of the Kyoto Protocol. Credits from other sources will not be allowed unless they are shown to be validated by protocols and methods equivalent to or more stringent than the CDM standards.

| **Threshold:** | Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? |
|---|---|

### Impact GHG-2 THE PROJECT WOULD BE CONSISTENT WITH THE EMISSIONS-REDUCTION GOALS OF THE COUNTY'S ECAP AND THE SBCAG 2040 RTP-SCS; HOWEVER, IT WOULD BE INCONSISTENT WITH THE GHG REDUCTION TARGETS IN THE 2017 SCOPING PLAN. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION (CLASS II).

As discussed under Section 4.9.1, *Setting*, several plans have been adopted to reduce GHG emissions in California generally and in Santa Barbara County specifically. The project's consistency with the County of Santa Barbara ECAP, the SBCAG 2040 RTP-SCS, and the 2017 Scoping Plan are discussed below.

#### *County of Santa Barbara ECAP*

The County of Santa Barbara ECAP provides various GHG emission reduction measures in order to help the County achieve a 15 percent reduction in GHG emissions by 2020. However, the County's GHG emissions have been increasing since 2007, and the County would need to reduce emissions by 26 percent from 2016 levels to achieve its 2020 target (County of Santa Barbara 2018). The ECAP EIR includes a programmatic analysis of GHG emissions for unincorporated Santa Barbara County, and a project may tier from the ECAP's certified EIR for its impact analysis of GHG emissions if a project's emissions were considered in the ECAP forecasts and the project does not exceed the growth projections assumed in the ECAP. Although the project would require approval of a specific plan and an amendment to the County's Comprehensive Plan, the project would result in fewer homes being built on Key Site 21 than assumed for the site under buildout of the OCP. Therefore, the project was considered in the ECAP's 2020 and 2035 GHG emissions forecasts, and this analysis utilizes the ECAP Consistency Checklist Template to determine whether the project would be consistent with the ECAP.

Appendix F of the County's ECAP states that if a proposed project's GHG emissions were considered in the County's 2020 and 2035 forecasts, the project may demonstrate consistency with the ECAP by identifying how project design and implementation will incorporate the list of required measures and actions included in Appendix F, as applicable. Table 4.9-6 describes the project's consistency with the applicable required measures and actions from Appendix F of the ECAP.

**Table 4.9-6 Project Consistency with Applicable Required ECAP Measures and Actions**

| Measure | Project Consistency |
|---|---|
| **T 3 Alternative-Fuel Vehicles and Incentives. Increase the use of alternative-fuel vehicles, and plan for the development of alternative-fuel infrastructure.** Develop new electric vehicle (EV) ready ordinance requiring new one- and two-family dwellings to install conduit for future installation of an EV charging station. | **Consistent.** The County has not adopted an EV ready ordinance. However, the project would be required to comply with CalGreen (California Code of Regulations Title 24, Part 11), which requires the installation of electric vehicle supply equipment for future EV charging in all new single-family dwellings. |
| **T 4 Alternative and Active Transportation. Enhance alternative and active transportation.** Projects will continue to be required to include mass transit improvements such as bus stops, pullouts, and shelters, or funding to assist in the installation of mass transit improvements as mitigation for significant impacts. | **Consistent.** The project would include connections to the planned Orcutt pedestrian and bicycle networks identified in the OCP through the proposed trail connection and staging area as well as improvements to SR 1, including the addition of bicycle lanes. |

| Measure | Project Consistency |
|---|---|
| **BE 5 Community Forestry. Maintain and expand the drought-tolerant and native tree population.**<br>Zoning ordinance will be amended to require landscape plans to include shade trees in parking lots and street trees, where appropriate.<br>Tree replacement and mitigation will continue to be required when removing trees with new development.<br>The protection of native trees on land with proposed development will continue to be required. | **Consistent.** The County has not yet amended the zoning ordinance to require landscaping plans to include shade trees in parking lots or street trees. However, the project would include 123 acres of open space that would consist of 29.8 acres of managed open space and 97 acres of undisturbed open space. Furthermore, as discussed in Section 4.4, *Biological Resources*, the project would be required to comply with Policy BIO-O-3, DevStd BIO-O-3.1, Policy BIO-O-4, and DevStd BIO-O-4.1 of the OCP, which require protection of native trees in developable areas to the greatest degree feasible, replacement of native trees in a manner consistent with County standards, and protection of non-native trees that provide known raptor nesting or key roosting sites to the greatest degree feasible. The removal of 87 protected trees would be mitigated in accordance with OCP and County standards, which require replacement of coast live oaks at a 10 to 1 ratio and arroyo willows at a 3 to 1 ratio. All other protected trees would be mitigated in accordance with Mitigation Measure BIO-5(b). In addition, implementation of Mitigation Measures BIO-1.4.1 and BIO-3.2b-1 from the OCP EIR would require replacement of removed eucalyptus woodlands and Monterey pine trees on a 1:1 basis with native trees. The project would also plant native trees as part of its landscaping plan. |
| **RE 1 Alternative Energy Development. Increase the use of alternative energy technology as appropriate in new and existing development.**<br>Develop the new solar photovoltaic (PV) ready construction ordinance to require new single-family swelling units to be built to accommodate future solar PV system installation. | **Consistent.** The County has not adopted a solar PV ready construction ordinance. However, all residential units would be pre-wired for solar power. |
| **RE 2 Water Heaters. Increase the replacement of existing water heaters with high-efficiency, tankless, or solar water heaters.**<br>New residential development will continue to be required to use high-efficiency water heaters or tankless heaters and continue to encourage new and existing development to participate in the State's CSI-Thermal program, which provides rebates to utility customers who install solar thermal systems to replace water-heating systems powered by electricity or natural gas. | **Consistent.** Recirculating, point-of-use, or on-demand water heaters would be installed in all residences. |
| **WE 3 Water-Efficient Landscaping. Increase the use of native or drought-tolerant landscaping and smart irrigation technologies in new and renovated developments and at public parks and facilities.**<br>Continue to require proposed projects to reduce outdoor water use in new landscapes through compliance with the California Water Conservation Act. | **Consistent**. The proposed project would be required by the County to comply with the State of California' model Water Efficient Landscape Ordinance. The project would achieve compliance through several methods, including but not limited to the following:<br>▪ Encouraging the use of compatible, non-invasive, climate-suitable, and drought-tolerant landscape designs;<br>▪ Grouping plants by water needs;<br>▪ Implementing evapotranspiration irrigation controls |

| Measure | Project Consistency |
|---|---|
| | and private irrigation systems;<br>▪ Encouraging the use of water-efficient systems, such as drip or bubblers in all areas needing irrigation except turf irrigation and small ornamental plantings; and<br>▪ Encouraging the use of efficient use of water from the roof drains for landscape irrigation. |

Source: County of Santa Barbara 2015

As summarized in Table 4.9-6, the project would be consistent with the applicable required measures and actions from Appendix F of the ECAP and would therefore be consistent with the County of Santa Barbara ECAP.

### *SBCAG 2040 RTP-SCS*

SBCAG's 2040 RTP-SCS provides land use and transportation strategies to reduce regional GHG emissions. The project's consistency with applicable goals and objectives from the 2040 RTP-SCS is discussed in Table 4.9-7.

### Table 4.9-7 Project Consistency with Applicable SBCAG 2040 RTP-SCS Goals and Objectives

| Goals and Objectives | Project Consistency |
|---|---|
| **Environment** | |
| **Goal:** Foster patterns of growth, development and transportation that protect natural resources and lead to a healthy environment.<br>**Objective 1:** Reduce GHG emissions in compliance with CARB regional targets.<br>**Objective 4**: Promote transit use and alternative transportation.<br>**Objective 5**: Reduce vehicle miles traveled.<br>**Objective 6**: Preserve open space and agricultural land. | **Consistent.** GHG emission forecasts contained in the SBCAG 2040 RTP-SCS are based on the 2010-2040 Regional Growth Forecast, which accounts for local General Plan land uses (SBCAG 2012). The OCP was published prior to the development of the SBCAG 2010-2040 Regional Growth Forecast in 2012; therefore, buildout of Key Site 21 is accounted for in the SBCAG 2010-2040 Regional Growth Forecast. Because the project would result in less development on-site than buildout envisioned under the OCP, the project is accounted for in the development of the GHG emissions and vehicle miles travelled (VMT) forecasts contained in the 2040 RTP-SCS and would not inhibit SBCAG from reaching its regional GHG emission targets, consistent with Objective 1.<br>The project would include connections to the planned Orcutt pedestrian and bicycle networks identified in the OCP through the proposed trail connection and staging area as well as improvements to SR 1, including the addition of bicycle lanes. Therefore, the project would be consistent with Objective 4.<br>The 2040 RTP-SCS preferred scenario for VMT reduction is based on land uses allowable under adopted General Plans with intensification of select locations in core urban areas. The project site is not identified as a location for proposed land use intensification (SBCAG 2017). Therefore, the project would not conflict with the VMT reductions anticipated by the SBCAG 2040 RTP-SCS under the preferred scenario and would be consistent with Objective 5.<br>The project would provide 123 acres of open space on the 189-acre project site, consistent with Objective 6. |

| Goals and Objectives | Project Consistency |
|---|---|
| **Mobility & System Reliability** | |
| **Goal**: Optimize the transportation system to improve accessibility to jobs, schools, and services, allow the unimpeded movement of people and goods, and ensure the reliability of travel by all modes.<br>**Objective 3**: Increase bike, walk, and transit mode share. | **Consistent.** The project would include connections to the planned Orcutt pedestrian and bicycle networks identified in the OCP through the proposed trail connection and staging area as well as improvements to SR 1, including the addition of bicycle lanes, which would be consistent with Objective 3. |
| **Equity** | |
| **Goal**: Assure that the transportation and housing needs of all socio-economic groups are adequately served.<br>**Objective 1**: Comply with HCD/Regional Housing Needs Assessment.<br>**Objective 2**: Provide adequate affordable and workforce housing near jobs. | **Consistent**. The project would assist the County in meeting its housing requirements by developing housing and would be consistent with the provisions of the Santa Barbara Inclusionary Housing Element because the project would pay a fee to offset the lack of affordable housing on-site. The fee would be used to support development of affordable housing near jobs elsewhere in the County, which would reduce GHG emissions from transportation sources, consistent with Objectives 1 and 2. |

Source: SBCAG 2017

As summarized in Table 4.9-7, the project would be consistent with the applicable goals and objectives from the SBCAG 2040 RTP-SCS. Therefore, the project would not conflict with or obstruct implementation of the SBCAG 2040 RTP-SCS.

### *2017 Scoping Plan and EO B-55-18*

The 2017 Scoping Plan outlines a pathway to achieving the reduction targets set under SB 32, which is considered an interim target toward meeting the State's long-term 2045 goal established by EO B-55-18. As discussed in Section 4.9.3(a), Methodology and Significance Thresholds, the project would impede "substantial progress" toward meeting the SB 32 and EO B-55-18 targets if per service person GHG emissions exceeded the locally-appropriate, project-specific 2024 efficiency threshold. As discussed under Impact GHG-1, the project's GHG emissions would exceed the 2024 efficiency threshold. As a result, the project would potentially conflict with the 2017 Scoping Plan and EO B-55-18. However, implementation of Mitigation Measure GHG-1 would reduce GHG emissions below the 2024 efficiency threshold. Therefore, with incorporation of Mitigation Measure GHG-1, the project would not conflict with or interfere with implementation of the 2017 Scoping Plan or EO B-55-18.

## Mitigation Measure

Implementation of Mitigation Measure GHG-1 would be required to reduce the project's GHG emissions to a level that is consistent with the GHG reduction targets contained in the 2017 Scoping Plan and EO B-55-18.

## Significance After Mitigation

Implementation of Mitigation Measure GHG-1 would ensure that the project is consistent with the GHG reduction targets contained in the 2017 Scoping Plan and EO B-55-18. Therefore, with

Mitigation Measure GHG-1, the project would be consistent with applicable GHG reduction plans, policies, and regulations, and impacts would be less than significant with mitigation (Class II).

## c. Cumulative Impacts

Growth within Santa Barbara County would result in increased GHG emissions from vehicle trips, energy consumption, and other sources. Analyses of GHGs are cumulative in nature because project-level GHG emissions contribute to the cumulative impact of the accumulation of GHGs in the atmosphere. Projects falling below the impact thresholds discussed above would have a less than significant impact, both individually and cumulatively. As indicated in Impact GHG-1, GHG emissions associated with the project would be less than significant with implementation of Mitigation Measure GHG-1 and as discussed in Impact GHG-2, the project would not conflict with applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions with implementation of Mitigation Measure GHG-1. Therefore, the project's contribution to significant cumulative impacts related to GHG emissions is not cumulatively considerable with implementation of required mitigation (Class II).

# 4.10 Land Use

## 4.10.1 Setting

### a. Regional Land Use

The project site is located in the County of Santa Barbara, which occupies approximately 2,774 square miles of both urban and rural land uses. The project site lies within the Santa Maria Valley, south of the Santa Maria city limits, in the community of Orcutt. Rural land uses, such as rangeland, row crops, and open space occupy the outlying areas of the City and the majority of the area to the south, north, east, and west of the site.

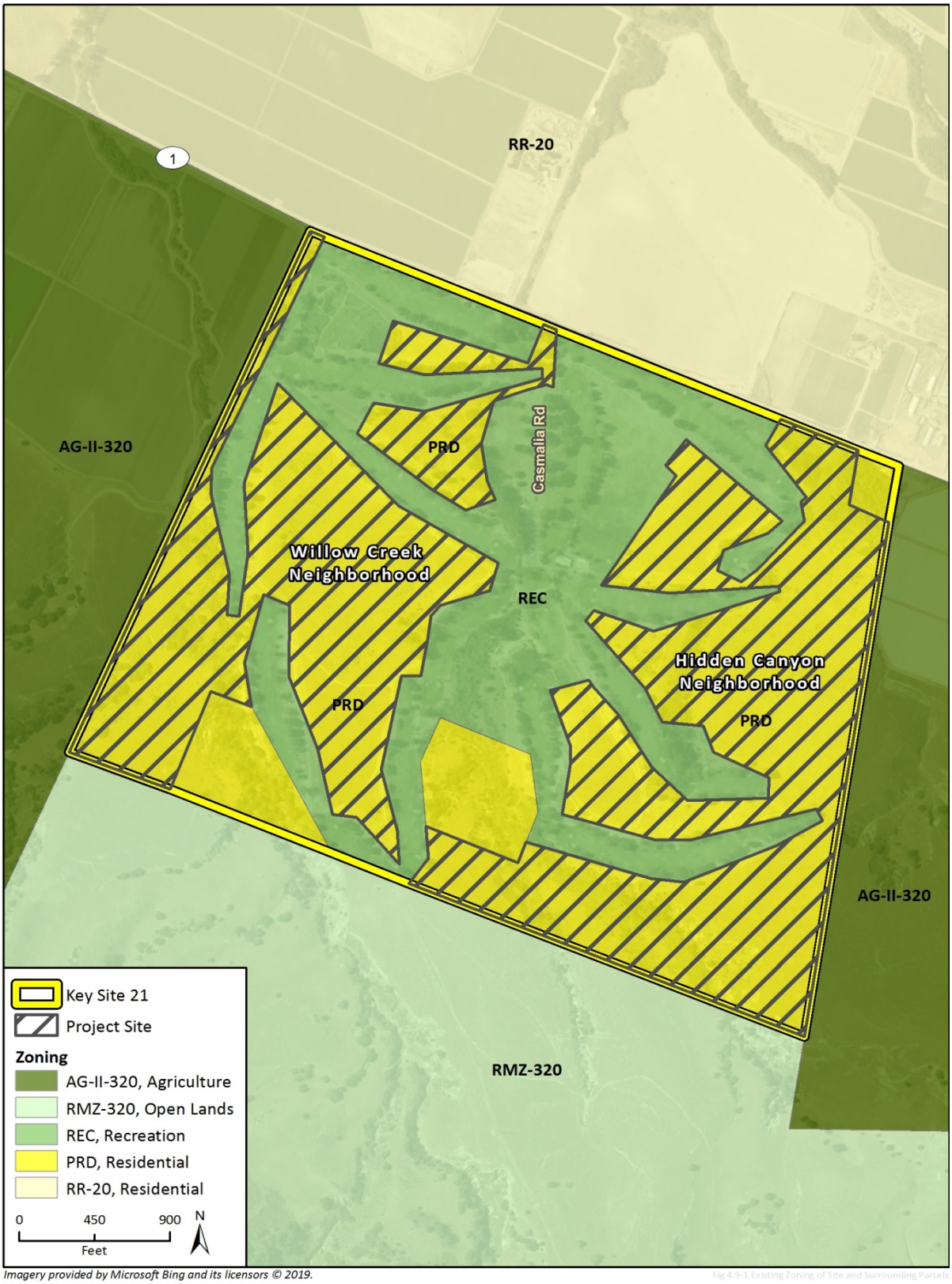
Orcutt is a semi-rural, primarily residential community. Residential neighborhoods are interspersed among large vacant parcels, some of which include grazing livestock, and large parcels on the edges of the community which still remain vacant. The majority of development in the community is single family residences, large estates, and ranchette homes. Mobile homes, condominiums, and townhomes are scattered throughout the community. Over the last 30 years, most of the residential development in the central urban area has occurred in developer-constructed subdivisions rather than custom homes on single lots.

Orcutt also includes approximately 524,000 square feet of developed commercial space, which is located at the intersections of Clark Avenue and Bradley Road, in the Old Town Orcutt area, and at the corner of Lakeview and Orcutt Roads. Smaller commercial areas are located at the intersection of Clark Avenue and Orcutt Road, Foster and Orcutt Roads, Foster and Bradley Roads, and Winter and Orcutt Roads. Large vacant commercially zoned sites are located at Clark Avenue and U.S. 101, and the intersection of Santa Maria Way and College Drive. In addition, several new restaurants have opened in Old Town Orcutt over the past few years that attract people from the City and from other parts of the County.

### b. Project Site Setting

The 190-acre project site, located on a portion of Key Site 21, and west of Central Orcutt, is primarily characterized by rural agricultural uses and open space. The site is bound by SR 1 on the north, which runs in a northwest-southeast direction adjacent to the site. Residential Ranchette zoning (RR-20, 20-acre minimum lot size) borders the project site to the north, across SR 1. These lots are currently developed with agricultural uses consisting primarily of row crops. Agricultural zoning (AG-II-320, 320-acre minimum lot size) and uses border the site to the east and west. These lots are also developed with agricultural uses including row crops and cattle grazing. Vacant, grazing land borders the site's southern boundary and is zoned RMZ-320 (Resource Management, 320-acre minimum lot size). The Rancho Maria Golf Club, a public 18-hole golf course, is located on the central parcel of Key Site 21, occupying 130 acres of the site. The project site is currently zoned Planned Residential Development (PRD) to allow for comprehensively planned development of large acreage primarily for residential use. The site is currently vacant and undeveloped. Figure 4.9-1 shows the existing zoning of the project site and surrounding parcels.

**Figure 4.10-1 Existing Zoning of Site and Surrounding Parcels**




*Imagery provided by Microsoft Bing and its licensors © 2019.*
*Zoning data provided by County of Santa Barbara 2018.*

Fig 4.9-1 Existing Zoning of Site and Surrounding Parcels

### c. Regulatory Setting

Santa Barbara County regulates the design of the built environment through its General Plan and Land Use and Development Code (LUDC). New development is required to be consistent with the General Plan and the Orcutt Community Plan's (OCP) policies and development standards. OCP Development Standards specific to development on Key Site 21 include:

- DevStds KS21-1 through KS21-3, which describe procedural requirements pertaining to the submittal of a Specific Plan, and limitations on potential Resort Visitor Serving land uses;
- DevStds KS21-4 through KS21-6, which describe requirements for natural, undeveloped open space, public staging and hiking trail easements, and landscaped buffers;
- DevStd KS21-7, which describes requirements for residential development adjacent to the existing public golf course;
- DevStd KS21-8, which requires development to preserve natural landforms to minimize grading;
- DevStd KS21-9, which requires coordinated access points on Highway 1 between Key Site 21 and Key Site 22;
- DevStd KS21-10, which requires that site design be coordinated with the existing public golf course to minimize risks to occupants and visitors; and
- DevStd KS21-11, which requires development to minimize visual impacts to Highway 1 and the surrounding rural area.

The site is designated Planned Development with a 150-unit maximum under the OCP and LUDC, and is zoned Planned Residential Development (PRD). The property is not enrolled in an agricultural preserve (Williamson Act) contract.

## 4.10.2 Previous Environmental Review

The OCP EIR examined the existing land use on the project site and the potential land use impacts resulting from development under the OCP in two sections of the document: Land Use and Visual Resources/Open Space. The OCP EIR also reviewed the project against regulatory documents adopted by the County and other agencies responsible for regional planning efforts. The OCP EIR determined that buildout of the OCP would result in significant and unavoidable (Class I) impacts to land use associated with economic fiscal impacts and the urbanization of rural and semi-rural areas. The OCP EIR did not include site-specific analysis of land use impacts on Key Site 21.

The OCP EIR identified four potentially significant land use impacts that pertain to development on Key Site 21, including an increase in regional traffic (LU-1), economic fiscal impacts (LU-2), conversion of agricultural land (LU-3), and urbanization of rural and semi-rural areas (LU-4). The EIR identified measures that would minimize potential land use impacts, including the recruitment of business interests to the Orcutt area (LU-1), coordination with Caltrans to incorporate alternative transportation mechanisms to reduce impacts to the regional transportation network due to increased commuting (LU-2), and review of the land use plan to determine if densities could be raised to offset the need to add additional land and to promote development at densities which make transit a viable option (LU-3).

The OCP EIR determined that the required mitigation measures would alleviate transportation infrastructure impacts, and only partially reduce impacts associated with fiscal impacts to services and facilities. The EIR concluded that fiscal land use impacts and the conversion of agricultural land and loss of open space would remain significant and unavoidable (Class I). Impacts associated with

the conversion of agricultural land are addressed in Section 4.2, *Agricultural Resources,* and impacts to public services and facilities are discussed in Section 4.11, *Public Services and Recreation.*

## 4.10.3 Impact Analysis

### a. Methodology and Significance Thresholds

In accordance with the Appendix G of the CEQA guidelines, a project would result in a significant impact if it would:

- Physically divide an established community; or
- Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Potential impacts related to physically dividing an established community are discussed in Section 4.15, *Effects Found Not to be Significant*.

Substantial changes in the amount of open space in comparison to existing adopted County land use maps, or conflicts with designated open space area (as shown in the OCP or elsewhere in the General Plan) would be considered significant land use impacts. Potential conflicts with other adopted policies and regulations are addressed in Appendix F.

Land use impacts were assessed based upon the level of physical impact anticipated for the various issues that can affect compatibility (air quality, noise, human health and safety, aesthetics). Although the County does not have "Land Use" thresholds of significance, it does provide guidelines related to "quality of life."

Quality of life is broadly defined as the aggregate effect of all impacts on individuals, families, communities, etc. and on the way those groups function. Quality of life issues, while difficult to quantify, are often primary concerns to the community affected by a project. Examples of these issues include:

- Loss of privacy;
- Neighborhood incompatibility;
- Nuisance noise levels (not exceeding noise thresholds);
- Increased traffic in quiet neighborhoods (not exceeding traffic thresholds); and
- Loss of sunlight/solar access.

The elements comprising quality of life are considered on a case-by-case basis. In accordance with County guidelines, "Where a substantial physical impact to the quality of the human environment is demonstrated, the project's effect on 'quality of life' shall be considered significant." Therefore, a project would be considered to have a significant land use impact if it meets one of the following criteria:

- The project is incompatible in scale or use characteristics with any adjacent land uses; or
- The project would result in land use conflicts that are detrimental to the well-being and privacy of existing uses.

These thresholds are augmented by those contained in Section 4.1, *Aesthetics/ Visual Resources*; Section 4.2, *Agricultural Resources*; Section 4.3, *Air Quality*; and Section 4.10, *Noise*, which are issues that relate directly to land use compatibility.

## b. Project Impacts and Mitigation Measures

Impacts and mitigation measures described in the OCP EIR are incorporated below, with corresponding analysis pertaining to the proposed Willow Creek and Hidden Canyon Residential Project. Impacts identified in the OCP EIR are compared with those that are anticipated to occur under the proposed Willow Creek and Hidden Canyon Residential Project.

| | |
|---|---|
| **Threshold:** | Would the project be incompatible in scale or use characteristics with any adjacent land uses? |
| **Threshold:** | Would the project result in land use conflicts that are detrimental to the well-being and privacy of existing uses? |

### Impact LU-1 THE PROJECT WOULD RESULT IN A CHANGE IN CHARACTER OF THE SITE AND THE SCALE OF DEVELOPMENT ON THE SITE. THIS WOULD PRESENT POTENTIAL QUALITY OF LIFE COMPATIBILITY ISSUES. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION (CLASS II).

Development on the project site would result in long-term land use compatibility changes that relate to quality of life issues, such as privacy and solar access. Noise nuisance impacts and mitigation measures are discussed in Section 4.10, *Noise*. Traffic-related impacts are addressed in Section 4.12, *Transportation and Circulation*. Visual compatibility impacts are discussed in Section 4.1, *Aesthetics*.

The project consists of 146 single family homes on 76.5 acres, on a portion of the 190-acre project site. Both neighborhoods would have a maximum building height of 35 feet, and a combined density of 1.9 dwelling units/acre. The resulting density would exceed that of the existing surrounding rural residential and agricultural uses. Although all future development on the project site, including lighting and landscaping, would be required to satisfy OCP Gateway policies, including but not limited to review and approval by the Board of Architectural Review, the proposed density and proximity to lower density areas would present potential neighborhood quality of life incompatibilities. The Willow Creek neighborhood improvements also include gated secondary access at the public golf course parking lot for emergency personnel and residents that would affect circulation through the RMGC.

The surrounding uses are primarily rural, agricultural, and recreational. The nearest existing residences to the project site include single-family residences located approximately 75 feet north and 500 feet of the Key Site 21 boundary at the northeast corner of the site. Therefore, the proposed single family residences would not abut existing residential development. The minimum rear yard setback for all lots would be ten feet. The proposed setbacks would provide a landscape buffer between the golf course fairway and the proposed housing. In addition, homes adjacent to the golf course fairway would be single-story to reduce impacts to the existing golf course use, related to privacy, shading, aesthetics and solar access. The project also includes safety netting intended to protect residents and golf course users from errant golf balls along the western primary access road to the Willow Creek Neighborhood. The net would be visible from vantage points along SR 1. The project includes landscaping that would screen views of the proposed safety netting. The on-site circulation plan would be designed pursuant to County design standards to accommodate emergency vehicles, service vehicles, and delivery trucks. The project does not include hazardous

transportation design elements, a new traffic signal or major revisions to an existing traffic signal, and would not add traffic to a roadway that has design features that would become a potential safety problem, or otherwise create an unsafe situation. The proposed safety netting, internal circulation plan design, and setbacks and landscaping, in combination with the restriction to single-story homes adjacent to the golf course fairway, would result in quality of life changes that may be adverse, but would be less than significant. However, as described in Section 4.1, *Aesthetics*, long-term compatibility impacts related to aesthetics would remain potentially significant and require mitigation.

## Mitigation Measures

Mitigation measures and OCP development standards related to long-term compatibility conflicts are discussed in Section 4.1, *Aesthetics*. Mitigation Measures AES-2(a) through AES-2(d), and AES-3 would apply. No additional mitigation measures are required, as no additional significant impacts were identified.

## Significance After Mitigation

With implementation of Mitigation Measures AES-2(a) through AES-2(d), and AES-3, impacts associated with long-term compatibility impacts related to nuisance noise and visual compatibility would be adverse, but less than significant (Class II).

| | |
|---|---|
| **Threshold:** | Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? |

### Impact LU-2 THE PROJECT WOULD BE CONSISTENT WITH THE APPLICABLE POLICIES AND DEVELOPMENT STANDARDS IN THE ORCUTT COMMUNITY PLAN. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT (CLASS III).

The OCP identifies the project site as Planned Residential Development, 150 unit maximum (PDR). The project would result in the buildout of 146 residential units. OCP development standards DevStd KS21-1 through DevStd KS21-11 outline specific development requirements for Key Site 21, including landscape buffering, compatibility with the adjacent golf course, and use of low-profile design. The project includes undeveloped open space, and public staging and hiking trail easements, consistent with DevStds KS21-4 through KS21-6. In addition, the project would be required to preserve natural landforms to minimize grading and provide coordinated access points on Highway 1 between Key Site 21 and Key Site 22, consistent with DevStds KS21-8 and KS21-9). The proposed residential units adjacent to the existing golf course would include private outdoor areas to provide a landscape buffer between the two uses, consistent with DevStds KS21-7 and KS21-10.

The project includes safety netting along the western primary access road to the Willow Creek Neighborhood to prevent conflicts between the proposed residential units and the golf course from potential safety hazards from errant golf balls. The project also includes landscaping that would screen views of the proposed safety netting. Furthermore, the on-site circulation plan would be designed pursuant to County design standards, and would not include transportation design elements that would become a potential safety problem, or otherwise create an unsafe situation. These elements of the project would ensure compatibility of the project with the golf course, as intended by development standards DevStd KS21-1 through DevStd KS21-11. The project would not conflict with applicable Key Site 21-specific OCP policies (project consistency with other adopted policies and regulations are addressed in Appendix F). Overall, land use impacts related to

consistency with land use policies contained in the Orcutt Community Plan would be adverse but less than significant. Therefore, this impact would be less than significant (Class III).

### Mitigation Measures

No mitigation is required because this impact would be less than significant (Class III).

## c. Cumulative Impacts

Cumulative development in the community of Orcutt includes 1,259 new residential units and 279 commercial residential units that are currently proposed, in process, approved, or under construction, in addition to 650,000 square feet of commercial and institutional development and approximately 305,000 square feet of agricultural and winery development are currently proposed, in process, approved, or under construction. Buildout of the Orcutt area would continue to urbanize the Orcutt community, and result in additional loss of open space areas. The OCP EIR identified potentially significant impacts resulting from OCP buildout due to increased regional traffic, economic fiscal impacts, conversion of agricultural land, and urbanization of rural and semi-rural areas. Cumulative development in the Orcutt area would also result in short-term construction air and noise emissions, and long-term land use compatibility effects related to quality of life issues, noise and traffic nuisances, aesthetic incompatibility, and agriculture/urban conflicts. Potential land use conflicts would be addressed on a case-by-case basis as individual projects are reviewed by County decision-makers. Implementation of County policies and development standards in the OCP, General Plan, and LUDC related to land use would minimize these potential cumulative impacts. Cumulative land use impacts would be adverse but less than significant (Class III).

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# 4.11 Noise

## 4.11.1 Setting

The Santa Barbara County Comprehensive Plan Noise Element (Adopted 1979, Republished May 2009) provides basic information regarding the physical characteristics of noise and the existing noise environment in the general vicinity of the project site. The following is a summary of the information contained in the Noise Element and other sources of background information that address the properties of noise and sound propagation and is intended to provide sufficient background material to allow consideration of the potential noise impacts of the proposed development.

### a. Overview of Sound Measurement

Noise level (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound pressure levels to be consistent with that of human hearing response, which is most sensitive to frequencies around 4,000 Hertz (about the highest note on a piano) and less sensitive to low frequencies (below 100 Hertz).

Sound pressure level is measured on a logarithmic scale with the 0 dBA level based on the lowest detectable sound pressure level that people can perceive (an audible sound that is not zero sound pressure level). Based on the logarithmic scale, a doubling of sound energy is equivalent to an increase of 3 dBA, and a sound that is 10 dBA less than the ambient sound level has no effect on ambient noise. Because of the nature of the human ear, a sound must be about 10 dBA greater than the ambient noise level to be judged as twice as loud. In general, a 3 dBA change in the ambient noise level is noticeable, while 1 to 2 dBA changes generally are not perceived. Quiet suburban areas typically have noise levels in the range of 40 to 50 dBA, while areas adjacent to arterial streets are in the 50 to 60+ dBA range. Normal conversational levels are in the 60 to 65 dBA range, and ambient noise levels greater than 65 dBA can interrupt conversations.

Noise levels typically attenuate (i.e., drop off) at a rate of 6 dBA per doubling of distance from point sources (e.g., industrial machinery). Noise from lightly traveled roads typically attenuates at a rate of about 4.5 dBA per doubling of distance. Noise from heavily traveled roads typically attenuates at about 3 dBA per doubling of distance. Noise levels may also be reduced by intervening structures; generally, a single row of buildings between the receptor and the noise source reduces the noise level by about 5 dBA, while a solid wall or berm reduces noise levels by 5 to 10 dBA. The manner in which homes in California are constructed generally provides a reduction of exterior-to-interior noise levels of about 20 to 25 dBA with closed windows (Federal Transit Administration [FTA] 2018).

In addition to the instantaneous measurement of sound levels, the duration of sound is important because sounds that occur over a long period of time are more likely to be an annoyance or cause direct physical damage or environmental stress. One of the most frequently used noise metrics that considers both duration and sound power level is the equivalent noise level (Leq). The Leq is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time (essentially, the average noise level). Typically, Leq is summed over a one-hour period. Lmax is the highest RMS (root mean squared) sound pressure level within the measuring period, and Lmin is the lowest RMS sound pressure level within the measuring period.

The time period in which noise occurs is also important since noise that occurs at night tends to be more disturbing than that which occurs during the day. Community noise is usually measured using Day-Night Average Level (DNL), which is the 24-hour average noise level with a 10 dBA penalty for noise occurring during nighttime hours (10:00 p.m. to 7:00 a.m.), or Community Noise Equivalent Level (CNEL), which is the 24-hour average noise level with a 5 dBA penalty for noise occurring from 7:00 p.m. to 10:00 p.m. and a 10 dBA penalty for noise occurring from 10:00 p.m. to 7:00 a.m. Noise levels described by DNL and CNEL usually do not differ by more than 1 dBA. In practice, CNEL and DNL are used interchangeably.

The relationship between peak hourly Leq values and associated Ldn/CNEL values depends on the distribution of traffic over the entire day. There is no precise way to convert a peak hour Leq to Ldn or CNEL. However, in urban areas near heavy traffic, the peak hour Leq is typically 2 to 4 dBA lower than the daily Ldn/CNEL. In less heavily developed areas, such as suburban areas, the peak hour Leq is often roughly equal to the daily Ldn/CNEL. For rural areas with little nighttime traffic, the peak hour Leq will often be 3 to 4 dBA greater than the daily Ldn/CNEL value (California State Water Resources Control Board [SWRCB] 1999).

## b. Sensitive Receptors

Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with those uses. In the County of Santa Barbara, noise sensitive land uses (also referred to as "sensitive receptors") include: residential, including single and multifamily dwellings, mobile home parks, and dormitories; transient lodging, including hotels, and motels; hospitals, nursing homes, convalescent hospitals, and other facilities for long-term medical care; and public or private educational facilities, libraries, churches, and places of public assembly (County of Santa Barbara 2009). Therefore, these types of uses have more stringent noise exposure targets than manufacturing or agricultural uses that are not subject to impacts such as sleep disturbance.

Sensitive receptors nearest to the project site include single-family residences located approximately 75 feet north ("Residence 1") and 500 feet north ("Residence 2") of the Key Site 21 boundary at the northeast corner of the site. These sensitive noise receptors are shown on Figure 4.11-1. The proposed residential units within the proposed Willow Creek and Hidden Canyon neighborhoods would also be considered sensitive receptors under the County's definition. The adjacent Rancho Maria Golf Club (RMGC) public golf course is not identified by the County as a noise sensitive receptor. However, due to concerns expressed during the NOP process with regard to potential impacts to patrons at the RMGC from project construction noise, potential temporary construction noise levels at the RMGC are discussed herein.

Residences situated along the study area roadway segments, as identified in Section 4.13, *Transportation and Circulation*, including segments of State Route (SR) 1, Solomon Road, and Clark Avenue are also recognized as sensitive receptors in the vicinity of the project site.

## c. Project Site Setting

The primary transportation noise source in the project area is SR 1, which runs along the northern boundary of Key Site 21 and the northernmost portions of the project site (refer to Figure 2-2 in Section 2, *Project Description*). Traffic from SR 1 is audible along the northern portion of the site. According to the Traffic and Circulation Study (Traffic Study) prepared for the project by Stantec in January 2019 (Appendix K), Average Daily Traffic (ADT) flow for SR 1 adjacent to the site is approximately 4,000 vehicles per day. Other roadways identified as part of the study area in the Traffic Study, including State Route 135 (SR 135), Clark Avenue, Broadway Street, Solomon Road,

**Figure 4.11-1 Noise Measurement Locations**

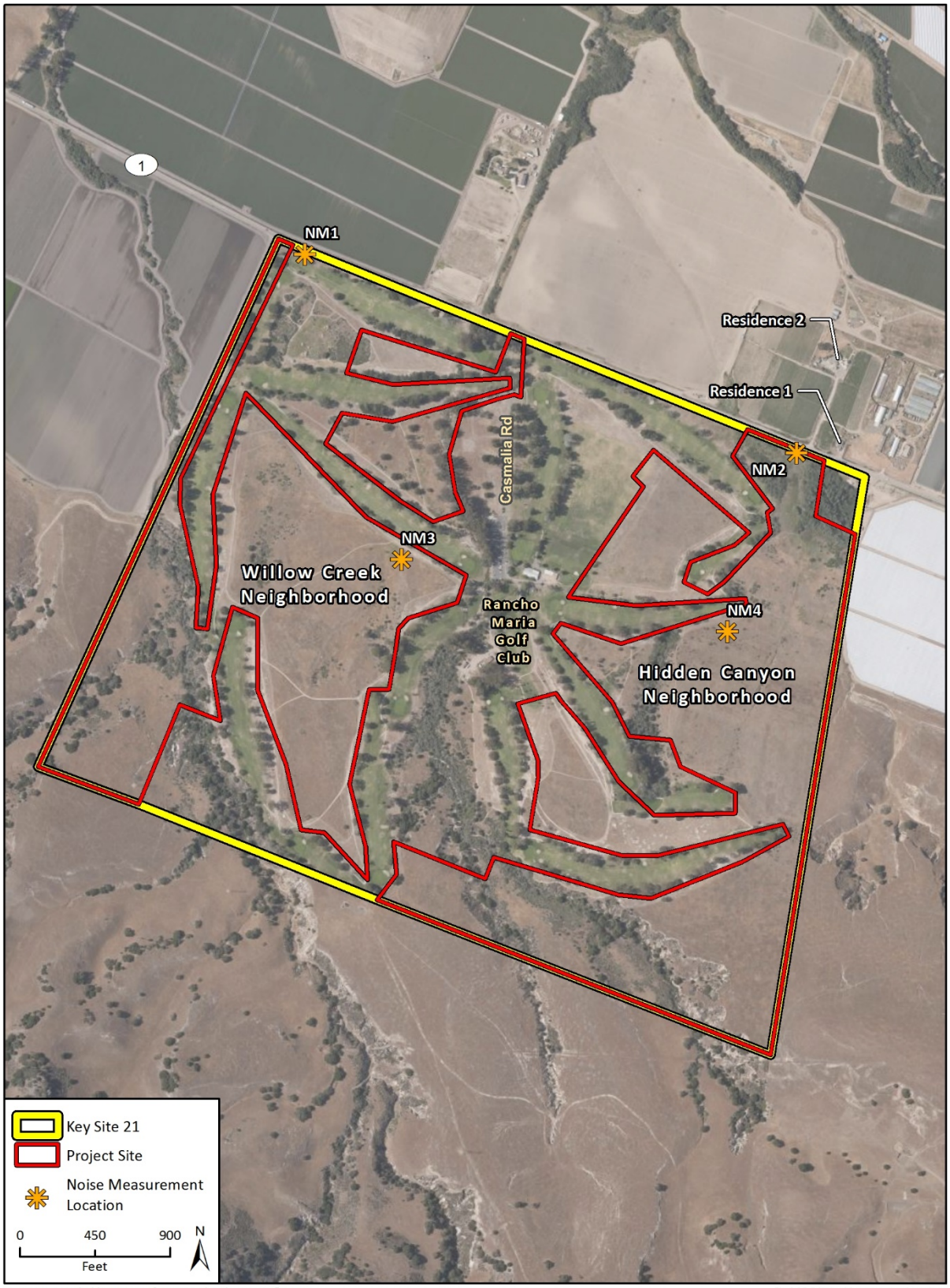


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Fig 4.10-2 Noise Measurement Locations

and Orcutt Road, are located far enough away from the project site that traffic along these roadways does not substantially contribute to roadway-related noise at the project site.

Aircraft traffic at the Santa Maria Public Airport, which is located approximately 1.5 miles northeast of Key Site 21, is a minor noise source at the site. In 1993, the Santa Barbara County Airport Land Use Commission (ALUC) and Santa Barbara County Association of Governments (SBCAG) adopted the Santa Barbara County Airport Land Use Plan (1993 ALUP) to detail and ensure compatible land uses surrounding the Santa Barbara Municipal Airport and Santa Maria Public Airport. An Airport Background Data and Assumptions Report for the Santa Maria Public Airport was also drafted in 2012 and updated again in 2017, but never formally adopted. As shown in the 1993 ALUP and draft compatibility plans for the Santa Maria Public Airport, the project site is in the helicopter approach and departure corridor for the airport and is subject to occasional aircraft overflights. However, the site is outside the 60 dBA CNEL noise contour for the airport (SBCAG 1993). As a result, aircraft noise does not currently exceed County standards on the project site.

The project site is comprised of three undeveloped parcels situated on the eastern and western portions of Key Site 21 at the outer edges of the public RMGC golf course and between the fairways. There are no existing sources of noise on the project site. According to the OCP EIR, the ambient noise environment in west Orcutt is primarily affected by vehicle traffic along SR 135, SR 1, Black Road, and Clark Avenue. Noise levels on the project site tend to be loudest in the immediate vicinity of SR 1, with the highest noise levels experienced during pass-bys of large trucks, and diminish at more distant points on the site from SR 1. Due to the semi-rural and rural land uses in this portion of the Orcutt Planning Area, ambient noise levels are generally low.

To evaluate existing ambient sound levels in the project site vicinity, four 15-minute sound level measurements were collected on December 19, 2018 during and after the morning peak hours between 7:00 p.m. and 9:00 p.m. using an ANSI Type 2 integrating sound level meter. Noise Measurements 1 and 2 were collected on the northern boundary of the project site and are representative of existing ambient noise levels along SR 1. Noise Measurements 3 and 4 were collected within each of the proposed neighborhood development areas and area representative of existing ambient noise levels on the project site. Figure 4.11-1 shows the noise measurement locations. Table 4.11-1 summarizes the noise measurement activities and results. Average noise levels are provided in Leq for 15-minute measurement periods (Leq[15]); Lmin and Lmax are also provided.

**Table 4.11-1 Project Vicinity Sound Level Monitoring Results**

| # | Measurement Location | Sample Times | dBA Leq(15) | dBA Lmax | Primary Noise Source | Distance to Centerline of the Noise Source (feet) |
|---|---|---|---|---|---|---|
| 1 | Along the northern frontage of the project site on SR 1 | 7:00–7:15 a.m. | 74.7 | 87.1 | Traffic on SR 1 | 25 |
| 2 | Along the northern frontage of the project site on SR 1 | 7:50–8:05 a.m. | 74.7 | 98.9 | Traffic on SR 1 | 25 |
| 3 | Near center of proposed Willow Creek Neighborhood development area | 8:33–8:48 a.m. | 41.4 | 61.8 | Traffic on SR 1 | 1,500 |
| 4 | Near center of proposed Hidden Canyon Neighborhood development area | 9:03–9:18 a.m. | 48.1 | 72.4 | Traffic on SR 1 | 1,200 |

See Appendix J for noise monitoring data.

Source: Rincon field visit on December 19, 2018 using ANSI Type 2 integrating sound level meter

## d. Regulatory Setting

### County of Santa Barbara Comprehensive Plan

The County of Santa Barbara has adopted noise policies in its Comprehensive Plan Noise Element (adopted 1979, republished May 2009). These policies establish both interior and exterior noise limits for noise compatibility, which are identified in the County of Santa Barbara Environmental Thresholds and Guidelines Manual (March 2018). The noise level standard for outdoor activity areas of new residential units is 65 dBA CNEL. Outdoor activity areas generally include backyards of single-family residences and individual patios or common outdoor activity areas of multi-family developments. The maximum noise exposure for indoor living areas in new residential units is 45 dBA CNEL.

### County of Santa Barbara Environmental Thresholds and Guidelines Manual

To reduce construction impacts, the County of Santa Barbara Environmental Thresholds and Guidelines Manual (March 2018) indicates that construction within 1,600 feet of sensitive receptors shall be limited to weekdays between the hours of 8:00 a.m. and 5:00 p.m.

### Orcutt Community Plan

The evaluation of noise in the Orcutt Community Plan (OCP) focuses on motor vehicles, aircraft, construction activities, and commercial/industrial operations. The OCP incorporates policies and development standards intended to provide construction- and operational-phase noise control to reduce noise conflicts in the Orcutt Planning Area. Applicable OCP policies and development standards include:

- Policy NSE-O-1, which states that development of new noise sensitive uses (as defined in the Noise Element) in Orcutt should provide attenuation of ambient noise levels for indoor living areas and, where practical, for outdoor living areas.
- DevStd NSE-O-1.1, which states that noise sensitive land uses should be located outside of 65 dB(A) CNEL contours, unless this would prevent reasonable development of a property.
- DevStd NSE-O-1.2, which requires noise sensitive uses proposed in areas exceeding 65 dB(A) CNEL to be designed so that exterior living spaces do not exceed 65 dB(A) CNEL and interior noise levels attributable to exterior sources do not exceed 45 dB(A) CNEL when doors and windows are closed.
- DevStd NSE-O-1.3, which requires project design to use a combination of vegetated berms, unit orientation or other methods to reduce noise affecting interior and exterior living spaces where possible to limit the use of sound walls. Soundwalls are only to be used if alternative noise reduction measures are ineffective. If required, soundwalls shall be decorative masonry or wood walls planted with fast-growing vines and shrubs.
- Policy NSE-O-2, which requires that construction noise in Orcutt be minimized during non-standard work hours.
- DevStd NSE-O-2.1, which requires that standard construction working hours (i.e., 8 a.m. to 5 p.m., Monday-Friday) be required for development activities. Flexibility to allow extended hours on weekdays and/or occasional working hours on Saturdays should be determined on a case-by-case basis by the County.

- DevStd NSE-O-2.2, which states that noise attenuation barriers, muffling of grading equipment and additional mitigation where deemed appropriate should be required for development where construction equipment generates noise levels in excess of 95 dB(A).

## 4.11.2 Previous Environmental Review

The OCP EIR examined potential noise impacts resulting from development under the OCP. The OCP EIR determined that buildout of the OCP would result in significant and unavoidable (Class I) noise impacts associated with increased traffic and development in close proximity to sensitive receptors. The Key Site 21 site specific analysis did not include an evaluation of noise impacts at Key Site 21. The programmatic analysis in the OCP EIR identified three potentially significant noise impacts that pertain to development in the OCP area and would apply to development on Key Site 21, including: noise increases of greater than 3 dBA on secondary Orcutt-area roadways (NSE-1), noise levels exceeding 65 dBA along major travel corridors (NSE-2), and construction related noise (NSE-3). The EIR identified measures that would minimize potential noise impacts, including locating development beyond the 65 dBA contour where possible (NSE-1), requiring design modifications for sensitive uses to reduce exterior and interior noise (NSE-2 and NSE-3), and construction scheduling limits and construction noise attenuation measures (NSE-5). The residual impacts to noise after mitigation were identified as significant and unavoidable (Class I).

## 4.11.3 Impact Analysis

### a. Methodology and Significance Thresholds

### Methodology

The analysis of noise impacts considers the effects of both temporary construction-related noise and long-term noise associated with operation of the project.

Construction noise was estimated using the Federal Highway Administration (FHWA) Roadway Construction Noise Model (RCNM; 2006). RCNM predicts construction noise levels for a variety of construction operations based on empirical data and the application of acoustical propagation formulas. RCNM provides reference noise levels for standard construction equipment but does not take into consideration variations in topography or staging locations of construction equipment on the project site. For the purposes of this analysis, construction equipment operations were modeled within each of the proposed neighborhood development areas, at the approximately location of Noise Measurements 3 and 4, because the majority of project construction activity would occur in and surrounding these areas.

Four measurements of average sound levels (Leq) were taken on the site to evaluate existing ambient noise levels. These measurements provide the basis for analysis of potential noise levels impacts from SR 1 (refer to Appendix J). The measured Leq sound levels characterize existing noise conditions found on the site, as influenced by topographical variations, local built environment noise obstructions and reflective surfaces, and traffic flow in the area. The field data records and sound level meter output are included in Appendix J.

Roadway noise was modeled using the U.S. Department of Housing and Urban Development (HUD) Exchange Day/Night Noise Level (DNL) Calculator (HUD 2018). Roadway noise was modeled under existing, existing + project, cumulative, and cumulative + project conditions along SR 1 based on trip generation estimates in the Traffic Study (Appendix K) prepared for the project. The cumulative

traffic forecasts assume development of approved and pending projects in the Santa Maria Valley (including Old Town Orcutt and the OCP, and projects outside of a community or Specific Plan area) that would contribute to traffic on area roadways and at intersections. Roadway noise was modeled along the SR 1 corridor because this portion of the project site would be the most affected by project-generated traffic.

## Significance Thresholds

Appendix G of the CEQA guidelines considers a project to have a significant noise impact if the project would result in:

- Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;
- Generation of excessive ground-borne vibration or ground-borne noise levels; and/or
- For a project located within the vicinity of a private airstrip or 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.

The project does not propose the use of vibratory pile drivers or other equipment that would result in ground-borne vibration or ground-borne noise. Therefore, the project would not result in significant impacts associated with exposure of persons to excessive ground-borne vibration or ground-borne noise levels, and the associated CEQA significance thresholds are not discussed further in this report. In addition, the project site is outside the 60 dBA CNEL contour for the Santa Maria Public Airport. Therefore, the project would not result in impacts associated with airport noise, and the associated County and CEQA significance thresholds are not discussed further in this report.

Based on the Santa Barbara County Environmental Thresholds and Guidelines Manual, noise impacts would be considered significant if:

- Noise from grading and construction activity proposed would occur within 1,600 feet of sensitive receptors, including schools, residential development, commercial lodging facilities, hospitals, or care facilities. This is based upon an assumed average construction noise level of 95 dBA at a distance of 50 feet from the source, which would result in a noise level of approximately 65 dBA at a distance of 1,600 feet.
- The proposed project would generate noise levels in excess of 65 dBA CNEL and could affect sensitive receptors.
- Outdoor living areas of noise-sensitive uses would be subject to noise levels in excess of 65 dBA CNEL.
- Interior living areas of noise-sensitive uses would be subject to noise levels in excess of 45 dBA CNEL.

For traffic-related noise, impacts would be considered significant if project-generated traffic would result in exposure of sensitive receptors to an unacceptable increase in noise levels. Recommendations contained in the FTA Transit Noise and Vibration Impact Assessment were used to determine whether increases in traffic noise would be unacceptable. With these standards, the acceptable noise exposure increase is reduced with increasing ambient existing noise exposure,

such that higher ambient noise levels have a lower acceptable noise exposure increase. Table 4.11-2 shows the significance thresholds for increases in traffic-related noise levels caused by the project.

**Table 4.11-2 Significance of Changes in Operational Roadway Noise Exposure**

| Existing Noise Exposure (dBA Ldn or Leq) | Acceptable Noise Exposure Increase (dBA Ldn or Leq) |
|---|---|
| 45 | 7 |
| 50 | 5 |
| 55 | 3 |
| 60 | 2 |
| 65 | 1 |
| 70 | 1 |
| 75 | 0 |

Source: FTA 2018

## b. Project Impacts and Mitigation Measures

Impacts and mitigation measures described in the OCP EIR are incorporated below, with corresponding analysis pertaining to the proposed Willow Creek and Hidden Canyon Residential Project. Impacts identified in the OCP EIR are compared with those that are anticipated to occur under the proposed Neighborhoods of Willow Creek and Hidden Canyon Project.

| | |
|---|---|
| **Threshold:** | Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? |

### Impact N-1 PROJECT CONSTRUCTION WOULD INTERMITTENTLY GENERATE HIGH NOISE LEVELS IN THE PROJECT SITE VICINITY. PROJECT CONSTRUCTION WOULD TAKE PLACE ADJACENT TO THE RMGC FAIRWAYS AND NEAR EXISTING RESIDENCES NORTH OF KEY SITE 21, TEMPORARILY EXPOSING PATRONS AT THE RMGC TO NOISE LEVELS EXCEEDING COUNTY THRESHOLDS. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION (CLASS II).

Construction activity would result in temporary noise in the project area, exposing surrounding receptors to increased noise levels. Increases in noise levels at off-site receptors during construction of the project would occur intermittently throughout the estimated 55-month construction period, with the possibility of occasional single-event disturbances from construction. In addition, construction noise would typically be higher during the heavier periods of initial construction (i.e., site preparation and grading work) and would be lower during the later construction phases (i.e., interior building construction). Construction noise would be reduced during the later construction phases because construction activities and equipment used during these phases typically generate less noise than site preparation and grading activities, and because the physical structures of the proposed project would break line-of-sight noise transmission from active portions of the construction area to nearby sensitive receptors. Furthermore, noise exposure would fluctuate

depending on the specific construction activity, distance between the noise source and receptor, and presence or absence of noise attenuation barriers.

Construction activities typically require the use of numerous pieces of noise-generating equipment. As shown in Table 4.11-3, peak noise levels associated with the use of individual pieces of heavy equipment that may be used in project construction may reach up to 88 dBA at 50 feet from the source, depending on the types of equipment in operation at any given time and phase of construction (FTA 2018).

**Table 4.11-3 Construction Equipment Noise Emission Levels**

| Equipment | Typical Noise Level 50 feet from Source, dBA |
|---|---|
| Backhoe | 80 |
| Dozer | 85 |
| Grader | 85 |
| Loader | 80 |
| Scraper | 85 |
| Crane | 88 |
| Generator | 82 |
| Paver | 85 |
| Roller | 85 |
| Air Compressor | 80 |
| Truck | 84 |

Source: FTA 2018

## Sensitive Noise Receptors

Table 4.11-4 shows the maximum expected construction noise levels at the nearest sensitive receptors based on the combined construction equipment anticipated to be used concurrently during each phase of construction as modeled in RCNM. Construction noise model worksheets are provided in Appendix J.

**Table 4.11-4 Construction Noise Levels at Sensitive Receptors from Each Proposed Development Area**

| Receptor | Noise Level at Receptor from Proposed Hidden Canyon Neighborhood Development Area (dBA Leq) | Noise Level at Receptor from Proposed Willow Creek Neighborhood Development Area (dBA Leq) |
|---|---|---|
| **Site Preparation** | | |
| Residence 1 | 60.7 | 54.3 |
| Residence 2 | 58.1 | 53.8 |
| **Grading** | | |
| Residence 1 | 61.7 | 55.3 |
| Residence 2 | 59.1 | 54.8 |
| **Building Construction** | | |
| Residence 1 | 58.9 | 52.5 |
| Residence 2 | 56.3 | 52.0 |
| **Paving** | | |
| Residence 1 | 61.2 | 54.9 |
| Residence 2 | 58.7 | 54.4 |
| **Architectural Coating** | | |
| Residence 1 | 48.4 | 42.1 |
| Residence 2 | 45.8 | 41.6 |

Source: RCNM output in Appendix J

As shown in Table 4.11-4, project construction would not exceed 65 dBA Leq at nearby noise-sensitive receptors. The estimated construction noise levels do not take into account that equipment would be dispersed in various areas of the site in both time and space. Due to spatial and equipment limitations, only a certain amount of equipment can operate near a given location at a particular time. Therefore, the noise levels presented in Table 4.11-4 represent a conservative estimate of construction noise from a centralized located in each of the proposed development areas for each given phase.

Based on the maximum hourly average noise levels and the fact that construction activity would primarily be limited to daytime hours, construction activities are not anticipated to exceed the County's 24-hour average standard of 65 dBA CNEL. Construction noise impacts at nearby County-identified sensitive receptors would be less than significant (Class III).

### *RMGC Receptors*

Table 4.11-5 shows the maximum expected construction noise levels at the RMGC based on the combined construction equipment anticipated to be used concurrently during each phase of construction as modeled in RCNM. Construction noise model worksheets are provided in Appendix J.

**Table 4.11-5 Construction Noise Levels at RMGC from Each Proposed Development Area**

| Construction Phase | Noise Level at RMGC from Proposed Hidden Canyon Neighborhood Development Area (dBA Leq) | Noise Level at RMGC from Proposed Willow Creek Neighborhood Development Area (dBA Leq) |
|---|---|---|
| Site Preparation | 61.4 | 64.9 |
| Grading | 62.4 | 65.9 |
| Building Construction | 59.5 | 63.1 |
| Paving | 61.9 | 65.5 |
| Architectural Coating | 49.1 | 59.6 |

Source: RCNM output in Appendix J

As shown in Table 4.11-5, construction activity may result in short-term, daytime noise levels that would exceed 65 dBA Leq at the RMGC during the grading and paving phases of development of the proposed Willow Creek neighborhood. As described above, the estimated construction noise levels do not take into account that equipment would be dispersed in various areas of the site in both time and space. Due to spatial and equipment limitations, only a certain amount of equipment can operate near a given location at a particular time. Therefore, the noise levels presented in Table 4.11-5 represent a conservative estimate of construction noise from a centralized located in each of the proposed development areas for each given phase.

Based on the maximum hourly average noise levels and the fact that construction activity would primarily be limited to daytime hours, construction activities are not anticipated to exceed the County's 24-hour average standard of 65 dBA CNEL. Nevertheless, patrons at the RMGC clubhouse would be exposed to construction-phase noise from grading and construction activities that would occasionally exceed 65 dBA Leq, and could exceed County standards if construction were to occur during early morning or evening hours. Although temporary in duration, construction noise impacts would be potentially significant (Class II) and mitigation would be required.

## Mitigation Measures

### *N-1(a) Construction Hours Limitations (Modification of OCP EIR Mitigation Measure NSE-5)*

Noise-generating construction activity for site preparation and for future project development shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. No construction shall occur on weekends or State or County holidays (e.g., Thanksgiving, Labor Day). Construction equipment maintenance shall also be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions.

**Plan Requirements and Timing**. The Owner/Applicant shall provide and post signs stating these restrictions at all construction site entries. Signs shall be posted prior to commencement of construction and maintained throughout construction.

**Monitoring**. The Owner/Applicant shall demonstrate to Planning & Development permit compliance monitoring staff that signs are posted prior to grading/building issuance and pre-construction meeting. Building inspectors and permit compliance staff shall spot check and respond to complaints.

### *N-1(b) Construction Noise Control Measures*

The following noise attenuation measures shall be implemented during project construction:

- **Mufflers.** During all project site excavation and grading, all construction equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers consistent with manufacturers' standards.
- **Stationary Equipment**. All stationary construction equipment shall be located and oriented so that emitted noise is directed away from the nearest noise sensitive receptors.
- **Equipment Staging Areas**. Equipment staging shall be located in areas that will create the greatest distance feasible between construction-related noise sources and noise sensitive receptors.
- **Electrically-Powered Tools and Facilities**. Where available, electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities.
- **Smart Back-up Alarms**. Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction.
- **Additional Noise Attenuation Techniques**
  - During the clearing, earth moving, grading, and foundation/conditioning phases of construction, temporary sound barriers shall be installed and maintained between the construction site and the noise sensitive receptors within 500 feet of active construction equipment. Temporary sound barriers shall consist of sound blankets affixed to construction fencing along all sides of the construction site boundary facing potentially sensitive receptors.
  - All construction vehicles, such as bulldozers and haul trucks, shall be prohibited from idling in excess of 5 minutes.
  - The contractor shall inspect construction equipment to ensure that such equipment is in proper operating condition and fitted with standard factory silencing features. Construction equipment shall utilize all standard factory silencing features, such as equipment mufflers, enclosures, and barriers.

**Plan Requirements and Timing**. These measures shall be reflected on grading and building plans.

**Monitoring**. The Owner/Applicant shall demonstrate that the submitted plans conform to the required conditions prior to zoning clearance issuance. Planning & Development compliance monitoring staff and Grading and building inspectors shall ensure compliance in the field during construction activities.

## Significance After Mitigation

Implementation of Mitigation Measures N-1(a) and N-1(b) would ensure that construction activities only occur during normal daytime hours and on weekdays, when people are less likely to be disturbed by noise and would reduce sound levels from the loudest individual pieces of construction equipment. These measures would reduce overall construction noise and prevent nighttime construction noise, which would ensure that average daily construction noise levels would not exceed the County of Santa Barbara's maximum acceptable level of 65 dBA CNEL. Therefore, with implementation of these mitigation measures, construction noise impacts would be less than significant (Class II).

| | |
|---|---|
| **Threshold:** | Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? |

### Impact N-2 THE PROJECT WOULD NOT EXPOSE SENSITIVE RECEPTORS ON THE PROJECT SITE, INCLUDING THE PROPOSED RESIDENCES OF THE WILLOW CREEK AND HIDDEN CANYON NEIGHBORHOODS, TO NOISE IN EXCESS OF COUNTY STANDARDS. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT (CLASS III).

As shown in Table 4.11-1, the sound level measurements taken on the project site indicated an existing ambient noise level of 41.4 dBA Leq(15) at the approximate center of the proposed Willow Creek neighborhood development area and 48.1 dBA leq(15) at the approximate center of the proposed Hidden Canyon neighborhood development area during peak traffic hours. As discussed in the Overview of Sound Measurement, for rural areas with little nighttime traffic, the peak hour Leq will often be 3 to 4 dBA greater than the daily Ldn/CNEL value. Accordingly, the sound level measurement in each of the proposed development areas would be reduced by 3 to 4 dBA, if considered in terms of Ldn or CNEL, resulting in existing ambient sound level of approximately 37.4-38.4 dBA CNEL for the proposed Willow Creek neighborhood and approximately 44.1-45.1 dBA CNEL for the proposed Hidden Canyon neighborhood.

The noise policies in the County's Comprehensive Plan Noise Element as well as OCP DevStd NSE-O-1.2 establish noise level standards for outdoor activity areas of new residential units of 65 dBA CNEL, and not to exceed 45 dBA CNEL for indoor living areas in new residential units. Modern building construction techniques that comply with the 2016 California Green Building Code requirements typically provide an exterior-to-interior noise attenuation of at least 25 dBA (FTA 2018). Based on the sound levels measured on the project site, the proposed residences would not be exposed to exterior noise levels in excess of the County's exterior noise standard 65 dBA CNEL, or interior noise levels that would exceed the County's interior noise standard of 45 dBA CNEL, at the proposed new residences.

Operations associated with the proposed residential project may result in increased noise on Key Site 21, including at the RMGC, from periodic trash hauling services, internal circulation and parking, use of common and private outdoor use areas. Parking noise is typically associated with screeching tires, slamming doors, and people's voices. Operational noise associated with outdoor use areas would include conversations, music, television, or other sound-generating equipment. These unscheduled operational noises would be required to comply with County noise regulations. Noise from conversation would be an intermittent and temporary noise source. Additionally, trash services and parking noise associated with the RMGC are already a common occurrence in the project vicinity and would not result in a substantial permanent increase in ambient noise levels at

the RMGC above levels existing without the project. Therefore, project operations would not increase noise levels at the RMGC in excess of the County's exterior standard of 65 dBA CNEL or interior standard of 45 dBA CNEL.

Impacts associated with exterior and interior noise exposure in excess of County standards to sensitive receptors on Key Site 21, including the RMGC as well as the proposed new residences in the Willow Creek and Hidden Canyon neighborhoods, would be less than significant (Class III).

## Mitigation Measures

No mitigation is required because these impacts would be less than significant (Class III).

| | |
|---|---|
| **Threshold:** | Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? |

### Impact N-3 PROJECT-GENERATED TRAFFIC WOULD NOT INCREASE NOISE LEVELS ON AREA ROADWAYS IN EXCESS OF COUNTY STANDARDS. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT (CLASS III).

The project would generate new vehicle trips and increase traffic on area roadways. Based on trip generation estimates provided in the Traffic Study prepared for the project (Appendix K), the project would generate an estimated 1,378 ADT. Project trips were distributed and assigned to the street network based on the project trip distribution pattern listed in Table 4.13-7 and illustrated in Figure 4.13-3 in Section 4.13, *Transportation and Circulation*. Existing and existing + project traffic noise was modeled on the study area roadway segments using the HUD DNL Calculator for existing and existing + project ADT volumes. Table 4.11-6 summarizes the roadway noise modeling results with and without project-added vehicle trips.

**Table 4.11-6 Comparison of Existing and Existing + Project Traffic Noise Levels**

| | Roadway Noise (dBA Ldn) | | | | |
|---|---|---|---|---|---|
| Modeled Roadway Segment[1] | Existing [1] | Existing + Project [2] | Noise Level Increase [2]-[1] | Noise Increase Criteria (dBA) | Exceed Criteria? |
| SR 1 – Black Rd to Solomon Road[2] | 72.2 | 73.1 | 0.9 | 1 | No |
| SR 1 – Solomon Rd to Clark Ave[2] | 72.7 | 73.5 | 0.8 | 1 | No |
| Solomon Rd[3] | 63.7 | 64.6 | 0.9 | 2 | No |
| Clark Ave – SR 1 to Broadway St[3] | 72.7 | 73.4 | 0.7 | 1 | No |
| Clark Ave – Broadway St to SR 135[3] | 74.2 | 74.5 | 0.3 | 1 | No |
| Clark Ave – East to SR 135[3] | 71.2 | 71.4 | 0.2 | 1 | No |

[1] The segment of SR 1 from Clark Avenue to SR 135 was not modeled as there are not sensitive receptors along this roadway segment. See Appendix J for HUD DNL worksheets.

[2] Distribution of Cars, Medium Trucks, and Heavy Trucks based on Caltrans Traffic Census Program 2017 truck traffic data.

[3] Distribution of Cars, Medium Trucks, and Heavy Trucks used in model based on standard assumption for non-State highways of 95 percent cars, 3 percent medium trucks, and 2 percent heavy trucks.

Source: HUD 2018

As shown in Table 4.11-6, noise generated by project traffic would result in less than 1 dBA noise level increase along study area roadway segments. This increase would not be perceptible and would not exceed the FTA Transit Noise and Vibration Impact Assessment acceptable noise exposure increase. Therefore, the project would not significantly increase noise levels at noise sensitive receptors along the roadways in the vicinity of the project site. The project would not result in a substantial permanent increase in ambient noise levels above levels existing without the project. Impacts would be less than significant (Class III).

## Mitigation Measures

No mitigation is required because this impact would be less than significant (Class III).

## c. Cumulative Impacts

In contrast to near-term, site-specific noise impacts, cumulative noise impacts include impacts resulting from traffic-generated increases in roadway noise assuming development of all approved and pending projects in the Santa Maria Valley that would contribute to traffic on area roadways and at intersections. Cumulative and cumulative + project traffic noise was modeled on the study area roadway segments using the HUD DNL Calculator using cumulative and cumulative + project ADT volumes. Table 4.11-7 summarizes the roadway noise modeling results with and without project-added vehicle trips.

**Table 4.11-7 Comparison of Cumulative and Cumulative + Project Noise Levels**

| | Roadway Noise (dBA Ldn) | | | | |
|---|---|---|---|---|---|
| Modeled Roadway Segment[1] | Cumulative [1] | Cumulative + Project [2] | Noise Level Increase [2]-[1] | Noise Increase Criteria (dBA) | Exceed Criteria? |
| SR 1 – Black Rd to Solomon Road[2] | 71.5 | 72.5 | 1.0 | 1 | No |
| SR 1 – Solomon Rd to Clark Ave[2] | 72.3 | 73.1 | 0.8 | 1 | No |
| Solomon Rd[3] | 64.5 | 65.3 | 0.8 | 2 | No |
| Clark Ave – SR 1 to Broadway St[3] | 75.7 | 76.0 | 0.3 | 1 | No |
| Clark Ave – Broadway St to SR 135[3] | 74.2 | 74.4 | 0.2 | 1 | No |
| Clark Ave – East to SR 135[3] | 72.4 | 72.5 | 0.1 | 1 | No |

[1] The segment of SR 1 from Clark Avenue to SR 135 was not modeled as there are not sensitive receptors along this roadway segment. See Appendix J for HUD DNL worksheets.

[2] Distribution of Cars, Medium Trucks, and Heavy Trucks used in model based on Caltrans Traffic Census Program 2017 truck traffic data.

[3] Distribution of Cars, Medium Trucks, and Heavy Trucks used in model based on standard assumption for non-State highways of 95 percent cars, 3 percent medium trucks, and 2 percent heavy trucks.

Source: HUD 2018

As shown in Table 4.11-7, noise generated by project traffic would result in a maximum 1 dBA noise level increase along study area roadway segments. This increase would not be perceptible and would not exceed the FTA Transit Noise and Vibration Impact Assessment acceptable noise exposure increase. Therefore, the project would not significantly increase cumulative noise levels at

noise sensitive receptors along the roadways in the vicinity of the project site and cumulative noise impacts would be less than significant (Class III).

# 4.12 Public Services and Recreation

## 4.12.1 Setting

This section analyzes the effect of the project on schools, wastewater, solid waste generation, police protection and recreational resources. The project's effect on fire protection services is addressed in Section 4.7, *Fire Protection.*

### a. Project Site Setting

### Public Schools

The project site is located within the Orcutt Union School District (OUSD) and the Santa Maria Joint Union High School District (SMJUHSD). The project would be served by Pine Grove Elementary School, Orcutt Junior High School, and Ernest Righetti High School. Table 4.12-1 shows current enrollment and enrollment capacity for these schools for the 2017-2018 school year.

**Table 4.12-1 Key Site 21 Area School Enrollment**

| Schools | Enrollment | Enrollment Capacity | Percent Capacity Utilization |
|---|---|---|---|
| Pine Grove Elementary[1] | 526 | 621 | 85% |
| Orcutt Junior High[1] | 567 | 553 | 103% |
| Ernest Righetti High[2] | 2,175 | 2,517 | 86% |

[1] Source: Carol Sutton, personal communication 2019.
[2] Includes permanent (1,518) and 37 portable classroom (999) capacity (Reese Thompson, personal communication 2018).

### Wastewater

Sewer service for the project would be provided by the Laguna County Sanitation District (LCSD). The District's boundaries encompass most of the area of Orcutt that is within the urban boundary and areas to the west and north of the Orcutt Planning area, including portions of the City of Santa Maria and the Santa Maria Airport. The District's sewer infrastructure consists of a wastewater reclamation facility, a network of trunk sewers and collection pipes, and spray fields for disposal of treated effluent. The District's 24-inch main trunk line generally runs east/west, approximately 1,000 feet north of Key Site 21, and is fed by gravity flows from the majority of the planning area.

The project would be served by a public sewer connection to an existing LCSD 24-inch line by constructing a 1,000-foot long connection across Key Site 22 to the north of the project site. The project site would be served by the proposed onsite collection system, comprised by a network of gravity sewer lines located in the private roads serving the individual units that will meet at State Route 1 (SR 1) and tie into a recorded easement to the 24-inch sewer main to the North. The existing 24-inch line was designed to accommodate development of Key Site 21 in the Orcutt Community Plan (OCP).

LCSD currently collects, treats, and disposes of approximately 1.6 to 1.7 million gallons per day (MGD) of wastewater. The District's treatment plant has a permitted/rated design capacity of 3.7 MGD, currently at 45 percent capacity with an available capacity of 1.3 MGD (Wilder 2018). This plant is regulated by the Central Coast Regional Water Quality Control Board (CCRWQCB) in San Luis Obispo under Waste Discharge Requirements (Permit R3-2011-0217) and Master Reclamation

Permit Order 01-042. All of the water that is collected and treated at the facility is treated to disinfected tertiary levels and recycled through irrigation and agricultural uses on District land and various off-site locations.

## Solid Waste

Solid waste collection service in Orcutt is provided by Health Sanitation Service (HSS), a private refuse collection, recycling, and disposal company. Solid waste generated in the area is transported to the City of Santa Maria Landfill, the second largest landfill in the County located at the northeastern corner of the Santa Maria city limits, adjacent to the Santa Maria River. The permitted capacity of the landfill is approximately 13.9 million cubic yards (CY), with a total remaining capacity of approximately 1.5 million CY and is estimated to reach capacity in 2022. In addition, the approved Santa Maria Integrated Waste Management Facility is planned to be operational in 2020, and will enable the City to phase out the use of the existing Santa Maria Landfill (Cantu 2018).

## Police Protection

Police protection in Orcutt is provided by the Santa Barbara County Sheriff's Department (SBCSD). The Orcutt Planning Area is serviced by the SBCSD's Santa Maria Station located at 812-A West Foster Road in Santa Maria, approximately 3.2 miles from the project site. The Santa Maria Station serves approximately 900 square miles of unincorporated area in the County, including the area surrounding Santa Maria and Guadalupe, as well as the communities of Orcutt, Gary, Sisquoc, Casmalia, Tepesquet, and Los Alamos (Turner 2018). The Santa Maria Station is staffed with 22 officers. Based on this value, the current service ratio is one officer per 1,368 residents in the Orcutt area. This exceeds the County standard of one officer per 1,200 residents (1:1,200) and represents a deficit in existing police protection services.

The approximate response time the project site varies based on call volume. Assuming officers are available to respond, the response time to the project site would be approximately five minutes. However, actual response time can vary from 5 to 20 minute if officers are already out on call. Backup police protection services would be available from the California Highway Patrol (CHP), the Santa Maria Police Department, and the Guadalupe Police Department on an as-needed basis (Turner 2018).

## Recreation

The Orcutt area currently has approximately 160 acres of dedicated public recreation space (County of Santa Barbara 1995). Approximately 95 percent of this acreage is located at the far northern end of the community within Waller Park, located at the intersection of Waller Lane and State Route 135, which functions as a regional park utilized by the Santa Maria Valley residents. This highly developed 153.5-acre County park contains an extensive urban forest, hilly turf areas, two ponds, group and family picnic/barbecue areas, a basketball court, softball fields, volleyball courts, pony rides, and parking. Rice Ranch regional park, located approximately 3.5 miles east of the project site, includes a community park, several dog parks, and playgrounds. In addition, there are approximately seven acres of public neighborhood parks in the Orcutt area, with an additional nine acres in County-maintained open space (County of Santa Barbara 1995).

The Rancho Maria Golf Course (RMGC), a public facility that is open year-round, borders the interior portions of the project site (refer to Figure 2-2 in Section 2, *Project Description*).

## b. Regulatory Setting

### Public Schools

Operating revenue provided to school districts is funded by local property tax revenue accrued at the State level and then allocated to each protocol district based on the average daily student attendance. However, physical improvements to accommodate new students come primarily from assessed development mandated by State Law. The School Facilities Legislation (California Government Code 65995) was enacted to generate revenue for school districts for capital acquisitions and improvements. SMJUHSD and OUSD can collect development fees based upon a State-required fee schedule. As a condition of development, a developer can be required to pay the statutory school fees in effect at the same time of issuance of building permits to SMJUHSD and OUSD. However, mitigation is limited by State law. For projects which do not involve a legislative act, payment of standard fees is the maximum mitigation allowed.

### Wastewater

#### *Santa Barbara County Wastewater Regulations*

Through a memorandum of understanding with the CCRWQCB, on-site sewage disposal systems in Santa Barbara County are regulated by the County Public Health Department, Environment Health Services Division (EHS) and the CCRWQCB. The County Wastewater Ordinance sets forth specific requirements related to permitting and inspection of onsite systems; septic tank design and construction; drywell and disposal field requirements; servicing, inspection, reporting and upgrade requirements; and regulations for on-site systems. Standards pertaining to system sizing and construction are contained in the California (Uniform) Plumbing Code.

### Solid Waste

The California Integrated Waste Management Act of 1989 (Assembly Bill [AB] 939) required all cities and counties to develop a Source Reduction and Recycling Element (SRRE) for diverting 50 percent of their solid waste from landfills by the year 2000. To comply with the goals set by AB 939, the County of Santa Barbara requires a reduction in solid waste generation for all new development projects in the County. County waste characterization studies estimate that implementation of a SRRE program could reduce the total volume of waste generated by new development projects by approximately 50 percent (Santa Barbara County 2018). Through recycling and reduction programs and policies, Santa Barbara County has achieved a 69 percent solid waste diversion rate as of 2006 (CalRecycle 2014).

### Police Protection

The County of Santa Barbara imposes a police protection service mitigation fee on all new development in the Orcutt Planning Area to provide funding for capital facilities and related equipment associated with hiring new Sheriff Deputies required to serve new development (Orcutt Planning Area Fee Summary Sheet, FY 2017-2018). State legislation sets certain legal and procedural parameters for the charging of development impact fees. This legislation was passed as Assembly Bill 1600 (AB 1600) and is codified as California Government Code Sections 66000 through 66008 (“Mitigation Fee Act”).

## Recreation

### *State and Federal Sources of Funding*

Funding sources for park expansion include Quimby Fees, State Grants, and Federal Grants. Federal assistance may also be available in the form of funding from programs such as the Land and Water Conservation Fund Program, and the Department of the Interior's Small Reclamation Projects.

### *County Parks Department Fee Structure*

Quimby fees apply to subdivisions only. Ordinance 3339/3656 of the Santa Barbara County Code requires dedication of land and/or payment of a fee for the purposes of providing park and recreation facilities as a condition of all subdivisions. The Quimby Ordinance provides for the dedication of park land in lieu of fees for a new project. Any subdivision creating 50 or more units may be required to dedicate land for park purposes. Government Code Section 66477, the "Quimby Act," is the enabling statute for this ordinance. The current fees in the Orcutt Planning Area are $4,556.00 per new single-family dwelling unit and are limited to capital improvements (County of Santa Barbara 2018).

## Orcutt Community Plan

Development standards were incorporated in the OCP to minimize overall and site-specific impacts on public services and recreation. Several of these were modeled after mitigation measures in the OCP EIR. OCP development standards for public services that would apply to the project include:

- DevStd RR-O-1.3, which states that all residential and commercial development shall establish a recyclable material pickup area;
- DevStd RR-O-1.4, which requires that all developers provide recycling bins at construction sites;
- DevStd WW-O-2.1, which states the applicable conditions under which the County will accept Can-and-Will-Serve letter for all new developments;
- DevStd WW-O-3.1, which requires all new commercial and industrial development, which will contribute grease, oils, and/or chemicals to wastewater flows, to be fitted with onsite filtration consisting of charcoal filters or other methods approved by the LCSD to reduce site-specific discharge of these substances ~~on-site filtration systems for developments contributing to wastewater flows~~;
- DevStd WW-O-3.3, which requires the County to make findings that a project's effluent will meet Regional Water Quality Control Board (RWQCB) standards;
- DevStd SCHO-O-1.2, which states that if a Mello-Roos Community Facilities (CFD) is formed, all applicants for new developments that impact schools in the Orcutt Planning Area (OPA) must agree to participate in the CFD or demonstrate an alternative method for mitigation.

OCP development standards for recreation that would apply to the project include:

- DevStd PRT-O-4.1 and DevStd PRT-O-4.3, which require development on sites with identified trail corridors to construct and maintain for two years designated trails indicated in the Orcutt Multiple Use Trails Plan;
- DevStd PRT-O-4.2, which states that trails should cross primary, and where appropriate secondary, roadways at controlled intersections and be limited to six (6) feet in width in natural undeveloped open space areas, except along Class I bikeways and emergency access routes;

- DevStd KS21-5, which requires the developer to dedicate an easement for and construct a public staging area and hiking trail along the east side of the site boundary;
- DevStd KS21-7, which requires development to be designed to facilitate pedestrian access to the golf course and accommodate continued use of the public golf course.

## 4.12.2 Previous Environmental Review

### OCP EIR

The OCP EIR examined potential impacts to public services and recreation that would result from development under the OCP in two sections of the document: Public Services, and Parks, Recreation, and Trails. The OCP EIR determined that buildout of the OCP would result in significant and unavoidable (Class I) impacts to public services and recreation. Site specific analysis was not performed for public services or recreation at Key Site 21.

The OCP EIR identified 18 potentially significant public services impacts that pertain to development on Key Site 21, including: inadequate number of police officers (POL-1), development outside of the existing five-minute response area (POL-2), increased solid waste from 10-year buildout (SW-1), increased solid waste from full buildout (SW-2), increased need for new landfill (SW-3), increased TDS levels (WW-1), need for additional trunk and feeder lines (WW-2), ~~development outside the sewer district's boundary (WW-3),~~ potential flows exceed plant capacity (WW-4), increased grease or chemical levels (WW-5), increased TDS levels from retrofitting (WW-6), exceedance of OUSD's permanent/expanded school capacities (SCH-1), capacity exceedance at Righetti High/need for new high school (SCH-2), need for 1-2 additional elementary schools (SCH-3), operational impacts (SCH-4), exceedance of capacity at OUSD (SCH-5), exceedance of capacity at SMJUHSD (SCH-6), lack of school sites (SCH-7), and lack of funding (SCH-8). The OCP EIR identified Mitigation Measures that would minimize potential public services impacts, including development fees (PS-1), waste disposal and recycling requirements (SW-1 through SW-6), wastewater requirements (WW-1 through WW-7), and school facility and finding requirements (SCH-1 through SCH-3). The OCP EIR determined that implementation of feasible mitigation measures would not reduce the majority of identified public services impacts to a less than significant level. Implementation of Mitigation Measure WW-1, which requires TDS-reduction methods, was found to reduce impacts related to increased TDS levels (WW-1) to a less than significant level.

The OCP EIR identified five potentially significant impacts to recreation including: intensification of use in existing recreational facilities (REC-1), increased demand for recreational facilities (REC-2), loss of open space/established public use of trails (REC-3), increased demand for neighborhood parks (REC-4), and inadequate funding for park construction/maintenance (REC-5). The OCP EIR identified Mitigation Measures that would minimize potential recreational impacts, including adoption of an Open Space Overlay and Plan (REC-1a and b), formation of a Landscape-Open Space Maintenance District (REC-1c), acquisition of public parks (REC-2), coordination with the City of Santa Maria for provision of a recreational open space area (REC-3), coordination with school districts (REC-4), funding sources (REC-5 and REC-7), adoption of a Bikeways Plan and Multiple Use Trails Plan (REC-8 and REC-9), recreational area requirements (REC-9), and fee or easement requirements (REC-6 and REC-11). The residual impact to recreational facilities after mitigation was identified as significant but unavoidable (Class I).

# 4.12.3 Impact Analysis

## a. Methodology and Significance Thresholds

Appendix G of the CEQA guidelines considers a project to have a significant impact to public services and/or recreation if the project would:

- Result in a substantial adverse physical impact associated with the provision of new or physically altered police, school, or other public facilities;
- Result in the need for new or physically altered police, school, other public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for public services;
- Require or result in the relocation or construction of new or expanded wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects;
- Result in determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments;
- Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or
- Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

The project's effect on fire protection services is addressed in Section 4.7, *Fire Protection*.

Appendix G of the CEQA guidelines considers a project to have a significant impact to recreation if the project would:

- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

To address the Appendix G checklist questions for public services, this analysis uses the County's service-specific thresholds. This analysis relies on the County of Santa Barbara Environmental Thresholds and Guidelines Manual (March 2018) to determine thresholds of significance of impacts related to schools, solid waste, and recreation. Based on the Santa Barbara County Environmental Thresholds and Guidelines Manual, as well as standards from the SBCSD, EPA and RWQCB, public services impacts would be considered significant if the project:

- Generates sufficient students to require an additional classroom. This assumes 29 students per classroom for elementary/junior high students, and 28 students per classroom for high school students, based on the lowest student per classroom loading standards of the State school building program;
- Generates wastewater that causes a treatment plant's average daily flow to meet or exceed 75 percent of the plant's design capacity;
- Results in more than 350 tons of construction and demolition debris, which is equivalent to the construction of 47,000 square feet of new residential buildings;

- Generates 5 percent or more of the expected annual increase in waste generation, thereby using a significant portion of the remaining landfill capacity. Based on an assumed 4,000 tons per year increase in solid waste generation, the numerical value associated with the 5 percent increase is 196 tons/year.
- Decreases the standard service ratio of police officer to resident of 1:1,200;
- Results in a response time greater than five minutes;

A discussion of the significance thresholds for these issue areas, along with a discussion of methodology associated with each of the issue areas evaluated in this section, is provided below.

## Wastewater

On a cumulative basis, the EPA and the Regional Water Quality Control Board have a threshold for overall facilities capacity. Securing agreements and permits and designing and constructing plant improvements is subject to a number of uncertainties. The EPA and the RWQCB recommend a 75 percent capacity "check-point" threshold. This threshold requires a sewer district to establish a schedule for necessary treatment plant upgrades (or replacement) and to submit this schedule to both the EPA and the RWQCB at such time as the average daily flow exceeds 75 percent of the design capacity of the existing facilities. Therefore, impacts to wastewater treatment would be significant if project-generated wastewater causes a treatment plant's average daily flow to meet or exceed 75 percent of the plant's design capacity.

The LCSD establishes wastewater generation rates based on development type and housing density. The generation rate is then multiplied by the development acreage to determine a total project wastewater treatment demand. The wastewater duty factors used in this analysis were 0.00034 cubic feet per second (cfs) for single-family residential units, based on LCSD Standard Specifications for the Construction of Sanitary Sewers.

## Police Protection

The Santa Barbara County Sheriff's Department (SBCSD) utilizes a standard service ratio of officer to resident of 1:1,200 and a maximum response time of five minutes. The County does not currently have thresholds for police protection impacts, and as such, the standard service ratio is used to determine impacts.

## Public Schools

Information on school facilities was collected from administrators at OUSD and SMJUHSD. The estimate of the projected future residential growth was combined with data on student generation factors provided by OUSD and SMJUHSD to derive estimated school enrollment impacts of the proposed project. Pursuant to Section 65995 (3)(h) of the California Government Code (Senate Bill 50, August 27, 1998), the payment of statutory fees "...is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization."

## Solid Waste

Solid waste generation for the proposed project was estimated using solid waste generation rates in the County of Santa Barbara Environmental Thresholds and Guidelines Manual (March 2018). The

196 tons per year threshold is based on 5 percent of the expected annual percentage increase in the total average solid waste generation for Santa Barbara County from 1990 to 2005. As landfill space is already limited, any increase in solid waste of 1 percent or more of the estimated increase accounted for in the Source Reduction and Recycling Element (SRRE) would also be considered an adverse contribution to regional cumulative solid waste impacts. One percent of the SRRE projected increase in solid waste equates to 40 tons per year. Projects or developments that generate less than 40 tons per year of solid waste would not be considered to have an adverse effect due to the small amount of waste generated by these projects and the existing waste reduction provisions in the SRRE.

## b. Project Impacts and Mitigation Measures

Impacts and mitigation measures described in the OCP EIR are incorporated below, with corresponding analysis pertaining to the proposed Willow Creek and Hidden Canyon Residential Project. Impacts identified in the OCP EIR are compared with those that are anticipated to occur under the proposed Neighborhoods of Willow Creek and Hidden Canyon Project.

| | |
|---|---|
| **Threshold:** | Would the project result in a substantial adverse physical impact associated with the provision of new or physically altered school facilities? |
| **Threshold:** | Would the project result in the need for new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for school services? |

### Impact PS/R-1 THE PROJECT WOULD INCREASE THE DEMAND FOR SCHOOLS. THROUGH THE REQUIRED PAYMENT OF STATE-MANDATED IMPACT MITIGATION FEES, POTENTIAL IMPACTS TO PUBLIC SCHOOLS WOULD BE ADVERSE, BUT LESS THAN SIGNIFICANT (CLASS III).

Using student generation factors of 0.38 students per unit for elementary schools (K-6), 0.38 students per unit for middle schools (7-8), and 0.099 students per unit for high schools, the project would generate 41 new elementary school students, 14 new junior high school students, and 14 new high school students (Orcutt Union School District 1994). Table 4.12-2 shows projected enrollment increases attributable to the project.

**Table 4.12-2 Post-Project Local School Student Enrollment**

| School | Operating Capacity | Current Student Enrollment | Current % Capacity Utilization | New Students Generated by the Project[1] | Enrollment with Project | Capacity with Project |
|---|---|---|---|---|---|---|
| Pine Grove Elementary School | 621 | 526 | 85% | 41 | 567 | 91% |
| Orcutt Junior High School | 553 | 567 | 103% | 14 | 581 | 105% |
| Ernest Righetti High School | 2,517 | 2,175 | 86% | 14 | 2,189 | 87% |

[1] Student generation factors of 0.38 students per unit for elementary school, 0.38 students per unit for junior high school, and 0.099 students per unit for high school were used to determine the student generation

As shown in Table 4.12-2, the proposed residential development would add 55 students to schools in the OUSD (Pine Grove Elementary and Orcutt Junior high) and 14 students to the SMJUHSD (Ernest Righetti High School).

Pine Grove Elementary and Ernest Righetti High School currently have sufficient capacity to accommodate new students without the need for additional classrooms. However, Orcutt Junior High School is currently over capacity, as indicated by Table 4.12-2. Therefore, an increase in 14 students would contribute to the need for new or expanded classroom facilities. As discussed in Methodology and Significance Thresholds above, the collection of state-mandated fees (pursuant to Section 65995(3)(h) of the California Government Code) is considered full and complete mitigation for impacts to public schools. The project would be required by State law to pay their fair share of impact mitigation fees in order to finance school facilities, and impacts to public schools would be adverse, but less than significant.

## Mitigation Measures

No mitigation measures would be required. Through the required payment of State-mandated impact mitigation fees, potential impacts to public schools would be adverse, but less than significant (Class III).

| | |
|---|---|
| **Threshold:** | Would the project require or result in the relocation or construction of new or expanded wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects? |
| **Threshold:** | Would the project result in determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? |

### Impact PS/R-2 THE PROJECT WOULD NOT SUBSTANTIALLY DIMINISH THE LCSD'S WASTEWATER TREATMENT CAPACITY, NOR REQUIRE SUBSTANTIAL NEW OR EXPANDED WASTEWATER TREATMENT FACILITIES, STORMWATER DRAINAGE FACILITIES, OR OTHER UTILITIES. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT (CLASS III).

As discussed in Section 4.12.3(a), *Methodology and Significance Thresholds*, the LCSD establishes wastewater generation rates based on development type and housing density. Table 4.12-3 shows the project's estimated wastewater generation.

As shown in Table 4.12-3, the project would generate an estimated 76,000 gallons per day (0.076 MGD) of wastewater. This would increase the wastewater processed at the LCSD from 1.7 to 1.78 MGD, representing approximately 48.1 percent of the total plant design capacity. Because additional wastewater would not cause the LCSD plant to exceed 75 percent of its existing design capacity, to the project would not result in a significant impact to wastewater treatment.

**Table 4.12-3 Project ~~Wastewater~~ Average and Peak Flows**

| | CFS/unit | Average Flow ~~Runoff~~ (CFS) | Peak Flow ~~Runoff~~ (CFS) |
|---|---|---|---|
| **Willow Creek Neighborhood** | | | |
| 90 units | 0.00034 | 0.030 | 0.074 |
| **Hidden Canyon Neighborhood** | | | |
| 56 units | 0.00034 | 0.019 | 0.046 |
| **Total** | | **0.049** (0.076 MGD) | **0.250** (0.161 MGD) |

CFS – cubic feet per second; MGD – million gallons per day

Unit flows derived from LCSD Standard Specifications for the Construction of Sanitary Sewers, September 2014

Peak ~~Runoff~~ Flow = Average ~~Runoff~~ Flow x 2.4

The project would also require addition of an off-site ~~trunk and feeder lines~~ sewer main on Key Site 22, north of the project site. In compliance with OCP EIR Mitigation Measure WW-4, the project would be required to pay ~~trunk and feeder line~~ sewer fees to fund these required off-site improvements. The project would not require new off-site stormwater drainage facilities; as discussed in Section 4.14, *Water Resources and Flooding*, stormwater ~~runoff~~ flows from the project site would discharge at or below existing drainage conditions, consistent with SBCFCD's post-development ~~runoff~~ flow criteria. The project would connect to existing off-site electric power, natural gas, or telecommunications facilities. Therefore, with the payment of required trunk and feeder line fees for wastewater infrastructure, impacts associated with the expansion or constructions of new wastewater treatment facilities and other utilities would be less than significant.

## Mitigation Measures

No mitigation measures are required because these impacts would be less than significant (Class III).

| | |
|---|---|
| **Threshold:** | Would the project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? |
| **Threshold:** | Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste? |

### Impact PS/R-3 THE PROJECT WOULD GENERATE SOLID WASTE THAT WOULD INCREASE DEMAND ON THE SANTA MARIA LANDFILL. THIS IMPACT WOULD BE SIGNIFICANT AND UNAVOIDABLE (CLASS I).

The project would increase the population of the Orcutt area by an estimated 431 residents, which would result in approximately 417 tons of new solid waste per year, based on solid waste generation rates in the County of Santa Barbara Environmental Thresholds and Guidelines Manual This would exceed the County's 196 tons per year threshold for solid waste generation by 221 tons per year.

The project would be subject to the County's waste reduction and recycling requirements. County waste characterization studies estimate that implementation of a Source Reduction and Recycling element (SRRE) program can attain up to 50 percent reduction in the solid waste stream. Although

the requirements would reduce the demand by up to 208 tons per year, the project's estimated solid waste generation would still exceed the County's 196 tons per year threshold. Therefore, the project would result in a potentially significant impact to landfill capacity.

Construction activity would also generate solid waste, particularly wood, metal, and cardboard. According to the County of Santa Barbara Thresholds and Guidelines Manual, construction of 47,000 square feet of new residential buildings would have a significant impact on solid waste services. Based on an estimated minimum residential unit size of 1,500 square feet, development of the proposed 146 single-family residences would result in over 200,000 square feet of new construction. Therefore, the disposal of construction materials would exceed the County's threshold for new construction, resulting in a potentially significant impact on solid waste services.

## Mitigation Measures

### *PS/R-3 Source Reduction and Solid Waste Management Plan (SRWMP)*

The applicant shall prepare a Source Reduction and Solid Waste Management Plan (SRWMP) subject to County approval prior to issuance of grading permits. The SRWMP shall describe commitments to reduce the amount of waste generated during construction of the project and estimate the reduction in solid waste generated during each phase of project construction. The SRWMP shall include, at a minimum:

1. **Construction Source Reduction**
    a. A description of how fill will be used on the construction site, instead of landfilling.
    b. A program to purchase materials that have recycled content for project construction.
2. **Construction Solid Waste Reduction**
    a. Prior to construction, the contractor will arrange for construction recycling service with a waste collection provider. Roll-off bins for the collection of recoverable construction materials will be located onsite. The applicant, or authorized agent thereof, shall arrange for pick-up of recycled materials with a waste collection provider or shall transport recycled materials to the appropriate service center. Wood, concrete, drywall, metal, cardboard, asphalt, soil, and land clearing debris may all be recycled.
    b. The contractor will designate a person to monitor recycling efforts and collect receipts for roll-off bins and/or construction waste recycling. All subcontractors will be informed of the recycling plan, including which materials are to be source-separated and placed in proper bins.
    c. Recycling and composting programs including separating excess construction materials on-site for reuse/recycling or proper disposal (e.g., concrete, asphalt, wood, brush). Provided separate on-site bins as needed for recycling.
3. **Operation Solid Waste Reduction**
    a. Provision of space and/or bins for storage of recyclable materials within common areas of the project site.
    b. Implementation of a green waste source reduction program for composting in open areas, and the use of mulching mowers in all common open space lawns.

**Plan Requirements and Timing**. The Owner/Applicant shall submit a Source Reduction and Solid Waste Management Plan to Planning & Development for review and approval prior to approval of zoning

clearance. The applicant shall implement all aspects of the Plan during construction and operation of the project in accordance with the above-described conditions.

**Monitoring**. The Owner/Applicant shall demonstrate to Planning & Development compliance monitoring staff that all required source reduction and solid waste reduction measures are implemented during project construction and operational solid waste reduction measures are implemented prior to occupancy.

## Significance After Mitigation

Although Mitigation Measure PS/R-3 would reduce solid waste generation during the construction phase of the project and during project operation, waste generated by the project may still exceed the County's annual solid waste threshold of 196 tons per year. The project would result in the construction of more than 200,000 square feet of new residential buildings. Therefore, the project would exceed the County's solid waste thresholds for construction and operation. Impacts related to solid waste would be significant and unavoidable (Class I).

| | |
|---|---|
| **Threshold:** | Would the project result in a substantial adverse physical impact associated with the provision of new or physically altered police protection facilities? |
| **Threshold:** | Would the project result in the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection services? |

### Impact PS/R-4 BUILDOUT OF THE PROJECT WOULD INCREASE DEMAND ON THE SANTA BARBARA COUNTY SHERIFF'S DEPARTMENT (SBCSD). THE PROJECT WOULD BE SUBJECT TO POLICE PROTECTION SERVICE MITIGATION FEES, WHICH PROVIDE FUNDING FOR CAPITAL FACILITIES AND RELATED EQUIPMENT ASSOCIATED WITH HIRING NEW SHERIFF DEPUTIES REQUIRED TO SERVE NEW DEVELOPMENT. THEREFORE, THIS IMPACT WOULD BE LESS THAN SIGNIFICANT (CLASS III).

Based on an average household size of 2.95 persons per unit in the Orcutt Plan Area (SBCAG 2012), the proposed 146 residential units would generate 431 residents at the site. This population increase would reduce the service ratio from 1:1,368 to 1:1,388, which would not satisfy the SBCSD goal of 1:1,200. Therefore, the project would contribute to the County's existing police service ratio deficit.

As discussed in Section 4.12(b), *Regulatory Setting*, the County imposes a police protection service mitigation fee based on Public Infrastructure financing program for the Orcutt Community Plan to provide funding for capital facilities and related equipment associated with hiring new Sheriff deputies required to serve new development. Payment of the required police protection service mitigation fee also implements OCP EIR Mitigation Measure POL-1. Although development of new police protection facilities could result in environmental impacts, the evaluation of such impacts would be speculative because the location and timing of such facilities is not known at this time. Future facilities that would be constructed would be subject to environmental review and potential indirect physical impacts associated with construction of new police protection facilities would be addressed through separate CEQA review on a case-by-case basis. Therefore, the payment of required police protection service mitigation fees would ensure that impacts to police services would be less than significant.

## Mitigation Measures

Payment of the required police protection service mitigation fee would implement OCP EIR Mitigation Measure POL-1 and reduce impacts associated with the deficit in police protection services. With payment of the County-required police protection service mitigation fee, potential impacts to police protection services would be adverse, but less than significant (Class III).

| | |
|---|---|
| **Threshold:** | Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? |
| **Threshold:** | Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? |

### Impact PS/R-5 THE PROJECT WOULD NOT SIGNIFICANTLY INCREASE THE DEMAND FOR RECREATIONAL FACILITIES OR REQUIRE THE CONSTRUCTION OR EXPANSION OF RECREATIONAL FACILITIES THAT MAY HAVE AN ADVERSE PHYSICAL EFFECT ON THE ENVIRONMENT. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT (CLASS III).

The project would result in new residents, and would increase the demand parkland in the Orcutt Planning Area. Based on Orcutt's average household size of 2.95 persons per dwelling unit (SBCAG 2012), the proposed 146 residential units would generate an estimated 431 new residents. The County has established a standard of 4.7 acres of parkland per 1,000 residents. Therefore, the project would generate a need for approximately 2.0 acres of parkland.

The project does not include any new public parklands, but would provide on-site recreational components, including approximately 97 acres of undisturbed open space, a trail staging area, and public recreational trail that would located along the eastern project boundary (shown on the OCP Area Parks, Recreation, and Trails Map). The terminus of the trail would be at the access road for the Hidden Canyon Neighborhood subterranean water tank, approximately 750 feet north of the project's southern boundary. The Hidden Canyon tentative tract map includes an easement to the remaining 750 feet of trail corridor extending to the southeast corner of the project boundary. The Santa Barbara County Community Services Department, Park Division would be responsible for installing the balance of the trail at a future date as part of an overall project to extend the trail on the adjacent parcel to the south (Garciacelay 2018). The proposed staging area and trail would implement the OCP-designated trail RM-1 within the project site (identified in the OCP Area Parks, Recreation, and Trails Maps) and would be consistent with the OCP Key Site 21 DevStd KS21-5.

The project would be required to pay County parkland development impact fees (Quimby fees), which would be directed to new parks and recreation facilities or improvements to existing parks and recreation facilities in the Orcutt area. Although development of new parks and recreation facilities could result in environmental impacts, the evaluation of such impacts would be speculative because the location and timing of such facilities is not known at this time. Future facilities that would be constructed would be subject to environmental review and potential indirect physical impacts associated with construction of new parks and recreation facilities would be addressed through separate CEQA review on a case-by-case basis. Therefore, the payment of the County's required parkland development impact fees would ensure compliance with the policies and performance standards in the OCP as part of the project, and impacts associated with parks and recreational facilities would be less significant.

## Mitigation Measures

No mitigation measures are required because these impacts would be less than significant (Class III).

## c. Cumulative Impacts

### Public Schools

Residential development in the area under cumulative conditions could generate enough new students such that it may exceed the capacity of schools within the OUSD or SMJUHSD and may require new or altered school facilities in the future. Based on the same student generation factors used for the project-level impact analysis, cumulative residential development within the Orcutt area would be expected to generate 478 elementary and middle school students, and 125 high school students, for a total of 603 students under cumulative conditions. The project would generate 69 students, which accounts for approximately 11 percent of the total students generated from cumulative buildout within the Orcutt area, and less than 1 percent of the 7,800 students enrolled in the SMJUHSD.

Although development of new schools could result in environmental impacts associated with ground disturbance (e.g., biological resources, cultural resources, etc.), and/or noise and traffic, a precise evaluation of environmental impacts would be speculative because the location and timing of such facilities is not known at this time. Future facilities that would be constructed as a result of cumulative development would be subject to additional environmental review. As discussed above, the collection of state-mandated fees (pursuant to Section 65995(3)(h) of the California Government Code) is considered full and complete mitigation for impacts to public schools. Through the payment of impact mitigation fees, potential cumulative impacts related to public schools would be adverse, but less than significant (Class III).

### Wastewater

Based on the LCSD residential wastewater generation factors, cumulative residential development in the Orcutt Planning Area would generate approximately 0.28 MGD of wastewater. Based on LCSD's wastewater generation rate of 0.000525 MGD per 1,000 square feet of non-residential use, cumulative non-residential development in the Orcutt Planning Area would generate approximately 0.34 MGD of wastewater. In total, buildout of the Orcutt Planning Area would increase wastewater generation by an estimated 0.62 MGD. Existing plus cumulative development would generate approximately 2.32 MGD of wastewater, which represents approximately 60 percent of the treatment plant's permitted capacity of 3.7 MGD. Therefore, cumulative wastewater demand in the Orcutt Planning Area would not exceed the 75 percent capacity checkpoint threshold for the plant's design capacity. As such, cumulative wastewater impacts would be less than significant (Class III).

### Solid Waste

The proposed development, in conjunction with other planned and pending development in the Santa Maria/Orcutt area, would increase solid waste generation, thereby reducing the lifespan of solid waste landfills serving the area. The project would contribute incrementally to the cumulative impact to landfill capacity. The project would generate 208 tons of additional waste per year, after accounting for 50 percent waste reduction. Implementation of Mitigation Measure PS/R-3 would reduce solid waste generation during the construction phase of the project and during project operation. However, waste generated by the project would still exceed the County's 40 tons per year

cumulative solid waste threshold. Therefore, the project would result in significant and unavoidable (Class I) contribution to cumulative solid waste impacts.

## Police Protection

Residential development under cumulative conditions would generate additional residents, thereby increasing the demand on police services. As with the project, new development in the Orcutt Planning Area would be subject to the County's police protection service mitigation fee, which provides funding for capital facilities and related equipment associated with hiring new Sheriff deputies required to serve new development. Payment of the required police protection service mitigation fee also implements OCP EIR Mitigation Measure POL-1. Although development of new police protection facilities could result in environmental impacts, the evaluation of such impacts would be speculative because the location and timing of such facilities is not known at this time. Future facilities that would be constructed would be subject to environmental review and potential indirect physical impacts associated with construction of new police protection facilities would be addressed through separate CEQA review on a case-by-case basis. Therefore, the payment of the required police protection service mitigation fees would ensure that cumulative impacts to police services would remain less than significant (Class III).

## Recreation

The project provides public open space improvements, including a public trail connection that is identified in the OCP. The project, in conjunction with other planned and pending development in the Orcutt Planning Area, would increase demand on recreational facilities. However, payment of Quimby Act park fees would be required for new subdivisions in the Orcutt area, and these fees would be used to develop additional public parks serving the OCP area. Although development of new parks and recreation facilities could result in environmental impacts, the evaluation of such impacts would be speculative because the location and timing of such facilities is not known at this time. Future facilities that would be constructed would be subject to environmental review and potential indirect physical impacts associated with construction of new parks and recreation facilities would be addressed through separate CEQA review on a case-by-case basis. Therefore, the payment of the County's required parkland development impact fees would ensure compliance with the policies and performance standards in the OCP as part of the project, and cumulative impacts to recreational facilities would be less than significant (Class III).

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# 4.13 Transportation and Circulation

This section provides analyses of the potential traffic and circulation impacts associated with the Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project in the Orcutt Community Plan (OCP) area in northern Santa Barbara County. This section outlines the results of the Traffic and Circulation Study prepared for the project by Stantec in May 2019 and peer reviewed by Associated Transportation Engineers and Rincon Consultants, Inc. (Appendix K).

## 4.13.1 Setting

### a. Study Area

The study area for the evaluation of potential transportation and circulation impacts associated with the project is the western portion of the OCP area, generally bounded by Black Road to the west, SR 135 to the east, Union Valley Parkway to the north and the SR 1 to the south. The roadway segments and intersections identified for analysis were obtained from County staff. Table 4.13-1 lists the key roadways and intersections included in the traffic analysis. The principal components of the study area street network are illustrated in Figure 4.13-1.

**Table 4.13-1 Study Area Roadways and Intersections**

| Roadways | Intersections |
|---|---|
| SR 1 n/o Solomon Rd | SR 1/Black Rd |
| SR 1 n/o Clark Ave | SR 1/Solomon Rd |
| Solomon Rd e/o SR 1 | SR 1/Clark Ave |
| Clark Ave w/o Broadway St | Broadway St/Clark Ave |
| Clark Ave w/o Norris St | Foxenwood Ln/Clark Ave |
| Clark Ave e/o Orcutt Rd | SR 135 SB Ramps/Clark Ave |
| | SR 135 NB Ramps/Clark Ave |
| | Orcutt Rd/Clarke Ave |

Source: Traffic and Circulation Study, Appendix K

### b. Level of Service Criteria

Traffic operations presented in this section are based on “Levels of Service” (LOS) methodologies and procedures outlined in the Highway Capacity Manual (HCM; Transportation Research Board 2016). As outlined in the HCM, LOS is measured on an A-F scale, with LOS A representing the best operating conditions from a traveler’s perspective and LOS F representing conditions where demands exceed capacity. The County’s acceptable level of service standard for roadways and intersections within the Orcutt Planning Area is LOS C, except that LOS D is required to be maintained at all Clark Avenue roadway segments and intersections between Blosser Road on the west and Foxenwood Lane on the east (County Board of Supervisors Resolution 12-294; refer to Appendix K).

### Roadways

Levels of service for the roadways within the study area are based on the County's engineering design capacities for roadways and the Circulation Element roadway designations adopted in the OCP. A table discussing the roadway definitions and capacities is included in the Technical Appendix of the Traffic and Circulation Study for the project (Appendix K).

### Intersections

Levels of service for signalized intersections under the County's jurisdiction were calculated using the Intersection Capacity Utilization methodology (ICU) and the results are shown as a volume-to-capacity ratio. Level of service for the unsignalized intersections and signalized intersections under the jurisdiction of the California Department of Transportation (Caltrans) were calculated using operations methodologies outlined in the HCM and the results are presented in the average number of seconds of vehicle delay.

## c. Street Network

The existing Orcutt roadway classifications are defined by the County Transportation Division and Planning & Development staff to correlate to the Primary and Secondary roadway classification system according to the physical design characteristics of each roadway and the land uses served. The principal components of the study area street network are illustrated in Figure 4.13-1 and briefly discussed below.

### State Route 1

SR 1 is a two-lane State highway serving the communities of Guadalupe, Oceano, and Grover Beach to the north; and Lompoc to the south. Just south of the project, SR 1 merges with SR 135 for a short distance. The intersections at Black Road, Solomon Road, and Clark Avenue are controlled by stop signs.

### State Route 135

SR 135 is a primary north-south route through the Santa Maria/Orcutt urban area. From its junction with SR 1, SR 135 is a four-lane freeway with a full-access diamond interchange at Clark Avenue. North of Clark Avenue, SR 135 is a limited access four-lane expressway, with signalized access at its intersection with Foster Road and Lakeview Drive.

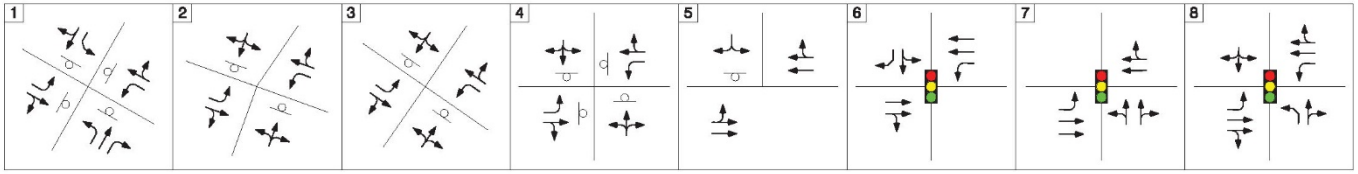
### Clark Avenue

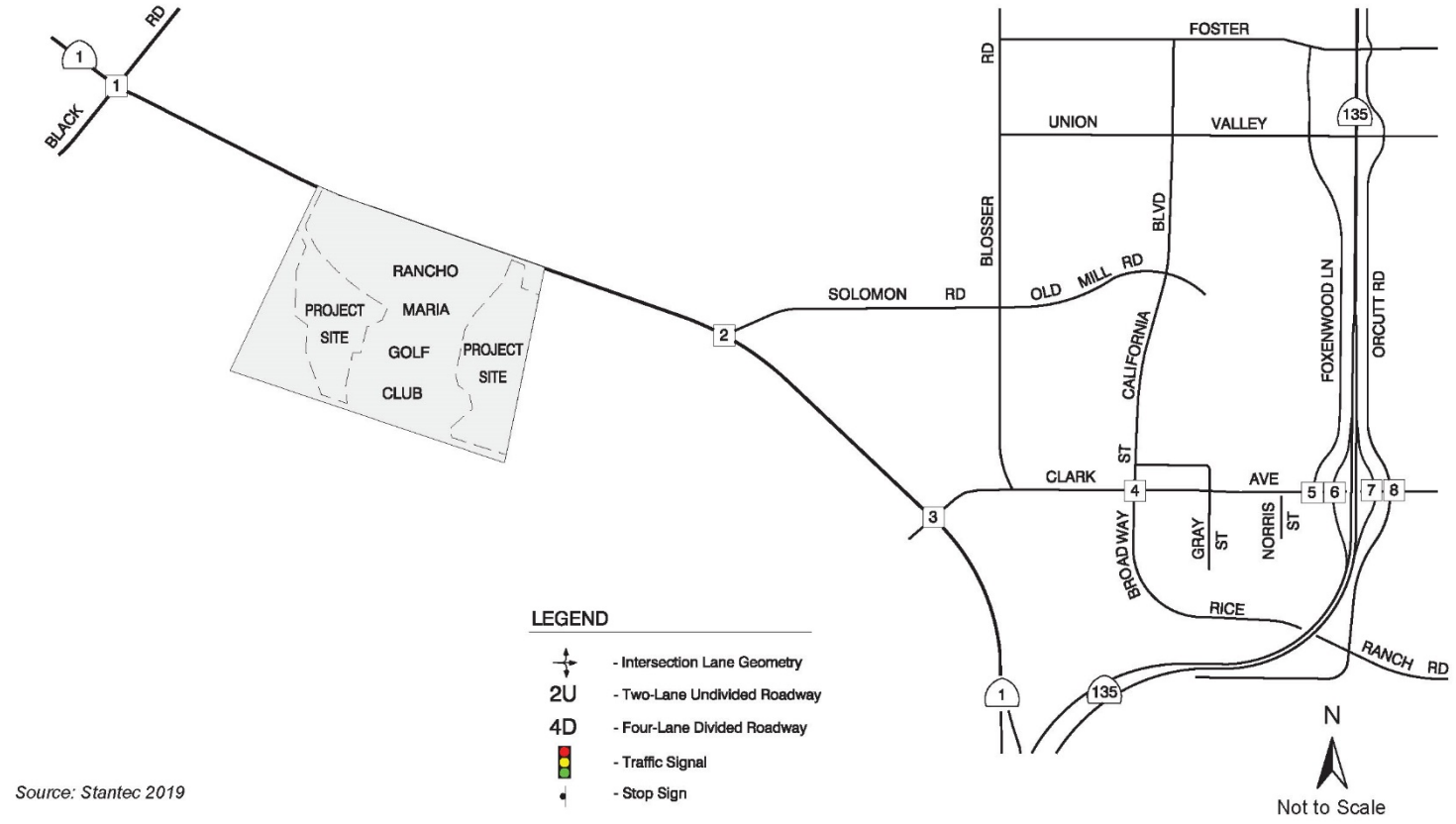
Clark Avenue is an east-west arterial that extends through the Orcutt area from east of U.S. 101 to SR 1 on the west. It provides connections to both U.S. 101 and SR 135 via full access interchanges. Clark Avenue is a two-lane Primary 3 roadway between SR 1 and SR 135 and a four-lane Primary 2 roadway east of SR 135.

### Broadway Street

Broadway Street is a north-south facility that is classified as a Secondary 2 roadway north of Clark Avenue and a Primary 3 arterial south of Clark Avenue.

**Figure 4.13-1 Project Study Area Street Network**




*Source: Stantec 2019*

## Solomon Road

Solomon Road is a two-lane Secondary 1 roadway that extends easterly from SR 1 to Blosser Road. It provides access to the project site from the northeast portion of Orcutt and regional traffic using Union Valley Parkway.

## Orcutt Road

Orcutt Road is a two-lane secondary roadway that parallels the east side of Route 135. Orcutt Road extends from north of Lakeview Road to Rice Ranch Road.

## d. Roadway Operations

Figure 4.13-2 illustrates the existing average daily traffic (ADT) volumes for the study area roadway segments. The existing ADT volumes were collected in May 2018 for this study (count data is contained in the Technical Appendix of the Traffic and Circulation Study [Appendix K]). The roadway classifications, design capacities, traffic volumes, and levels of service are summarized in Table 4.13-2.

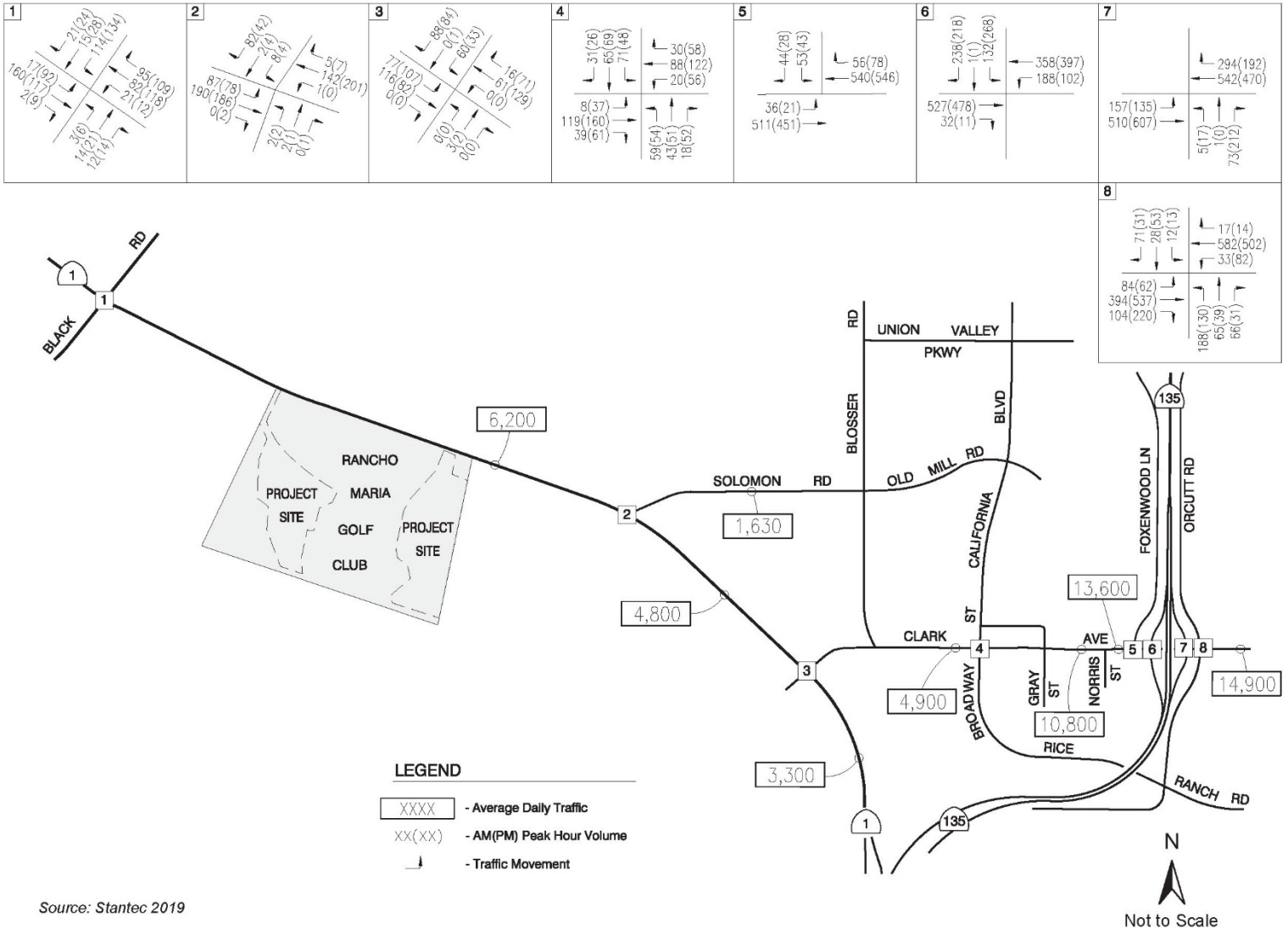
**Table 4.13-2 Existing Levels of Service – Roadway Segments**

| Roadway Segment | Classification | Number of Lanes | Existing ADT | Acceptable LOS Threshold | Existing LOS |
|---|---|---|---|---|---|
| SR 1 n/o Solomon Rd | Primary 1 | 2 | 6,200 | 15,900 | LOS A |
| SR 1 n/o Clark Ave | Primary 1 | 2 | 4,800 | 15,900 | LOS A |
| Solomon Rd e/o SR 1 | Secondary 1 | 2 | 1,630 | 7,300 | LOS A |
| Clark Ave w/o Broadway St | Primary 3 | 2 | 4,900 | 12,500 | LOS A |
| Clark Ave w/o Norris St | Primary 3 | 2 | 10,800 | 14,100[1] | LOS B |
| Clark Ave w/o Foxenwood Ln | Primary 3 | 4 | 13,600 | 33,900[1] | LOS A |
| Clark Ave e/o Orcutt Rd | Primary 2 | 4 | 14,900 | 34,000 | LOS A |

[1] Acceptable level of service threshold for roadway segment is LOS D.
Source: Traffic and Circulation Study, Appendix K

Comparison of the existing ADT volume and the corresponding design capacity for each roadway shows that the roadway segments in the study area currently operate at LOS A, which is acceptable based on the County's standards.

**Figure 4.13-2 Existing Traffic Volumes**




*Source: Stantec 2019*

### e. Intersection Operations

Levels of service were calculated for study area intersections using the AM and PM peak hour traffic volumes illustrated in Figure 4.13-2 (counts collected in May 2018; refer to count data in Appendix K). Existing levels of service are summarized in Table 4.13-3 (level of service worksheets are included in Appendix K).

**Table 4.13-3 Existing Levels of Service – Intersections**

| | | AM Peak Hour | | PM Peak Hour | |
|---|---|---|---|---|---|
| Intersection | Control | Delay | V/C Ratio | Delay | V/C Ratio |
| SR 1/Black Rd | All-Way Stop | 10.2 sec/LOS B | – | 11.2 sec/LOS B | – |
| SR 1/Solomon Rd | Two-Way Stop | 14.7 sec/LOS B | – | 13.6 sec/LOS B | – |
| SR 1/Clark Ave | Two-Way Stop | 12.0 sec/LOS B | – | 13.9 sec/LOS B | – |
| Broadway St/Clark Ave | All-Way Stop | 9.7 sec/LOS A | – | 10.5 sec/LOS B | – |
| Foxenwood Ln/Clark Ave | One-Way Stop | 18.2 sec/LOS C | – | 16.9 sec/LOS C | – |
| SR 135 SB Ramps/Clark Ave | Signal | 18.1 sec/LOS B | 0.47/LOS A | 15.4 sec/LOS B | 0.48/LOS A |
| SR 135 NB Ramps/Clark Ave | Signal | 21.7 sec/LOS C | 0.48/LOS A | 16.1 sec/LOS B | 0.46/LOS A |
| Orcutt Rd/Clarke Ave | Signal | – | 0.53/LOS A | – | 0.53/LOS A |

Source: Traffic and Circulation Study, Appendix K

As shown, the study area intersections currently operate at LOS C or better during the AM and PM peak hours, which is acceptable based on the County's LOS C standard.

### f. Planned Roadway Improvements

The Orcutt Transportation Improvement Plan (OTIP) identifies long-term public improvements to roadways and alternative transportation facilities targeted to provide for acceptable levels of service on roadways and intersections within the Orcutt Planning Area. The Orcutt Transportation Improvement Plan (OTIP) requires fees for transportation impacts caused by new development in the Orcutt Planning Area. These fees may be used for roads, pedestrian facilities, transit and bicycle facilities.

## 4.13.2 Previous Environmental Review

The OCP EIR analyzed the operation of the arterial and collector street system serving the Orcutt Planning Area with development under the OCP in the Traffic/Circulation section of the document. The OCP EIR determined that buildout of the OCP would result in two significant and unavoidable (Class I) impacts to traffic/circulation associated with increased traffic volumes/delays and roadway congestion and traffic safety hazards at 10-Year buildout of the OCP. The OCP EIR determined that buildout of the OCP would result in three additional significant and unavoidable (Class I) impacts to traffic/circulation associated with increased traffic volumes/delays, intersection traffic delays, and

roadway congestion and traffic safety hazards at full buildout of the OCP. Site specific analysis was not performed for traffic/circulation at Key Site 21.

The OCP EIR identified four potentially significant traffic impacts that pertain to development on Key Site 21, including: increased roadway congestion and traffic safety hazards at 10-Year buildout, creation of alternative transportation mode deficits at 10-Year buildout and full buildout, and increased traffic volumes at unsignalized intersections at full buildout. The EIR identified measures that would minimize potential traffic/circulation impacts, including realignment of Foxenwood Lane and/or construction of a landscaped center median on Clark Avenue (CIRC-7), implementation of traffic fee programs and improvements for new alternative transportation facilities and services (CIRC-8 through CIRC-14), and installation of traffic signals, restriping, and roadway widening improvements at various intersections and roadway segments (CIRC-19 through CIRC-22, and CIRC-24). The OCP EIR determined that implementation of feasible mitigation measures would reduce the identified traffic/circulation impacts that apply to the project study area intersections and roadway segments to a less than significant level (Class II).

## 4.13.3 Impact Analysis

### a. Methodology and Significance Thresholds

Appendix G of the CEQA guidelines considers a project to have a significant impact on transportation and/or circulation if the project would:

- Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities;
- Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b);
- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment); and/or
- Result in inadequate emergency access.

CEQA Guidelines Section 15064.3(b) provides guidance for determining the significance of transportation impacts. However, as stated therein, lead agencies may elect to be governed by the provisions of Section 15064.3(b) immediately but are not mandated to do so until July 1, 2020.

For the purposes of this analysis, the County's thresholds of significance for traffic impacts, contained in the County of Santa Barbara Environmental Thresholds and Guidelines Manual (March 2018), were used to determine if the project would result in potential traffic impacts. The applicable standards from the OCP were applied to evaluate the project's consistency with County policies for roadway segments. Caltrans standards were used to evaluate potential impacts of the project at State facilities. The applicable traffic thresholds and standards are outlined below.

Based on the Santa Barbara County Environmental Thresholds and Guidelines Manual, traffic impacts would be considered significant if the project would:

- Result in traffic that increases the volume-to-capacity (V/C) ratio at local intersections by the values provided in Table 4.13-4.
- Include access to a major road or arterial road that would require access that would create an unsafe situation, a new traffic signal, or major revisions to an existing traffic signal.

- Add traffic to a roadway that has design features (e.g., narrow width, road-side ditches, sharp curves, poor sight distance, inadequate pavement structure) that would become a potential safety problem with the addition of project traffic.
- Result in traffic that utilizes a substantial portion of an intersection's capacity where the intersection is currently operating at acceptable levels of service, but with cumulative traffic would degrade to or approach LOS D (V/C 0.80) or lower. Substantial is defined as a minimum change of 0.03 for an intersection which would operate from 0.80 to 0.85, a change of 0.02 for an intersection which would operate from 0.86 to 0.90 and a change of 0.01 for an intersection which would operate greater than 0.90 (LOS E or worse).

### Table 4.13-4 Significant Changes in Levels of Service

| Intersection Level of Service (Including Project) | Increase in V/C or Trips Greater Than |
|---|---|
| LOS A | 0.20 |
| LOS B | 0.15 |
| LOS C | 0.10 |
| LOS D | 15 trips |
| LOS E | 10 trips |
| LOS F | 5 trips |

Source: County of Santa Barbara 2018

According to the OCP Standards for Determination of Project Consistency – Consistency Standards for Primary Roadways (Primary 1 through Primary 3):

- For Primary roadways segments, a project is considered consistent with the OCP where the Estimated Future Volume does not exceed the Acceptable Capacity.
- For Primary roadway segments where the Estimated Future Volume exceeds the Acceptable Capacity, a project is considered consistent with the OCP if:
    a. Intersections affected by traffic assigned from the project operate at or above minimum level of service standards, or
    b. If the project provides a contribution toward an alternative transportation project (as defined in the OTIP) that is deemed to offset the effects of project-generated traffic.

Caltrans has established the cusp of the LOS C/D range as the target level of service standard for State Highway intersections. If an existing State Highway facility is operating at less than the target LOS, the existing Measure of Effectiveness (MOE) should be maintained.

## b. Project Impacts and Mitigation Measures

| **Threshold:** | Would the project result in traffic that increases the volume-to-capacity (V/C) ratio at local intersections? |
|---|---|

**Impact T-1 THE PROJECT WOULD ADD NEW VEHICLE TRIPS TO STUDY AREA INTERSECTIONS. ALL STUDY AREA INTERSECTIONS WOULD CONTINUE TO OPERATE AT ACCEPTABLE LEVELS OF SERVICE WITH IMPLEMENTATION OF THE PROJECT. THE PROJECT WOULD RESULT IN LESS THAN SIGNIFICANT PROJECT-SPECIFIC INTERSECTION IMPACTS (CLASS III).**

Trip generation estimates were developed for the project using the rates for Single-Family Detached Housing (Land Use #210) contained in ITE's Trip Generation Manual (2017). Trip generation estimates for the project are shown in Table 4.13-5.

**Table 4.13-5 Project Trip Generation**

| | | ADT | | AM Peak Hour | | PM Peak Hour | |
|---|---|---|---|---|---|---|---|
| **Land Use** | **Size** | **Rate** | **Trips** | **Rate** | **Trips (in/out)** | **Rate** | **Trips (in/out)** |
| Single Family Housing (Land Use #210) | 146 units | 9.44 | 1,378 | 0.74 | 108 (27/81) | 0.99 | 145 (91/54) |

Source: Traffic and Circulation Study, Appendix K

As shown in Table 4.13-5, the project would result in approximately 1,378 daily trips, with 108 trips occurring in the AM peak hour and 145 trips occurring in the PM peak hour.

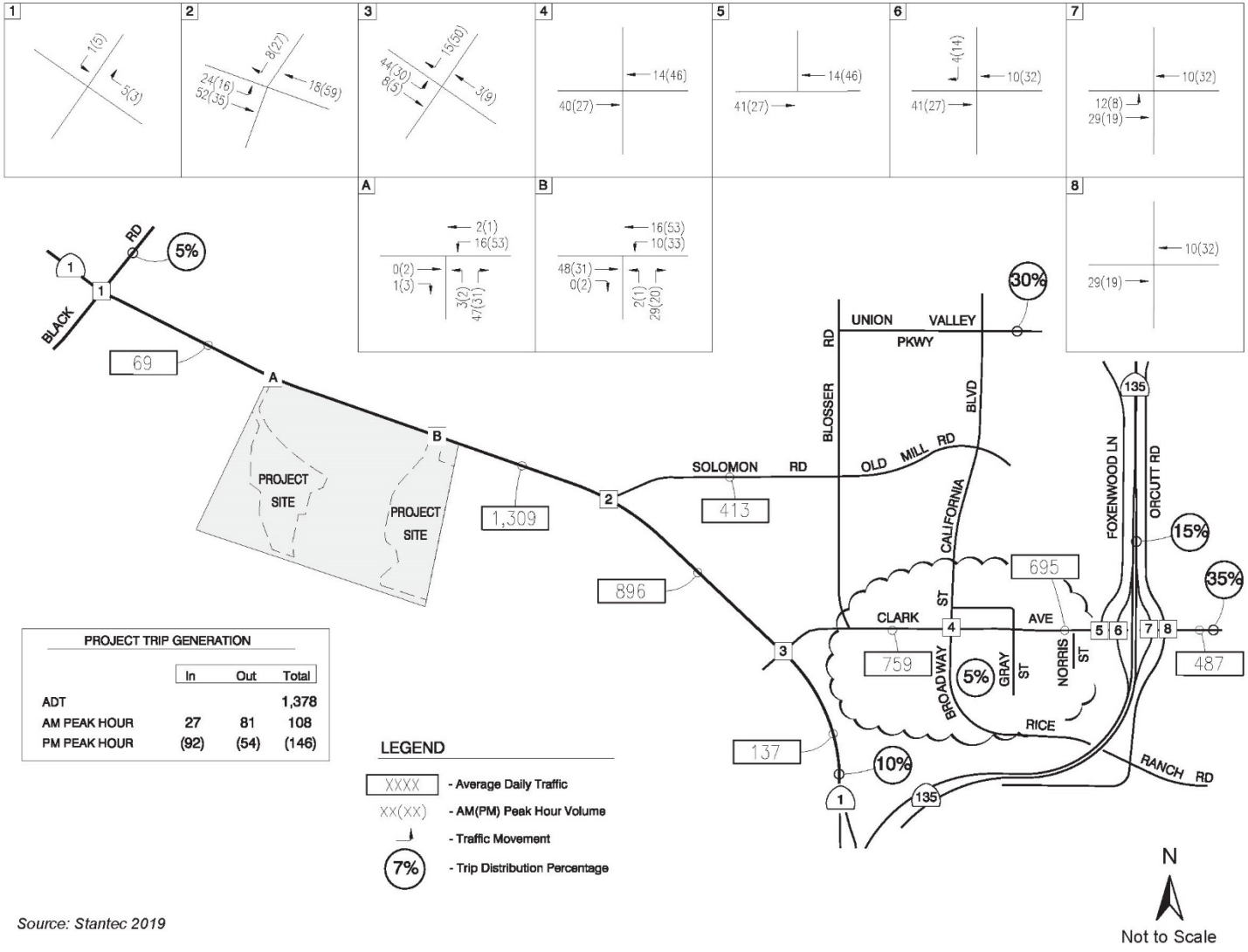
Project trips were distributed and assigned to the street network based on the trip distribution percentages developed for the Rancho Maria Estates Traffic Impact Study, prepared in September 2005 by Penfield & Smith Engineers, for the project site. The trip distribution percentages were adjusted to account for street network changes that have been implemented since 2005. These changes include the extension of Union Valley Parkway to Blosser Road which provides an alternate route for regional traffic via Blosser Road and Solomon Road to the site. The project distribution pattern is listed in Table 4.13-6. The distribution and assignment of project traffic is illustrated in Figure 4.13-3. The existing + project traffic volumes are shown in Figure 4.13-4.

**Table 4.13-6 Project Trip Distribution**

| Roadway (to/from) | Direction | Trip Distribution |
|---|---|---|
| Clark Avenue | East | 35% |
| Union Valley Parkway | Northeast | 30% |
| SR 135 | North | 15% |
| SR 1 | South | 10% |
| Black Road | North | 5% |
| Old Town Orcutt | East | 5% |
| **Total** | | **100%** |

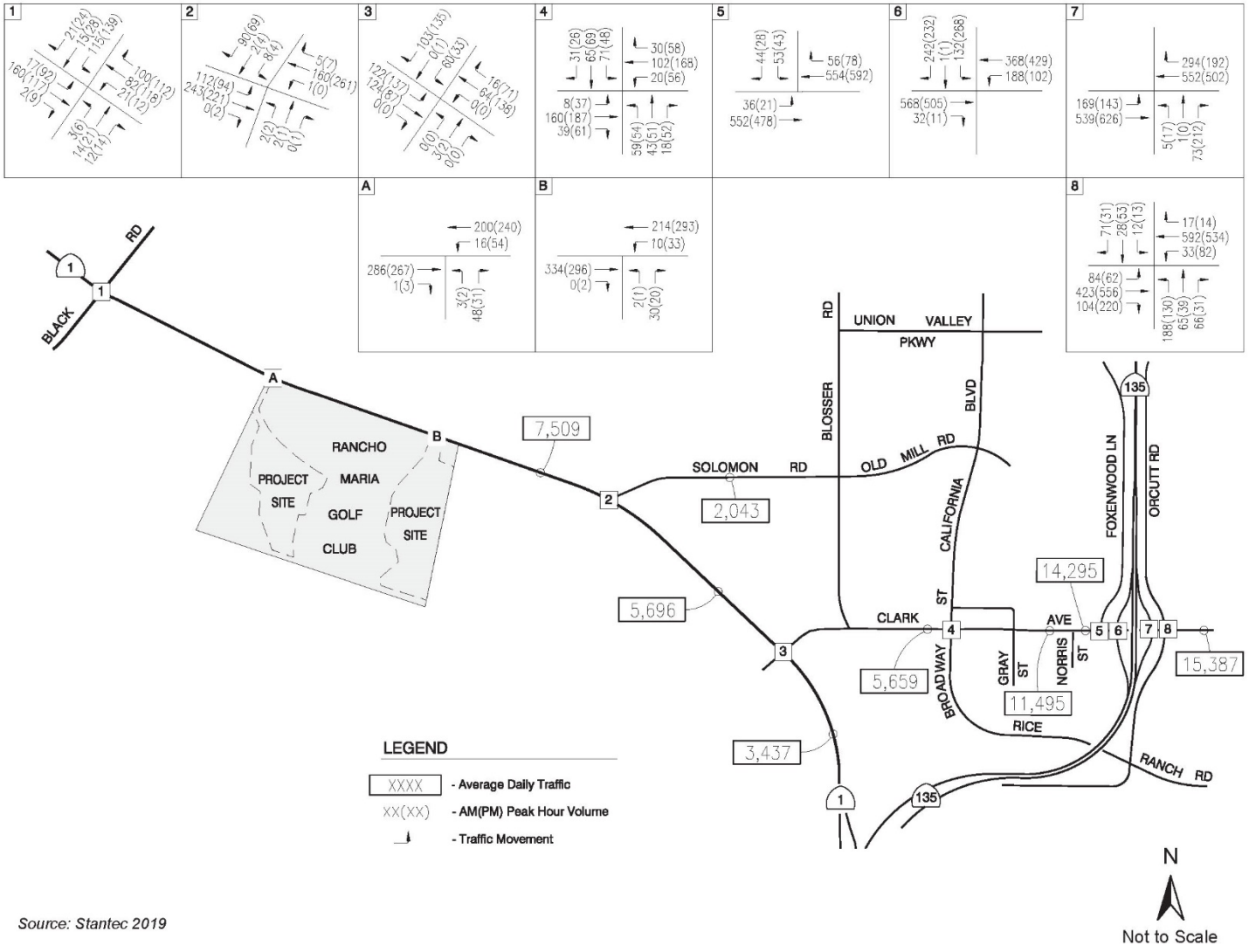
Source: Traffic and Circulation Study, Appendix K

## Figure 4.13-3 Project Trip Distribution and Assignments




*Source: Stantec 2019*

**Figure 4.13-4 Existing + Project Traffic Volumes**




*Source: Stantec 2019*

Levels of service were calculated for the study area intersections using the existing + project volumes illustrated in Figure 4.13-4. Table 4.13-7 and Table 4.13-8 compare the existing and existing + project levels of service and identify the significance of project-added traffic.

**Table 4.13-7 Existing + Project AM Peak Hour Levels of Service – Intersections**

| | Existing | | Existing + Project | | | |
|---|---|---|---|---|---|---|
| Intersection | Delay | V/C Ratio | Delay | V/C Ratio | Change in Delay or V/C | Impact? |
| SR 1/Black Rd | 10.2 sec/LOS B | – | 10.2 sec/LOS B | – | 0.0 sec | No |
| SR 1/Solomon Rd | 14.7 sec/LOS B | – | 17.1 sec/LOS C | – | 2.4 sec | No |
| SR 1/Clark Ave | 12.0 sec/LOS B | – | 13.3 sec/LOS B | – | 1.3 sec | No |
| Broadway St/Clark Ave | 9.7 sec/LOS A | – | 10.1 sec/LOS B | – | 0.4 sec | No |
| Foxenwood Ln/Clark Ave | 18.2 sec/LOS C | – | 19.0 sec/LOS C | – | 0.8 sec | No |
| SR 135 SB Ramps/Clark Ave | 18.1 sec/LOS B | 0.47/LOS A | 18.6 sec/LOS B | 0.49/LOS A | 0.5 sec/0.02 | No |
| SR 135 NB Ramps/Clark Ave | 21.7 sec/LOS C | 0.48/LOS A | 21.7 sec/LOS C | 0.49/LOS A | 0 sec/0.01 | No |
| Orcutt Rd/Clarke Ave | – | 0.53/LOS A | – | 0.53/LOS A | 0.00 | No |

Source: Traffic and Circulation Study, Appendix K

**Table 4.13-8 Existing + Project PM Peak Hour Levels of Service – Intersections**

| | Existing | | Existing + Project | | | |
|---|---|---|---|---|---|---|
| Intersection | Delay | V/C Ratio | Delay | V/C Ratio | Change in Delay or V/C | Impact? |
| SR 1/Black Rd | 11.2 sec/LOS B | – | 11.3 sec/LOS B | – | 0.1 sec | No |
| SR 1/Solomon Rd | 13.6 sec/LOS B | – | 16.0 sec/LOS C | – | 2.4 sec | No |
| SR 1/Clark Ave | 13.9 sec/LOS B | – | 15.2 sec/LOS C | – | 1.3 sec | No |
| Broadway St/Clark Ave | 10.5 sec/LOS B | – | 11.2 sec/LOS B | – | 0.7 sec | No |
| Foxenwood Ln/Clark Ave | 16.9 sec/LOS C | – | 18.2 sec/LOS C | – | 1.3 sec | No |
| SR 135 SB Ramps/Clark Ave | 15.4 sec/LOS B | 0.48/LOS A | 15.5 sec/LOS B | 0.49/LOS A | 0.1 sec/0.01 | No |
| SR 135 NB Ramps/Clark Ave | 16.1 sec/LOS B | 0.46/LOS A | 16.4 sec/LOS B | 0.48/LOS A | 0.3 sec/0.02 | No |
| Orcutt Rd/Clarke Ave | – | 0.53/LOS A | – | 0.53/LOS A | 0.00 | No |

Source: Traffic and Circulation Study, Appendix K

As shown in Table 4.13-7 and Table 4.13-8, all study area intersections would continue to operate at LOS C or better during the AM and PM peak hours, which is considered acceptable based on County and Caltrans standards. The project would result in less than significant project-specific intersection impacts (Class III).

## Mitigation Measures

No mitigation measures are required because this impact would be less than significant (Class III).

| **Threshold:** | Would the project result in estimated future volumes of Primary roadway segments that exceed the acceptable capacity? |
|---|---|

**Impact T-2** **THE PROJECT WOULD ADD NEW VEHICLE TRIPS TO STUDY AREA ROADWAYS. ALL STUDY AREA ROADWAY SEGMENTS ARE FORECAST TO OPERATE WITHIN THE COUNTY'S ACCEPTABLE CAPACITY WITH IMPLEMENTATION OF THE PROJECT. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT (CLASS III).**

Table 4.13-9 lists the existing + project traffic volumes and levels of service for the study area roadway segments.

**Table 4.13-9 Existing + Project Levels of Service – Roadway Segments**

| Roadway Segment | Classification | Existing ADT | Existing + Project ADT | LOS C Threshold | Existing + Project LOS |
|---|---|---|---|---|---|
| SR 1 n/o Solomon Rd | Primary 1 | 6,200 | 7,509 | 15,900 | LOS A |
| SR 1 n/o Clark Ave | Primary 1 | 4,800 | 5,696 | 15,900 | LOS A |
| Solomon Rd e/o SR 1 | Secondary 1 | 1,630 | 2,043 | 7,300 | LOS A |
| Clark Ave w/o Broadway St | Primary 3 | 4,900 | 5,659 | 12,500 | LOS A |
| Clark Ave w/o Norris St | Primary 3 | 10,800 | 11,495 | 14,100 | LOS C |
| Clark Ave w/o Foxenwood Ln | Primary 3 | 13,600 | 14,295 | 33,900 | LOS A |
| Clark Ave e/o Orcutt Rd | Primary 2 | 14,900 | 15,387 | 34,000 | LOS A |

Source: Traffic and Circulation Study, Appendix K

As shown in Table 4.13-9, the study area roadway segments are forecast to operate at LOS C or better with existing + project traffic volumes, which meets the County's standard. Therefore, the project would not significantly impact the study area roadway segments (Class III).

## Mitigation Measures

No mitigation measures are required because this impact would be less than significant (Class III).

| | |
|---|---|
| **Threshold:** | Would the project include access to a major road or arterial road that would require access that would create an unsafe situation, a new traffic signal, or major revisions to an existing traffic signal? |
| **Threshold:** | Would the project add traffic to a roadway that has design features (e.g., narrow width, road-side ditches, sharp curves, poor sight distance, inadequate pavement structure) that would become a potential safety problem with the addition of project traffic? |

**Impact T-3 THE PROJECT INCLUDES TWO NEW FULL-ACCESS CONNECTIONS AND ONE NEW SECONDARY ACCESS CONNECTION TO STATE ROUTE 1. PROJECT ACCESS AND DESIGN WOULD NOT RESULT IN NEW OR EXACERBATED SAFETY ISSUES AT THESE LOCATIONS. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT (CLASS III).**

Access to the site is proposed via one full-access connection to SR 1 at the western boundary of the site and one full-access connection to SR 1 between the RMGC entrance and the eastern boundary of the site (refer to Figure 2-3 and 2-4 in Section 2, *Project Description*, which show the development plans for the proposed neighborhoods). Secondary (emergency) access is proposed via a right-turn in-and-out only connection to SR 1 and a driveway that would extend from the RMGC parking lot.

Intersection design, including left-turn channelization and deceleration to widen SR 1 at the two full-access intersections for the project, would be required to conform to the design criteria contained in Topic 405 – Intersection Design Standards of the Caltrans Highway Design Manual (HDM; 2018). As discussed in Section 2, *Project Description*, Caltrans will be a responsible agency for reviewing and approving the frontage improvements within Caltrans right-of-way along SR 1.

The Traffic and Circulation Study for the project (Appendix K) included a sight distance analysis for the proposed access connections to SR 1. The sight distance analysis was conducted pursuant the criteria contained in the HDM, which indicates a minimum corner sight distance requirement of 715 feet assuming a design speed of 65 MPH on SR 1. Figure 4.13-5 illustrates that the project would meet the required minimum sight distance standards.

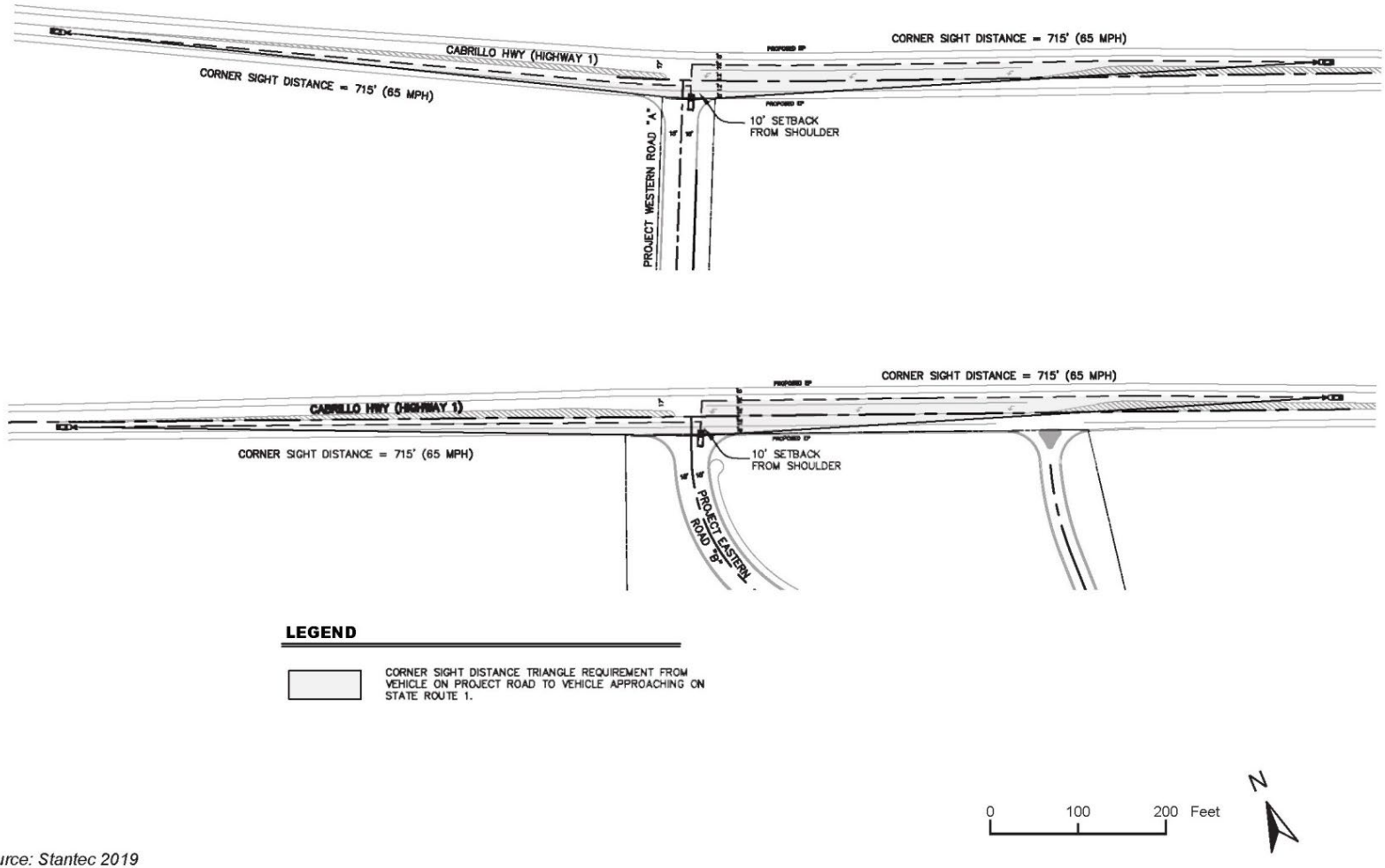
As shown in Figure 2-3 in Section 2, *Project Description*, the on-site circulation for the eastern Hidden Canyon Neighborhood consists of one main driveway and residential streets. Secondary (emergency) access to the Hidden Canyon Neighborhood is proposed via a 25-foot driveway located along the site's eastern boundary. As shown in Figure 2-4 in Section 2, *Project Description*, the on-site circulation for the Willow Creek Neighborhood consists of a main driveway that connects to the residential streets serving the single-family dwellings. Secondary (emergency) access to the Willow Creek Neighborhood would be via the proposed connection to the RMGC parking lot. The on-site circulation plan would be designed pursuant to County design standards to accommodate emergency vehicles, service vehicles and delivery trucks.

The project does not include hazardous transportation design elements, a new traffic signal or major revisions to an existing traffic signal and would not add traffic to a roadway that has design features that would become a potential safety problem, or otherwise create an unsafe situation. Therefore, this impact would be less than significant (Class III).

## Mitigation Measures

No mitigation measures are required because this impact would be less than significant (Class III).

**Figure 4.13-5 Project Driveways – Corner Site Distances**




*Source: Stantec 2019*

## c. Cumulative Impacts

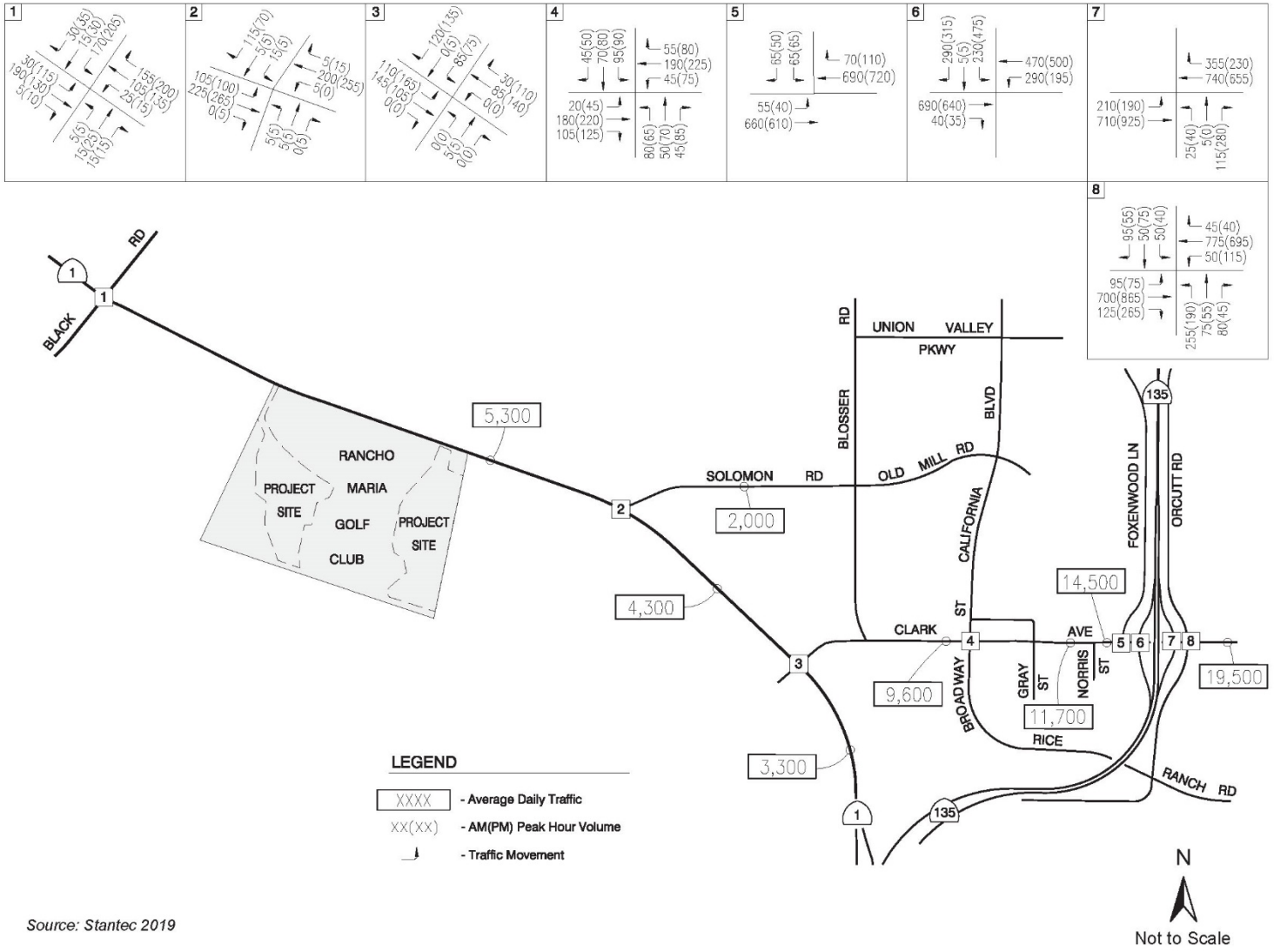
| | |
|---|---|
| **Threshold:** | Would the project result in traffic that utilizes a substantial portion of an intersection's capacity where the intersection is currently operating at acceptable levels of service, but with cumulative traffic would degrade to or approach LOS D (V/C 0.80) or lower? |

### Impact T-4 THE PROJECT WOULD CONTRIBUTE NEW VEHICLE TRIPS TO CUMULATIVE TRAFFIC CONDITIONS THAT WOULD RESULT IN AN UNACCEPTABLE LEVEL OF SERVICE AT THE FOXENWOOD LANE/CLARK AVENUE INTERSECTION. THIS CUMULATIVE IMPACT WOULD BE SIGNIFICANT AND UNAVOIDABLE (CLASS I).

The cumulative traffic forecasts assume development of approved and pending projects in the Santa Maria Valley (including Old Town Orcutt and the OCP, and projects outside of a community or Specific Plan area) that would contribute to traffic on area roadways and at intersections. The County's Cumulative Projects List (September 2017) and the City of Santa Maria Major Developments List (January 2018) are included in the Technical Appendix of the Traffic and Circulation Study for the project (Appendix K). Pending and approved projects that have a direct effect on the study area roadway network include the North County Jail (Black Road and Betteravia Road), Key Site 17 (Old Town Orcutt), Key Site 11, Key Site 18 (Oasis Community Center) and the Rice Ranch Specific Plan. Cumulative and cumulative + project traffic volumes are shown in Figure 4.13-6 and Figure 4.13-7.

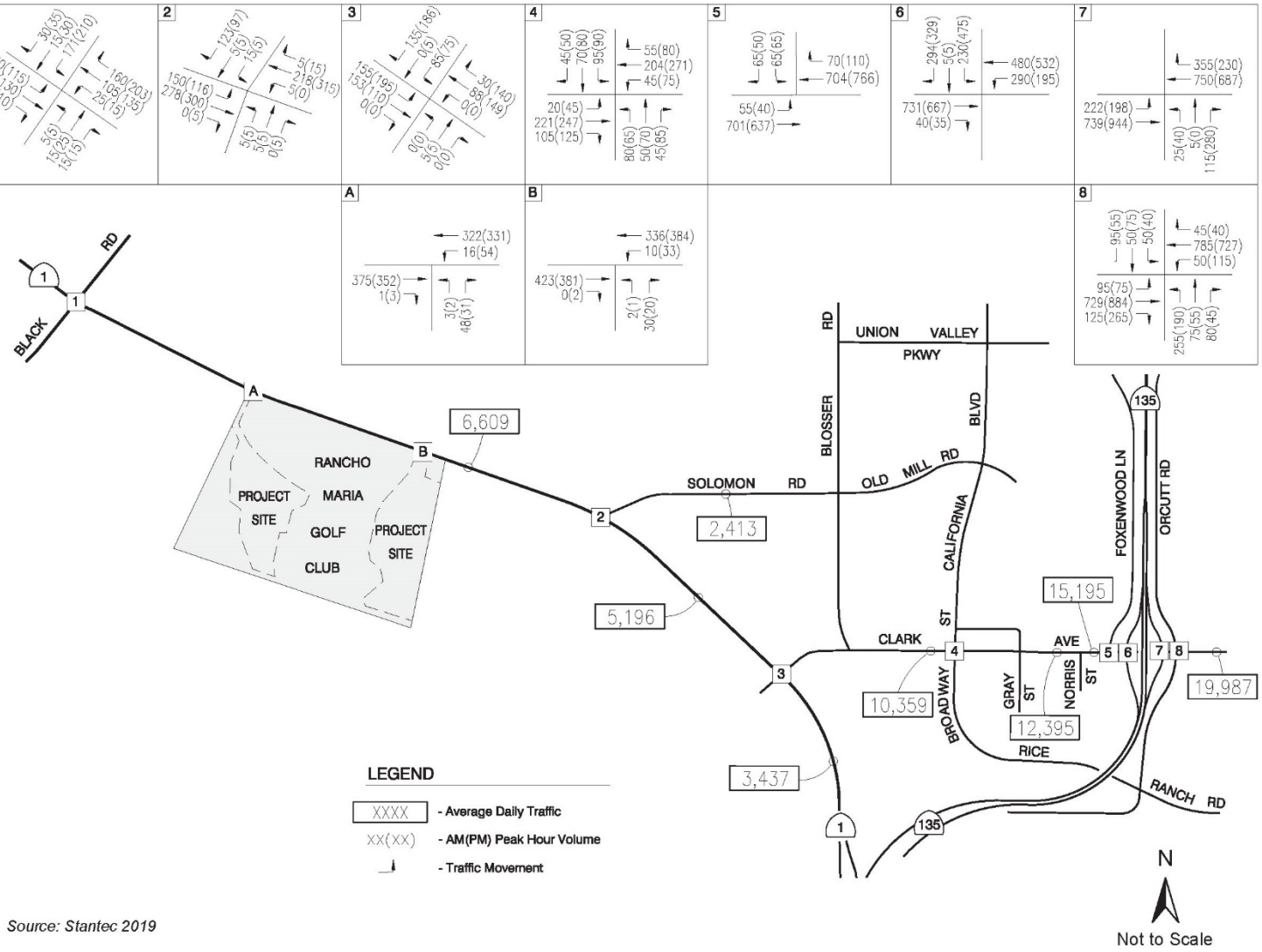
Frontage improvements associated with the proposed Oasis Community Center, located north of Clark Avenue and west of Foxenwood Lane, include constructing a raised median on Clark Avenue from Norris Street to Foxenwood Lane and providing an eastbound left-turn lane at the Clark Avenue/Foxenwood Lane intersection. Other improvements associated with this proposed project include reducing the number of eastbound lanes on Clark Avenue from two lanes to one lane and widening and restriping Foxenwood Lane to provide separate southbound left-turn and right-turn lanes.

**Figure 4.13-6 Cumulative Traffic Volumes**




*Source: Stantec 2019*

## Figure 4.13-7 Cumulative + Project Traffic Volumes




*Source: Stantec 2019*

## Cumulative Roadway Impacts

Table 4.13-10 shows the cumulative and cumulative + project levels of service for the study area roadways.

**Table 4.13-10 Cumulative + Project Levels of Service – Roadway Segments**

| Roadway Segment | Classification | Cumulative ADT | Cumulative + Project ADT | LOS C Threshold | Cumulative + Project LOS |
|---|---|---|---|---|---|
| SR 1 n/o Solomon Rd | Primary 1 | 5,300 | 6,609 | 15,900 | LOS A |
| SR 1 n/o Clark Ave | Primary 1 | 4,300 | 5,196 | 15,900 | LOS A |
| Solomon Rd e/o SR 1 | Secondary 1 | 2,000 | 2,413 | 7,300 | LOS A |
| Clark Ave w/o Broadway St | Primary 3 | 9,600 | 10,359 | 12,500 | LOS B |
| Clark Ave w/o Norris St | Primary 3 | 11,700 | 12,395 | 14,100 | LOS C |
| Clark Ave w/o Foxenwood Ln[1] | Primary 3 | 14,500 | 15,195 | 25,400 | LOS A |
| Clark Ave e/o Orcutt Rd | Primary 2 | 19,500 | 19,987 | 34,000 | LOS A |

[1] LOS C threshold capacity adjusted from 33,900 ADT (Primary 3 roadway with 4 lanes) to 25,400 ADT (Primary 3 roadway with 3 lanes) to account for EB lane reduction from two lanes to one lane

Source: Traffic and Circulation Study, Appendix K

As shown in Table 4.13-10, the study area roadway segments are forecast to operate at LOS C or better under cumulative + project conditions. The project would result in less than significant roadway impacts under cumulative conditions (Class III).

## Cumulative Intersection Impacts

Levels of service were calculated for the study area intersections using the cumulative and cumulative + project volumes shown in Figure 4.13-6 and Figure 4.13-7. Table 4.13-11 and Table 4.13-12 compare the cumulative and cumulative + project forecasts.

**Table 4.13-11 Cumulative + Project AM Peak Hour Levels of Service – Intersections**

| Intersection | Cumulative | | Cumulative + Project | | Change in Delay or V/C | Impact? |
|---|---|---|---|---|---|---|
| | Delay | V/C Ratio | Delay | V/C Ratio | | |
| SR 1/Black Rd | 12.6 sec/LOS B | – | 12.7 sec/LOS B | – | 0.1 sec | No |
| SR 1/Solomon Rd | 18.3 sec/LOS C | – | 21.0 sec/LOS C | – | 2.7 sec | No |
| SR 1/Clark Ave | 13.7 sec/LOS B | – | 15.6 sec/LOS C | – | 1.9 sec | No |
| Broadway St/Clark Ave | 13.0 sec/LOS B | – | 14.9 sec/LOS B | – | 1.9 sec | No |
| Foxenwood Ln/Clark Ave | **>50.0 sec/LOS F** | – | **>50.0 sec/LOS F** | – | 10.5 sec | **Yes** |
| SR 135 SB Ramps/Clark Ave | 22.5 sec/LOS C | 0.66/LOS B | 23.7 sec/LOS C | 0.67/LOS B | 1.2 sec/0.01 | No |
| SR 135 NB Ramps/Clark Ave | 29.6 sec/LOS C | 0.62/LOS B | 30.4 sec/LOS C | 0.64/LOS B | 0.5 sec/0.02 | No |
| Orcutt Rd/Clarke Ave | – | 0.70/LOS B | – | 0.70/LOS B | 0.00 | No |

Bolded values exceed County LOS C standard.
Source: Traffic and Circulation Study, Appendix K

**Table 4.13-12 Cumulative + Project PM Peak Hour Levels of Service – Intersections**

| Intersection | Cumulative | | Cumulative + Project | | Change in Delay or V/C | Impact? |
|---|---|---|---|---|---|---|
| | Delay | V/C Ratio | Delay | V/C Ratio | | |
| SR 1/Black Rd | 15.5 sec/LOS C | – | 15.6 sec/LOS C | – | 0.1 sec | No |
| SR 1/Solomon Rd | 16.4 sec/LOS C | – | 19.7 sec/LOS C | – | 3.3 sec | No |
| SR 1/Clark Ave | 18.3 sec/LOS C | – | 22.0 sec/LOS C | – | 3.7 sec | No |
| Broadway St/Clark Ave | 16.5 sec/LOS C | – | 19.5 sec/LOS C | – | 3.0 sec | No |
| Foxenwood Ln/Clark Ave | **>50.0 sec/LOS F** | – | **>50.0 sec/LOS F** | – | 13.8 sec | **Yes** |
| SR 135 SB Ramps/Clark Ave | 23.3 sec/LOS C | 0.73/LOS C | 23.6 sec/LOS C | 0.74/LOS C | 0.3 sec/0.01 | No |
| SR 135 NB Ramps/Clark Ave | 17.6 sec/LOS B | 0.60/LOS A | 18.3 sec/LOS B | 0.61/LOS B | 0.7 sec/0.01 | No |
| Orcutt Rd/Clarke Ave | – | 0.75/LOS C | – | 0.76/LOS C | 0.01 | No |

Bolded values exceed County LOS C standard.
Source: Traffic and Circulation Study, Appendix K

The cumulative + project level of service forecasts shown in Table 4.13-11 and Table 4.13-12 show that most of the study area intersections are forecast to operate at LOS C or better during the AM and PM peak hours under cumulative + project conditions, which is considered acceptable based on County and Caltrans standards.

The project would contribute to significant cumulative impacts at the Foxenwood Lane/Clark Avenue intersection, which is forecast to operate at LOS F during the AM and PM peak traffic hours under both cumulative and cumulative + project conditions. The project would add 10.5 seconds to the vehicle delays during the AM peak hour and 13.8 seconds to the vehicle delays during the PM peak hour, which exceed the County's cumulative impact threshold for intersections forecast to operate at LOS F. This cumulative impact would be potentially significant.

## Mitigation Measures

As discussed above, the project would contribute to significant cumulative impacts at the Foxenwood Lane/Clark Avenue intersection, which is forecast to operate at LOS F during the AM and PM peak traffic hours under both cumulative and cumulative + project conditions. To offset project contributions to cumulative traffic impacts, the project applicant shall contribute fair share transportation fees to mitigate impacts to the existing circulation system in the Orcutt Planning Area (OPA). The amount of the fee would be determined by the County Public Works/Transportation Division, based on adopted fee schedules at the time of payment.

This potential cumulative impact would be reduced by payment of the transportation impact fee for transportation improvements identified in the Orcutt Transportation Improvement Plan (OTIP). The OTIP contains a listing of roadway and intersection improvements, neighborhood "traffic calming" measures and other roadway improvements (i.e., sidewalks, bus turn outs, etc.) that would mitigate future development while reducing travel times throughout the planning area. installation of a traffic signal at the Foxenwood Lane/Clark Avenue intersection would result in a signalized corridor from Foxenwood Lane to Orcutt Road with coordinated traffic signals, and the intersection would operate at LOS C or better under cumulative conditions. However, the SR 135 ramps immediately east of the intersection and Orcutt Creek corridor west of the intersection have historically represented physical constraints that limit signalization options at this intersection. In addition, the cumulative traffic volumes do not satisfy traffic signal warrants. County Public Works/Transportation Division would be responsible for determining the appropriate intersection improvements at the time of implementation, but for the purpose of this analysis, signalization of the Foxenwood Lane/Clark Avenue intersection is considered potentially infeasible.

As a result of feasibility concerns associated with potential mitigation options at the Foxenwood Lane/Clark Avenue intersection, the project contribution to cumulative impacts would remain significant and unavoidable (Class I).

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# 4.14 Water Resources and Flooding

## 4.14.1 Setting

### a. Project Site Setting

The Specific Plan area is located at the base of the northern flanks of the east-west trending Casmalia Hills. The topography consists of gentle slopes that reach 420 feet in elevation along the southern perimeter of the site, dropping to 220 feet elevation at the northwest concern of the property. Orcutt Creek is located approximately 2,500 feet to the north of the Specific Plan area. Three unnamed drainages flow in a northwesterly direction across the Specific Plan Area and are tributaries to Orcutt Creek. Runoff drains by sheet flow and outlets to a culvert crossing beneath State Route 1 (SR 1). Some runoff from the site is detained in existing ponds on Key Site 21.

The Central Coast Regional Water Quality Control Board (RWQCB) has listed Orcutt Creek as impaired from a variety of pollutants, including metalloids, nutrients, pathogens, pesticides, excessive salinity, toxicity, turbidity, and high water temperature (Central Coast RWQCB, 2018).

The Federal Emergency Management Agency (FEMA) designated 100-year floodplain ranges from 250 to 2,000 feet wide along Orcutt Creek. According to FEMA Flood Insurance Maps (FIRMs), the entire project area is outside the 100-year and 500-year floodplain.

The Specific Plan area overlies the Santa Maria Groundwater Basin (SMGB) and is within the Santa Maria Valley Management Area. The Rancho Maria Golf Club (RMGC) currently obtains its water supply from the SMGB through an on-site well. Existing water demand includes domestic use at the RMGC clubhouse and golf course irrigation.

### b. Water Quality Background

The following is a summary of information from the Santa Barbara County Public Works Water Resources Division and is intended to provide sufficient background material to allow consideration of the potential hydrology and water quality impacts of the project.

### Storm Water Runoff

Storm water runoff from lands modified by human activities can harm surface water resources and, in turn, cause or contribute to an exceedance of water quality standards by changing natural hydrologic patterns, accelerating stream flows, destroying aquatic habitat, and elevating pollutant concentrations. Such runoff may contain or mobilize high levels of contaminants, such as sediment, suspended solids, nutrients (phosphorous and nitrogen), heavy metals and other toxic pollutants, pathogens, oxygen-demanding substances, and floatables. After a storm event, water runoff carries these pollutants into nearby streams, rivers, lakes, estuaries, wetlands, and oceans. The highest concentrations of these contaminants often are contained in ‘‘first flush’’ discharges, which occur during the first major storm after an extended dry period. Individually and combined, these pollutants impair water quality, threatening designated beneficial uses and causing habitat alteration or destruction.

Urbanization alters the natural infiltration capability of the land and generates a host of pollutants that are associated with the activities of dense populations, thus causing an increase in storm water runoff volumes and pollutant loading in storm water that is discharged to receiving water bodies.

Urban development increases the amount of impervious surface in a watershed as farmland, forests, and other natural vegetation with natural infiltration characteristics are converted into buildings with rooftops, driveways, sidewalks, roads, and parking lots with virtually no ability to absorb storm water. Storm water runoff washes over these impervious areas, picking up pollutants along the way while gaining speed and volume because of their inability to disperse and filter into the ground. What results are storm water flows that are higher in volume, pollutants, and temperature than the flows from more pervious areas, which have more natural vegetation and soil to filter the runoff. Studies reveal that the level of imperviousness in an area strongly correlates with decreased quality of the nearby receiving waters.

### Construction Site Runoff

Polluted storm water runoff from construction sites often flows to storm drains and ultimately is discharged into local rivers and streams. Sediment is usually the main pollutant of concern. Sediment runoff rates from construction sites are typically 10 to 20 times greater than those of agricultural lands, and 1,000 to 2,000 times greater than those of forest lands. Pollutants that are commonly discharged from construction sites include sediment, solid and sanitary wastes, nitrogen (fertilizer), phosphorus (fertilizer), pesticides, concrete truck wash out, construction chemicals, and construction debris.

### Post Construction Runoff

There are generally two forms of substantial impacts of post-construction runoff. The first is caused by an increase in the type and quantity of pollutants in storm water runoff. As runoff flows over areas altered by development, it picks up harmful sediment and chemicals such as oil and grease, pesticides, heavy metals, and nutrients (e.g., nitrogen and phosphorus). These pollutants often become suspended in runoff and are carried to receiving waters, such as lakes, ponds, and streams. Once deposited, these pollutants can enter the food chain through small aquatic life, eventually entering the tissues of fish and humans. The second kind of post construction runoff impact occurs by increasing the quantity of water delivered to the water body during storms. Increased impervious surfaces interrupt the natural cycle of gradual percolation of water through vegetation and soil. Instead, water is collected from surfaces such as asphalt and concrete and routed to drainage systems where large volumes of runoff quickly flow to the nearest receiving water. The effects of this process include stream bank scouring and downstream flooding, which often lead to a loss of aquatic life and damage to property.

## c. Water Supply

Currently, all fresh water within the Santa Maria Valley is supplied by groundwater from the SMGB. The basin underlies approximately 110,000 acres of land, including the entire community of Orcutt, and has a storage capacity of 1.1 million acre feet (Santa Barbara County 2012). Due to legal disputes regarding the status of the SMGB and water demands, the SMGB was adjudicated in 2008. Its management is dictated by the courts and requires annual reporting. The Stipulation divided the overall SMGB into three management areas, the largest of which overlies the main Santa Maria Valley (the Santa Maria Valley Management Area, or SMVMA). The SMVMA includes approximately 175 miles of the SMGB in northern Santa Barbara and San Luis Obispo Counties (Luhdorff and Scalmanini Consulting Engineers [LSCE] 2018). The SMVMA encompasses the contiguous area of the Santa Maria Valley, Sisquoc Plain, and Orcutt upland, and is primarily comprised of agricultural land

and areas of native vegetation, as well as the urban areas of Santa Maria, Guadalupe, Orcutt, Sisquoc, and several small developments.

Groundwater levels in the SMVMA have varied greatly over the last 15-20 years. As noted in the 2017 annual report for the SMVMA (LSCE 2018), the shallow and deep groundwater levels across the majority of the SMVMA remain above historical low levels and do not meet Stipulation provisions defining a condition of sever water shortage. Total dissolved solids (TDS) levels in the SMVMA have generally remained stable at or below the California Department of Public Health's secondary standard (e.g., for taste and odor) of 1,000 mg/L. The Santa Maria Valley Management Area Annual Report (California Department of Water Resources 2019) for the SMGB states that the total annual groundwater extraction for the reporting period (January 1, 2018 to December 31, 2018) was 129,956 acre feet. The amount of water imported for supplemental use from the State Water Project was 9,875 acre feet.

Golden State Water Company (GSWC) is a public water provider that serves Orcutt and surrounding areas, which overlie the SMGB. GSWC draws on several water sources to provide water for the Orcutt System. These sources include local groundwater, imported water from the State Water Project (SWP) through a contract with the Central Coast Water Authority (CCWA), purchased and/or assigned water from Santa Maria, and associated return flows that may be recaptured from the SMGB. Currently, groundwater is pumped from 12 wells in the SMGB (GSWC 2016). Since State water is used primarily as a supplemental water supply, the amount received by water purveyors in the County varies each year.

According to the GSWC 2015 Orcutt Urban Water Management Plan, the water supplies available to the Orcutt system are sufficient to meet the projected water demand for each multiple-dry year period because groundwater and purchased water can supply reliable water through 2040. GSWC estimates population using the Santa Barbara County Association of Governments (SBCAG) population, housing, and employment data. The Orcutt System's metered water use in 2015 was calculated to be 5,588 acre-feet per year (AFY). Per capita water use has dropped from over 250 gallons per capita per day (GPCD) based on 10- to 15-year average baseline data to 157 GPCD in 2015 based on 5-year average baseline data (GSWC 2016). The Specific Plan area is located outside of the GSWC Orcutt system location map identified in the 2015 Orcutt Urban Water Management Plan and is outside of GSWC's service area. Under the Santa Maria Groundwater Basin Adjudication Stipulation, all overlying owners that are also stipulating parties have a prior and paramount overlying right, whether or not yet exercised. The water rights for the proposed Specific Plan included in the project are covered by this settlement agreement.

## d. Regulatory Setting

### Clean Water Act

The Federal Water Pollution Prevention and Control Act (i.e., the Clean Water Act or CWA) requires that discharges do not substantially degrade the physical, chemical or biological integrity of the Nation's waters. Specifically, Section 402 established the National Pollutant Discharge Elimination System (NPDES) Regulations for wastewater and other pollutant discharges.

Congress amended the CWA in 1987 to require the implementation of a two-phased program to address storm water discharges. Phase I, promulgated by the U.S. Environmental Protection Agency (EPA) in November 1990, requires NPDES permits for storm water discharges from municipal separate storm sewer systems (MS4s) serving populations of 100,000 or greater, construction sites disturbing greater than 5 acres of land, and ten categories of industrial activities.

The EPA recognized that smaller construction projects (disturbing less than 5 acres) and small municipal separate storm sewers (MS4s[1]) were also contributing substantially to pollutant discharges nationwide. Therefore, in order to further improve storm water quality, the EPA promulgated the NPDES Phase II program (*Federal Register* Vol. 64, No. 235, December 8, 1999). The Phase II regulations became effective on February 7, 2000 and require NPDES permits for storm water discharges from regulated small MS4s and for construction sites disturbing more than 1 acre of land. The Phase II regulations published by the EPA designated the urbanized areas[2] of Santa Barbara County as a regulated small MS4.

In addition, Sections 401 and 404 of the Clean Water Act establish regulations for the discharge of dredged or fill material into waters of the United States and water quality impacts associated with these discharges. In California, the Porter-Cologne Water Quality Control Act establishes waste discharge standards pursuant to the Federal NPDES program, and the state has the authority to issue NPDES permits to individuals, businesses, and municipalities.

## National Flood Insurance Program

Flood Insurance Rate Maps issued by the Federal Emergency Management Administration (FEMA) divide flood areas into three zones: Zone A for areas of 100-year flood, base flood elevations not determined; Zone B for areas of 500-year flood; and Zone C for areas of minimal flooding. The National Flood Insurance Program 100-year floodplain is considered to be the base flood condition. This is defined as a flood event of a magnitude that would be equaled or exceeded an average of once during a 100-year period. Floodways are defined as stream channels plus adjacent floodplains that must be kept free of encroachment as much as possible so that 100-year floods can be carried without substantial increases (no more than one foot) in flood elevations. Development in these floodplain areas are subject to the standard conditions of approval of the Santa Barbara County Flood Control and Water Conservation District and the requirements and development standards set forth in the County Flood Plain Management Ordinance (Chapter 15-A of the County Code) and the Development Along Water Courses Ordinance (Chapter 15-B of the County Code).

## Project Clean Water

The County of Santa Barbara Water Resources Division, Project Clean Water, has developed the 2012 Storm Water Management Program Guidance Document for Municipal Stormwater Permits. The document provides direction for development and implementation of Best Management Practices (BMP) to address potential stormwater pollution impacts and ensure consistent treatment of water quality, consistent with the NPDES Phase II permit regulations requiring the development of a Storm Water Pollution Prevention Plan (SWPPP) for projects over one acre in size.

## Orcutt Community Plan

The Orcutt Community Plan (OCP) incorporates policies and development standards to provide construction- and operational-phase runoff control to reduce flooding impacts and to ensure adequate long-term water availability in the OCP. Several of these were modeled after mitigation measures in the OCP EIR. A summary of the OCP development standards that would apply to the

[1] Those generally serving less than 100,000 people and located in an urbanized area as defined by the Bureau of the Census.
[2] An urbanized area is a land area comprising one or more places (central place(s)) and the adjacent densely settled surrounding area (the urban fringe) that together have a residential population of at least 50,000 and an overall population density of at least 1,000 people per square mile.

project is provided below. DevStds GEO-O-2.2 through GEO-O-2.6 require the use of erosion control and slope stabilization measures, and are discussed in more detail in Section 4.8, *Geologic Processes*. OCP Policies, Actions, and Development Standards for flooding and drainage include:

- Policy FLD-O-1, which requires flood risks in the Orcutt planning area to be minimized through appropriate design and land use controls;
- Action FLD-O-1.1, which requires designation of 100-year floodplains as open space;
- DevStds FLD-O-1.2 through FLD-O-1.4, which prohibit development within such 100-year floodplains and limits the types of developments in other flood-prone areas;
- Policy FLD-O-2, which requires off-site runoff associated with development to be minimized;
- DevStd FLD-O-2.1, which requires the use of pervious construction materials to limit off-site runoff;
- Policy FLD-O-3, which requires short-term and long-term erosion associated with development to be minimized;
- DevStds FLD-O-3.1 through FLD-O-3.3, which require incorporation of erosion control features into project development;
- Policy FLD-O-4, which require the County to construct and maintain a regional retention basin system in Orcutt as depicted in Figure 35 of the OCP, if feasible; and
- Action FLD-O-4.1 and DevStds FLD-O-4.2 through FLD-O-4.4, which require construction of regional retention basins to accommodate increased runoff associated with project development.

OCP Policies and Development Standards for water resources include:

- Policy WAT-O-1, which requires County staff to actively assist local purveyors, user, special districts and/or regulators in the development of long-term supplemental water to meet present and future water needs for Orcutt.
- DevStd WAT-O-1.3, which creates an infrastructure financing program that requires developers to pay fees sufficient to offset increased water demand to ensure that residents do not have to pay for water supplies necessary to serve new development (Policy WAT-O-6);
- Policy WAT-O-2, which requires that new development must be offset by long-term supplemental water supplies that do not result in further overdraft of the local groundwater basin and that are adequate to meet the project's new water demand. Supplemental water is defined as a source of water other than groundwater, unless the groundwater basin has determined to no longer be in overdraft or the use of groundwater is consistent with the final water rights judgement entered in the Santa Maria Groundwater Basin adjudication;
- DevStd WAT-O-2.2, which requires applicants to provide either a "Can and Will Serve" letter from the California Cities Water Company dated before July 1997 or an "Intent to Serve" letter from the California Cities Water Company or other water purveyors demonstrating that net water demand will be offset by a long-term supplemental water supply if the Basin is in a state of overdraft and the use of groundwater is not consistent with the Santa Maria Basin water rights adjudication; otherwise applicants must demonstrate adequacy of the water supply proposed to serve projects;
- DevStd Wat-O-2.3, which requires the developer to provide a "Can and Will Serve" letter and necessary final contract(s) consistent with the conditions of the discretionary permits and terms of the draft contract(s);

- Policy WAT-O-3, which states that development in Orcutt shall incorporate water efficient design and technology;
- Policy WAT-O-4, which states that previous agricultural historic use shall not be credited toward the water demand for urban development, unless required by law; and
- Policy WAT-O-5, which requires water used to serve new development in Orcutt to have a TDS level of no greater than 425 mg/L.

### Santa Maria Basin Water Rights Adjudication

Water rights to the Santa Maria Basin have been adjudicated by the five-phase trial Santa Maria Valley Water Conservation District vs. City of Santa Maria, et. al (Superior Court, County of Santa Clara, Case no. 770214). The Superior Court of California, County of Santa Clara, passed down the Stipulation of the SMGB Litigation in 2008 in order to ensure the Basin's long-term sustainability. Under the Santa Maria Groundwater Basin Adjudication Stipulation, all overlying owners that are also stipulating parties have a prior and paramount overlying right, whether or not yet exercised. The water rights for the proposed Specific Plan included in the project are covered by this settlement agreement.

## 4.14.2 Previous Environmental Review

The OCP EIR examined potential impacts to regional water resources, flooding, and drainage that would result from development under the OCP in two sections of the document: Flooding and Drainage, and Water Resources. While the Specific Plan area (Key Site 21) was examined in the OCP and associated OCP EIR, a site specific analysis for drainage or water resources at Key Site 21 was not conducted.

The OCP EIR identified potentially significant impacts to water resources associated with residential, commercial-industrial, municipal, and agricultural growth which would contribute to ongoing and increased overdraft of the SMGB by generating an increase in net water demand of 3,304 acre feet per year (AFY) at full buildout. Of this total, the net water demand for new residential units (5,175 units) resulting from full buildout of the OCP would be 3,071 AFY. The net water demand resulting from residential development on Key Site 21 was included in the projected water demand for full buildout of the OCP area.

The OCP EIR identified mitigation measures that would minimize potential water resource impacts, including payment of fees to offset increased water demand (WAT-1), formation of a Community Services District to provide for public control of the planning and implementation of water supply and conservation measures (WAT-2), obtaining additional out-of-basin supplemental water supply through long-term exchange agreement (WAT-3), and project-specific water conservation measures for new development projects (WAT-4). The residual impacts on water resources after mitigation, including cumulative water resource impacts, were identified as significant but feasibly mitigated (Class II) if a commitment were made by the involved water purveyors and agencies to purchase out-of-basin permanent supplemental supplies to offset the new demand associated with buildout under the OCP. Residual impacts would be significant and unavoidable (Class I) if no commitments were made. In compliance with this measure, since 1996, supplemental water has been imported to the County through the State Water Project, reducing potentially significant impacts to water resources to less than significant (Class II).

The OCP EIR identified potentially significant flooding and drainage impacts that pertain to development on Key Site 21, including: increased storm flows from impervious surfaces (FLD-3),

increased runoff and associated sedimentation that could decrease channel and retention basin capacity (FLD-4), and increased sedimentation of farmland in the Guadalupe Lakes area (FLD-5).

The EIR identified mitigation measures that would minimize potentially significant flooding and drainage impacts, including fair share contribution to installation and maintenance for a regional retention basin and other design and maintenance requirements for regional retention basins (FLD-4), erosion control measures and desilting requirements for Orcutt Creek (FLD-6), sedimentation traps and check dams for open space areas associated with structural development projects (FLD-7), use of pervious construction materials to minimize runoff conveyed offsite (FLD-8), and best management practices for drainage outlets into natural creek channels (FLD-10). The OCP EIR determined that implementation of feasible mitigation measures would reduce flooding and drainage impacts, including cumulative impacts, but that residual impacts would remain significant and unavoidable (Class I). In approving the OCP, the Board of Supervisors adopted a Statement of Overriding Considerations for those identified environmental impacts which would have Class I cumulative impacts even after incorporating all feasible mitigation measures.

## 4.14.3 Impact Analysis

### a. Methodology and Significance Thresholds

### Methodology

Water demand for the proposed project was estimated using consumptive use factors obtained from the County of Santa Barbara Environmental Thresholds and Guidelines Manual (March 2018). The proposed Willow Creek neighborhood would provide 90 single family lots with an average residential lot size of 11,400 sf and the proposed Hidden Canyon neighborhood would provide 56 single family lots with an average residential lot size of 18,000 sf. Therefore, water use factors used that represent indoor and outdoor use were interpolated at 0.97 AFY per unit for 15,000 sf estate lots, the approximate mean of the two proposed neighborhoods average lots sizes, based on the County's AFY per unit factors for 13,400 sf estate lots and 20,000 sf estate lots. Santa Barbara County has developed thresholds of significance for groundwater basins that are in a state of overdraft.

### Significance Thresholds

Based on the Santa Barbara County Environmental Thresholds and Guidelines Manual, hydrology and water quality impacts would be considered significant if the project:

- Is located within an urbanized area of the County and the project construction or redevelopment individually or as a part of a larger common plan of development or sale would disturb one (1) or more acres of land;
- Increases the amount of impervious surfaces on a site by 25% or more;
- Results in channelization or relocation of a natural drainage channel;
- Results in removal or reduction of riparian vegetation or other vegetation (excluding non-native vegetation removed for restoration projects) from the buffer zone of any streams, creeks or wetlands;
- Is an industrial facility that falls under one or more of categories of industrial activity regulated under the NPDES Phase I industrial storm water regulations (facilities with effluent limitation; manufacturing; mineral, metal, oil and gas, hazardous waste, treatment or disposal facilities;

landfills; recycling facilities; steam electric plants; transportation facilities; treatment works; and light industrial activity);

- Discharges pollutants that exceed the water quality standards set forth in the applicable NPDES permit, the Regional Water Quality Control Board's (RWQCB) Basin Plan or otherwise impairs the beneficial uses of a receiving waterbody;
- Results in a discharge of pollutants into an "impaired" waterbody that has been designated as such by the State Water Resources Control Board or the RWQCB under Section 303 (d) of the Federal Water Pollution Prevention and Control Act (i.e., the Clean Water Act); or
- Results in a discharge of pollutants of concern to a receiving waterbody, as identified in by the RWQCB.

As required by the Santa Barbara County Environmental Thresholds and Guidelines Manual, all projects determined to have a potentially significant stormwater quality impact must prepare and implement a Storm Water Quality Management Plan (SWQMP) to reduce the impact to the maximum extent practical. The County requires that each SWQMP shall include the following:

- Identification of potential pollutant sources that may affect the quality of the discharges to storm water;
- The proposed design and placement of structural and non-structural Best Management Practices (BMPs) to address identified pollutants;
- A proposed inspection and maintenance program; and
- A method of ensuring maintenance of all BMPs over the life of the project.

Implementation of BMPs identified in the SWQMP generally will be considered to reduce impacts to stormwater quality to a less than significant level.

Appendix G of the CEQA guidelines considers a project to have a significant hydrological impact if the project would:

- Violate any water quality standards or waste discharge requirements;
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site;
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
- Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;
- Otherwise substantially degrade water quality;
- Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map;
- Place within a 100-year flood hazard area structures which would impede or redirect flood flows;
- Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; and/or
- Be subject to inundation by seiche, tsunami, or mudflow.

The proposed project would not result in the development of any industrial facilities that would involve industrial activities that are regulated under the NPDES Phase I industrial storm water regulations. Therefore, the proposed project would not result in impacts to water quality resulting from the development of such facilities, and the associated County significance thresholds are not discussed further in this report. Because the proposed Specific Plan would not result in any housing or other structures within the 100-year flood hazard area, no impacts associated with these thresholds would occur, and the associated CEQA guidelines questions are not discussed further in this report. Because the Specific Plan is not located within an identified dam inundation zone or in a location subject to inundation by seiche tsunami, or mudflow (Santa Barbara County 2017), no impacts associated with these thresholds would occur, and the associated CEQA guidelines questions are not discussed further in this report.

Appendix G of the CEQA guidelines considers a project to have a significant impact to water supply or groundwater depletion if the project would:

- Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level; and/or
- Not have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed.

The current threshold for projects in the Santa Maria Basin is 25 AFY (Santa Barbara County, October 2008, revised July 2018). It should be noted that this rate was developed to address potential impacts related to groundwater extraction, and does not account for the availability of purchased water from the SWP.

Potential impacts related to soil erosion and sedimentation are discussed in Section 4.8, *Geologic Processes*.

## b. Project Impacts and Mitigation Measures

Impacts and mitigation measures described in the OCP EIR are incorporated below, with corresponding analysis pertaining to the proposed Willow Creek and Hidden Canyon Residential Project. Impacts identified in the OCP EIR are compared with those that are anticipated to occur under the proposed Neighborhoods of Willow Creek and Hidden Canyon Project.

| | |
|---|---|
| **Threshold:** | Would the project violate any water quality standards or waste discharge requirements. |

**Impact WR-1 CONSTRUCTION ACTIVITIES ASSOCIATED WITH SPECIFIC PLAN DEVELOPMENT COULD DEGRADE WATER QUALITY THROUGH INCREASED RATES OF EROSION AND SEDIMENTATION. COMPLIANCE WITH NPDES PERMIT REQUIREMENTS, THE REQUIRED SWPPP AND APPLICABLE BMPS, AND THE COUNTY'S GRADING ORDINANCE AND APPLICABLE OCP DEVELOPMENT STANDARDS WOULD ENSURE THAT POTENTIAL WATER QUALITY IMPACTS DURING PROJECT CONSTRUCTION WOULD BE LESS THAN SIGNIFICANT (CLASS III).**

The site specific analysis for Key Site 21 included in the OCP EIR states that a maximum of 150 single family residential units could be constructed on 211-acres of the site. This development would be clustered on APNs 113-250-015, -016, -017. The number of residential units proposed (146 units) under the Specific Plan is fewer than what was anticipated in the OCP EIR. With less site disturbance and development, the overall construction activity would be less for the proposed Specific Plan than

the construction activity required for buildout under the OCP. Nevertheless, Specific Plan development would involve grading operations that would result in cut and fill of approximately 111,398 cubic yards (cy) of soil material (the sum of total net cut and total net fill, as shown in Table 2-2 in Section 2.0, Project Description). Grading operations would increase the potential for erosion and sedimentation into nearby drainages and Orcutt Creek. If construction grading in the Specific Plan area occurs during the rainy season, or in the event of heavy storms, soils from the site could be entrained, eroded, and transported to the drainages within and adjacent to Key Site 21. Uncontrolled discharges of sediment are considered a significant impact to water quality. Loose soils have the potential to erode and enter Orcutt Creek and its tributaries, which could result in excessive sediment loads and degrade water quality.

Construction projects of one or more acres are subject to NPDES Phase II (non-point source) permit requirements. Under these requirements, all construction activities would be subject to the General Permit for Storm Water Discharge Associated with Construction and Land Disturbance Activities, which require preparation of a SWPPP to control the discharge of pollutants, including sediment, into local surface water drainages. The SWPPP is designed to minimize water quality degradation through storm water monitoring, establish BMPs, implement erosion control measures, and implement spill prevention and containment measures. As described in Section 4.14.3(a), projects determined by the County to potentially impact stormwater quality are required to prepare and implement a SWQMP to minimize water quality degradation through storm water monitoring, establishment of BMPs, implementation of erosion control measures and implementation of spill prevention and containment measures during the life of the project.

In addition to NPDES permit requirements, construction activities would be subject to the County's grading ordinance and applicable OCP development standards to minimize erosion and associated impacts to water quality. The grading ordinance requires a grading permit and an Erosion and Sediment Control Plan for all new grading, excavations, fills, cuts, borrow pits, stockpiling, compaction of fill, and land reclamation projects on privately owned land where the transported amount of materials exceeds 50 cubic yards or the cut or fill exceeds three feet in vertical distance to the natural contour of the land. The County accepts a SWPPP in lieu of an Erosion and Sediment Control Plan, as long as the SWPPP contains the requirements of the County's Erosion and Sediment Control Plan. In addition, a master drainage plan is required as part of the grading plan for all grading permit applications. The project would also conform to OCP Dev Std FLD-O-3.1 and FLD-O-3.2, which require the installation of sedimentation traps and other BMPs to prevent erosion and siltation of waterways.

Compliance with NPDES permit requirements, the required SWPPP and applicable BMPs, and the County's grading ordinance and applicable OCP development standards would ensure that potential water quality impacts during project construction would be adverse, but less than significant (Class III).

## Mitigation Measures

No mitigation is required. Compliance with NPDES permit requirements, the required SWPPP and applicable BMPs, and the County's grading ordinance and applicable OCP development standards would ensure that potential water quality impacts during project construction would be adverse, but less than significant (Class III).

| | |
|---|---|
| **Threshold:** | Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? |
| **Threshold:** | Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? |
| **Threshold:** | Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? |
| **Threshold:** | Would the project otherwise substantially degrade water quality? |

### Impact WR-2 NEW IMPERVIOUS SURFACES WOULD ALTER EXISTING DRAINAGE PATTERNS AND INCREASE STORMWATER RUNOFF. COMPLIANCE WITH APPLICABLE PROGRAMMATIC MITIGATION MEASURES FROM THE OCP EIR, DESIGN GUIDELINES, APPLICABLE SBCFCD REQUIREMENTS FOR POST-DEVELOPMENT PEAK STORMWATER FLOWS AND BMPS AND MAINTENANCE REQUIREMENTS DESCRIBED IN THE PROPOSED PROJECT'S STORMWATER CONTROL PLANS WOULD ENSURE THAT POTENTIAL FLOODING IMPACTS AND IMPACTS TO ON-SITE AND OFF-SITE DRAINAGE WOULD BE LESS THAN SIGNIFICANT (CLASS III).

The Specific Plan area is currently undeveloped and is located at the outer edges of the RMGC and in between the golf course fairways at the base of the northern flanks of the east-west trending Casmalia Hills. The Specific Plan area topography consists of gentle slopes that reach 420 feet in elevation along the southern perimeter of the site dropping to 220 feet in elevation at the northwest corner of the property. Three unnamed drainages flow in a northwesterly direction and are tributaries to Orcutt Creek, located to the north. Other small ravines and gullies bisect the site in places, eventually draining toward Orcutt Creek.

Specific Plan development would increase impervious surfaces on Key Site 21 by an estimated 62.7 acres (residential development and roads), redirecting the drainage of surface flow during storm events. Surface water flows travel faster as they run along impermeable surfaces and channelized drainages, which can result in increased peak discharge flows, erosion, stormwater runoff and risk of flooding. As stormwater runoff increases in flow speed, discharge points into Orcutt Creek can lead to increased soil erosion and sedimentation, degrading water quality. In addition, oils, chemicals, and other contaminants from vehicles, pesticides, fertilizers, pet waste, dust contaminants, and other urban runoff could be transported to Orcutt Creek and area storm drains during rain events, resulting in potential water quality impacts.

The anticipated increase in impervious surfaces from the proposed development represents an 18 percent increase on the 341-acre Key Site 21, and a 33 percent increase in the 190-acre project site area. This increase would exceed the County's Environmental Thresholds and Guidelines Manual threshold of 25 percent increases in impervious surfaces for the project site area, but would not exceed the 25 percent threshold for Key Site 21 as a whole.

Compared to the OCP, the proposed project would construct fewer homes on Key Site 21, and approximately 97 acres of undisturbed natural open space would remain in the project site area (in addition to the existing 21 acres of open space on Key Site 21 outside of the project site area), which is greater than the 25 acres anticipated for Key Site 21 under the OCP. With decreased impervious surface area, more natural infiltration would occur than anticipated in the OCP EIR, resulting in

lower volume and acceleration of stream flows. As a result, drainage impacts associated with increased storm flows from the proposed project would be less than anticipated in the OCP EIR.

As discussed in Section 4.14.2, the OCP EIR identified measures that would minimize potential hydrological impacts, including fair share contribution to installation and maintenance for a regional retention basin and other design and maintenance requirements for regional retention basins (FLD 3.1 through 3.5). Since these measures were required in the OCP EIR, the Central Coast RWQCB has prohibited runoff from being managed on a regional level and requires that runoff be managed on-site for each approved project. Additionally, the Santa Barbara County Flood Control District (SBCFCD) requires that post-development peak stormwater flows not exceed pre-development flows for 2-, 5-, 10-, 25-, 50-, and 100-year storm events. The Specific Plan includes on-site bio-retention facilities and Low Impact Design (LID) features, including recirculating, point-of-use water heaters, low flow plumbing fixtures, drought tolerant landscaping, water-efficient irrigation systems, and efficient use of water from roof drains for landscape irrigation, designed to comply with these requirements. The proposed retention facilities implement applicable OCP mitigation measures, including FLD-7, FLD-8, and FLD-10, and would reduce peak flows, with overflow captured in desilting/retention basins. The proposed LID features would divert drainage to landscaped areas to promote infiltration. Excess runoff would follow the historical drainage course that runs south-to-north along the center of the Specific Plan area.

The Basin Hydrology Reports for the Willow Creek and Hidden Canyon Neighborhoods in the Specific Plan area (Appendix L) include modeling of site hydrology and runoff under pre- and post-development conditions, using the HydroCAD modeling software in accordance with requirements of the SBCFCD. These reports document that the proposed retention facilities would attenuate the 2-, 5-, 10-, 25-, 50-, and 100-year storm events and discharge at or below existing drainage conditions, consistent with SBCFCD's post-development runoff criteria. The Stormwater Control Plans for the Willow Creek and Hidden Canyon Neighborhoods in the Specific Plan area (Appendix L) summarize the findings of the Basin Hydrology Reports and describe LID features and Stormwater Control Measures (SCMs) as well as stormwater facility maintenance procedures to ensure that the proposed retention facilities maintain the required reduced flow rates and minimize discharge of stormwater contaminants into off-site drainages. These measures would be required to be implemented as a condition of project approval. The Basin Hydrology Reports and Stormwater Control Plans are included in Appendix L.

Compliance with existing design guidelines, applicable SBCFCD requirements for post-development peak stormwater flows and BMPs and maintenance requirements described in the Neighborhood Stormwater Control Plans would ensure that potential flooding impacts and impacts to on-site and off-site drainage would be adverse, but less than significant (Class III).

## Mitigation Measures

No mitigation is required because impacts are less than disclosed in the OCP EIR. Compliance with applicable programmatic mitigation measures from the OCP EIR, design guidelines, applicable SBCFCD requirements for post-development peak stormwater flows and BMPs and maintenance requirements described in the proposed project's Stormwater Control Plans would ensure that potential flooding impacts and impacts to on-site and off-site drainage would be adverse, but less than significant (Class III).

| | |
|---|---|
| **Threshold:** | Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level? |
| **Threshold:** | Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? |

**Impact WR-3 SPECIFIC PLAN DEVELOPMENT WOULD RESULT IN A PROJECTED NET INCREASE IN WATER DEMAND. THE USE OF GROUNDWATER TO SERVE THE DEVELOPMENT WOULD NOT RESULT IN FURTHER OVERDRAFT OF THE SANTA MARIA GROUNDWATER BASIN. HOWEVER, GROUNDWATER WELLS IN KEY SITE 21 MAY PRODUCE GROUNDWATER WITH A TOTAL DISSOLVED SOLIDS CONCENTRATION THAT WOULD EXCEED THE ORCUTT COMMUNITY PLAN'S 425 MG/L STANDARD PER POLICY WAT-O-5. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION (CLASS II).**

*Water Demand*

Projected water demand for the Specific Plan is described in Table 4.14-1.

**Table 4.14-1 Projected Specific Plan Water Demand**

| **Residential** | | | |
|---|---|---|---|
| **Neighborhood** | **No. of Units** | **AFY/Unit[1]** | **AFY/Total** |
| Hidden Canyon | 56 | 0.97 | 54.5 |
| Willow Creek | 90 | 0.97 | 87.7 |
| Total Gross Residential Demand | | | 142.2 |
| **Homeowners Association Maintained Irrigated Demand** | | | |
| | **Acres** | **AFY/Acre** | **Irrigated AFY** |
| | 23 | 1.5[2] | 34.5 |
| Total Gross HOA Irrigated Demand | | | 34.5 |
| Total Project Gross Water Demand | | | 176.7 |
| **Total Project Net Water Demand[3]** | | | **106.0** |

[1] The Estate lot average size of 15,000 sf. An interpolated AFY/unit value was determined using the County of Santa Barbara Environmental Thresholds and Guidelines Manual for 13,400 sf lots and 20,000 sf lots.

[2] County of Santa Barbara Environmental Thresholds and Guidelines Manual for miscellaneous landscaping, average "Green Lawns" and "Not So Green Lawns" and gardens.

[3] County of Santa Barbara Environmental Thresholds and Guidelines Manual for net consumptive use: Gross Demand × C.U. Factor (0.60) for Orcutt Area – Sandy Soil.

As shown in Table 4.14-1, the total water demand for the proposed project would exceed the County's standard threshold of withdrawals from the SMGB of 25 AFY, creating potentially significant impacts to water supplies. The OCP EIR concluded that residual impacts on water resources, including cumulative water resource impacts, would be feasibly mitigated (Class II) if a commitment were made by the involved water purveyors and agencies to purchase out-of-basin permanent supplemental supplies to offset the new demand associated with buildout under the OCP. Residual impacts would be significant and unavoidable (Class I) if no commitments were made.

OCP Policy WAT-O-2 requires that the water demand for projects in the OCP area be offset by supplemental water supplies that do not result in further overdraft of the ground water basin. Policy WAT-O-2 defines "supplemental water" as a "source of water other than groundwater, unless:

1. The groundwater basin has been determined to be no longer in overdraft, or
2. The use of groundwater is consistent with the final water rights judgment entered in the Basin adjudication (Santa Maria Valley Water Conservation District vs. City of Santa Maria, et. al [Superior Court, County of Santa Clara, Case no. 770214])."

In compliance with this measure, since 1996, supplemental water has been imported to the County through the State Water Project, reducing potentially significant cumulative impacts to water resources as a result of buildout of the OCP area to less than significant (Class II).

The Specific Plan area overlies the SMGB and is within the SMVMA. As discussed in Section 4.14.1 regarding the Santa Maria Basin water rights adjudication, under the Santa Maria Groundwater Basin Adjudication Stipulation, all overlying owners that are also stipulating parties have a prior and paramount overlying right, whether or not yet exercised. The water rights for the proposed Specific Plan area are covered by this settlement agreement. Therefore, the use of native groundwater to serve the proposed project is consistent with the final water rights judgment, and meets the definition of "supplemental water" for purposes of satisfying the objectives of Policy WAT-O-2.The project's water demand is legally considered to be offset by long-term supplemental water supplies, adequately mitigating potentially significant impacts resulting from increased overdraft to the SMGB (impacts WAT-1 and WAT-2) to a less than significant level (Class III).

To further reduce overall water demand, the proposed project would be required to comply with standard OCP Policy design guidelines, which include a modified list of the landscape design recommendations identified in the OCP EIR (Section 5.6-13) and additional indoor design measures. Exterior water use design measures include:

- Turf shall constitute less than 25% of the total landscaped area;
- No turf shall be allowed on slopes over 4%;
- Require appropriate turf types – warm season grasses;
- Extensive mulching (2-inch minimum depth) shall be used in all landscaped areas to improve the water holding capacity of the soil by reducing evaporation and compaction;
- Soil moisture sensing devices and rain shutoff devices shall be installed to prevent unnecessary irrigation. Training and advise in how to properly use these systems should be provided; Provide information about efficient watering techniques (especially in sandy soil) and how to use weather information to schedule irrigations (there is a weather monitoring station in the Santa Maria Area);
- Distribute information brochures on design (plants, irrigation systems) and irrigation techniques to home buyers;
- Intermittent permeable surfaces such as French drains shall be used for parking areas and driveways; and
- Separate landscaping water meters shall be installed.

Implementation of the above standard guidelines would further reduce water demand. Therefore, the impact on water resources would be adverse, but less than significant (Class III).

### *Water Infrastructure and Groundwater Quality*

Long-term water supply to the Specific Plan area would be provided through a newly formed mutual water company. The project includes a new community water system that would include two proposed on-site water wells, new waterlines to each of the proposed neighborhoods, a hydro-pneumatic tank system, water treatment, and a storage tank facility. Kear Groundwater prepared a water well feasibility analysis for the project in February 2018 to evaluate the potential for wells in the Specific Plan area to provide a long-term source for future water demand. The water well feasibility analysis is included in Appendix L.

Based on the estimated gross project water demand of approximately 177 AFY, a pumping demand of 424 gallons per minute would need to be met at a 75 percent use factor, 282 gallons per minute at a 100-percent use factor, and 565 gallons per minute at a 50-percent time use factor. The water well feasibility analysis recommends drilling two wells – a primary well and a backup well – in the highly-permeable Paso Robles formation on the northern portion of Key Site 21. The recommended well locations account for proximity to the Santa Maria Valley syncline axis, the valley's dominant geologic structure, as well as logistical considerations including existing RMGC golf course operations and planned development. Based on current hydrological conditions, each well would individually be capable of meeting the anticipated project water demand requirements (Appendix L).

Existing wells in the vicinity of the Specific Plan area are characterized by a range of water quality resulting from the differences between aquifers. Wells in the Paso Robles Formation have generally higher-quality water than shallower or deeper formations. Water quality data from 2008 to 2012 for the nearby existing RMGC golf course well indicate a calcium-sulfate groundwater character with a TDS concentration of 615 mg/L and a pH of 7.3 to 7.4. Nitrate (a problem elsewhere in the Santa Maria Basin, especially in shallower aquifer zones) was detected at 1.57 mg/L as N (with a maximum contaminant level of 10 mg/L). These characteristics are reasonably expected to reflect water quality at the recommended well locations (Appendix L).

The proposed water system would be permitted by Santa Barbara County Environmental Health Services (EHS). EHS will require a Water Quality Chemical Analysis to be completed for primary and secondary drinking water standards. The results must fall below the maximum contaminant levels as excerpted from California Domestic Water Quality Monitoring Regulations (Chapter 15 of Title 22 of the California Code of Regulations). This includes 0.01 mg/L for arsenic, 10.0 mg/L for nitrates, 1,000 mg/L for total dissolved solids (TDS), and 8.5 units for PH. OCP Policy WAT-O-5 requires water used to serve new development in Orcutt to have TDS concentrations no greater than 425 mg/L. This is less than half than the 1,000 mg/L TDS maximum contaminate level required per California Domestic Water Quality Monitoring Regulations, and about a 30% reduction from the concentrations observed at the existing RMGC golf course well. The intent of this policy is to reduce overall TDS levels in the wastewater in Orcutt, and thereby reduce the level of potential groundwater contamination from dispersal of this wastewater. Mitigation Measure WR-3 described below requires the installation of a reverse-osmosis (RO) treatment facility if produced water exceeds 425 mg/L. The inclusion of this mitigation measure would reduce potentially significant water quality impacts to less than significant (Class II).

### *Well Interference*

As described in Table 4.14-1, the total gross water demand for the project would be approximately 177 AFY. Long-term water supply would be provided by two proposed on-site water wells drawing from the SMGB. As discussed above, the Specific Plan's water demand is legally considered to be

offset by long-term supplemental water supplies and would not result in further overdraft of the SMGB. The water well feasibility analysis (Appendix L) modeled the effect of anticipated pumping at rates between 104 gallons per minute (gpm) and 416 gpm from the proposed wells on proximal existing wells. Pumping the primary and backup wells continuously at 104 gpm would induce a gentle cone of depression with an estimated <1 foot drawdown at 260 feet from the well and <0.5 foot drawdown at 2,175 feet from the well. Pumping the primary and backup wells at 416 gpm for 6 hours would result in an estimated <4 foot drawdown at 130 feet from the well, <3 foot drawdown at 375 feet, and <1 foot drawdown at 3,150 feet from the well. Most existing wells in the vicinity of the Specific Plan area, including the RMGC well, would have induced drawdowns between 1 foot and 3 feet. The greatest effects are estimated to occur when wells are pumped at high rates and longer durations. Since the higher rates would meet project demands in shorter durations, these values represent a conservative estimate of potential drawdown. A drawdown of 10-ft or less is considered to be a less than significant impact (Jordan Kear, personal communication 2019).

Additionally, due to local variations within the Paso Robles Formation, there is generally indirect correlation of aquifer units in between the proposed wells and existing wells to the north or south, including the RMGC well. The RMGC well, located north of the proposed well locations, extracts groundwater from a deeper stratigraphic section than the proposed wells would, even though they may be of approximately equal vertical depth. Based on the analysis in the water well feasibility analysis, potential well interference impacts between the proposed wells and existing wells in the vicinity, including the RMGC well, would be adverse, but less than significant (Class III).

## Mitigation Measures

### *WR-3 Modern Drilling, Analysis, and Well Construction Techniques*

Using geologic, geophysical, and water quality data, wells shall be designed using modern drilling, analysis, and well construction methods, including, but not limited to:

- Discrete perforation intervals adjacent to the best quality aquifer materials (should zones between perforations indicate poor quality groundwater, intermediate cement or clay seals shall be installed to prevent poorer quality water from entering the production stream);
- After development, step-drawdown and constant-rate pumping tests shall be conducted at the wells, with water quality samples collected at various rates and durations to optimize the blend of water quality;
- If produced water quality exceeds the 425 mg/L standard a reverse-osmosis (RO) above-ground treatment facility shall be implemented. The RO facility would divert high-quality stream to residential uses. The resulting brine solution may be disposed at a discharge facility approved by Planning & Development, or other method approved by the Central Coast Regional Water Quality Control Board.

**Plan Requirements and Timing**. Prior to zoning clearance issuance the owner/applicant shall submit proof of water system permits to Planning and Development. These requirements shall be reflected on the water system plans.

**Monitoring**. The Owner/Applicant shall demonstrate that the submitted plans conform to the required conditions. Santa Barbara County Environmental Health Services shall permit the water system and review plans to ensure compliance. Planning & Development staff will review building plans for compliance prior to issuance of building permits. Building inspectors shall ensure compliance in the field.

## Significance After Mitigation

The project would not result in significant impacts to existing well users, and the residual impact related to water resources would be adverse, but less than significant (Class III). Impacts to the overdrafted SMGB would be adverse, but less than significant without mitigation (Class III). Implementation of Mitigation Measure WR-3 would ensure new wells would meet the OCP Policy WAT-O-5 standard for TDS concentrations of 425 mg/L (Appendix L). Therefore, Mitigation Measure WR-3 would reduce impacts related to groundwater quality to a less than significant level (Class II).

# c. Cumulative Impacts

## Drainage, Flooding, and Sedimentation

Cumulative development in the northern part of Santa Barbara County would increase impervious surfaces throughout the Orcutt area, redirecting the drainage of surface flow during storm events, and increasing peak flows, erosion, sedimentation, and risk of flooding. The OCP EIR identified potentially significant impacts resulting from OCP buildout due to increased storm flows, erosion and sedimentation, flooding, personal injury and property damage.

Implementation of the policies and development standards in the OCP related to drainage and water quality, as well as compliance with applicable Santa Barbara County standards, would minimize these potentially significant cumulative impacts. Buildout of the Specific Plan, as well as other projects in the Orcutt area, would be subject to SBCFCD review and approval relative to accommodating surface flows and retention of runoff on-site. Implementation of Santa Barbara County design guidelines as well as the NPDES Phase II SWPPP water quality ordinances would ensure that incremental buildout of development throughout the Orcutt area occurs based on BMPs designed to address drainage and surface water quality protection. Therefore, cumulative impacts to drainage, flooding, and sedimentation in the Orcutt area would be adverse, but less than significant (Class III).

## Water Demand/Water Quality

Cumulative development in the northern part of Santa Barbara County includes approximately 1,260 new residential units and 280 commercial units that are currently proposed, in process, approved, or under construction, in addition to approximately 973,500 square feet of commercial, winery, and institutional development. Additional water demand would occur with population growth associated with buildout of the OCP. The OCP EIR determined that the potential increase in groundwater pumpage above current levels due to buildout of the OCP would represent a potentially significant impact, as it would constitute a substantial contribution to ongoing overdraft of the SMGB.

As discussed in Sections 4.14.1(d) and 4.14.2, the OCP includes policies and development standards regarding water supply and groundwater consumption. Specifically, Policy WAT-O-2 requires that future development under the OCP must offset water demand with supplemental water supplies in order to prevent any impacts to the SMGB. Future development within the Orcutt area would be subject to OCP EIR Mitigation Measures WAT-1 through WAT-4, which would also reduce cumulative impacts to water supply. In addition, according to the 2015 Orcutt Urban Water Management Plan, the water supplies available to the Orcutt system are sufficient to meet the projected water demand for each multiple-dry year period because groundwater and purchased water can supply reliable water through 2040. GSWC estimates population using the Santa Barbara

County Association of Governments (SBCAG) population, housing, and employment data. The Orcutt System's metered water use in 2015 was calculated to be 5,588 acre-feet per year (AFY). Per capita water use has dropped from over 250 gallons per capita per day (GPCD) based on 10- to 15-year average baseline data to 157 GPCD in 2015 based on 5-year average baseline data (GSWC 2016). As discussed in Impact WR-3, the proposed Specific Plan would result in development of fewer homes on Key Site 21 than the Specific Plan evaluated in the OCP EIR and proposed at the time of the final water rights Stipulation entered in the SMGB adjudication. As discussed under Impact WR-3, the Specific Plan's water demand is legally considered to be offset by long-term supplemental water supplies and would not result in further overdraft of the SMGB. Therefore, cumulative impacts to water supply and groundwater resources would be adverse, but less than significant (Class III).

# 4.15 Effects Found Not to be Significant

In accordance with the *CEQA Guidelines*, a Notice of Preparation (NOP) and Environmental Scoping Document (Scoping Paper) for this SEIR was distributed for review by affected agencies and the public on March 27, 2018. The NOP, responses received during the NOP comment period, and Scoping Paper are presented in Appendix A of this report. Based on comments received during the public scoping meeting and NOP comment period, the County of Santa Barbara determined that there was no substantial evidence that the project would cause or otherwise result in significant environmental effects in the following resource areas:

- Forest Resources;
- Hazards and Hazardous Materials;
- Historic Resources;
- Mineral Resources, and;
- Population and Housing.

No further environmental review of these issues is necessary for the reasons summarized in the following discussion. In addition, the SEIR evaluation identified checklist questions from Appendix G of the State CEQA Guidelines where the project would not result in significant environmental effects in the following issue areas:

- Biological Resources;
- Geologic Processes, and;
- Land Use.

These issues are also briefly described herein. The substantiation for determining that these issues would result in no impact or a less-than-significant impact is described in further detail in the NOP and Scoping Paper in Appendix A, pursuant to §15128 of the State *CEQA Guidelines*.

## 4.15.1 Biological Resources

### Potential Environmental Effects

- Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?

### Reasons Why Effects Were Not Found Significant

The project site is not part of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, the project would not conflict with any such plans, and no impact would occur.

## 4.15.2 Forest Resources

### Potential Environmental Effects

- Would the project 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])?
- Would the project result in the loss of forest land, or conversion of forest land to non-forest use significant impacts could result?

### Reasons Why Effects Were Not Found Significant

The project site is zoned Planned Residential Development with an existing land use designation of Planned Development. The project site does not contain any forest land, timberland, or timberland zoned Timberland Production. Therefore, the project would not result in any impacts to forest or timberland resources.

## 4.15.3 Geologic Processes

### Potential Environmental Effects

- Would the project be located on soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

### Reasons Why Effects Were Not Found Significant

The project would involve residential connections to existing utility services for wastewater, and would not require septic tanks or alternative wastewater disposal system. Therefore, the project would result in no impacts related to soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems.

## 4.15.4 Hazards and Hazardous Materials

### Potential Environmental Effects

- Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- Would the project emit hazardous emissions or handle hazardous of acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or environment?

- 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 result in a safety hazard or excessive noise for people residing or working in the project area?
- Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

## Reasons Why Effects Were Not Found Significant

### *Use, Storage, and Handling of Hazardous Materials*

The Santa Barbara County Fire Department (SBCFD) Hazardous Materials Unit has been designated as the administering agency for Certified Unified Program Agency (CUPA) within the County of Santa Barbara. Accordingly, the County Fire Department compiles and maintains the Hazardous Materials Business Plan Program which requires businesses handling hazardous materials in quantities in excess of specified quantities to submit inventories of those materials to the CUPA, and to develop appropriate employee training and emergency procedures. The Hazardous Materials Business Plan Program maintains a list of businesses that meet the threshold criteria for use, storage, or disposal of hazardous materials, compressed gases and/or hazardous waste. Threshold quantities are defined as hazardous materials equal to or exceeding 55 gallons of a liquid, 500 pounds of a solid, 200 cubic feet of compressed gas, and/or hazardous waste in any amount. The CUPA maintains the inventory and emergency contact information submitted from businesses in a computerized data management system. The CUPA, in turn provides this information to emergency response agencies.

A review was conducted of the SBCFD Hazardous Materials Unit Business Plan list for the Orcutt area. No sites that store hazardous materials were identified within a one-mile radius of the site. Small quantities of hazardous materials may be used in conjunction with the proposed residential uses on site, such as typical solvents, paints, chemicals used for cleaning, and landscaping supplies. However, these materials would be limited in type and quantity such that they would not create a hazard to the public or environment. Therefore, impacts related to the use, storage, and handling of hazardous materials would be less than significant.

### *Agricultural Contamination*

Key Site 21 currently consists of undeveloped land, portions of which were previously used for agricultural purposes. Given the historic agricultural use of the northern and eastern portions of the site, there is potential for presently-banned pesticides and/or herbicides from historic cultivation to be present in the soil. Ground disturbing activities during construction could expose construction workers to residual agricultural chemicals in on-site soil via direct contact or inhalation of dust particles. All projects involving earthmoving activities are required to implement standard Santa Barbara County Air Pollution Control District (SBCAPCD) dust control measures. In addition, project construction activities would be subject to the County's grading ordinance to minimize fugitive dust emissions. Implementation of these standard measures during project construction activities would minimize worker exposure to dust and associated agricultural chemicals via inhalation. Improper handling and disposal of contaminated soils could result in a health risk to workers handling on-site soil. Consistent with Santa Barbara County Environmental Health Services (EHS) requirements, the Owner/Applicant would be required to complete any identified necessary remediation in accordance with applicable regulatory requirements prior to development of sites determined to have potential hazards. Impacts associated with residual agricultural chemicals on Key Site 21 would be less than significant.

### *Freeways*

Hazardous wastes in both solid and liquid form are transported by trucks through Santa Barbara County to treatment and recycling facilities. The nearest major highway used for the transport of hazardous materials is U.S. Highway 101 (U.S. 101), located approximately 4.5 miles east of Key Site 21. Trucks using U.S. 101 transport thousands of tons of hazardous materials each year. While accidents can result in spills of such materials, potential health risks are generally limited to residents and businesses in closest proximity to hazardous material transportation routes. In addition, numerous federal, state and local regulations control the transportation of hazardous materials throughout the County. These regulations limit potential hazards associated with accidents and potential releases in proximity to populated areas. Therefore, and impacts due to freeway hazard-related risk of upset would be less than significant.

### *Airports*

The project site is not located within an airport planning area or Airport Area of Influence (AIA). Therefore, there would be no impact associated with aviation-related hazards.

### *Cumulative Impacts from Hazardous Materials*

Continued urban development in the Santa Maria-Orcutt Area will cumulatively increase the potential for exposure to existing hazards and hazardous materials. If soil and groundwater contamination is found to be present on planned and future development sites, impacts associated with such contamination would be limited to the individual development site and immediate vicinity and would not contribute to a cumulative health and safety impact in the community. In accordance with applicable regulatory requirements, any necessary remediation would be required to be completed prior to development of any sites determined to have significant hazards. Therefore, the project's contribution to potential cumulative hazardous materials impacts would not be cumulatively considerable.

## 4.15.5 Historic Resources

### Potential Environmental Effects

- Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

### Reasons Why Effects Were Not Found Significant

The project site is currently vacant and undeveloped. No structures or formal landscape features identified as historic resources currently exist on the project site. Therefore, the project would not result in any impacts to historic resources.

## 4.15.6 Mineral Resources

### Potential Environmental Effects

- Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

### Reasons Why Effects Were Not Found Significant

According to the County's Environmental Resource Management Map for the Santa Maria-Orcutt area, there are no locally identified mineral resources on the project site (County of Santa Barbara 2009). Therefore, the project would not result in the loss of availability of a valuable known mineral resource or locally important mineral resource recovery site. Potential impacts to mineral resources would be less than significant.

## 4.15.7 Land Use

### Potential Environmental Effects

- Would the project physically divide an established community?

### Reasons Why Effects Were Not Found Significant

The project site is undeveloped. Therefore, no residents would be displaced as a result of development of the site. The site is zoned Planned Residential Development (PDR) and would not result in land use conflicts with the surrounding recreational and agricultural land uses. No project components would divide an established community. Therefore, this impact would be less than significant.

## 4.15.8 Population/Housing

### Potential Environmental Effects

- Would the project induce substantial population growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

### Reasons Why Effects Were Not Found Significant

Upon buildout and occupancy of additional units provided by changing residential land use and zoning designations in the planning area, the Orcutt Community Plan (OCP) would directly increase the population in Orcutt. The OCP anticipated an addition of up to 150 residential units for Key Site 21. Based on an average household size of 2.95 persons per dwelling unit in the Orcutt Planning Area (SBCAG 2012), anticipated residential growth under the OCP projections would result in a population increase of 443. The project includes the development of 146 new residential units and would result in a population increase of approximately 431. Therefore, the population growth as a result of the project would not exceed the population growth projections for buildout of the site accounted for in the OCP. In addition, the project would not displace any housing or people, as the project site is currently undeveloped. Therefore, there is no need for the construction of replacement housing elsewhere. Overall, there would be no impacts related to population growth or displacement of housing or people.

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# 5 Other CEQA Required Discussions

This section discusses other issues for which CEQA requires analysis in addition to the specific issue areas discussed in Section 4, *Environmental Impact Analysis.* These additional issues include the potential to induce population growth and/or economic expansion; establishment of a precedent setting action; development or encroachment in an isolated or adjacent area of open space; removal of obstacles to growth; and significant and irreversible impacts on the environment.

## 5.1 Growth Inducement

Section 15126.2(d) of the *CEQA Guidelines* requires that EIRs discuss the potential for projects to induce population or economic growth, either directly or indirectly. CEQA also requires a discussion of ways in which a project may remove obstacles to growth.

Generally speaking, a project may be considered growth inducing if it results in one of the five conditions identified below:

1. Induces population growth.
2. Induces economic expansion.
3. Establishes a precedent setting action (e.g. an innovation, a radical change in zoning or general plan designation).
4. Results in development or encroachment in an isolated or adjacent area of open space (i.e. being distinct from "infill" development).
5. Removes an impediment to growth (e.g. the establishment of an essential public service or the provision of new access to an area).

The impacts identified below are based on buildout of the proposed project. The 150 units of residential growth anticipated for Key Site 21 in the 1995 adoption of the Orcutt Community Plan exceeds that of the 146-unit residential growth that would be facilitated by the proposed project.

### 5.1.1 Population Growth

As discussed in Section 2, *Project Description*, the proposed project would result in the development of 146 single family residential units in the proposed Willow creek and Hidden Canyon neighborhoods.

Based on an average household size of 2.95 persons per unit in the Orcutt Plan Area (SBCAG 2012), the proposed 146 residential units would result in up to 431 new residents in the Orcutt area. Using this same person per household size, the 150 residential units anticipated for the site in the Orcutt Community Plan (OCP) would result in approximately 443 new residents. As such, the proposed project would result in less population growth than development anticipated on the project site in the OCP. Nevertheless, the potential environmental impacts associated with population growth as a result of the project are evaluated throughout Sections 4.1 through 4.15 of this Subsequent EIR.

### 5.1.2 Economic Growth

The proposed project would result in new residential development in the Orcutt area. The development of 146 residential units in the community of Orcutt would not exceed the residential growth projections for buildout of the site accounted for in the OCP. As such, the proposed project would not directly contribute to economic growth by providing additional commercial space for business or result in economic growth was is not anticipated by the OCP. However, the project may indirectly contribute to local economic growth as a result of the additional population increasing demand on the local economy for general goods. Increased demand for economic services would be accommodated by existing businesses in the Santa Maria-Orcutt area and could result in economic growth for certain types of economic activity related to the residential development (such as food service and other retail uses) as a result of the proposed development. The physical effects of any new commercial development that occurs in the region would depend upon the size, type, and location of such development. Any environmental impacts relating to new commercial development that would serve the project would be addressed as part of separate environmental review of specific development projects. Therefore, the project would not result in impacts related to substantial economic growth.

### 5.1.3 Precedent Setting Action

The proposed project would result in residential development of one of the key sites identified for future development under the OCP. The OCP, as a long-term land use plan, is intended to reduce the potential for uncontrolled growth from specific development proposals and associated environmental impacts of such growth. The project site is currently vacant and undeveloped and has an existing land use designation of Planned Development (PD), 150 units maximum/Visitor Serving Commercial. The PD designation is intended for large areas within urban boundaries that are appropriate for residential development but require comprehensive site planning to account for existing opportunities and constraints on the site, such as existing visitor-serving activities, biology, view corridors, slopes, and flood and fire hazards. The proposed new residential development under the project would facilitate development expected under the OCP and requires no changes in zoning or general plan designations. As such, the proposed project would not present a precedent that would have growth-inducing impacts in the area.

### 5.1.4 Development of Open Space/Vacant Land

Development of open space is considered growth-inducing when it occurs outside urban boundaries or in isolated locations instead of infill areas. Key Site 21 is located within an Existing Developed Rural Neighborhood (EDRN), as designated by the County's Land Use Element. The EDRN designation applies to neighborhood areas that have developed historically with lots smaller than those found in the surrounding rural lands. The purpose of the designation is to keep pockets of rural residential development from expanding onto adjacent agricultural lands. The project site is in a rural area discontinuous from the existing urban uses in the Orcutt area north and east of Key Site 21. The OCP has identified several key sites within its boundaries that are designated for residential development. Key Site 21, including the project site, is designated as a key site for future development in the OCP and would not extend into land outside of the Urban Boundary Line identified in the OCP. The OCP EIR concluded that the OCP would induce growth by extending the Urban Boundary Line, transforming rural areas to urban uses in the Orcutt area. The 146-unit project would result in less new growth than the 150 units of residential growth anticipated for Key Site 21 in the OCP. In addition, the project includes approximately 97 acres of undisturbed open

space, a trail staging area, and public recreational trail that would located along the eastern project boundary (shown on the OCP Area Parks, Recreation, and Trails Map), as discussed in Section 4.11, *Public Services and Recreation*.

### 5.1.5 Removal of Obstacles to Growth

The project site is surrounded on all sides by agricultural and open space uses with some scattered residences nearby. Key Site 22, located north of the project site, is zoned for residential uses (RR-20, 20-acre minimum lot size) but is currently used for cultivated agriculture. As outlined in the OCP EIR, the proposed designation and zoning for Key Site 22 is Planned Residential/PRD (2,000 units maximum). This designation would allow for the construction of up to 2,000 residential units of various densities, a community center, supporting commercial facilities, two elementary schools, and a junior high school.

The proposed residential development would be located within Key Site 21, which is identified in the OCP as a site for the future development of up to 150 residential units. Key Site 21 is located within an EDRN (Existing Developed Rural Neighborhood). According to the Santa Barbara County Comprehensive Plan Land Use Element, an EDRN is a neighborhood area that has developed historically with lots smaller than those in the surrounding rural or inner rural lands. The purposed of the neighborhood boundary is to keep pockets of rural residential development from expanding onto adjacent agricultural lands. Within the rural neighborhood boundary, infilling of parcels at densities specified on the land use plan maps is permitted.

Water for the proposed development would be provided through a newly formed mutual water company for the project. Sewer service for the proposed development would be provided by the Laguna County Sanitation District through the installation of a new sewer line across Key Site 22 to the north of the project site. The project includes a private water system, and future development would connect to existing sewer lines located on Key Site 22 to the north of Key Site 21. Therefore, implementation of the proposed project would not extend water or wastewater infrastructure through undeveloped areas in the Orcutt Planning Area, or otherwise open areas between the site and other developed areas in the western Orcutt Planning Area (see Section 4.11, *Public Services and Recreation* for further discussion of this topic). Therefore, the project would not remove any obstacle to development in these areas. The areas where pressure for development would be greatest as a result of project buildout are the agricultural areas north of the project site between the site and existing residential development north and east of the Key Site 21. The site north of SR 1 is identified in the OCP as Key Site 22 and is currently designated as Rural Residential under the County's Comprehensive Plan, and are zoned "RR-20," with a 20-acre minimum parcel size. Therefore, the County's Comprehensive Plan has planned on these parcels being developed with low density residential uses sometime in the future. Development of the areas north and east of Key Site 21 would result in potential environmental effects similar to the proposed project, depending on the type and level of construction. Residential development would have the potential to result in significant impacts in such areas as traffic, air quality, noise, biological and cultural resources, and land use compatibility relating to the direct interface with agricultural uses.

Access to the project site would be provided from three new entry drives off SR 1 and the existing entrance road to the RMGC public golf course. These entry drives would serve the new residents of the proposed development and would not serve as major connections to any other areas. The project would not include any other new, major transportation or circulation routes that would result in a removal of an obstacle in the circulation/transportation system that would prompt growth in the area.

Overall, the project would not induce new development north and east of the project site, or otherwise remove any existing impediment to growth.

## 5.2 Significant Unavoidable Effects

*CEQA Guidelines* Section 15126(b) requires that an EIR identify those significant impacts that cannot be reduced to a less than significant level with the application of mitigation measures. The implications and reasons why the project is being proposed, notwithstanding, must be described.

As discussed in Section 4.1*, Aesthetics/Visual Resources*, Section 4.4, *Biological Resources*, Section 4.11, *Public Services and Recreation*, and Section 4.12, *Transportation and Circulation*, implementation of the proposed project would result in significant, unavoidable impacts associated with the following issues:

- Aesthetic changes due to the conversion of semi-rural land uses to urban land uses;
- Potential impacts to the federally and State listed California tiger salamander (CTS) Santa Barbara County distinct population segment (DPS);
- Contribution to cumulative loss of sensitive habitats, in particular to loss of upland and potentially suitable aquatic habitat for the federally and State listed CTS Santa Barbara County DPS and federally listed California red-legged frog (CRLF) in northern Santa Barbara County;
- Project-level and cumulative contribution to solid waste generation; and
- Contribution to cumulative traffic conditions that would result in an unacceptable Level of Service (LOS) at the Foxenwood Lane/Clark Avenue Intersection.

## 5.3 Significant Irreversible Environmental Effects

*CEQA Guidelines* Section 15126.2(c) requires a discussion of any significant irreversible environmental changes which would be caused by the project should it be implemented. Such significant irreversible environmental changes may include the following:

- Use of non-renewable resources during the initial and continued phases of the project which would be irreversible because a large commitment of such resources makes removal or non-use unlikely.
- Primary impacts and, particularly secondary impacts (such as highway improvement which provides access to a previously inaccessible area) which generally commit future generations to similar uses.
- Irreversible damage which may result from environmental accidents associated with the project.

Development of housing under the project would result in the permanent conversion of open, undeveloped lands to a residential use. Development facilitated by the project would also require building materials and energy, some of which are non-renewable resources. Consumption of these resources would occur with any development in the region and are not unique to the project. The addition of new residential units would irreversibly increase local demand for non-renewable energy resources such as petroleum and natural gas. Increasingly efficient building fixtures and automobile engines, as well as implementation of policies included in the OCP are expected to offset the demand to some degree. It is not anticipated that growth facilitated by the project would substantially affect local or regional energy supplies. Section 4.14, *Energy*, includes a full analysis of

potential impacts related to energy resources by construction and operation of the proposed project.

Growth accommodated by the project would require an irreversible commitment of law enforcement, fire protection, water supply, wastewater treatment, and solid waste disposal services. As discussed in Section 4.11, *Public Service and Recreation*, the proposed project would contribute a significant amount of solid waste to local landfills and would, therefore, result in a significant and irreversible environmental impact.

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# 6 Alternatives

## 6.1 Introduction

Section 15126.6 of the *CEQA Guidelines* provides guidance for the identification and evaluation of project alternatives in an EIR. The *CEQA Guidelines* state that an "EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives." *CEQA Guidelines* Section 15126.6(a) also states that "an EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation." The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the Lead Agency determines could feasibly attain most of the basic objectives of the Project. Other alternatives can be considered but are not required to satisfy the requirements of CEQA.

In defining feasibility of alternatives, the *CEQA Guidelines* state that "among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site."

As required by Section 15126.6 of the *CEQA Guidelines*, this Subsequent EIR examines a range of reasonable alternatives to the proposed Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project that would attain most of the basic project objectives (stated in Section 2, *Project Description*, of this Subsequent EIR) but would avoid or substantially lessen the following significant adverse impacts identified for the project:

- Change in visual character due to conversion of semi-rural land uses to urban land uses;
- Solid waste generation in exceedance of County solid waste thresholds for construction and operation;
- Project contribution of new vehicle trips to cumulative traffic conditions that would result in an unacceptable level of service at the Foxenwood Lane/Clark Avenue intersection; and
- Project contribution to cumulative loss of sensitive habitats in general, and in particular to loss of upland and potentially suitable aquatic habitat for the federally and State listed California tiger salamander Santa Barbara County DPS and federally listed California red-legged frog in northern Santa Barbara County.

## 6.2 Alternatives Analysis

This discussion focuses on alternatives to the project, including alternatives which were considered and rejected. These alternatives have been selected for their ability to comply with the County's Comprehensive Plan and Orcutt Community Plan (OCP), and substantially reduce or eliminate one or more of the adverse impacts associated with the project, while still meeting basic project objectives.

The Subsequent EIR also evaluates a No Project alternative. Consistent with the *CEQA Guidelines* (Section 15126.6[e]), the "no project" analysis discusses the existing conditions, as well as what would be reasonably expected to occur in the foreseeable future if the project is not approved, based on current plans and consistency with available infrastructure and community services. This analysis includes only on-site alternatives, on the basis that there are no feasible off-site alternatives that would attain the basic objectives of the project, and because Key Site 21 was specifically identified in the OCP for future development in the OCP area (refer to Section 6.2.2 for a more detailed discussion of alternatives considered, but eliminated from further analysis herein).

This analysis considers the three alternatives to the OCP that were previously analyzed in the OCP EIR (95-EIR-01), as well as three project-specific alternatives that have been developed in response to specific impacts identified in this Subsequent EIR. As required by CEQA, this section also includes a discussion of the "environmentally superior alternative" among those studied. The alternatives evaluated in this Subsequent EIR include:

### OCP EIR Alternatives

- OCP EIR Alternative 1 (No Project Alternative)
- OCP EIR Alternative 2 (Low Buildout)
- OCP EIR Alternative 3 (High Buildout)

### Alternatives Considered in this SEIR

- Alternative 1: No Project Alternative
- Alternative 2: Only Hidden Canyon Neighborhood Development
- Alternative 3: Only Willow Creek Neighborhood Development
- Alternative 4: Reduced Units in Willow Creek and Hidden Canyon Neighborhoods

## 6.2.1 Summary of Alternatives and Impacts Identified in the OCP EIR for Key Site 21

This discussion focuses on the project that was previously evaluated in the OCP EIR, as well as the three alternatives to the OCP that were analyzed in the 1995 OCP EIR. These alternatives provide a conceptual comparison of different levels of buildout on the project site that were anticipated in the OCP, but do not provide specific potential development scenarios (such as the potential arrangement of development on the site, access, or other infrastructure). Therefore, discussion of these alternatives is provided at a conceptual level, primarily based on the potential buildout of uses on the project site, relative to the currently proposed project. Alternatives to the currently proposed project, which have been developed to respond to specific environmental impacts identified in this EIR, and which are partially based on the buildout levels of these alternatives from the OCP EIR, are discussed in detail in Section 6.2.3.

### Key Site 21 Project Evaluated in OCP EIR

As discussed in Section 1, *Introduction*, the OCP EIR was prepared as a programmatic EIR that analyzed the general environmental effects of the OCP as a whole. For Key Site 21, the OCP EIR analyzed the development of up to 150 units and designated the areas along the southern and western boundaries of the site as subject to the Open Space Overlay. The OCP EIR included an evaluation of potential impacts to Biological Resources and Visual Resources/Open Space specific to

Key Site 21, as well as Plan-area evaluation of other environmental issues including contribution of Key Site 21 development to significant and unavoidable programmatic impacts associated with full OCP buildout. The OCP EIR found impacts associated with the loss of vegetation and habitat on Key Site 21 to be less than significant with mitigation (Class II). Impacts to wildlife and impacts related to Visual Resources/Open Space on Key Site 21 were found to be significant and unavoidable (Class I). A summary of significant and unavoidable programmatic and site-specific impacts associated with buildout of Key Site 21 identified in the OCP EIR and applicable mitigation from the OCP EIR is included in the discussions of "Previous Environmental Review" in each of the individual environmental issue area discussions in Section 4, *Environmental Impact Analysis* (Sections 4.1 through 4.15).

## OCP EIR Alternative 1 (No Project Alternative)

With the OCP EIR "No Project" alternative, the DR-3/Res 3.3 zoning and land use designations in place at the time of the OCP EIR's preparation in 1995 would be retained, allowing for the construction of up to 625 residential units on 127 acres at an effective density of 5.5 units per acre. Under this alternative, residential lots would be approximately 7,000 square feet. It should be noted that this alternative assumed development of the site under the zoning and land use designations that were in effect prior to the adoption of the OCP. As such, the alternative no longer exists because there is no scenario where the DR-3/Res 3.3 zoning and land use designations would apply on the site in the absence of the project.

### *Impact Summary*

Due to the substantial increase in residential buildout under this alternative, the OCP EIR anticipated that regional impacts associated with groundwater demand, traffic/circulation, air quality, schools, fire protection, solid waste, and wastewater treatment would increase significantly. Impacts to biological habitat and wildlife identified for the OCP were anticipated in the OCP EIR to increase under this alternative due to the increased development density throughout the site. Therefore, these impacts were determined to remain significant and unavoidable (Class I) under this alternative when compared to the OCP. Impacts to visual resources/open space were also determined to remain significant and unavoidable (Class I) because this alternative, like the OCP, would change the character of the area from semi-rural to urban land uses, and would result in the loss of visual open space as well as visual impacts to the State Route (SR 1) scenic corridor.

## OCP EIR Alternative 2 (Low Buildout)

The OCP EIR Low Buildout alternative assumed that the Rancho Maria Golf Club (RMGC) golf course would be rezoned to REC and the land use designation would be changed to Existing Public or Private Recreation and/or Open Space, and the remainder of Key Site 21 would be rezoned to RR-5 (Residential Ranchette 5-acre parcel size) with a corresponding Residential Ranchette land use designation. This alternative also assumed that an Open Space Overlay would be applied to the southern canyon and central and western drainages on Key Site 21. When compared to the potential development of Key Site 21 evaluated in the OCP, this alternative would decrease the density of on-site development to one unit per five acres to create a ranchette community and would allow for the development of up to 41 units. Alternative 2, the Only Hidden Canyon Neighborhood Development Alternative, and Alternative 3, the Only Willow Creek Neighborhood Development Alternative, have been adapted from this OCP EIR Low Buildout alternative and is described in Section 6.2.3.

*Impact Summary*

As described in the OCP EIR, the reduction in residential development potential under this alternative would have proportionately decreased the extent of regional impacts associated with groundwater demand, traffic/circulation, air quality, schools, fire protection, solid waste, and wastewater treatment. Although this alternative would still result in a change in character of the area, impacts associated with the loss of visual open space and impacts to the SR 1 scenic corridor would be reduced to a less than significant level (Class II) with implementation of project mitigation measures. Impacts to wildlife remained significant and unavoidable (Class I), but the severity of the impact would decrease slightly due to the lower number of units which would be constructed near the riparian corridor of drainages on the project site. Impacts associated with the loss of habitat and riparian vegetation would be reduced to a less than significant (Class II) level.

### OCP EIR Alternative 3 (High Buildout)

The OCP EIR High Buildout alternative assumed that the RMGC would be rezoned to REC with an Open Space land use designation, parcel 17 onsite would be rezoned from Planned Residential Development (PRD) to C-V (visitor commercial) with a Resort/Visitor Serving Commercial land use designation, and the remainder of Key Site 21 would be rezoned from PRD to RR-5 with a Residential Ranchette land use designation. This alternative would allow the construction of up to 26 residential units and a large resort containing approximately 250 rooms and associated facilities. This alternative is not evaluated in detail as it would result in greater overall impacts than those identified for the project, as discussed in the impact summary below.

*Impact Summary*

As described in the OCP EIR, the substantial increase in the development potential under this alterative would proportionally increase regional impacts associated with groundwater demand, traffic/circulation, air quality, schools, fire protection, solid waste, and wastewater treatment. However, these impacts were not analyzed in detail as part of the OCP EIR. Impacts to biological habitat and wildlife identified for the OCP were anticipated in the OCP EIR to increase under this alternative due to the increased development density throughout the site. Therefore, these impacts were determined to remain significant and unavoidable (Class I) under this alternative when compared to the OCP. Impacts to visual resources/open space were also determined to remain significant and unavoidable (Class I) because this alternative, like the OCP, would change the character of the area from semi-rural to urban land uses, and would result in the loss of visual open space as well as visual impacts to the SR 1 scenic corridor.

## 6.2.2 Alternatives Considered but Rejected from Further Evaluation

As discussed above, Section 15126.6(c) of the *CEQA Guidelines* requires that an EIR identify alternatives that were considered but rejected as infeasible and provide a brief explanation as to why such alternatives were not fully considered in the EIR. As required by the *CEQA Guidelines*, the selection of alternatives for this Subsequent EIR included a screening process to determine a reasonable range of alternatives, which could reduce significant effects but also feasibly meet project objectives. Alternatives that do not clearly provide any environmental advantages compared to the project, do not meet basic project objectives, or do not achieve overall lead agency policy goals, have been eliminated from further consideration. The factors that may be considered when addressing the feasibility of alternatives include site suitability, economic viability, availability of

infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site.

CEQA Guidelines Section 15126.6(a) also states that "an EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation." Other alternatives may be considered but are not required to satisfy the requirements of CEQA.

For the project, characteristics used to reject alternatives from further consideration include:

- Failure to meet basic project objectives;
- Limited effectiveness in reducing project environmental impacts;
- Inconsistency with County policies, including the Comprehensive Plan and OCP;
- Potential for inconsistency with adopted agency plans and policies; and
- Reasonableness of the alternative when compared to other alternatives under consideration.

The following alternative was considered but eliminated from further analysis by the County due to one or more of these factors.

## Alternative Site/Alternative Location on Key Site 21

This alternative would include all of the land area within Key Site 21, allowing for development of components of the proposed Willow Creek and Hidden Canyon neighborhoods on all assessor parcels included in the project (Assessor Parcel Numbers [APNs] 113-250-015, -016, -017) as well as APN 113-250-014 on Key Site 21, which includes the RMGC public golf course fairways, clubhouse, and associated facilities. This alternative would include all components of the project that would facilitate residential development and associated infrastructure on these four parcels on Key Site 21.

This alternative may shift the location of residential development within Key Site 21 with the intention of addressing land use compatibility issues and impacts to sensitive resources, consistent with OCP DevStd KS21-8 requiring siting development to preserve natural landforms and minimize grading, and OCP DevStd KS21-7 and DevStd KS21-10 providing for development that accommodates and is compatible with continued use of the public golf course. Development on APN 113-250-014 under this alternative could preclude use of portions of the RMGC that are currently in operation, resulting in new, potential land use conflicts associated with the golf course operations and viability of this existing use. The OCP EIR did not include site-specific analysis of land use impacts on Key Site 21 and did not identify any potentially significant impacts associated with development on Key Site 21 resulting in compatibility issues with the golf course. Similarly, this SEIR did not identify any potentially significant land use impacts associated with the proposed project that would result in compatibility issues with the public golf course. Therefore, this alternative would not reduce any identified significant and unavoidable environmental impacts not already addressed by project alternatives discussed in Section 6.2.3. This alternative also presents feasibility concerns relative to the economic viability of the existing public golf course use and the applicant's lack of control/access to APN 113-250-014. As a result of these considerations, this alternative was considered and rejected, consistent with *CEQA Guidelines* Section 15126.6(c).

## 6.2.3 Description of Alternatives Evaluated for the Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project

### Alternative 1: No Project (No Build) Alternative

This alternative assumes the project is not approved and none of the proposed components, including the Specific Plan, two Vesting Tentative Tract Maps (VTTM), two Final Development Plans, two Minor Conditional Use Permits, road naming, and a Comprehensive Plan Amendment, are implemented. Under this alternative, the project site would retain the existing land use designation of Planned Development (PD), 150 units maximum/Visitor Serving Commercial, and designation in the OCP as an Existing Developed Rural Neighborhood (EDRN). The project site would also retain the current PRD zoning. This alternative assumes the project site is not developed with the proposed project and remains vacant and undeveloped. Accordingly, this alternative would not provide access from the site and SR 1 to neighboring foothills or the Orcutt regional trail system, as envisioned in the OCP under OCP Key Site 21 Design Standard KS 21-5. The site would remain accessible from the existing RMCG golf course access road, but no additional site access would be developed.

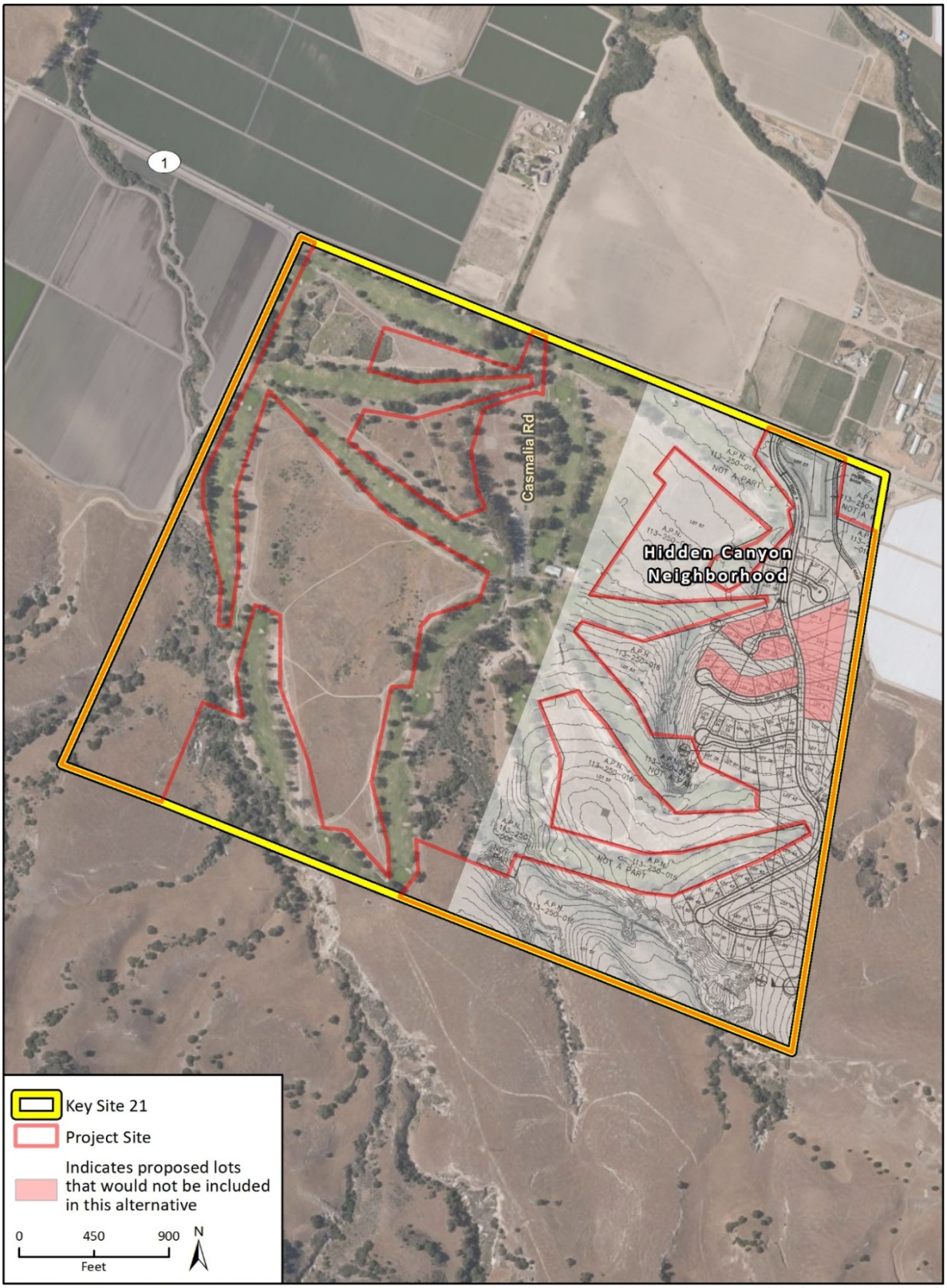
### Alternative 2: Only Hidden Canyon Neighborhood Development

This alternative examines the reduced development potential associated with developing only one of the two neighborhoods proposed for the project. Developing only the Hidden Canyon neighborhood would provide for buildout comparable to buildout under the OCP EIR Low Buildout alternative. The Hidden Canyon neighborhood also encompasses an area with generally fewer sensitive biological resources than the Willow Creek neighborhood development area.

This alternative would include only those components of the project that would facilitate development of the proposed Hidden Canyon neighborhood, including the Specific Plan, a VTTM, a Final Development Plan, two Minor Conditional Use Permits for development of a new community water system and an entrance monument sign for the Hidden Canyon neighborhood, road naming, and a Comprehensive Plan Amendment. This alternative would not include any entitlements that would facilitate development of the Willow Creek neighborhood. This alternative would also eliminate 18 lots on steep slopes of 30 percent or greater in the Hidden Canyon neighborhood, reducing the proposed number of single family lots from 56 to 38. This alternative would be consistent with the OCP's Low Growth alternative, which evaluated development on Key Site 21 with 40 residential units.

Similar to the proposed project, Hidden Canyon neighborhood improvements under this alternative would include a public hiking trail connection, hiking trail, and trailhead staging area with parking for up to six vehicles. Development under this alternative would include two new private roads constructed approximately 1,100 and 1,900 feet east of the existing golf course entry to provide primary and secondary access to the home sites in the Hidden Canyon neighborhood. Without development of the Willow Creek neighborhood and elimination of lots on steep slopes, this alternative would result in 108 fewer residential units than the proposed project. Figure 6-1 shows a conceptual development plan for Alternative 2, including shading to indicate areas where residential lots would be eliminated to avoid steep slopes of 30 percent or greater. As shown on Figure 6-1, the main roadway providing access to the southern neighborhood areas would still be constructed on steep slopes to connect the southern and northern portions of the Hidden Canyon neighborhood

**Figure 6-1 Conceptual Design of Alternative 2: Only Hidden Canyon Neighborhood Development**



and maintain adequate internal circulation. It should be noted that the lot layout shown on Figure 6-1 is a conceptual example of how the intentions of Alternative 2 may be met; if this alternative were ultimately selected for development, the project applicant would have flexibility in developing a final lot layout that would meet the requirements of this alternative.

## Alternative 3: Only Willow Creek Neighborhood Development

This alternative examines the reduced development potential associated with developing only the Willow Creek neighborhood. This alternative would include only those components of the project that would facilitate development of the proposed Willow Creek neighborhood, including the Specific Plan, a VTTM, a Final Development Plan, two Minor Conditional Use Permits for development of a new community water system and an entrance monument sign for the Willow Creek neighborhood, road naming, and a Comprehensive Plan Amendment. This alternative would not include any entitlements that would facilitate development of the Hidden Canyon neighborhood. This alternative would also eliminate 15 lots on steep slopes of 30 percent or greater in the Willow Creek neighborhood. Therefore, under this alternative, the Willow Creek neighborhood would allow for development of approximately 75 single family lots.

Development under this alternative would include a new private road constructed approximately 1,200 feet west of the main entrance to the golf course for primary access and a private secondary access road through the golf course with gated egress out to SR 1. Without development of the Hidden Canyon neighborhood and elimination of lots on steep slopes, this alternative would result in 71 fewer residential units than the proposed project. Figure 6-2 shows a conceptual development plan for Alternative 3, including shading to indicate areas where residential lots would be eliminated to avoid steeper slopes of 30 percent or greater. It should be noted that the lot layout shown on Figure 6-2 is a conceptual example of how the intentions of Alternative 3 may be met; if this alternative were ultimately selected for development, the project applicant would have flexibility in developing a final lot layout that would meet the requirements of this alternative.

## Alternative 4: Reduced Units in Willow Creek and Hidden Canyon Neighborhoods

This alternative would eliminate lots on steep slopes of 30 percent or greater in the Willow Creek and Hidden Canyon neighborhoods. This would reduce the Willow Creek neighborhood development by approximately 15 lots near at the northeast corner of the proposed development area and would reduce the Hidden Canyon neighborhood development by approximately 18 lots near the center of the development area. The major components of the Development Plans related to architecture, landscaping, lighting, fencing, lot standards, access and circulation, emergency access, parking standards, sustainable design features, open space areas, public trails, affordable housing, water and sewer services, and agricultural buffers would be the same as described for the project in Section 2, *Project Description*.

Grading amounts for the proposed neighborhoods, including roadways and building pads for the proposed residences, would be reduced under this alternative when compared to the proposed project. Without development on steep slopes of 30 percent or greater, this alternative would result in 33 fewer residential units than the project. Figure 6-3 shows conceptual development plans, including shading to indicate the lots that would be eliminated from each of the proposed neighborhoods under this alternative. As shown on Figure 6-3, the primary roadways in each

**Figure 6-2 Conceptual Design of Alternative 3: Only Willow Creek Neighborhood Development**

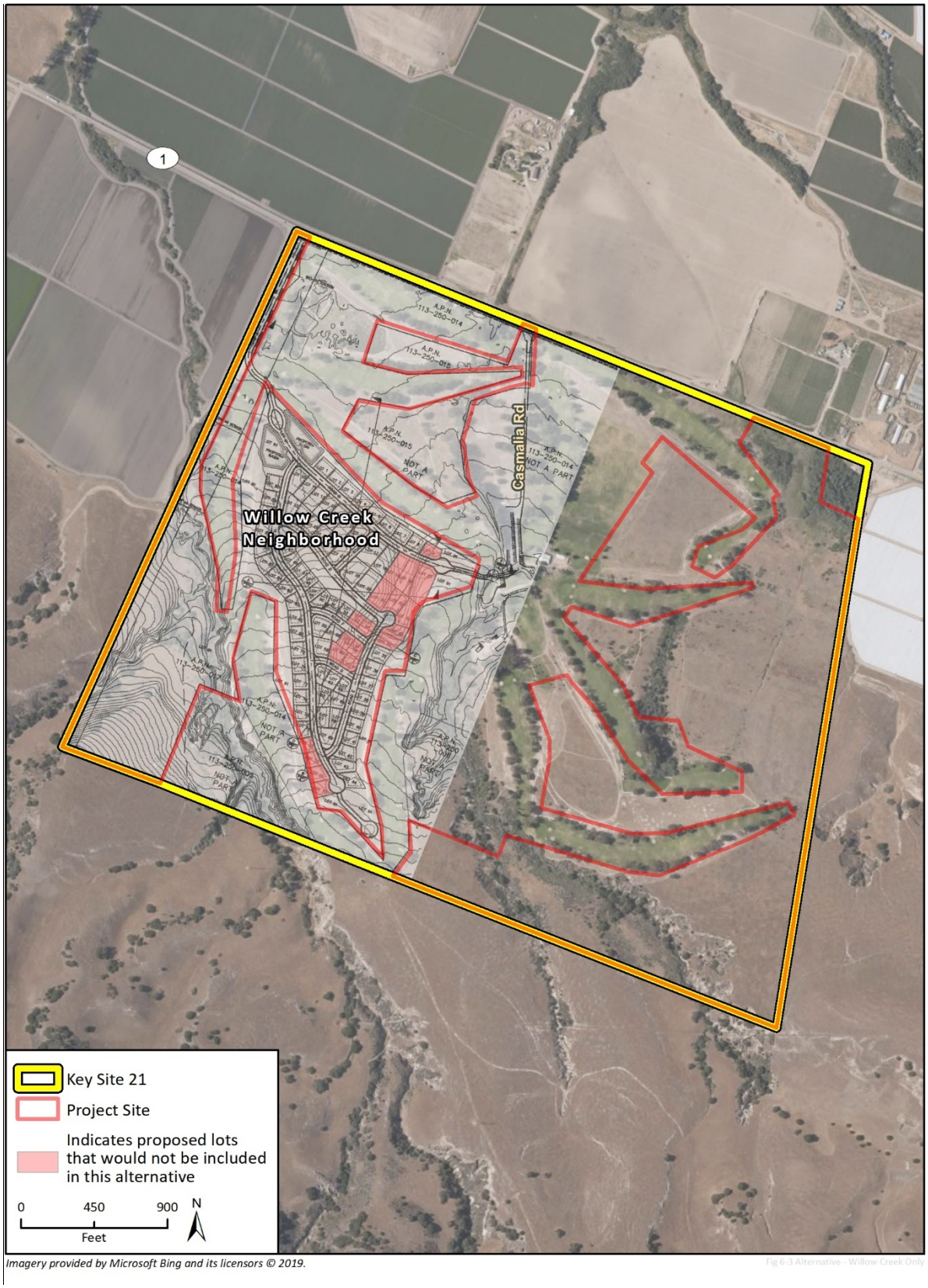
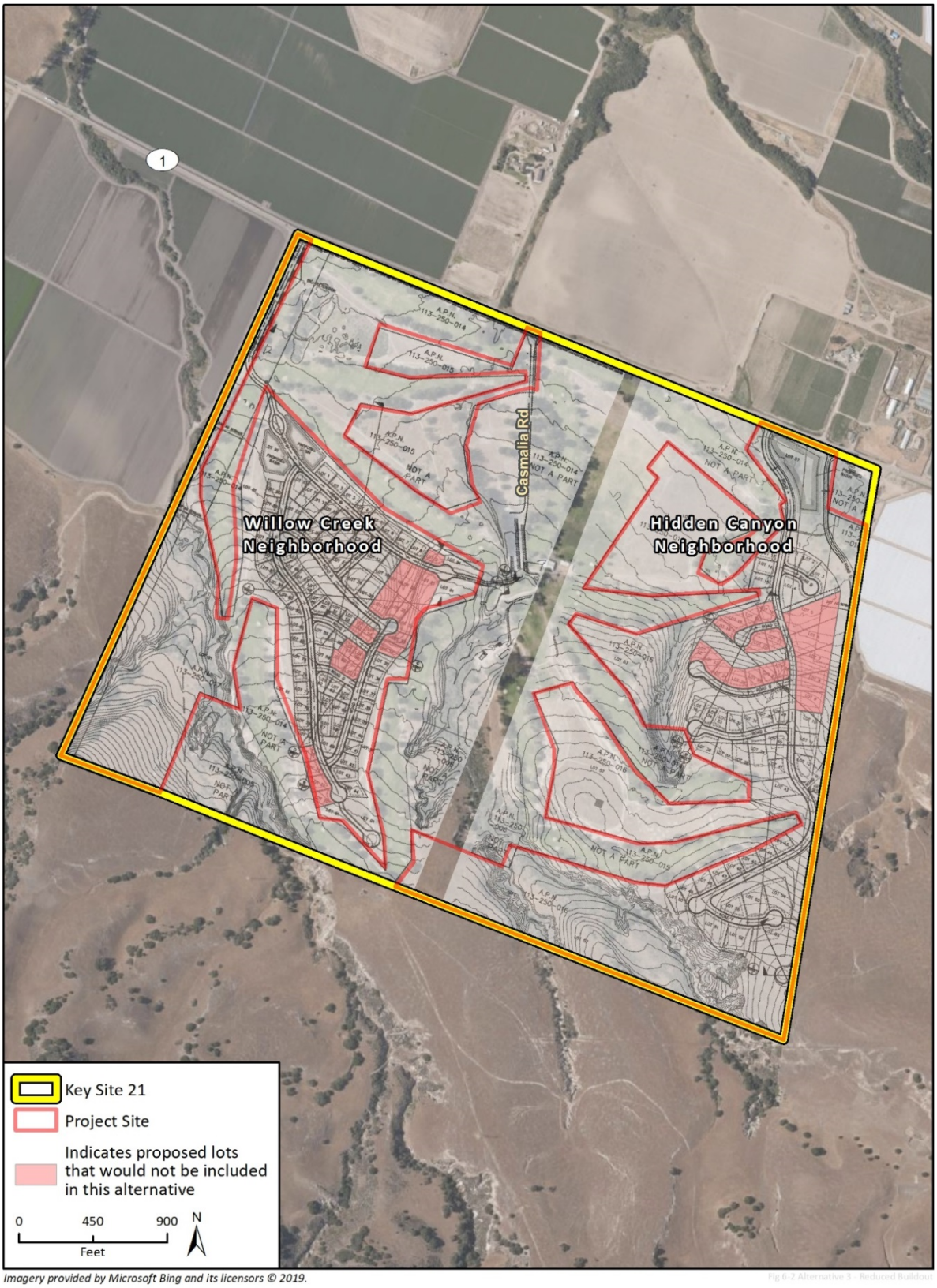


**Figure 6-3 Conceptual Design of Alternative 4: Reduced Units in Willow Creek and Hidden Canyon**



neighborhood would still be constructed to maintain adequate internal circulation and connect the various areas of each of the proposed neighborhoods. It should be noted that the lot layout shown on Figure 6-3 is a conceptual example of how the intentions of Alternative 4 may be met; if this alternative were ultimately selected for development, the project applicant would have flexibility in developing a final lot layout that would meet the requirements of this alternative.

Table 6-1 provides a comparison of the proposed project and each of the alternatives to the project evaluated herein based on the buildout characteristics of each alternative.

**Table 6-1 Comparison of Project Alternatives' Buildout Characteristics**

| Feature | Proposed Project | Alternative 1 | Alternative 2 | Alternative 3 | Alternative 4 |
|---|---|---|---|---|---|
| Total Area | Hidden Canyon: 107 acres<br>Willow Creek: 70 acres | 341 acres | 107 acres | 70 acres | Hidden Canyon: 107 acres<br>Willow Creek: 70 acres |
| Residential Development Area | Hidden Canyon: 56 single family lots: 39 acres<br>Willow Creek: 90 single family lots: 37 acres | No new residential uses: 0 acres | 38 single family lots: 32 acres | 75 single family lots: 33 acres | Hidden Canyon: 38 single family lots: 32 acres<br>Willow Creek: 75 single family lots: 33 acres |
| Other Uses | Hidden Canyon: One open space/private roadway lot<br>Willow Creek: One open space/private roadway lot<br>Total open space: 198 acres | Open space: 341 acres | One open space/private roadway lot<br>Total open space: 114 acres | One open space/private roadway lot<br>Total open space: 87 acres | Hidden Canyon: One open space/private roadway lot<br>Willow Creek: One open space/private roadway lot<br>Total open space: 209 acres |

## 6.3 Impact Analysis

The classification of potential environmental impacts associated with each of the three project alternatives focuses on the development potential of Key Site 21 property consistent with the project-level analysis of each environmental issue area in this Subsequent EIR.

Table 6-2 depicts a comparison of the environmental impacts of development of the project to each of the three proposed alternatives. The comparative analysis of the relative impacts of the proposed project and the alternatives is provided in Sections 6.3.1 through 6.3.4.

## Table 6-2 Comparison of Environmental Impacts

| Environmental Issue | Impact Classification | | | | |
|---|---|---|---|---|---|
| | Proposed Key Site 21 Project | Alternative 1 | Alternative 2 | Alternative 3 | Alternative 4 |
| **Aesthetics/Visual Resources** | | | | | |
| Scenic vistas | III | III | III | III | III |
| Visual quality and character | I | III | II | II | I |
| Light and glare | II | III | II | II | II |
| Cumulative visual resources | I | III | II | II | I |
| **Agricultural Resources** | | | | | |
| Farmland conversion and conflicts with existing zoning | III | III | III | III | III |
| Cumulative agricultural resources | III | III | III | III | III |
| **Air Quality** | | | | | |
| 2016 Ozone Plan consistency | III | III | III | III | III |
| Construction emissions | III | III | III | III | III |
| Operational emissions | III | III | III | III | III |
| Odor or other emissions | III | III | III | III | III |
| Cumulative air quality | III | III | III | III | III |
| **Biological Resources** | | | | | |
| Special status species | I | III | I | I | I |
| Sensitive habitats | II | III | II | II | II |
| Wetlands | II | III | II | II | II |
| Wildlife movement | II | III | II | II | II |
| Protected trees | II | III | II | II | II |
| Sensitive Vegetation | II | III | II | II | II |
| Cumulative biological resources | I | III | I | I | I |
| **Cultural and Tribal Cultural Resources** | | | | | |
| Archaeological resources and human remains | II | III | II | II | II |
| Tribal cultural resources | II | III | II | II | II |
| Cumulative cultural resources | II | III | II | II | II |
| **Energy** | | | | | |
| Energy consumption | III | III | III | III | III |
| Consistency with energy plans | III | III | III | III | III |
| Cumulative energy consumption | III | III | III | III | III |

| Environmental Issue | Impact Classification | | | | |
|---|---|---|---|---|---|
| | Proposed Key Site 21 Project | Alternative 1 | Alternative 2 | Alternative 3 | Alternative 4 |
| **Fire Protection** | | | | | |
| Wildland fire hazards | III | III | III | III | III |
| Fire protection services and facilities | III | III | III | III | III |
| Cumulative fire protection | III | III | III | III | III |
| **Geologic Processes** | | | | | |
| Groundshaking | III | III | III | III | III |
| Steep slopes | II | III | II | II | II |
| Long-term erosive runoff and sedimentation | II | III | II | II | II |
| Expansive soils | II | III | II | II | II |
| Paleontological resources | II | III | II | II | II |
| Cumulative geologic hazards | II | III | II | II | II |
| **Greenhouse Gas Emissions** | | | | | |
| Temporary and long-term increases in GHG emissions | II | III | II | II | II |
| Consistency with GHG reduction plans and regulations | II | III | II | II | II |
| Cumulative GHG emissions | II | III | II | II | II |
| **Land Use** | | | | | |
| Quality of life compatibility | II | III | II | II | II |
| Consistency with OCP | III | III | III | III | III |
| Cumulative land use | III | III | III | III | III |
| **Noise** | | | | | |
| Construction noise | II | III | II | II | II |
| Noise sensitive receptor exposure | III | III | III | III | III |
| Traffic noise | III | III | III | III | III |
| Cumulative noise | III | III | III | III | III |
| **Public Services and Recreation** | | | | | |
| Schools | III | III | III | III | III |
| Wastewater treatment capacity and facilities, stormwater drainage facilities, and other utilities | III | III | III | III | III |
| Solid waste | I | III | I | I | I |
| Police protection services | III | III | III | III | III |
| Recreational facilities | III | III | III | III | III |
| Cumulative public services | I | III | I | I | I |

| Environmental Issue | Impact Classification | | | | |
|---|---|---|---|---|---|
| | Proposed Key Site 21 Project | Alternative 1 | Alternative 2 | Alternative 3 | Alternative 4 |
| **Transportation and Circulation** | | | | | |
| Intersection operations | III | III | III | III | III |
| Roadway segment operations | III | III | III | III | III |
| Traffic safety hazards | III | III | III | III | III |
| Cumulative traffic conditions | I | III | I | I | I |
| **Water Resources and Flooding** | | | | | |
| Water quality | III | III | III | III | III |
| Flooding and stormwater runoff | III | III | III | III | III |
| Water supply resources | II | III | II | II | II |
| Cumulative water resources | III | III | III | III | III |

## 6.3.1 Alternative 1: No Project (No Build) Alternative

Under this alternative, the project site would not be developed with the proposed project and would remain vacant and undeveloped. Therefore, this alternative would result in no new residential units on the project site and would retain the site in open space. This alternative would not result in any increase in population in the Orcutt area, or any associated vehicle trips, criteria pollutant and GHG emissions, energy consumption, noise, solid waste generation, or water consumption. This alternative would result in any conversion of open space or rural landscape to developed uses; therefore, this alternative would not result in impacts associated with visual resources, biological resources, cultural resources, or geologic hazards. Therefore, the magnitude of potential impacts would be reduced in comparison to the impacts identified for the proposed project. This alternative would not trigger the need for any of the mitigation measures identified in this EIR. Overall, the No Project (No Build) Alternative would result in reduced physical environmental impacts when compared to the proposed project. However, this alternative would not fulfill the policy goals of the OCP with regard to future development of Key Site 21 and would not be consistent with the OCP designation of the project site as an EDRN.

## 6.3.2 Alternative 2: Only Hidden Canyon Neighborhood Development

### Aesthetics/Visual Resources

This alternative would reduce the overall number of new residential units on the project site from 146 units to 38 units, or by approximately 74 percent, and would focus development east of the RMGC in a single neighborhood development. The reduction in residential units would reduce the amount of open space and rural landscape converted to low density housing and would reduce impacts to the scenic view corridor on the southern side of SR 1 between Black Road and Solomon Road. This alternative would also allow for increased open spaces and agricultural buffers on Key Site 21 when compared to the proposed project. This would reduce potential impacts to the visual quality and open space character of the site. Implementation of Mitigation Measures AES-1 through AES-4, which implement OCP EIR Mitigation Measures VIS-3 and VIS-4, would be required for this

alternative. These mitigation measures include requirements for development adjacent to the open space overlay; retention basin, median, and landscape design requirements; and infrastructure screening. These measures would minimize the reduction in and fragmentation of open space on the project site, reduce alteration of identified scenic resources, and reduce conversion of semi-rural land uses to urban land uses. Due to the reduction in new residential units by 74 percent and eliminating development on the west side of the project site, this alternative would result in a less than significant impact to the visual character of the project area with incorporation of mitigation, in contrast to the proposed project. Mitigation Measure AES-5 (which implements OCP EIR Mitigation Measure VIS-2) would reduce potential light and glare impacts to a less than significant level. This alternative would result in reduced overall impacts to aesthetics/visual resources as compared to those identified for the proposed project.

## Agricultural Resources

This alternative would reduce the overall development on the project site by approximately 74 percent and focus development in a single neighborhood development, reducing potential impacts associated with the conversion of agricultural lands or conflicts with agricultural zoning. This alternative would result in similar, less than significant, impacts to agricultural resources as the project.

## Air Quality

The development of 118 fewer residential lots on the site under this alternative represents a 74 percent reduction in new residential lots on the site compared to the proposed project. This would proportionately reduce both temporary construction emissions and long-term operational emissions when compared to the proposed project. Alternative 2 would result in less than significant air quality impacts, as with the proposed project.

## Biological Resources

Development under this alternative may result in impacts to special status plant and animal species, sensitive habitats, state and federally protected wetlands, wildlife movement, protected trees, and environmentally sensitive vegetation in the Hidden Canyon neighborhood development area on the eastern portion of Key Site 21. Due to the elimination of development in the Willow Creek neighborhood and associated infrastructure and improvements west of the RMGC, this alternative would reduce the overall area of impacts to biological resources when compared to the project by approximately 74 percent. This alternative would avoid impacts to perennial rye grass grassland, which only occurs west of the RMGC public golf course and would reduce the amount of purple needle grass grassland impacted because the largest patches of this native grassland also occur west of the public golf course. The potential to impact biological resources within the Hidden Canyon neighborhood, including California tiger salamander (CTS), remains with this alternative, and mitigation measures described in Section 4.4, *Biological Resources,* would be required. Potential impacts to CTS would remain significant and unavoidable. However, the mitigation requirements for impacts to sensitive communities, including grasslands, may be reduced relative to the reduction in resources that would be impacted by this alternative in comparison to the project. Overall, this alternative would impact approximately 74 percent less area and as a result, fewer sensitive biological resources than the project.

## Cultural and Tribal Cultural Resources

The project site does not contain any known cultural resource sites. This alternative would focus development in a single neighborhood and include fewer units than the proposed project, and therefore would not result in disturbance beyond the development areas identified for the project. Accordingly, this alternative would result in similar, less than significant, direct impacts to cultural and tribal cultural resources identified for the project. Mitigation measures described in Section 4.5, *Cultural and Tribal Cultural Resources,* would be required to ensure that potential resources are avoided during construction or appropriately documented and curated in the event that avoidance cannot be ensured, and are also protected from indirect impacts. The magnitude of potential impacts would be reduced compared to the proposed project, but would remain less than significant with mitigation, as with the proposed project.

## Energy

This alternative would result in 74 percent fewer residential units than the proposed project and would utilize proportionately less energy resources. Construction and operation of development under this alternative would still require temporary and long-term consumption of energy resources. However, as determined for the project, construction and operation of development under this alternative would not result in the wasteful, inefficient, or unnecessary consumption of energy resources. In addition, this alternative would be consistent with the Santa Barbara County ECAP and would therefore not conflict with or obstruct a state or local plan for renewable energy of energy efficiency. Therefore, the magnitude of potential impacts associated with consumption of energy resources would be reduced with this alternative, and less than significant impacts would result, as with the proposed project.

## Fire Protection

Although this alternative would result in fewer residential lots than the project, this alternative would still create additional sources and increased risk of wildland fires in a high fire hazard area, and would be subject to compliance with SBCFD requirements, applicable OCP development standards, and Conditions of Approval pertaining to fire management to ensure that potential impacts associated with wildland fire hazards would be less than significant. In addition, as with the proposed project, this alternative would increase demand on the Santa Barbara County Fire Department, resulting in a reduction in the fire protection service ratio, and subject to the Orcutt Planning Area fire mitigation fee, which provides funding for new fire stations and acquisition of new equipment and apparatus required to serve new development. Therefore, the magnitude of potential impacts associated with wildland fire hazards and fire protection would be reduced compared to the proposed project but would remain less than significant as with the proposed project.

## Geologic Processes

This alternative would reduce the number of residential lots and focus development on the east side of Key Site 21, reducing potential impacts associated with geologic hazards when compared to the proposed project. In addition, this alternative would eliminate residential development on steep slopes of 30 percent or greater, avoiding potential impacts resulting from locating development on unstable soils. Nevertheless, this alternative would require mitigation similar to that required for the proposed project (Mitigation Measure ~~GEO-1~~ GEO-2) to ensure that future roadway development that would occur on steep slopes is engineered in such a manner to reduce potential

impacts resulting from cut slopes exceeding 15 feet in height. In addition, development under this alternative would be required to implement Mitigation Measure GEO-2 to ensure fill material is sufficiently compacted to reduce the potential for soil erosion and sedimentation into drainages. With elimination of residential development from steep slopes and implementation of these mitigation measures under this alternative, impacts associated with geologic process would be less than significant. Therefore, this alternative would result in reduced geologic impacts in comparison to the proposed project.

## Greenhouse Gas Emissions

As described in the Air Quality discussion above, this alternative would result in 74 percent fewer residential units than the proposed project and would generate proportionately lower GHG emissions. Therefore, the annual GHG emissions in this alternative would be approximately 434 MT $CO_2e$/year, which does not exceed the identified GHG significance threshold of 1,100 MT/year. The per capita annual GHG emissions rate would be approximately 3.9 MT $CO_2e$/SP/year, similar to the project, and would exceed the project-specific efficiency threshold of 3.3 MT $CO_2e$/SP/year. Therefore, similar to the proposed project, this alternative would result in less than significant impacts associated with greenhouse gas emissions with incorporation of mitigation.

## Land Use

No major design changes are assumed in the Hidden Canyon neighborhood under this alternative except for the elimination of units on steep slopes. Setbacks and buffers as set forth in the OCP would be required for development under this alternative, as for the proposed project. This alternative would reduce the overall number of new residential units on the project site by approximately 74 percent, resulting in fewer residences developed adjacent to the RMGC golf course and proportionately lower potential for land use impacts, including quality of life impacts related to overall compatibility with adjacent land uses. The magnitude of potential land use impacts would be reduced compared to the proposed project, but would remain less than significant with mitigation, as with the proposed project.

## Noise

Temporary construction-related noise impacts would be reduced with this alternative as a result of the reduced amount of new residential development, but sensitive receptors are located to the north and west, and would still be exposed to similar levels of temporary construction noise due to their proximity to the Hidden Canyon neighborhood. Mitigation Measures N-1(a) and N-1(b) would still be required to reduce potential impacts to a less than significant level. This alternative would result in less project-generated traffic on area roadways, reducing potential traffic noise impacts as a result of the project. Therefore, this alternative would result in overall reduced noise impacts when compared to the project but would still be subject to mitigation to avoid temporary construction noise impacts to sensitive receptors in the vicinity of the project site.

## Public Services and Recreation

Development of 38 residences under this alternative would result in a reduced demand on schools, water infrastructure, wastewater infrastructure, solid waste collection and disposal services, and other public service facilities in comparison to the project. Development under this alternative would be subject to standard development fees and school fees to ensure that incremental impacts to these facilities are offset by new development. This alternative would increase the population of

the Orcutt area by an estimated 112 residents, which would result in approximately 108 tons of new solid waste per year and, in contrast to the project, would not exceed the County's 196 tons per year threshold for solid waste generation. Based on an estimated minimum residential unit size of 1,500 square feet, development of 38 single-family residences would result in approximately 57,000 square feet of new construction, exceeding the County's construction waste threshold of 47,000 square feet for new construction and resulting in a potentially significant impact on solid waste services, as with the proposed project. Overall, impacts of this alternative to public services and facilities would be less that the proposed project, but this alternative would still result in a significant and unavoidable impact associated with solid waste generation during construction. As with the project, this alternative would not significantly increase the demand for recreational facilities or require the construction or expansion of recreational facilities that may have an adverse physical effect on the environment.

## Transportation/Circulation

This alternative would result in 74 percent fewer residential units than the proposed project and would generate proportionately fewer vehicle trips that would be added to area roadways. Under this alternative, similar to the project, all study area intersections would operate at acceptable levels of service and all study area roadway segments are forecast to operate within the County's acceptable capacity under existing + project conditions. In addition, this alternative would include two new private roads constructed approximately 1,100 and 1,900 feet east of the existing golf course entry to provide primary and secondary access to the residential lots in the Hidden Canyon neighborhood. Access and design for circulation under this alternative would not result in new or exacerbated safety issues at these locations. As with the project, this alternative would contribute new vehicle trips to cumulative traffic conditions that would result in an unacceptable level of service at the Foxenwood Lane/Clark Avenue intersection, and the significant and unavoidable cumulative impact identified for the project would remain with the alternative. Overall, this alternative would generate fewer vehicle trips than the project and would reduce the magnitude of impacts to roadways and intersections but would result in similar impact levels.

## Water Resources/Flooding

The development of only the Hidden Canyon neighborhood and elimination of residential units on steep slopes under this alternative would reduce site disturbance compared to the proposed project by approximately 74 percent, and impacts related to hydrology and water quality would be proportionately reduced. As with the proposed project, development under this alternative would be subject to compliance with NPDES permit requirements, the required SWPPP and applicable BMPs, the County's grading ordinance and applicable OCP development standards, compliance with existing design guidelines, applicable SBCFCD requirements for post-development peak stormwater flows, and BMPs and maintenance requirements described in the Neighborhood Stormwater Control Plans. Development under this alternative would result in incrementally less water use than the project and would not exceed the final water rights Stipulation entered in the Santa Maria Groundwater Basin adjudication. Therefore, buildout under this alternative would be offset by long-term supplemental water supplies and would not result in further overdraft of the Santa Maria Groundwater Basin, similar to the proposed project. The magnitude of potential impacts associated with water resources and flooding would be reduced with this alternative, resulting in less than significant impacts with mitigation, as with the proposed project.

### 6.3.3 Alternative 3: Only Willow Creek Neighborhood Development

#### Aesthetics/Visual Resources

This alternative would reduce the overall number of new residential units on the project site from 146 units to 75 units, or by approximately 49 percent, and would focus development west of the RMGC in a single neighborhood development. The reduction in residential units would reduce the amount of open space and rural landscape converted to low density housing and would reduce impacts to the scenic view corridor on the southern side of SR 1 between Black Road and Solomon Road. This alternative would also allow for increased open spaces and agricultural buffers on Key Site 21 when compared to the proposed project. This would reduce potential impacts to the visual quality and open space character of the site. Implementation of Mitigation Measures AES-1 through AES-4, which implement OCP EIR Mitigation Measures VIS-3 and VIS-4, would be required for this alternative. These mitigation measures include requirements for development adjacent to the open space overlay; retention basin, median, and landscape design requirements; and infrastructure screening. These measures would minimize the reduction in and fragmentation of open space on the project site, reduce alteration of identified scenic resources, and reduce conversion of semi-rural land uses to urban land uses. Due to the reduction in new residential units by 49 percent and eliminating development on the east side of the project site, this alternative would result in a less than significant impact to the visual character of the project area with incorporation of mitigation, in contrast to the proposed project. Mitigation Measure AES-5 (which implements OCP EIR Mitigation Measure VIS-2) would reduce potential light and glare impacts to a less than significant level. This alternative would result in reduced overall impacts to aesthetics/visual resources as compared to those identified for the proposed project.

#### Agricultural Resources

This alternative would reduce the overall development on the project site by approximately 49 percent and focus development in a single neighborhood development, reducing potential impacts associated with the conversion of agricultural lands or conflicts with agricultural zoning. This alternative would result in similar, less than significant, impacts to agricultural resources as the proposed project.

#### Air Quality

The development of 71 fewer residential lots on the site under this alternative represents a 49 percent reduction in new residential lots on the site compared to the proposed project. This would proportionately reduce both temporary construction emissions and long-term operational emissions when compared to the proposed project. This alternative would result in less than significant air quality impacts, as with the proposed project.

#### Biological Resources

Development under this alternative may result in impacts to special status plant and animal species, sensitive habitats, state and federally protected wetlands, wildlife movement, protected trees, and environmentally sensitive vegetation in the Willow Creek neighborhood development area on the western portion of Key Site 21. Due to the elimination of development in the Hidden Canyon neighborhood and associated infrastructure and improvements west of the RMGC, this alternative

would reduce the overall area of impacts to biological resources when compared to the proposed project by approximately 51 percent. Nevertheless, this alternative would still impact biological resources within the Willow Creek neighborhood, including perennial rye grass grassland and purple needle grass grassland, which occur west of the public golf course. The potential to impact biological resources within the Willow Creek neighborhood, including California tiger salamander (CTS), remains with this alternative, and mitigation measures described in Section 4.4, *Biological Resources,* would be required. Potential impacts to CTS would remain significant and unavoidable. However, the mitigation requirements for impacts to sensitive communities, including grasslands, may be reduced relative to the reduction in resources that would be impacted by this alternative in comparison to the project. Overall, this alternative would impact approximately 51 percent less area and as a result, fewer sensitive biological resources than the proposed project.

## Cultural and Tribal Cultural Resources

The project site does not contain any known cultural resource sites. This alternative would focus development in a single neighborhood and include fewer units than the proposed project, and therefore would not result in disturbance beyond the development areas identified for the project. Accordingly, this alternative would result in similar, less than significant, direct impacts to cultural and tribal cultural resources identified for the project. Mitigation measures described in Section 4.5, *Cultural and Tribal Cultural Resources,* would be required to ensure that potential resources are avoided during construction or appropriately documented and curated in the event that avoidance cannot be ensured, and are also protected from indirect impacts. The magnitude of potential impacts would be reduced compared to the proposed project, but would remain less than significant with mitigation, as with the proposed project.

## Energy

This alternative would result in 49 percent fewer residential units than the proposed project and would utilize proportionately less energy resources. Construction and operation of development under this alternative would still require temporary and long-term consumption of energy resources. However, as determined for the project, construction and operation of development under this alternative would not result in the wasteful, inefficient, or unnecessary consumption of energy resources. In addition, this alternative would be consistent with the Santa Barbara County ECAP and would therefore not conflict with or obstruct a state or local plan for renewable energy of energy efficiency. Therefore, the magnitude of potential impacts associated with consumption of energy resources would be reduced with this alternative, and less than significant impacts would result, as with the proposed project.

## Fire Protection

Although this alternative would result in fewer residential lots than the project, this alternative would still create additional sources and increased risk of wildland fires in a high fire hazard area, and would be subject to compliance with SBCFD requirements, applicable OCP development standards, and Conditions of Approval pertaining to fire management to ensure that potential impacts associated with wildland fire hazards would be less than significant. In addition, as with the proposed project, this alternative would increase demand on the Santa Barbara County Fire Department, resulting in a reduction in the fire protection service ratio, and subject to the Orcutt Planning Area fire mitigation fee, which provides funding for new fire stations and acquisition of new equipment and apparatus required to serve new development. Therefore, the magnitude of

potential impacts associated with wildland fire hazards and fire protection would be reduced compared to the proposed project but would remain less than significant as with the proposed project.

## Geologic Processes

This alternative would reduce the number of residential lots and focus development on the east side of Key Site 21, reducing potential impacts associated with geologic hazards when compared to the proposed project. In addition, this alternative would eliminate residential development on steep slopes of 30 percent or greater, avoiding potential impacts resulting from locating development on unstable soils. Nevertheless, this alternative would require mitigation similar to that required for the proposed project (Mitigation Measure ~~GEO-1~~ GEO-2) to ensure that future roadway development that would occur on steep slopes is engineered in such a manner to reduce potential impacts resulting from cut slopes exceeding 15 feet in height. In addition, development under this alternative would be required to implement Mitigation Measure GEO-2 to ensure fill material is sufficiently compacted to reduce the potential for soil erosion and sedimentation into drainages. With elimination of residential development from steep slopes and implementation of these mitigation measures under this alternative, impacts associated with geologic process would be less than significant. Therefore, this alternative would result in reduced geologic impacts in comparison to the proposed project.

## Greenhouse Gas Emissions

As described in the Air Quality discussion above, this alternative would result in 49 percent fewer residential units than the proposed project and would generate proportionately lower GHG emissions. Therefore, the annual GHG emissions in this alternative would be approximately 857 MT $CO_2e$/year, which does not exceed the identified GHG significance threshold of 1,100 MT/year. The per capita annual GHG emissions rate would be approximately 3.9 MT $CO_2e$/SP/year, similar to the project, and would exceed the project-specific efficiency threshold of 3.3 MT $CO_2e$/SP/year. Therefore, similar to the proposed project, this alternative would result in less than significant impacts associated with greenhouse gas emissions with incorporation of mitigation.

## Land Use

No major design changes are assumed in the Willow Creek neighborhood under this alternative except for the elimination of units on steep slopes. Setbacks and buffers as set forth in the OCP would be required for development under this alternative, as for the proposed project. This alternative would reduce the overall number of new residential units on the project site by approximately 49 percent, resulting in fewer residences developed adjacent to the RMGC golf course and proportionately lower potential for land use impacts, including quality of life impacts related to overall compatibility with adjacent land uses. The magnitude of potential land use impacts would be reduced compared to the proposed project, but would remain less than significant with mitigation, as with the proposed project.

## Noise

Temporary construction-related noise impacts would be reduced with this alternative as a result of the reduced amount of new residential development. Sensitive residential receptors are located to the northwest and west and would be exposed to reduced levels of temporary construction noise due to their increased distance from the Willow Creek neighborhood. Nevertheless, patrons at the

RMGC clubhouse would be exposed to construction-phase noise from grading and construction activities that may exceed County standards. Mitigation Measures N-1(a) and N-1(b) would still be required to reduce potential impacts to a less than significant level. This alternative would result in less project-generated traffic on area roadways, reducing potential traffic noise impacts as a result of the project. Therefore, this alternative would result in overall reduced noise impacts when compared to the project but would still be subject to mitigation to avoid temporary construction noise impacts to sensitive receptors in the vicinity of the project site.

## Public Services and Recreation

Development of 75 residences under this alternative would result in a reduced demand on schools, water infrastructure, wastewater infrastructure, solid waste collection and disposal services, and other public service facilities in comparison to the project. Development under this alternative would be subject to standard development fees and school fees to ensure that incremental impacts to these facilities are offset by new development. This alternative would increase the population of the Orcutt area by an estimated 221 residents, which would result in approximately 212 tons of new solid waste per year and similar to the project, would exceed the County's 196 tons per year threshold for solid waste generation. Based on an estimated minimum residential unit size of 1,500 square feet, development of 75 single-family residences would result in approximately 112,500 square feet of new construction, exceeding the County's construction waste threshold of 47,000 square feet for new construction and resulting in a potentially significant impact on solid waste services, as with the proposed project. Overall, impacts of this alternative to public services and facilities would be less that the proposed project, but this alternative would still result in a significant and unavoidable impact associated with solid waste generation during construction. As with the project, this alternative would not significantly increase the demand for recreational facilities or require the construction or expansion of recreational facilities that may have an adverse physical effect on the environment.

## Transportation/Circulation

This alternative would result in 49 percent fewer residential units than the proposed project and would generate proportionately fewer vehicle trips that would be added to area roadways. Under this alternative, similar to the project, all study area intersections would operate at acceptable levels of service and all study area roadway segments are forecast to operate within the County's acceptable capacity under existing + project conditions. In addition, this alternative would include a new private road constructed approximately 1,200 feet west of the main entrance to the golf course to provide primary access to the residential lots in the Willow Creek neighborhood. Secondary access would be provided by a private secondary access road with gated egress from the Willow Creek neighborhood through the golf course and out to SR 1. Access and design for circulation under this alternative would not result in new or exacerbated safety issues at these locations. As with the project, this alternative would contribute new vehicle trips to cumulative traffic conditions that would result in an unacceptable level of service at the Foxenwood Lane/Clark Avenue intersection, and the significant and unavoidable cumulative impact identified for the project would remain with the alternative. Overall, this alternative would generate fewer vehicle trips than the project and would reduce the magnitude of impacts to roadways and intersections but would result in similar impact levels.

### Water Resources/Flooding

The development of only the Willow Creek neighborhood and elimination of residential units on steep slopes under this alternative would reduce site disturbance compared to the proposed project by approximately 49 percent, and impacts related to hydrology and water quality would be proportionately reduced. As with the proposed project, development under this alternative would be subject to compliance with NPDES permit requirements, the required SWPPP and applicable BMPs, the County's grading ordinance and applicable OCP development standards, compliance with existing design guidelines, applicable SBCFCD requirements for post-development peak stormwater flows, and BMPs and maintenance requirements described in the Neighborhood Stormwater Control Plans. Development under this alternative would result in incrementally less water use than the project and would not exceed the final water rights Stipulation entered in the Santa Maria Groundwater Basin adjudication. Therefore, buildout under this alternative would be offset by long-term supplemental water supplies and would not result in further overdraft of the Santa Maria Groundwater Basin, similar to the proposed project. The magnitude of potential impacts associated with water resources and flooding would be reduced with this alternative, resulting in less than significant impacts with mitigation, as with the proposed project.

## 6.3.4 Alternative 4: Reduced Units in Willow Creek and Hidden Canyon Neighborhoods

### Aesthetics/Visual Resources

This alternative would reduce the overall number of new residential units on the project site from 146 to 113 (23%) by eliminating the residential lots in the Willow Creek and Hidden Canyon neighborhoods in areas with steep slopes. The reduction in residential units would reduce the amount of open space and rural landscape converted to low density housing and would reduce impacts to the scenic view corridor on the southern side of SR 1 between Black Road and Solomon Road. However, this alternative would result in development distributed in the same general areas as the project and result in similar changes to the visual character of the site from semi-rural to a more urbanized condition. Similar to the proposed project, implementation of Mitigation Measures AES-1 through AES-4 (which implement OCP EIR Mitigation Measures VIS-3 and VIS-4) would reduce potential impacts to the project site's visual character, and implementation of Mitigation Measure AES-5 (which implements OCP EIR Mitigation Measure VIS-2) would reduce potential light and glare impacts. However, the overall impact related to the change in visual character of the project site under this alternative would remain significant and unavoidable similar to the proposed project.

### Agricultural Resources

This alternative would reduce the overall amount of residential development on the project site by approximately 16 percent, reducing potential impacts associated with the conversion or agricultural lands or conflicts with agricultural zoning. However, the distribution of uses and associated development area would be similar to that of the project. This alternative would result in similar, less than significant, impacts to agricultural resources as the proposed project.

### Air Quality

The development of 33 fewer residential lots on the site under this alternative represents a 23 percent reduction in new residential lots on the site compared to the proposed project. This would proportionately reduce both temporary construction emissions and long-term operational emissions

when compared to the proposed project. This alternative would result in less than significant air quality impacts, as with the proposed project.

## Biological Resources

Development under this alternative may result in impacts to special status plant and animal species, sensitive habitats, state and federally protected wetlands, wildlife movement, protected trees, and environmentally sensitive vegetation on the project site. However, due to the overall reduction of residential development area by approximately 16 percent, this alternative would reduce the overall level of impacts to biological resources when compared to the project. Nevertheless, because this alternative would still impact biological resources within each of the neighborhood development areas, mitigation measures described in Section 4.4, *Biological Resources,* would be required. Potential impacts to CTS would remain significant and unavoidable. Overall, this alternative would impact less area containing biological resources than the proposed project but would result in similar level of impacts.

## Cultural and Tribal Cultural Resources

The project site does not contain any known cultural resource sites. This alternative would reduce the number of units in the Willow Creek and Hidden Canyon neighborhoods, reducing the overall area of development by approximately 16 percent, and therefore would not result in disturbance beyond the development areas identified for the project. Accordingly, this alternative would result in similar, less than significant, direct impacts to cultural and tribal cultural resources identified for the project. Mitigation measures described in Section 4.5, *Cultural and Tribal Cultural Resources,* would be required to ensure that potential resources are avoided during construction or appropriately documented and curated in the event that avoidance cannot be ensured, and are also protected from indirect impacts. The magnitude of potential impacts would be reduced compared to the proposed project, but would remain less than significant with mitigation, as with the proposed project.

## Energy

This alternative would result in 23 percent fewer residential units than the proposed project and would utilize proportionately less energy resources. Construction and operation of development under this alternative would still require temporary and long-term consumption of energy resources. However, as determined for the project, construction and operation of development under this alternative would not result in the wasteful, inefficient, or unnecessary consumption of energy resources. In addition, this alternative would be consistent with the Santa Barbara County ECAP and would therefore not conflict with or obstruct a state or local plan for renewable energy of energy efficiency. Therefore, the magnitude of potential impacts associated with consumption of energy resources would be reduced with this alternative, and less than significant impacts would result, as with the proposed project.

## Fire Protection

Although this alternative would result in fewer residential lots than the project, this alternative would still create additional sources and increased risk of wildland fires in a high fire hazard area, and would be subject to compliance with SBCFD requirements, applicable OCP development standards, and Conditions of Approval pertaining to fire management to ensure that potential impacts associated with wildland fire hazards would be less than significant. In addition, as with the

proposed project, this alternative would increase demand on the Santa Barbara County Fire Department, resulting in a reduction in the fire protection service ratio, and subject to the Orcutt Planning Area fire mitigation fee, which provides funding for new fire stations and acquisition of new equipment and apparatus required to serve new development. Therefore, the magnitude of potential impacts associated with wildland fire hazards and fire protection would be reduced compared to the proposed project but would remain less than significant as with the proposed project.

## Geologic Processes

This alternative would reduce the number of residential lots developed on the project site, reducing potential impacts associated with geologic hazards when compared to the project. In addition, this alternative would eliminate residential development on steep slopes, avoiding potential impacts resulting from locating development on unstable soils. Nevertheless, this alternative would require mitigation similar to that required for the proposed project (Mitigation Measure ~~GEO-1~~ GEO-2) to ensure that future roadway development that would occur on steep slopes to maintain internal circulation within the neighborhoods, is engineered in such a manner to reduce potential impacts resulting from cut slopes exceeding 15 feet in height. In addition, development under this alternative would be required to implement Mitigation Measure GEO-2 to ensure fill material is sufficiently compacted to reduce potential for soil erosion and sedimentation into drainages. With elimination of residential development from steep slopes and implementation of these mitigation measures under this alternative, impacts associated with geologic process would be less than significant. Therefore, this alternative would result in reduced geologic impacts in comparison to the proposed project.

## Greenhouse Gas Emissions

As described in the Air Quality discussion above, this alternative would result in 23 percent fewer residential units than the proposed project and would generate proportionately lower GHG emissions. Therefore, the annual GHG emissions in this alternative would be approximately 1,285 MT $CO_2e$/year, which would exceed the identified GHG significance threshold of 1,100 MT/year. The per capita annual GHG emissions rate would be approximately 3.9 MT $CO_2e$/SP/year, similar to the project, and would exceed the project-specific efficiency threshold of 3.3 MT $CO_2e$/SP/year. Therefore, similar to the proposed project, this alternative would result in less than significant impacts associated with greenhouse gas emissions with incorporation of Mitigation Measure GHG-1.

## Land Use

No major design changes are assumed in the Willow Creek and Hidden Canyon neighborhoods under this alternative except for the elimination of units on steep slopes and directly abutting the RGMC golf course fairway. Setbacks and buffers as set forth in the OCP would be required for development under this alternative, as for the proposed project. This alternative would reduce the overall number of new residential units on the project site by approximately 23 percent, resulting in fewer residences developed adjacent to the RMGC golf course and proportionately lower potential for land use impacts, including quality of life impacts related to overall compatibility with adjacent land uses. The magnitude of potential land use impacts would be reduced compared to the proposed project, but would remain less than significant with mitigation, as with the proposed project.

## Noise

Temporary construction-related noise impacts would be reduced with this alternative as a result of the reduced amount of new residential development, but sensitive receptors are located to the north and west would still be exposed to similar levels of temporary construction noise due to their proximity to the Hidden Canyon neighborhood. Mitigation Measures N-1(a) and N-1(b) would still be required to reduce potential impacts. This alternative would result in less project-generated traffic on area roadways, reducing potential traffic noise impacts as a result of the project. Therefore, this alternative would result in overall reduced noise impacts when compared to the project but would still be subject to mitigation to avoid temporary construction noise impacts to sensitive receptors in the vicinity of the project site.

## Public Services and Recreation

Development of 113 residences under this alternative result in a reduced demand on schools, water infrastructure, wastewater infrastructure, solid waste collection and disposal services, and other public service facilities, in comparison to the project. Development under this alternative would be subject to standard development fees and school fees to ensure that incremental impacts to these facilities are offset by new development. This alternative would increase the population of the Orcutt area by an estimated 333 residents, which would result in approximately 322 tons of new solid waste per year and, similar to the project, would exceed the County's 196 tons per year threshold for solid waste generation. Based on an estimated minimum residential unit size of 1,500 square feet, development of 113 single-family residences would result in approximately 169,500 square feet of new construction, exceeding the County's construction waste threshold of 47,000 square feet for new construction and resulting in a potentially significant impact on solid waste services, as with the proposed project. Overall, impacts of this alternative to public services and facilities would be less that the proposed project, but this alternative would still result in a significant and unavoidable impact associated with solid waste generation during construction. As with the project, this alternative would not significantly increase the demand for recreational facilities or require the construction or expansion of recreational facilities that may have an adverse physical effect on the environment.

## Transportation/Circulation

This alternative would result in 23 percent fewer residential units than the proposed project and would generate proportionately fewer vehicle trips that would be added to area roadways. Under this alternative, similar to the proposed project, all study area intersections would operate at acceptable levels of service and all study area roadway segments are forecast to operate within the County's acceptable capacity under existing + project conditions. As with the project, this alternative would include two new full-access connections and one new secondary access connection to State Route 1. Access and design for circulation under this alternative would not result in new or exacerbated safety issues at these locations. This alternative would also contribute new vehicle trips to cumulative traffic conditions that would result in an unacceptable level of service at the Foxenwood Lane/Clark Avenue intersection and the significant and unavoidable cumulative impact identified for the project would remain with the alternative. Overall, this alternative would generate fewer vehicle trips than the project and would reduce the magnitude of impacts to roadways and intersections but would result in similar impact levels.

### Water Resources/Flooding

The development of only the Hidden Canyon neighborhood and elimination of residential units on steep slopes under this alternative would reduce site disturbance compared to the proposed project by approximately 16 percent, and impacts related to hydrology and water quality would be proportionately reduced. As with the proposed project, development under this alternative would be subject to compliance with NPDES permit requirements, the required SWPPP and applicable BMPs, the County's grading ordinance and applicable OCP development standards, compliance with existing design guidelines, applicable SBCFCD requirements for post-development peak stormwater flows, and BMPs and maintenance requirements described in the Neighborhood Stormwater Control Plans. Development under this alternative would result in incrementally less water use than the project and, would not exceed the final water rights Stipulation entered in the Santa Maria Groundwater Basin adjudication. Therefore, buildout under this alternative would be offset by long-term supplemental water supplies and would not result in further overdraft of the Santa Maria Groundwater Basin, similar to the proposed project. The magnitude of potential impacts associated with water resources and flooding would be reduced with this alternative, resulting in less than significant impacts with mitigation, as with the proposed project.

## 6.4 Environmentally Superior Alternative

This discussion identifies the environmentally superior alternative by assessing the degree to which each alternative avoids significant and unavoidable environmental impacts. In some cases, an alternative will avoid one or more significant and/or unavoidable impacts identified for the proposed project but then introduce one or more new significant impacts. Therefore, selection of the Environmentally Superior Alternative requires an overall assessment of the changes in the number and type of significant impacts.

The *CEQA Guidelines* do not define a specific methodology for determining the Environmentally Superior Alternative. For the purposes of this analysis, the three project alternatives have been compared within each issue area to the proposed project, and a determination has been made as to whether the alternative was superior, inferior, or similar to the proposed project (Refer to Table 6-2). For the purpose of this Subsequent EIR, the analysis assumes that each impact is equally weighted. Decision makers and the community in general may choose to emphasize one issue or another, which could lead to differing conclusions regarding environmental superiority. If the No Project Alternative is identified as the Environmentally Superior Alternative for a given issue area, the development scenario among the remaining alternatives that results in the lowest environmental impact is noted, in accordance with CEQA.

The No Project (No Build) Alternative (Alternative 1) would result in the fewest adverse environmental effects. However, since this is the "No Project" alternative, CEQA requires that a separate alternative also be identified as the Environmentally Superior Alternative.

The Only Hidden Canyon Neighborhood Development Alternative (Alternative 2) and Only Willow Creek Neighborhood Development Alternative (Alternative 3) would result in the fewest significant and unavoidable impacts as compared to both the proposed project and to the original alternatives analyzed in the OCP EIR. Between these two alternatives, the Only Hidden Canyon Neighborhood Development Alternative (Alternative 2) would result in reduced impacts to biological resources, because it would avoid more perennial rye grass grassland and purple needle grass grassland west of the public golf course. Therefore, Alternative 2 would be considered environmentally superior overall.

As described in the analysis of alternatives in this section, Alternative 2 would avoid the project's significant and unavoidable project-specific impact to visual character, with incorporation of mitigation, and reduce overall impacts associated with development on steep slopes, adverse effects on sensitive species, demand on public services, and transportation/circulation. In addition, this alternative would avoid or reduce impacts on native plant communities, such that the associated mitigation measures and ratios may be reduced under this alternative. Furthermore, Alternative 2 does not present any new significant impacts that were determined to be less than significant in the analysis of the proposed project nor would it increase the severity of impacts identified for the proposed project. For these reasons, the Only Hidden Canyon Neighborhood Development Alternative (Alternative 2) is identified as the Environmentally Superior Alternative.

The Reduced Units in Willow Creek and Hidden Canyon Neighborhoods Alternative (Alternative 4) would result in similar significant and unavoidable impacts as compared to both the proposed project and to the original alternatives analyzed in the OCP EIR. As described in the analysis of alternatives in this section, this alternative would reduce overall impacts associated with development on steep slopes, adverse effects on sensitive species, demand on public services, and transportation/circulation. In addition, Alternative 4 does not present any new significant impacts that were determined to be less than significant in the analysis of the proposed project nor would it increase the severity of impacts identified for the proposed project. For these reasons, the Reduced Units in Willow Creek and Hidden Canyon Neighborhoods Alternative (Alternative 4) is considered environmentally superior to the project, but would not be environmentally superior to Alternative 2, which avoid the project's significant and unavoidable project-specific impact to visual character.

Although the Only Hidden Canyon Neighborhood Development Alternative (Alternative 2) is identified as the Environmentally Superior Alternative, it would not meet some of the objectives for the project, as described in Section 2.6 of this SEIR. Specifically, this alternative would not be consistent with the overall development vision for Key Site 21 in the OCP and would provide substantially fewer residential units than the proposed project, which would not be consistent with the project objective to address the current State-wide housing shortage of two million units.

# 7 Responses to Comments

This section includes responses to comments received during the circulation of the Draft Subsequent Environmental Impact Report (Draft SEIR) prepared for the Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project (Project).

The Draft SEIR was circulated for a 45-day public review period that began on June 16, 2019 and ended on August 5, 2019.

## 7.1 Comments from Public Testimony

On July 11, 2019, County Staff conducted a public hearing at the Board of Supervisors Hearing Room, located at 511 East Lakeside Parkway in Santa Maria regarding the Draft SEIR for the Orcutt Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project. The hearing provided an opportunity for members of the public to receive a summary presentation of the project as well as the major findings of the Draft SEIR. The primary purpose of the public comment portion of the hearing was to receive input from interested parties regarding the adequacy of the Draft SEIR. There were three speakers at the hearing. The commenter, topics raised, and the location in the Draft SEIR document where each topic is addressed is shown in Table 7-1.

**Table 7-1 Topics Raised during Public Testimony**

| Topic | Location Addressed in the Draft SEIR |
|---|---|
| **Laurel Perez, Suzanne Elledge Planning & Permitting Services, Inc., representing Rancho Maria Golf Course** | |
| Opposed to modification of development standards to analyze and adopt Specific Plan at the same time as development project; scoping hearing didn't identify the request to revise the OCP standard | Topical Response 2; Response 15.2 |
| Biological resources, including CTS and CRLF habitat, wetlands, and drainages on RMGC property | Topical Response 1; Response 15.9 |
| Draft SEIR should include constraints map, identifying where future development should go | Response 15.9 |
| Project description should identify height of golf course protective netting | Response 15.5 |
| Project description should explain widening of SR 1 and land required | Response 15.5; Response 15.6 |
| Project description should provide grading details with regard to drainages | Response 15.5; Response 15.6 |
| Project description should disclose number of lots proposed on slopes greater than 30% | Response 15.15; Response 15.26 |
| Project description should provide location and size of water treatment system and new wells | Topical Response 7; Response 15.5; Response 15.6 |
| Project description should explain in-lieu fees equivalent for affordable component | Topical Response 7; Response 15.5 |
| Protocol surveys, botanical surveys, and mapping should be completed for EIR analysis | Topical Response 1, Response 15.9; Response 5.11 |

| Topic | Location Addressed in the Draft SEIR |
|---|---|
| Mitigation for biological resources is infeasible or deferral and should occur during preparation of EIR | Topical Response 1, Response 5.11 |
| Analysis of visual resources should have third party review with consideration of views from RMGC toward proposed development | Topical Response 1; Response 15.6; Response 15.23 |
| Noise impacts to RMGC golf play during construction and operation; RMGC is a noise sensitive receptor | Topical Response 1; Topical Response 5; Response 15.18; Response 15.22; Response 15.23 |
| Early morning golf course mowing will result in a noise impact to residents of the project | Topical Response 5 |
| Project is inconsistent with County policies regarding development on steep slopes | Topical Response 7; Response 15.15; Response 15.26 |
| Project would result in development through wetlands | Topical Response 1; Response 15.9; Response 15.10; Response 15.26 |
| Impacts/land use conflicts with RMGC, including insufficient buffers, golf course protective netting, grading in drainages, traffic, and noise | Topical Response 1; Topical Response 3; Topical Response 5; Response 15.5; Response 15.6; Response 15.7; Response 15.19; Response 15.21; Response 15.23 |
| Potential impacts from drivers traveling through/across golf course | Topical Response 3 |
| The EIR should include an alternative that does a better job of avoiding Class I impacts | Topical Response 6; Response 15.26 |
| Inappropriate to dismiss environmentally superior alternative because it doesn't meet the vision of the OCP | Topical Response 6; Response 15.26 |
| Disagrees with use of project objectives to dismiss alternatives on the basis that housing needs are not met | Topical Response 6; Topical Response 7; Response 15.26 |
| **Jimmy & John Bognuda, neighboring property owners** | |
| Wind may turn proposed golf course protective netting into a hazard | Response 15.17 |
| Conflicts between residential uses and agricultural operations (e.g., grazing, spraying) | Response 2.2 |
| Groundwater supply and cumulative impact of new development | Response 2.1 |
| Trespassing and damage to neighboring properties; maintenance of agricultural buffers | Response 2.2 |
| Traffic conflicts with agricultural equipment; congestion and traffic accidents | Response 2.3 |
| Change in community character and loss of public views | Response 2.5 |
| Wildlife impacts | Response 2.5 |
| **Bryan Smith, nearby property owner** | |
| Power availability | Section 4.6, Energy |
| New groundwater wells | Response 2.1; Responses to Letter 8 |
| Traffic, accidents, and agricultural equipment at the Clark Avenue and State Route 1 intersection | Response 2.3 |
| Potential impacts to Rancho Maria Golf Course | Topical Response 1 |
| Project effects on public views from State Route 1 | Topical Response 1; Response 2.5 |
| Land use conflicts with farming industry uses and the public golf course | Response 2.2 |

# 7.2 Written Comments and Responses

The County of Santa Barbara received sixteen comment letters on the Draft SEIR. The commenters and the page number on which each commenter's letter appear are listed In Table 7.2.

**Table 7-2 Comment Letters Received**

| Letter No. | Commenter | Page No. |
|---|---|---|
| 1 | Lieutenant Clayton Turner, Santa Barbara County Sheriff's Office | 7-15 |
| 2 | Jimmy Bognuda | 7-18 |
| 3 | Marty Wilder, P.E. – Manager, Laguna County Sanitation District | 7-25 |
| 4 | Richard E. Adam, Jr., Juarez, Adam & Farley | 7-29 |
| 5 | John Storrer, Storrer Environmental Services | 7-32 |
| 6 | Emily Waddington, Air Quality Specialist, Santa Barbara County Air Pollution Control District | 7-42 |
| 7 | Connie Phillips | 7-50 |
| 8 | Chad Taylor, PG, CHG, Senior Hydrologist and Iris Priestaf, PhD, President, Todd Groundwater | 7-52 |
| 9 | Brian Tomooka | 7-63 |
| 10 | Henry S. Weinstock, Esq., Nossaman LLP | 7-66 |
| 11 | John Wells | 7-73 |
| 12 | Alan Seltzer, Law Office of Alan Seltzer | 7-76 |
| 13 | Erinn Wilson, Environmental Program Manager I, California Department of Fish and Wildlife | 7-100 |
| 14 | Cheryl O'Keefe Severn, President, Board of Directors, Rancho Maria Golf Club | 7-108 |
| 15 | Laurel F. Perez, AICP, Principal Planner, Suzanne Elledge Planning & Permitting Services, Inc. | 7-113 |
| 16 | Ingrid McRoberts, Development Review Coordinator, Caltrans District 5 | 7-138 |
| 17 | John Davis IV, Dudek | 7-150 |
| 18 | David Stone, RPA, Senior Environmental Project Manager, Wood | 7-178 |

The comment letters and responses follow. The comment letters have been numbered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1.2, for example, indicates that the response is for the second issue raised in comment Letter 1).

# 7.3 Topical Responses

## Topical Response 1 – Impacts to the Rancho Maria Golf Club

Multiple commenters state that Draft SEIR failed to address potential impacts to the Ranch Maria Golf Club (RMGC). Specific topics raised by commenters include potential conflicts between the public golf course and the proposed residential uses, the potential need for physical alterations to existing RMGC facilities to accommodate the project, potential impacts to RMGC facilities from grade or drainage changes, impacts to the public golf course as a public resource, and potential financial or economic impacts to the RMGC.

Section 2.3, Project Location, describes the public golf course's location on Key Site 21 and relative to the planned residential development areas for the proposed Willow Creek and Hidden Canyon neighborhoods. Section 2.5.3, Development Plans, describes specific project components and their relationship to RMGC facilities and operations, including fairways, the RMGC parking lot, landscaping and fencing, easements, and access roadways. As described in Section 2.6, Project Objectives, one of the primary objectives of the project is "To provide development that is compatible with the existing Rancho Maria Golf Club (RMGC) on Key Site 21."

Environmental issues raised by commenters include:

- Visual impacts associated with new netting along fairways, changes to natural landforms, and views to and from the RMGC property;
- Potential impacts to biological resources, including endangered species habitats, wetlands and drainages, special status plants and animals, sensitive communities, and wildlife corridors;
- Grading and drainage impacts;
- Construction noise impacts;
- Air quality impacts on sensitive receptors;
- Potential impacts to RMGC as a public recreational resource;
- Safety issues with new roads cutting through the public golf course; and
- Traffic impacts associated with the proposed access roads and the addition of new traffic on State Route 1.

Each of these environmental topics is addressed in the Draft SEIR, as described in the following paragraphs.

Section 4.1 of the Draft SEIR, Aesthetics, discusses the potential impact on views to and from the RMGC. Specifically, Section 4.1.1(b) describes the RMGC as part of the visual character of Keys Site 21 and as a visual resource in views from State Route 1 (SR 1). Impact AES-1 discusses potential impacts to scenic vistas as viewed from the RMGC and provides key view simulations of the project site as seen from RMGC and SR 1, including views of the proposed golf course protective netting. As discussed in Topical Response 7, Section 2 of the Draft SEIR, Project Description, has been revised to include additional detail regarding the proposed golf course protective netting, and the landscaping buffer. As described in Topical Response 7, the project description revisions are not inconsistent with the Draft SEIR analysis and would not change any of the conclusions of the Draft SEIR. Impact AES-1 determined that the project would not substantially impact nearby scenic vistas or damage scenic resources; however, Impact AES-2 concluded that the project would convert semi-rural land uses to urban land uses, altering the visual quality and open space character of Key Site 21, which

serves as a visual gateway to west Orcutt for eastbound travelers on SR 1, resulting in a significant and unavoidable aesthetic impact.

Section 4.4, Biological Resources, analyzes endangered species, habitats, wetlands, special status plants and animals, and describes the biological resources within the context of the entirety of Key Site 21, including the RMGC property. The impact evaluation included aquatic surveys of two historic irrigation ponds and two irrigation reservoirs located within RMGC for California tiger salamander (CTS), as well as surveys for California red-legged frog (CRLF) at the man-made pond immediately west of the RMGC clubhouse. Mitigation Measure BIO-2(b) requires habitat avoidance for both the CTS and CRLF to the extent feasible and Mitigation Measure BIO-2(c) requires compensatory mitigation should CTS or CRLF impacts be unavoidable.

The project does not propose grading or changes to the topography on Key Site 21 that would directly impact the RMGC property. As described in Section 4.14, Water Resources and Flooding, the proposed retention facilities would be required to implement applicable OCP mitigation measures which would attenuate flow during storm events and discharge such that peak stormwater flow would remain at or below existing conditions, consistent with the Santa Barbara County Flood Control District's (SBCFCD) post-development runoff criteria.

Construction-related noise impacts are discussed in Section 4.11, Noise. As described in Impact N-1, patrons at the RMGC clubhouse and course users near the proposed Willow Creek neighborhood would be exposed to construction-phase noise that could exceed County standards if construction were to occur during early morning or evening hours. Mitigation Measures N-1(a) and N-1(b) would ensure that construction activities only occur during normal daytime hours and on weekdays, when people are less likely to be disturbed by noise and would reduce sound levels from the loudest individual pieces of construction equipment. Refer to Topical Response 5 for a detailed discussion of construction-related noise impacts to the RMGC.

Section 4.3, Air Quality, discusses the potential for air quality impacts to RMGC. As described therein, sensitive receptors are defined by the SBCAPCD as either: 1) population groups which are more sensitive to air pollution such as children, the elderly, and acutely ill and chronically ill persons, especially those with cardio-respiratory diseases; or 2) land uses where such individuals are concentrated for extended periods of time such as hospitals, schools, and residences. The public golf course users are not sensitive receptors, nor is the public golf course a land use where sensitive individuals spend extended periods of time on a regular basis. As such, the SEIR correctly states that the public golf course is not considered to be a sensitive receptor.

The Draft SEIR evaluates potential impacts to recreational resources in Section 4.12, Public Services and Recreation. Based on Appendix G of the State CEQA Guidelines, a project would have a significant impact related to recreation or recreational facilities if it would "increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated" or "include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment." Potential operational or financial impacts to the RMGC or the public golf course's ability to continue serving the community are not considered significant environmental effects of the proposed project; Section 15131 of the State CEQA Guidelines states that "economic or social effects of a project shall not be treated as significant effects on the environment." Project implementation would not increase the use of golf course to the extent where a significant impact related to deterioration of the facility would occur. Section 4.12, Public Services and Recreation, concludes that payment of required Quimby Act fees would ensure

compliance with the policies and performance standards in the OCP as part of the project, and impacts associated with parks and recreational facilities would be less significant.

The Traffic and Circulation Study for the project (Appendix K) included a sight distance analysis for the proposed access connections to SR 1 which illustrates that the project would meet the required minimum sight distance standards. As discussed in Section 4.13, Transportation and Circulation, secondary (emergency) access to the Willow Creek Neighborhood would be provided via the proposed connection to the RMGC parking lot. The project does not include hazardous transportation design elements, a new traffic signal or major revisions to an existing traffic signal and would not add traffic to a roadway that has design features that would become a potential safety problem, or otherwise create an unsafe situation. Refer to Topical Response 3 for further discussion of the project's proposed transportation and access facilities and the EIR's evaluation of transportation and access-related impacts to the RMGC.

With regard to comments that are concerned that the RMGC as a public resource needs to be protected or that the project would cause financial or economic impacts to the RMGC, Section 15131 of the State CEQA Guidelines states that "economic or social effects of a project shall not be treated as significant effects on the environment." Comments that pertain to the potential financial or economic impacts of the project, which do not reflect on the adequacy or content of the Draft SEIR, will be forwarded to County decision-makers for review and consideration.

## Topical Response 2 – Specific Plan for Key Site 21

### *Specific Plan Public Circulation/Specific Plan for the Entirety of Key Site 21*

Commenters state that the Draft SEIR does not include or analyze a Specific Plan for the entirety of Key Site 21, that the Specific Plan should have addressed the location of environmental resources as well as RMGC needs, and that the Specific Plan omits the RMGC property, piecemealing the environmental analysis of the project.

The Specific Plan is listed among requested approvals in the Draft SEIR as part of the overall project action under consideration by decision makers, and the Draft Specific Plan is publicly available for review in full on the County's website and at the County offices in the same locations where the Draft SEIR was posted. The County's Land Use and Development Code (LUDC) does not require circulation of a Specific Plan. However, consistent with LUDC requirements, both the County Planning Commission and Board of Supervisors will hold at least one public hearing on the Specific Plan that will be noticed consistent with Chapter 35.106 (Noticing and Public Hearings).

Specifically, LUDC Section 35.88.040 (C) (Processing of Specific Plans) and Section 35.88.040 (E) (Public hearing required & Board Public Hearing Required) state:

> (C) The Commission shall hold at least one noticed public hearing on the Specific Plan. Notice of the time and place of the hearing shall be given and the hearing shall be conducted in compliance with Chapter 35.106 (Noticing and Public Hearings).
>
> (E) The Board shall hold at least one noticed public hearing before adopting the proposed Specific Plan. Notice of the time and place of the hearing shall be given and the hearing shall be conducted in compliance with Chapter 35.106 (Noticing and Public Hearings).

A Notice of Availability and Public Hearing On The Draft Subsequent Environmental Impact Report For the Proposed Neighborhoods of Willow Creek and Hidden Canyon Residential Subdivision Project was published on June 21, 2019, which referenced all applications associated with the

proposed project (Case Nos. 16SPP-00000-00001, 17GPA-00000-00005, 16TRM-00000-00003, 16TRM-00000-00004, 16DVP-00000-00008, 17DVP-00000-0001, 16CUP-00000-00033, 17CUP-00000-00030, and 16RDN-00000-00002). The notice was published in the Santa Maria Times and mailed to all property owners within a 1,000' radius of the project site. The notice included the project description, project details, location, environmental review findings, where the project's documents including the Specific Plan are available for review, and instructions for providing public comment on the project at the July 11, 2019 public meeting located at the County of Santa Barbara Betteravia Government Center or via written submittal by August 5, 2019.

The Specific Plan applies to the entirety of Key Site 21, but it does not anticipate changes on all of Key Site 21 due to the existing public golf course. The development proposals of Hidden Canyon and Willow Creek focus on properties where the Specific Plan anticipates changes. The Draft SEIR reserves the term "project site" for properties where changes are anticipated and explains specific locations on the RMGC property where changes are anticipated (e.g., access easement). The project is a single and complete project as defined in CEQA. Additional development on Key Site 21 is not a reasonably foreseeable consequence of the project, and the purpose of the project is not to be the first step toward future development. The project does not "legally compel or practically presume completion of another action" (established as a criterion for determining piecemealing in the Banning Ranch case).

### *Planning Options for Key Site 21 Under the Orcutt Community Plan*

Commenters state that the Draft SEIR incorrectly concludes that the Orcutt Community Plan (OCP) "fixed in advance" an overall development vision for Key Site 21 of 150 units, and that the Draft SEIR does not utilize the Specific Plan to analyze potential planning options that would be allowable under the OCP.

The Draft SEIR evaluates the project as the sum of the discretionary actions proposed by the project applicant, which include the Specific Plan, neighborhood development plans, etc. Because the Draft SEIR tiers from the 1995 OCP EIR, the Draft SEIR evaluates the proposed project in the context of the residential buildout anticipated for Key Site 21 under the OCP and OCP EIR, which is 150 units. As required by CEQA, the Draft SEIR also evaluates the proposed project in comparison to the existing baseline conditions on Key Site 21. The OCP and its EIR analyzed Key Site 21's envisioned buildout at 150 single family dwellings. The OCP explicitly stated, "Given the site's physical and environmental constraints and its distance from areas served by public infrastructure and services, it is suited to accommodate low density residential development." The OCP considered both residential (PD max 150 units) and commercial development (Resort-Visitor Serving Commercial) of Key Site 21. The OCP envisioned that residential units would be clustered on 211 acres (Assessor's Parcel Numbers [APNs] 113-250-015, -016, and -017); comprising of approximately 15 units on APN 113-250-015 and the other 135 units on APNs 113-250-016 and -017. The OCP also considered that the site may contain up to 20 acres of Resort-Visitor Serving Commercial uses, providing that the total number of residential units is reduced to allow for commercial development without compromising the rural setting and density on the site. Therefore, while the OCP allowed for a lower number of residential units on Key Site 21 if buildout of the site also included commercial development, it did not consider any other planning options other than (1) low density residential development (maximum of 150 residential units) and (2) low density residential development coupled with commercial. The proposed 146 single family dwellings are consistent with the OCP's anticipated buildout of Key Site 21.

*Project Description Stability and Consistency with OCP Policies*

Commenters state that the Draft SEIR failed to maintain a stable project description on the basis that the project's requested approvals include a text amendment to OCP Key Site 21 DevStd KS21-1 to clarify the County's planning process for long-range planning and future development of Key Site 21. Commenters state that the requested text amendment to OCP Key Site 21 DevStd KS21-1 was not initiated by the County Board of Supervisors as required by Government Code 65358(a). Commenters request an explanation for why the Specific Plan requirement for Key Site 21 is different than for previous Specific Plans in Santa Barbara County.

The text amendment to OCP Key Site 21 DevStd KS21-1 was requested by the applicant subsequent to release of the Notice of Preparation for the Draft SEIR. However, this project component does not relate to or affect the environmental analysis, conclusions, or mitigation included in the Draft SEIR. Including this request in the Draft SEIR project description subsequent to the release of the Notice of Preparation has not deprived the public of the opportunity to review, understand, or comment on the potential physical environmental effects of the project. The OCP identified 44 key sites within the Community Plan area. Four of the 44 key sites were identified to require specific plans (Key Sites 11, 12, 21, and 22) and it was acknowledged that Key Site 26 already has an approved specific plan. The specific plan requirement applicable to Key Sites 11 and 21 are required by development standards specific to those respective key sites. The requirement applicable to Key Site 12 is described in OCP Policy KS12-2. The requirement applicable to Key Site 22 is not described in a policy or development standard, but rather states, "…a Specific Plan will be prepared to address future development of th[e] site." Specific Plans were found to be necessary for certain key sites for reasons that depend on the specific conditions on that site, such as identified constraints, access, potential integration of residential and commercial development, public recreation, and overall design and layout. However, there is no basis provided within the OCP for the specific plan required for Key Site 21.

The requested text amendment to OCP Key Site 21 DevStd KS21-1 was initiated by the applicant, consistent with LUDC Section 35.104.030 (D) (Initiation of Amendments), which allows for those with a substantial interest in the proposed amendment (e.g. applicants) to initiate the process. Note that this comment pertains to the County approval process for the project, and not to the environmental analysis, conclusions, or mitigation included in the Draft SEIR.

## Topical Response 3 – Traffic Impacts, Safety, and Site Access

Commenters have stated concerns about potential traffic impacts, including those associated with traffic to and from the public golf course. Commenters have requested analysis of potential impacts associated with proposed roads passing through active play areas of the public golf course, and the overall increase in traffic associated with the project, noting existing safety hazards on State Route (SR) 1.

Refer to Draft SEIR Section 4.13, Transportation and Circulation, for a detailed discussion of the potential traffic impacts of the proposed project. The Draft SEIR evaluated potential transportation and circulation impacts associated with the project in the western portion of the OCP area, which is generally bounded by Black Road to the west, SR 135 to the east, Union Valley Parkway to the north and the SR 1 to the south. The project would result in the addition of approximately 1,300 average daily trips and 130 peak hour trips to SR 1 east of the project site based on the proposed project type of 146 units and using the trip generation rate for Single Family Housing (Land Use #210). Potential transportation impacts were evaluated against the County of Santa Barbara Environmental Thresholds and Guidelines Manual (March 2018) and Appendix G of the CEQA Guidelines to

determine whether the project would have a significant impact on transportation and/or circulation. Caltrans standards were used to evaluate the potential impacts of the project at State facilities. The roadway level of service data contained in the Traffic and Circulation Study for the project (Appendix K) shows that SR 1 would continue to operate at level of service (LOS) A, all study intersections would continue to operate at acceptable levels of service (Impact T-1), and all study area roadway segments are forecast to operate within the County's acceptable capacity with implementation of the project (Impact T-2).

Review of CHP collision data as well as data contained in the Transportation Concept Report for SR 1 (Caltrans District 5, June 2017) did not indicate above average collision rates and traffic increases. The project includes two new full-access connections and one new secondary access connection to SR 1 designed consistent with Topic 405 – Intersection Design Standards of the Caltrans Highway Design Manual (HDM; 2018). To verify if sufficient sight distance would be available from the proposed access locations, Stantec conducted a field review and found a minimum of 715 feet of corner sight distance (from a vehicle at the project driveway to an approaching vehicle on SR 1), which satisfies Caltrans' corner sight distance standards for operating speeds up to 65 mph (the speed limit along this segment of SR 1 is 55 mph). No visual obstructions exist along the straight section of SR 1 adjacent to the project frontage. An exhibit showing the sight distance triangles is included in the Traffic and Circulation Study for the project (Appendix K). Based on the information provided above, it is not expected that the addition of project traffic would have a significant adverse impact on traffic and collision rates. The project does not include hazardous transportation design elements, a new traffic signal, or major revisions to an existing traffic signal and would not add traffic to a roadway that has design features that would become a potential safety problem, or otherwise create an unsafe situation.

The on-site circulation plan does not propose access via the golf course property and roadway widths have been designed pursuant to County design standards to accommodate emergency vehicles, service vehicles, delivery trucks, and street parking. Vehicle access to the Hidden Canyon Neighborhood consists of one main driveway and residential streets, along with a non-gated 25-foot secondary egress driveway located along the site's eastern boundary. Vehicle access to the Willow Creek Neighborhood consists of a main driveway that connects to the residential streets serving the single-family dwellings, with secondary (emergency) access via the proposed easement connection to the RMGC parking lot. The Willow Creek Neighborhood secondary access would remain closed via a locked gate except to emergency vehicles. The access road to the Willow Creek Neighborhood would utilize an existing easement between RMGC Holes 14 and 15, and golfers would cross the access road at a designated crosswalk. The appropriate striping and signage will be installed at the crossing location. In addition, rows of small and large landscaping trees will be planted between project roadways and adjacent golf course holes to provide a natural barrier between vehicular traffic and golf course play.

## Topical Response 4 – Subsequent v. Supplemental EIR

Commenters state that the Draft SEIR misstates its "Purpose and Legal Authority" based on the requirements of CEQA Guidelines Sections 15152 and 15162, and that the relationship of the analysis in the Draft SEIR to the 1995 OCP EIR is inadequately explained. The provisions of Sections 15162, 15163, and 15164 of the State CEQA Guidelines apply when the project being analyzed is a change to, or further approval for, a project for which an EIR was previously certified or adopted.

The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162, tiering from the 1995 Programmatic EIR for the Orcutt Community Plan but drawing

independent conclusions about the potential impacts of the project based on the current project information, regulations, and environmental setting. The Draft SEIR recognizes that the 1995 OCP EIR evaluated the potential for future residential development on Key Site 21, but that the programmatic analysis in the 1995 OCP EIR requires updated evidence and analysis to address the substantial changes in planned development on Key Site 21 under the proposed project and changes in the circumstances/setting under which the project is being undertaken. The Draft SEIR discloses the information, analysis, and conclusions in the 1995 OCP EIR where applicable and provides a comprehensive analysis of the proposed project in the context of the current environmental setting, including current applicable regulations, thresholds of significance and methodologies. The Draft SEIR incorporates applicable mitigation measures from the 1995 OCP EIR where appropriate and provides independent mitigation where required to address identified project impacts.

## Topical Response 5 – Noise Impacts

Commenters express concern about potential noise impacts on users of the public golf course, particularly during construction of the proposed new residential developments on Key Site 21. Commenters also state that early morning noise associated with landscape maintenance at the public golf course may affect new residents of the proposed project. Construction-related noise impacts generally are discussed in Section 4.11, Noise, under Impact N-1. As shown in Table 4.11-4 of the Draft SEIR, project construction would not exceed 65 dBA Leq at the nearest noise-sensitive receptors, which are single-family residences located north of the Key Site 21 boundary at the northeast corner of the site (refer to Figure 4.11-1). The public golf course is not identified by the County as a noise sensitive receptor. However, due to concerns expressed during the NOP process with regard to potential impacts to patrons at the golf course from project construction noise, Impact N-1 also discloses estimated temporary construction noise levels at the public golf course. As shown in Table 4.11-5 of the Draft SEIR, construction activity may result in short-term, daytime noise levels that would exceed 65 dBA Leq at the public golf course during the grading and paving phases of development of the proposed Willow Creek neighborhood.

The Draft SEIR concludes that patrons at the RMGC clubhouse and course users near the proposed Willow Creek neighborhood would be exposed to construction-phase noise that could exceed County standards if construction were to occur during early morning or evening hours and requires mitigation to reduce potential noise conflicts during project construction. Mitigation Measures N-1(a) and N-1(b) would ensure that construction activities only occur during normal daytime hours and on weekdays, when people are less likely to be disturbed by noise and would reduce sound levels from the loudest individual pieces of construction equipment. These required mitigation measures would reduce overall construction noise and prevent nighttime construction noise, which would ensure that average daily construction noise levels would not exceed the County of Santa Barbara's maximum acceptable level of 65 dBA CNEL.

CEQA generally does not require a lead agency to consider the effects of existing environmental conditions on a project's future users or residents (California Building Industry Assn. v. Bay Area Air Quality Management Dist. [2015] 62 Cal.4th 369, 392). However, because there exists a possibility of noise complaints from future homeowners against the RMGC or agricultural operators, the Draft SEIR includes a discussion of permanent noise impacts to new residential receptors in the proposed Willow Creek and Hidden Canyon neighborhoods, under Impact N-2. As discussed therein, the noise policies in the County's Comprehensive Plan Noise Element as well as OCP DevStd NSE-O-1.2 establish a 65 dBA CNEL noise level standard for outdoor activity areas and a 45 dBA CNEL noise level standard for indoor living areas at new residential units. Modern building construction

techniques that comply with the 2016 California Green Building Code requirements typically provide an exterior-to-interior noise attenuation of at least 25 dBA (FTA 2018). Based on the sound levels measured on the project site, the proposed residences would not be exposed to noise levels in excess of the County's exterior or interior noise standards.

## Topical Response 6 – Project Objectives and Alternatives

Commenters state that the Draft SEIR fails to analyze a range of project alternatives that avoid or substantially lessen significant impacts of the project. Related comments state that the project objectives are too narrow and constrain the range of alternatives, and that the Draft SEIR does not consider specific alternatives, including a low buildout option and an off-site alternative/alternative location on Key Site 21. State CEQA Guidelines Section 15126.6(a) states that "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives."

In Section 6.0, Alternatives, the Draft SEIR considers seven alternatives to the project including four project-specific alternatives developed for the current environmental review as well as the three alternatives that were analyzed in the 1995 Programmatic EIR for the OCP. The complete range of alternatives considered in the Draft SEIR included a "no project" alternative, three reduced-development alternatives, and the OCP low- and high-buildout alternatives. The alternatives evaluated in the Draft SEIR were found to be feasible, based on the State CEQA Guidelines Section 15126.6(a), which states that "among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site." The State CEQA Guidelines Section 15126.6(a) also states that "an EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation." Other alternatives can be considered but are not required to satisfy the requirements of CEQA.

With regard to requests that the Draft SEIR consider a low density, low buildout, or "ranchette" style buildout, the Draft SEIR considered Alternative 2, which would result in 38 units on 32 acres, reserving the remaining 114 acres of the project site as open space. This equates to 1.2 units per developed acre with 64 percent of the site reserved as open space. In comparison, the "low build-out" alternative described in the 1995 OCP EIR would result in approximately 41 ranchettes on 5-acre lots. The ranchette-style development under this alternative would be spread out over the project site and would not reserve open space. As the Draft SEIR includes evaluation of alternatives that would both reduce the development footprint on the project site and the total amount of new development, the lower density, and low buildout alternatives requested by commenters would not provide significant new information otherwise not disclosed in the Draft SEIR.

With regard to requests that the Draft SEIR consider an off-site alternative or an alternative location on Key Site 21, Section 6.2.2 of the Draft SEIR discusses a potential alternative that would include all of the parcels within Key Site 21 as potential development areas, allowing for a shift in the location of future residential development within Key Site 21 with the intention of addressing land use compatibility issues and impacts to sensitive resources. This alternative was considered but eliminated from further analysis on the basis that development under this alternative could preclude use of portions of the RMGC that are currently in operation, resulting in new, potential land use conflicts associated with public golf course operations and viability of this existing use, and

because Key Site 21 was specifically identified in the OCP for future development in the OCP area. This alternative was also found to present feasibility concerns relative to the economic viability of the existing public golf course use and the applicant's lack of control/access to APN 113-250-014. As a result of these considerations, this alternative was considered and rejected, consistent with *CEQA Guidelines* Section 15126.6(c). Additional alternatives in locations other than Key Site 21 were not considered on the basis that such alternatives would fail to meet the basic project objectives and would be potentially inconsistent with County policies, including the Comprehensive Plan and OCP policies specific to the development of Key Site 21. When considering the development of Key Site 21, the OCP acknowledged the existence of the RMGC and envisioned the buildout of Key Site 21 occurring on parcels other than 129.6 acre parcel (APN 113-250-014) that contains the golf course. Furthermore, the applicant does not own APN 113-250-014, therefore, no alternatives were considered that included development on RMGC property.

Pursuant to CEQA Guidelines Section 15126.6(a), alternatives shall be limited to those that would avoid or substantially lessen any of the significant effects of the project. None of the additional alternatives suggested by commenters would reduce any of the significant adverse environmental impacts identified in the Draft SEIR to a less than significant level. CEQA Guidelines Section 15126.6(a) also states that "an EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation." Other alternatives may be considered but are not required to satisfy the requirements of CEQA.

With regard to the project objectives identified in the Draft SEIR CEQA Guidelines Section 15124(b) states: "A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid decision makers in preparing findings or statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project." Pursuant to the 2014 case *Save Our Heritage Organisation v. County of San Diego,* the court's ruling was that neither CEQA nor the CEQA Guidelines impose limits on the project objectives in an EIR and courts do not have the authority to impose a limitation such as prohibiting a certain project objective in an EIR. The project objectives are listed in Section 2.6 of the Draft SEIR. The identified project objectives comply with CEQA guidance that the objectives include the project's underlying purpose. The underlying purpose is the first objective listed: "To develop the site consistent with the Orcutt Community Plan designation as one of the major residential Key Sites identified for future development." The other six objectives are consistent with, and support, the primary objective. They include objectives such as providing new housing units to meet the State's housing shortage, providing open space, providing a hiking trailhead that can access the Orcutt regional system, and providing development that is compatible with the RMGC. With respect to court interpretation of the CEQA Guidelines, the court has generally upheld that the jurisdiction is owed deference in their decisions regarding project objectives, unless manifestly unreasonable or they preclude reasonable alternatives. As discussed in the preceding paragraphs, the Draft SEIR considers a reasonable range of alternatives which were designed to address the significant and unavoidable impacts of the project and to be consistent with the 1995 Programmatic OCP EIR.

## Topical Response 7 – Adequacy of the SEIR Project Description

Several commenters raise concerns related to the completeness and adequacy of the Draft SEIR project description (Section 2 of the Draft SEIR). Specific project components raised by commenters include:

- Affordable units and in-lieu fees;
- Golf course protective netting;
- Widening of State Route 1;
- Access easements;
- Grading and cut and fill slopes;
- Water infrastructure (water treatment);
- Project statistics such as impervious surfaces, tree removal, and drainage; and
- Landscape buffer between the project and the RMGC.

The project incorporates the current Santa Barbara County Inclusionary Housing Ordinance specifications to pay in-lieu fees for the entire Affordable Housing project requirement. In addition, the project's provision of affordable units and/or payment of in-lieu fees is not critical information for the purpose of evaluating the project's potential environmental effects pursuant to CEQA. As described in CEQA Guidelines Section 15124 shall include:

- The project location;
- Project objectives and underlying purpose;
- A general description of the technical, economic, and environmental characteristics;
- The intended uses of the EIR; and
- All discretionary decisions and approvals subject to CEQA.

The project description "should not supply extensive detail beyond that needed for evaluation and review of the environmental impact." Specific project information and plans have been provided where available. The project description includes a discussion of the proposed golf course protective netting, widening along SR 1, site access and roadway easements, buffers, site grading and required cut and fill, retaining walls, water treatment, and water and sewer services and associated infrastructure. Where specific project effects are related primarily to a single environmental topic, additional detail has been included in the associated sections of the Draft SEIR; for example, removal of protected trees is discussed in detail in Section 4.4, *Biological Resources*, and new impervious surfaces are discussed in detail in Section 4.14, *Water Resources and Flooding*.

Section 2, Project Description, has been revised to include additional detail regarding the proposed golf course protective netting, as follows:

> The Willow Creek neighborhood would include residential areas on 37.2 acres and would provide 90 single family lots with an average residential lot size of 11,400 sf, a maximum building height of 35 feet, and a single story restriction on lots immediately adjacent to the golf course fairway. The Willow Creek neighborhood improvements also include gated secondary access at the golf course parking lot for emergency personnel and residents, installation of ~~a~~ approximately 550 linear feet of 60-foot high golf course ~~safety~~ protective netting to avoid errant golf ball activity within the proposed access road on the western property boundary, and associated landscaping and screening vegetation.

Section 2, Project Description, has been revised to include additional detail regarding the easement associated with the primary access to the Willow Creek neighborhood, as follows:

> **Access & Circulation.** Access to the project site would be provided from three new entry drives off SR 1. The Willow Creek neighborhood would include a new private road constructed

approximately 1,200 feet west of the main entrance to the golf course via a previously granted 60-foot wide easement paralleling the westerly property line. This road would cross the golf course property to serve as primary access to the 90 home sites at the Willow Creek neighborhood.

The Draft SEIR describes the proposed frontage improvements along SR 1 in Section 2, Project Description, and Section 4.13, Transportation and Circulation. The project would require widening both sides of SR 1 at the Hidden Canyon access point (APN's 111-240-026 and 113-250-015) and the north side of the right-of-way at the Willow Creek access point (APN 111-240-018). The widening is required to provide 12-foot travel lanes, a 12-foot westbound left-turn lane, 8-foot shoulders, approach tapers, and left-turn deceleration and storage based on Caltrans standards. The widening requirement varies based on location and involves approximately 20 to 25 feet of additional pavement along with the removal of the existing utility poles along the north side of SR 1 and the undergrounding of the utilities (power and communication lines). West of the project site, the roadway will transition back to the existing two lane highway. All mitigation measures described in the Draft SEIR associated with ground disturbing activities (e.g., archaeological monitoring, biological resources avoidance and minimization measures, and geotechnical recommendations) would apply to construction of the proposed roadway improvements. Because SR 1 is a State facility, intersection design, including left-turn channelization and deceleration, would conform to the design criteria contained in Topic 405 – Intersection Design Standards of the California Department of Transportation (Caltrans) Highway Design Manual. Caltrans would be a responsible agency for reviewing and approving the frontage improvements within Caltrans right-of-way along SR 1.

Letter 1

## Lance Unverzagt

**From:** Eady, Dana <dcarmich@co.santa-barbara.ca.us>
**Sent:** Monday, July 8, 2019 9:07 AM
**To:** Chris Bersbach
**Cc:** Shoals, John
**Subject:** FW: Willow Creek & Hidden Canyon residential subdivision projects
**Attachments:** Orcutt Community Plan (1).pdf; P and D pending project.pdf



Hi Chris,

Please see the comments below regarding KS 21.

Thanks,
Dana

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**From:** Turner, Clayton <crt2256@sbsheriff.org>
**Sent:** Tuesday, July 02, 2019 4:20 PM
**To:** Eady, Dana <dcarmich@co.santa-barbara.ca.us>; Eady, Dana <dcarmich@co.santa-barbara.ca.us>
**Cc:** 'Brown, Mike S@CHP' <MSBrown@chp.ca.gov>; Shawn O'Grady <swo2659@sbsheriff.org>
**Subject:** Re: Willow Creek & Hidden Canyon residential subdivision projects

Dear County of Santa Barbara Planning & Development C/O Dana Eady,

Please add to any associated file that here at the Santa Maria Sheriff's Station, we have a limited number of field patrol deputies deployed at any one time.

These Deputies are responsible for law enforcement services for an approximate 1,000 square mile area. That area includes large open rural areas with many ranches, businesses, but also the communities of Orcutt, Los Alamos, Tepesquet Canyon, Gary, Sisquoc, Casmalia and residential parcels in/around Guadalupe & throughout the region we patrol.

With that said, in the event of an emergency requiring law enforcement assistance, there could be a significant delay until we (The Santa Barbara Sheriff's Office, SMSO Station) can assist and/or arrive on-scene to the proposed Willow Creek & Hidden Canyon residential subdivision projects upon their completion and occupancy.

My concern, as operational bureau commander of this Sheriff's Station, is as noted in the (attached, pgs. 118-119) Orcutt Community Plan, staffing levels and applicable Santa Maria Sheriff's Station improvements have not kept pace with recent & significant growth in the Orcutt, Los Alamos, Tepesquet Canyon, Gary, Sisquoc, Casmalia and residential parcels in/around Guadalupe & throughout the region we service.

Without staffing and infrastructure mitigation, I believe that adding another (anticipated) 146 single family dwellings could potentially impact the local office of the SBSO's ability to swiftly & proactively respond to and administer to the entire community.

Anecdotally this is due to a tardiness in the implementation of "C. Planning Issues" (noted on p. 118 of the attachment) which, in essence, are critically needed enhancements for the current facility, additional sworn and support personnel

staffing levels and/or Sheriff's dispatch center, so as to ensure optimal service and performance levels and expectations for the areas we service.

I've taken the liberty of copying my counterpart at the California Highway patrol, (Lieutenant Michael Brown), as the proposed location's traffic enforcement is performed by the CHP and access for the development would be c/o State Highway 1.

-Clay

*Lieutenant Clay Turner*
*Northern Stations/Santa Maria*
*NORTH COUNTY OPERATIONS DIVISION*
*Santa Barbara County Sheriff's Office*
*crt2256@sbsheriff.org*
*805-934-6150*
*Fax: 805-934-6182*

# Letter 1

**COMMENTER:** Lieutenant Clay Turner, Santa Barbara County Sheriff's Office

**DATE:** July 2, 2019

## Response

The commenter states that adding another (anticipated) 146 single family dwellings could potentially impact the local office of the Santa Barbara Sheriff's Office's ability to swiftly & proactively respond to and administer to the entire community. The commenter believes that this is due to the implementation of "C. Planning Issues" which are enhancements for the current facility, additional sworn and support personnel staffing levels and/or Sheriff's dispatch center, so as to ensure optimal service and performance levels and expectations for the areas serviced by the local office.

The project would require payment of police protection service development impact mitigation fees (DIMFs), which the Santa Barbara County Sheriff's Office could use for the referenced facility enhancements and personnel staffing to ensure that optimal service and performance levels are met.

Letter 2

[redacted]

To: dcarmich <dcarmich@co.santa-barbara.ca.us>
Sent: Tue, Jul 9, 2019 05:36 AM
Subject: Fwd: The Neighborhoods of Willow Creek & Hidden Canyon Subsequent Environmental Impact Report (SEIR)

**Subject: Re: The Neighborhoods of Willow Creek & Hidden Canyon Subsequent Environmental Impact Report (SEIR)**

Hi Dana,

Bognuda Family Parcel # in concern: 113250011 and 113280004.

Note these two parcels have been owned by my family since the year of 1940. Primary use was dairy, farming, and ranchland / cattle. Currently there is row crop farming on the lower parcel and ranchland cattle grazing on both parcels.

Some key concerns about The Neighborhoods of Willow Creek & Hidden Canyon project:

**1.) Our agriculture and water wells that supplies water to the row crops and water to cattle as well as to the six ranch homes.**

It is our understanding that this project will get its supply of water from two wells (With in 150' of our current AG well according to map) to be drilled in which could put a supply strain on the water table to meet the demand of a 146 homes, landscaping and surrounding areas. As we all know the Rancho Maria Golf Club plus other row crop farming operations and any domestic water well could be affected by this new demand especially during drought years in the surrounding areas. Please see attached photos ending in 136626.jpg and 140346.jpg to take note of current water usage in surrounding area. With this concern, our wells as well as others could be affected such as GPM rate fall off or even a lower water table level which in turn would require well rework or even a newer deeper larger casing well. Who will pay for this? And will it correct the problem? We did not ask for this increase in usage and it may be given to the right of this new development which intern could effect, shut down of our farming / ranching operation. There must be protection built in for us and we should not bare any cost do to lost of water which can effect our revenue. This cost and lost of potential revenue should be a burden to the developer and home owners from the beginning and no end.
A proposed solution would be another water supply for The Neighborhoods of Willow Creek & Hidden Canyon project other than well water. Such as pipe in water from another source such as **Golden State Water Company** https://www.gswater.com/santa-maria/ 2.1

**2.) Our concern about the buffer zone and proper fencing for separation form row crop / cattle operation from purposed development.**

It is a must that our operation is separated with a buffer zone not to be occupied, whether it be trails for walking or any other activities. This buffer zone must be properly fenced whether it be for row crop farming and or cattle grazing. Do to some of the following reasons. Ground prep for planting, (Note: some dust can be created during ground prep) and spraying crops whether it be done by tractor or aerial spraying for what ever reason. Cattle must be fenced properly we would not want to have cattle out in the new development or on State Hwy 1. **The buffer zone / fencing shall be posted No Trespassing strictly enforced and be maintained by the HOA for all time with vegetation kept mowed down especially along fence line.** We have had issues in the past and currently have issues with people trespassing. In the past we have had a few cattle shot and killed as well as people harassing them to the point they run them selves to death. They can potentially brake down fences and or hurt someone. It is a must that this does not occur. With the potential of a 146 new homes next to our operation, we feel this risk will greatly increase. The purpose for the cattle operation on our ranch is for revenue and to decrease fire risk in the summer time none raining season do to the cattle grazing keeping the grass and brush to a lower level to prevent potential fire risk from surrounding area's. We all have seen the damage and death from wild fires in the State Of California and the damage it can cause. And if you notice, PG&E has electrical power transmission towers crossing the back side of our ranch as well as other properties including behind the purposed development. 2.2

**3.) Traffic is another concern on State Hwy 1.**

An increase of 146 homes on the purposed development will most diffidently increase the traffic on State Hwy 1. You would have to say each home would have at least two or three cars which is a potential of 292 to 438 vehicles within these homes that will be traveling in and out onto State Hwy1 and who knows how many times per day with two or more drivers per home plus all service vehicles such as garbage trucks, deliveries trucks and others. Over the years we have seen many accidents on that section of State HWY 1. There is traffic of all sorts of many reasons such as trucking out of Guadalupe CA, agriculture traffic, Casmaila Ca, oil industry, the homes of Tanglewood and many others. 2.3

One other issue that may have been over looked is the potential air traffic directly over Rancho Maria Golf Club. If you look at a Google map and line up the flight path to land and take off at the Santa Maria Airport know as SMX. The runway known as 2/20 - 5189' asphalt runway flight path is directly over the Neighborhoods of Willow Creek & Hidden Canyon project which put these homes as risk for a incident. Please look at attached photos ending in 181659 (1).jpg and P1040302s.jpg

**4.) Run off from development do to rain, storm water and in general such as irrigation.**

Currently the condition now is there no issues of water run off do to the Rancho Maria Golf Club irrigation system onto our property. As well as we have not had any issues of our irrigation system to water row crops cause any effect Rancho 2.4

Maria Golf Club. During rainy season and heavy rain storms there has been some flooding on State Hwy 1. Caltrans has had to put up signage stating flood area, drive slow near the lower fence line between Rancho Maria Golf Club and our row crop field / agriculture well area and towards the entrance to the Rancho Maria Golf Club. Caltrans employees have stated to us in the past that the culvert drainage pipe to drain this heavy rain run off to the Solomon Creek is undersized and is located to far away. With the possibility of the Neighborhoods of Willow Creek & Hidden Canyon development taking place, this could enhance this drainage issues. At no point will we have any discharge / drainage water from this potential development to effect our two parcels. There also must be protection for us if this development were to move forward and a system in place to be maintained for possible future run off drainage at no cost to us whether it be our property or the Neighborhoods of Willow Creek & Hidden Canyon. For now as it stands currently the only issue is during heavy rains the run off water cannot drain fast enough do to badly located undersize culvert drainage pipe managed by State of California / Caltrans dept. 2.4 cont.

**To some up this concern:** whether the rain run off is being produce on our property or the purposed Neighborhoods of Willow Creek & Hidden Canyon development. All concerns need to be engineered and all cost to the developer at no lost to us in land and usage or cost and to be maintain by the HOA.
Please look at attached photos ending in 173508.jpg yellow thumb tack area where flooding has occurred in heavy rains.

**5.) Some other general concerns over the Neighborhoods of Willow Creek & Hidden Canyon proposed development.**

1. Trash blowing in our direction do to heavy winds which is quite often in that area.
2. The change in a country setting view. Such as views of homes and large water tanks for water supply for development.
3. The effect of the abundance of wild life in that area and much of this wild life feeds off and gets it water from the Rancho Maria Golf
   Club do to ponds and etc.
4. Equipment noise during night for surrounding agriculture operations.
5. The simple fact of the increase in population and structures in such a small beautiful setting as it is now.

2.5

**Thank you Dana for the opportunity to express some of our concerns You have been a wonderful asset to us. Santa Barbara County is so lucky to have you on board for these future developments and all the efforts you put into make sure a proper decision is made. Any question, please call me at 805-431-4982**

**Jimmy Bognuda**

-----Original Message-----
From: Eady, Dana <dcarmich@co.santa-barbara.ca.us>
To: lowflyby2@aol.com <lowflyby2@aol.com>
Sent: Thu, Jun 20, 2019 4:09 pm
Subject: The Neighborhoods of Willow Creek & Hidden Canyon Subsequent Environmental Impact Report (SEIR)

Hi Jimmy,

I hope you are doing well. I wanted to let you know that the Neighborhoods of Willow Creek and Hidden Canyon Draft SEIR public review and comment period will begin tomorrow, June 21, 2019 and will end on August 5, 2019. The Draft document and appendices are posted online on the project's page at this link: http://www.countyofsb.org/plndev/projects/neighborhoodskeysite21.sbc A public meeting to receive comments on the Draft SEIR will be held on July 11th at 5:30 p.m. at the Betteravia Government Center, Board of Supervisors Hearing Room, 511 East Lakeside Parkway, Santa Maria, CA 93455. Please feel free to contact me with any questions.

Thank you,

**Dana Eady**
**Planner III**
Planning & Development
Development Review Division
624 W. Foster Rd. Suite C
Santa Maria, CA 93455

(805) 934-6266
http://www.countyofsb.org/plndev/home.sbc

# Letter 2

**COMMENTER:** Jimmy Bognuda

**DATE:** July 9, 2019

## Response 2.1

The commenter states that they are concerned about the effect of the project's use of two wells for its domestic water supply that are within close proximity to his agricultural wells and which could affect the production of his wells and other existing wells in the area. The Draft SEIR includes a water well feasibility analysis prepared for the project by Kear Groundwater in February 2018 (Appendix L). The findings of the water well feasibility analysis are summarized in Draft SEIR Section 4.14, Water Resources and Flooding. This discussion includes recommendations for modern drilling, analysis, and well construction techniques (Mitigation Measure WR-3) and concludes that Implementation of required mitigation would ensure new wells would meet the OCP standard for TDS concentrations and impacts related to groundwater quality would be reduced to a less than significant level. In addition, Responses 8.1 through 8.8 and Responses 10.1 through 10.7 include detailed responses to comments received regarding the conclusions of the Draft SEIR and the water well feasibility analysis during the public review period.

## Response 2.2

The commenter states that the project must include a buffer zone that is not occupied with structures and is not used for walking or trails to separate his agricultural operation from the project. The potential for indirect impacts associated with an increase in the number of residents in the area is addressed in Section 4.2, *Agricultural Resources*, which addresses issues such as new accessible pedestrian pathways, bike paths, and roadways which would increase public access near existing agricultural areas. As discussed under Impact AG-1 in Section 4.2, these effects can result in direct economic impacts to agricultural operations, potentially impacting the overall economic viability of continued agricultural operations. The Draft SEIR states that OCP DevStd LUA-O-2.3 requires all new urban development bordering agriculturally designated lands to include a minimum 100-foot buffer between structures and agricultural land.

As described in Section 2, *Project Description*, the project includes a 200-foot wide agricultural buffer along the eastern and western edges of the project area between the planned residential development and existing cultivated agricultural fields located on adjacent parcels to the east and west. The project also includes a 100-foot buffer along the eastern, western, and southern edges of the project area between the planned residential development and existing grazing lands. No buildings or structures would be permitted in the agricultural buffer areas. Buffer areas along the western boundary of Key Site 21 include a proposed primary access road. Buffer areas along the eastern boundary of Key site 21 include proposed primary and secondary access roads, a public trail, a water tank, and landscaped areas. These buffers are intended to limit potential conflicts between residential development on the project site and the adjacent agricultural lands by reducing or avoiding noise, dust, light impacts, odors, chemical use, and pesticide drift to new residential uses on the project site as well limiting public access that may result in vandalism to farm equipment or fencing, and theft of crops at adjacent agricultural uses. The commenter's recommendation that the buffer zone not be occupied by trails will be forwarded to County decision makers for their consideration.

## Response 2.3

The commenter states that the 146 proposed homes would result in increased cars utilizing State Highway 1, along with the associated potential for traffic and accidents. In addition, the commenter states that air traffic from the Santa Maria airport appears to go over the proposed development, putting the new homes at risk of an incident.

Traffic impacts are discussed in Topical Response 3, which addresses the issue of project-related traffic impacts to the RMGC. The project site is not located within the Airport Approach Overlay. Nevertheless, the likelihood of incidents from air traffic is very low. In addition, CEQA requires analysis of the project's impact on the environment; not the environment's impact on the project. The commenter's concerns will be forwarded to County decision makers for their consideration.

## Response 2.4

The commenter states there are no existing issues with stormwater from the project site/RMGC entering the commenter's agricultural parcels. However, the commenter states that Caltrans has stated in the past that the culverts under SR 1 are undersized and the commenter is concerned with discharge/drainage water entering his property. The potential for the project to alter existing drainage patterns is addressed in Section 4.14, *Water Resources and Flooding*. As discussed under Impact WR-2 in Section 4.14, the project would increase impervious surfaces on Key Site 21 by an estimated 62.7 acres (residential development and roads), redirecting the drainage of surface flow during storm events. The anticipated increase in impervious surfaces from the project would not exceed the 25 percent threshold for Key Site 21 as a whole.

The project includes on-site bio-retention facilities and Low Impact Design (LID) features designed to comply with Santa Barbara County Flood Control District (SBCFCD) requirements that post-development peak stormwater flows not exceed pre-development flows for 2-, 5-, 10-, 25-, 50-, and 100-year storm events. Accordingly, the project would be required to implement retention facilities and other applicable OCP mitigation measures to reduce peak flows with the overflow captured in desilting/retention basins and the proposed LID features would divert drainage to landscaped areas to promote infiltration. Excess runoff would follow the historical drainage course that runs south-to-north along the center of the Specific Plan area. Impact WR-2 in Section 4.14 concludes that compliance with existing design guidelines, applicable SBCFCD requirements for post-development peak stormwater flows and BMPs, and maintenance requirements described in the Neighborhood Stormwater Control Plans would ensure that potential flooding impacts and impacts to on-site and off-site drainage would be adverse, but less than significant.

## Response 2.5

The commenter expresses concerns with several potential issues, including trash, views of water tanks, wildlife, nighttime equipment noise, and an increase in population. The commenter's concern about trash being blown by heavy winds is not a comment on the Draft SEIR's adequacy or accuracy but will be forwarded to the County decision makers for their consideration.

Potential impacts associated with views of new homes and water tanks from public viewsheds are discussed in Section 4.1, *Aesthetics*. Mitigation Measure AES-2(a) requires that new development (including structures and water tanks) adjacent to areas within the open space overlay be sited and designed in such a manner to protect and enhance the visual character of the open space overlay area through use of landscape buffers, shielding of night lighting, screening of parking areas, and unit orientation. Mitigation Measure AES-2(a) also requires natural building materials and colors

compatible with surrounding terrain (i.e., earth tones and non-reflective paints) shall be used on exterior surfaces of all structures, including water tanks and fences.

As discussed in the Draft SEIR Section 4.4, Biological Resources, the project would not impact the man-made pond (refer to the Impact BIO-2 discussion), nor would it affect the irrigation reservoir. The project does not propose to replace or convert RMGC uses and existing features on the RMGC property would not be affected by the project. In addition, the project would preserve existing features within the open space overlay. As a result of these factors, existing wildlife use of golf course ponds as a water source would not be affected by the project.

Refer to Draft SEIR Section 4.10, Noise, for a discussion of the project's potential noise impacts. Also refer to Topical Response 5 for a discussion of potential noise impacts on nearby sensitive receptors.

As discussed in Section 5.15.8, *Population/Housing*, there would be no impacts related to population growth because the project's proposal to develop 146 new residential units would be consistent with the anticipated growth on Key Site 21 under the OCP.

Letter 3

[redacted]

**From:** Wilder, Marty
**Sent:** Friday, July 12, 2019 9:03 AM
**To:** Eady, Dana <dcarmich@co.santa-barbara.ca.us>
**Subject:** Subsequent EIR for Neighborhoods in Key Site 21

Hello Dana,

Upon a review of the environmental documents, Laguna County Sanitation District has the following comments:

1. It should be stated that self-regenerating water softeners (salt load style) are prohibited per County Ordinance 4821 (County Code 29-26 and 29-26.1. Only canister style units can be used for actual water softening. 3.1
2. 4.12.1 - a – Note that the district is currently regulated under Permit R3-2011-0217.
3. 4.12-1 b – Wastewater regulatory setting list County EHS for onsite disposal systems but does not mention the Regional Water Quality Control Board for wastewater agencies.
4. Page 4.12-4 – under Orcutt Community Plan – Development Standard WW-O-3.1 is misstated and is intended to address pretreatment requirement for food service establishments and certain industrial dischargers (the mention of charcoal filters is inaccurate). 3.2
5. Page 4.12-5 – under OCP EIR – the project is located within the service territory of the Laguna County Sanitation District (SEIR states it is outside (WW-3).
6. Page 4.12-5- under OCP EIR – the mitigation measures to reduce TDS are not entirely feasible. See comments following. 3.3

7. Page 4.12-7 under Wastewater- the wastewater generation rates identified are outdated and are too high. Current district design standards (2014) should be used.
8. Page 4.12-9 Under Impact PS/R-2 – similar comment as #7. Current sewer model estimates this project will generate approximately 38,000 gpd average daily flow. 3.4
9. Page 4.12-10 – Table 4.12-3 Project Wastewater Flows, should be revised to reflect average and peak flows (runoff is an inaccurate term).
10. Page 4.12-10 – Paragraph below table should read off-site sewer main not trunk and feeder. 3.5
11. Page 4.12-14 under Wastewater – Same comment as #7, wastewater generation is not accurate. 3.6
12. Page 4.15-15 – With respect to OCP DevStd WW-O-3-2 and policy WAT-O-5, it should be noted that the TDS limit of 425 ppm (sodium and chloride are also considered) was derived at a time when effluent limits did not comply with newly adopted Basin Plan Objectives for TDS, Na and Cl. The concept was to average existing effluent concentrations with the influent concentrations of new development assuming the use of imported State Water. This concept was not successful given the lack of State Water available. To comply with the RWQCB Order, LCSD implemented a regulatory plant upgrade that reduced TDS, Na and Cl to levels required by basin Plan Objectives (completed 2003). Additional salt reducing measures include a prohibition of salt load style water softeners on all new development after January 1, 2012. 3.7
13. Page 4.14-16 and Appendix L (report by Kear Groundwater) – The concept to reduce salt via RO at the proposed water well system is noted and certainly would help maintain water quality, however, there are no local brine disposal facilities. The Kear report indicates that approximately 31,500 gallons per day of brine with a concentration of 1,300 ppm TDS would be generated. This volume cannot be trucked practically. In addition, the report suggests that the brine waste could possibly be irrigated. It should be noted that the 1,300 ppm TDS exceeds Basin Plan Objectives set by the RWQCB. 3.8

Martin Wilder, P.E. – Manager
Laguna County Sanitation District

# Letter 3

**COMMENTER:** Marty Wilder, P.E. – Manager, Laguna County Sanitation District

**DATE:** July 12, 2019

## Response 3.1

The commenter states that self-regenerating water softeners are prohibited and that only canister style units can be used for actual water softening.

The applicant proposes that the project's single family dwellings will use canister style water softening units, which do not generate brine and are available from a local service provider for service and exchange of the canister filtration units as necessary. To be consistent with Laguna County Sanitation District's (LCSD) prohibition ordinance on salt load style water softeners after January 1, 2012 (County Code 29-26 to 26.1), the County will require a Condition of Approval reflecting the prohibition on self-regenerating water softeners. The condition of approval will also be carried over to the project's CC&R's.

## Response 3.2

The commenter suggests noting that the district is currently regulated under Permit R3-2011-0217 within Section 4.12.1(a). This revision has been made in the Draft SEIR. The commenter also suggests Section 4.12.1(b) be revised to note that the Central Coast Regional Water Quality Control Board (CCRWQCB) be added as a regulator for on-site disposal systems. This revision has also been made in the Draft SEIR.

The commenter notes that Development Standard WW-O-3.1 is misstated. Therefore, page 4.12-4 has been revised has follows:

> DevStd WW-O-3.1, which requires all new commercial and industrial development, which will contribute grease, oils, and/or chemicals to wastewater flows, to be fitted with onsite filtration consisting of charcoal filters or other methods approved by the LCSD to reduce site-specific discharge of these substances ~~on-site filtration systems for developments contributing to wastewater flows~~;

Lastly, the commenter states that on page 4.12-5, the Draft SEIR incorrectly describes the project as located outside the LCSD. The Draft SEIR has been revised accordingly. These revisions do not change the conclusions of the Draft SEIR.

## Response 3.3

The commenter states that the mitigation measures to reduce total dissolved solids (TDS) (page 4.12-5 of the SEIR) are not entirely feasible, referring to later comments that describe the commenter's specific concerns. Refer to Response 3.8.

## Response 3.4

The commenter states that the wastewater generation rates used are outdated and that the 2014 district design standards should be used.

LCSD conducted a second review of the wastewater generation rates in the Draft EIR at the request of County staff and applicant team representatives in November 2019 and concurred that the

wastewater generation rates used in the Draft EIR are based on the 2014 LCSD Standard Specifications and are acceptable for the project.

## Response 3.5

The commenter suggests that the header of Table 4.12-3 should be revised to state that the table describes average and peak flows. Additionally, the commenter states that the term 'runoff' is should be replaced with 'flows'. The term 'runoff' has been replaced by the word 'flow' throughout Impact PS/R-2, including Table 4.12-3. The commenter suggested additional revisions to the paragraph following Table 4.12-3, which has been revised as follows:

> The project would also require addition of an off-site ~~trunk and feeder lines~~ sewer main on Key Site 22, north of the project site. In compliance with OCP EIR Mitigation Measure WW-4, the project would be required to pay ~~trunk and feeder line~~ sewer fees to fund these required off-site improvements. The project would not require new off-site stormwater drainage facilities; as discussed in Section 4.14, *Water Resources and Flooding*, stormwater ~~runoff~~ flows from the project site would discharge at or below existing drainage conditions, consistent with SBCFCD's post-development ~~runoff~~ flow criteria. The project would connect to existing off-site electric power, natural gas, or telecommunications facilities. Therefore, with the payment of required trunk and feeder line fees for wastewater infrastructure, impacts associated with the expansion or constructions of new wastewater treatment facilities and other utilities would be less than significant.

## Response 3.6

The commenter states that the wastewater generation are not accurate. Refer to Response 3.4.

## Response 3.7

The commenter provided background technical details regarding OCP DevStd WW-O-3-2 and Policy WAT-O-5. The comment does not request a correction or clarification to the Draft EIR. Also refer to Response 3.1 for a discussion of the prohibition of salt load style water softeners.

## Response 3.8

The commenter notes that the concept of reducing TDS via reverse osmosis, described in Mitigation Measure WR-3 Appendix L, would help maintain water quality, but states that there are no local brine disposal facilities and the proposed volume could not be trucked practically. The commenter also states that the brine waste could not be used for irrigation because the concentration would exceed the Basin Plan Objectives set by the Central Coast Regional Water Quality Control Board (and could not be used for irrigation). Mitigation Measure WR-3 describes a range of modern drilling, analysis, and well construction methods that may be used to ensure new wells would meet the OCP Policy WAT-O-5 standard for TDS concentrations, but does not limit mitigation to reverse osmosis that would result in brine waste. Mitigation Measure WR-3 requires that any disposal of brine waste be approved by Planning & Development and does not recommend or require use of brine waste for irrigation.

Refer to Response 3.1 which states that canister style water softening units will be used in lieu of reverse osmosis. As a result, no brine will be produced, and local service providers are available for the service and exchange of canisters as necessary.

Letter 4

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[redacted]

[redacted]

**From:** Rich Adam <RAdam@smvlaw.com>
**Sent:** Thursday, July 18, 2019 3:16 PM
**To:** Eady, Dana <dcarmich@co.santa-barbara.ca.us>
**Cc:** kerry@adambros.com
**Subject:** Comment on Willow Creek & Hidden Canyon Project SEIR



Ms. Eady:

This office represents Iceberg Holding, LLC ("Iceberg") in matters related to the Willow Creek & Hidden Canyon Project (the "Project"), including the recent SEIR related thereto. As you know, Iceberg is the owner of the property immediately across Highway 1 from the Project and has provided comments to you previously.

After review, we find fault with the SEIR's treatment of future road access and traffic flow, particularly as they relate to the currently proposed extension of Union Valley Parkway ("UVP"). As you know, this extension has been contemplated for many years. Indeed, the Orcutt Community Plan ("OCP") has designated the location of this extension through Key Site 22, portions of which are owned by Iceberg, as well as a termination for the same at a future intersection on SR 1 in close proximity to the Project. Clearly, adequate planning requires analysis of the alignment of proposed Project access points from SR 1 in relation to the proposed access point of UVP, a road that almost certainly will be heavily used. Notwithstanding this fact, the SEIR contains the following passage related to this issue:

Previous discussions with County Public Works staff indicated that the ultimate location of the UVP connection to SR 1 has not been determined and may not align with the proposed easterly driveway because of several factors, as discussed below:

(1) Although, a "preferred roadway alignment" has been identified in the Orcutt Community Plan, this alignment is not final and the location and width of the roadway is largely dependent upon the intensity of the development on Key Site 22. Given the land constraints on the property, development may not occur in the foreseeable future.

(2) If UVP were to be extended in the future, the County could develop alternative alignments to accommodate project access locations, or may be agreeable to a UVP intersection between the project access driveways.

Aside from the fact that portions of this passage are inaccurate (the discussion of which is beyond the scope of this letter), it is also, in our opinion, facially inconsistent with good planning practices, which requires a modicum of analysis at this juncture rather than a conclusory contention that "we can fix it in the future." The failure to meaningfully account for UVP also raises questions about the accuracy of the entirety of the traffic study set forth in Appendix K.

Unless such analysis is conducted, we believe that the SEIR is patently inadequate and raises serious concerns related to the Project as a whole.

Thank you for your consideration of this important matter.

Rich

**Richard E. Adam, Jr.**
**Juarez, Adam & Farley**
**625 E. Chapel**
**Santa Maria, CA**
**93454**
**(805) 922-4553**

# Letter 4

**COMMENTER:** Richard E. Adam, Jr., Juarez, Adam & Farley

**DATE:** July 18, 2019

## Response 4

The commenter states that the Draft SEIR fails to account for future road access and traffic flow, particularly as they related to the planned Union Valley Parkway connection to SR 1.

The future extension of Union Valley Parkway (UVP) will be associated with the development of Key Site 22 and therefore is not anticipated to occur in the next 5-10 years given that no current development proposals exist for Key Site 22. The OCP analyzed full buildout of Key Site 21 assuming 150 single-family homes. The current project proposes to construct 146 single-family homes, and as a result, the project is consistent with the OCP EIR. Pursuant to County traffic analysis guidelines and direction from County Public Works staff, the Traffic and Circulation Study for the project included analysis of existing conditions, project-specific conditions, and cumulative conditions with and without the project. The traffic analysis for this project does not include analysis of long-term cumulative (buildout) conditions. The Traffic and Circulation Study (Appendix K) states the following:

> "The Orcutt Community Plan (OCP) identifies a proposed extension of Union Valley Parkway (UVP) through Key Site 22, located directly across and north of the Rancho Maria Golf Club, to SR 1. Previous discussions with County Public Works staff indicated that the ultimate location of the UVP connection to SR 1 has not been determined and may not align with the proposed easterly driveway because of several factors, as discussed below:
>
> - Although, a "preferred roadway alignment" has been identified in the Orcutt Community Plan, this alignment is not final and the location and width of the roadway is largely dependent upon the intensity of the development on Key Site 22. Given the land constraints on the property, development may not occur in the foreseeable future.
> - If UVP were to be extended in the future, the County could develop alternative alignments to accommodate project access locations, or may be agreeable to a UVP intersection between the project access driveways."

Buildout traffic forecasts for the Orcutt area that include the UVP extension are included in the OCP EIR analysis and the Old Town Orcutt traffic study, however these reports do not provide a detailed analysis of the location and operation of a future intersection with SR 1. A detailed analysis should be conducted once alignment through KS 22 is determined.

Letter 5

STORRER ENVIRONMENTAL SERVICES

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Ms. Dana Eady
County of Santa Barbara Planning & Development
624 W. Foster Road, Suite C
Santa Maria, CA 93455

July 18, 2019

**Re: Review of Subsequent Environmental Impact Report Biological Resources Section – The Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project [19-EIR-00000-00002]**

Dear Ms. Eady,

On behalf of Rancho Maria Golf Club, I have reviewed the referenced document (SEIR) prepared by the County of Santa Barbara Planning & Development Department with assistance from Rincon Consultants, Inc. My review of the SEIR is limited to the Biological Resources Section, as that is my area of expertise. My familiarity with the project area stems primarily from having conducted aquatic surveys for California tiger salamander on the Rancho Maria Golf Course Property in 2017 and 2019.

Please consider the following comments.

The SEIR relies primarily on information submitted in support of the application for development (Dudek 2016). I provided comment on that document during the scoping process for the SEIR (SES 2018).

Wetlands (Page 4.4-8): It's unclear in the description of "wetlands" if these features sustain surface water, and if so, for how long. This is relevant to potential for breeding by amphibian species such as California tiger salamander, California red-legged frog, and western spadefoot. 5.1

Vernal Pool Fair Shrimp (Page 4.4-16): Protocol level (presence/absence) surveys for vernal pool fairy shrimp were not conducted, but the SEIR states that "…*the seasonally ponded features detected on the site (Appendix C) may be suitable habitat for vernal pool fairy shrimp*." There is insufficient information regarding hydroperiod of ponded features to make conclusions regarding potential for these species to occur onsite. Hydroperiod is also relevant to potential for breeding by amphibian species of special concern (including state/federally-listed species), as noted in the previous comment. Mitigation Measure BIO-2(i) requires protocol level surveys for listed 5.2

Brachiopods prior to issuance of zoning clearance and compensatory mitigation if impacts to occupied habitat are to result. These surveys would occur after the project receives it discretionary entitlements. The potential impacts should be evaluated in the context of the SEIR and not deferred until the environmental review process has been concluded. 5.2 cont.

Southwestern Pond Turtle (Page 4.4-16): Regional status of this species is briefly described with a handful of other reptile species of special concern. There are several records for southwestern pond turtle in Orcutt Creek, two tributaries of which cross the subject property. There are also ponded wetlands described both onsite and near-site that could support this species. Southwestern pond turtle deserves more consideration in the SEIR, as it may soon be proposed for listing under the Federal Endangered Species Act. There is insufficient basis for the conclusion on Page 4.4-36 that impacts to this species will be less than significant. 5.3

Impact BIO-3 (Page 4.4-48): Impacts to sensitive habitats are described as follows*: "Impacts to sensitive communities and riparian habitats include the removal of up to 1.5 acres of purple needlegrass grassland, 0.73 acre of perennial ryegrass grassland, 2.20 acres of coastal scrub (2.19 acres of coyote brush scrub and 0.01 acre of California sagebrush scrub) and well as the permanent removal of up to 1.55 acres and temporary impacts of up to 0.11 acre of riparian vegetation (arroyo willow thicket).*" The loss of over 2 acres of native grassland and 1.5+ acres of riparian habitat is significant by any measure. Are there not design alternatives that would reduce these numbers? 5.4

The SEIR seems to be missing a complete quantification of the various habitat types that will be permanently and temporary impacted by the project. There is a brief reference to acreage on Page 4.4-48, as noted in the previous comment. This acknowledges impacts to protected habitats including native grasslands (2+ acres) and riparian woodland (1.5+ acres) communities. These impacts exceed County thresholds of significance. A table that shows the vegetation type, total acreage on the property, and total number of acres permanently/temporarily impacted would better reveal the magnitude and significance of impacts. This in turn would enable assessment of the adequacy of proposed mitigation. 5.5

It's not clear which project components (e.g., housing, roadways, utilities) are responsible for the impacts. A graphic that illustrates biological constraints (e.g., ESH boundaries and required setbacks, listed species habitat, rare plant occurrences) with the development footprint would help to determine if these resources can be avoided through reconfiguration of the project. It doesn't appear that such design alternatives have been considered. 5.6

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Botanical Surveys (Page 4.4-32): "In-season" botanical surveys were apparently not conducted for the sewer line alignment. Measures BIO-1a (Pre-construction Surveys) and BIO-1b (Special Status Plant Species Avoidance) are intended as mitigation. The surveys should have been completed in support of the SEIR so that potential impacts could be analyzed in this context. Two special status plant species, Blochman 's dudleya and Kellogg 's horkelia were found during field surveys in 2016. Review of the project design and alternatives should consider occurrence of these species. 5.7

California Tiger Salamander (Page 4.4-35): California tiger salamanders also bred at SAMA-21 in spring of 2019, as documented through a field survey on April 16, 2019 (SES 2019). The impact analysis must consider that this population is extant. 5.7 cont.

California Red-legged Frog (Page 4.4-35): The SEIR states: "… *use of the project site by CRLF is not known definitively and other ponding locations and/ or upland habitats within and adjacent to the project site may be used by this species.*" I offered this comment in my review of the Biological Assessment (SES 2018): "… *a more detailed description (size, character, and hydro-period) and mapping of where those features occur should be included in the Report. Current protocol level surveys to determine presence/absence of CRLF should also be considered. Wetland features in the northeastern portion of the study area appear to have the most potential in this regard.*" Surveys to determine the suitability of wetlands onsite to support California red-legged frog are necessary to adequately evaluate potential impacts to this federally-listed species. 5.8

Impact BIO-6 states that "…*development of the project would result in removal of 18 protected trees within the proposed Willow Creek neighborhood and five protected trees within the Proposed Hidden Canyon neighborhood and approximately 64 protected trees along the proposed sewer line easement (Appendix C)*". Tree species should be summarized in the SEIR, so that the reviewer doesn't have to search through an appendix (Appendix C - Conceptual Landscape Plan) for the information. 5.9

Mitigation Measure BIO-1(b) suggests that impacts to special status plant species (including state and federally-listed species) will be avoided "*to the maximum extent feasible*" if found during pre-construction surveys. I think it very unlikely that avoidance will be a practical or feasible option at this point. Measures with the caveat "*to the maximum extent feasible*" do not constitute tangible mitigation. Better that avoidance should be ensured through project design. 5.10

The SEIR correctly assigns Class I significance to the proposed project's impacts on California tiger salamander and California red-legged frog. Mitigation Measure BIO-2 is intended to provide partial mitigation for these impacts. Various elements of Mitigation Measure BIO-2 as outlined in the summary impact table are impractical or infeasible. Specifically: 5.11

- MM Bio-2(b) requires that: "*If CTS and CRLF habitat cannot be avoided, the Owner/Applicant shall provide Planning and Development with the total acreages for habitat that would be impacted prior to zoning clearance issuance for grading and implement Mitigation Measure BIO-2(c) below.*" It should be possible to calculate the area of impact to upland and aquatic habitats for the proposed development footprint and incorporate that information into the SEIR.

- Mitigation Measure BIO-2(b) (California Tiger Salamander and California Red-legged Frog Habitat Avoidance) requires that: "*Development shall avoid impacting CTS and CRLF habitat to the greatest extent feasible.*" This can only be accomplished through project design and it doesn't appear that such alternatives have been considered. This measure is entirely infeasible under the proposed development scenario. 5.12

- Mitigation Measure BIO-2(c) provides a detailed outline for compensatory (offsite) mitigation for impacts to California tiger salamander and California red-legged frog. These 5.13

elements are well conceived, but as acknowledged in the SEIR, options for offsite mitigation that meet all these criteria are not available. This is the basis for the Class I impact determination. 5.13 cont.

- Mitigation Measure BIO-2 (d) requires preparation and implementation of a "Habitat Mitigation and Monitoring Plan" "*to ensure the success of compensatory mitigation sites required for compensation of habitat impacts to the California tiger salamander (CTS) and the California red-legged frog (CRLF) that are to be enhanced pursuant to Mitigation Measure BIO-2(c)*. However, BIO-2 (c) is acknowledged to be infeasible. It's also unclear how this plan would differ from a Habitat Conservation Plan that would undoubtedly be required in order to secure Incidental Take Permits for listed species from the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife. 5.14

- Mitigation Measure BIO-2(e)-c requires that: "*All development activities occurring within/adjacent to aquatic habitats (including riparian habitats and wetlands) shall be completed between April 1 and October 31, to avoid impacts to sensitive aquatic species*." Aquatic (more accurately semi-aquatic) amphibians, including California tiger salamander, California red-legged frog, and western spadefoot could still be their larval stage as late as June, depending on annual and seasonal variation in rainfall and hydroperiod of ponds and drainages. Thus, the measure does not entirely serve its intended purpose. 5.15

- Mitigation Measure BIO-2(e)-d suggests that work should be limited to July 15-October 15 in upland habitat "… *within range of potentially suitable aquatic habitat" for California tiger salamander*." The entire project site is within range of a <u>known</u> California tiger salamander breeding pond, consequently, this measure is impractical, if not infeasible. 5.16

Several of the mitigation measures suggest that impacts might be avoided, but it's not clear how. There's also reference to mitigating "*to the maximum extent feasible*", which is always subject to interpretation. Design alternatives that reduce or eliminate impacts to protected species and habitats should be considered. 5.17

<u>References</u>

Dudek. 2016. Biological Resources Assessment Report for the Neighborhoods of Willow Creek and Hidden Canyon. Prepared for Orcutt Rancho, LLC. December.

Storrer Environmental Services, Inc. 2018. Review Biological Resources Assessment Report for the Neighborhoods of Willow Creek & Hidden Canyon and County EIR Scope for Biological Resources Impact Analysis. Letter to Rancho Maria Golf Club. January 31.

Storrer Environmental Services, Inc. 2019. Results of Survey for California Tiger Salamander (*Ambystoma californiense*) at SAMA-21, Rancho Maria Golf Course (APN 113-250-014), Santa Barbara County, California. Submitted to R. Henry (Ventura Field Office of U.S. Fish and Wildlife Service and D. Blankenship (South Coast Region, California Department of Fish and Wildlife). April 18.

Please call me if you have any questions concerning my comments.

Sincerely,

John Storrer
Storrer Environmental Services, LLC

# Letter 5

**COMMENTER:** John Storrer, Storrer Environmental Services, LLC

**DATE:** July 18, 2019

## Response 5.1

The commenter states that they provided comment on Dudek's 2016 biological analysis of the project site during the scoping process for the Draft SEIR. The commenter states that it is unclear how long wetland features described in Section 4.4, Biological Resources, contain water and that it is relevant to potential for breeding by amphibian species such as CTS, CRLF, and western spadefoot. It is currently unknown how long these features contain water; therefore the Draft SEIR relies on a conservative approach that assumes these species have potential to occur based on the information available at the time of analysis. The subsequent impact analysis, conclusions, and mitigation measures are based on this conservative determination.

## Response 5.2

The commenter states that there is insufficient information regarding hydroperiod of ponded features to make conclusions regarding potential for listed brachiopod species (vernal pool fairy shrimp [VPFS]) to occur onsite and that protocol level surveys for listed brachiopods should be conducted in the context of the Draft SEIR and not "deferred" until the environmental review process has been concluded. The analysis of potential impacts to biological resources in Section 4.4, Biological Resources, assumes full build-out of the potential development footprint identified in the Draft SEIR project description. Because the presence of VPFS on site is unknown at this time, the impact analysis for VPFS conservatively assumes all wetlands or ponded features are potentially suitable habitat. Required mitigation measures for VPFS include compensatory mitigation requirements which are quantitative with specific performance standards.

## Response 5.3

The commenter states that the southwestern pond turtle deserves more consideration in the Draft SEIR, and that there is insufficient basis for the conclusion that impacts to this species will be less than significant. The southwestern pond turtle is currently not listed nor proposed for listing. The southwestern pond turtle status is currently under review by the U.S. Fish and Wildlife Service (USFWS) based on petition findings for initiation of status reviews (USFWS 2015). Potential impacts to this species are discussed in Section 4.4, Biological Resources. Considering it is not currently known whether this species will be proposed for listing and in what timeframe, further impact analysis would be speculative, and the impact analysis regarding southwestern pond turtle is adequate in the context of its current status.

## Response 5.4

The commenter summarizes the Draft SEIR conclusion regarding potential impacts to sensitive habitats and states that the loss of over two acres of native grassland and 1.5 acres of riparian habitat is significant. The commenter asks whether there are design alternatives that would reduce impacts to sensitive habitats. Potential impacts to sensitive habitats are discussed in Section 4.4, Biological Resources. This discussion concludes that the project would result in impacts to sensitive habitats, including riparian areas, and includes Mitigation Measures BIO-3(a) through BIO-3(d) to

address these potential impacts. These measures require avoidance of sensitive habitats to the maximum extent feasible, habitat restoration where sensitive communities cannot be avoided, invasive weed prevention best management practices, and County-approved biologist review of landscape plans. Potential alternatives to the project are discussed in Section 6, Alternatives. Each of the alternatives considered would result in similar or reduced impacts to sensitive habitats in comparison to the project, but none of the development alternatives would eliminate the need for Mitigation Measures BIO-3(a) through BIO-3(d). Alternative 2, the "Only Hidden Canyon Neighborhood" design would reduce the project's footprint by 74 percent as compared to the project, which would reduce potential impacts to biological resources, including sensitive habitats. The Draft SEIR concludes that Alternative 2 is the "Environmentally Superior Alternative".

## Response 5.5

The commenter states that Draft SEIR does not include a quantification of the habitat types that will be impacted by the project. Table 4.4-1 quantifies the vegetation communities found in each component of the project site. The impact analysis quantifies the permanent and temporary impacts to sensitive vegetation communities, wetlands, and threatened and endangered species habitat.

## Response 5.6

The commenter states that the Draft SEIR is not clear which project components (e.g., housing, roadways, utilities) are responsible for impacts and that the Draft SEIR does not consider design alternatives that would avoid impacts to biological resources. Potential impacts to sensitive habitats are discussed in Section 4.4, Biological Resources, and potential alternatives to the project are discussed in Section 6, Alternatives. Impacts to biological resources are evaluated for the whole of the proposed project action, and are adequately described in the context of the proposed project in these sections of the Draft SEIR. For a discussion of potential design alternatives that would reduce impacts to biological resources, refer to Response 5.4.

## Response 5.7

The commenter states that botanical surveys were not conducted for the proposed sewer line alignment. The commenter states that surveys should be completed in support of the Draft SEIR, and that Blochman's dudleya and Kellogg's horkelia occurrences should be considered in project design and alternatives. The commenter states that CTS bred at SAMA-21 in spring of 2019, and that the impact analysis must consider that this population is extant. Impact BIO-1 discusses impacts to special status plant species taking into account habitat suitability level assessment of potential for occurrence as well as prior botanical surveys conducted within the development areas (excluding the proposed sewer line). The impact analysis describes the potential impacts to special status plant species that have potential to occur and includes required mitigation measures to address potential impacts which are quantitative with specific performance standards. For a discussion of potential design alternatives that would reduce impacts to biological resources, refer to Response 5.4.

Section 4.4, Biological Resources, identifies SAMA-21 as a known breeding site based on previous data identifying it as such by USFWS as well as the report referenced by the commenter. The impact analysis considers SAMA-21 to be extant and includes required mitigation measures to avoid and minimize impacts to individuals as well as measures to compensate for impacts to upland habitat on site. It should be noted that SAMA-21 is located outside of the project footprint.

## Response 5.8

The commenter states that the Draft SEIR should include a more detailed description and mapping of ponding locations and/or upland habitat that may be used by federally-listed CRLF, and that surveys to determine that the suitability of wetlands onsite to support CRLF are necessary to evaluate potential impacts to this species. Section 4.4, Biological Resources, describes the potential for occurrence and subsequent impact based on a conservative assessment of habitat and assumes all areas of potential upland and aquatic habitat on site are potentially occupied. Consequently, impacts to CRLF aquatic and upland habitat as well as individuals are conservatively quantified and qualitatively described in the Draft SEIR.

## Response 5.9

The commenter states that potential impacts to trees (Impact BIO-6) should be summarized in Section 4.4, *Biological Resources*, rather than in the Draft SEIR appendix. Impact BIO-6 has been revised as follows to include Table 4.4-3.

> Based on County policies from the Conservation Element – Oak Tree Protection in the Inland Rural Areas of Santa Barbara County and OCP, development of the project would result in removal of 18 protected trees within the proposed Willow Creek neighborhood and five protected trees within the proposed Hidden Canyon neighborhood and approximately 64 protected trees along the proposed sewer line easement (Table 4.4-3 and Appendix C). Additionally, project development would impact the tree canopy and root zone of nine protected trees in the proposed Willow Creek neighborhood and five protected trees in the proposed Hidden Canyon neighborhood (Table 4.4-3 and Appendix C). Impacts to protected trees would be potentially significant.

**Table 4.4-3 Summary of Protected Tree Removals and Impacts to Canopy and Root Zones**

| | | Number of Removals | | | Number of Trees with Canopy and Root Zone Impacts | | |
|---|---|---|---|---|---|---|---|
| Common Name | Scientific Name | Willow Creek | Hidden Canyon | Sewer Line Easement | Willow Creek | Hidden Canyon | Sewer Line Easement |
| Acacia | *Acacia* sp. | 1 | -- | -- | -- | -- | -- |
| Arroyo willow | *Salix lasiolepis* | -- | 3 | 64 | -- | -- | -- |
| Canary Island Palm | *Phoenix canariensis* | 3 | -- | -- | -- | -- | -- |
| Coast Live Oak | *Quercus agrifolia* | 2 | -- | -- | -- | -- | -- |
| Eucalyptus | *Eucalyptus* sp. | 6 | -- | -- | 3 | 2 | -- |
| Monterey pine | *Pinus radiata* | 6 | 2 | -- | 4 | 1 | -- |
| Modesto ash | *Fraxinus velutina* | -- | -- | -- | 1 | 2 | -- |
| Monterey Cypress | *Cupressus macrocarpa* | -- | -- | -- | 1 | -- | -- |
| Total | | 18 | 5 | 64 | 9 | 5 | 0 |

Dudek, 2019b

## Response 5.10

The commenter states that avoidance associated with Mitigation Measure BIO-1(b) is unlikely to be feasible and states that mitigation measures including "*to the maximum extent feasible*" do not constitute tangible mitigation. The commenter states that avoidance should be ensured through project design. Mitigation Measure BIO-1(b) does not rely solely on avoidance to the maximum extent feasible; the complete measure addresses impacts to special status plant species through avoidance, compensatory mitigation, and inclusion of specific quantitative performance standards.

## Response 5.11

The commenter concurs with the Draft SEIR findings that potential impacts to CTS and CRLF would be significant and unavoidable. The commenter states that elements of Mitigation Measures BIO-2(a) through BIO-2(e) are impractical or infeasible. The commenter states that it should be possible to calculate the area of upland and aquatic habitat impacted by the proposed development footprint in the Draft SEIR. Section 4.4, *Biological Resources*, includes conservative calculations of aquatic and upland impact acreage for both CTS and CRLF. Mitigation Measure BIO-2(b) requires the owner/applicant to provide the County with the total acreages of impacted habitat due to accommodate potential design changes or selection of alternatives that are less damaging. Response 5.12 through Response 5.16 address additional components of Mitigation Measures BIO-2(a) through BIO-2(e) that the commenter states are impractical or infeasible.

## Response 5.12

The commenter states that avoidance of CTS and CRLF habitat to the greatest extent feasible, as described in Mitigation Measure BIO-2(b), is infeasible. Mitigation Measure BIO-1(b) does not rely solely on avoidance to the maximum extent feasible; the complete measure addresses impacts to special status plant species through avoidance, compensatory mitigation, and inclusion of specific quantitative performance standards.

## Response 5.13

The commenter states that Mitigation Measure BIO-2(c) provides a detailed outline for off-site compensatory mitigation for impacts to CTS and CRLF. The commenter states that off-site mitigation that meet all these criteria are not available and notes that this is the basis for the Class I impact determination in the Draft SEIR. The commenter's remarks are consistent with the Class I impact determination in the Draft SEIR.

## Response 5.14

The commenter expresses a concern regarding the Habitat Mitigation and Monitoring Plan (HMMP) required by Mitigation Measure BIO-2 (d) for impacts to CTS and CRLF on the basis that the off-site compensatory mitigation required by Mitigation Measure BIO-2 (c) is potentially infeasible (refer to Response 5.13). The commenter states that it is not clear how the HMMP would differ from a Habitat Conservation Plan (HCP) required in order to secure Incidental Take Permits (ITPs) for listed species from the USFWS and California Department of Fish and Wildlife (CDFW). The requirements and content of the HMMP would be similar to those included in a

HCP; however the HMMP would be required to ensure that compensatory mitigation to address impacts to sensitive biological resources is fulfilled as it relates to CEQA and not deferred to USFWS or CDFW.

## Response 5.15

The commenter states that Mitigation Measure BIO-2(e) should specify a seasonal work period beginning in June considering semi-aquatic species could still be in their larval stage as late as June, depending on annual and seasonal variation in rainfall and hydroperiod of ponds and drainages. In response to this comment Mitigation Measure BIO-2(e) has been revised as follows:

> c. All development activities occurring within/adjacent to aquatic habitats (including riparian habitats and wetlands) shall be completed between ~~April~~ June 1 and October 31, to avoid impacts to sensitive aquatic species.

## Response 5.16

The commenter states that the component of Mitigation Measure BIO-2(e) which limits construction to July 15-October 15 in CTS upland habitat within range of potentially suitable aquatic habitat is potentially infeasible on the basis that the entire project site is within range of a known CTS breeding pond. In response to this comment Mitigation Measure BIO-2(e) has been revised as follows:

> d. To avoid encountering migrating California tiger salamander within range of potentially suitable aquatic habitat, ~~construction~~ initial ground disturbance within upland areas within the range of California tiger salamander should be limited to July 15 to October 15. Work should be postponed if chance of rain is greater than 70% based on the NOAA National Weather Service forecast or within 48 hours following a rain event greater than 0.1 inch. If work must occur during these conditions, a qualified biologist shall conduct a clearance sweep of work areas prior to the start of work.

## Response 5.17

The commenter states that several of the mitigation measures in the Draft SEIR suggest that impacts might be avoided but are not clear how avoidance would be achieved. The commenter references the phrase "to the maximum extent feasible" in mitigation measures and notes it is subject to interpretation. The commenter also states that design alternatives that reduce or eliminate impacts to protected species and habitats should be considered. Mitigation measures that include specific quantitative performance standards address the impacts identified in the context of the proposed project as described in the project description. Refer to Response 5.10 for a discussion mitigation measures that require avoidance "to the maximum extent feasible" prior to requiring additional mitigation for impacts that cannot be feasibly avoided. With respect to a design alternative that avoids impacts to biological resources, refer to Response 5.4.

air pollution control district
SANTA BARBARA COUNTY

Letter 6



July 19, 2019

Dana Eady
Santa Barbara County
Planning and Development
624 W. Foster Road
Santa Maria, CA 93455

**Re: Air Pollution Control District Comments on the Subsequent Environmental Impact Report for the Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project, 19EIR-00000-00002**

Dear Dana Eady:

The Air Pollution Control District (District) has reviewed the Draft Subsequent Environmental Impact Report (SEIR) for the referenced project, which consists of a Specific Plan, General Plan Amendment, Tentative Tract Map, Development Plan, Conditional Use Permit, and Road Naming applications for the development of 146 single family residences and associated infrastructure improvements. The Hidden Canyon Neighborhood would require the subdivision of a 107-acre lot into 57 lots (ranging from 10,351 to 40,091 square feet [SF]) for 56 single family dwellings and one lot for open space. The Willow Creek Neighborhood would consist of the subdivision of a 70-acre parcel into 91 lots (ranging from 8,000 to 27,706 SF) for the development of 90 single family dwellings with one lot for open space. Associated infrastructure includes landscaping, fencing, lighting, access ways, open space areas, and onsite detention basins. Overall project grading would include 532,626 cubic yards of cut and 475,290 cubic yards of fill. A new community water system and sewer service would be installed. The project site is located on a portion of Key Site 21 in the Orcutt Community Plan. The subject property, three undeveloped parcels zoned Planned Residential Development (PRD) and identified in the Assessor Parcel Map Book as APNs 113-250-015, -016, and -017, are located on the south side of State Route 1 between Solomon Road and Black Road in the community of Orcutt.

Air Pollution Control District staff offers the following comments on the Draft SEIR:

1. **4.3 Air Quality, Table 4.3-1 Current Federal and State Ambient Air Quality Standards, Page 4.3-5:** We recommend displaying the full list of California Ambient Air Quality Standards including hydrogen sulfide ($H_2S$) and vinyl chloride. 6.1

2. **4.3 Air Quality, Impact AQ-2 Project Construction Emissions, Page 4.3-11-4.3-13:** As stated on page 4.3-8, the SBCAPCD does not currently have quantitative thresholds of significance in place for short-term or construction emissions; however, the APCD uses 25 tons per year for ROC, NOX, PM10, and PM2.5 as a guideline for determining the significance of construction impacts. Also as stated on page 4.3-9, this analysis uses 25 tons per year as a significance threshold for construction-related emissions of ROC, NOX, SO2, PM10, and PM2.5. Therefore, please label and discuss this project-specific construction threshold as the "County threshold", not the SBCAPCD's. Please correct the reference in Table 4.3-4 and the text in this section. 6.2

3. **4.3 Air Quality, Table 4.3-4 Project Construction Emissions, Page 4.3-12:** The values in this table have been incorrectly labeled as "Maximum Annual Emissions (lbs/day)"; values are Maximum Annual Emissions (tons/year). Please correct the units in the table heading. 6.3

4. **4.3 Air Quality, Impact AQ-3, Pages 4.3-13 and 4.3-14:** Please correct the text which incorrectly refers to Table 4.3-5 Project Operational Emissions as Table 4.2-7. 6.4

5. **4.3 Air Quality, Impact AQ-3, Page 4.3-14 and Cumulative Impacts, Page 4.3-16:** Please edit the document to reflect that the annual operational thresholds used for the significance determination in this section are Santa Barbara County thresholds and not SBCAPCD thresholds. 6.5

6. **4.3 Air Quality, Impact AQ-4, Page 4.3-15:** Note that due to the relatively low background ambient CO levels in Santa Barbara County, localized CO impacts associated with congested intersections are not expected to exceed the CO health-related air quality standards. Therefore, CO "hotspot" analyses are no longer required. 6.6

7. **4.9 Greenhouse Gas Emissions, Mitigation Measure, Page 4.9-18-19:** We recommend that Mitigation Measure GHG-1 *GHG Emissions Reduction Plan* include the implementation of any feasible local GHG reduction projects as an option to achieve the necessary GHG reductions. Local GHG mitigation efforts can provide additional co-benefits to the local community. The APCD has identified some potential strategies for local GHG mitigation that could be implemented in Santa Barbara County. Please see www.ourair.org/ghgmitigation-sbc/ for more information. 6.7

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8878 or via email at WaddingtonE@sbcapcd.org.

Sincerely,

Emily Waddington

Emily Waddington
Air Quality Specialist
Planning Division

cc: Planning Chron File

# Letter 6

**COMMENTER:** Emily Waddington, SB County Air Pollution Control District

**DATE:** July 19, 2019

## Response 6.1

The commenter recommends including the full list of California Ambient Air Quality Standards (CAAQS), including hydrogen sulfide ($H_2S$) and vinyl chloride in Table 4.3-1. Table 4.3-1 in Section 4.3, Air Quality, has been revised as follows to incorporate the full list of CAAQS standards. This revision does not change the conclusions of the Draft SEIR.

**Table 4.3-1 Current Federal and State Ambient Air Quality Standards**

| Pollutant | Federal Standard | California Standard |
|---|---|---|
| Ozone | 0.070 ppm (8-hr avg) | 0.09 ppm (1-hr avg)<br>0.07 ppm (8-hr avg) |
| Carbon Monoxide | 35.0 ppm (1-hr avg)<br>9.0 ppm (8-hr avg) | 20.0 ppm (1-hr avg)<br>9.0 ppm (8-hr avg) |
| Nitrogen Dioxide | 0.053 ppm (annual avg) | 0.18 ppm (1-hr avg)<br>0.030 ppm (annual avg) |
| Sulfur Dioxide | 0.075 ppm (1-hr avg)<br>0.14 ppm (24-hr avg) | 0.25 ppm (1-hr avg)<br>0.04 ppm (24-hr avg) |
| Lead | 0.15 μg/m$^3$ (3-month avg) | 1.5 μg/m$^3$ (30-day avg) |
| Particulate Matter ($PM_{10}$) | 150 μg/m$^3$ (24-hr avg) | 50 μg/m$^3$ (24-hr avg)<br>20 μg/m$^3$ (annual avg) |
| Particulate Matter ($PM_{2.5}$) | 35 μg/m$^3$ (24-hr avg)<br>12 μg/m$^3$ (annual avg) | 12 μg/m$^3$ (annual avg) |
| Visibility Reducing Particles | n/a | Extinction of 0.23 per kilometer (8-hour avg)[1] |
| Sulfates | n/a | 25 μg/m$^3$ (24-hr avg) |
| Hydrogen Sulfide ($H_2S$) | n/a | 0.03 ppm (1-hour avg) |
| Vinyl Chloride | n/a | 0.01 ppm (24-hour avg) |

n/a = not applicable

ppm= parts per million

μg/m$^3$ = micrograms per cubic meter

[1] The statewide standard for visibility reducing particles is equivalent to a visibility of 10 miles.

Source: CARB 2016

## Response 6.2

The commenter states that the SBCAPCD does not have quantitative thresholds for short-term or construction emissions, but instead relies guidelines of 25 tons per year for ROC, $NO_X$, $PM_{10}$, and $PM_{2.5}$ for determining the significance of construction impacts. The commenter recommends references to SBCAPCD thresholds be changed to "County thresholds." The text of Section 4.3, Air Quality, including Table 4.3-4, has been revised as follows to reflect this information.

**Table 4.3-4 Project Construction Emissions**

| | Maximum Annual Emissions (~~lbs/day~~ tons/year) | | | | | |
|---|---|---|---|---|---|---|
| | **ROC** | **$NO_X$** | **CO** | **$SO_2$** | **$PM_{10}$** | **$PM_{2.5}$** |
| Construction Year 2019[1] | 0.7 | 7.4 | 3.6 | <0.1 | 1.5 | 0.9 |
| Construction Year 2020[1] | 1.0 | 10.7 | 6.7 | <0.1 | 1.3 | 0.8 |
| Construction Year 2021[1] | 2.5 | 7.5 | 6.9 | <0.1 | 0.9 | 0.4 |
| Construction Year 2022[1] | 2.4 | 6.8 | 6.5 | <0.1 | 0.9 | 0.4 |
| Construction Year 2023 | 1.0 | 3.1 | 3.2 | <0.1 | 0.5 | 0.2 |
| Construction Year 2024 | 0.3 | <0.1 | <0.1 | <0.1 | <0.1 | <0.1 |
| **Maximum Annual Emissions** | **2.7** | **10.8** | **7.0** | **<0.1** | **3.8** | **1.9** |
| ~~SBCAPCD~~ County Threshold | 25 | 25 | n/a | 25 | 25 | 25 |
| **Threshold Exceeded?** | **No** | **No** | **n/a** | **No** | **No** | **No** |

[1] From 2019 through 2022, construction activities would be occurring simultaneously at both the Willow Creek and Hidden Canyon locations; therefore, maximum annual emissions are the sum of modeled emissions from construction activities at both locations.

Notes: All emissions modeling was completed using CalEEMod. See Appendix B for modeling results. Some numbers may not sum exactly due to rounding. Emission data shown is from "mitigated" results, which account for compliance with regulations and project design features. Emissions presented are the highest of the winter and summer modeled emissions.

As shown in Table 4.3-4, project construction would generate up to approximately 3 tons per year of ROC emissions, 11 tons per year of $NO_X$ emissions, and 4 tons per year of $PM_{10}$ emissions. Construction emissions would not exceed the ~~SBCAPCD~~ County's threshold of 25 tons per year for ROC, $NO_X$, $SO_2$, $PM_{10}$, and $PM_{2.5}$. Furthermore, the County of Santa Barbara considers short-term construction emissions of $NO_X$ to be less than significant because countywide emissions of $NO_X$ from construction equipment is insignificant compared to regional $NO_X$ emissions from other sources, such as vehicles (County of Santa Barbara 2018b).

Project construction activities would be subject to the County's grading ordinance to minimize fugitive dust emissions and associated impacts to air quality. The grading ordinance requires a grading permit and an Erosion and Sediment Control Plan for all new grading, excavations, fills, cuts, borrow pits, stockpiling, compaction of fill, and land reclamation projects on privately owned land where the transported amount of materials exceeds 50 cubic yards or the cut or fill exceeds three feet in vertical distance to the natural contour of the land.[3] The County of Santa Barbara and the SBCAPCD also require implementation of standard dust control measures for all discretionary projects to reduce $PM_{10}$ emissions. Although $PM_{10}$ emissions from project construction activities would not exceed the ~~SBCAPCD~~ County's thresholds, the project would

still be required to implement these standard dust control measures, consistent with Mitigation Measure AQ-10 of the OCP EIR and Policy AQ-O-2 of the OCP. Implementation of required dust control measures during earthmoving activities would minimize $PM_{10}$ emissions during construction, mitigating fugitive dust emissions (SBCAPCD 2017). Therefore, construction-related air quality impacts would be adverse, but less than significant (Class III).

These revisions do not change the conclusions of the Draft SEIR.

## Response 6.3

The commenter requests the units in the header for Table 4.3-4 be changed from lbs/day to tons/year. As shown under Response 6.2, Table 4.3-4 has been revised accordingly. This revision does not change the conclusions of the Draft SEIR.

## Response 6.4

The commenter notes two in-text references that are intended to reference Table 4.3-5, but instead refer to Table 4.2-7. The references indicated by the commenter under Impact AQ-3 in Section 4.3, Air Quality, have been updated as follows.

The project would generate long-term emissions from new vehicle trips (mobile emissions), combustion of natural gas (energy emissions), and consumer products, architectural coatings, and landscaping equipment (area emissions). ~~Table 4.2-7~~ Table 4.3-5 summarizes estimated operational emissions associated with the project.

[…]

The County of Santa Barbara is designated nonattainment-transitional for the State eight-hour ozone standard and nonattainment for the State $PM_{10}$ standard; therefore, emissions of ROC, $NO_X$, and $PM_{10}$ would contribute to the area's current nonattainment status. However, as shown in ~~Table 4.2-7~~ Table 4.3-5, emissions would not exceed ~~SBCAPCD~~ the County's operational thresholds for ROC, $NO_X$, or $PM_{10}$. Therefore, project operation would not result in a cumulatively considerable net increase of criteria pollutants for which the project region is in nonattainment, and this impact would be adverse, but less than significant (Class III).

These revisions do not change the conclusions of the Draft SEIR.

## Response 6.5

The commenter requests that the document be edited to reflect that the annual operational thresholds used for the significance determination throughout Section 4.3, *Air Quality,* are Santa Barbara County thresholds rather than SBCAPCD thresholds. The text under Impact AQ-3 in Section 4.3 has been revised as follows to reflect this request:

The County of Santa Barbara is designated nonattainment-transitional for the State eight-hour ozone standard and nonattainment for the State $PM_{10}$ standard; therefore, emissions of ROC, $NO_X$, and $PM_{10}$ would contribute to the area's current nonattainment status. However, as shown in ~~Table 4.2-7~~ Table 4.3-5, emissions would not exceed ~~SBCAPCD~~ the County's operational thresholds for ROC, $NO_X$, or $PM_{10}$. Therefore, project operation would not result in a cumulatively considerable net increase of criteria pollutants for which the project region is in nonattainment, and this impact would be adverse, but less than significant (Class III).

In addition, the text under Section 4.3(c), *Cumulative Impacts*, has been revised as follows:

> In analyzing cumulative impacts of the proposed project, an assessment must evaluate a project's contribution to the cumulative increase in pollutants for which the County is designated as nonattainment for the NAAQS or CAAQS. The County is currently in attainment of all NAAQS and is in attainment for all CAAQS with the exception of the State eight-hour ozone standard and the State $PM_{10}$ standard. Construction and operation of the project would generate emissions of ozone precursors as well as emissions of $PM_{10}$. As discussed under Impact AQ-2, the project would be required to comply with the County's grading ordinance and implement standard dust control measures required by the County of Santa Barbara and SBCAPCD, which would reduce $PM_{10}$ emissions during construction, and annual operational emissions of $PM_{10}$ would not exceed the ~~SBCAPCD~~ County's annual operational emission threshold. Therefore, the project's contribution to the County's nonattainment status for the State $PM_{10}$ standard would not be cumulatively considerable (Class III).
>
> The OCP EIR determined that buildout of the OCP would result in a significant and unavoidable impact related to emissions of ozone precursors from long-term planned growth and development activities. As a result, the OCP EIR required implementation of several mitigation measures (AQ-3 through AQ-9.1) at the County-level that would reduce this impact (see Section 4.3.2, *Previous Environmental Review*, for more information). These measures were incorporated into the OCP as Policy AQ-O-1, Program AQ-O-1.1, Program AQ-O-1.2, Action AQ-O-1.3, Action CIRC-O-6.1, Action CIRC-O-6.2, Policy CIRC-O-9, DevStd CIRC-O-11, and Policy CIRC-O-7. However, the OCP EIR determined that this impact would remain significant and unavoidable; therefore, operational emissions of ozone precursors by buildout of the OCP was identified as a significant cumulative impact. Nevertheless, as discussed under Impact AQ-3, operational emissions generated by the project would not exceed ~~SBCAPCD~~ the County's annual operational emission thresholds for ozone precursors ROC and $NO_X$. Therefore, the project's contribution to the County's nonattainment status for the State eight-hour ozone standard and the cumulative impact related to ozone precursor emissions identified by the OCP EIR would not be cumulatively considerable (Class III).

These revisions do not change the conclusions of the Draft SEIR.

## Response 6.6

The commenter states that due to the relatively low background ambient CO levels in Santa Barbara County, CO "hotspot" analyses are no longer required. The text under Impact AQ-4 in Section 4.3, Air Quality, has been revised as follows to reflect this information. This revision reduces the level of significance of the project's CO hotpot impacts from less than significant (Class III) to no impact (Class IV).

> ~~SBCAPCD~~ The County of Santa Barbara recommends a local CO hotspot analysis if the project would contribute more than 800 peak hour trips to an existing congested intersection at LOS D or below. According to the Traffic and Circulation Study (Stantec 2019, Appendix K), the project would generate approximately 104 AM peak hour trips and 145 PM peak hour trips, which would be distributed at several intersections in the project area. Therefore, project-generated traffic would not exceed the screening criteria of adding 800 peak hour trips to an existing congested intersection, and a local CO hotspot analysis is not warranted. In addition, according to SBCAPCD, due to the relatively low background ambient CO levels in Santa Barbara County, localized CO hotspot impacts associated with congested intersections are not expected to

exceed the CO health-related air quality standards. Therefore, SBCAPCD no longer requires CO hotspot analyses. ~~Impacts related to CO hotspots would be adverse, but less than significant (Class III).~~ No impact related to CO hotspots would occur (Class IV).

## Response 6.7

The commenter recommends that Mitigation Measure GHG-1 include the implementation of any feasible local GHG reduction projects as an option to achieve the necessary GHG reductions.

The list of GHG emission reduction options under Mitigation Measure GHG-1 is not intended to be comprehensive; rather, this list identifies potential actions that can feasibly achieve the required performance standard of reducing annual GHG emissions generated by the project by a minimum of 246.2 MT of $CO_2e$ per year (0.6 MT of $CO_2e$ per person per year) over the operational life of the project. To reflect the commenter's recommendation, Mitigation Measure GHG-1 has been revised to include implementation of local GHG reduction projects as a potential component of the Greenhouse Gas Reduction Program.

*GHG-1 GHG Emissions Reduction Plan*

The project developer shall prepare and implement a plan to reduce operational GHG emissions through implementation of one or more of the following measures:

a. Prior to zoning clearance issuance, the project applicant shall develop a project Greenhouse Gas Reduction Program (GGRP) that reduces annual GHG emissions from the project by a minimum of 246.2 MT of $CO_2e$ per year (0.6 MT of $CO_2e$ per person per year) over the operational life of the project. The plan shall be implemented on-site by the project applicant and may include, but not be limited to, the following components:
    1. Installation of renewable energy facilities (e.g., solar photovoltaics)
    2. Construction of residences that achieve energy and water efficiencies beyond those specified in the California Code of Regulations, Title 24 requirements
    3. Implementation of energy efficient building design exceeding California Building Code requirements
    4. Installation of energy-efficient equipment and appliances exceeding California Green Building Code standards
    5. Installation of outdoor water conservation and recycling features, such as smart irrigation controllers and reclaimed water usage
    6. Installation of low-flow bathroom and kitchen fixtures and fittings
    7. Installation of light emitting diode (LED) lights
    8. Provision of incentives and outreach for future residents to promote alternative transportation and transit use
    9. Promotion of alternative fuel vehicles
    10. Implementation of carbon sequestration measures~~;~~
    11. Off-site mitigation fees paid to SBCAPCD to implement local GHG reduction projects. Projects may include, but are not limited to, replacement of diesel school and/or urban buses with battery electric or fuel cell electric buses, installation of electric vehicle charging stations, retrofits of existing residential buildings to improve energy efficiency, installation of rooftop solar on existing residential buildings, and installation of

residential and/or commercial battery energy storage systems. The final amount of off-site mitigation fees shall be determined based on accepted methodologies for assessing the per-unit cost of GHG emissions in Santa Barbara County;

OR

If GHG emissions cannot be reduced through implementation of the GGRP, the project applicant shall purchase carbon offsets to reduce GHG emissions below threshold levels. Carbon offsets shall be purchased from a validated source[3] to offset annual GHG emissions or to offset one-time carbon stock GHG emissions.

Letter 7

July 24, 2019

Ms. Dana Eady
County of Santa Barbara Planning and Development
624 W. Foster Rd., Suite C
Santa Maria, CA 93455

**SUBJECT: The Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project**

Dear Ms. Eady,

I am a current board member and the past president of the Rancho Maria Women's Golf Club. The proposed residential development that is being considered by the County of Santa Barbara's Planning Department has significant challenges for golfers who use Rancho Maria Golf Course. We want to make sure anyone who is considering this project understands how a golf course and this many houses in one spot is not a good mix.

The Rancho Maria Golf Course is the only public golf course in the Orcutt/Santa Maria area and it is considered a community gem. It is a public resource and should be protected. If this golf club was gone, the golfers would literally have no other place in North Santa Barbara County to play golf. 7.1

If you have ever been out on the golf course, it is quiet & serene. All kinds of people with many different skill levels enjoy and love this challenging and fun golf course. Some of us walk the course and some of us use carts, and we don't have to worry about cars speeding past us or crossing paths with us while we are walking, putting or driving balls. We also don't have to watch for large, heavy and loud construction equipment rolling by. If this project is approved as it is proposed, we would have to worry about that and much more.

The traffic on Highway 1 is already a challenge! With more cars driving to get on & off Hwy 1 from a new housing development, that is going to cause a lot of congestion in a small area. I hope any plans for new roads will consider how much that narrow highway can really handle. 7.2

Orcutt is a wonderful community of people. We value our rural foothills and the people who farm, ranch & maintain their land in the area. This includes the owners of the RMGC. The O'Keefe's are dedicated to the public by keeping the green fees affordable. They maintain the course so golfers of all ages can use it for exercise and fun or for serious competition among school teams. They are so generous and community-minded! RMGC hosts more than 20 memorial & charity golf events per year and donate more than 1000 free round of golf with carts to clubs, schools and charities each year. 7.3

If this project is approved as it is proposed to be built, you could be driving a community asset out of business. We are so lucky to have this public resource available to us. You need to consider the impacts of this proposed project on the golfers & owners of Rancho Maria Golf Club and you must consider the impact that this proposed project will have on this beautiful piece of land.

Sincerely

Connie Phillips

Connie Phillips
1708 Tropea Ave
Santa Maria, CA 93458
805-614-6225

# Letter 7

**COMMENTER:** Connie Phillips

**DATE:** July 24, 2019

## Response 7.1

The commenter notes that the RMGC is the only public golf course in the Orcutt/Santa Maria area and that it is a public resource that should be protected. The commenter states that users of the public golf course don't currently have to worry about cars speeding past or for large, heavy, and loud construction equipment. Topical Response 1 discusses the Draft SEIR analysis of potential impacts to the RMGC. Refer to Topical Response 5 for a discussion of construction-related noise impacts to the RMGC.

## Response 7.2

The commenter states that traffic on SR 1 is already a challenge and that additional cars driving to get on and off SR 1 will cause congestion in a small area. Potential traffic impacts of the project are discussed in Section 4.13 *Transportation and Circulation*. The intersections of SR 1 with Black Road, Solomon Road, and Clark Avenue, were studied as part of the traffic impact analysis prepared for the project. As shown in Tables 4.13-7 and 4.13-8, even with the addition of the project traffic to the study area, all study area intersections would continue to operate at LOS C or better during the AM and PM peak hours, which is considered acceptable based on County and Caltrans standards. The Draft SEIR concludes that the project would result in less than significant intersection impacts.

The Draft SEIR also evaluated potential impacts to roadway segments of SR 1 north of Solomon Road and north of Clark Avenue. As shown in Table 4.13-9, all study area roadway segments would continue to operate at LOS C or better with the addition of project traffic, and both segments of SR 1 would operate at LOS A with the addition of project traffic.

## Response 7.3

The commenter states that the project could drive the RMGC out of business and that the impacts of the project on public golf course users and owners need to be considered. Topical Response 1 addresses the concern that the Draft SEIR failed to adequately address the project's impact on the RMGC. The remainder of this comment pertains to maintaining the economic success of the RMGC, which does not reflect on the adequacy or content of the Draft SEIR. Section 15131 of the State CEQA Guidelines states that "economic or social effects of a project shall not be treated as significant effects on the environment." Topical Response 1 addresses the issue of the potential effect of the project on the RMGC. The commenter's concerns will be forwarded to County decision makers for their consideration.

TODD GROUNDWATER

Letter 8

July 26, 2019

## MEMORANDUM

**To:** Ms. Dana Eady, Santa Barbara County Planner

**From:** Chad Taylor, PG, CHG, Senior Hydrogeologist and Iris Priestaf, PhD, President

**Re:** Draft SEIR Comments, The Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project

### INTRODUCTION

We have reviewed the Subsequent Environmental Impact Report (SEIR) for The Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project (Project) on behalf of the Rancho Maria Golf Club. Our review focused on technical aspects of the groundwater supply proposed for the Project. We find that the SEIR and supporting documents understate the potential impacts of the Project on the groundwater supply, including increased overdraft and potential harm to nearby wells.

### 1. INCREASED OVERDRAFT TO THE GROUNDWATER BASIN

The SEIR indicates that the Orcutt Community Plan (OCP) EIR included water demand associated with residential development of Key Site 21. The OCP EIR identified significant and unavoidable impacts associated with increased overdraft from implementation of the OCP and required mitigation in the form of supplemental water supplied to the Santa Maria Groundwater Basin (Basin). The SEIR for the Project indicates that mitigation for the OCP has included delivery of supplemental water to the groundwater basin, and that this supplemental water provides sufficient mitigation for increased groundwater production associated with the Project. However, the SEIR fails to identify any supplemental water that will offset demands of this Project.

8.1

Even without the additional water demands of this Project, groundwater elevations have been declining in the area of the Project since the early 2000's, as shown on Figure 2.1-2 (attached) of the 2018 Annual Report for the Santa Maria Valley Management Area (Luhdorff & Scalmanini, 2019). Specifically, the hydrographs on this figure identified as "Municipal Wellfield Area" represent wells near the Project. These show an ongoing trend of falling groundwater elevations that began in 2002 and has continued through the end of 2018. During this period groundwater elevations in the Orcutt area wells have fallen by 30 to 75 feet. While there has been drought, the ongoing decline in groundwater elevations in this area and elsewhere in the Santa Maria Valley indicates that if supplemental water is

being provided to the groundwater basin, it is not sufficient to mitigate overdraft conditions. The Project's additional groundwater demands will only exacerbate this overdraft. 8.1 cont.

## 2. WELL INTERFERENCE IMPACTS ASSESSMENT

The well interference impacts assessment presented by Kear Groundwater (2018) are not sufficient to assess impacts to nearby wells. First, non-representative aquifer parameters were used, and the analyses of long-term impacts did not consider a sufficiently long time period. In addition, groundwater production rates to meet peak Project demands were not assessed, and the analysis did not consider potential impacts from pumping both proposed Project wells. In sum, Kear understates the potential harm, particularly the long-term impacts, to nearby wells. The combined effect of these understated values is presented in tables below.

**Non-Representative Aquifer Parameters**. The aquifer parameter values employed in the analysis do not represent conditions in the aquifer below the Project. Kear (2018) cites Fugro (2015) as the source for aquifer parameters that are representative of the Paso Robles formation aquifer, the proposed source of project groundwater. However, the project location and the wider Orcutt area are not included in the Fugro investigation, which is a groundwater characterization study for the San Luis Obispo County portion of the Santa Maria Basin. Information from the Santa Barbara County portion of the Basin was not included.

In addition, the Fugro (2015) report shows a wide range of transmissivity estimates. Transmissivity (T) is a measure of the ease with which groundwater moves through the aquifer; higher values are associated with more productive aquifers. Kear did not include this wide range of T values, selecting instead values at the high end of the range. Kear used a single T value of 100,000 gallons per day per foot (gpd/ft) for the aquifer. Fugro (2015) includes transmissivity values ranging from 1,000 to 360,000 gpd/ft. Fugro identified 23 Paso Robles Formation aquifer wells with T values in their study area. Most of these 23 values correspond to aquifer materials dominated by fine sands, silts, or clays; 18 of the wells have T values below 100,000 gpd/ft and 10 are 20,000 gpd/ft or below. The average value Fugro reported from wells in the Paso Roble formation aquifer T values is over 67,000 gpd/ft, but the median T value is 30,000 gpd/ft. This indicates that the few very high T values (only 6 of the 23 are above 100,000 gpd/ft) skew the data toward a higher average. 8.2

Additionally, the storativity values presented by Fugro (2015) differ significantly from those used by Kear (2018). Storativity is a unitless measure of groundwater stored in an aquifer and released to a pumping well. Kear used a single value of 0.0001, but Fugro (2015) presents values ranging from 0.002 to 0.1 with average and median values both of 0.02 in the Paso Robles formation aquifer.

**Insufficient Time Period for Drawdown Calculation.** Kear's (2018) *Well Interference Analytical Modeling* analysis section calculates drawdown for two selected pumping rates, 104 and 416 gallons per minute (gpm), using Theis drawdown calculations. The lower rate 8.3

(104 gpm) represents continuous production 24 hours a day year-round to meet the estimated gross project demand of 176.7 acre-feet per year (AFY). The estimated well interference for 104 gpm was calculated by Kear for one day of pumping using the Theis equation.

However, the Theis equation is time-dependent and does not represent steady state conditions, which means that it must be calculated for a longer period to represent long duration pumping. This pumping rate of 104 gpm would need to be maintained continuously to meet total project demand. Estimated drawdown should have been calculated for a longer period to represent long-term impacts of continuous pumping to nearby existing wells. Typically, this type of analysis would include impact estimates over a period of at least a year and up to the life of the project.

As a side comment, we note that the 104 gpm continuous production rate is incorrect; 176.7 AFY at a continuous duty cycle is 109.5 gpm:

8.3 cont.

$$176.7\ AFY\left({}^{325{,}851\ gal}/_{1\ AF}\right)\left({}^{1\ yr}/_{365\ days}\right)\left({}^{1\ day}/_{1{,}440\ min}\right) = 109.5\ gpm$$

**Range of Potential Impacts.** A more appropriate assessment of potential long-term impacts associated with groundwater production at the project would consider a range of aquifer parameters and different time periods. Below is a summary table representing such a range of potential impacts on the closest existing nearby well, which is a Rancho Maria Golf Club well 212 feet from the closest proposed project well.

**Table 1 – Range of Potential Long-Term Impacts to Closest Existing Well**

| | Pumping Rate (gpm) | Transmissivity (gpd/ft) | Storativity | Drawdown at 1 day (feet) | Drawdown at 1 year (feet) | Drawdown at 5 years (feet) | Drawdown at 20 years (feet) |
|---|---|---|---|---|---|---|---|
| **Minimum Potential Impact** | 109.5 | 360,000 | 0.1 | 0.1 | 0.3 | 0.4 | 0.4 |
| **Maximum Potential Impact** | 109.5 | 1,000 | 0.002 | 17.1 | 89.0 | 109.1 | 126.5 |

**Peak Demands**. The well interference impacts assessment also failed to assess potential impacts associated with pumping to meet peak demands. Water demands for developments like the Project typically have peak water use in the summer months when high temperatures generate higher demands associated with irrigation and recreation. No estimates of these peak water demand or the potential for associated impacts were

8.4

included in the SEIR. One method to estimate peak day water demand is to double average daily demand, which would equate to a pumping rate of 219 gpm. Peak water demands typically continue for multiple days in the summer months, often up to weeks at a time. Local water purveyor records should be reviewed to identify the regional duration of peak water demands.

**Table 2 – Range of Potential Peak Demand Impacts to Closest Existing Well**

| | Pumping Rate (gpm) | Transmissivity (gpd/ft) | Storativity | Drawdown at 1 day (feet) | Drawdown at 1 week (feet) | Drawdown at 2 Weeks (feet) |
|---|---|---|---|---|---|---|
| **Minimum Potential Impact** | 219 | 360,000 | 0.1 | 0.2 | 0.4 | 0.4 |
| **Maximum Potential Impact** | 219 | 1,000 | 0.002 | 10.9 | 17.3 | 19.7 |

8.4 cont.

**Additional Comments.** Kear (2018) indicates that only one well is necessary to meet anticipated project demands and the second well is for backup/redundancy, which would imply that the two wells would not be operated simultaneously. However, both wells could be operated at the same time and this would double the impacts on nearby wells. Potential impacts from operating both wells simultaneously should be assessed in the SEIR.

8.5

The environmental review for the proposed Project should include on-site drilling and aquifer testing given the wide range of reported aquifer parameter values, their inappropriate application in the analysis used to support the SEIR, and the wide variation in estimated potential for impacts at the nearby existing wells shown above. Such drilling and testing should include pumping tests to estimate site specific aquifer parameters and measurements of actual well interference in the existing wells near the proposed Project.

The effects of both long and short-term well interference on nearby wells must consider construction and current operations of those wells. The impact from well interference on existing wells near the Project wells will depend on the construction and operation of the existing wells. Water levels within a well fall when pumping occurs. The depth to the water surface while pumping is referred to as the pumping water level. For wells to be functional, the pumping water level must be above the intake of the pumping equipment at all times. Further, the long-term reliability of any well is significantly affected if either static or pumping water levels routinely fall below the perforated interval (i.e. screens) in the well. Exposure of wells screens can lead to such problems as clogging and corrosion that reduce yield. Thresholds for impacts should be based on the minimum distance between the pumping water level and either the pump intake or top of perforations, whichever is less.

8.6

Falling groundwater elevations from increased local pumping can increase the costs of operating wells even when well interference from nearby wells does not cause pumping water levels to fall below these thresholds. Deeper pumping water levels requires more electrical power per unit volume pumped.

8.6 cont.

Also, the Well Interference Analytical Modeling section indicates that:

> "…due to the steep formation dips towards the syncline axis, there is generally indirect correlation of aquifer units in between the recommended new wells and existing wells to the north or south, including the golf course well. The golf course well, up-dip from the Primary and Backup Well locations, extracts groundwater from an overall deeper stratigraphic section than the new wells would, even though they may be of equal vertical depth."

8.7

This assertion is not founded on information presented in the SEIR or supporting documents. The included cross sections do not show any hydrostratigraphic information that would support this conclusion. Absent such supporting analysis, this statement is misleading and should be removed.

## 3. COMMENTS ON WATER QUALITY

The water quality assessment in the SEIR and Kear (2018 and 2019) identifies data indicating water quality in local wells that does not meet regional goals. Specifically, Kear indicates that recent total dissolved solids (TDS) concentrations in the shallow aquifer zone range between 700 and 800 milligrams per liter (mg/L, parts per million) while deep aquifer zone concentrations range between 650 and 800 mg/L (Kear, 2018). Kear also identifies two specific wells within two miles of the Project that have recent total dissolved solids (TDS) measurements of 615 to 930 mg/L. However, Kear and the SEIR present a best-case scenario for water quality from prospective future Project wells. Both indicate an expectation that wells will likely produce groundwater with TDS concentrations below 425 mg/L (a Santa Barbara County policy threshold). Kear bases this supposition at least in part on TDS concentration records collected between 1951 and 1975. It is unreasonable to rely upon water quality data that are 44 to nearly 70 years old. Until on-site wells have been drilled and tested, the SEIR and supporting analysis should include potential impacts and mitigation for the possibility of poor-quality groundwater and subsequent treatment. If water treatment will be required for the Project to use groundwater as the sole source of supply, then the environmental effects of such treatment must be analyzed in the SEIR.

8.8

## REFERENCES

Fugro Consultants, Inc., 2015, Santa Maria Groundwater Basin Characterization and Planning Activities Study, Final Report: Prepared for San Luis Obispo County Flood Control and Water Conservation District, December 2015

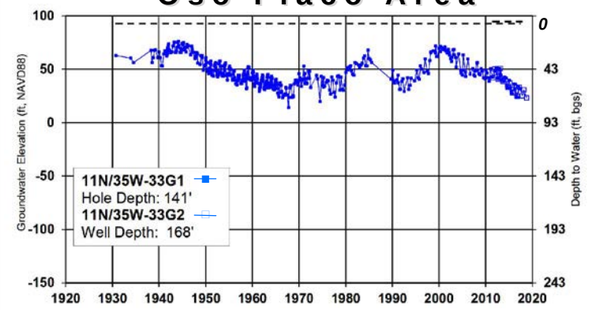
Luhdorff and Scalmanini Consulting Engineers, 2019, 2018 Annual Report of Hydrogeologic Conditions, Water Requirements, Supplies and Disposition, Santa Maria Valley Management Area, April 2019.

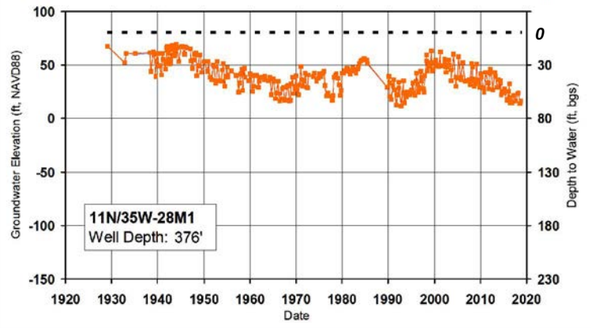
Kear Groundwater (Kear), 2019, Anticipated Groundwater Quality and Available Records from Proximal Wells, Orcutt Community Plan Key Site 21, Portion B, February 5, 2019.

Kear Groundwater (Kear), 2018, Water Well Feasibility for Orcutt Community Plan Key Site 21, Portion B, February 2, 2018.

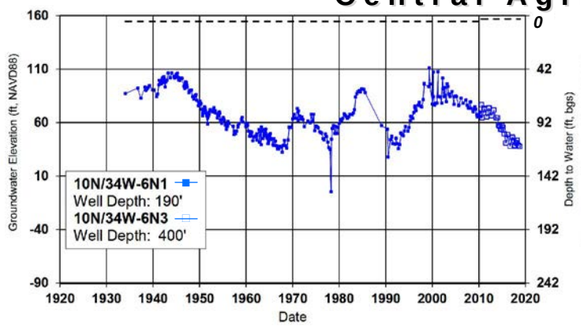
County of Santa Barbara, Planning & Development, Development Review Division, 2019, The Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project, Subsequent Environmental Impact Report, prepared with the assistance of Rincon Consultants, Inc., June 2019.

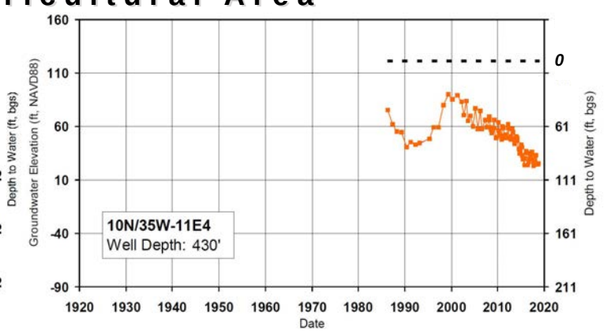
## Oso Flaco Area

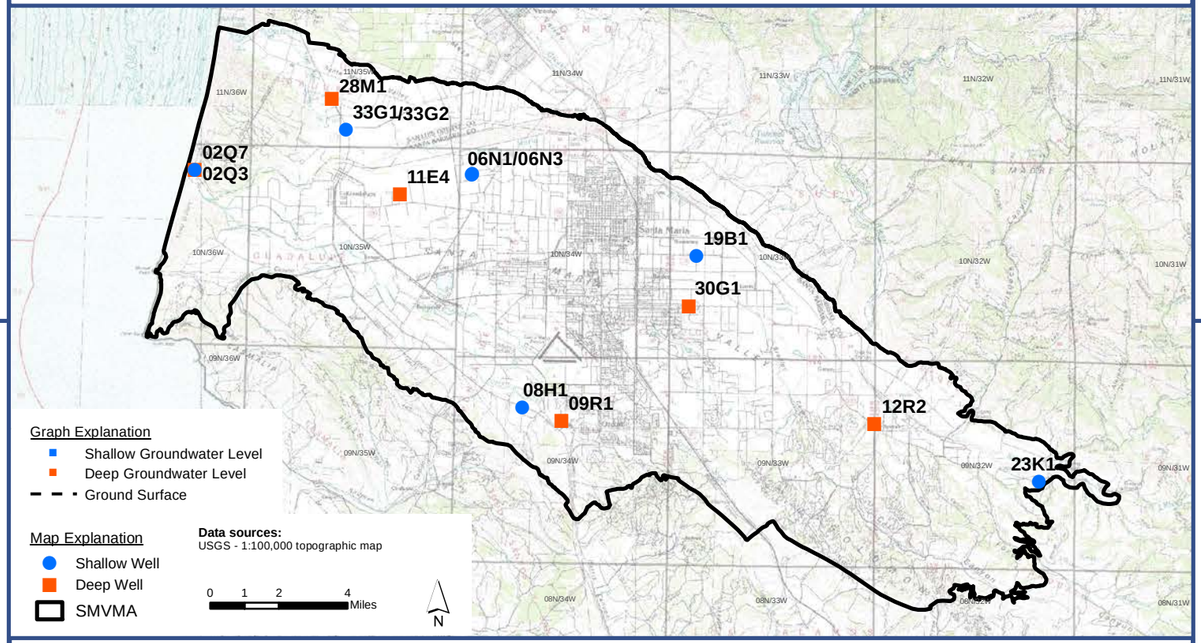


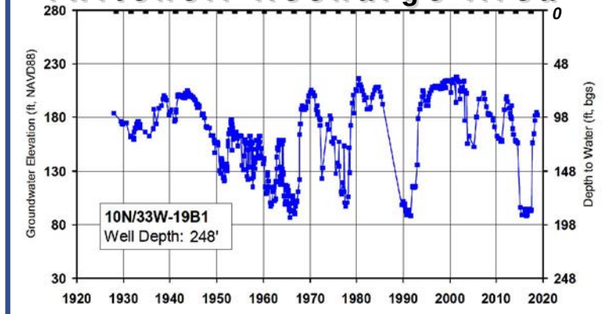

## Central Agricultural Area

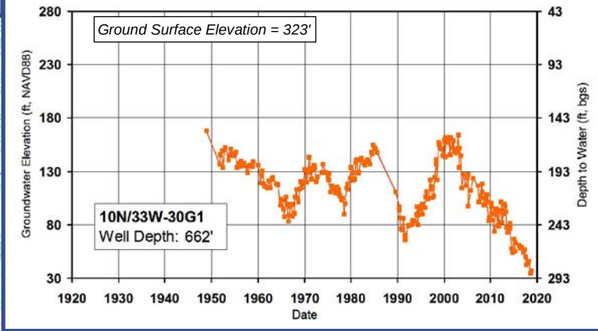


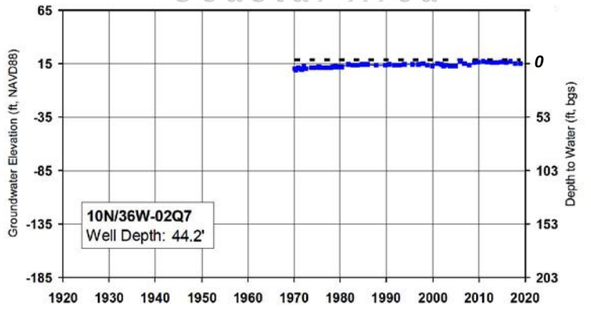



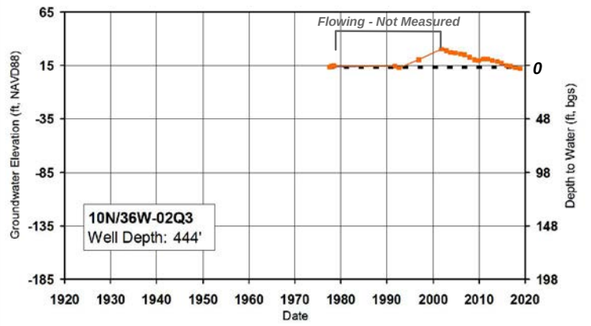

## Twitchell Recharge Area



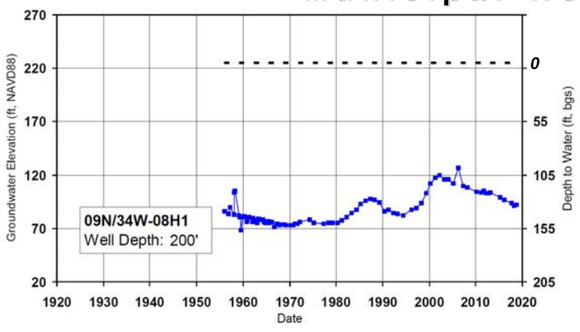



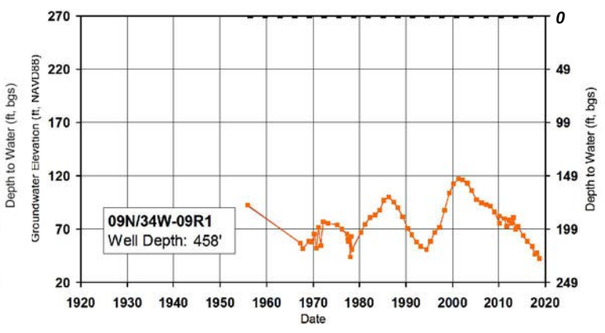

## Coastal Area



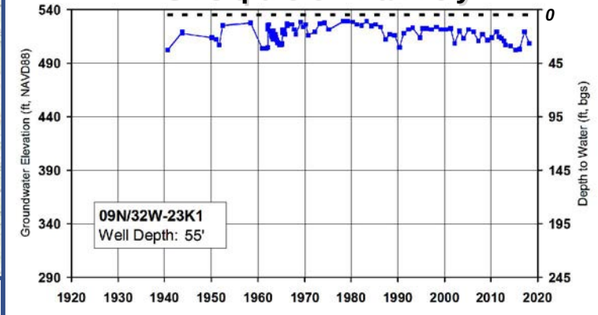



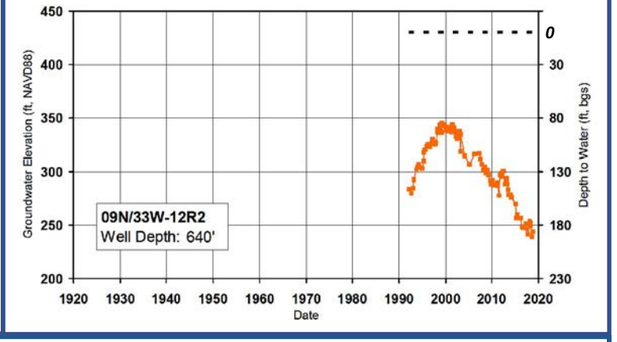

## Municipal Wellfield Area




## Sisquoc Valley




Luhdorff & Scalmanini
Consulting Engineers

**Historical Groundwater Levels**
**Santa Maria Valley Management Area**

*18-1-030/Annual Report/Twitchell Management Authority/Santa Maria Valley, California*

**Figure 2.1-2**

# Letter 8

**COMMENTER:** Chad Taylor, Todd Groundwater

**DATE:** July 26, 2019

The following comments address the findings of the water well feasibility analysis prepared for the project by Kear Groundwater in February 2018 (Appendix L) which are summarized in Draft SEIR Section 4.14, Water Resources and Flooding. Kear Groundwater prepared a Response to Comments memorandum in September 2019 responding to these comments, which is summarized here and incorporated for reference as Appendix N.1.

## Response 8.1

The commenter states that the Draft SEIR fails to identify supplemental water that will offset the demand of the project, and that the project's groundwater demand will exacerbate the existing overdraft of the groundwater basin. The water level data cited by Todd (2019) are described in the water well feasibility analysis prepared for the project by Kear Groundwater in February 2018 (Appendix L). The long-term hydrographs from these wells indicate that water levels are still currently above both the 1970s and the mid-1990s levels and that water levels throughout the basin respond to climatic variations with the basin having alternately experienced significant recharge and decline. This data is incorporated within the Santa Maria Basin's adjudication.

As described in the well feasibility memorandum (Appendix L):

> "Water rights within the Santa Maria Basin have been adjudicated since 2008. The Superior Court of California, County of Santa Clara, passed down the Stipulation of the Santa Maria Groundwater Basin Litigation in 2005 in order to ensure the Basin's long-term sustainability. The Water Manager/Watermaster is Luhdorff and Scalmanini, Consulting Engineers (LSCE). LSCE follows a monitoring program as required by the Stipulation that includes assessment of groundwater conditions (levels and quality), land/water use, and quantities utilized. Key Site 21 is within the approximately 175-square-mile Santa Maria Valley Management Area (SMVMA), one of three management areas of the larger Santa Maria Basin.".

The estimated gross project demand for Key Site 21 is 176.7 acre-ft per year, or about 0.15% of the overall Santa Maria Valley Management Area (SMVMA) groundwater extraction reported in 2018. The management actions adopted as part of the final court judgment in the Santa Maria Groundwater Basin Adjudication are intended to ensure the permanent sustainability of the groundwater resource despite fluctuations in overall groundwater extraction amounts.

## Response 8.2

The commenter states that the water well feasibility analysis (Appendix L) uses non-representative aquifer parameters. Kear Groundwater provides a detailed evaluation of potential aquifer parameters, including those evaluated in the Draft SEIR, as well as those recommended by the commenter, in Appendix N.1. For the well interference analytical model, the water well feasibility analysis established an average estimate with generally consistent and appropriately conservative values between local well production data and those derived by Fugro (2015) for Paso Robles Formation aquifers, indicating the adequacy of the Fugro investigation for evaluation of basin characteristics in the area of the project in the Draft SEIR. The commenter recommends pumping tests to estimate site specific aquifer parameters and measurements of actual well interference in

the existing wells near the proposed project. The recommended tests are appropriate for adaptive management of project well operations, but not required for SEIR-level investigation.

## Response 8.3

The commenter states that the water well feasibility analysis (Appendix L) did not consider a sufficiently long time period. As concluded in Appendix L, the "greatest effects are estimated to occur when wells are pumped at high rates and longer durations [however] higher rates would meet project demands in shorter durations." Kear Groundwater provides a detailed estimate of drawdown calculations over longer periods of time in Appendix N.1. The estimated drawdown values are anticipated to remain below typical seasonal fluctuations of the annual water level as well as increased drawdown of individual wells whose efficiency has declined with age. The proposed wells are not planned to be continuously pumped, but would instead be operated with periods of recovery, as estimated in the Draft SEIR.

## Response 8.4

The commenter states that the water well feasibility analysis (Appendix L) failed to assess potential impacts associated with pumping to meet peak demand. Per Title 22 Section 64554(b) of the California Code of Regulations, where annual water usage data are available, the maximum day demand is calculated by multiplying the average daily usage by a peaking factor of 2.25 and the peak hour demand is calculated by multiplying the average hourly flow during maximum day demand by a peaking factor of at least 1.5. Based on an average daily usage of 109.5 gpm, the maximum day demand would be 246 gpm and the peak hour demand would be 370 gpm. Higher pumping rates (for shorter durations) are included in Appendix L.

## Response 8.5

The commenter states that the Draft SEIR should evaluate the potential effect of both project site wells operating simultaneously. The regulatory requirement for public water systems put forth by Section 64554 include:

> 22 CCR §64554(c): Community water systems using only groundwater shall have a minimum of two approved sources before being granted an initial permit. The system shall be capable of meeting maximum day demand (MDD) with the highest-capacity source off line.
>
> 22 CCR §64554(d): A public water system shall determine the total capacity of its groundwater sources by summing the capacity of its individual active sources. If a source is influenced by concurrent operation of another source, the total capacity shall be reduced to account for such influence. Where the capacity of a source varies seasonally, it shall be determined at the time of MDD.

The main source (Primary Well) and the redundant source (Backup Well) would be used to meet the estimated project demand. Both wells are required to be capable of meeting the maximum day demand individually. Concurrent/simultaneous pumping is not planned. However, if concurrent pumping did occur, the estimated project demand remains the same. Either one well would meet 100% of demand or both wells would each meet 50% of demand. Therefore, the impacts on nearby wells would not be doubled, but reduced given the lower pumping rates and the associated decentralization of the pumping cones of depression.

## Response 8.6

The commenter states that the environmental review should include on-site drilling and aquifer testing to estimate site-specific aquifer parameters and measure actual well interference in the existing wells near the project site. The water well feasibility analysis (Appendix L) recommends site-specific testing during project implementation to establish actual aquifer parameters (Appendix L). Based on published reports and available data from nearby existing wells, enough information is currently known about the aquifer's characteristics to reasonably estimate the effect that pumping the proposed primary and backup wells would have on existing wells without the need for site-specific testing prior to project implementation. This approach is adequate for purposes of the Draft SEIR evaluation of basin characteristics in the area of the project and potential environmental effects.

## Response 8.7

The commenter states that the water well feasibility analysis does not provide adequate information to support the conclusion that the proposed wells would extract groundwater from a shallower stratigraphic section than the existing wells. The water well feasibility analysis includes a geologic map of the Key Site 21 area that incorporates the regional published maps (refer to Appendix L, Figure 3). The published maps show the Paso Robles Formation to be dipping between 30 to 60 degrees to the northeast (toward the Santa Maria Valley Syncline axis). The generally indirect correlation of aquifer units is described between the proposed new wells and the existing active RMGC well, approximately 1,400 feet southwest of the proposed well sites. Assuming a conservative dip of 30 degrees and a horizontal offset of 1400 ft, the strata within which the active RMGC well is perforated to be approximately 800 feet deeper at the proposed new wells. The total anticipated depths of the proposed new wells are each 700 feet.

Groundwater is mostly stored as semi-confined to confined aquifers within the Paso Robles Formation, with high permeability layers of sand and gravel separated by finer-grained low permeability layers. These low permeability layers partially restrict groundwater movement up the titled stratigraphic section. Additionally, groundwater regionally flows west-northwest across the basin (parallel to formation strike, perpendicular to formation dip). Therefore, hydrostratigraphic information in Appendix L supports the conclusion that the active RMGC well extracts groundwater from an overall deeper stratigraphic section than the proposed new wells would.

## Response 8.8

The commenter states that the water quality assessment in the Draft SEIR uses inappropriate assumptions and data to conclude that TDS levels would be below the County's threshold. Kear Groundwater provides discussion of the assumptions and data used in the water well feasibility analysis and associated water quality assessment (Appendix L) in Appendix N.1. Kear Groundwater notes errors by the commenter when summarizing that "Kear also identifies two specific wells within two miles of the Project that have recent TDS measurements of 615 to 930 mg/L;" the correct reported high value is 830 mg/L and the well is approximately 2.75 miles from Key Site 21.

Appendix L includes water quality data referred to as "historic quality records," and describes that "TDS concentrations […] fluctuate [with time] more than 200 mg/L in a single well." Appendix L also states that "[r]ecent (2012) water quality data […] from the nearby, active, 600-foot-deep RMGC well […] [is] expected to be similar to if not slightly poorer than the planned primary and backup wells […] [with] (TDS) concentration of 615 mg/L." The planned new wells will be constructed using

modern drilling, analysis, and well construction methods, reducing the potential for quality issues with the proposed new wells in comparison to existing nearby wells.

The water quality assessment assumptions and data support the conclusion that "[i]f the produced quality does exceed the 425 mg/L standard (which remains a possibility), a reverse-osmosis (RO) above-ground treatment facility could be implemented […] [to] divert the high-quality stream to the community and likely store then transport the brine solution stream for either (1) offsite disposal at an appropriate water discharge facility or, preferably, (2) onsite usage, likely for irrigation with salt-tolerant grass or other plant species." In addition, as described in Response 3.8, Mitigation Measure WR-3 describes a range of modern drilling, analysis, and well construction methods that may be used to ensure new wells would meet the OCP Policy WAT-O-5 standard for TDS concentrations, and Response 3.1 indicates canister-style water softening units will be used in lieu of reverse osmosis, which do not produce brine.

Letter 9

July 27, 2019

To Dana Eady,

My name is Brian Tomooka and I am a Math Teacher and Head Softball and Head Girls' Golf Coach at Righetti High School. I was born and raised in Santa Maria and have grown up playing golf at the Rancho Maria Golf Club. As a young kid, I would spend most of my summer days at the course. My parents would drop me off in the morning and they knew it was a good environment and safe place to be.

I am writing this letter expressing my concerns over the proposed development of The Neighborhoods of Willow Creek & Hidden Canyon Project. Rancho Maria is a family owned public golf course that is utilized by many people in the Orcutt, Santa Maria, and neighboring communities. Rancho Maria Golf Club is very affordable to play, always maintained very well, and is one of the few golf courses around that has kept the natural setting around the course.

9.1

Besides being a member of the community who enjoys playing golf at Rancho Maria, I am also the Head Girls' Golf Coach at Righetti High School. Traffic to and on the golf course as well as having houses along the course are concerning to me as a user of the course and a coach who brings my players here.

9.2

Rancho Maria Golf Club has been our home golf course since the girls' golf program was started. Rancho Maria has a great practice facility and the ownership and staff have always treated us well and have supported our program. Without their generosity and flexibility in enabling us to use their facility for practices as well as matches and tournaments, our program would not be as successful as it has been. Year after year, we have about 16-18 girls come out for the golf team (most that have no prior golf experience) and with the support of the Rancho Maria Staff, we are able to give these girls the opportunity to learn the sport of golf and teach them lifelong lessons along the way.

Rancho Maria Golf Club has also been the host course for our Righetti High School Softball and Girls' Golf Fundraiser Golf Tournament. This tournament raises funds for the two programs which helps us to pay for equipment, uniforms, and other supplies during the season. I have organized this tournament for 15 years, and Mike O'Keefe, the Director of Golf at Rancho Maria has always accommodated us and has made sure that the players had a fun experience. He has also generously donated green fees and other prizes for our tournament.

9.3

During the summer months, there are also clinics and camps for the youth at Rancho Maria Golf Club. Being able to introduce kids to the sport in a fun and safe environment is great to see.

In closing, Rancho Maria Golf Club is a course utilized by many people and organizations in our community. From the youth to the senior citizens, for over 60

years, this club has been able to provide a place where people can play golf, get their exercise, meet new people, and enjoy time with friends. As a community member, teacher, coach, and someone who grew up playing this golf course, I hope that the concerns raised by the people that have been involved with this course are addressed and that the negative impacts of the proposed development are considered before moving forward. We would be at a large disadvantage if we lot even a portion of this golf course.

9.3 cont.

Sincerely:

Brian Tomooka

Brian Tomooka
Mathematics Teacher
Head Softball Coach
Head Girls' Golf Coach
Righetti High School

# Letter 9

**COMMENTER:** Brian Tomooka

**DATE:** July 27, 2019

## Response 9.1

The commenter states that the RMGC is a family owned public golf course that is utilized by many people in the Orcutt, Santa Maria, and neighboring communities because it is affordable, well maintained, and has a natural setting. This comment is introductory in nature and does not address the adequacy or accuracy of the Draft SEIR.

## Response 9.2

The commenter generally expresses a concern with traffic to Key Site 21 and on the public golf course, as well as having houses along the course. This comment is general in nature and does not specifically address the adequacy or accuracy of the Draft SEIR. However, transportation and traffic impacts are discussed in Section 4.13, Transportation and Circulation, and Topical Response 3, which addresses the issue of project-related traffic impacts to the RMGC.

## Response 9.3

The commenter discusses the community benefits of the RMGC and the fact that it is a venue for clinics, camps, tournaments, and the high school girls' golf program. The commenter expresses a hope that the concerns raised by RMGC owners and stakeholders are addressed and that the negative impacts of the project are considered before moving forward. This comment does not specifically address the adequacy or accuracy of the Draft SEIR, but the commenters concerns will be forwarded to County decision makers for their consideration.

NOSSAMAN LLP

Letter 10

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Refer To File #: 502680-0002

VIA EMAIL AND US MAIL

July 29, 2019

Ms. Dana Eady, County Planner
Santa Barbara County
Planning and Development
624 W. Foster Road,
Santa Maria, CA 93455

Re: **Comments on Draft SEIR for The Neighborhoods Project**
**Supplemental Water, Water Rights, and Well Interference**

Dear Ms. Eady

We submit these comments on behalf of the Rancho Maria Golf Club ("RMGC") regarding the Draft SEIR for the proposed Neighborhoods of Willow Creek & Hidden Canyon residential development project ("Project"), particularly with regard to the proposed Project's threat to the local groundwater supply and to RMGC's nearby wells. As proposed by the developer, this Project will interfere with groundwater production from RMGC's nearby wells, will violate RMGC's water rights, will exacerbate overdraft of the groundwater basin, and consequently will violate Orcutt Community Plan Policy Wat-0-2 and DevStd Wat-0-2.2. In addition, we attach a Memorandum from Todd Groundwater demonstrating that the SEIR and its supporting documents understate the Project's probable harms to the groundwater supply, including increased overdraft and potential harm to nearby wells. 10.1

**1. OCP Policy WAT-O-2 – No Supplemental Water and No Water Rights**

The SEIR summarizes the OCP water policy and claims that this development complies with it:

OCP Policy WAT-O-2 requires that the water demand for projects in the OCP area be offset by supplemental water supplies that do not result in further overdraft of the ground water basin. Policy WAT-O-2 defines "supplemental water" as a "source of water other than groundwater, unless: 10.2

1. The groundwater basin has been determined to be no longer in overdraft, or
2. The use of groundwater is consistent with the final water rights judgment entered in the Basin adjudication (Santa Maria Valley Water Conservation District vs. City of Santa Maria, et. al [Superior Court, County of Santa Clara, Case no. 770214]).

> In compliance with this measure, since 1996, supplemental water has been imported to the County through the State Water Project, reducing potentially significant cumulative impacts to water resources as a result of buildout of the OCP area to less than significant (Class II).
>
> The Specific Plan area overlies the SMGB and is within the SMVMA. As discussed in Section 4.14.1 regarding the Santa Maria Basin water rights adjudication, under the Santa Maria Groundwater Basin Adjudication Stipulation, all overlying owners that are also stipulating parties have a prior and paramount overlying right, whether or not yet exercised. The water rights for the proposed Specific Plan area are covered by this settlement agreement. Therefore, the use of native groundwater to serve the proposed project is consistent with the final water rights judgment, and meets the definition of "supplemental water" for purposes of satisfying the objectives of Policy WAT-O-2. The project's water demand is legally considered to be offset by long-term supplemental water supplies, adequately mitigating potentially significant impacts resulting from increased overdraft to the SMGB (impacts WAT-1 and WAT-2) to a less than significant level (Class III).
> (Page 4.14-14.)

10.2 cont.

The first argument above, that "supplemental water has been imported" by other public water suppliers, misreads the requirement that the "water demand of new discretionary development must be offset by long-term supplemental water supplies…" It seems obvious that this new Project must obtain or acquire its own new supplemental water supply and cannot rely on supplemental water imported by the City of Santa Maria or Golden State Water Company to supply water to other customers in other areas of the Basin. Otherwise, the same water supply previously imported by third parties could justify an infinite amount of new development. A pre-existing water supply to other parties cannot be a "supplemental" water supply to this Project.

The SEIR's second argument is that under the Santa Maria Groundwater Basin Adjudication's Stipulated Judgment, the development can rely on its landowners' paramount overlying rights to use groundwater, and therefore its "use of groundwater is consistent with the final water rights judgment." The SEIR assumes, without proof: (1) the current owners of the property are "Stipulating Parties" to the Settlement Stipulation; (2) the developer will properly establish a mutual water company that will own or use the overlying water rights of the 146 future landowners; and (3) that the future mutual water company and/or the 146 future landowners are "Stipulating Parties" to the 2005 Settlement Stipulation. But the SEIR cannot and does not support any of these assumptions.

10.3

First, the developers have not provided any documentation establishing this mutual water company or explaining how it will operate, legally or practically. Often a mutual water company is formed as a Corporation whose shareholders are the individual landowners (here 146 homeowners) that it serves, and it may own or assert their overlying rights to use groundwater on their properties overlying the groundwater basin. But neither we nor the County knows how this mutual company will operate or what water rights it will possess.

Second, it is true that the Settlement Stipulation provides that “Stipulating Parties” who are overlying landowners within the Santa Maria Valley Management Area have prior and paramount right to use native groundwater. (Settlement Stipulation, page 11.) But it is obvious that a non-existent mutual water company and the 146 future homeowners are not "Stipulating Parties" to the Settlement Stipulation and therefore have no water rights under the Judgment. Indeed, the SEIR offers no evidence that the multiple current owners of this Project are "Stipulating Parties” to the Judgment or have any rights thereunder. 10.4

In addition, the SEIR ignores the next sentence of the Stipulation: "Subject to [an inapplicable exception], Overlying Rights are appurtenant to the overlying land and cannot be assigned or conveyed separate or apart from those lands." Assignment of water rights to the mutual water company would violate the Stipulation by "assigning or conveying" the project owners’ or the homeowners' water rights without conveying the lands. That would violate the Settlement Stipulation incorporated into the Judgment, and so it is not "consistent with the final water rights judgment entered in the Santa Maria Groundwater Basin adjudication."

**2. Overdraft**.

The Orcutt Community Plan includes Policy Wat-0-2 and DevStd Wat-0-2.2. Policy Wat-0-2 requires that new discretionary developments, such as this proposed project, offset their water demands with “long-term supplemental water supplies that do not result in further overdraft of the local groundwater basin.” Likewise, DevStd Wat-0-2.2 requires that proposed developments either obtain water service from California Cities Water Company or, alternatively, demonstrate the adequacy of the water supply for the project. The required demonstration must describe “how the project will be served during drought periods” and “should also show that the project use would not contribute to overdraft of the basin.” In other words, it is a basic County policy that new developments should not exacerbate water supply problems, but that is exactly what this Project would do.

The Court's 2014 Amended Judgment warns:

> "The Court determines that **there is a reasonable likelihood that drought and overdraft conditions will occur in the Basin in the foreseeable future** that will require the exercise of the court's equity powers." (Amended Judgment, page 6.) 10.5

Pursuant to this Judgment, expert consultants were appointed to study and report annually on the basin’s groundwater conditions. The most recent Santa Maria Valley Management Area Annual Report for 2018 reports declining groundwater levels in the Santa Maria Valley for many years, particularly in the area of the Project, where water levels have declined precipitously (30-75 feet!) in the last two decades. (See Overdraft discussion in attached Todd Memo, §1.) These data indicate that overdraft conditions already exist, are worsening, and will deteriorate even faster if the drought returns.

The additional groundwater of this proposed Project will necessarily “contribute to” and “result in further overdraft” of the basin, threatening the water supply for all water users in this area. That is why neighboring farmers and RMGC are legitimately alarmed that this project will deplete their groundwater supply and violate their groundwater rights. RMGC is a Stipulating Party whose “paramount overlying rights” would be violated by this Project.

**3. Well Interference**.

The developer proposes to utilize two adjacent groundwater production wells that will pump an average of 176.7 acre-feet per year of groundwater. However, the proposed location of the project wells is only approximately 200 feet from one RMGC well and 1200 feet from a second RMGC well.

As explained in the County's Environmental Thresholds and Guidelines Manual, potential "adverse environmental effects" of groundwater extractions include interference with nearby wells:

> **"Well interference.** New pumpage as part of a proposed project may cause a loss of well yield in nearby wells due to 1) a drop in water level as a cone-of-depression develops, or 2) a drop in water level due to storage depletion in a small isolated area. This could result in the current use on adjacent parcels being no longer supportable by the existing well(s)." (Page 69.)

10.6

Here, as demonstrated in Section 2 of the attached Todd Memorandum, the Draft SEIR greatly understates the potential harm, particularly the long-term impacts, to RMGC's nearby wells. For example, the Project's potential pumping impact to RMGC's closest well could draw down its water level by up to 126.5 feet over 20 years, potentially rendering it inoperable.

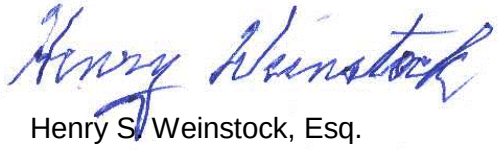
**Conclusion**.

The Draft SEIR understates the project's impacts to the local water supply, to neighboring landowners' water rights, and to their wells. The SEIR should consider project alternatives that do not pose these risks, for example, by reducing the size of the project and its groundwater usage, and by requiring that project wells not interfere with existing wells of RMGC and other local landowners. Moreover, for the reasons explained on pages 4-5 of the Todd Memorandum, Project proponents must conduct on-site testing of aquifers, well interference, and water quality.

10.7

Feel free to contact me if you wish to discuss any of these issues.

Very truly yours,



Henry S. Weinstock, Esq.

# Letter 10

**COMMENTER:** Henry Weinstock, Esq, Nossaman, LLV

**DATE:** July 29, 2019

The following comments address the adequacy of the Draft SEIR conclusions regarding supplemental water, water rights, and well interference, which are summarized in Draft SEIR Section 4.14, Water Resources and Flooding. Hollister & Brace prepared a Response to Comments memorandum in September 2019 under contract to the project applicant responding to these comments, which is summarized here and incorporated for reference as Appendix N.2.

## Response 10.1

The commenter states that they are submitting their comments on behalf of the RMGC regarding the Draft SEIR particularly with regard to potential impacts to the local groundwater supply and to RMGC's nearby wells. The commenter critiques the approach the Draft SEIR takes to analyzing the project's impacts on water resources and attaches a memorandum from Todd Groundwater (refer to Letter 8) stating that the SEIR and its supporting documents understate the project's potential impacts to the groundwater supply.

This is an introductory comment for the comments that follow. Refer to Responses 8.1 through 8.6 for a discussion of the comments in the memorandum prepared by Todd Groundwater. Refer to Response 10.2 through 10.10 for a discussion of the specific issues raised by the commenter.

## Response 10.2

The commenter states that the project would be inconsistent with OCP Policy WAT-O-2 on the basis that the project must obtain or acquire its own new supplemental water supply and cannot rely on supplemental water imported by the City of Santa Maria or golden State Water company to supply water to other customers in other areas of the Santa Maria Basin.

The Draft SEIR describes the environmental setting since 1996, when State Water Project water began being imported to the Orcutt area, reducing the potentially significant cumulative impact to water resources identified in the 1995 OCP EIR. The discussion referenced by the commenter does not attempt to exempt the project from the requirements of Policy WAT-O-2 or rationalize away the need for the project to obtain its own source of "supplemental" water. Policy WAT-O-2 requires new discretionary development to obtain a source of water other than local groundwater, ensuring no additional consumptive demand is placed on the Basin. Policy WAT-O-2 defines "supplemental water" as "a source of water other than groundwater, unless: 1. The groundwater basin has been determined to be no longer in overdraft, or 2. the use of groundwater is consistent with the final water rights judgment entered in the Basin adjudication (Santa Maria Valley Water Conservation District v. City of Santa Maria, et.al., Santa Clara Superior Court Case No. 770214)." Policy WAT-O-2 permits native groundwater to be used to support new growth in Orcutt provided the Basin is determined to no longer be in overdraft and/or the use of groundwater is consistent with the permanent solution put in place to ensure sustainable management of the groundwater resource. As described in Draft SEIR Section 4.14, Water Resources and Flooding, the use of native groundwater to serve the proposed project is consistent with the final water rights judgment and meets the definition of "supplemental water" for purposes of satisfying the "supplemental" water requirement set forth in Policy WAT-O-2.

## Response 10.3

The commenter states that the SEIR does not provide sufficient proof that the "use of groundwater is consistent with the final water rights judgement" and requests information about the proposed mutual water company for the project. The Settlement Stipulation sets forth the terms and conditions of a "physical solution" applicable to the Santa Maria Groundwater Basin. The physical solution is the legal mechanism the court put in place to preserve the Basin's long-term sustainability and protect it from overdraft. The Settlement Stipulation states:

> "The terms and conditions of this Stipulation are intended to impose a physical solution establishing a legal and practical means for ensuring the Basin's long-term sustainability. This physical solution [...] is intended to ensure that the Basin continues to be capable of supporting all existing and future reasonable and beneficial uses" (Appendix N.2).

The physical solution was approved based on a finding that, despite historic shortages, there was no overdraft of the Basin (i.e., a permanent lowering of the groundwater table) (Appendix N.2). Despite the lack of overdraft, the Settlement Stipulation found that the physical solution was necessary to provide for future exigencies (Appendix N.2). The decision has been subsequently upheld in all pertinent respects by the Court of Appeal.

The final judgment mandates that all parcels situated within designated "New Urban Use" boundaries must obtain "supplemental water" (i.e., a source of water other than native groundwater) to serve new urban growth on the parcels (Appendix N.2). The New Urban Use boundaries were one of several management measures adopted by the court to ensure the permanent sustainability of the groundwater resource. The judgment does not place similar restrictions on parcels located outside designated New Urban Use boundaries. This means parcels located outside designated New Urban Use boundaries may rely on native groundwater as a source of water supply to serve new demand on the parcels. The undeveloped parcels comprising Key Site 21 (APNs 113-250-15, 113-250-16, and 113-250-17) are situated outside the New Urban Use boundaries. As such, the final water rights judgment authorizes use of native groundwater as a source of water supply to serve development of these parcels.

## Response 10.4

The commenter states that future homeowners would not be stipulating parties to the Santa Maria Groundwater Basin Adjudication Stipulation, and that assigning water rights to the proposed mutual water company would violate the settlement agreement. The project applicant's request to the County documents that the water company will be exercising the overlying water rights appurtenant to the undeveloped parcels comprising Key Site 21.

Mutual water companies are formed by individual landowners/shareholders possessing existing water rights for the purpose of facilitating the distribution of the water to which the landowners/shareholders are entitled. The water right is retained appurtenant to the land held in private ownership, the only distinction being that the right is exercised by the corporation on behalf of its landowners/shareholders. There is no separation or "severance" of the water right from the appurtenant overlying land. Furthermore, an agreement transferring the water rights to the company will allow for the land to be subdivided without loss of its overlying status (Appendix N.2).

CEQA does not require the SEIR to describe in detail how the mutual water company will operate. The Draft SEIR relies on established legal concepts in concluding the mutual water company will have the legal authority to exercise the overlying rights of its landowners/shareholders.

Furthermore, an EIR is required to evaluate only the environmental impacts of a project (Public Resources Code Section 21100). The "environment" is defined as the physical conditions that exist within an area affected by a proposed project, including land, air, water, minerals, flora and fauna, noise, and objects of historic or aesthetic significance (Public Resources Code Section 21060.5; 14 CCR Section 15360). Detailed information describing how the mutual water company will operate is not necessary to evaluate the possible effects the project will have on water resources. All that is required is an understanding that the project intends to rely on native groundwater pumped from the Basin, and water service will be provided by a mutual water company exercising the overlying water rights appurtenant to the undeveloped overlying parcels.

## Response 10.5

The commenter states that the additional groundwater usage of the project would contribute to further overdraft of the basin, potentially violating the overlaying groundwater rights of RMGC. As discussed in Response 10.3, the Settlement Stipulation found that there was no overdraft of the groundwater basin (i.e., a permanent lowering of the groundwater table). As one of several management actions, the Settlement Stipulation requires comprehensive groundwater monitoring and annual reporting of Basin groundwater conditions. The monitoring program tracks groundwater conditions throughout the Basin; water supply availability; and amounts and methods of disposition of all Basin water utilized. Each year annual reporting is submitted to the court for approval. The 2018 Annual Report for the Basin concludes that the groundwater level conditions in the SMVMA do not meet Stipulation provisions defining a condition of severe water shortage (Appendix N.2).

If annual reporting for the Basin determines that conditions in the Basin are continuing to deteriorate, the court has the authority to impose further management measures as necessary. Potential management measures include ordering the parties to participate in water supply augmentation projects, and/or making downward adjustments to parties' respective water supply pools.

## Response 10.6

The commenter states that the SEIR understates the potential long-term impacts to RMGC's nearby wells. The commenter references technical issues raised in the memorandum prepared by Todd Groundwater, included in this Response to Comments as Letter 8, as a basis for criticizing the methodology and approach the Draft SEIR takes to analyzing the potential for well interference. The technical issues raised in this memorandum have been addressed in Response 8.1 through Response 8.8.

## Response 10.7

The commenter states that the SEIR should consider alternatives that don't pose the risks to the water supply (as posed in the preceding comments). The commenter also states that the applicant must conduct on-site testing of aquifers, well interference, and water quality. This comment is generally concluding in nature and the comments are addressed in Response 10.1 through Response 10.6. The Draft SEIR discusses potential alternatives to the project in Section 6, Alternatives. Each of the alternatives considered would result in reduced water demand in comparison to the project, but none would eliminate the need for Mitigation Measure WR-3.

Letter 11

July 30, 2019

Dana Eady

County of Santa Barbara

624 W. Foster Avenue

Santa Maria, CA. 93455

Dear Ms. Eady:

My name is John Wells, I am a resident of Orcutt and am currently President of the Rancho Maria Men's Club. We are a golf club made up of over 250 members who enjoy golfing at Rancho Maria Golf Course.

I am writing to voice my concerns on the pending "The Neighborhoods of Willow Creek & Hidden Canyon" project planned for Key Site 21 of the Orcutt Community.

As I'm sure you're aware, this plan is surrounded by Rancho Maria Golf Club, a family owned and run business for over 50 years. This is THE SINGLE local public golf course in the Santa Maria / Orcutt area. This facility is used by many seniors, local youths and players. It's the "home" for Righetti High School golf as well as Orcutt Academy. The O'Keefe family hosts well over 20 charity tournaments per year raising thousands and donates itself more than 1000 free rounds of golf, with carts, to various schools, clubs, charities and fundraisers. All those funds stay here in the local community. So, to state that Rancho Maria is "a good corporate citizen" is an understatement!

11.1

There are many concerns with the proposed project, however, here is a brief re-cap of some of the more major items:

- As far as I know there has not been a completed, publicly circulated and reviewed (as well as approved) Specific Plan for Key Site 21. Shouldn't this be accomplished prior to completing a review of the development plan within the Key site?

11.2

- Does the draft SEIR provide enough consideration of the golf course within the plan? Has there been adequate analysis of proposed roads cutting though the course, proposed netting and most important the overall INCREASE IN TRAFFIC to the area? Highway 1 is already a dangerous drive with the cars, agriculture tractors, semi-trucks coming and going to Guadalupe and bike riders. What happens when we add significantly more residents and traffic to the area? 11.3
- One trait of Rancho Maria is the local wildlife. Players love how quiet it is out there, how on any given day they can see deer, bobcats, quail, king snakes and more. What happens to this habitat when the housing comes in. What happens to the entire environment and experience? 11.4
- Rancho Maria golf course is a unique and specialized land use. I do not believe that the draft SEIR had addressed the impact of the project to this land use.

You can see that I have a passion for this piece pf property and am generally concerned by the pending housing development. I grew up learning golf at Rancho Maria in the early 1970's and am amazed that the family has been able to keep it all together over the years. 11.5

Rancho Maria Golf Club is a unique asset to the quality of life in the Santa Maria Valley. Before anything is approved that will significantly impact this asset, I want to make sure that the County of Santa Barbara has done (or has ordered to have done) the proper and complete analysis that is essential.

Thank You

John Wells

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Orcutt, CA. 93455

(661) 619-5573

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# Letter 11

**COMMENTER:** John Wells

**DATE:** July 30, 2019

## Response 11.1

The commenter states that he is writing to voice his concerns about the project and its potential effect on the RMGC. The commenter notes the community benefits provided by the RMGC. This comment is introductory in nature and does not specifically address the adequacy or accuracy of the Draft SEIR. Specific concerns are addressed in the responses that follow.

## Response 11.2

The commenter states that there has not been a publicly circulated Specific Plan for Key Site 21. Please refer to Topical Response 2 for a discussion about a Specific Plan for Key Site 21.

## Response 11.3

The commenter questions whether the Draft SEIR provides enough consideration of potential impacts to the public golf course and whether there has been adequate analysis of proposed roads cutting through the course. Refer to Topical Response 1 for a discussion about the SEIR's analysis of impacts to RMGC and to Topical Response 3 for a discussion of transportation and access-related impacts to the RMGC.

## Response 11.4

The commenter states that users of the public golf course value wildlife and questions what will happen to wildlife habitat on Key Site 21 and to the environment/experience of playing on the public golf course as a result of the project.

Section 4.4, *Biological Resources,* analyzes the project's impacts on wildlife and sensitive habitats. As discussed in that section, potential impacts to biological resources would be reduced to a less than significant level through the implementation of required Mitigation Measures BIO-1 through BIO-7, which include requirements for pre-construction surveys, impact minimization techniques, habitat avoidance, consultation with USFWS/CDFW, compensatory mitigation, and awareness programs. In addition, Topical Response 1 addresses the issue of the potential effect of the project on the RMGC.

## Response 11.5

The commenter states that the RMGC is a unique and specialized land use, that they believe the Draft SEIR does not address the impacts of the projects to this land use, and that they want to make sure the County performs a proper and complete analysis of the project's impacts. Refer to Topical Response 1 for a discussion of the project's potential effect on the RMGC and to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

Letter 12

Alan Seltzer
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August 2, 2019

Dana Eady, Planner
Development Review Division
Planning & Development
624 W. Foster Rd. Ste. C
Santa Maria, CA 93455

RE: Comments on The Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) DSEIR; 19EIR-00000-00002, SCH #2018031077

Dear Ms. Eady:

The following comments are submitted on behalf of the Rancho Maria Golf Club ("RMGC") regarding the Draft Supplemental Environmental Impact Report ("DSEIR") for The Neighborhoods of Willow Creek and Hidden Canyon residential development project ("Project") referenced above.

The DSEIR "must include detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project." *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 405; see also *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 516. The DSEIR fails this purpose because of its improper and incomplete project description; inaccurate environmental setting; overly narrow project objectives; inadequate alternatives analysis; failure to avoid significant impacts through feasible alternatives; improper reliance on deferred mitigation; failure to independently disclose and analyze significant project impacts; and failure to analyze impacts caused by proposed project mitigation measures. While other deficiencies in the DSEIR are identified in comment letters from others writing on behalf of RMGC, the DSEIR's significant omissions and inadequacies discussed below include: 12.1

- The DSEIR's failure to include a Specific Plan for the entire Key Site 21 ("KS21").
- The DSEIR's improper piecemeal analysis of the Project by narrowing the scope of the Specific Plan through elimination of RMGC from the KS21 Specific Plan.
- The DSEIR's failure to disclose that the proposed project is partially on RMGC's property, resulting in an inaccurate baseline and impact analysis.
- The DSEIR's overly narrow project objectives which are illegally used to constrain the Alternatives Analysis.

- The DSEIR's inadequate and incomplete analysis of alternatives, which omits analysis of the OCP EIR Alternative 2 (Low Buildout Option) and improperly rejects a partial offsite alternative that recognizes RMGC's area of historic usage.
- The DSEIR's reliance on deferred mitigation that is inadequate to avoid or substantially lessen the Project's Class I impacts.
- The DSEIR's failure to independently analyze significant environmental impacts of the Project.
- The DSEIR's failure to analyze impacts caused by the Project's mitigation measures.

12.1 cont.

The correction of these and other deficiencies will result in "significant new information" being added to the EIR that will require recirculation. CEQA Guidelines § 15088.5.

## I. The Project Description is Incomplete, Inaccurate, Improper and, therefore, the DSEIR is Inadequate.

A stable, complete and accurate project description "…is the *sine qua non* of an informative and legally sufficient EIR." *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App. 3d 185, 193 (italics in original); *see also* CEQA Guidelines § 15124 (requirements for project description). Conversely, if an EIR fails to address the "true scope of the project," it is "inadequate as a matter of law." *RiverWatch v. Olivenhain Mun. Water Dist.* (2009) 170 Cal.App. 4th 1186, 1201 (quoting *City of Santee v. Cty. of San Diego* (1989) 214 Cal.App. 3d 1438, 1454–55).

12.2

The DSEIR fails to meet this most fundamental requirement of CEQA - to provide an adequate description of the proposed project. As addressed below, the DSEIR fails (1) to comply with the requirement of the Orcutt Community Plan ("OCP") to analyze a Specific Plan for the entire KS21 and (2) fails to identify the relation between the location of the Willow Creek and Hidden Canyon Neighborhoods Development Plan project sites and RMGC's existing physical improvements. As a result, the DSEIR improperly piecemeals the OCP's required analysis of the entire KS21 Specific Plan area, inadequately describes the existing environmental setting, minimizes the required analysis of the consistency between RMGC's existing recreational resource and proposed future residential development, and understates the magnitude of the Project's environmental impacts.

### A. The Project Description is Improper and the DSEIR is Inadequate Because it Fails to Include or Analyze a Specific Plan for the entire Key Site 21.

It is axiomatic that the DSEIR must analyze the impacts from "the whole of the action." CEQA Guidelines § 15378(a); Cal. Pub. Res. Code § 21065.

12.3

Orcutt Community Plan DevStd KS21-1 provides: "*No applications for development shall be accepted prior to approval of a Specific Plan for the entire site*." Thus, the DSEIR was required to analyze a Specific Plan for the whole Key Site 21 before the development applications from Orcutt Rancho LLC (the "applicant") were accepted, much less approved.

The DSEIR does not even attempt formulation and analysis of a Specific Plan for the entire KS21. The OCP defines Key Site 21 (Old World) as encompassing 340.7 acres and consisting of

seven parcels - APNs 113-250-5, -6, -8, and 14-17. *See* OCP p. KS21.1. The DSEIR, however, fails to analyze a Specific Plan for the entirety of Key Site 21 as required by the OCP. Instead, in section 2.3, the DSEIR makes clear that "[t]he project site is comprised of three undeveloped parcels (APNs 113-250-015, -016, -017), totaling approximately 190 acres and situated on the eastern and western portions of Key Site 21 at the outer edges of the golf course and between the fairways." DSEIR, p. 2-1. Section 2.5 of the DSEIR, and numerous following sections, leave no doubt that the Specific Plan identified in the DSEIR does not include the RMGC and is only for that same 190-acre portion owned by the applicant. *See e.g.*, DSEIR, p. 4.1-1.

The DSEIR's acquiescence of the applicant's attempt to limit the Specific Plan to fit its development project is inconsistent with the role of a Specific Plan under state planning law. A Specific Plan is part of the general plan and is used for the systematic implementation of the general plan for a particular area. Government Code §65450. Its adoption, like a general plan, is a legislative act. *Yost v. Thomas* (1984) 36 Cal.3d 561. In the hierarchy of planning actions, a Specific Plan is part of the general plan and sits above all subordinate zoning, subdivision and development project applications, which in turn must be consistent with Specific Plan policies and development standards. *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553; *see also* Gov. Code §65455, 65867.5.

In this planning hierarchy, the legislative Specific Plan precedes and governs over quasi-adjudicatory development plans and projects. Here, however, the reverse has inappropriately occurred. The applicant's development project has defined and limited the Specific Plan to its three parcels, eliminating RMGC, in an unmistakable violation of the OCP's legislative requirement. In the DSEIR, the development project tail has wagged the Specific Plan dog.

12.3 cont.

1. <u>There is no Specific Plan in the DSEIR for the public to review</u>.

At the threshold, the DSEIR is totally inadequate as an information document because it fails to include the Specific Plan for the project site, much less one for the entire Key Site 21, in the document itself. Pursuant to Gov. Code §65451(a), a Specific Plan must include text and diagrams which specify all of the following in detail:

> (1) The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
>
> (2) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
>
> (3) Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.

(4) A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3).[1]

There is no Specific Plan in the DSEIR or the Appendices to the DSEIR for the public to review. Appendix F is the Neighborhoods Specific Plan Environmental Documentation Report. It was prepared in March 2018 by Amec Foster Wheeler, Environment & Infrastructure, Inc. for the applicant Orcutt Rancho, LLC, and is the applicant's own attempted mini-EIR which has been unduly relied upon by the DSEIR consultant. Appendix F does not meet the text and diagram requirements of Gov. Code §65451 and, clearly, is not a Specific Plan.

2. The DSEIR's analysis fails the scope required for a Specific Plan for the entire Key Site 21.

The DSEIR jumps to the premature and incorrect conclusion that the OCP fixed in advance "the overall development vision for KS 21" as the development of 150 units on the applicant's three parcels. *See* DSEIR at p. 6-28.[2] To the contrary, the OCP left the systematic distribution of land uses across KS21 to the Specific Plan adoption process. The OCP recognized that Key Site 21's "physical and environmental constraints" made it "suited to accommodate low density residential development" which "would allow for maximum flexibility in avoiding hazards and impacts, and would be consistent with the rural character of the site and the surrounding area." OCP, p. KS21-1. The OCP did not fix a vision, it preserved flexibility for the Specific Plan process to analyze and determine how best to site development consistent with the physical and environmental constraints and rural character of the entire KS21. And, contrary to the DSEIR's conclusion, in addition to low density residential development the OCP left open other planning options, including up to 20 acres of Resort Visitor Serving Commercial uses subject to a reduction in residential units "to allow for commercial development without compromising the rural setting and density on the site." (*Ibid*.)

12.3 cont.

The DSEIR ignores the groundwork role of the Specific Plan to comprehensively analyze these planning options in the context of the physical and environmental constraints of Key Site 21, which by necessity included integration and coordination with the recreational, biological and visual resources provided by RMGC.[3] Because the DSEIR does not include a Specific Plan or the Plan analysis envisioned by the OCP consistent with DevStd KS21-1, it is fatally defective.

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[1] Significantly, the Specific Plan must also include a statement of the relationship of the specific plan to the general plan. Gov. Code §65451(b). Here, that statement would include a showing of consistency with the OCP.

[2] The Neighborhoods project actually concentrates all development on two of the applicants three parcels (APNs 113-250-016, -017), not all three.

[3] Significantly, the OCP text discussion of KS21 ends with direction for a future Specific Plan to analyze the consistency between RMGC's existing public recreational uses and future private residential development. OCP DevStd KS21-2 required any future Specific Plan that included Resort Visitor Serving Commercial uses to specifically identify how it was integrated/coordinated with the RMGC.

3. The DSEIR misstates it purpose and legal authority.

The DSEIR's defective project description limiting the Specific Plan to the applicant's three parcels is reflected and may have origins in its misstatement of its "Purpose and Legal Authority" at DSEIR §1.2, p. 1-3 as follows:

> "As discussed above, this document is a SEIR to the OCP EIR pursuant to Section 15162 of the *CEQA Guidelines*. An SEIR is appropriate when "substantial changes are proposed in the project which will require major revisions of the previous EIR."

This statement indicates that the DSEIR wrongly viewed the OCP EIR upon which it relies as a development level project EIR for KS21 when, in fact, the OCP EIR states in its Introduction, §1, that it is a Program EIR under CEQA Guidelines §15168. It is also a first-tier document for a general plan component – the OCP, prepared pursuant to CEQA Guidelines §15152. 12.4

Page 2 of the OCP EIR Introduction explains that Mini-EIRs were prepared for certain Key Sites: "To encourage the development of new community centers and sites which provide needed community benefits such as parks, open space, and senior and affordable housing, "mini-EIRs" were performed on selected Key Sites (1, 11, 17, 18, Evergreen Shopping Center)." The OCP EIR states that for the other Key Sites, including KS21, that did not get this expanded review, "the level of review in this Community Plan EIR is **limited** to the identification of environmental constraints and development standards for issues which promote needed public benefits such as parks and open space. Future development proposals for those sites will likely require substantial additional CEQA review to analyze potential site-specific issues not addressed in this EIR." (Emphasis added.)[4]

The DSEIR's reliance on Section 15162 to view itself as an analysis of subsequent project changes misses the fundamental point that the OCP KS21 analysis in the OCP EIR was for a first-tier legislative program, not a specific development project. The DSEIR's narrow view of its purpose and legal authority is consistent with its failure to recognize that a specific plan for the entire KS21 was first required.

4. By proposing a text amendment of DevStd KS21-1, the DSEIR fails to maintain a stable project description.

Finally, the DSEIR is inadequate because it has failed to maintain a stable, finite and accurate project description. Having realized that the Project Description violates DevStd KS21-1, the DSEIR proposes to change the project by including "a text amendment to OCP Key Site 21 Development Standard DevStd KS21-1 as follows: 12.5

[4] Volume II of the OCP EIR contains a brief 8-page partial site analysis of KS21 that does not consider numerous impact issue areas and is not a "mini-EIR" for project level review. See Vol. II, pp. KS21-1 to -8.

DevStd KS21-1: No applications for development shall be ~~accepted~~ approved prior to approval of a Specific Plan for the entire site." DSEIR, §2.5.7, p. 2-13."

As emphasized in the comment letter submitted by Laurel Perez, this proposed Comprehensive Plan Amendment is an admission of the DSEIR's fatal inadequacy, not a cure. And, as she explains, the three parcel DSEIR project is inconsistent with the modified text of DevStd KS21-1, since the modification still requires "approval of a Specific Plan for the entire site" before development application approval.[5]

12.5 cont.

Moreover, the DSEIR does not explain why the OCP's Specific Plan requirement for the entire KS21 is being treated differently than the Specific Plan requirement for the More Mesa and Ellwood Shores sites in the Goleta Community Plan, which required a Specific Plan for each entire site before applications for development could be accepted. *See* Goleta Community Plan, pp. 49-50, More Mesa DevStd LUDS·GV-1.1: "No applications for development shall be accepted prior to approval of a Specific Plan for the entire site. A Specific Plan shall be prepared for the entire site (currently including APNs 65-320-01,02,07 through 10)….; *see also* Goleta Community Plan, p. 65, Ellwood Shores DevStd LUDS-GV-3.1: "No applications for development shall be accepted prior to approval of a Specific Plan for the site. A Specific Plan shall be prepared for the entire site (APN 79-210-13,14,15,19,24 and 51)…."

**B. The DSEIR Improperly Piecemeals Analysis of the Project by Narrowing the Scope of the Specific Plan.**

As stated above, under CEQA, the "project" analyzed in an EIR must include "*the whole of an action*, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment..." CEQA Guidelines § 15378(a) (emphasis added); Cal. Pub. Res. Code § 21065. The DSEIR's narrow treatment of the Specific Plan in the description of the Project violates CEQA by breaking the required Specific Plan for the entire Key Site 21 into components – thereby piecemealing or segmenting it – in order to avoid analyzing it as a whole.

12.6

Here, the improper omission of RMGC from the Specific Plan has caused the DSEIR to truncate its analysis of the consistency between the existing public recreational golf course uses and future private residential development anticipated by the OCP, including the effects of the development project's access roads adjacent to and crossing the path of golfers, its 60' high netting along fairways, its effect on the endangered species habitat, wetlands, drainages, special species plants and animals, sensitive communities and wildlife corridors within RMGC and their connection with other Key Site 21 parcels, and its impact on the views that exist looking to and from RMGC. Similarly, the elimination of APNs 113-250-5, -6, and -8, from the Key Site 21 Specific Plan results in the failure to consider them and their development potential in a wholistic analysis for a Specific Plan that could avoid or substantially lessen any of the

[5] Other procedural problems exist with this text amendment. County staff should not have accepted the applicant's subdivision and development plan applications in violation of DevStd KS21-1. Staff should have required the applicant to first apply for relief from this requirement, not after the fact in the DSEIR.

significant effects of the project. *CEQA Guidelines* Section 15126.6 (a), (b).[6] The DSEIR's failure to assess impacts from and alternatives for a Specific Plan for the whole of Key Site 21, including the RMGC, makes it impossible for the public and decision makers to "intelligently" weigh the true environmental consequences of the proposed action. CEQA Guidelines § 15151.

12.6 cont.

Courts have consistently struck down EIRs that, like the DSEIR in this case, improperly narrow the scope of environmental review under CEQA. *See, e.g., RiverWatch, supra,* 170 Cal.App. 4th at 1204–05; *Santiago Water District v. County of Orange* (1981), 118 Cal.App. 3d at 829–31 Therefore, to analyze the whole of the required Specific Plan action, the County must prepare a revised DSEIR that assesses the full Specific Plan required by DevStd KS21-1.

### C. The Project Description Fails to Disclose its Location in Relation to the RMGC and that it is Partially on RMGC's Property.

A fundamental component of CEQA analysis is the determination of the appropriate environmental setting or baseline upon which all other review is based. "The baseline is a fundamental component of the analysis used to determine whether a proposed project may cause environmental effects, and, if so, whether those effects are significant." *Association of Irritated Residents v. Kern Cnty. Bd. of Supervisors* (2017), 17 Cal. App. 5th 708, 724. The baseline typically consists of "the physical environmental conditions in the vicinity of the project, as they exist at the time . . . environmental analysis is commenced . . . ." (CEQA Guidelines § 15125(a)).

Here, the DSEIR was required to assess the Project's impacts against the existing environment, which includes the obvious existing physical golf course improvements of fairways, roughs, buffer zones, greens, tees, water features, cart paths, restrooms, clubhouses and other facilities of the RMGC. The DSEIR failed to do so because the Project Description does not adequately disclose, much less accurately depict the location of the Willow Creek and Hidden Canyon Neighborhoods Development Plan project sites and parcels in relation to the RMGC.[7]

12.7

On March 1, 2017, during the application completeness process, and then again on January 7, 2019, at the commencement of the DSEIR analysis, I wrote to you on behalf of RMGC to express my concerns that the proposed Neighborhoods project is located on undeveloped parcels

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[6] Like the applicant's parcels, APNs 113-250-5, -6, and -8, already have a land use designation of PD (maximum of 150 units) and Resort-Visitor Serving Commercial with the corresponding zoning of PRD. By piecemealing the Specific Plan, the County fails to create a record that explains whether these parcels have development potential.

[7] A major deficiency of the DSEIR is its failure to disclose to the public that the Golf Course is not part of the development proposal and the extent to which it is being impacted by the development. When the Neighborhoods project was initially introduced to the public, the applicant sought to give the improper impression that the RMGC was part of its development proposal. *See* brochures identifying the project as "the Neighborhoods of Rancho Maria" and using a photo of the entrance gate and sign for the Rancho Maria Golf Club. *See also* the 150 home golf course development economic analysis and request for entitlement capital for "The Estates at the Rancho Maria Golf Club." In order for the DSEIR to provide meaningful disclosure, it is essential for the public to understand the applicant's relation to RMGC, including where its proposed parcels are located.

of land that were never legally divided as determined by the County Surveyor.[8] I wrote because to the extent the Neighborhoods project applicant sought to rely on the approval of final subdivision maps to remedy the invalidity of Parcels B, C and D as described by the 1965 Record of Survey (APNs 113-250-015, -016 and -017), RMGC believed additional scrutiny of the applicant's proposed tract map and development plan boundaries was required to ensure that they did not include RMGC property on which the golf course has historically existed. Our concerns have indeed been borne out. As shown on Exhibit A to this letter, the Willow Creek and Hidden Canyon Vesting Tentative Tract Map (VTTM) and Development Plan projects are partially located on RMGC land. However, the DSEIR fail to disclose these incompatible locations and uses.

Exhibit A overlays the Development Plans that are shown at DSEIR Figures 2-3 and 2-4 on RMGC's surveyed property, including RMGC property previously granted by easement and areas of historic golf course usage that long preceded the applicant's investment in the adjacent vacant properties. This overlay shows that portions of proposed Lots 1-4, 6, 7, 36, 37, 43, 44, 62-64, 73-79 and 85-91 are located partially within RMGC's area of historic use. Similarly, proposed Willow Creek basins on Lot 91 and north on APN 113-250-15 are within RMGC's areas of historic use. In addition, the area within Lot 91 shown in red to the west of Lots 74-91 is on RMGC property. The same problems beset the proposed Hidden Canyon development. Portions of proposed Hidden Canyon Lots 16-19, 22, 37, 38, 43-50, and 57 are within RMGC's property or area of historic use.

Another example of the DSEIR's failure to disclose the location of the Project on RMGC property involves access to the Willow Creek portion of the project from SR1 on proposed Road A. The access to previously inaccessible vacant land now proposed to become the Willow Creek subdivision has been premised entirely on use of a disputed access easement obtained in settlement of litigation that crosses the south side of RMGC's 14th green. The DSEIR project description, however, without any prior consultation with or approval by RMGC, departs from that recorded easement and crosses RMGC property over which the applicant has no interest to the north of the green. The DSEIR does not disclose this change in location of the Willow Creek access road or impacts associated with the fact that the changed road location is on RMGC property.[9]

12.7 cont.

The DSEIR also fails to disclose the location of the future 50-foot widening of SR1 required by OCP DevStd KS21-6, which RMGC understands will extend onto its property. As a result, the DSEIR also fails to disclose the impact on RMGC and the public from the loss of this setback, including problems with moving incompatible golf course play closer to SR1.

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[8] *See* County Surveyor's rejection of application for unconditional certificates of compliance for Parcels B, C and D (APNs 113-250-015, -016 and -017) dated February 27, 2007.

[9] The applicant proposed this inadequate 14th green road relocation in a self-serving, nonconfidential settlement proposal sent simultaneously to the County and RMGC on July 2, 2018. Its public distribution and timing scarcely in advance of the applicant's Reply to the County's Incompleteness Letter #3 two weeks later undermines its sincerity, especially since the offer required RMGC to agree to the Project in exchange. The fact that the applicant nonetheless included this road relocation on RMGC property without permission or follow up reflects the impunity with which it believes it can act with respect to the golf course.

The existing location of the RMGC's historic areas of use is the baseline for the DSEIR's CEQA analysis. This is true whether one accepts the claims of RMGC to a prescriptive easement or adverse possession of these areas or the claim made by Mr. Wells on behalf of the applicant, that the golf course exists as the result of unauthorized activities. *See Riverwatch v. County of San Diego* (1999) 76 Cal.App.4th 1428 (the baseline is the physical environment as it exists, even if it exists as the result of illegal or unauthorized activities); *Fat v. County of Sacramento* (2002) 97 Cal.App. 4th 1270 (baseline is existing physical airport and airport operations developed over a period of 30 years without County authorization). In either case, for CEQA's purposes, the DSEIR is flawed because it fails to accurately describe the environmental setting and analyze impacts based on that baseline. 12.7 cont.

**II. The Project Objectives are too Narrow, Thereby Impermissibly Constraining the Range of Alternatives.**

An EIR must include a statement of objectives that includes "the underlying purpose of the project" that will "help the lead agency develop a reasonable range of alternatives." CEQA Guidelines § 15124(b). If the project objective is "impermissibly truncated," the range of alternatives will be too narrowly constrained. *County of Inyo*, *supra*, 71 Cal.App.3d at 201.

The DSEIR states: "The primary objectives for the Key Site 21 project are as follows:

- To develop the site consistent with the Orcutt Community Plan designation as one of the major residential Key Sites identified for future development.
- To develop the site in a manner that is responsive to and consistent with the County Housing element, current environmental requirements, and the physical characteristics of the site.
- To provide single family homes to meet the needs of the Orcutt Community, the County of Santa Barbara, and the State of California by constructing up to 146 homes to help meet the demand to construct 350,000 homes annually for the next seven years to address the current State-wide housing shortage of two million units. 12.8
- Payment of in-lieu fees to meet Santa Barbara County Affordable Housing requirements to build much-needed affordable units in the Orcutt/Santa Maria housing area.
- To provide development that is compatible with the existing Rancho Maria Golf Club on Key Site 21."
- To provide a public hiking trail with access to the Orcutt regional trail system.

The DSEIR rejects the environmentally superior alternative because it does not meet two of the Applicant's project objectives that are confined to the production of housing:

> "Specifically, this alternative would not be consistent with the overall development vision for Key Site 21 in the OCP and would provide substantially fewer residential units than the proposed project, which would not be consistent with the project objective to address the current State-wide housing shortage of two million units." DSEIR at 6-28.

As discussed above, the first objective relied upon in the DSEIR assumes an overall vision of concentrated housing development on two parcels of KS21 that is inconsistent with the OCP KS21 text and development standards, which first required an entire KS21 Specific Plan, including the RMGC, to consider the physical and environmental constraints of the whole site to ensure comprehensive and orderly development that avoids or minimizes impacts to the environment. The DSEIR jumps to the premature conclusion that the Orcutt Community Plan designated KS21 as one of the major residential Key Sites identified for future urban subdivision housing development without first performing the required review for and adoption of a Specific Plan for the site.

12.8 cont.

The other primary objective relied upon - to provide housing to meet the massive statewide housing shortfall - is even more unreasonable. It is antithetical to the rural character of the site acknowledged by the OCP and DSEIR. It unreasonably eliminates any other meaningful lower density project alternative. And, it ignores that a basic underlying purpose of the Project should be to adopt a KS21 Specific Plan that identifies the location of acceptable development given identified constraints and its rural setting consistent with the OCP.[10]

The applicant's narrow project objectives should be rejected and not used to limit the range of alternatives that are capable of serving the basic purpose of adopting a Specific Plan and alternative development that avoids or reduces impacts.

## III. The DSEIR's Analysis of Alternatives is Inadequate and Incomplete.

The California Supreme Court has stated "[t]he core of an EIR is the mitigation and alternatives sections." *Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal. 3d 553, 564. The purpose of an EIR is to identify ways in which the significant environmental impacts of a project can be minimized or avoided. *Id.* at 565. This discussion helps agencies fulfill the substantive mandate of CEQA that projects not be approved if there are feasible alternatives that can avoid or substantially lessen potential impacts. Pub. Res. Code § 21002. An EIR provides the information to enable an agency to comply with this requirement. Pub. Res. Code § 21002.1. Accordingly, an EIR "shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." CEQA Guidelines § 15126.6(a).

12.9

To do so, an EIR must "focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly." CEQA Guidelines §15126.6(b). "The issue is not whether the alternative is less profitable than the project as proposed, but whether the reduced profitability of the alternative is 'sufficiently severe as to render it impractical to proceed with the project.'" *Save Round Valley All. v. Cty. of*

[10] The DSEIR's reliance on these two housing production objectives without first adopting an entire Key Site 21 Specific Plan also is egregious because these objectives are internally inconsistent with and contradict another stated primary objective – "To provide development that is compatible with the existing Rancho Maria Golf Club on Key Site 21."

*Inyo* (2007) 157 Cal. App. 4th 1437, 1461, *citing Citizens of Goleta Valley v. Board of Supervisors* (1988) 197 Cal. App. 3d 1167, 1181.

### A. The DSEIR Fails to Analyze the OCP EIR Alternative 2 Low Buildout Option

The DSEIR acknowledges that the OCP EIR contained a Low Buildout alternative that, with the exception of the RMGC, rezones the remainder of Key Site 21 to RR-5 (Residential Ranchette 5-acre parcel size) with a corresponding Residential Ranchette land use designation. DSEIR, p. 6-3. The OCP EIR recognized that this low buildout alternative would result in a decrease in the density of on-site development to one unit per five acres to create a ranchette community and would allow for the development of up to 41 units. But this alternative did not just result in the reduction of housing units. It provided the flexibility to distribute and relocate residential development in a manner consistent with the direction of the OCP to respect the rural character of the entire KS21 site and to consider its physical and environmental constraints in locating dwelling units.

The DSEIR wrongly states that Alternative 2, the Only Hidden Canyon Neighborhood Development Alternative, and Alternative 3, the Only Willow Creek Neighborhood Development Alternative, have been adapted from the OCP EIR Low Buildout alternative. To the contrary, these reduced development alternatives simply piggyback off of the existing project, cutting off a portion of the Hidden Canyon and Willow Creek subdivisions in their existing location and labelling each as an alternative. This work free analysis does not carry forward the OCP EIR Low Buildout Option alternative. None of the lots in either DSEIR Alternative 2 or 3 is Residential Ranchette 5-acre parcel size. No independent analysis was done to identify locations where residential ranchettes could be sited to avoid or minimize visual, biological, or geologic impacts or inconsistency with the operation of the RMGC as required by the OCP and CEQA Guidelines §15126.6(b). 12.10

The DSEIR must be amended to include analysis of a true OCP EIR Alternative 2 Low Buildout option consistent with the direction to analyze and adopt a Specific Plan for the entire KS21.

### B. The DSEIR Improperly Rejects an Offsite Alternative.

CEQA requires consideration of off-site alternatives. CEQA Guidelines §15126.6(b); *Citizens of Goleta Valley*, 197 Cal.App.3d at 1177-1180. As lead agency, the County must at least identify and consider whether there are other sites available for residential development within KS21. *Laurel Heights Improvement Ass'n*, 47 Cal. 3d at 403-407 (EIR rejected for failing to discuss whether project applicant could purchase or lease other facilities); *San Joaquin Raptor/Wildlife Rescue Ctr. v. County of Stanislaus* (1994) 27 Cal. App. 4th 713, 735-39 (EIR deficient for failure to identify and discuss alternative sites); *San Bernardino Valley Audubon Soc'y v. Cnty. of San Bernardino* (1984) 155 Cal. App. 3d 738, 750 (EIR was inadequate because it lacked discussion and analysis of potential alternative sites).

On January 7, 2019, on behalf of RMGC, I wrote to the County explaining that an Alternative that involved all of the parcels depicted in the 1965 Record of Survey, i.e., APNs 113-250-014, -015 -016, and -017, should be considered together as a starting point from which to design an

alternative project that results in a Specific Plan consistent with the policies of the Orcutt Community Plan ("OCP"), and that avoids or mitigates to the maximum extent feasible significant adverse impacts. As evidenced by Exhibit A hereto, RMGC cautioned County staff that the parcels owned by RMGC and the Neighborhoods Project remain intertwined, that the Project was improperly on RMGC land, and that a KS21 Offsite Alternative may provide a real solution to the incompatible nature of existing and proposed uses and private ownership claims that persist.

RMGC further advised that a KS21 Alternative for reduced residential development and a modified golf course could address the "major issues" identified in the OCP for consideration in designing future projects on KS21: "…avoidance of geological hazards associated with erosion along the canyons, preservation of a scenic corridor along Highway 1, minimization of potential impacts to wildlife and sensitive vegetation, consistency between the existing public recreational use and future private residential uses, and recognition of the rural setting of the site." OCP, p. KS21.2.

The DSEIR acknowledges that RMGC's proposed offsite alternative "may shift the location of residential development within Key Site 21 with the intention of addressing land use compatibility issues and impacts to sensitive resources, consistent with OCP DevStd KS21-8 requiring siting development to preserve natural landforms and minimize grading, and OCP DevStd KS21-7 and DevStd KS21-10 providing for development that accommodates and is compatible with continued use of the public golf course." DSEIR, p. 6-5. However, the DSEIR rejected this alternative stating that "[d]evelopment…under this alternative could preclude use of portions of the RMGC that are currently in operation, resulting in new, potential land use conflicts associated with the golf course operations and viability of this existing use." *Ibid.*

12.10 cont.

First, a KS21 partial offsite alternative is not limited to just relocating portions of a housing development project onto the RMGC. It could also relocate access roads and housing units on the applicant's vacant APN 113-250-015. The DSEIR rejects the KS21 alternative without ever creating a constraints map that could serve as a guide to determining which areas may be more suitable for low density rural residential development, including applicant's APN 113-250-015, and those that could be better integrated and coordinated as golf course or open space to avoid wetlands, sensitive species and habitats, steep slopes and drainages. It does so without even investigating whether an alternative, more harmonious road network can be designed to access the Willow Creek subdivision or lower density residential development through APN 113-250-015. It never considers the reconfiguration of the golf course and residential development on KS21 to accomplish these goals, notwithstanding that all of the applicant's parcels were illegally created, because it rigidly fixes the golf course in its current location and simply concludes that any alternative use of existing recreationally and residentially zoned property would create new land use conflicts and harm the golf course.

This shortsighted conclusion is made without any analysis of a reconfigured golf course and residential development. It fails to recognize that the KS21Alternative would include rezoning any land exchanged to the appropriate land use designation and zoning only if it could accomplish its purpose. Thus, any identified viable new golf course would be rezoned to REC as part of the KS21Alternative. The DSEIR's myopic inability to forsee that rezoning portions of

KS21 would be part of an alternative scenario that satisfied the OCP's KS21 development policies and standards is contrary to *Citizens of Goleta Valley*, *supra*, and difficult to reconcile with the fact that the DSEIR proposes a General Plan amendment to modify OCP DevStd KS21-1. Like the DSEIR's proposed General Plan Amendment and the Specific Plan required to be adopted before any KS21 development may proceed, rezoning to facilitate this Alternative is a site-specific legislative act found acceptable in *Citizens of Goleta Valley*. The DSEIR's first ground for rejecting the KS21 Alternative based on future land use conflicts is specious and unsupportable.

The DSEIR also relies upon the OCP EIR to reject the proposed KS21 Alternative, concluding this alternative would not reduce any identified significant and unavoidable environmental impacts not already addressed. The DSEIR comes to this false conclusion in part based on its statement that the OCP EIR did not identify any potentially significant impacts associated with development on Key Site 21 resulting in compatibility issues with the golf course. DSEIR, p. 6-5. But the DSEIR, at p. 6-2, itself admits that that OCP EIR contains only a conceptual comparison of alternative buildout levels and did not look at development site development scenarios showing the location of development and infrastructure. And, as made clear above, the OCP left the site-specific analysis of conflicts between the golf course and future residential development to the subsequent Specific Plan review.

The DSIER's misstatement of the scope of the OCP EIR analysis of compatibility issues makes its reliance on itself as a separate ground to reject the KS21 Alternative even more unreasonable. The DSEIR concludes: "this SEIR did not identify any potentially significant land use impacts associated with the proposed project that would result in compatibility issues with the public golf course." *Ibid*. This self-justifying rationale must be rejected given the DSEIR's many inadequacies, including the failure to analyze golf course compatibility issues involving the environmental setting, netting, roads bisecting golf fairways, tees and greens, and noise, view and construction impacts.

12.10 cont.

Finally, the DSEIR rejects the KS21 Alternative because it "presents feasibility concerns relative to the economic viability of the existing public golf course use and the applicant's lack of control/access to APN 113-250-014." *Ibid*. The DSEIR is in no position to express concern for the golf course's economic viability under a KS21 Alternative when it failed to analyze that alternative. This conclusion has an Alice in Wonderland feel of conclusion first, analysis later. And, as to the final ground stated – the applicant's lack of control/access to RMGC, the applicant already has located portions of its project on RMGC lands over which it has no control or right to access. See Section I.C, above, and Exhibit A. In addition, case law makes clear that consideration of alternative sites is necessary and proper where the private developer may have the ability to purchase or lease feasible alternative sites or may otherwise have access to suitable alternatives. *Laurel Heights Improvement Ass'n, supra*; *San Bernardino Valley Audubon Society, Inc. v. County of San Bernardino, supra*. The applicant's prior actions taken with respect to RMGC, the interlocking history and environmental setting highlights that the acquisition of adjacent offsite locations by the applicant is feasible.

Because the OCP makes the underlying purpose of a proper project description for the adoption of a KS21 Specific Plan the identification of acceptable low-density residential development

considering physical and environmental constraints consistent with OCP policies, the partial offsite alternative must be fully analyzed in the DSEIR.

12.10 cont.

## IV. The DSEIR Relies on Deferred Mitigation and the Proposed Mitigation is Inadequate to Avoid or Substantially Lessen the Project's Class I Impacts.

CEQA recognizes that "it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects." CEQA § 21002. Here, the SEIR improperly relies on deferred mitigation that is inadequate to mitigate significant effects where project alternatives can avoid them.

The OCP requires avoidance of biological impacts. OCP Policy BIO-O-1 states **"[i]mportant natural resources in Orcutt… shall be protected**, consistent with the Open Space Plan and the standards below, unless this would prevent reasonable development of a property. DevStd BIO-O-1.1 provides: "**Development shall be sited and designed to avoid disruption and fragmentation of significant natural resources** within and adjacent to designated undeveloped natural open space areas, minimize removal of significant native vegetation and trees, preserve wildlife corridors and provide reasonable levels of habitat restoration." (Emphasis added.)

In the interest of economy, this letter refers to and incorporates the DSEIR comments of Storrer Environmental Services dated July 18, 2019. As stated there and in the comment letter from Laurel Perez on behalf of RMGC, the biological impacts that the DSEIR claims to be mitigated by habitat or species avoidance and are identified as Class II rely on deferred mitigation plans that do not specify project site areas to be avoided and allow those areas that can be disturbed to be subject to habitat restoration through future mitigation plans. These plans defer to the future the identification of protected areas, and the determination of the amount of offsite habitat restoration required. *See* Bio-1(b), Bio-2(b), (d), (f),(h), Bio-3(b), Bio-4(b). Similarly, the DSEIR relies on post-project approval pre-construction plant and animal surveys to mitigate impacts on special-status plant and animal species, rare plants, sensitive habitats, rare bats and mammals, rare amphibians and reptiles, and nesting and migratory birds. *See* MM BIO-1(a), Bio- 2(e), (g), and (i), Bio-3(a). The DSEIR's deferral of habitat plan approval and pre-construction survey recommendations until **after** project approval and final map recordation violates CEQA case law prohibiting deferred mitigation.

12.11

In *Defend the Bay v. City of Irvine* (2004) 119 Cal.App.4th 1261, the Court considered a final program EIR that authorized a General Plan amendment and zone change for the City's plan to develop a 7,743–acre site northeast of the former Marine Corps Air Station at El Toro. In contrast to the DSEIR, in *Defend the Bay*, mitigation measures providing for consultation with the USFWS and CDFG; conducting animal and plant surveys; obtaining a determination regarding the long-term value of habitat area; and, obtaining permits from the USFWS and CDFG and coordinating avoidance measures with those agencies were all required "prior to the approval of a tentative tract map." *Id*. at 1274. Here, these mitigation measures are required too late - after project approval and map recordation. In addition, in assailing the pre-construction surveys relied upon by the DSEIR as mitigation, the Court reiterated that "an agency goes too far when it simply requires a project applicant to obtain a biological report and then comply with

any recommendations that may be made in the report." *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1396–1397.

While there are limited circumstances where deferral of the specifics of mitigation is permissible, they do not apply here. They are allowed only where the project proponent is a local agency, like the County, who commits itself to mitigation and lists the alternatives and performance standards to be considered, analyzed and possibly incorporated in the mitigation plan. *See* S*acramento Old City Assn. v. City Council* (1991) 229 Cal.App.3d 1011, 1028-1029. In allowing the City of Irvine to take advantage of that exception in *Defend the Bay*, the Court emphasized that the deferral of mitigation was proper in its case specifically because the biological mitigation measures identified above were required to be accomplished prior to approval of the tentative tract map. The Court also emphasized that Irvine's EIR was prepared at the beginning of the planning process for a General Plan amendment and zoning change, the City had committed to the mitigation, and it had specified the criteria to be met.

12.11 cont.

That is not the case here. The project proponent is not the County but a private developer. The mitigation measures are not required to be accomplished before project approval. The performance criteria were not identified early in the beginning of the planning process for the OCP General Plan and zoning amendments, but subsequently for a specific development project. The DSEIR's deferred mitigation is invalid, ineffective and inadequate.

## V. The DSEIR Fails to Independently Analyze and Mitigate Significant Project Environmental Impacts.

In certifying a Final EIR, CEQA Guidelines §15090(a) requires the approving lead agency to certify, among other things, that: "(3) The final EIR reflects the lead agency's independent judgment and analysis." Here, the DSEIR fails that test because of its undue reliance on the submittals and analysis prepared by the applicant in support of the Project, and its failure to undertake independent analysis of impacts.

For example, in concluding that the Project would not significantly alter views of or from the RMGC at p. 4.1-6, the DSEIR relied solely on Figures 4.1-1 through 4.1-8 taken from Appendix F, which is the Neighborhoods Specific Plan Environmental Documentation Report prepared in March 2018 by Amec Foster Wheeler, Environment & Infrastructure, Inc. for the applicant. Appendix F is the applicant's attempted mini-EIR unsanctioned by the OCP. Although the DSEIR recognizes that the RMGC is a visual resource and "is surrounded by undeveloped open space that provides scenic views," it considers no other vantage points providing views of the Neighborhoods Project from either SR1 or the RMGC, of the RMGC from SR1 or other locations, or from the RMGC to those scenic views. The only "safety" netting shown in the DSEIR is the Appendix F view from SR1. *See* DSEIR Fig.4.1-4, p. 4.1-9. No other simulations of the impact of the netting on views to and from the golf course are considered.

12.12

Similarly, with respect to water supply impacts, at p. 4.14-14, the DSEIR simply copies and accepts the applicant's response to a question from staff in its Response to Determination of Application Incompleteness #3, dated June 12, 2017, asserting that the developer is an overlying owner and, therefore, its use of groundwater is considered consistent with the Santa Maria

12.13

Groundwater Basin Adjudication Stipulation and offset by long-term water supplies. However, the letter from Nossaman LLP attorney Henry Weinstock, dated July 29, 2019, submitted on behalf of RMGC, requires independent review of the applicant's assertion that it may establish a mutual water company that has water rights under the Groundwater Basin Settlement Stipulation.

12.13 cont.

The DSEIR also admits that it relies entirely on Appendix L to analyze the long-term water supply for the Specific Plan area that would be provided through a mutual water company yet to be formed.

> "The project includes a new community water system that would include two proposed on-site water wells, new waterlines to each of the proposed neighborhoods, a hydro- pneumatic tank system, water treatment, and a storage tank facility. Appendix L Kear Groundwater prepared a water well feasibility analysis for the project in February 2018 to evaluate the potential for wells in the Specific Plan area to provide a long-term source for future water demand. The water well feasibility analysis is included in Appendix L."

12.14

However, the Kear water well feasibility analysis admits that no actual well testing occurred in reaching its conclusions:

> "Hydrogeologic analyses for this report relied solely on available background data obtained from the property owner, Santa Barbara County, the State of California, and/or published geologic reports. No independent subsurface exploration or geophysical surveying was conducted by our firm for this study. No guarantee of water quantity or quality from an attempted well, nor sustained production from an existing well, can be offered. (Emphasis added.)

Similarly, the analysis of anticipated groundwater quality in the Kear memo dated February 5, 2019 in Appendix L states that it is derived "from available water quality records from existing groundwater wells in the area" (Memo, p.1) and "emphasize(s) that while existing available data indicate the potential to meet the County policy, only via testing of field condition can water quality be ultimately known (Memo, p.5)."

On September 22, 2017, Ms. Perez, on behalf of RMGC, responded to the County's application completeness review letter and pointed out that the water supply and quality information submitted by the applicant did not meet the County's Development Plan submittal requirements, which include water well driller's reports, well pump test reports and water quality analysis. It was anticipated that the DSEIR would require this information. But just as the County failed to obtain actual well data for application completeness, the DSEIR failed to require onsite test wells and water quality analysis, relying instead on the Kear analyses.

The Kear water well feasibility and groundwater quality analyses fail CEQA's independent judgment and analysis requirement. In the Memorandum prepared by Todd Groundwater, dated July 26, 2019, submitted on behalf of RMGC, Dr. Priestat and Mr. Taylor show that Kear, and by extension the DSEIR, relied on the wrong portion of the Santa Maria Groundwater Basin for aquifer parameters, did not properly calculate the draw down or analyze peak levels with both

proposed project wells on-line, and used antiquated data 44 to 70 years old to analyze only a best case scenario for water quality and TDS. As Mr. Weinstock has advised, the information provided by Todd Groundwater requires the DSEIR consultant to independently conduct onsite testing of aquifers, well interference, and water quality. 12.14 cont.

Finally, as noted by Mr. Storrer in his comment letter of July 18, 2019, the DSEIR relies primarily on the 'Biological Resources Assessment Report for The Neighborhoods of Willow Creek & Hidden Canyon" submitted by the applicant's consultant that is found at Appendix C. The DSEIR abdicated its duty to perform an independent analysis by relying on this report. No independent review was undertaken to create a biological constraints map that illustrates ESH boundaries and required setbacks, listed species habitat, rare plant occurrences, etc., with the development footprint overlay to determine the extent to which impacts on these resources can be avoided through project changes and alternatives. That independent review is required before the DSEIR can be certified in compliance with CEQA. 12.15

## VI. Impacts Caused by the Project Mitigation Measures Are Not Analyzed or Discussed as Required by CEQA.

As stated above, the Todd Groundwater analysis shows that water quality treatment will be required for the Project to use groundwater as its sole source of supply. The DSEIR does not identify the infrastructure required for this treatment or analyze additional significant effects that may be caused by its construction and operation. This is in contravention with CEQA which requires "the effects of the mitigation measure shall be discussed but in less detail than the significant effects of the project as proposed" when a mitigation measure could cause further effects by its implementation. CEQA Guidelines § 15126.4(a)(1)(D). By failing to analyze the environmental effects of water quality treatment facilities, the DSEIR does not comply with CEQA. 12.16

## VII. The DSEIR Must be Revised and Recirculated.

As evidenced by the foregoing comments, the DSEIR is crippled by so many significant omissions it fails to serve as an informational document. The failure to include relevant information in an EIR is prejudicial if the failure precludes informed decision making and public participation, thereby thwarting the statutory goals of the EIR process under CEQA. *Save our Peninsula Comm. v. Monterey Cty. Bd. of Supervisors* (2001) 87 Cal.App.4th 99, 128; see also *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692; *San Joaquin Raptor Rescue Center*, 27 Cal.App.4th at 718. The failure to revise and recirculate a draft EIR violates CEQA where the EIR fails to adequately inform the public and decision makers. *Cadiz Land Co. v. Rail Cycle* (2000) 83 Cal.App.4th 74, 95. 12.17

As discussed above, the DSEIR utterly fails CEQA's basic purpose to serve as an information document because it fails to comply with OCP DevStd KS21-1 and analyze a Specific Plan for the entire Key Site 21. This fatal defect contaminates the entire document. The piecemealed Project described and analyzed in the DSEIR violates numerous OCP policies and development standards. It ignores the physical and environmental constraints of Key Site 21 and would destroy its sensitive natural, scenic and recreational resources and rural setting. The DSEIR

improperly accepts the applicant's insufficient Project description, and then fails to independently analyze and provide adequate information regarding the Project's environmental setting, constraints and impacts, mitigation measures, alternatives, and other CEQA considerations. In addition, the DSEIR defines the Project objectives so narrowly that it fails to consider or analyze an adequate range of alternatives and omits alternatives that are capable of avoiding or substantially lessening impacts as required by CEQA.

12.17 cont.

These deficiencies in the DSEIR are prejudicial and deprive the public and decision makers of the information necessary to understand the potential effects of the Project and make an informed decision. Accordingly, the DSEIR must be revised and recirculated.

Thank you for your consideration of these comments on the DSEIR.

Sincerely,

cc: Laurel Fisher Perez

# Letter 12

**COMMENTER:** Alan Seltzer, Law Office of Alan Seltzer

**DATE:** August 2, 2019

## Response 12.1

The commenter states that their comments are submitted on behalf of the RMGC and that the comments address the adequacy of information in the Draft SEIR, including the completeness of the project description, environmental setting, project objectives, alternatives analysis, avoidance of significant impacts, and mitigation measures. This comment is introductory in nature, and the commenter's specific concerns are addressed in the responses that follow.

## Response 12.2

The commenter states that the Draft SEIR's project description is inadequate because it does not comply with the Orcutt Community Plan (OCP) requirement to analyze a Specific Plan for the entirety of Key Site 21 and because it fails to identify the relationship between the Willow Creek and Hidden Canyon development plans and the RMGC's existing physical improvements The commenter states that these issues result in improper piecemealing of the analysis in the Draft SEIR. The proposed project includes a Specific Plan for Key Site 21 and two neighborhood Development Plans that together constitute the "whole of the project" consistent with the OCP's requirements for a Specific Plan for Key Site 21.

Section 2.3, Project Location, describes the public golf course's location on Key Site 21 and relative to the planned residential development areas for the proposed Willow Creek and Hidden Canyon neighborhoods. Section 2.5, Project Characteristics, describes the proposed Specific Plan, the Development Plans the proposed Willow Creek and Hidden Canyon neighborhoods, and their relationship to RMGC facilities and operations, including fairways, the RMGC parking lot, landscaping and fencing, easements, and access roadways. Refer to Topical Response 2 which discusses the timing of the proposed Specific Plan for Key Site 21. Because Draft SEIR describes all components of the requested approvals for the proposed development that are subject to CEQA and evaluates and discloses the potential physical environmental effects of the project, the Draft SEIR does not piecemeal analysis of otherwise understate any environmental impacts of the project.

## Response 12.3

The commenter states that the OCP did not fix the potential buildout of Key Site 21, and that the OCP left open other planning options in addition to low density residential development. The commenter states that the Draft SEIR ignores the groundwork role of the Specific Plan to comprehensively analyze these planning options in the context of the physical and environmental constraints on Key Site 21, including integration and coordination with the resources provided by RMGC. Refer to Topical Response 2 which provides a discussion about a Specific Plan for Key Site 21 and to Response 12.2 which discusses the existing setting for Key Site 21 and that the project analyzed by the Draft SEIR constitutes the "whole of the project" as envisioned by the OCP for a Key Site 21 Specific Plan.

## Response 12.4

The commenter states that the Draft SEIR misstates its "Purpose and Legal Authority" based on the requirements of CEQA Guidelines Sections 15152 and 15162. Consistent with the requirements of Section 15162, the Draft SEIR recognizes that the programmatic analysis in the 1995 OCP EIR requires updated evidence and analysis to address the substantial changes in planned development on Key Site 21 and in the circumstances under which the project is being undertaken. The Draft SEIR discloses the information, analysis, and conclusions in the 1995 OCP EIR and provides a comprehensive analysis of the proposed project in the context of the current environmental setting, including current applicable regulations, thresholds of significance and methodologies, and requires mitigation required to address identified environmental impacts based on this current information. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 12.5

The commenter states that by proposing a text amendment to Development Standard KS21-1, the Draft SEIR fails to maintain a stable project description. The commenter is correct that additional detail about the specific components and requirements of the project has been incorporated into to the project description since circulation of the Notice of Preparation. However, the addition of the Comprehensive Plan text amendment does not materially change the physical components of the project being reviewed or otherwise result in a substantial change to the environmental conclusions of the Draft SEIR that hinders the ability of the public to review or understand the potential environmental effects of the project. For a broader discussion of the Specific Plan for Key Site 21, refer to Topical Response 2.

## Response 12.6

The commenter states that the Draft SEIR improperly piecemeals analysis of the project by narrowing the scope of the Specific Plan and breaking Key Site 21 into components to avoid analyzing Key Site 21 as a whole. The commenter states that the Draft SEIR omits the RMGC from the Specific Plan, including the effects of the project's access roads, golf course protective netting along fairways, and the project effect on endangered species habitat, wetlands, drainages, special status plants and animals, sensitive communities and wildlife corridors within the RMGC, and the potential impact on views to and from the RMGC. Refer to Response 12.2 and Topical Response 2 for a discussion about piecemealing and the Specific Plan for Key Site 21. As described in Topical Response 1, Section 4.4, Biological Resources, discusses potential impacts to biological resources on Key Site 21 (including the RMGC property). Section 4.1, Aesthetics, discusses potential impacts on views to and from the RMGC. Refer to Topical Response 1 for additional information about the Draft SEIR's analysis of potential impacts to the RMGC. Refer to Topical Response 3 for a discussion of transportation and access-related impacts to the RMGC.

## Response 12.7

The commenter states that the Draft SEIR's project description fails to disclose that the project is partially on RMGC property.

This claim is currently the subject of ongoing civil litigation between RMGC and the project applicant. RMGC filed suit against the project applicant in August 2019 asserting easement rights

resulting from its alleged adverse and/or prescriptive use of certain portions of the project applicant's property. RMGC's claims are limited to specific areas of the applicant's property legally described in attachments to RMGC's complaint. In November 2019, the parties commenced active settlement negotiations which recently culminated in a tentative settlement agreement. The parties are in the process of finalizing the settlement agreement and expect to have it finalized by June 2020. Once finalized, the settlement agreement will be presented to court together with a request for dismissal of the case. The proposed project is located on the applicant's property and utilizes additional easements as necessary for access and utility purposes granted by the RMGC. Additionally, the applicant has worked with the RMGC to implement no-build easements over open space areas to facilitate golf ball retrieval. This comment does not specifically address the adequacy or accuracy of the Draft SEIR, but the commenters concerns will be forwarded to County decision makers for their consideration

## Response 12.8

The commenter states that the project objectives identified in the Draft SEIR, in particular the first two objectives related to the residential/housing use of the site, are too narrow and inappropriately constraint the range of alternatives. The commenter states that the project's objective to provide housing to meet the statewide housing shortfall, eliminates any other lower density project alternative. Refer to Topical Response 6 which provides a discussion of the project's objectives and alternatives.

## Response 12.9

The commenter states that the Draft SEIR's analysis of alternatives is inadequate and incomplete and states that the Draft SEIR fails to adequately analyze the OCP EIR Alternative 2 Low Buildout Option. The commenter states that the intent of the OCP Low Buildout Option was to reduce housing units while also providing flexibility to distribute the residential development in a manner that is responsive to constraints on Key Site 21. Refer to Topical Response 6 for a discussion of the rationale behind the project alternatives and a summary of the Draft SEIR Alternatives analysis and conclusions.

## Response 12.10

The commenter states that the Draft SEIR improperly rejects an off-site alternative that the commenter opines would have addressed incompatibility between the existing and proposed uses and private ownership claims on Key Site 21. The commenter states that the Draft SEIR should not have rejected a Key Site 21 partial off-site alternative without creating a constraints map to identify areas that may be more suitable for development. Furthermore, the commenter states that the Draft SEIR is in error by not foreseeing that rezoning portions of Key Site 21 would be part of an alternative scenario that would satisfy the OCP's KS21 development policies and standards. The commenter states that the Draft SEIR incorrectly rejects a Key Site 21 partial off-site alternative on the basis that such an alternative would not reduce any identified significant and unavoidable impacts not already addressed in the OCP EIR, and because such an alternative "presents feasibility concerns relative to the economic viability of the existing public golf course use and the applicant's lack of control/access to APN 113-250-014." Section 6, Alternatives, states that the partial off-site alternative was rejected in part because it would not be feasible due to the applicant's lack of control over APN 113-250-014. The project applicant would be unable to rezone APN 113-250-014, which is currently controlled by RMGC. The determination that this potential alternative is infeasible

and need not be considered further is consistent with the provisions of CEQA Guidelines Section 15126.6(c). Refer to Topical Response 6 for a discussion of the rationale behind the project alternatives, including those that were considered but rejected. Refer to Topical Response 1 for a discussion of potential impacts to the RMGC.

## Response 12.11

The commenter states that the Draft SEIR relies upon deferred mitigation and that required mitigation measures are inadequate to avoid or substantially lessen potential impacts to biological resources discussed in Section 4.4, *Biological Resources*. This comment refers to and incorporates the comments provided by Storrer Environmental Services on July 18, 2019. Refer to Responses 5.1 through 5.17 which address the comments provided by Storrer Environmental Services.

The commenter does not note specific mitigation measures in their comment but appears to refer to Mitigation Measure BIO-2(a), which requires protocol surveys for listed brachiopod species (i.e., VPFS). This measure does not defer mitigation because it includes specific performance standards to mitigate potential impacts to VPFS and associated habitat that may be identified during protocol surveys. Specifically, this measure requires compensatory mitigation and agency consultation consistent with the requirements of Mitigation Measures BIO-2(a), BIO-2(c), and BIO-2(d).

## Response 12.12

The commenter states that the Draft SEIR places undue reliance upon the submittals and analysis prepared by the applicant in support of the project rather than independently analyzing and mitigating significant project impacts. Specifically, the commenter states that the visual simulations included in the Draft SEIR are not adequate to support the Draft SEIR conclusions regarding potential impacts to visual resources. The visual simulations were peer-reviewed by Rincon Consultants and found to comply with industry standard procedures for evaluation of visual and aesthetic resources and were therefore found to be adequate for inclusion in the Draft SEIR. The Draft SEIR considers four views of Key Site 21 from SR 1 (refer to Figures 4.1-1 through 4.1-4) as well as four views of proposed Hidden Canyon and Willow Creek residential development from locations on the public golf course property (refer to Figures 4.1-5 through 4.1-8). The Draft SEIR concludes that the project would not substantially impact nearby scenic vistas or damage scenic resources but would convert semi-rural land uses to urban land uses, altering the visual quality and open space character of the project site, resulting in a significant and unavoidable impact. Refer to Section 4.1, Aesthetics/Visual Resources, for a detailed discussion of potential impacts to visual resources and required mitigation and to Topical Response 1 for a discussion of the SEIR's analysis of impacts to the RMGC.

## Response 12.13

The commenter states that the Draft SEIR inappropriately accepts the applicant's response to a question regarding whether the proposed use of groundwater is consistent with the Santa Maria Groundwater Basin Adjudication Stipulation and offset by long-term water supplies. This comment refers to and incorporates the comments provided by Henry Weinstock, Esq, Nossaman, LLV on July 29, 2019. As discussed in Section 4.14.1(c) of the Draft SEIR, under the Santa Maria Groundwater Basin Adjudication Stipulation all overlying owners that are also stipulating parties have a prior and paramount overlying right, whether or not yet exercised. The water rights for the proposed Specific Plan included in the project are covered by this settlement agreement. For additional information

on this topic, refer to Responses 10.4 through 10.7, which address the Santa Maria Groundwater Basin Adjudication Stipulation and the project's proposed water supply.

## Response 12.14

The commenter states that the Draft SEIR relies upon Appendix L to analyze the long-term water supply for the Specific Plan area, but states that this analysis did not conduct well testing to reaching the conclusion that adequate water supply would be available for the project. Refer to Response 8.3 through Response 8.6 for a discussion of water supply, well testing, and the Draft SEIR conclusions related to water availability.

## Response 12.15

The commenter states that the Draft SEIR relies on the Biological Resources Assessment (Appendix C to the Draft SEIR) and does not include an independent analysis of potential impacts on biological resources. The Biological Resources Assessment was peer-reviewed by Rincon Consultants and found to comply with industry standard procedures for evaluation of biological resources and was therefore found to be adequate for inclusion in the Draft SEIR. Refer to Section 4.4, *Biological Resources*, for a detailed assessment of the project's potential effects on biological resources on and in the vicinity of the project site and required mitigation measures identified to reduce and minimize impacts.

## Response 12.16

The commenter states that the impacts caused by Mitigation Measure WR-3 are not analyzed or discussed. Mitigation Measure WR-3 describes a range of modern drilling, analysis, and well construction methods that may be used to ensure new wells would meet the OCP Policy WAT-O-5 standard for TDS concentrations. Physical improvements associated with this measure would be located within the project area reviewed in the Draft SEIR, at the location of the proposed water system described in Section 2.5.3. Construction-phase mitigation measures required throughout the Draft SEIR would apply to completion of improvements associated with Mitigation Measure WR-3. If the required water quality treatment includes reverse osmosis treatment, the disposal of brine waste require approval by Planning & Development. Santa Barbara County Environmental Health Services would permit the water system and review plans to ensure compliance, Planning & Development staff would review plans for compliance prior to issuance of permits, and building inspectors would ensure compliance in the field. Refer to Response 3.8 for a detailed discussion of the potential for reducing TDS via reverse osmosis and handling of brine waste. Mitigation Measure WR-3 includes a performance criterion, timing (prior to zoning clearance issuance), and monitoring. Monitoring requirements included in Mitigation Measure WR-3 would require the submitted plans to conform to required conditions. Refer to Response 8.6 for additional discussion of water treatment required for the project if groundwater is the sole supply.

## Response 12.17

The commenter states that the Draft SEIR must be revised and recirculated because of omissions described in previous comments that preclude informed decision making. As discussed in Responses 12.1 through 12.16, the Draft SEIR includes background information, thresholds of significance, analysis and evidence, conclusions, and mitigation required to meet applicable CEQA requirements. Responses to comments received during the public review period for the Draft SEIR include required revisions to the Draft SEIR that will be incorporated into the Final SEIR for consideration by decision-

makers. None of the comments received during public review or revisions made to the text of the Draft SEIR in response to comments result in the addition of significant new information that would result in the need for recirculation of the Draft SEIR pursuant to CEQA Guidelines Section 15088.5.

State of California – Natural Resources Agency
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*GAVIN NEWSOM, Governor*
*CHARLTON H. BONHAM, Director*

Letter 13

August 2, 2019

Ms. Dana Eady
Senior Planner
Santa Barbara County Planning and Development
624 West Foster Road, Suite C
Santa Maria, CA 93455
(805) 934-6266
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**Subject: Comments on the Draft Subsequent Environmental Impact Report for the proposed Neighborhoods of Willow Creek & Hidden Canyon Residential Subdivision Project, SCH 2018031077**

Dear Ms. Eady:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Draft Subsequent Environmental Impact Report (DSEIR) for the proposed Neighborhoods of Willow Creek and Hidden Canyon Residential Subdivision Project (Project), pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1]

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

13.1

**CDFW ROLE**

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during

1 CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

**PROJECT DESCRIPTION SUMMARY**

The proposed project is a request by Orcutt Rancho, LLC, for approval of the Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project, located on a portion of Key Site 21 in the OCP area. The proposed project involves a Specific Plan, two Vesting Tentative Tract Maps, two final Development Plans, two Minor Conditional Use Permits, Road Naming Application, and Comprehensive Plan Amendment entitlements to subdivide two existing parcels of approximately 107 gross acres and 70 gross acres into 148 lots for the development of 146 single-family residences. Approximately 96.7 acres (51%) of the site is proposed as undisturbed open space. The Specific Plan area also includes approximately 29.8 acres of privately managed open space that includes landscape, trailhead, trails, and fuel modification areas. The property is identified as Assessor's Parcel Numbers (APN) 113-250-015, -016, -017. 13.1 cont.

The Santa Barbara County Planning and Development Department has prepared the DSEIR which identifies and discusses potential impacts, mitigation measures, residual impacts, and monitoring requirements for subject areas.

**COMMENTS AND RECOMMENDATIONS**

CDFW offers the comments and recommendations below to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

**Comment #1: Environmentally superior alternative**

The DSEIR includes Alternative 2 and states this alternative will reduce biological impacts in the Project area because it would avoid more perennial ryegrass grassland and purple needlegrass grasslands west of the public golf course. Alternative 2 is considered environmentally superior overall for this proposed Project. 13.2

Alternative 2 would reduce the overall number of new residential units on the Project site from 146 units to 38 units, or by approximately 74 percent, and would focus development east of the existing golf course in a single neighborhood development. The reduction in residential units would reduce the amount of open space and rural landscape converted to low density housing and would reduce impacts to the scenic view corridor on the southern side of SR 1 between Black Road and Solomon Road. This alternative would also allow for increased open spaces and agricultural buffers on Key Site 21 when compared to the proposed Project. This would reduce impacts to the biological resources with incorporation of mitigation, in contrast to the proposed Project.

Alternative 2 would also avoid the Project's significant and unavoidable project-specific impact to visual character, with incorporation of mitigation, and reduce overall impacts associated with development on steep slopes, adverse effects on sensitive species, demand on public services, and transportation/circulation. In addition, this alternative would avoid or reduce impacts on native plant communities. Alternative 2 does not present any new significant impacts that were determined to be less than significant in the analysis of the proposed project, nor would it increase the severity of impacts identified for the proposed project. For these reasons, the Only Hidden Canyon Neighborhood Development Alternative (Alternative 2) is identified as the Environmentally Superior Alternative in the DSEIR. 13.2 cont.

CDFW supports a project alternative that provides the least biological resource impacts to the area such as Alternative 2.

**Comment #2: Impacts to California tiger salamander**

An occupied California tiger salamander breeding pond occurs on the golf course adjacent to the Project. The uplands associated with the breeding ponds will be impacted by the project. An ITP will be required in order to fully mitigate the project impacts.

CDFW considers adverse impacts to a species protected by CESA to be significant without mitigation under CEQA. As to CESA, take of any endangered, threatened, candidate species, or State-listed rare plant species that results from the Project is prohibited, except as authorized by state law (Fish and Game Code, §§ 2080, 2085; Cal. Code Regs., tit. 14, §786.9). Consequently, if the Project, Project construction, or any Project-related activity during the life of the Project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, CDFW recommends that the Project proponent seek appropriate take authorization under CESA prior to implementing the Project. Appropriate authorization from CDFW may include an ITP or a consistency determination in certain circumstances, among other options [Fish and Game Code §§ 2080.1, 2081, subds. (b) and (c)]. Early consultation is encouraged, as significant modification to a Project and mitigation measures may be required in order to obtain a CESA Permit. CDFW concurs with the statement in the DSEIR that an Incidental Take Permit (ITP) for California tiger salamander (*Ambystoma* 13.3

*californiense*) may be required for the Project. 13.3 cont.

**Comment #3: Impacts to Streams**

The Project may result in the loss of streams and associated watershed function and biological diversity. Grading and construction activities will likely fill streams, alter the topography, and thus the hydrology, of the Project site.

CDFW concur with the DSEIR that a LSA notification should be submitted to CDFW for the Project; CDFW has concluded that the Project includes activities that may result in the alteration of streams. For any such activities, the Project applicant (or "entity") must provide written notification to CDFW pursuant to section 1600 et seq. of the Fish and Game Code. Based on this notification and other information, CDFW determines whether a LSA with the applicant is required prior to conducting the proposed activities. Information on submitting a Notification for a LSA Agreement, the current fee schedule, and timelines required in obtaining an Agreement may be obtained at www.wildlife.ca.gov/habcon/1600 or https://www.wildlife.ca.gov/Conservation/LSA. 13.4

CDFW's issuance of an LSA for a Project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document of the Lead Agency for the Project. To minimize additional requirements by CDFW pursuant to section 1600 et seq. and/or under CEQA, the SEIR should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the LSA. A LSA permit issued for the Project by CDFW may include additional measures to protect streams on and downstream of the Project, including further erosion and pollution control measures. To compensate for any on-site and off-site impacts to riparian resources, additional mitigation conditioned in a LSA may include avoidance of resources, on-site or off-site creation, enhancement or restoration, and/or protection and management of mitigation lands in perpetuity. We recommend that alternatives to minimize impacts and mitigation for unavoidable impacts be negotiated during the LSA process after a CDFW has reviewed the Project on-site.

Thank you again for the opportunity to comment on the referenced DSEIR and for the County's thorough evaluation of potential biological impacts. Questions regarding this

letter and further coordination on these issues should be directed to Dan Blankenship, Senior Environmental Scientist (Specialist), at (661) 259-3750 or Daniel.Blankenship@wildlife.ca.gov.

Sincerely,

Erinn Wilson
Environmental Program Manager I

cc: Randy Rodriguez, Los Alamitos
Sarah Rains, Thousand Oaks
Dan Blankenship, Newhall

Scott Morgan (State Clearinghouse)

# Letter 13

**COMMENTER:** Erinn Wilson, California Department of Fish and Wildlife

**DATE:** August 2, 2019

## Response 13.1

The commenter describes CDFW's role as a Trustee Agency and a Responsible Agency and summarizes the project description presented in the Draft SEIR to provide context for their comment letter. The commenter states that their comments have been prepared pursuant to the CDFW's authority as a Responsible Agency and Trustee Agency under CEQA Guidelines Sections 15381 and 15386. The commenter also states that the remainder of their letter includes comments and recommendations to assist the County in adequately identifying and/or mitigating the project's significant, or potentially significant direct and indirect impacts on fish and wildlife (biological) resources. Responses 13.2 through 13.4 address the comments that follow and have been prepared with consideration of the commenter's authority over the project and responsibility of the lead agency to comply with the requirements of CEQA.

## Response 13.2

The commenter describes Alternative 2 which reduces impacts to biological resources and is identified as the Environmentally Superior Alternative in the Draft SEIR. The commenter states their support for a project alternative that provides the least biological resource impact such as Alternative 2. These statements do not recommend changes to the analysis in the Draft SEIR and will be forwarded to County decision-makers for their consideration.

## Response 13.3

The commenter summarizes CDFW's consideration of adverse impacts to State-listed species, and concurs with the Draft SEIR conclusion that an ITP for CTS may be required for the project due to the proximity of an occupied breeding pond which occurs on the public golf course which is described in Section 4.4, Biological Resources. The remainder of the comment provides the regulatory context and permitting process as it relates to State-listed species under the California Endangered Species Act. The Draft SEIR addresses impacts to State-listed species in Section 4.4, *Biological Resources*, including CTS, and includes required mitigation measures to address potential impacts to State-listed species, including CTS.

## Response 13.4

The commenter states the project may result in the loss of streams and associated watershed function and biological diversity, and that grading and construction activities will likely fill streams, alter the topography, and the hydrology of the project site. The commenter concurs with the Draft SEIR that a Lake and Streambed Alteration Agreement (LSA) notification should be submitted to CDFW for the project on the basis that the project includes activities that may result in the alteration of streams. The commenter summarizes the regulatory context and permitting process as it relates to Section 1602 of the Fish and Game Code. The commenter states that this process is subject to CEQA and will require CEQA compliance actions by CDFW as a Responsible Agency (CDFW may consider this Draft SEIR as part of those compliance actions). The Draft SEIR addresses impacts to streams in Section 4.4, *Biological Resources*, and provides mitigation measures for the purposes

of CEQA while taking into account Section 1602 of the Fish and Game Code. Mitigation Measure BIO-4(a) requires CDFW consultation prior to the issuance of zoning clearance.

Letter 14

Rancho Maria Golf Club
1950 STATE HIGHWAY 1 • SANTA MARIA, CALIFORNIA 93455 • 805-937-2019

August 2, 2019

Ms. Dana Eady
County of Santa Barbara Planning and Development
624 W. Foster Road, Suite C
Santa Maria, CA 93455

**Re: Subsequent Environmental Impact Report for The Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project [19-EIR-00000-00002]. Impacts to Rancho Maria Golf Club**

Dear Ms. Eady:

Rancho Maria Golf Club is a public golf course owned and operated by four families. In 2020 we will celebrate 50 years of joint ownership of this beautiful golf course in a rural and pristine setting in the hills above Orcutt. It is a unique and specialized public recreational resource used by local residents, in addition to visitors from all over the world. On behalf of the RMGC board of directors, I am sending this letter to address our serious concerns about the lack of proper analysis around the impacts to RMGC in the DSEIR for the proposed Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) project. Because of the significant impacts to our property and our business, the board has hired a team of professionals to address the various aspects of the proposed project. You will be receiving letters under separate cover to address the specific aspects of the DSEIR. 14.1

As currently proposed, this project puts the owners of RMGC at incredible risk. The financial impacts during construction, and the long-term liability given inadequate buffers, conflicts and alterations have not been considered in the DSEIR. These issues, when not properly analyzed and mitigated will result in conflicts that do not allow for the co-existence of a residential development of this size and an open and rural golf course. The final EIR must properly analyze all of these elements. 14.2

RMGC is the property and business in the closest proximity to the proposed Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) project and therefore bears the greatest level of impacts caused by the project. The project will result in physical affects to the golf course and impacts to our business and operations, yet the DSEIR does not consider the consequences to the rural property, the golfers, and the extensive biological resources on the property.

First and foremost, we are disappointed that the project applicant did not consider our input in development plans for a project that would so grossly impact the golf course. Our feedback was not considered by the developer at all. The board of directors submitted a letter to the County of Santa Barbara at the concept review stage in July 2016 outlining our opposition to the proposed plan because of the direct and massive impacts to the golf course operations. The creation of a Specific Plan that addressed the location of all environmental resources as well as the golf course's needs would have saved a lot of time, energy and money. It is imperative that the final EIR include an in-depth analysis of the project impacts to RMGC. 14.3

The operations at the golf course begin daily at approximately 4:00 a.m. when our facilities team rolls out the lawn mowers. This is probably the loudest point in the day, and for the rest of the day the course is an oasis of quiet while golfers concentrate on their game, enjoy the peace and quiet of the rural golf course and engage in conversation with their golf partners. If this project is approved, this peace and quiet will be replaced with ongoing and piercing construction noises. Construction noise effects on golfers and golf course effects on residents were not addressed in the DSEIR. 14.4

The layout of this beautiful and challenging 18-hole course includes a driving range; putting, chipping and pitching greens; and a practice bunker. It is nestled in the foothills with no parallel fairways. There are a lot of balls launched into the air by strong golfers every second of our operating hours. The proposal to erect a 60-foot-tall safety fence seems to be the result of insufficient buffers. The DSEIR does not address adequate buffers between active golf play and the proposed residential development. 14.5

Some golfers walk the course, while others use rented carts. These golfers are accustomed to watching for and not interfering with active golf play, yielding to carts and walkers, and other golf course protocols. The road serving ingress and egress to RMGC does not traverse active play or any area of the golf course. The proposed residential development includes roads that bisect or are adjacent to active golf play. The DSEIR does not adequately address the safety impacts to golfers or future residents in relation to the access roads bisecting or adjacent to active golf play. 14.6

RMGC is a valuable recreational resource in Orcutt and the family owners are responsive, generous and committed to the Orcutt community. As the only public golf facility in the Orcutt and Santa Maria areas, local high school and college golf teams use RMGC as their home course to practice and for school matches. RMGC hosts more than 20 memorial and charity golf events each year, and donates more than 1,000 free rounds of golf with carts to various clubs, schools, charities, and fundraisers each year.

Hundreds of children and junior golfers use RMGC as their playground because it is affordable and open to the public. Many senior citizens call RMGC their home course where they can get exercise, enjoy the outdoors, and play a sport. 14.7

We can't imagine an Orcutt Community without this valuable public recreational resource. The consideration of The Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) project must include a thorough and complete analysis of the impacts to Rancho Maria Golf Club.

Sincerely,

Cheryl O'Keefe Severn

Cheryl O'Keefe Severn
President, Board of Directors

# Letter 14

**COMMENTER:** Cheryl O'Keefe Severn, Board of Directors of Rancho Maria Golf Club

**DATE:** August 2, 2019

## Response 14.1

The commenter states that the Draft SEIR does not provide proper analysis of the potential impacts of the project on the RMGC, and states that the RMGC Board of Directors has hired a team of professionals to address various aspects of the proposed project. The commenter notes that the County will be receiving additional letters under separate cover. This comment is introductory in nature, and the commenter's specific concerns are addressed in Response 14.2 through Response 14.7. Refer to Topical Response 1 for a discussion of the Draft SEIR's evaluation of potential effects on the RMGC.

## Response 14.2

The commenter states that the project would put the owners of RMGC at risk and that the Draft SEIR must properly address elements such as financial impacts, buffers, conflicts, and physical alterations. Refer to Topical Response 1 for a discussion of the Draft SEIR's analysis of impacts to the RMGC. The portion of this comment pertaining to the continued economic success of the RMGC does not reflect on the adequacy or content of the Draft SEIR. Section 15131 of the State CEQA Guidelines states that "economic or social effects of a project shall not be treated as significant effects on the environment." This comment will be forwarded to County decision makers for their consideration.

## Response 14.3

The commenter states that they are disappointed that the project applicant did not consider their input in development plans for the project. The commenter states that the applicant should have developed a Specific Plan that addressed the location of environmental resources and the public golf course's needs and states that the Final SEIR should include an analysis of the project impacts on the RMGC. Refer to Topical Response 2 for a discussion about a Specific Plan for KS 21 and to Topical Response 1 for a discussion of the Draft SEIR's analysis of potential impacts to the RMGC.

## Response 14.4

The commenter states that construction noise associated with the project would affect golfers, and that early morning noise associated with golf course lawn mowing would affect new residents of the project, and that these potential noise impacts were not addressed in the Draft SEIR. Section 4.11, *Noise*, evaluates the construction noise impacts of the proposed project. Topical Response 5 discusses potential noise impacts on public golf course users and on other sensitive receptors, as well as potential noise conflicts between RMGC operations and future residents of the proposed project.

## Response 14.5

The commenter states that the project does not provide sufficient buffers for golf balls from the public golf course, and that the Draft SEIR does not address buffers between active golf play and the proposed project.

The project proposes buffers between the existing public golf course and the proposed residential development through the use of setbacks, landscaping, and topography. The project has been designed with golf course interface zones that provide a buffer between the proposed residential lots and the existing golf course. No professional national standards exist that dictate a minimum distance between golf course fairways and playing areas and adjacent residential development. However, the contemporary standard to determine reasonable residential lot line offsets from golf course fairways takes into account that the majority of tee shots will fall within an angle measuring 15 degrees on each side of the centerline. In terms of distance from centerline to lot line, an offset of 180 feet or more to the right of centerline (assuming most golfers are right-handed and make most errant shots, or "slices," to the right) is provided in a zone measured 220-250 yards from the back tee.

Based on comments received from the RMGC, an additional 2.96-acres of golf course buffer area was added to the lot design of the Willow Creek Neighborhood due to the potential for errant golf shots and safety netting was established along the Hole 15 fairway to screen errant shots from vehicular traffic on the Willow Creek Neighborhood roadway. Following consultation with professional golf course architect, Damian Pascuzzo, Pascuzzo/Pate Golf Design, and based on golf course design guidelines drafted by Michael S. Johnston, AIA (NAFE361C), Forensic Architect's Investigation of Golf Course Safety, the revised lot design expanded the buffer primarily along Holes 13 and 14. The revised lot design ensured that all lots along these holes are located outside of the reasonable expected fairway landing area, as measured 180 feet from the fairway centerline and 200-250 yards from the back tee on both of these holes. In addition, extensive landscape screening is proposed along these lots.

Landscaping in the buffer areas will be maintained by the HOA and consist of shrubs and trees that would reach heights up to 30 feet and be planted in a cascading fashion. The vegetation would be aligned in a repeating chevron pattern radiating diagonally along the fairways that would allow view corridors experienced from the proposed backyards to the fairways, while effectively providing additional obstruction of errant shots that could land outside of the reasonably expected landing areas. 550 linear feet of standard black golf course safety netting is also proposed along the Willow Creek ingress and egress roadway located adjacent to Hole 15. The netting would extend from the tee box (at a height of 8 feet) along the length of the fairway and reach a height of 60 feet at the green. Screening vegetation would also accompany the netting. This standard protective measure is commonly used to eliminate adjacent land use conflicts with fairway shots, such as the netting adjacent to Santa Barbara Municipal Golf Club Hole 12, along State Route 225 (Las Positas Road), in Santa Barbara, California.

The applicant has also conducted an evaluation of six additional public golf courses with adjacent residential single family homes (Black Lake Golf Course, Nipomo; Cypress Ridge Golf Course, Avila Beach; Monarch Dunes Golf Club, Nipomo; Paso Robles Golf Course, Paso Robles; Sterling Hills Golf Course, Camarillo; River Ridge Golf Course, Camarillo) and found that the proposed project has fewer residential lots encroaching within the reasonably anticipated landing zones than each of these courses and that all six of these six courses have successfully accommodated adjacent residential uses. Through the use of buffer areas, screening vegetation, and the strategic placement of the screening vegetation, the majority of errant golf ball shots will be blocked. This comment does not specifically address the adequacy or accuracy of the Draft SEIR, but the commenters concerns will be forwarded to County decision makers for their consideration.

## Response 14.6

The commenter states that the proposed residential development includes roads that bisect or are adjacent to active golf play, and that the Draft SEIR does not adequately address the safety impacts to golfers or future residents in relation to the access roads bisecting or adjacent to active golf play. Refer to Topical Response 3 for a discussion of the project's proposed transportation and access facilities and public safety.

## Response 14.7

The commenter discusses the community benefits of the RMGC and states that the Draft SEIR must include a thorough and complete analysis of the impacts to the RMGC. This comment is generally a concluding statement that summarizes previous comments. As noted in previous responses, Topical Response 1 discusses the Draft SEIR's analysis of potential impacts to the RMGC.

SUZANNE ELLEDGE
PLANNING & PERMITTING
SERVICES, INC.

Letter 15

August 2, 2019

Dana Eady, Planner
Development Review Division
Planning & Development
624 W. Foster Rd. Ste. C
Santa Maria, CA 93455

**RE: Comments on The Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) DSEIR; 19EIR-00000-00002, SCH #2018031077**

Dear Ms. Eady,

Our firm represents the Rancho Maria Golf Club (RMGC), a family owned and operated public golf course serving the Orcutt and Santa Maria Valleys for over 60 years. With respect to the above-referenced Neighborhoods of Willow Creek and Hidden Canyon Project (Project) we submit this letter commenting on the Project's Draft Subsequent Environmental Impact Report (DSEIR) and request that the County and its consultant, Rincon Consultants, Inc. address the comments herein and revise the Project description and revise the environmental document accordingly.

In addition to this letter, separate comment letters have been submitted by consultants representing RMGC including land use attorney, Alan Seltzer, biological consultant, John Storrer of Storrer Environmental, groundwater resource experts with Todd Groundwater, and water rights attorney, Henry Weinstock with Nossaman LLP. Please note that the RMGC team has submitted several letters over the past couple of years regarding the scope of the Project SEIR and only one of our letters was included in the DSEIR Appendix A. We respectfully request that all of the letters we have provided to County Staff concerning the scope of the DSEIR be provided to Rincon Consultants for review and consideration (refer to attached[1]).

15.1

We have several comments on the DSEIR that could fundamentally change the environmental analysis and approach used in the DSEIR as well as the County's Project review:

1. **Specific Plan Requirement. DSEIR is Inadequate Because it Fails to Include or Analyze a Specific Plan for the entire Key Site 21 (KS21) in Advance of Development Plan Submittal.**

The Orcutt Community Plan (OCP) Development Standard KS21-1 states:

> *"No applications for development shall be accepted prior to approval of a Specific Plan for the entire site."*

15.2

[1] Seltzer Letter dated March 6, 2018, SEPPS Letter dated March 6, 2018, SEPPS Policies Attachment 1, dated March 6, 2018, Storrer Environmental Services Letter dated January 31, 2018, Nossaman Letter dated March 5, 2018 with Water Well Map Attachment, SEPPS Letter dated April 24, 2018

The OCP required that a Specific Plan for the entirety of KS21 be processed and approved PRIOR to accepting applications for development on KS21. This important planning requirement highlights the fact that the OCP and its Programmatic EIR did not conduct site-specific analysis of development on KS21 and therefore, identified a necessary next step for evaluating potential development on KS21. There are numerous environmental resources located within the boundaries of KS21, including State and Federally protected wildlife and plant species that require protection and avoidance pursuant to County, State, and Federal Environmental Protection Policies. In addition to the environmental resources within the site, RMGC serves as an important public recreational resource that deserves protection. The purpose of processing and analyzing potential development of KS21 at a Specific Plan level allows for a comprehensive review of the entire Key Site property, its resources, identification of constraints, and necessary avoidance areas and buffers.

The OCP required a Specific Plan for KS21 in order to identify the distribution, location, and extent of the land uses, including open space, within the area covered by the plan for the entirety of KS21. Some of the parcels included in KS21 are so constrained by creek corridors, steep slopes, and biological resources that they are not appropriate for development and would be identified as open space areas. Adherence to the Specific Plan processing requirement would have helped to ensure comprehensive and orderly development that avoids or minimizes impacts to the environment, as well as impacts to RMGC.

15.2 cont.

The OCP text discussion of KS21 concludes with the identification of impact issues to be considered in the Specific Plan process:

"*Major issues to be considered during the design of future projects on the site include: avoidance of geological hazards associated with erosion along the canyons, preservation of a scenic corridor along Highway I, minimization of potential impacts to wildlife and sensitive vegetation,* ***consistency between the existing public recreational use and future private residential uses****, and recognition of the rural setting of the site.*" (Emphasis added.)

Instead of compliance with OCP Development Standard KS21-1, the DSEIR proposes a revision to this critical comprehensive planning prerequisite to eliminate the requirement to process a Specific Plan prior to accepting Project Development Plans for review, analyzing only a small portion of KS21. As a result, the DSEIR does not include a comprehensive environmental analysis of KS21, its resources, its "major issues" or "minimization of potential impacts to wildlife and sensitive vegetation", nor its "consistency between the existing public recreational use and future private residential uses, and recognition of the rural setting of the site" as required by the OCP, and is therefore inadequate and does not meet the OCP required CEQA analysis.

Ultimately, the DSEIR *references* a Specific Plan that simply mirrors the Proposed Development Plan (see comment below, no Specific Plan document was included in the DSEIR or its Appendices available for public review as of July 16, 2019).

**2. Proposed General Plan Amendment. The Proposed General Plan Amendment to OCP Development Standard KS21-1 does not Cure the Failure to Comply with the OCP. The Proposed General Plan Amendment was not Initiated by the Board of Supervisors, as Required per the Government Code.**

15.3

Government Code Section 65358 (a) requires that "*an amendment to the general plan shall be initiated in the manner specified by the legislative body*." In the case of the Orcutt Community Plan (a component of

the County's General Plan) the legislative body is the County Board of Supervisors. It is our understanding that neither of the General Plan Amendments proposed by the Project have been initiated by the Board of Supervisors. It appears that this important requirement in the public review process should have occurred prior to processing the proposed General Plan Amendments.

In addition, the County's Notice of Preparation (NOP) for the SEIR did not include the General Plan Amendment identified in the DSEIR, which proposes revision of the Orcutt Community Plan Development Standard KS21-1 in order to eliminate the requirement to first process a Specific Plan for the entire KS21. In fact, the NOP identified that one of the purposes of the Project was including a Specific Plan pursuant to the provisions of Orcutt Community Plan Development Standard KS21-1.

Section 2.0 of the NOP "PROJECT DESCRIPTION/REQUEST" states that the Project included:

15.3 cont.

> "*1. Specific Plan: Per the provisions of the Orcutt Community Plan Development Standard KS21-1, a Specific Plan (Case No. 16SPP-00000-00001) that provides for the design and regulatory framework to provide for orderly development including housing, a public trail, open space, and biological protection measures.*"

The only General Plan Amendment identified in the NOP and SEIR Scoping Paper was:

> *"7. General Plan Amendment: The applicant is requesting a General Plan Amendment (Case No. 17GPA-00000-00005) to relocate the proposed trail staging area from the location shown in Orcutt Community Plan Figure KS 21-1 (adjacent to Highway 1) to the project site."* SEIR Appendix A, SEIR Scoping Paper, p.7. *See also* DSEIR, §2.5.7, p. 2-13.

Thus, there was no indication that revision of Development Standard KS21-1 was part of the project description at any time in the application process, in the NOP, and in the SEIR Scoping process. Now, after the fact, the DSEIR has changed the Project Description by adding a new General Plan Amendment in an attempt to remedy its noncompliance with Development Standard KS21-1. The DSEIR's proposed amendment would circumvent the required public review process for a comprehensively planned residential development project that includes the golf course property in its review. This attempted end-run around the OCP's required planning and review process should not be accepted.

Ultimately, even the proposed "fix" for the Project's and DSEIR's noncompliance with Development Standard KS21-1 fails. As amended, the modified text of Development Standard KS21-1 still requires "approval of a Specific Plan for the **entire site**". The DSEIR remains inadequate even with this text amendment because the Specific Plan purportedly under review is not for the entire KS21, but only the applicant's three parcels. This failure to include a Specific Plan that covers the entirety of KS21 results in an understatement of the Project's impacts on the surrounding parcels that are part of KS21.

It should be noted that the County imposed similar Specific Plan requirements on both Ellwood Mesa (Santa Barbara Shores) and the More Mesa residential development Key Site properties. The County should not waiver from the requirements of Development Standard KS21-1 and should require a comprehensive environmental analysis and identification of resources and their respective buffers across the entire Key Site.

**3. DSEIR Assumes that 150 units is the "overall development vision for KS21" in the OCP.**

There is a consistent theme in the DSEIR impact analysis basing analysis on the presumption that 150 units is the "overall development vision for KS21 in the OCP". This premise exists throughout several issue areas and the DSEIR concludes that the Project results in less impact than the buildout projected in the OCP because the Project proposes four (4) fewer units than the maximum potential allowed pursuant to the OCP zone designation.

For example, in Aesthetics/Visual Resources the DSEIR states:

> *"The reduced residential buildout of the project in comparison to the OCP, combined with the proposed open space areas and agricultural buffers including in the project, would incrementally reduce potential impacts to the visual quality and open space character of the site."* Page 4.1-16

In Air Quality, the DSEIR states:

> *"The project would result in fewer homes being built on Key Site 21 than under buildout of the OCP."* Page 4.3-11

In Water Resources and Flooding, the DSEIR states:

> *"The number of residential units proposed (146) under the Specific Plan is fewer than what was anticipated in the OCP EIR. With less site disturbance and development, the overall construction activity would be less for the proposed Specific Plan than the construction activity required for buildout under the OCP."* Page 4.14-10

15.4

The OCP identified **up to a maximum** of 150 units on KS21, however, it did not conduct a project-specific environmental analysis for the site or even an "Mini-EIR" as it did for other Key Sites, and instead **required** that a Specific Plan first be processed and reviewed pursuant to CEQA prior to accepting applications for development. Regarding Key Sites that did not receive a "Mini-EIR", including KS21, the OCP EIR states:

> *"Future development proposals for these sites will require substantial additional CEQA review to analyze potential site-specific issues not addressed in this EIR."*

The OCP EIR did not include site-specific analysis of land use impacts on KS21 and did not identify any potentially significant impacts associated with development on KS21. Therefore, the DSEIR has no basis for concluding that Project impacts are less than that identified in the OCP vision for the site.

**4. Project Description. The Project Description is Inadequate, Lacks Critical Information, and therefore DSEIR Does Not Provide Full-Disclosure to Public and Decisions-Makers.**

DSEIR Section 2, Project Description, does not include or describe important Project components and details necessary to adequately inform the public and the Project decision-makers. For example, the DSEIR Project Description does not provide adequate information on the following:

15.5

- Identify the number of affordable units that the Project will pay fees for in-lieu of building on-site. Pages 2-5 & 2-10

- The proposed "golf course safety net" (which is not an accurate description and should be amended to describe it as a "residential safety net/fence") will be as tall as 60-feet. Details regarding the proposed safety net fence, including its location, length, material, and height need to be included in the Project Description. Page 2-5
- Proposed widening of SR 1 needs to identify where exactly the widening will occur (i.e., on the north or south side of SR 1, or both and by how much, with a plan detail identifying exactly what will be affected by this widening). Page 2-9
- The DSEIR does not describe the proposed easement relocation for the access road that would serve the Willow Springs development and lacks clear plans identifying the details of the Project as they relate to the RMGC property and its existing improvements.
- Details regarding proposed grading are severely lacking. The Project Description needs to specify the number and location of proposed residential lots and road segments that would be constructed on slopes in excess of 20% and 30%. It also needs to identify the extent and location of cut and fill slopes and the amount of fill proposed for the drainage channel in the Willow Springs development area to create building pads. Proposed retaining walls, including location and height, need to be included. Details on the retention basins including depth, fencing, landscaping, etc. need to be included. Page 2-9
- Details regarding the proposed water treatment system are completely absent (i.e., location, equipment, size, height, brine tank storage, conveyance for waste water off-site, etc.). Page 2-10
- Details regarding the Project statistics, including proposed impervious surfaces (62.7 acres), proposed tree removal, proposed drainage facilities, and other details need to be included in the Project Description for full disclosure to the public and the decision-makers.

15.5 cont.

Additionally, the DSEIR is inadequate as an information document because it fails to include in the document the referenced Specific Plan for the Project site. As of July 16, 2019, there is no Specific Plan in the DSEIR for the public to review or in the Appendices to the DSEIR for public review.

**5. Aesthetics/Visual Resources. The DSEIR does not Adequately Assess Project Impacts to Visual Resources from RMGC.**

RMGC is a public golf course serving the Orcutt Community and surrounding communities for over 60 years. One of the key features of the golf course is the pristine, rural view of the surrounding undeveloped foothills and canyons afforded to the public from the golf course.

DSEIR Page 4.1-1 states:

> *"**Key Site 21 includes a total of seven parcels, consisting of approximately 340.7 acres**. The Rancho Maria Golf Club (RMGC), a 130-acre public 18-hole golf course, is located on the central parcel of Key Site 21. The project site consists of three undeveloped parcels totaling approximately 190 acres on the eastern and western portions of Key Site 21 at the outer edges of the golf course and between the fairways (refer to Figure 2-2 in Section 2, Project Description). **The public golf course provides views of the Casmalia Hills immediately south of the site and is surrounded by undeveloped open space that provides scenic views."*** [Emphasis added to highlight that the entire Key Site is 340.7 acres, including the golf course, and should have been studied as such in the Specific Plan, and the OCP recognized that the golf course provides the public with views of the Casmalia Hills and is surrounded by undeveloped open space that provides scenic views.]

15.6

Therefore, the views from the golf course are an important public scenic resource that require protection. The OCP contains Policies and Development Standards that require protection of significant scenic and visual natural resources in Orcutt:

- Policy VIS-O-1, requires the protection of significant scenic and visual natural resources in Orcutt to preserve the semi-rural character of the Orcutt Planning Area;
- DevStd VIS-O-1.1: requires all development, including buildings, understories, fences, water tanks, and retaining walls, adjacent to natural open space areas be sited and designed to protect the visual character of these areas;
- Policy VIS-O-2, requires the protection of prominent public view corridors and public viewsheds;
- DevStd VIS-O-2.1: requires development to be sited and designed to minimize the disruption of important public view corridors and viewsheds through building orientation, minimization of grading on slopes, landscaping, and minimization of sound walls;

Despite these OCP Policies and Development Standards requiring protection of important visual resources the DSEIR Impact AES-1 concludes:

> *"The project would alter views from the Rancho Maria Golf Club Public Golf Course and State Route 1 but would not substantially impact nearby scenic vistas or damage scenic resources. This impact would be less than significant (Class III)."*

We request that the environmental consultant include and analyze additional view studies other than the few selected by the developer for analysis. Loss of the scenic views afforded to the public from the golf course is a significant impact and we question the DSEIR determination that this impact is "less than significant".

15.6 cont.

The DSEIR needs to include and analyze additional views from the golf course looking toward the proposed development in order to adequately assess the Project's impact on the golf course and scenic vistas:

- Views of the 60-foot tall safety fence and netting as viewed from the golf course;
- Visual analysis of the proposed well water treatment infrastructure as viewed from the RMGC main entrance and Scenic Highway SR-1. The applicant does not identify where on the Development Plans the proposed water treatment equipment will be located, however, we understand it is planned near the proposed wells at the entrance to the golf course;
- OCP Development Standard KS21-6 requires installation and maintenance of an average 50-foot wide landscape buffer along SR-1 with trees that would exceed 50-feet in height at maturity and requires that the buffer be landscaped with a sufficient density of trees and shrubs to break up and screen views of development from SR-1, however, we were not able to locate plans in the DSEIR that identify this required landscape buffer or identify where exactly this required landscape buffer will be planted (i.e., is the required landscape buffer proposed on RMGC property?).
- OCP Development Standard KS21-8 requires "all development be sited to preserve the natural landforms of the site and minimize grading". The Project proposes to fill in a drainage channel on the "Willow Creek Tract" with over 15-feet of fill, 15-foot cut and fill slopes, and significant alteration of land formation. Did the DSEIR carefully analyze the proposed grading plans, comparing the proposed elevations to the existing conditions? We request that the DSEIR consultant conduct a thorough site inspection to carefully analyze the proposed grading and

proposed alterations to topography as it affects natural landforms and visual resources. This excessive level of grading should be identified in the DSEIR as a Policy Inconsistency issue, and the DSEIR should recommend Project re-design for consistency with this Development Standard. 15.6 cont.

**6. Agricultural Resources.**

The Agricultural Buffer Ordinance (Section 35.30.025 of the Land Use and Development Code [LUDC], County of Santa Barbara 2019), adopted in 2013 and updated in 2019, implements Comprehensive Plan policies by establishing development standards between agricultural uses and new non-agricultural development and uses in inland portions of the County. Buffers are used to minimize potential conflicts between agricultural and adjacent land uses that result from noise, dust, light, and odor incidental to normal agricultural operations as well as potential conflicts originating from residential and other non-agricultural uses such as domestic pets, insect pests, and invasive weeds. The agricultural buffer width can range from 100 to 400 feet depending on the type of agricultural and non-agricultural uses and the buffer is required to be located on the lot which contains the non-agricultural use or development. The Ordinance applies to inland areas of the County when there is a discretionary application for non-agricultural development which:

15.7

> *"(1) is located in an Urban or Inner Rural Area, on an EDRN, or located on property zoned industrial that is located in the Rural Areas, and (2) is located immediately adjacent to agriculturally zoned land that is located in a Rural Area."*

The DSEIR states that the County's Agricultural Buffer Ordinance does not apply to the Project because the Ordinance does not apply to single-family dwellings. However, we question this determination because the Project is a Planned Development, which is not the same as single-family residential zoning and development. The Project site is 1) located in an EDRN, and 2) is located immediately adjacent to agriculturally zoned land that is in a Rural Area. The Planned Development is required to incorporate buffers to adequately protect the adjacent agricultural operations. The adjacent farmers have voiced their concerns about insufficient buffers. We believe that the discussion on Page 4.2-7 is not accurate and the Agricultural Buffer Ordinance applies to the Project. This section of the DSEIR needs to be revised accordingly.

**7. Air Quality.**

DSEIR Page 4.3-3 states:

> *"Although the existing golf course is a recreational use, it is not considered a sensitive receptor because individuals are not concentrated for extended periods of time at any location along the golf course."*

Where does this criterion for "extended period of time" originate? The public occupies the golf course 7 days a week from 6 am – 8 pm. Groups of golfers, including adults and kids, are slowly moving through the course, which would be adjacent to the proposed development and roadways during the 4.5-year long construction period and following completion of Project construction. We request that the DSEIR consider the golf course as a sensitive receptor with respect to air quality analysis and throughout the entire DSEIR environmental impact analysis. 15.8

**8. Biological Resources. DSEIR Does Not Properly Evaluate and Defers Required Analysis of Project Impacts to Several Biological Resources**

The DSEIR does not include a comprehensive map of all biological resources on KS-21, including habitat supporting State and Federally protected species, and their respective buffers pursuant to County General Plan Policies (i.e., mapped wetlands, CTS breeding pond, CTS upland habitat, CRLF habitat, native grasslands, coastal scrub, riparian vegetation, etc.). This is, in part, due to the fact that a comprehensive Specific Plan for KS-21 has not been provided or analyzed as required by the OCP. The DSEIR needs to properly evaluate and disclose Project impacts to all biological resources, habitat supporting these resources, and identify necessary setbacks or buffers to avoid and minimize impacts for the entirety of KS-21 as required by the OCP. 15.9

It is clear that the Project Development Plan did not take measures to AVOID identified biological resources. The DSEIR correctly identifies that the Project results in direct impacts to mapped wetlands, direct impacts to CTS habitat, direct impacts to RLF habitat, and direct impacts to Special Status Plant Species. However, the DSEIR does not provide adequate information identifying these mapped resources, including required or recommended buffers, on a resource constraints map, and the DSEIR does not recommend project redesign to AVOID these Class I significant impacts to biological resources.

Instead, the DSEIR recommends mitigation measures that state:

> *"Development shall avoid impacting CTS and CRLF habitat to the greatest extent feasible…impacts to wetlands and drainages shall be avoided to the maximum extent feasible" [BIO-2(b) and BIO-4(b)].* 15.10

However, the DSEIR discloses that the Project results in direct impacts to these resources by building roads through mapped wetlands and housing on CTS and CRLF habitat and clearly does not "avoid impacts to the greatest extent feasible". The recommended mitigation measures ignore the facts presented in the DSEIR. Therefore, the mitigation measures are impractical and meaningless. The action required by these mitigation measures would occur AFTER the project receives discretionary entitlement and the completion of CEQA review when it is too late to "avoid impacts to the greatest extent feasible".

Further, these same measures then go on to state, "if CTS and CRLF habitat cannot be avoided…if wetlands and drainages cannot be avoided…" then plans shall be prepared for off-site, compensatory mitigation. These plans need to be prepared NOW and analyzed as part of the DSEIR and not deferred to a later date following Project discretionary entitlement and the completion of the Project CEQA review. These measures defer to the future the identification of protected areas, and the determination of the amount of offsite habitat restoration required. See BIO-1(b), BIO-2(b), (d), (f), (h), BIO-3(b), BIO-4(b).

DSEIR Mitigation Measures BIO-1(a), Bio- 2(e), (g), and (i), Bio-3(a), *Reliance on Pre-Construction Plant and Animal Surveys*, requiring Post-Project approval focused surveys for special-status plant and animal species, rare plants, sensitive habitats, rare bats and mammals, rare amphibians and reptiles, and nesting and migratory birds are not adequate. By the time the surveys are complete, there will have been a substantial investment made in the Project's design, and modifications to avoid sensitive species' habitats will be infeasible; it will be deemed too late to change the Project design. Additionally, by that time, the public CEQA review process will have concluded without disclosing the presence of rare species on the 15.11

Project site. For these reasons, the focused biological surveys must be done prior to the DSEIR and be included in the DSEIR analysis. 15.11 cont.

Several of the recommended mitigation measures defer Agency consultation and Project analysis that must occur now with review of the Project. BIO-2(a) requires consultation with USFWS and CDFW regarding Project impacts to CTS and CRLF "prior to zoning clearance", following Project discretionary entitlement and the completion of the public CEQA review process. This Agency consultation and their resulting recommendations needs to occur now, as part of the Project CEQA review, and be included in the DSEIR analysis. 15.12

DSEIR Page 4.4-48, *Significance After Mitigation*, states the following:

> *"Implementation of the above mitigation measures would reduce impacts to special status animal species to a less than significant level (Class II), with the exception of potential impacts to CTS F, which require off-site compensatory mitigation (Mitigation Measure BIO-2[c]) that may not be feasible due to lack of available off-site locations for CTS compensatory mitigation within the West Santa Maria/Orcutt metapopulation area. Therefore, potential impacts to CTS would remain significant and unavoidable."*

15.13

We question the DSEIR's conclusion that the Project would not result in Class I impacts to California Red Legged Frog (CRLF) and Vernal Pool Fairy Shrimp. These special species' habitat exists within the Project site and would be impacted by the Project similar to the Class I impacts identified for CTS. The DSEIR requires the same offsite mitigation for CRLF and Fairy Shrimp as required for CTS, and Project impacts to each of these protected species should be classified as Class I impacts.

Given the extent of the Project's Class I impacts to Biological Resources, the DSEIR should first recommend Project redesign to avoid or substantially lessen the Project's impacts to multiple State and Federally protected biological resources. If redesign is not feasible, then mitigation measures that do not involve deferred analysis should be recommended. 15.14

Please also refer to comments submitted under separate letter by Storrer Environmental.

**9. Geologic Processes.**

The DSEIR correctly identifies that the Project proposes grading on slopes in excess of 20% and 30%, proposes cut slopes in excess of 15-feet, and will fill in a ravine that drains the northwestern portion of the Project site. However, the DSEIR does not include a Project Plan identifying these slopes with respect to proposed development (i.e., residential lots and roads). The figure in this section of the DSEIR identifies slopes ranging from 5% to 30% in a single shade with no differentiation of the problematic slopes. The DSEIR should include a constraints map identifying slopes in excess of 20% and 30%. 15.15

OCP Development Standard KS21-8 requires:

> *"All development shall be sited to preserve the natural landforms of the site and minimize grading."*

The Project's proposal to fill in a drainage channel on the "Willow Creek Tract" with over 15-feet of fill, 15-foot cut and fill slopes, and significant alteration of land formation does not comply with the OCP Development Standard and should be identified in the DSEIR as a Policy Inconsistency issue, recommending Project re-design.

The OCP includes the following Development Standard, GEO 2.2:

> *"Development shall be prohibited on slopes greater than 30% unless this would prevent reasonable development of a property. In areas of unstable soils, highly erosive soils or on slopes between 20% and 30% development shall not be allowed, unless an evaluation by a qualified professional (e.g., soils engineer, geologist, etc.) establishes that the proposed project will not result in unstable slopes or severe erosion or this would prevent reasonable development of a property."*

Despite this Development Standard, the DSEIR determines that the Project's grading and development on slopes greater than 30% and unstable soils, grading in excess of 1,000,000 cubic yards of cut and fill, and significant re-contouring of the land will result in less than significant impacts. We disagree with this conclusion. Further, the Project is clearly inconsistent with this OCP Development Standard and this should be noted in the Land Use Section, Policy Consistency Analysis. 15.15 cont.

Additionally, the DSEIR does not consider the impacts that this aggressive amount of grading and manipulation to the natural drainage channels and landforms will have on the golf course. The Project would increase impervious surfaces of KS-21 by an estimated 62.7 acres and redirect the drainage of surface flow during storm events (DSEIR Page 4.14-11). This information needs to be included and analyzed in the Geologic Processes section. The golf course relies on the natural drainage patterns surrounding the course. Significant changes to drainage will have significant effects on the golf course and needs to be included in the DSEIR analysis.

**10. Land Use. DSEIR Does Not Properly Analyze the Project's Impacts on RMGC and Does Not Properly Assess the Project's Consistency with County Goals, Policies, Actions, and Development Standards.**

The DSEIR analysis does not adequately consider Project impacts to RMGC and its ongoing operations, which should be considered a unique land use and one that has provided an opportunity for public recreation for over 60 years and preserves an important open space viewshed serving as "a visual gateway to west Orcutt" (OCP KS-21).

The DSEIR's discussion of drainage impacts on RMGC resulting from the more than 1,000,000 cubic yards of proposed grading and filling of important on-site drainages is completely inadequate. The DSEIR needs to analyze the effect of the proposed grade and drainage changes on the golf course, which presently relies on and is constructed around the natural contours. As stated above, the OCP Policies and Development Standards requiring minimization of grading and prohibition of development on slopes in excess of 30% needs to be identified as a Project inconsistency issue and the DSEIR should include recommendations for Project redesign to avoid steep, unstable slopes and excessive grading consistent with the OCP Policies. 15.16

The DSEIR's Visual Resource Impact Analysis relies solely on the applicant's submitted impact analysis provided in Appendix F. There is no independent review or additional view sheds analyzed in the DSEIR. 15.17

At a minimum, additional views from the golf course looking toward the proposed development, including the 60-foot tall safety net and fencing needs to be included and analyzed in the DSEIR from both an impact standpoint as well as a policy consistency standpoint.

15.17 cont.

The County of Santa Barbara requires that building height be measured from "existing grade". The building height limitation for the PRD zone is 32-feet measured from existing grade for ridgeline/hillside lots and 35-feet for lots not affected by the ridgeline/hillside ordinance requirements. The DSEIR needs to identify the building height for all lots measured from existing grade, as required by the County's Ordinance, and identify which lots trigger the ridgeline/hillside ordinance requirements.

The DSEIR's Noise analysis needs to consider RMGC as a sensitive noise receptor. The public golf course is a resource to the community. Golf play relies on quiet settings. The impact of construction noise on the golf course needs to be evaluated in the DSEIR as does the resulting traffic and residential use noise following project construction. In addition, there is no analysis of the existing golf course operational noise on the Project. For example, the golf course commences mowing activities at 4 am almost daily prior to opening to the public; this is part of the existing setting. However, RMGC has not been approached or consulted by the County or the EIR consultant about their operations, which would be important in order to ensure that the DSEIR provides adequate environmental analysis. The golf course operations should not be ignored in the DSEIR analysis.

15.18

The DSEIR includes no third-party analysis of the proposed safety buffers between the existing golf course and the Project. Instead, it accepts the Project applicant's analysis, which claims that 10-foot backyard setbacks and 60-foot tall safety net fencing are adequate buffers. The DSEIR identifies that:

> *"The proposed safety netting, internal circulation plan design, and setbacks and landscaping, in combination with the restriction to single-story homes adjacent to the golf course fairway, would result in quality of life changes that may be adverse, but would be less than significant."*

15.19

OCP Development Standard KS21-10 requires:

> *"The layout and design of the development should be compatible with golf course actions and minimize risks to occupants and visitors from the golf course activity."*

The DSEIR must include an independent analysis of the proposed setbacks and safety buffers in order to demonstrate consistency with this required standard.

The DSEIR lacks an accurate and complete analysis of the Project's consistency with County Development Standards and Policies; Appendix F of the DSEIR, prepared by the Project Applicant's Environmental Consultant, contains a Policy Consistency Analysis that is biased and understates the Project's impacts and inconsistencies with County Policies as it finds the Project consistent with all OCP and County Policies. As discussed herein, the Project is inconsistent with numerous OCP and County Policies.

15.20

We understand the County Staff Report that will eventually be prepared and provided to the Project decision-makers will include a Policy Consistency Analysis, but as stated on Page 4.10-4, the DSEIR should include a review of Project elements that "*cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect*." The DSEIR also states on Page 4.10-4:

*"Therefore, a project would be considered to have a significant land use impact if it meets one of the following criteria:*

- *The project is incompatible in scale or use characteristics with any adjacent land uses; or*
- *The project would result in land use conflicts that are detrimental to the well-being and privacy of existing uses.*

15.20 cont.

The Project meets both of these criteria. As discussed herein, the Project is incompatible in scale with adjacent land uses. This is evidenced by the numerous Class I impacts to on-site biological resources, the significant amount of grading on steep slopes to create building pads, the significant impact to visual resources, and the reliance on groundwater to serve the entire project in an area already affected by a compromised groundwater basin. The Project will also result in conflicts that are detrimental to the well-being of the existing use, the public golf course.

The OCP and other applicable elements of the Comprehensive Plan include environmentally sensitive habitat area provisions, recreational goals, circulation and traffic goals, and other environmental protection policies. The DSEIR should review the Project for conformance with these policies and propose mitigation where needed to gain consistency with these policies. An exhaustive listing of policies in the Land Use Section is not necessary, but any potential inconsistencies with environmental protection standards should be addressed.

Scope of the DSEIR Policy Consistency Analysis should include:

- Review the proposed project for consistency with land use policies such as those contained in the Orcutt Community Plan and Comprehensive Plan.
- Assess the character of surrounding land use and development and analyze the compatibility of the proposed project development with that character.
- Identify mitigation measures, if any, to reduce land use impacts and resulting residual environmental effects.
- Assess cumulative impact levels and the contribution of the proposed project to these cumulative impacts.
- Identify residual impact levels of the project after mitigation.

15.21

**11. Noise.**

The DSEIR identifies that the Project construction period is expected to last 4.5 years and involves construction equipment with noise levels up to 88 dBA at 50-feet from the source. Golf play relies on a certain level of quiet ambience. The Project proposes significant grading (over 1 million cubic yards of cut and fill) and construction of new roads that cut through existing golf fairways and greens, and construction of 146 homes immediately adjacent to golf tees, holes, greens and fairways. During the 4.5 years of Project construction, it will be nearly impossible to play golf consistent with the expectations of the public who have golfed at RMGC for over 60 years. It will be impossible for the Project to NOT result in significant impacts in noise on the golf course during 4.5 years of project construction. The DSEIR should identify this as a significant noise impact on the golf course.

15.22

The DSEIR needs to include noise measurements from key locations on the golf course (not only the club house) including the first tee, the driving range, locations along the proposed construction access roads,

and other key locations and include this information in the Project noise analysis. The DSEIR should identify and recommend mitigation measures that help to mitigate this significant impact as it relates to the golf course.

15.22 cont.

Further, the golf course operations include early morning mowing and other noise-generating maintenance activities that should be identified and analyzed in the DSEIR as part of the existing setting. These activities will affect the future residents of the Project, and the DSEIR should identify measures that protect the golf course existing activities from future complaints by the residents.

**12. Public Services and Recreation.**

The DSEIR is completely silent on Project impacts to RMGC as a public recreational resource. The Orcutt community lacks public recreational resources and RMGC is Orcutt's only public golf course. Every measure should be taken to protect the golf course from Project impacts that would significantly impact its operations and ability to continue to serve the community.

As stated above, the DSEIR needs to include third-party analysis of buffers between active golf play and the proposed development, grading and drainage alteration impacts on the golf course, noise impacts on the golf course, traffic and related safety impacts to the golf course, visual impacts to the golf course, etc. recognizing that the golf course is a recreational resource.

15.23

As required by OCP Development Standard KS21-10:

> *"The layout and design of the development **should be compatible with golf course actions** and minimize risks to occupants and visitors from golf course activity."*

Also, we noted that there was no map included in the DSEIR identifying the location of the proposed public trail route. A map of the planned public trail and connections should be included in the document.

**13. Transportation and Circulation.**

The DSEIR identifies that the Project results in 1,378 daily trips. These daily trips will drive right through the golf course on new proposed roads, significantly disrupting golf play. The DSEIR contains no mitigation protecting the golf course from these 1,378 new trips that will significantly impact the golf course.

15.24

In addition, the three (3) new proposed roads intersecting with SR-1 pose a significant safety concern. We question the DSEIR's analysis of the risk posed by three new roads intersecting with SR-1 within such close proximity to each other and the existing golf course entrance drive. We request that this issue be thoroughly vetted and evaluated.

**14. Water Resources and Flooding.**

Our comments on water resources are largely addressed by the separate comment letters submitted by Nossaman LLP and Todd Groundwater. In addition to their comments on the water resources analysis, we question how the County, including County Environmental Health Services, would rely on the applicant's proposal to serve all 146 homes and associated landscaping with new wells that have not been drilled or tested for adequate flow and water quality. Reliance on a requirement to drill and test water

15.25

wells for such a large development following discretionary approval of the Project and completion of CEQA review is irresponsible and in our experience is not consistent with County practice and requirements. It is impossible to address the required Policy Consistency Determination and Findings necessary to determine that there will be adequate water supply to serve the proposed Project without first drilling and testing the proposed wells intended to serve the Project (County LUDC Findings Required for Approval). Without well testing, it is impossible to identify the necessary water treatment equipment, infrastructure, conveyance of wastewater generated from treatment, etc. that would all be part of the Project and required to be analyzed pursuant to CEQA. We believe that the absence of well drilling and testing is a significant Project flaw and the DSEIR needs to include analysis of well testing and related consequences as part of the Project CEQA review.

15.25 cont.

OCP Development Standard Wat-O-2.2 states:

> "*Prior to discretionary action on new development, the applicant must demonstrate adequacy of the water supply proposed to serve the project, unless the applicant has satisfied DevStd WAT-0-2.1 #1 above. This demonstration shall be based on the following information, which must be provided prior to application completeness*." [Note: this Development Standard applies as there is no "Can and Will Serve" letter from California Cities Water Company dated before July 1997 as required by WAT-0-2.1 #1.]

Pursuant to the OCP, the County must prove that the Project has adequate water supply to serve the project in order to make the required consistency determination with Land Use Development Policy #4, otherwise, the decision-makers cannot make findings required in support of the Project. The only way to demonstrate this requirement is to drill, test, and conduct impact analysis for the proposed wells.

**15. Alternatives.**

The DSEIR fails to identify and analyze Project alternatives that avoid or substantially lessen significant impacts. If the DSEIR included a comprehensive resource constraints map identifying all resources and areas of impact caused by the Project, it would help to identify appropriate Project alternatives that reduce or avoid significant impacts to the environment. Instead, the DSEIR analyzes Alternatives that include only one half or the other of the proposed development (Willow Springs or Hidden Valley), each resulting in Class I significant impacts.

In addition, the DSEIR should have analyzed the "Low Buildout" alternative identified within the OCP EIR, which rezones the Project site to Residential Ranchette, allowing for the potential development of up to 41 units. The Project already includes legislative amendments (General Plan Revisions) therefore a Rezone would not add to the discretionary review required for the Project and this alternative should have been included in the DSEIR.

15.26

Further, the Project Objectives are so narrow that to dismiss the Environmentally Superior Alternative because it does not meet the Project Objective to address the current State-wide housing shortage of two million units on a rural property outside of the urban boundary, is irresponsible. The other Objective cited for dismissal of the Environmentally Superior Alternative is that it does not meet the "overall development vision for Key Site 21". As described herein, this is not an accurate characterization of the OCP because the OCP required that this Key Site first be evaluated at a Specific Plan level in order to determine the appropriate level, layout, and character of future development. This rural site with multiple biological

resources and other environmental issues is not the location for addressing the State housing shortage or maximum potential buildout. 15.26 cont.

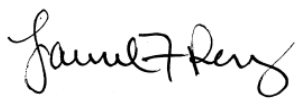
**Conclusion**

As discussed above, the DSEIR fails to include a Specific Plan for the entire Key Site 21, lacks adequate information regarding the Project Description, defers required protocol surveys and related biological analysis, recommends mitigation that is infeasible and ignores the findings of the DSEIR, does not provide important constraints mapping or identification of Project alternatives to avoid significant impacts, does not adequately analyze the Project's impacts on RMGC including inadequate buffers to protect golf play, does not require water well testing to prove adequate water supply to serve 146 new residences and related development, does not recommend Project changes to avoid significant impacts, and dismisses Project Alternatives using overly narrow and unrealistic Project Objectives. 15.27

These deficiencies in the DSEIR deprive the public and decision makers of the information necessary to understand the potential effects of the Project and make an informed decision. Therefore, the DSEIR requires substantial revision to adequately assess and disclose impacts resulting from the Project. Further, the Project results in so many General Plan Policy inconsistencies and Class I impacts to the environment that it requires a complete restart working with the golf course on a plan that protects all resources in compliance with the OCP and consistent with all General Plan Policies.

Thank you for the opportunity to provide these comments on the DSEIR. Should you have any questions or require additional information, please call me at 805-966-2758, ext. 113.

Sincerely,
**SUZANNE ELLEDGE**
***PLANNING & PERMITTING SERVICES, INC.***



Laurel F. Perez, AICP
Principal Planner

Cc: Rancho Maria Golf Club Board of Directors

# Letter 15

**COMMENTER:** Laurel Perez, Suzanne Elledge Planning & Permitting Services

**DATE:** August 2, 2019

## Response 15.1

The commenter states that their firm represents the RMGC and that additional, separate, comment letters have been submitted by other consultants representing RMGC. These include Letter 5, Letter 8, Letter 10, and Letter 12. A discussion of the issues raised in the referenced letters can be found in the responses that follow these letters. The commenter requests that all of the letters that have been provided to County staff concerning the scope of the Draft SEIR be provided to the Draft SEIR consultant for their review and consideration. This is an introductory comment which provides context for comments which follow, and the commenter's specific concerns are addressed in the responses that follow.

## Response 15.2

The commenter states that the Draft SEIR is inadequate because it fails to include or analyze a Specific Plan for the entire Key Site 21. The commenter states that the Draft SIER proposes to eliminate the requirement in OCP Development Standard KS21-1 to process a Specific Plan and instead only analyzes a portion of Key Site 21. Refer to Topical Response 2 for a discussion of the Specific Plan for Key Site 21.

## Response 15.3

The commenter states that the proposed Comprehensive Plan Amendment to OCP Development Standard KS21-1 does not cure the failure to comply with the OCP and also states that the proposed Comprehensive Plan Amendment was not initiated by the Board of Supervisors, as required per the Government Code. Refer to Topical Response 2 for a discussion of the Specific Plan for Key Site 21, including information about Comprehensive Plan Amendment initiation and Development Standard KS21-1.

## Response 15.4

The commenter states that the Draft SEIR incorrectly assumes that 150 units is the overall development vision for Key Site 21 in the OCP. The commenter states that the OCP EIR did not include site-specific analysis of land use impacts on Key Site 21 and did not identify potentially significant impacts associated with development on Key Site 21, and that the Draft SEIR has no basis for concluding that the project's impacts are less than that identified in the OCP vision for the site. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project. The Draft SEIR also provides independent mitigation where required to address identified project impacts. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162. Refer to Topical Response 2 for a discussion about the Specific Plan for Key Site 21, including assumptions regarding build-out.

## Response 15.5

The commenter states that the Draft SEIR's project description is inadequate because it lacks information regarding the number of affordable units proposed (in-lieu fees), golf course protective netting, widening of SR 1, easement relocation for the access road, grading details, the proposed water treatment system, a Specific Plan, and other statistics about the proposal (impervious surfaces, tree removals, drainage facilities, and other details). Refer to Topical Response 7 for a discussion regarding the adequacy of the Draft SEIR's project description.

## Response 15.6

The commenter states that the Draft SEIR does not adequately assess project impacts to visual resources from RMGC and questions the Draft SEIR conclusion that impacts to visual resources would be less than significant. The commenter recommends that the Draft SEIR include additional view studies for analysis, including views of the 60-foot safety fencing, the well water treatment infrastructure, the landscape buffer along SR 1, and changes to natural landforms from proposed grading. The commenter states that the Draft SEIR needs to include an analysis of the proposed grading plans. Section 4.1, Aesthetics, discusses potential impacts on views to and from the RMGC. Refer to Responses 2.5 and 12.12 for discussions of the Draft SEIR's analysis of potential impacts to visual resources. Refer to Topical Response 1 for additional information about the Draft SEIR's analysis of potential impacts to the RMGC. In addition, as discussed in Topical Response 7, Section 2 of the Draft SEIR, Project Description, has been revised to include additional detail regarding the proposed golf course protective netting, and the landscaping buffer.

## Response 15.7

The commenter states that the County's Agricultural Buffer Ordinance should apply to the project and that the Draft SEIR needs to be revised accordingly. The project is subject to and designed consistent with County's Agricultural Buffer Ordinance (LUDC Section 35.30.025). As discussed in Response 2.2, the project includes a 200-foot wide agricultural buffer along the eastern and western edges of the proposed development project area between the planned residential development and existing cultivated agricultural fields located on adjacent parcels to the east and west. The project also includes a 100-foot buffer along the eastern, western, and southern edges of the proposed development project area between the planned residential development and existing grazing lands. These buffers are consistent with the minimum buffer distance requirements shown in LUDC Table 3-1 *Range of Agricultural Buffer Widths*, which requires buffer widths ranging between 100 and 300 feet for residential lots located adjacent to rangeland and/or pastureland and production agriculture.

## Response 15.8

The commenter questions the analysis included in Section 4.3, *Air Quality* of the Draft SEIR and requests that the Draft SEIR consider the public golf course as a sensitive receptor with respect to air quality. As discussed in Section 4.3, Air Quality, sensitive receptors are defined by the SBCAPCD as either: 1) population groups which are more sensitive to air pollution such as children, the elderly, and acutely ill and chronically ill persons, especially those with cardio-respiratory diseases; or 2) land uses where such individuals are concentrated for extended periods of time such as hospitals, schools, residences, and parks with active recreational use. As discussed in Topical Response 1, the public golf course users are not sensitive receptors, nor is the public golf course a land use where sensitive individuals (defined by SBCAPCD as children, the elderly, and acutely ill and

chronically ill persons) spend extended periods of time on a regular basis. As such, the Draft SEIR correctly states that the public golf course is not considered to be a sensitive receptor.

## Response 15.9

The commenter states that the Draft SEIR does not include a comprehensive map of all biological resources on KS-21, including habitat supporting State and federally protected species, and their respective buffers pursuant to County Comprehensive Plan Policies (i.e., mapped wetlands, CTS breeding pond, CTS upland habitat, CRLF habitat, native grasslands, coastal scrub, riparian vegetation, etc.). The commenter further states that the Draft SEIR needs to evaluate and disclose project impacts to all biological resources, habitat supporting these resources, and identify necessary setbacks or buffers to avoid and minimize impacts for the entirety of Key Site 21 as required by the OCP. Section 4.4, *Biological Resources*, describes the potential for occurrence and subsequent impact based on a conservative assessment of biological resources that have the potential to occur on Key Site 21, and assumes all areas of potential CRT and CRLF habitat on Key Site 21 are potentially occupied. The analysis of biological resources includes figures that depict vegetation communities, drainages, and wetlands on Key Site 21. Biological resources reporting in Appendix C includes figures that depict native grasslands, tree inventory areas, and the intersection of potential impacts areas with biological resources identified on Key Site 21. Consequently, impacts to biological resources are fully analyzed and disclosed in the Draft SEIR. Refer to Topical Response 2 for a discussion of the Specific Plan for Key Site 21 and the evaluation of this requested approval in the Draft SEIR.

## Response 15.10

The commenter states that the project does not include measures to avoid identified biological resources and that the Draft SEIR does not provide adequate information identifying these mapped resources, including required or recommended buffers, on a resource constraints map. The commenter also states that the Draft SEIR does not recommend project redesign to avoid Class I significant impacts to biological resources and that the mitigation measures are impractical and meaningless as they would occur after the project receives discretionary entitlement and the completion of CEQA review. As described in Response 15.9, the Draft SEIR includes figures that depict the location of vegetation communities, drainages, wetlands, native grasslands, tree inventory areas, and the intersection of potential impacts areas with biological resources identified on Key Site 21. The analysis in Section 4.4, *Biological Resources*, is based on the type and extent of impacts from buildout of the proposed project in the context of the sensitive biological resources identified on Key Site 21 and in the region. Impacts to biological resources are adequately described and adequate mitigation measures which quantify and include specific performance standards. Refer to Response 5.10 for a discussion mitigation measures that require avoidance "to the maximum extent feasible" prior to requiring additional mitigation for impacts that cannot be feasibly avoided. With respect to a design alternative that avoids impacts to biological resources, refer to Response 5.4.

## Response 15.11

The commenter states that plans required by mitigation measures for off-site, compensatory mitigation need to be prepared as part of the Draft SEIR rather than after discretionary entitlement and the completion of CEQA review. The commenter states that these measures defer to the future the identification of protected areas and the determination of the amount of off-site habitat

restoration required. The commenter specifically references Mitigation Measures BIO-1(b), BIO-2(b), BIO-2 (d), BIO-2 (f), BIO-2 (h), BIO-3(b), and BIO-4(b). The commenter further states that Draft SEIR Mitigation Measures BIO-1(a), BIO-2(e), BIO-2 (g), BIO-2 (i), and BIO-3(a) are not adequate due to infeasibility of modifications to the project design to avoid sensitive species' habitats. Potential protected areas of off-site mitigation locations have not yet been formally identified by the project applicant. As a result, the analysis of potential impacts to biological resources in Section 4.4, Biological Resources, assumes full buildout of the potential development area identified in the Draft SEIR project description. Where locations of specific biological resources on Key Site 21 have not yet been formally identified, the Draft SEIR assumes presence of potential resources and includes mitigation to address potential impacts. Mitigation measures that require avoidance where feasible (BIO-1[b], BIO-2[b], BIO-2[e], BIO-2[f], BIO-2[h], BIO-3[a], BIO-4[b]) are supplemented by mitigation measures that require compensatory or other mitigation where avoidance of the impacted resource is not feasible (BIO-1[b], BIO-2[c], BIO-2[d], BIO-2[e], BIO-2[f], BIO-2[h], BIO-2[i], BIO-3[b], BIO-4[c]). Mitigation Measures BIO-1(a) and BIO-2(g) are related to pre-construction surveys and are not intended as modifications to the project design to avoid impacted resources.

Mitigation for identified resources includes enforceable compensatory mitigation requirements with quantitative performance standards based on substantial evidence that achievement of performance standards would reduce identified impacts to the maximum extent practicable. The feasibility of off-site (compensatory) mitigation was assessed as part of the Draft SEIR and considered as part of the final impact determinations for applicable special status species (including CTS, CRLF, VPFS) and sensitive habitats (including sensitive vegetation communities, wetlands, and riparian areas). For example, the Draft SEIR indicates that due to the highly restricted range of the CTS, off-site mitigation could not be feasibly accomplished with certainty and a Class I impact was appropriately determined. Other biological resources such as VPFS and CRLF where off-site mitigation would be required, have much larger geographic ranges. Therefore, off-site mitigation opportunities for these species were determined to be feasible.

## Response 15.12

The commenter states that mitigation measures in the Draft SEIR defer agency consultation and project analysis that should occur as part of CEQA review. The commenter specifically mentions BIO-2(a) which requires consultation with USFWS and CDFW regarding potential project impacts to CTS and CRLF "prior to zoning clearance." Although the project applicant is responsible for ensuring compliance with the Federal and State Endangered Species Act prior to project construction, Mitigation Measure BIO-2(a) was developed to ensure these obligations would be met and that no unlawful "take" of listed species would occur. As described in Response 15.11, where locations of special status species on Key Site 21 have not yet been formally concluded to be present or absent, the Draft SEIR conservatively assumes presence of those species through a habitat suitability assessment and includes enforceable mitigation to address potential impacts. The measures pertaining to biological resources in the Draft SEIR include specific performance standards to avoid, minimize, and/or mitigate (if avoidance is not possible) potential impacts to sensitive species and their associated habitat, as well as other sensitive biological resources that may be impacted by project activities.

## Response 15.13

The commenter questions the Draft SEIR's conclusion that the project would not result in Class I impacts to CRLF and VPFS considering habitat for these species is present on the project site and the

Draft SEIR requires similar off-site mitigation for CRLF and VPFS as required for CTS. The CTS population which occurs on Key Site 21 is part of the West Santa Maria/Orcutt metapopulation. The geographic range of this metapopulation is highly restricted, only occurring in the west Santa Maria and Orcutt areas. Because the geographic range of CTS in Santa Barbara County is disjunct, it is important that compensatory mitigation occur within the same metapopulation area in which the impacts occur. Due to the highly restricted range of the West Santa Maria/Orcutt metapopulation as well as the ever growing conversion of those areas from agriculture, and as noted in the Draft SEIR, available compensatory mitigation opportunities within the metapopulation may not be sufficient or feasible to off-set impacts. Therefore, the Draft SEIR conclusion that potential impacts to CTS would be significant and unavoidable is appropriate. The geographic range of CRLF and VPFS are not similarly restricted and the Draft SEIR analysis found that implementation of off-site mitigation opportunities for these species would be feasible. Therefore, the Draft SEIR concluded that potential impacts to CRLF and VPFS would be less than significant with implementation of required mitigation.

## Response 15.14

The commenter states that the Draft SEIR should first recommend project redesign to avoid or substantially lessen the identified impacts to State and federally protected biological resources. The commenter restates that Draft SEIR includes deferred mitigation measures and refers to comments made in a letter prepared by Storrer Environmental. Refer to Responses 5.1 through 5.17 for a discussion of the comments in the letter prepared by Storrer Environmental. As discussed in Response 15.10, the analysis of potential impacts to biological resources in Section 4.4, *Biological Resources*, is based on the type and extent of impacts from buildout of the proposed project in the context of the sensitive biological resources identified on Key Site 21 and in the region. Impacts to biological resources are adequately described. The measures pertaining to biological resources in the Draft SEIR include specific performance standards to avoid, minimize, and/or mitigate (if avoidance is not possible) potential impacts to sensitive species and their associated habitat, as well as other sensitive biological resources that may be impacted by project activities.

## Response 15.15

The commenter states that the Draft SEIR lacks a constraints map which identifies slopes in excess of 20% and 30% and that the proposal to fill a drainage channel on the Willow Creek tract should be identified as a policy inconsistency issue. The commenter disagrees with the Draft SEIR's conclusion that the project's grading would result in less than significant impacts. The commenter states that the Draft SEIR does not consider the impacts that grading and modifications to natural drainage channels and landforms will have on the public golf course. Section 4.8, Geologic Processes, includes Figure 4.8-1 which depicts soils and general slope information on Key Site 21. This section of the Draft SEIR also discusses the fact that development would encroach into a minor ravine draining the northwestern portion of APN 113-250-017. However, as described in Section 4.14, Water Resources and Flooding, the proposed grading for the project would not fill any USGS-mapped drainage and would result in balanced cut and fill on the project site. Furthermore, the proposed retention facilities would be required to implement applicable OCP mitigation measures which would attenuate flow during storm events and discharge such that drainage would remain at or below existing conditions, consistent with SBCFCD's post-development runoff criteria. Because the project would be required to attenuate stormwater flows off-site to pre-development levels, there would be no new impact to the RMGC or other adjacent properties with respect to stormwater runoff.

The commenter also states that the Draft SEIR needs to include information about impervious surfaces in Section 4.8, Geologic Processes. Impervious surfaces are briefly discussed in Impact GEO-3 and are discussed in detail in Impact WR-2 in section 4.14, Water Resources and Flooding. The Draft SEIR concludes that new impervious surfaces would not lead to increased storm flows, and potential drainage impacts would be less than significant.

## Response 15.16

The commenter states that the Draft SEIR does not properly analyze the project's impacts on RMGC; and in particular, states that the Draft SEIR should consider the RMGC a unique land use which has provided an opportunity for public recreation for over 60 years while preserving an important open space viewshed. The commenter also states that the Draft SEIR should consider the impact of proposed grade changes and drainage changes to the public golf course. Refer to Topical Response 1 which addresses the Draft SEIR analysis of potential impacts to the RMGC. Refer to Response 15.15 for a discussion of grade and drainage changes to Key Site 21 and potential effects on the public golf course.

## Response 15.17

The commenter states that the Draft SEIR does not properly analyze the project's impacts on RMGC; and in particular, that potential impacts and policy consistency considerations regarding the golf course protective netting and fencing need to be discussed in the Draft SEIR. The commenter also states that the Draft SEIR needs to identify the building height for all lots measured from existing grade, as required by the County's Ordinance, and identify which lots would trigger the ridgeline/hillside ordinance requirements. Refer to Topical Response 1 which broadly addresses the Draft SEIR analysis of potential impacts to the RMGC. Refer to Response 15.6 regarding the golf course protective netting and fencing.

When analyzing building height for development associated with subdivisions, the County Land Use and Development Code Section 35.110 defines existing grade as the manufactured or approved grade. Therefore, the County's Ridgeline and Hillside Development Guidelines are based on the site's proposed topographic contours. Should there be a 16-foot drop in elevation within 100 feet in any direction of a proposed dwelling's footprint, the County's 16-foot height Ridgeline and Hillside Development Guidelines would apply based on the site's Existing Developed Rural Neighborhood (EDRN) Comprehensive Plan designation. Notably, there is an additional height limit restriction contained within the project's Design Guidelines, which limits homes located along the golf course to single-story. Because the project only proposes lot boundaries and not specific building footprints, the applicability of the Ridgeline and Hillside Development Guidelines will be addressed during the subsequent Board of Architectural Review and Zoning Clearance submittals for individual homes. Preliminary review of the site's proposed contours indicate the Ridgeline and Hillside Development Guidelines would apply to homes throughout both the Willow Creek and Hidden Canyon Neighborhoods.

The proposed 550 linear feet golf course safety netting to be located along the entrance to the Willow Creek Neighborhood will be supported by twelve steel poles, two feet in diameter and between 8 and 60 feet high. The poles and netting will be constructed to building and engineering standards to ensure safety from wind and weather related events. The netting is designed to support the flow of air and not act as a parachute or wind break to avoid creating unsafe conditions at or near the ground surrounding the netting. Approximately 200 linear feet of netting would be 30

feet or less in height with the remaining 350 feet ranging from 30 to 60 feet in height. The netting is tallest near the 15th tee box and fairway and reduces in height near the 15th green.

## Response 15.18

The commenter states that the Draft SEIR does not properly analyze the project's noise impacts on the RMGC and should treat the public golf course as a noise sensitive receptor. The commenter states that potential construction noise impacts, as well as post-construction traffic and residential use noise impacts need to be evaluated in the Draft SEIR. Section 4.11, Noise, evaluates the construction and operational noise impacts of the proposed project. Refer to Topical Response 1 which addresses the Draft SEIR analysis of potential impacts to the RMGC, and to Topical Response 5 which contains additional discussion about noise impacts to the RMGC and future residents of the proposed project.

## Response 15.19

The commenter states that the Draft SEIR does not properly analyze the project's impacts on the RMGC and recommends a third-party analysis of the proposed safety buffers between the existing public golf course and proposed new residential development for consistency with OCP Development Standard KS21-10. Refer to Topical Response 1 which addresses the Draft SEIR analysis of potential impacts to the RMGC.

In addition, refer to Response 14.5 for discussion on the adequacy of buffer areas between golf course play and the proposed residential lots. The OCP considered the existing golf course in the 1995 OCP EIR in its consideration of a 150-unit residential project surrounding the golf course within Key Site 21.

## Response 15.20

The commenter states that policy consistency analysis in the Draft SEIR understates the project's impacts and inconsistencies because it finds that the project would be consistent with all OCP and County policies. The preliminary policy consistency analysis is included in the Draft SEIR as Appendix I. The Draft SEIR includes a discussion of the project's consistency with applicable Key Site 21-specific OCP policies in Section 4.10, Land Use. The commenter is correct that Section 4.10, Land Use, and Appendix I do not identify policy inconsistencies; however, it should be clarified that the policy consistency analysis in the Draft SEIR is focused on inconsistencies that could result in a significant physical environmental effect, and that the County's staff report will include a formal policy consistency analysis for County decision makers. The project's consistency with applicable County policies will ultimately be determined by the decision-makers. Refer to Response 6.2 (AQ-O-2), 6.5 (AQ-O-1, CIRC-O-6, 7, and 9), Response 10.2 (WAT-O-2), and Response 12.16 (WAT-O-5) for additional discussion of policies specifically referenced by other commenters.

## Response 15.21

The commenter states that the Draft SEIR should review the project for conformance with the OCP and other applicable elements of the Comprehensive Plan that include environmentally sensitive habitat area provisions, recreational goals, circulation and traffic goals, and other environmental protection policies, and include mitigation to ensure consistency with these policies. As discussed in Response 15.20, the SEIR includes a discussion of the project's consistency with applicable Key Site 21-specific OCP policies in Section 4.10, Land Use, and a discussion of project consistency with other adopted policies and regulations in Appendix I. The commenter does not identify specific

Comprehensive Plan or other policies not currently discussed in the Draft SEIR that should be evaluated. The policy consistency discussions are included in the Draft SEIR to evaluate whether the project would cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The project's consistency with other policies that do not related to avoiding or mitigating an environmental effect will be evaluated by County decision-makers at the time of their review of the proposed project.

## Response 15.22

The commenter states that the project would result in significant noise impacts at the public golf course during project construction; and that the Draft SEIR should identify this as a significant noise impact on the public golf course. As discussed in Section 4.11, Noise, under Impact N-1: "Implementation of Mitigation Measures N-1(a) and N-1(b) would ensure that construction activities only occur during normal daytime hours and on weekdays, when people are less likely to be disturbed by noise and would reduce sound levels from the loudest individual pieces of construction equipment. These measures would reduce overall construction noise and prevent nighttime construction noise, which would ensure that average daily construction noise levels would not exceed the County of Santa Barbara's maximum acceptable level of 65 dBA CNEL." Refer to Topical Response 5 for additional discussion about the Draft SEIR's analysis of potential noise impacts to the RMGC.

## Response 15.23

The commenter states that the Draft SEIR does not address the project's potential impacts to RMGC as a public recreational resource; and that the Draft SEIR should include third-party analysis of buffers between active golf play and the proposed development, grading and drainage alteration impacts on the public golf course, noise impacts on the golf public course, traffic and related safety impacts to the public golf course, and visual impacts to the public golf course. Section 4.12, Public Services and Recreation, describes the RMGC is a public facility that is open year-round and borders the interior portions of the planned development areas for the Willow Creek and Hidden Canyon Neighborhoods on Key Site 21. Section 4.12 also discusses Development Standard KS21-7, which requires development to be designed to facilitate pedestrian access to the public golf course and accommodate continued use of the public golf course. Appendix I includes a consistency analysis with DevStd KS21-7, which states:

> As discussed in Section 4.1, *Aesthetics/Visual Resources*, proposed landscaping for the project would provide screening for views of the proposed residential structures from the public golf course. In addition, as discussed in Section 4.10, *Land Use*, the minimum rear yard setback for all lots would be ten feet. The proposed setbacks would provide a landscape buffer between the golf course fairway and the proposed housing. In addition, homes adjacent to the golf course fairway would be single-story to reduce impacts to the existing golf course use, related to privacy, shading, aesthetics and solar access. The proposed setbacks, in combination with the restriction to single-story homes adjacent to the golf course fairway, would result in quality of life impacts that are less than significant.

Based on Appendix G of the State CEQA Guidelines, a project would have a significant impact related to recreation or recreational facilities if it would "increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated" or "include recreational facilities or require the construction

or expansion of recreational facilities which might have an adverse physical effect on the environment." Based on Appendix G of the State CEQA Guidelines, a project would have a significant impact related to land use compatibility if it would "be incompatible in scale or use characteristics with any adjacent land uses" or "result in land use conflicts that are detrimental to the well-being and privacy of existing uses." These topics are evaluated in Section 4.10, Land Use, which concludes that mitigation included elsewhere the Draft SEIR related to visual resource impacts would reduce impacts to long-term compatibility associated with to nuisance noise and visual compatibility to a less than significant level. Potential economic, financial, or social impacts to the RMGC or the public golf course's ability to continue serving the community are not considered significant environmental effects of the proposed project under the State CEQA Guidelines. For a discussion of other direct and indirect potential impacts to the RMGC refer to Topical Response 1.

## Response 15.24

The commenter states that the project's new vehicle trips will significantly impact the public golf course, and states that the Draft SEIR contains no mitigation protecting the public golf course from this impact. In addition, the commenter states that the three proposed roads intersecting with SR 1 pose a significant safety concern. As discussed in Section 4.13, Transportation and Circulation, the project's added vehicle trips would not result in a significant impact to the intersections with SR 1. All intersections with SR 1 would continue to operate acceptably based on County and Caltrans level of service standards under existing plus project and cumulative plus project conditions. Therefore, no project-specific mitigation is required. Please refer to Topical Response 2 for traffic on SR 1.

## Response 15.25

The commenter notes that their comments are similar to comments included in letters submitted by Todd Groundwater (Letter 8) and Nossaman LLP (Letter 10). Refer to Responses 8.1 through 8.6 and 10.1 through 10.10 for responses to comments provided in these letters. The commenter states that water wells should be drilled and tested prior to discretionary approval of the project and completion of CEQA review to determine that there will be adequate water supply to serve the proposed project and to evaluate the necessary water treatment equipment, infrastructure, and conveyance of wastewater generated from treatment. Refer to Response 8.6 for a discussion of testing requirements for planned new water wells.

## Response 15.26

The commenter states that the Draft SEIR fails to identify and analyze project alternatives that avoid or substantially lessen significant impacts, and that the project objectives are too narrow. The commenter states that the Draft SEIR should have analyzed the "Low Buildout" alternative identified within the OCP EIR, which rezones the Project site to Residential Ranchette, allowing for the potential development of up to 41 units. The commenter also recommends that the Draft SEIR include a resource constraints map identifying resources and areas of impact caused by the project to identify project alternatives that reduce or avoid significant impacts to the environment. Refer to Topical Response 6 for a discussion regarding the Draft SEIR's project alternatives and objectives.

With respect to the commenter's request for a resource constraints map, refer to the following figures in the Draft SEIR:

- Figures 4.4-1 through 4.4-3 in Section 4.4, Biological Resources, which show the vegetation community, drainage, and wetland constraints;

- Figure 4.8-1 in Section 4.8, Geologic Processes, which shows the soils/topography constraints with respect to steep slopes; and
- Figures 6-1 through 6-3 in Section 6, Alternatives, which show the layouts for Alternatives 2, 3, and 4, including the lots that would be "removed" from these alternatives due to steep slopes.

## Response 15.27

The commenter states that the Draft SEIR fails to include a Specific Plan for Key Site 21, lacks adequate information in the project description, defers required protocol surveys and related biological analysis, recommends mitigation that is infeasible and ignores the findings of the Draft SEIR, does not provide important constraints mapping or identification of project alternatives to avoid significant impacts, does not adequately analyze the project's impacts on RMGC including inadequate buffers to protect golf play, does not require water well testing to prove adequate water supply to serve new residences and related development, does not recommend project changes to avoid significant impacts, and dismisses project alternatives using overly narrow project objectives. The commenter states that the Draft SEIR requires revision to adequately assess and disclose impacts resulting from the project and that the project should be restarted in coordination with the RMGC to protect resources in compliance with the OCP and consistent with all Comprehensive Plan policies. This comment is concluding in nature and the comments are addressed in Response 15.1 through Response 15.26.

**DEPARTMENT OF TRANSPORTATION**
CALTRANS DISTRICT 5
50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3101
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Letter 16

*Making Conservation a California Way of Life.*

August 5, 2019

SB-1-R36.35
SCH # 2018031077

Dana Eady, Planner
County of Santa Barbara
Planning & Development
624 W. Foster Road, Suite C
Santa Maria, CA 93455

COMMENTS FOR THE DRAFT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (SEIR) FOR THE NEIGHBORHOODS OF WILLOW CREEK AND HIDDEN CANYON (KEY SITE 21) RESIDENTIAL PROJECT

Dear Ms. Eady:

The California Departmenf of Transportation (Caltrans) thanks you for the opportunity to review the SEIR for the Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Residential Project. Caltrans has reviewed the project and offers the following comments:

**General Comments:**

Caltrans supports local planning efforts that are consistent with State planning priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety. We accomplish this by working with local jurisdictions to achieve a shared vision of how the transportation system should and can accommodate inter-regional and local travel. 16.1

Projects that support smart growth principles which include improvements to pedestrian, bicycle, and transit infrastructure (or other key Transportation Demand Strategies) are supported by Caltrans and are consistent with our mission, vision, and goals.

Please refer to prior correspondences and meeting notes, which are attached, and continue to be applicable to this project. These include: Letter dated August 11, 2016 from Melissa Sfreder, Caltrans; Early Consult Meeting Notes dated February 11, 2019; and an email dated November 16, 2016, from Michael Hollier, Caltrans.

**Encroachment Permits:**

As you are aware based on prior discussions, any work that is completed in the State's right-of-way will require an encroachment permit from Calfrans and must be done to our engineering and environmental standards, and at no cost to the State. The conditions of 16.2

approval and the requirements for the encroachment permit are issued at the sole discretion of the Permits Office, and nothing in this letter shall be implied as limiting those future conditioned and requirements. For more information regarding the encroachment permit process, please visit our Encroachment Permit Website at: http://www.dot.ca.aov/trafficops/ep/index.html.

Prier to submittal of an application, the applicant will need to meet with the District Permit Engineer to verify that the design, plans, right of way, and any other project details are sufficient for application. The applicant will need to provide an engineering estimate for all work in the Highway Right of Way, and any associated right of way that is a part of the project. Engineering plan details may be found under "Applications/Forms" at http://www.dot.ca.aov/trafficops/ep/. Any questions may be directed to Peter Hendrix, District Permit Engineer. He may be reached at (805) 549-3206. 16.2 cont.

If right of way donation to the State is a part of this project, the property will need to be certified as sufficient. This Certificate of Sufficiency requires fhe proposed right of way to be clear of hazardous waste and any encumbrances. The Certificate of Sufficiency process is outlined in the Caltrans Right of Way Manual. Details associated with this process may be clarified by Marshall Garcia, Chief of Right of Way at (805) 549-3471.

**Traffic Operations:**

To mitigate additional traffic associated with the newly proposed ingress/egress to state right of way, Caltrans continues to request a Two-Way-Left-Turn-Lane (TWLTL) (as previously requested in the attached documents) along the entire Golf Course Frontage, with standard shoulder widths. As an alternative to the TWLTL channelization along the frontage, Caltrans may consider left-turn channelization at each intersection including deceleration lanes, storage length, tapering, and standard shoulders, in accordance with the Highway Design Manual. 16.3

We look forward to continued coordination with the County on this project. If you have any questions, or need further clarification on items discussed above, please contact me at (805) 549-3131 or inarid.mcroberts@dot.ca.aov.

Sincerely,

Ingrid McRoberts

Ingrid MfcRoberts
Development Review Coordinator
District 5, LD-IGR South Branch

Attachments

**DEPARTMENT OF TRANSPORTATION**
50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3111

*Serious Drought.*
*Serious drought.*
*Help save water!*

August 11, 2016

Brian A. Tetley
Urban Planning Concepts
2624 Airpark Drive
Santa Maria, CA 93455

05-SB-1-R36.35

RANCHO MARIA ESTATES

Dear Mi. Tetley:

The California Department of Transportation (Caltrans) appreciates the opportunity to provide early conceptual feedback on the Rancho Maria Estates project as it relates to the State Highway System and specifically State Route 1.

Caltrans conceptually supports the current plans for this project based on the June 22, 2016 traffic study under the condition that left turn channelization is provided for each of the two new driveways proposed. Caltrans also requests that the roadway in front of the proposed development be brought up to current standards. This would entail 8 foot standard shoulders on each side of State Route 1 and 12 foot travel lanes in both directions. This request is consistent with recommendations detailed in our *2006 Transportation Concept Report for State Route 1* which also highlights the vital role the route serves for interregional bicycle travel on the Central Coast as part of the Pacific Coast Bicycle Route.

Additionally, the County of Santa Barbara final meeting minutes from the July 7, 2016 Subdivision Development Committee/Special Problems Area Committee meeting that you shared with me, identifies a desire to see two additional secondary access points in the project. This would increase tire number of total driveways within the current plan project limits from three to five. Caltrans is unclear why this number of access points is necessary for this project and foresees challenges in implementing such a proposal due to potential traffic operational impacts and driveway spacing limitations. Please note that this letter provides conceptual feedback and nothing in it shall be implied as limiting future recommendations, conditions or requirements that may be made ifrwhen this project goes through environmental review and the Caltrans encroachment permit review process.

We are happy to meet with you and the County of Santa Barbara, lead agency for this project, to discuss any of our comments in greater detail. Please feel free to contact me at 805-549-3800 or melissa.strederajdot.ca.gov.

Sincerely,

Melissa Streder

Melissa Streder
Planning and Development Review
Caltrans District 5

cc. Dana Eady, Frank Boyle, Bruce Swanger, Hana Mengsteab

Neighborhood Specific Plan Early Consult (SB-1-41.0)
February 11, 2019 at 3:00 pm - Teleconference

Meeting Notes

Attendees: Frances Romero-Forma; Tony Wells-Developer; Brandon havener- Bethel

Caltrans: Peter Hendrix-Encroachment Permits; Diane Dostalek-Traffic Operations; Terri Persons-Planning; Ingrid McRoberts-Planning IGR

Reviewed preliminary road improvement plans for Hwy 1 prepared by Bethel Engineering and as provided by Frances Romero. The development will consist of 90 units on the western portion of the development known as Willow Creek; and 56 units on the eastern side known as Hidden Canyon. There are 4 access points proposed from Hwy 1 for the development: 1 - A full access driveway for Willow Creek west of the golf course, 2 – A full access driveway for Hidden Canyon east of the golf course, 3- Right-in/right-out only, with a raised porkchop island on the east side of the project for Hidden Canyon, and 4 – Secondary emergency access for Willow Creek using the existing golf course entrance. The Willow Creek emergency access through the Golf Course is egress only at a locked gate. An easement from the golf course has already been recorded for the access. According to the developer, the County has accepted the ingress and egress points shown on the plan.

Left turn lanes on Hwy 1 for both the Willow Creek and Hidden Canyon full access driveways are proposed. The existing shoulders are zero to two feet wide. The proposed plan calls for 8' shoulders.

Upon Caltrans acceptance of the proposed design, the developer should be able to acquire the necessary right of way for the Hwy 1 improvements, excluding two property owners (APN: 111-240-025 and 111-240-024), who have declined. A discussion was held regarding these 2 properties, and whether an Exception would be possible for the shoulder width. Proof documenting Hamner and Jewell's attempts to obtain the right of way from the two property owners would be required. An Exception would allow, upon approval by District 5 and Caltrans HQ, shoulders to be less than 8' wide. A minimum 4' wide shoulder is required. One Exception Application can be submitted which includes a detailed list of all requested Exceptions to the Highway Design Manual (HDM) for the project. Other requirements will need to be met for an Exception as detailed Chapter 17 of the Project Development Procedure Manual (PDPM). For more information on the permit and exception process, see the Caltrans website at http://www.dot.ca.gov/design/manuals/pdpm/chapter/chaptl7.pdf. Any requests to reduce the length of the turn lane to provide for partial deceleration in the through lane would have to be approved by the District's Traffic branch.

Additional discussion included project utilities: telephone, electricity, water, and wastewater. Utility poles will be removed within the project limits from the existing right of way, and utilities will be undergrounded. Any utility within the Caltrans right of way will need to be shown in the utility plan and included in the Encroachment Permit Application.

Caltrans culverts are located adjacent to the project area and will be affected. Storm water treatment was discussed. A drainage study and soils report will be necessary for the Encroachment Permit Application.

Once the right of way is acquired, and the utility plan is completed, Applicant can submit an Encroachment Permit Application and Design Exception to Caltrans Permits. The processing of applications moves swiftly, so it is best to hold the application until all required documents are complete and finalized. If an application is incomplete, it will be denied, and a new application will need to be submitted.

## Hollier, Michael@DOT

| | |
|---|---|
| **From:** | Hollier, Michael@DOT |
| **Sent:** | Wednesday, November 16, 2016 11:04 AM |
| **To:** | 'Frances Romero'; 'Russ Garrison' |
| **Cc:** | 'Tony Wells'; 'Brandon Heavener'; Mcclintic, Paul@DOT (paul.mcclintic@dot.ca.gov); Boyle, Frank@DOT (frank.boyle@dot.ca.gov) |
| **Subject:** | RE: Rancho Maria Project on FIWY 1 |
| **Attachments:** | scr_srl_tcrfs.pdf |

Frances,

Our Traffic Operations section has reviewed your proposed access request and ROW concerns. Caltrans continues to note that intensification of use at this location would create potential conflicts with vehicles entering and leaving the project site. Two-Way-Left-Turn channelization will provide adequate protection for said vehicles. Any improvements to SR 1 would require construction design in accordance with the Caltrans Flighway Design Manual and the facility concepts in the adopted Transportation Concept Report (TCR) for the corridor. Please follow this link to the SRI TCR: http://www.dot.ca.gov/distQ5/planning/sys_plan_docs/tcr_factsheet_combo/scr_srl_tcrfs.pdf

I have attached the relevant data sheets for this segment of SR 1 from Appendix B of the TCR. The following points can be derived from these sheets:

- Lanes and shoulder should be widened to meet standards. (From the TCR, this is what would ultimately support ROW acquisition for Caltrans with regard to shoulder widening.)
- This segment of SR 1 operates at LOS D, and it is not expected to improve in the next ten years. The desired concept for this segment call for LOS C.
- Channelization for turns is recommended.
- It is part of the Pacific Coast Bike Route. (Class III bike path)

To my knowledge, there are no existing or proposed plans to change or improve the Pacific Coast Bike Trail beyond the ultimate facility design for this segment of SR 1. However, there are a couple of multimodal plans that discuss the Pacific Coast Trail and bike routes in Santa Barbara County. Unfortunately, none relate to bike lanes in ways that could directly support ROW acquisition in this area. They are listed below for your reference:

- SBCAG Regional Active Transportation Plan http://www.sbcag.org/uploads/2/4/5/4/24540302/ratp_final_august2015.pdf
- Santa Barbara County 2012 Bicycle Master Plan http://cosb.countyofsb.org/pwd/pwroads.aspx?id=39304
- California State Bike and Ped Plan http://www.cabikepedplan.org/ & http://www.dot.ca.gov/hq/tpp/offices/omsp/system_planning/bicycle.html
- Pacific Coast Bike Route http://www.dot.ca.gov/dist1/planning/regional-system/bikeped/bikeguide/pacific_coast_bike_route.pdf

Based upon the reviewed draft designs, the SR 1 TCR and existing traffic concerns for the area, Caltrans continues to request Two-Way-Left-Turn channelization and construction of paved shoulders in accordance with the Highway Design Manual. Should the proposed project or project layout change, Caltrans will review the revised project and provide comments as necessary.

Sincerely,

*Michael D. Hollier*
Transportation Planner
(805) 549-3131

Caltrans, District 5
50 Higuera Street
San Luis Obispo, CA 93401

**From:** Frances Romero [mailto:francesr@formacompanies.com]
Sent: Wednesday, November 16, 2016 8:28 AM
**To:** Hollier, Michael@DOT <Michael.Hollier@dot.ca.gov>; 'Russ Garrison' <Russ@dbaengineers.com>; Boyle, Frank@DOT <frank.boyle@dot.ca.gov>
**Cc:** 'Tony Wells' <aewells2003@yahoo.com>; 'Brandon Heavener' <Brandon@dbaengineers.com>
**Subject:** RE: Rancho Maria Project on HWY 1

Hi Michael,

Just checking in. Until we can complete the frontage design, we cannot resubmit to the County. Anything you can do to move us along is appreciated.

Thanks,

Frances

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**From:** Frances Romero [mailto:francesr@formacompanies.com]
**Sent:** Monday, November 14, 2016 9:23 AM
**To:** 'Hollier, Michael@DOT'; 'Russ Garrison'; 'Boyle, Frank@DOT'
**Cc:** 'Tony Wells'; 'Brandon Heavener'
**Subject:** RE: Rancho Maria Project on HWY 1

Good Morning Michael,

Thank you for the quick reply. Our hope is that we can work within the existing ROW because we already know that the golf course is hostile to the project. As we discussed when we met, the project has been designed to be contained solely on the applicant's property. There are approximately five owners across the street and we really have no leverage to make those owners sell or dedicate property without condemnation. I am curious, is there a master plan relating to bike lanes that could provide some support in ROW acquisition?

We look forward to your input and are hopeful that you can help us with an attainable solution. Thanks for your time.

Best regards,

*frcuncey*

Frances Romero
Director
FORMA
237 Town Center West #272
Santa Maria, CA 93458
C 805.720.1120
F 888.866.8786

http://www.formacompanies.com/

"Don't mistake activity with achievement." – John Wooden

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**From:** Hollier, Michael@DOT [mailto:Michael.Hollier@dot.ca.gov]
**Sent:** Thursday, November 10, 2016 4:39 PM
**To:** Russ Garrison; Boyle, Frank@DOT
**Cc:** Tony Wells'; Brandon Heavener; Frances Romero
**Subject:** RE: Rancho Maria Project on HWY 1

Hi Russ,

Frank and I spoke earlier today. We will take this matter up with our Senior Traffic Operations Engineer on Monday and get back to you with his determination.

As a clarification, Caltrans would not be willing to attempt to condemn the property for the developer's project. The burden would be on the developer to acquire the property and dedicate it "in fee" to Caltrans, or have the current owners do so. This would be a requirement of the encroachment permit that would need to processed for the proposed improvements.

Sincerely,

*Michael D. Hollier*
Transportation Planner
(805) 549-3131

Caltrans, District 5
50 Higuera Street
San Luis Obispo, CA 93401

---

**From:** Russ Garrison [mailto:Russ@dbaengineers.com]
**Sent:** Wednesday, November 09, 2016 6:28 PM
**To:** Hollier, Michael@DOT <Michael.Hollier@dot.ca.gov>; Boyle, Frank@DOT <frank.boyle@dot.ca.gov>
**Cc:** Tony Wells' <aewells2003@yahoo.com>; Brandon Heavener <Brandon@dbaengineers.com>; Frances Romero <francesr@formacompanies.com>
**Subject:** Rancho Maria Project on HWY 1

Michael/Frank,

In laying out the requested roadway along the project frontage we have found that we exceed the existing ROW by a lot. I have attached an exhibit showing sections of the existing condition and with the lane/shoulder widths we understood you to request. Our problem is that we will not be able to get the adjacent landowners to cooperate in dedicating the additional ROW needed. Please take a look at these and give us your input as to any ways we can satisfy what you need and eliminate the need for you to condemn property.

Thanks,

Russ

Russell J. Garrison P.E.
**Bethel Engineering**
2624 Airpark Dr.
Santa Maria, CA 93455
(805) 934-5767
(805) 934-3448 FAX
russ@dbaenqineers.com

# ROUTE 1 - SANTA BARBARA COUNTY - SEGMENT 4

| SEGMENT SPECIFICATIONS | | | |
|---|---|---|---|
| **Segment** | **Begin** | **End** | **Description** |
| 4A | R 34.78 | 49.20 | Orcutt Expressway to SR 166 |
| 4B | 49.20 | 50.61 | SR 166 to Santa Barbara/San Luis Obispo County Line |
| **Segment Concept : LOS C: Two- and Four-Lane Conventional Highway** | | | |


## SEGMENT FEATURES

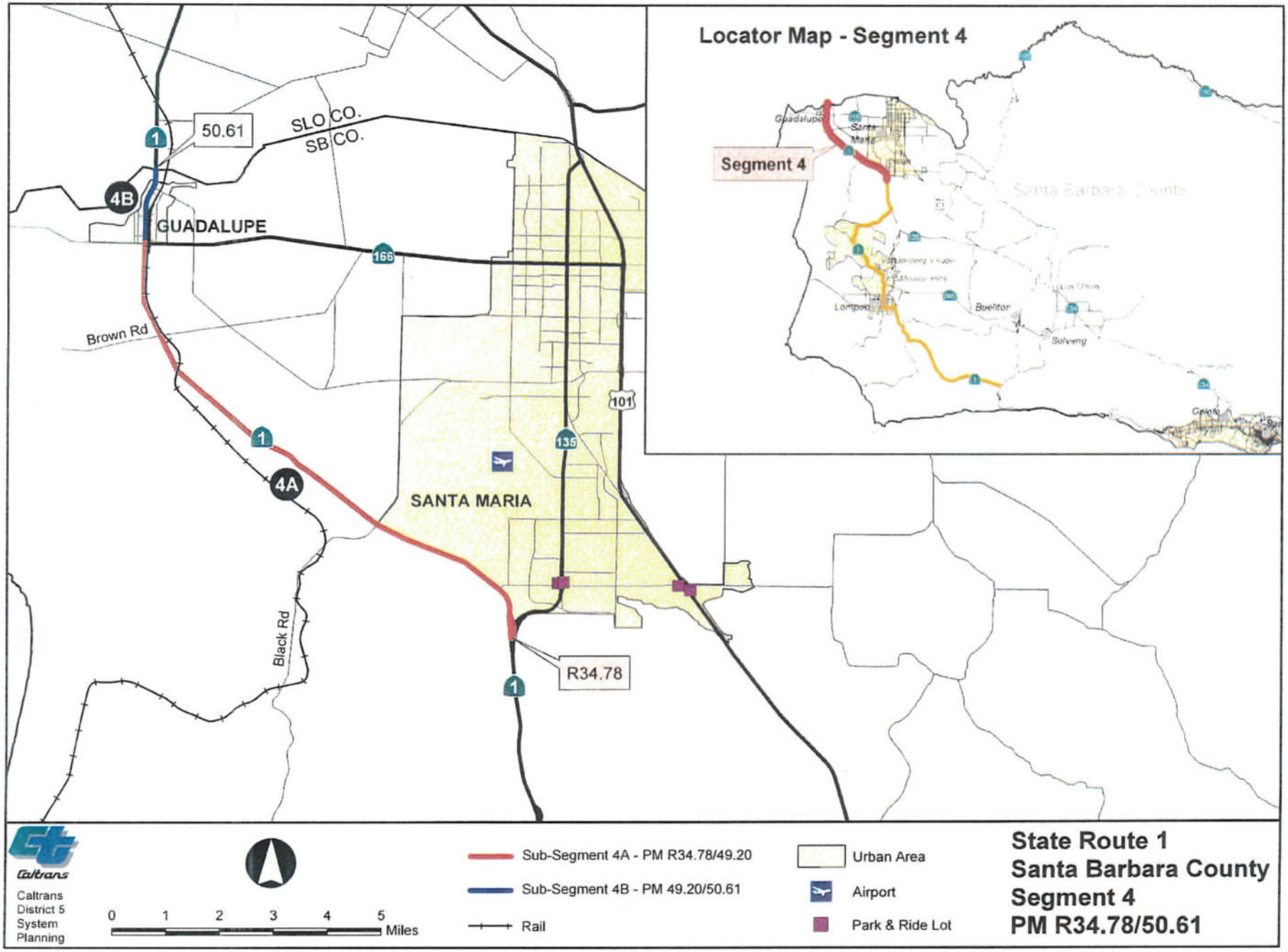
| | | |
|---|---|---|
| **Environmental Constraints:** | ▪ Scenic and historic resources<br>▪ Special status species/habitat<br>▪ Geologic and seismic | ▪ Archaeological and cultural resources<br>▪ Topography<br>▪ Aesthetics |
| **Multimodal Facilities:** | ▪ SMOOTH, Clean Air Express, Guadalupe Flyer/Shuttle | ▪ Pacific Coast Bike Route<br>▪ Rail Station in Guadalupe |
| **Land Uses along Corridor :** | ▪ Rural, open space, agriculture<br>▪ Urban (City of Guadalupe) | |
| **Major Traffic Generators:** | ▪ Community of Orcutt<br>▪ Agricultural operations<br>▪ City of Guadalupe | |

## IDENTIFIED LEVELS OF SERVICE - EXISTING AND FUTURE:

- Segment 4 is presently operating at peak LOS D and is projected to remain at peak LOS D through year 2025.

## RECOMMENDED ACTIONS:

- Widen lanes and shoulders to meet standards.
- Add passing lanes or turnouts to improve operations.
- Provide channelization for turns.
- Improve local circulation in Guadalupe.
- Provide elevated railroad crossing on SR 166 or a parallel alignment in Guadalupe for reliable access between Route 1 and Santa Maria
- Widen Santa Maria River Bridge north of Guadalupe.


Locator Map - Segment 4
Segment 4
50.61
SLO CO.
SB CO.
4B
GUADALUPE
166
Brown Rd
1
4A
SANTA MARIA
101
135
Black Rd
R34.78
Caltrans
Caltrans District 5 System Planning
0 1 2 3 4 5 Miles
Sub-Segment 4A - PM R34.78/49.20
Sub-Segment 4B - PM 49.20/50.61
Rail
Urban Area
Airport
Park & Ride Lot
State Route 1
Santa Barbara County
Segment 4
PM R34.78/50.61

# Caltrans District 5 - Segment Data Sheet

| Santa Barbara County | Route | 1 | Segment/(Sub-segment) | 4A |
|---|---|---|---|---|

## Segment/sub-segment Location

| PM start | PM end | Length | Description |
|---|---|---|---|
| R34.78 | 49.20 | 14.42 | Orcutt Expressway to SR 166 |

## Existing Roadbed Information

| | | | |
|---|---|---|---|
| Number of lanes | 2 to 4 | Lane Width | 11 to 12 ft. |
| Terrain | Flat | ROW Width | 60 to 100 ft. |
| Signalized Intersections | None | Shoulder Width | 1 to 8 ft. |
| Bicycle Facilities | Class III | Median Width | 0 to 99 ft. |

## Route Designations

| | |
|---|---|
| Functional Classification | Urban Minor Arterial & Rural Minor Arterial |
| Facility Type: | Expressway and Conventional Highway |
| Trucking Designations | CA Legal 40' KPRA |
| National Highway System | No |
| Interregional Road System | Yes |
| Focus Route | No |

## Operating Characteristics

| | ADT | | V/C Ratio | | LOS | |
|---|---|---|---|---|---|---|
| Through-traffic flow Analysis | 2002 | 2025 | 2002 | 2025 | 2002 | 2025 |
| | 3,200 | 3,800 | | | C | C |
| | ADT Ann. Growth (2002-2025) | | 0.75% | Directional Split | | 55% |
| | Peak Hour Volume (2002) | | 400 | Peak Hour Truck | | 5% |

| Signalized Intersection Analysis | Location | Delay Time (seconds) | | LOS | |
|---|---|---|---|---|---|
| | | 2002 | 2025 | 2002 | 2025 |
| | (none) | - | - | - | - |

## Accident Data

| | Segment | Statewide* | 3-year period evaluated |
|---|---|---|---|
| Total Collision Rate | 1.19 | 1.11 | Rates are incidents per million vehicle miles from 10/01/00 to 9/30/03 |
| Fatality Collision Rate | 0.094 | 0.041 | |
| Fatality & Injury Collision Rate | 0.56 | 0.53 | |

*Average collision rates statewide for this type facility

## Proposed Concept

| | |
|---|---|
| Proposed Transportation Concept | LOS C / 4-lane conventional highway |
| Comments: *Widen non-standard travel lanes and shoulders; provide passing lanes or turn-outs; provide acceleration and deceleration lanes at intersecting roads* | |

# Letter 16

**COMMENTER:** Ingrid McRoberts, Caltrans District 5

**DATE:** August 5, 2019

## Response 16.1

This is an introductory comment in which the commenter states that Caltrans supports local planning efforts that are consistent with State planning priorities and projects which support smart growth principles. No response is required.

## Response 16.2

The commenter states that any work that is completed in the State's right-of-way would require an encroachment permit from Caltrans and would need to be done to their engineering and environmental standards, at no cost to the State.

Public Works regularly complies with requirements for encroachment permits from Caltrans for work within the State's right-of-way. Work for the proposed project within the State's right-of-way would comply with applicable permitting requirements.

## Response 16.3

The commenter states that Caltrans continues to request a Two-Way-Left-Turn-Lane (TWLTL) along the entire Golf Course Frontage, in order to mitigate additional traffic associated with the newly proposed ingress/egress to state right of way.

This can be added as a condition of approval to the project in the Public Works condition letter, but to date no written request has been received by Public Works from Caltrans. If the condition of approval were to be applied to the project, additional ROW analysis may be required at that time.

621 CHAPALA STREET
SANTA BARBARA, CALIFORNIA 93101
T 805.963.0651 F 805.963.2074

Letter 17

# MEMORANDUM

| | |
|---|---|
| **To:** | Dana Eady, County of Santa Barbara |
| **From:** | John Davis IV, Dudek |
| **Subject:** | Review of the Draft DSEIR, Section 4.4 Biological Resources for The Neighborhoods of Willow Creek & Hidden Canyon (Key Site 21) |
| **Date:** | August 5, 2019 |
| **cc:** | Tony Wells, Orcutt Rancho, LLC<br>Frances Romero, Forma |

Dudek appreciates the opportunity to review and provide comments on the Draft Subsequent Environmental Impact Report (DSEIR) Section 4.4 Biological Resources for The Neighborhoods of Willow Creek and Hidden Canyon prepared by the County of Santa Barbara (County) with assistance from Rincon Consultants, Inc. (Rincon). The main focus of this comment letter is Section 4.4.3 Impact Analysis; however, all sections of the DSEIR Section 4.4 Biological Resources were reviewed for accuracy and content. Below, Dudek has prepared several comments for the County's consideration generally following the DSEIR headings and organization. 17.1

## 4.4 Biological Resources

The DSEIR preparer(s) did not appear to review all available biological reports for the project, including report identified in the County's Scope Paper under Biological Resources: Scope of DSEIR and Sources of Information (pp. 14-15) or other readily available literature on species and habitats (i.e., Althouse and Meade 2018, USFWS 2017 a and b, etc.) that would have been useful in the project review and impact analysis. Dudek references several of these reports and sources throughout this comment letter and provide the references at the end of the memo. The Scope Paper is another source of reports that should have been reviewed during preparation of the DSEIR. Additionally, the DSEIR does not indicate whether agencies, specifically the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW), were consulted during the preparation of the biological resources section. As with a thorough literature review, guidance from Responsible Agencies with regulatory authority over federally- and state-listed species would have assisted with the impact analysis and development of mitigation measures. 17.2

### 4.4.1 Setting

Habitat descriptions are primarily taken from Dudek (2019) and are sufficient for the DSEIR with one exception: Dudek disagrees that "*a unique association of coast live oak woodland occurs with the proposal Willow Creek and Hidden Canyon neighborhoods, Coast Live Oak Woodland-Arroyo Willow Thicket…*" This association is considered State Ranked 4 (S4), a common vegetation community within the State of California, although locally both are considered sensitive, but not necessarily unique, under County policies. Coast-live oak and arroyo willow trees are co-dominant along the three unnamed streams that occur primarily in Open Space. On-site, the western most and middle or center stream is completely in Open Space with the exception of a crossing and sewer easement, while 17.3

the easternmost stream is adjacent to, but completely avoided by the development at Hidden Canyon Neighborhood. 17.3

### Drainages and Wetlands

#### *Drainages*

The DSEIR incorrect states that *"Two major unnamed drainages occur on Key Site 21, both of which are tributary to Orcutt Creek."* A third major unnamed stream, also a tributary to Orcutt Creek, crosses the southwestern portion of Key Site 21 completely within Open Space. The proposed project avoids impacts to this stream. As mentioned, the stream that extends through the center of Key Site 21 is primarily on golf course property and Open Space. The center stream only "crosses" the site at the access ramp near the golf course shop and the along the sewer line easement. 17.4

#### *Wetlands*

While the DSEIR correctly describes the wetland vegetation within the project site, there is no mention of the low quality of habitat or recent history, including row crop agriculture, the nearby oil holding, and the Caltrans culvert under Highway 1, which receive annual maintenance. Additionally, the wetland in the northeast corner is fed by the re-routing of a channel from the neighboring property around (to the west) of their row crop agricultural field to Key Site 21, so the wetland condition is artificial in nature and disturbed (see LFR 2005, Semonsen 2005, and Dudek 2019). Site conditions should be reflected in the impact analysis and mitigation measures. See 4.4.3 Impact Analysis for additional comments on wetland habitat. 17.5

#### *Special Status Species*

Dudek has provided comments on special-status species under 4.4.3 Impact Analysis. 17.6

## 4.4.2 Previous Environmental Review

The DSEIR review of the Orcutt Community Plan (OCP) EIR and proposed project is primarily in table format with a very limited comparison. Basically, Table 4.4-2 directs the reader to various impact analyses in Section 4.4.3; however, the impact analysis found in this section doesn't tie or connect the finding back to the OCP EIR, thereby, reducing the importance of this section and the OCP. Admittedly, the proposed project has impacts to biological resources, however, this project is by far superior to the previous proposed project on Key Site 21 and avoids and/or significantly reduces impacts to most biological resources. 17.7

## 4.4.3 Impact Analysis

### a. Methodology and Significance Thresholds

Dudek does not have any comments on the section titled Methodology and Significant Thresholds. 17.8

## b. Regulatory Setting

On page 4.4-20, the DSEIR correctly states that *"The primary authority under CEQA for general biological resources lies within the land use control and planning authority of local jurisdictions, which in this instance is the County of Santa Barbara."* The DSEIR continues to define USFWS and CDFW jurisdiction. Below under the mitigation measures for the CTS, Dudek concurs that the County, USFWS, and CDFW should in coordination and general agreement; however, the USFWS and CDFW are responsible (i.e., Responsible and/or Trustee Agency) and have regulatory authority over federally- and State-listed species; therefore, mitigation measures should be written to allow for the co-occurring, yet independent incidental permit processes to proceed without unnecessary CEQA constraints or restrictions (i.e., requirement for off-site mitigation and 2:1 ratio for CTS upland compensatory mitigation, when on-site is acceptable for the CDFW and the USFWS does not use ratios to determine compensatory mitigation quantities). It's apparent or an oversight that the County and/or EIR consultant did not discuss Federal Endangered Species Act (FESA) and California Endangered Species Act (CESA) issues with both of the responsible agencies. 17.9

On page 4.4-21, the DSEIR correctly states that *"For Project that would affect a listed species under both CESA and FESA, compliance with the FESA would satisfy CESA, if CDFW determines that the federal incidental take authorization is "consistent" with CESA under California Fish and Game Code Section 2081.1."* It should be noted that for the federally- and state-endangered California tiger salamander (CTS; *Ambystoma californiense*), the USFWS and CDFW have unique and different methodologies to analyze impacts and suggested mitigation for this projects site, although the USFWS and CDFW's Draft Conservation Strategy and Mitigation Guidance for the California Tiger Salamander, Santa Barbara County Distinct Population Segment (USFWS and CDFW 2017) is strong attempt to coordinate their efforts. Per coordination with the USFWS, the CTS that inhabit Rancho Maria Golf Course form an isolated population within the West Santa Maria/Orcutt Metapopulation. Due to their isolation (i.e., no genetic material is exchanged between individuals from different breeding pools or subpopulations within the metapopulation) the USFWS has determined that there isn't a recovery benefit for on-site mitigation. While Dudek disagrees with the USFWS on the value of on-site mitigation for the CTS population of interest, yet continues to work with them on this issue, the USFWS considers off-site mitigation the only possible route for compensatory mitigation. Meanwhile, the CDFW, whom continues to use mitigation ratios, is supportive of on-site and off-site mitigation. To be consistent with FESA and CESA, the measures listed below need to allow flexibility for compensatory mitigation to satisfy future incidental take permits from these agencies. See federal- and state-listed species below for additional comments on the CTS and CRLF. 17.10

## b. Project Impacts and Mitigation Measures

**Impact BIO-1** THE PROJECT WOULD RESULT IN IMPACTS TO SPECIAL STATUS PLANT SPECIES. THIS IMPACT WOULD BE CLASS II, SIGNIFICANT BUT MITIGABLE. 17.11

The DSEIR (p. 4.4-32) misrepresents the findings of the focused floristic (i.e., botanical) surveys conducted for Key Site 21 by LFR in 2004 and 2005 and Dudek in 2016, specifically for the black-flowered figwort (*Scorphularia*

*atrata*). Consistent with agency guidelines, botanical surveys were conducted during the appropriate blooming period of the target species, generally spring and summer with the exception of 2005, where the project site only received spring botanical surveys. LFR (2005) confirmed the presence of an unidentified figwort on the southwestern portion of the site. As depicted on Figure 3.3 (p. 3-8) of the LFR 2005 report, the unknown *Scrophularia* sp. is clearly displayed outside of the development envelope of both the previously and current proposed projects. In 2016, Dudek revisited this area during a reference plant population check to search and conclusively determine the species of the unknown *Scrophularia* sp. (p. 61, Dudek 2019). Per the Dudek (2019) report:

*During 2004 and 2005 surveys, LFR documented a Scrophularia sp. population within the southwest portion of the site. However, the plants were not blooming during the surveys and identification to species level was not possible (LFR 2005). During 2016 surveys, Dudek visited the Scrophularia sp. population previously documented; however, no* Scrophularia *sp. were observed. No other* Scrophularia *sp. individuals were observed during the 2016 surveys [in the southwestern portion of the site]. The nearest known occurrence of the black flowered figwort is documented 3.0 miles from the site in 1991 (CDFW 2016a).*

17.11

Therefore, the DSEIR conclusion is incorrect on two accounts: 1) Dudek searched for the unknown *Scrophularia* sp., but did not find any figwort species in the southwestern portion of the site, within or outside of the development envelope. It should be noted that the area of interest has been established as Open Space where no project impacts are proposed. 2) Dudek discovered the common California figwort (*Scrophularia californica*) within the Coyote Brush Scrub Alliance (p. 36, Dudek 2019). In conclusion, the common California figwort occurs on the project site, while it was determined that the special-status plant, the black-flowered figwort, does not occur within Key Site 21.

In relation to special-status plant species, the DSEIR also asserts that conditions on-site may have changed and the area(s) occupied by special-status species may also have changed since 2016. This statement lacks any analysis or rational for requiring additional botanical surveys of Key Site 21 (see Bio-1(a)). It is assumed that the plants of interest are the Blochman's dudleya (*Dudleya blochmaniae* ssp. *blochmaniae*) and Kellog's horkellia (*Horkelia cuneata* var. *sericea*), both CNPS CRPR 1B.1 species, since Key Site 21 is primarily surrounding in the northern half of the site by row crop agriculture fields which doesn't provide suitable habitat for the special-status plant species found in the Santa Maria – Orcutt area. To the south is the Casmalia Hills, however, buffering the development from natural areas is a significant amount of Open Space within Key Site 21, including a steep canyon. In fact, Dudek confirmed the location of the Blockman's dudleya, which had not changed since 2004/2005. The Kellog's horkellia was also reviewed. However, Dudek reached a different conclusion than LFR and found the *Horeklia sp.* to be the common wedgeleaf horkelia (*Horkelia cuneata* var. *cuneata*). Granted, the *Horkelia cuneata* var. complex can be challenging for even experienced botanist. Regardless, both of these species were only identified in the Open Space area, which includes a steep and open canyon, and have little opportunity to colonize the development envelope in the short time frame considering the current on-site and row-crop type agricultural land uses and distance between the known populations in Open Space and the development envelope. Additionally, the federally-endangered and state-threatened La Graciosa thistle (*Cirsium scariosum* var. *loncholepsis*) was not observed within Key Site 21. The robust critical habitat for this short-lived perennial plant includes the entirety of Key Site 21, but has been determined by experienced LFR and Dudek botanist to be absent from the site.

17.12

The DSEIR continues, "*Direct impacts to special status plant species include mortality of individual special status plant species during construction activity within the Willow Creek and Hidden Canyon development footprints as*

*well as along the proposed sewer line easement and restoration and fuel management activities within the open space. Indirect impacts include invasion by non-native weeds into areas disturbed by construction activities within these areas. Impacts to special status plant species would be potentially significant."*

Per the discussion above, special-status species will not be impacted by development of the project on Key Site 21. Since the site is already composed of an abundance non-native naturalized and invasive weeds (up to 108 plant species; LFR 2005 and Dudek 2019), it is unlikely that construction unto itself would be responsible for the continue colonization of the Open Space area; however, a weed management plan for the proposed project would be appropriate (see BIO-3(c) Invasive Weed Prevention Best Management Practices). 17.12

Dudek concurs with Bio-1(a) that seasonally-timed botanical surveys for the sewer line easement should be conducted within and adjacent to the unnammed tributary to Orcutt Creek, since the two surveys along the easement were conducted outside of optimal blooming period for the target plant species, and, therefore surveys are not conclusive for special-status plant species along the sewer line easement. Bio-1(b) is prudent, if special-status plants are observed along the sewer line easement. 17.13

**Impact BIO-2** THE PROJECT WOULD RESULT IN IMPACTS TO SPECIAL STATUS ANIMAL SPECIES. IMPACTS TO MOST SPECIAL STATUS ANIMAL SPECIES WOULD BE CLASS II, SIGNIFICANT BUT MITIGABLE; HOWEVER, IMPACTS TO CALIFORNIA TIGER SALAMANDER WOULD BE CLASS I, SIGNIFICANT AND UNAVOIDABLE

## State and Federally-Listed Species

### California tiger salamander (CTS)

The DSEIR again misrepresents report findings, in this case, field surveys conducted for the California tiger salamander on Key Site 21. The DSEIR states (p. 4.4-35) "*The wetland areas and basins and ponds located within Key Site 21 and the sewer line easement are potential CTS breeding areas. In addition, the basin (refer to Figure 4.4-2) in the northwest corner of the project site is identified as SAMA-21, a known breeding pond, by the USFWS (2010). The drift fence study conducted in the winter of 2004-2005 as well as aquatic survey conducted in 2017 detected CTS within Key Site 21."* For the record, SAMA-21 is located on Rancho Maria Golf Course property, not the project site under ownership of the applicant. The USFWS considers the breeding population of CTS at SAMA-21 an isolated population within the Western Santa Maria/Orcutt Metapopulation. SAMA-21, has been known as a CTS breeding pool for over well over a decade (USFWS GIS – California Tiger Salamander Pond Habitats – Northern Area, 2007). In 2017, the USFWS and Storrer Environmental Services (Storrer 2017) established that CTS continues to breeds in the pool (SAMA-21) located in the northwest corner of the Rancho Maria Golf Course property, but not in other golf course ponds. No breeding habitat exist within the project site or sewer line easement. 17.14

As indicated, the DSEIR is incorrect in their depiction of the survey results. Semonsen (2005) conducted drift fence surveys for CTS in upland habitat and found several salamanders moving towards SAMA-21. While he did not conduct aquatic surveys, he concluded that there were three potential CTS breading pools, the northwest pond (SAMA-21) and two golf course ponds (Ponds #1 and #2). Based on the drift fence survey, his assessment of the survey results was that SAMA-21 had all the characteristics of breeding pool even though he did get the opportunity to conclusively determine the presence or absence of CTS within the pool. Mr. Semonsen felt that the two golf course ponds (Pond #1 and #2), again NOT on the project site, were questionable since 1) they contained water

perennially, and 2) were suspected to contain fish. As mentioned, in 2017, Storrer conducted aquatic surveys on the Rancho Maria Golf Course property, including all three potential CTS breeding pools identified by Mr. Semonsen. Storrer concluded that the aquatic survey confirmed the following: *"CTS breeding did occur in SAMA-21 during the 2016/17 breeding season. This population remains extant. CTS were not found in the other three ponds/reservoirs sampled."* The freshwater vernal swales identified by LFR and reviewed by Dudek 2019 are shallow and become seasonally-inundated directly after a significant rain event (i.e., greater than 0.50-inch), but dry quickly thereafter. The rye grass area and northwest marsh doesn't support enough inundation for breeding CTS. Therefore, Dudek disagrees with the DSEIR on the conclusion that development of the project would impact potential CTS breeding habitat as the seasonal pools have small watersheds and wouldn't receive run-off from the project, especially if best management practices are installed and functioning correctly. The project is expected to impact CTS upland habitat. In fact, the focus of the Dudek's discussions with the USFWS and CDFW in regards to CTS have been on mitigation for impacts to upland CTS habitat. 17.14

The DSEIR concludes that "*Direct impacts to CTS would occur through mortality or injury during any initial ground disturbing activities (from development of proposed neighborhoods, sewer line installation, as well as mitigation and fuel management program described in the Draft OSMP). Development of the project would also impact suitable upland habitat (up to 79.82 acres permanently removed and up to 0.80 acre of temporary impacts) and potential breeding/wetland habitat (up to 2.36 acres permanently removed and up to 0.11 acre of temporary impacts). Impacts to CTS are potentially significant*." 17.15

Dudek concurs that impacts to CTS would occur through individual and upland habitat impacts, however, as noted by Semonsen (2005) and Dudek (2019), the upland habitat for CTS is of poor quality due to scattered Botta's pocket gopher (*Thomomys bottae*) burrows and lack of California ground squirrel (*Otospermophilus beecheyi*) burrows. Additionally, once off the golf course maintained areas, the grass in the Open Space is dense and certainly difficult for CTS, especially juveniles to travel through. Dudek strongly disagrees that project impacts would occur to CTS breeding habitat.

Recommended text corrections:

In addition, the basin (refer to Figure 4.4-2) in the northwest corner of the ~~project site~~ golf course is identified as SAMA-21, a known breeding pond, by the USFWS (2010). The drift fence study conducted in the winter of 2004-2005 on the project site as well as aquatic survey conducted on golf course property in 2017 detected CTS within Key Site 21.

In conclusion, the only known CTS breeding pool, SAMA-21, within Key Site 21 is located on Rancho Maria Golf Club property. No additional known or potential CTS breeding pools occur within the project site; however, low quality upland habitat is located within the project site (Semonsen 2005, Dudek 2019). No additional aquatic surveys or drift fence surveys are recommended. During construction, burrow excavations in disturbed areas will be necessary to reduce the potential of individual CTS take. A discussion of mitigation measures for this federally- and state-listed species is found below. 17.16

Dudek does not consider development of the project to result in a Class I impact to CTS. The reasons are as follows: 1. It's an isolated CTS population (no genetic contributions to the Western Santa Maria/Orcutt Metapopulation; 2. Poor upland habitat quality (no ground squirrel burrows, scattered Botta's pocket gopher burrows); 3. compensatory

mitigation for the metapopulation will be achieved per the Recovery Plan and incidental take permitting process; and, 4. On-site mitigation will enhance habitat for the breeding CTS population at SAMA-21. 17.16

### California Red-Legged Frog

The DSEIR asserts that "*The project could result in the loss or substantially degrade or reduce wetlands habitat suitable for special-status wildlife species resulting in incidental mortality of CRLF*." Survey results by LFR (2005), Dudek (2019), and Storrer (2017) all confirm that breeding habitat exists solely on Rancho Maria Golf Course property and NOT on the project site. In fact, LFR (2005) identifies potential threats to CRLF primarily remain with golf course maintenance of these features including draw down of water, inclusion of predatory fish, introduction of bullfrogs, and chemical use for algae control.

The DSEIR further states that, *"In addition, up to 2.36 acres of potentially suitable wetlands or aquatic habitat could be permanently removed and up to 0.11 acre temporarily impacted. Indirect impacts to CRLF may occur during construction in the vicinity of drainages or ponds that contain suitable aquatic habitat through degradation of water quality from potential spills or construction generated erosion if upslope of such features."* 17.17

Dudek agrees that use of the project site by CRLF is not known definitively and ~~other ponding locations and/ or~~ upland habitats (seasonal movement/dispersal habitat during the breeding season) within ~~and adjacent to the~~ project site may be used by this species. Dudek recommends that pre/post rain event monitoring during the wet-season (November through April) should be included during construction as frogs could be dispersing overland to and from breeding ponds; however, dry-season (May through October) surveys are not recommended and shouldn't be required. Breeding habitat for the CRLF is entirely within Rancho Maria Golf Course property. Per Storrer (2017) "*CRLF has been previously recorded in Irrigation Reservoirs #1 and #2 on the Rancho Maria Golf Course property (PRC Services Corporation 2003). CRLF larvae were found only in Irrigation Pond #1 during the subject survey. This population also remains extant."*

### Vernal Pool Fairy Shrimp

Per Dudek 2019, *"the project could result in the potential loss or degradation of vernal pool fairy shrimp habitat as well as direct mortality of individuals. The project includes the proposed removal of aquatic habitat suitable for vernal pool fairy shrimp."* The DSEIR presents a similar assessment (p.4.4-36); however, not all wetlands are suitable vernal pool fairy shrimp habitat; therefore, the potential impact numbers are likely incorrect. Protocol-surveys will determine the presence or absence of this species and whether the project will potential impact the VPFS. 17.18

**Mitigation Measures**

Dudek confirms the relevancy of BIO-2(a) USFWS/CDFW Consultation. Informal consultation has been on-going with these agencies since 2016. Dudek will continue to work with Orcutt LLC and the USFWS/CDFW to acquire incidental take permits through Section 10 for the CTS, CRLF, and potentially the VPFS and CDFG Code 2081 for the CTS. 17.19

No comment on BIO-2(b) California Tiger Salamander (CTS) and California Red-legged Frog (CRLF) Habitat Avoidance

BIO-2(c) states "*If CTS and CRLF habitat cannot be avoided per Mitigation Measure BIO-2(b), the Owner/Applicant shall establish an off-site conservation easement(s) as compensatory mitigation to offset impacts to CTS and CRLF habitat.*" The Owner/Applicant will continue to work with the USFWS/CDFW to determine compensatory mitigation opportunities, including on-site, which has been successfully discussed with CDFW. The DSEIR should not be restrictive to compensatory mitigation opportunities or set values to mitigation. The DSEIR preparer appears not to understand the mitigation model used by the USFWS to determine compensatory mitigation.

Recommend text edits to BIO-2(c): 17.19

*If CTS and CRLF habitat cannot be avoided per Mitigation Measure BIO-2(b), the Owner/Applicant shall establish ~~an off-site~~ conservation easement(s) as compensatory mitigation to offset impacts to CTS ~~and CRLF~~ habitat. The compensatory mitigation shall incorporate the conditions and compensatory mitigation requirements specified in the incidental take permit(s) and/or incidental take statement that could be issued by CDFW and USFWS for this project but shall meet the minimum standards specified in this measure. ~~Compensatory mitigation shall be provided at a ratio of not less than 2:1 (area mitigated: area impacted) for upland habitat and 3:1 for aquatic habitat. Compensatory mitigation must occur off site and shall not occur within the open space or other location on Key Site 21.~~*

There is NO impacts to CTS or CRLF breeding (aquatic habitat)

BIO-2(d) Listed Species Habitat Mitigation and Monitoring Plan

Dudek concurs that the HMMP components are acceptable, however, the Applicant shall coordinate with the USFWS and CDFW on the HMMP and these agencies whose jurisdiction is federally- and state-listed species should receive and approve the HMMP in conjunction with County approval. 17.20

Recommended text corrections:

**Planning Requirements and Timing**. Once the HMMP is approved by the USFWS and CDFW, both Responsible Agencies with Jurisdictional Authority over federal and state-listed species, the HMMP shall be submitted to Planning and Development for final review and approval prior to zoning clearance issuance for grading. Proof of purchase or an easement controlling off-site acreage shall also be submitted to Planning and Development prior to zoning clearance issuance for grading. 17.21

BIO-2(e) California Tiger Salamander (CTS) and California Red-legged Frog (CRLF; *Rana draytonii*) Avoidance and Minimization

Avoidance measures will be reviewed through the HCP/2081.1, incidental take permit, process.

Notes and suggested text changes for measure BIO-2(e) 17.22

a. Dry-weather surveys for CTS are challenging since they inhabit small mammal burrows spring through fall. The incidental take permits will have additional pre-construction survey measures for CTS and CRLF.

b. No comment

c. If CTS or CRLF are found during pre-construction surveys in BIO-2(e)a., then all development activities occurring within/adjacent to aquatic habitats (including riparian habitats and wetlands) shall be completed between April 1 and October 31, to avoid impacts to sensitive aquatic species. If no CTS or CRLF are found during pre-construction surveys, then construction shall proceed.

d. To avoid encountering migrating CTS within range of potentially suitable aquatic habitat, construction within upland areas within the range of CTS should be limited to day hours during non-rain conditions~~. July 15 to October 15~~. During the wet-season when CTS have potential to move to and from the breeding pool, SAMA-21, work should be postponed if chance of rain is greater than 70% based on the NOAA National Weather Service forecast or within 48 hours following a rain event greater than 0.25 inch. If work must occur during these conditions, a qualified biologist shall conduct a clearance sweep of work areas prior to the start of work.

17.22

BIO-2(i) Vernal Pool Branchiopod Surveys and Mitigation

17.23

No comment

## Species of Special Concern

### Monarch Butterfly

Dudek agrees that impacts to the Monarch butterfly are less than significant; however, we would like to provide some additional details. The 0.48 acre isolated stand of eucalyptus trees that will be impacted by the project is approximately 700 feet south from the Monarch butterfly overwinter aggregation Site 7 – Santa Maria, located adjacent to the Rancho Maria Golf Course parking lot within both the golf course and applicants properties. As described in Monarch Butterfly Overwintering Sites Santa Barbara County, California (Althouse and Meade, Inc. 2018) for Site 7, "*Monarch butterfly clusters were not observed at this location during the current survey, and only one butterfly was observed patrolling the grove during the October visit. The site maintains habitat that can support a monarch butterfly aggregation. This site remains a viable autumnal habitat for monarch butterflies. The grove should be maintained in the current state to provide habitat for transitory, patrolling, and clustering butterflies.*" The eucalyptus grove known as Site 7 – Santa Maria will not be impacted by the project. Dudek concurs that no mitigation measures are warranted for the Monarch butterfly.

17.24

### Reptiles (Western Pond Turtle, Silvery Legless Lizard, Blainville's Horned Lizard, Coast Patch-nosed Snake, and Two-striped Garter Snake)

Dudek concurs with the DSEIR that impacts to reptile species of special concern are expected to be less than significant and no measures are warranted.

17.25

### Amphibians (Western Spadefoot)

Dudek concurs with the DSEIR that impacts to the western spadefoot from the proposed project are potentially significant. Mitigation measures BIO-2(f) Western Spadefoot Toad Avoidance and Minimization is acceptable.

17.26

### Mammals (American Badger, San Diego Desert Woodrat, Western Red Bat, Townsends's Big-eared Bat, and Pallid Bat)

17.27

Dudek concurs with the DSEIR that impacts to the special-status mammals from the proposed project are less than significant.

### Special Status Birds, Nesting birds, and Raptors (including Tri-colored Blackbird, Grasshopper Sparrow, Yellow-breasted Chat, Loggerhead Shrike, Yellow Warbler, White-tailed Kite, Golden Eagle, and Northern Harrier).

17.28

Dudek concurs with the DSEIR that impacts to special-status bird species would be less than significant. Mitigation measure BIO-2(g) Preconstruction Surveys for Nesting Birds and Raptors is acceptable.

### Burrowing Owl

Semonsen (2005) and Dudek (2019) description of small mammal burrows was that only Botta's pocket gopher burrows were present; however, Dudek noticed California ground squirrel burrows along the west boundary fence. Dudek stated that "special-status bird species including burrowing owl (*Athene cunicularia*)...[has] potential to occur within the Biological Survey Area (BSA). Burrowing owl specifically has the potential to nest in the grassland habitat present within the BSA; however, no burrows suitable to support this species were identified during the 2015-2016 field surveys. Also, while this species was known to breed in the Santa Maria Valley into the 1990s, it is now believed to breed in Santa Barbara County only in the Cuyama Valley (Lehman 2015).

17.29

Although Dudek does not expect nesting or wintering burrowing owls to occur on-site, the DSEIR BIO-2(h) deviates from the standard on burrowing owl mitigation: Staff Report on Burrowing Owl Mitigation State of California Natural Resources Agency Department of Fish and Game (CDFG 2012). BIO-2(h) Burrowing Owl Avoidance and Minimization Measures should include a Habitat Assessment Data Collection and Reporting as the first measure (i.e., BIO-2 (h a.). Per CDFG (not CDFW) (2012), *Burrowing owl surveys are the second step of the evaluation process and the best available scientific literature recommends that they be conducted whenever burrowing owl habitat or sign (see Appendix B) is encountered on or adjacent to (within 150 meters) a project site 03/7/12 DFG BUOW Staff Report 6 (Thomsen 1971, Martin 1973).*

Dudek request the DSEIR remove the following measure:

a. ~~Ground disturbing activities associated with construction of the project shall begin outside of the burrowing owl nesting season (nesting season is typically February 1 through September 15)~~

And replaced it with this measure:

17.30

a. Consistent with CDFG (2012) Appendix C, within 30 days prior to the start of construction, a County-qualified biologist shall conduct one visit covering the entire potential project/activity area including areas that will be directly or indirectly impacted by the project. Survey adjoining areas within 150 meters, or more where direct or indirect effects could potentially extend off-site. If lawful access cannot be achieved to adjacent areas, surveys can be performed with a spotting scope or other methods.

If the presence of suitable burrows and/or burrow surrogates (>11 cm in diameter (height and width) and >150 cm in depth), regardless of a lack of any burrowing owl sign and/or burrow surrogates; and burrowing owls and/or their sign that have recently or historically (within the last 3 years) been identified on or adjacent to the site, then the Applicant shall proceed with BIO-2(h) b.. 17.30

The second visit for burrowing owl can be included in BIO-2(g) Preconstruction Surveys for Nesting Birds and Raptors.

## Additional Measures

*BIO-2(j) Worker Environmental Awareness Program (WEAP)*

No comment. Mitigation measure BIO-2(i) is acceptable. 17.31

*BIO-2(k) Incorporation of Species Protection Measures into the Open Space Management Plan (OSMP)*

No comment. Mitigation measure BIO-2(k) is acceptable

**Impact BIO-3** THE PROJECT WOULD RESULT IN IMPACTS TO SENSITIVE HABITATS, INCLUDING RIPARIAN AREAS. THIS IMPACT WOULD BE SIGNIFICANT BUT MITIGABLE (CLASS II)

Dudek concurs that the 2:1 mitigation ratio under BIO 3(b) is acceptable for direct impacts to sensitive vegetation communities. Under BIO-3(b), the Final OSP shall be consistent with the HMMP prepared for impacts to riparian habitat under CDFW and RWQCB jurisdiction. Also, impacts to riparian habitat that contain willow trees should not be mitigated twice (see BIO-6(b) Tree Replacement Plan), but instead any replacement willow tress shall be incorporated into the HMMP for the designated restoration site based on the 2:1 mitigation ratio for impacts to habitat. A Class II impact is appropriate. 17.32

**Impact BIO-4** THE PROJECT WOULD IMPACT STATE AND FEDERALLY PROTECTED WETLANDS (INCLUDING, BUT NOT LIMITED TO, MARSH, VERNAL POOL, COASTAL, ETC.) THROUGH DIRECT REMOVAL, FILLING, HYDROLOGICAL INTERRUPTION, OR OTHER MEANS. THIS IMPACT WOULD BE SIGNIFICANT BUT MITIGABLE (CLASS II).

Dudek concurs with the analysis of impacts to wetlands and riparian habitats. Mitigation measures BIO 4(a, b, c, and d) are generally acceptable with exceptions. First, it should be noted that Dudek has initiated and continues to engage with appropriate agencies (USACE, RWQCB, and CDFW). Dudek through Orcutt Rancho, LLC will gladly submit applicable permits and coordination, if necessary. BIO-3(b), the Final OSP shall be consistent with the HMMP (BIO.....for impacts to Riparian habitat under CDFW and RWQCB jurisdiction. BIO-3(c) requires a minimum ratio of 2:1. Often a lower mitigation of a 1:1 is sufficient for any temporary impacts and impacts to invasive or non-native wetland habitat. Temporary impacts include tree trimming and possible root impacts, such as along the sewer line easement. Per Dudek 2019, *"A 1:1 mitigation ratio is proposed to compensate for temporary impacts to USACE, RWQCB, CDFW, and County jurisdictional waters/ riparian vegetation."* We request that a minimum of a 1:1 mitigation ratio for temporary impacts and permanent impacts to wetlands containing a dominance of invasive and non-native vegetation be included in the BIO-4(a). Also, in addition to the County, the USACE, RWQCB, and CDFW 17.33

will have to approve the restoration site(s). A Class II impact is appropriate Dudek concurs with the impact analysis and mitigation measures BIO 4(a, b, c, and d)

17.33

Permanent Direct impacts to wetland and drainages shall be mitigated at a minimum ratio of 2:1 (acres of habitat restored to acres impacted). Temporary impacts and permanent impacts to wetlands containing a dominance of invasive and non-native wetland vegetation shall be mitigated at a 1:1.

**Impact BIO-5** THE PROJECT WOULD IMPACT WILDLIFE MOVEMENT. THIS IMPACT WOULD BE SIGNIFICANT BUT MITIGABLE (CLASS II).

Dudek concurs with the DSEIR that impacts to wildlife movement would be significant, however, some clarifications are required. Based on Semonsen's (2005) drift fence survey results, CTS primarily travel to the west and east likely using golf course fairways, which makes sense energetically, before venturing into an active agricultural field (a biological "sink" where CTS likely perish) and non-maintained areas within the golf course and project site. The previously proposed development housing had housing closer to the SAMA-21, however, that area is now considered undeveloped Open Space. Semonsen (2005) noted that *"Generally, the upland habitat within Rancho Maria Estates and golf course property is poor with only a limited number of gopher burrows and no ground squirrel burrows."* .Dudek's (2019) assessment in 2015-2016 confirmed Semonsen's assessment and also noted the an increase in dense grasses, which in conjunction with the changes in topography, could limit movement of CTS into the development area. Although several of the mitigation measures under BIO-5(a, b, and c) are good conditions, it is unlikely that the project would substantially interfere with the movement of native wildlife species.

17.34

The hiking trail & trailhead parking lot would be a result of an easement granted to Santa Barbara County Parks for public access. Therefore, Santa Barbara County Parks would be responsible for public trail and signage maintenance. This trail would not be located in a "biologically sensitive area." Therefore, interpretive signage developed by a biologist is not needed. The following revisions are required.

Recommend text edits to BIO-5(a):

**BIO-5(a) Wildlife Impact Avoidance.**

The project shall incorporate the following design measures to reduce impacts to wildlife:

- ~~b.~~ Appropriate signage warning residents of the potential presence of wild animals on roadways and bike paths shall be installed along roads adjacent to open space areas. Interpretative educational signage discussing sensitive biological resources on-site (oak woodland, rare plants and animals, etc.) shall be installed along all bike paths, hiking trails and rest areas. Information on educational signage shall be prepared and maintained by the Santa Barbara Parks Department. ~~developed by a County approved biologist. Such signage shall be maintained by the developer or HOA.~~

Dudek continues to work with the USFWS and CDFW regarding mitigation strategies for the federally- and state-listed CTS. Originally, the USFWS was open to soft bottom culverts in the roadway for CTS movement, but decided, based on recovery goals for the entire Western Santa Maria/Orcutt Metapopulation and the unfortunately isolation of the CTS population centered around the breeding pool known as SAMA-21, that off-site mitigation would be the

17.35

preferred approach. The USFWS will not accept on-site mitigation, only off-site mitigation within the boundaries of the Western Santa Maria/Orcutt Metapopulation. Meanwhile, the CDFW continues to be supportive of on-site mitigation measures. CDFW will accept on-site and off-site mitigation. Rancho Orcutt, LLC and Dudek are focused on finding on-site and off-site solutions to mitigate for impacts to CTS upland habitat. While we support Measure BIO-5(d) in theory and have previously designed soft-bottom crossings for the project, we are still working through mitigation with CDFW and feel that this measure, as currently written, could be an unachievable measure for the project. We request that Measure BIO-5(d) be removed (strikethrough) from the FSEIR. 17.35

**Impact BIO-6** THE PROJECT WOULD RESULT IN IMPACTS TO PROTECTED TREES. THIS IMPACT WOULD BE SIGNIFICANT BUT MITIGABLE (CLASS II). 17.36

Dudek concurs with the DSEIR that impacts to protected trees from the proposed project are potentially significant. Mitigation measures BIO-6(a and b) are acceptable; however, the willow replacement trees shall be incorporated into the Final OSP and HMMP for riparian and/or wetland habitat restoration.

**Impact BIO-7** THE PROJECT WOULD RESULT IN REMOVAL AND DEGRADATION OF ENVIRONMENTALLY SENSITIVE VEGETATION FOR FUEL MANAGEMENT PURPOSES. THIS IMPACT WOULD BE SIGNIFICANT BUT MITIGABLE (CLASS II). 17.37

Dudek concurs with the DSEIR that impacts to the environmentally sensitive vegetation for fuel management purposes are potentially significant. Mitigation measures BIO- 7 Fuel Management Plan is acceptable.

## c. Cumulative Impacts

The DSEIR concludes*: "However, the project's contribution to cumulative loss of sensitive habitats in general, and in particular to loss of upland and potentially suitable aquatic habitat for the federally and State listed California tiger salamander Santa Barbara County DPS and federally listed California red-legged frog in northern Santa Barbara County would be significant and unavoidable (Class I)."*

The DSEIR does not mention that the population of CTS that breeds on Rancho Maria Golf Course (SAMA-21) and uses the golf course and neighboring areas within Key Site 21 to disperse and utilize upland habitat in the form of burrows or other refugia. Meanwhile, the CRLF breeds in Pond #1, again on Rancho Maria Golf Course property, not the project site. DSEIR incorrectly concludes that impacts aquatic habitat where CTS and CRLF are known to breed would be significant and unavoidable. It doesn't appear that the preparers of the DSEIR bothered to review the literature to have a basic understanding where aquatic features are located, therefore, the conclusion for cumulative impacts is misguided. 17.38

# References

Althouse and Meade, Inc. 2018. Monarch Butterfly Overwintering Sites Santa Barbara County, California

Searcy, C.A., and H.B. Shaffer. 2008. Calculating biologically accurate mitigation credits: insights from the California tiger salamander. Conservation Biology 22:997-1005.

U.S. Fish and Wildlife Service (USFWS). 2017. Draft Conservation Strategy and Mitigation Guidance for the Santa Barbara County Distinct Population Segment of the California tiger salamander. U.S. Fish and Wildlife Service, Pacific Southwest Region, Ventura, California.

USFWS 2017. Santa Barbara California tiger salamander Mitigation Fund Fee Calculator. U.S. Department of Interior, Ventura, California.

USFWS 2019. General Conservation Plan for Oil and Gas Activities Santa Barbara County, California. April 2019.

# Letter 17

**COMMENTER:** John Davis, Dudek

**DATE:** August 5, 2019

## Response 17.1

The commenter states that subsequent comments are based on review of Section 4.4, *Biological Resources*, of the Draft SEIR with the main focus of their comments pertaining to the impact analysis under Section 4.4.3. This is an introductory comment which provides context for the comments summarized in Responses 17.2 through 17.38, and the commenter's specific concerns are addressed in Responses 17.2 through 17.38.

## Response 17.2

The commenter states that the Draft SEIR does not review all available biological reports for the project, including reports identified in the County's Scope Paper under Biological Resources. The commenter also states that other readily available literature on species and habitats would be useful in the project review and impact analysis. The Draft SEIR utilized all sources of information (or updated versions thereof) provided in the scoping document as part of the evaluation of potential impacts to biological resources. The biological resource studies prepared for the project by Dudek and Amec Foster Wheeler are included in Appendix C of the Draft SEIR. Due to some deficiencies in these reports, the Draft SEIR was supplemented, as appropriate, with independent analysis conducted by the County with the assistance of the Draft SEIR consultant.

The commenter also states that the Draft SEIR does not indicate whether the USFWS and CDFW were consulted during the preparation of the biological resources section. These agencies are not required to be consulted by the lead agency during preparation of an EIR. However, as responsible agencies for the project, USFWS and CDFW were invited to provide comments on the Draft SEIR. CDFW provided comments on the Draft EIR (refer to Letter 13 for the comments provided by CDFW and responses thereto). USFWS did not provide comments on the Draft SEIR.

## Response 17.3

The commenter disagrees with the identification of coast live oak-arroyo willow vegetation communities as "unique." The commenter provides the locations of this vegetation association on Key Site 21. The following revision to the description of this vegetation association under Section 4.4.1(a), *Vegetation Communities*, in Section 4.4, *Biological Resources*, has been made for clarity:

> …In addition, ~~a unique~~ an association of coast live oak woodland occurs within the proposed Willow Creek and Hidden Canyon neighborhoods, Coast Live Oak Woodland-Arroyo Willow Thicket (*Quercus agrifolia-Salix lasiolepis* [Sawyer et al. 2009]). This association consists of coast live oak and arroyo willow as co-dominant species in the tree canopy…

## Response 17.4

With regard to the biological resources setting described in Section 4.4.1(a), *Drainages and Wetlands*, in Section 4.4, *Biological Resources*, the commenter states that a third major unnamed stream, also a tributary to Orcutt Creek, crosses the southwestern portion of Key Site 21 completely within the open space area. The commenter also provides the location of the third major unnamed

stream and states that the project would avoid impacts to this stream. The Drainages setting in Section 4.4, *Biological Resources*, has been revised consistent with Figure 4.4-1 as follows:

> *Drainages*
>
> Drainages and wetlands on Key Site 21 are shown on Figure 4.4-2. ~~Two~~ Three major unnamed drainages occur on Key Site 21, two ~~both~~ of which are tributary to Orcutt Creek. One is located in the ~~southeastern~~ southwestern corner within the open space area, while the last ~~other~~ is in the central portion of Key Site 21. The latter also occurs within the sewer line easement and supports hydrophytic vegetation, hydric soils, and wetland hydrology indicators within the stream channel. Vegetation associated with these drainages consists of a combination of eucalyptus grove, coast live oak woodland, and arroyo willow thicket communities. In addition, three ephemeral drainages occur on Key Site 21, two of which occur within the development footprints of the proposed Willow Creek and Hidden Canyon neighborhoods. The third occurs within the northern portion of the proposed Willow Creek neighborhood (within an area designated as open space per the Draft OSMP) as well as extends north and intersects the end of the proposed sewer easement.

All potential impacts to wetlands and drainages are adequately covered in the analysis of wetlands and drainages, and no additional revisions to the Draft SEIR are necessary in response to this comment.

## Response 17.5

The commenter states that Section 4.4.1(a), *Wetlands*, as well as the impact analysis and mitigation measures for potential wetland impacts should reflect the artificial nature and disturbance of the described wetlands. The Wetlands setting in Section 4.4, *Biological Resources* has been revised for clarity and consistency with the Wetland Delineation and Jurisdictional Determination for The Neighborhoods of Willow Creek & Hidden Canyon prepared by Dudek in 2019 as follows:

> …A wetland feature occurs within the northern portion of the proposed Hidden Canyon neighborhood that supports hydrophytic vegetation, hydric soils, and wetland hydrology, and therefore, constitutes a three-parameter wetland (refer to Figure 4.4-2 and Figure 4.4-3). This feature consists of herbaceous, largely non-native wetland species including bristly ox-tongue and curly dock (*Rumex crispus*), though native wetland species including pale spikerush (*Eleocharis macrostachya*) are present in varying concentrations and in relatively isolated areas. The historic drainage pattern is presumed to have been altered due to the presence of a drainage channel in the northern portion of the feature and a culvert under State Route 1, which direct flows from the wetland feature to the north and into an off-site agricultural ditch and ultimately into Orcutt Creek. Additional potential County two-parameter wetlands, consisting of mature stands arroyo willow and hydric soil indicators, were also identified within the proposed Hidden Canyon neighborhood surrounding the three-parameter wetland. Riparian areas within the project site consisting of hydrophytic vegetation (such as arroyo willow thickets [Figure 4.4-1]) would also constitute as potential County wetlands.

No revisions are required in the impact analysis or mitigation measures in response to this comment.

## Response 17.6

The commenter states that comments regarding special status species are included under Section 4.4.3 of this comment letter. Refer to Responses 17.9 through 17.33 and Response 17.38 for responses to comments regarding special status species provided in Section 4.4.3 of this comment letter.

## Response 17.7

The commenter states that Table 4.4-2 does not connect the identified impact findings back to the 1995 OCP EIR. The following revisions to Table 4.4-2 were made for clarity:

### Table 4.4-1 Summary of Biological Impacts Identified in OCP Final EIR in Relation to the Proposed Project

| OCP EIR Impact | Impact Summary | OCP EIR Impact Type | OCP EIR Mitigation | Impact Modified by Proposed Project? |
|---|---|---|---|---|
| **Orcutt Planning Area Analysis** | | | | |
| BIO-19 | **Habitat Elimination/Habitat Fragmentation**. Permanent loss or fragmentation of threatened or very threatened communities, diminution of wildlife populations through direct loss of habitats, disruption of wildlife corridors through encroachment, disturbance, introduction of domestic animals (especially predators), and weed invasion. | Class I | BIO-17a<br>BIO-17b<br>BIO-17c<br>BIO-20<br>BIO-21 | Yes. Class II See analysis for Impact BIO- 3 below. |
| Bio-20 | **Elimination of wetlands**. Elimination of 200 acres of wetlands would eliminate a substantial percentage of the last remaining freshwater wetlands on the central coast of California (90 percent of original statewide total has been eliminated) and would constitute a potentially significant impact. The elimination of the vernal wetlands in particular including "the best example of vernal pools in the County" [Olson 1991], (less than 2,000 acres remain in California) would create potentially significant impacts to these habitats. The loss of these wetlands would result in potentially significant impacts to a number of shorebirds and waterfowl such as black-necked stilt, killdeer, cinnamon teal, wood duck, and possibly the federal candidate species of tri-colored blackbird and long billed curlew through the loss of critical foraging and breeding habitat. | Class I | BIO-17c<br>BIO-18 | Yes. Class II. See analysis for Impact BIO- 4 below. |
| BIO-22 | **Fragmentation of wetland and upland habitat**. Development between wetland and upland retreat sites of amphibians (or on the uplands themselves) would have a potentially significant impact on two federal candidates for the Endangered Species List: California tiger salamander and spadefoot toad, and would lead to their elimination from the Orcutt Planning area. | Class II | BIO-17c<br>BIO-18<br>BIO-19<br>BIO-20 | No. Remains Class II. |

| OCP EIR Impact | Impact Summary | OCP EIR Impact Type | OCP EIR Mitigation | Impact Modified by Proposed Project? |
|---|---|---|---|---|
| BIO-23 | **Elimination of grasslands**. Elimination of approximately 900 acres of grassland would create potentially significant impacts through elimination of habitat for at least eight California Species of Special Concern: coast horned lizard, white-tailed kite, golden eagle, northern harrier, Cooper's hawk, California horned lark, loggerhead shrike, badger and burrowing owl (also a State candidate for listing as threatened or endangered), as well as numerous other wildlife species either wholly or partially dependent on these areas. | Class I | BIO-17c | Yes. Class II. See analysis for Impact BIO- 3 below. |
| BIO-27 | **Elimination of central coastal sage scrub**. Urban development on roughly 150 acres of central coastal sage scrub would cause potentially significant impacts to this declining community (Table 5.2-1) and the uncommon Lompoc monkey flower. | Class I | BIO-17c<br>BIO-23 | Yes. Class II. See analysis for Impact BIO- 3 below. |
| BIO-28 | **Elimination of riparian communities**. Development on, and encroachment near streams and creeks, construction of road bridges and culverts will potentially result in removal of riparian vegetation, polluted runoff, noise, light and glare, fill importation, sedimentation, increased maintenance, alteration of creek channels, and increased disturbance from humans, dogs, and cats. | Class I | BIO-17a<br>BIO-17b<br>BIO-17c<br>BIO-24. | Yes. Class II. See analysis for Impact BIO-3 below. |
| BIO-30.1 | **Elimination of rare plants**. Elimination of rare plants such as purisima and sand mesa manzanita, Lompoc yerba santa, sand almond, curly-leaved monardella, and others, could occur as a result of development of the Community Plan. This is potentially significant. | Class II | BIO-25<br>BIO-29 | No. Remains Class II. |
| BIO-31 | **Removal of oak trees**. Removal of oak trees due to site development would be potentially significant due to the wildlife habitat value that even a single oak tree in an urban environment provides for insects, reptiles, birds, and small mammals. | Class II | BIO-26 | No. Remains Class II. |
| BIO-32 | **Removal of eucalyptus woodlands**. Removal of eucalyptus woodlands that are used as a roosting and/or nesting site for songbirds and raptors could have a potentially significant impact on raptor populations, many of whom are California Species of Special Concern. | Class II | BIO-27 | No. Remains Class II. |
| BIO-33 | **Weed invasion**. Landscaping with weedy species in the proposed newly urbanized areas could have a potentially significant impact on the remaining acreages of native plant communities by displacing native species and thus significantly altering habitat characteristics and ecological functions.<br>These weedy species include iceplant, pampas grass, veldt grass, eucalyptus, spiny clotbur and Australian fireweed. | Class II | BIO-28 | No. Remains Class II. |

| OCP EIR Impact | Impact Summary | OCP EIR Impact Type | OCP EIR Mitigation | Impact Modified by Proposed Project? |
|---|---|---|---|---|
| **Key Site 21 Analysis** | | | | |
| KS21-BIO-1 | **Loss of Vegetation and Habitat**. Development of residential units, the hiking trail and the extension of sewer lines would lead to potentially significant impacts to riparian vegetation along the drainage corridors, coastal sage scrub, eucalyptus, and two sensitive plant species through the construction of roads and building sites. | Class II | KS21-BIO-1<br>KS21-BIO-2 | No. Remains Class II. |
| KS21-BIO-2 | **Impacts to Wildlife**. Development would create potentially significant impacts to wildlife through disturbance of habitat by domestic animals, disturbance from noise and light sources, and disruption of wildlife migration routes. | Class I | KS21-BIO-1<br>KS21-BIO-2<br>KS21-BIO-3 | Yes. Class II. See analysis for Impact BIO-5 below. |

The commenter expresses the opinion that the project avoids and/or significantly reduces impacts to most biological resources and is superior to the anticipated development on Key Site 21 under the 1995 OCP EIR. The analysis of biological impacts from the 1995 OCP EIR are discussed in Section 4.4.2, Previous Environmental Review. The 1995 OCP EIR concluded that impacts to riparian vegetation would be reduced to a less than significant level but impacts to wildlife and loss of habitat in general would remain significant and unavoidable. A detailed summary of impacts to biological resources identified in the 1995 OCP EIR and a discussion of impacts that would be modified by the proposed project is included in Table 4.4.2. In addition, potential alternatives to the proposed project are discussed in Section 6, Alternatives, including alternatives evaluated in the 1995 OCP EIR. This comment does not specifically address the adequacy or accuracy of the Draft SEIR and will be forwarded to County decision-makers for their consideration.

## Response 17.8

The commenter states that they do not have any comments on the Methodology and Significance Thresholds in Section 4.4, Biological Resources, of the Draft SEIR.

## Response 17.9

The commenter states that the USFWS and CDFW are Responsible and/or Trustee Agencies and have regulatory authority over federally- and State-listed species. With regard to mitigation measures for CTS, the commenter states that mitigation measures should be written to allow for the co-occurring, yet independent incidental permit processes to proceed without unnecessary CEQA constraints or restrictions, with specific reference to a 2:1 mitigation ratio for impacts to CTS upland habitat. The commenter notes that on-site mitigation is acceptable to CDFW, and that USFWS does not use ratios to determine compensatory mitigation quantities.

Pursuant to the mitigation requirements under CEQA, the County cannot defer mitigation requirements to responsible agencies. Mitigation Measure BIO-2(c) includes quantitative mitigation requirements with specific performance standards for potential impacts to CTS, which is adequate to comply with the requirements of CEQA as well as applicable County policies and permitting agency procedures. Although the USFWS utilizes reproductive units as the unit of measure for determining CTS impacts and compensatory mitigation, common practice involves converting reproductive units to acreage. Therefore, the mitigation ratio based on acreage in Mitigation

Measure BIO-2(c) is appropriate for determining whether the requirements set by the USFWS to obtain an ITP would meet the minimum mitigation requirements of the Draft SEIR or additional mitigation area would need to be acquired.

## Response 17.10

The commenter notes differences between the USFWS and CDFW methodologies for analyzing impacts to and determining mitigation for CTS. The commenter disagrees with the USFWS approach of considering off-site mitigation the only possible route for compensatory mitigation, and notes that CDFW continues to use mitigation ratios and is supportive of on-site and off-site mitigation. The commenter states that mitigation measures need to allow flexibility for compensatory mitigation to satisfy future ITPs from the USFWS and CDFW in order to be consistent with the Federal and State Endangered Species Acts. Mitigation Measure BIO-2(c), requires CTS compensatory mitigation be conducted off-site if impacts to CTS cannot be avoided on the project site. This approach is intended to maximize the conservation value of mitigation tot eh benefit of the impacted species and is consistent with both the USFWS and CDFW methods described by the commenter which allow for off-site mitigation. On-site mitigation would not be consistent with USFWS guidance. Also refer to Response 17.9, which outlines the adequacy of the mitigation measures for potential impacts to CTS in the Draft SEIR with regard to USFWS and CDFW requirements and recommendations in obtaining an ITP.

## Response 17.11

The commenter states that the evaluation of the potential for black-flowered fig wort to occur on the project site, as discussed in Impact BIO-1 in Section 4.4, *Biological Resources*, of the Draft EIR, misrepresents the findings of the botanical surveys conducted for the project by LFR and Dudek. The commenter contests that black-flowered fig wort does not occur on Key Site 21. Impact BIO-1 recognizes that no special status plant were detected within the development footprints for the two communities during the botanical surveys. Nevertheless, Impact BIO-1 has been revised as follows for clarity in response to this comment:

> … In addition, black-flowered figwort was potentially observed during the ~~2016~~ 2004/2005 surveys. However, the specimen was not blooming or identifiable and therefore could only be identified as *Scrophularia* sp. In addition, during 2016 surveys no *Scrophularia* sp. were found at the location of the population noted in 2004/005. California figwort (*Scrophularia californica*) were positively identified on site associated with the Coyote Brush Scrub Alliance.

## Response 17.12

The commenter states that no impacts to special status plant species should be expected from development of the project on Key Site 21 and that requiring additional botanical surveys (Mitigation Measure BIO-1[a]) is not warranted. Potential impacts to special-status species as a result of the project were determined based on the potential for occurrence provided in Table 8 of the Dudek report. The life span of protocol survey results are limited and, in some cases, require yearly surveys in grassland habitats where annual and short-lived perennial plants are major floristic components, such as those found on-site (Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities CDFW 2018). Therefore, impacts to special status plant species at the time of project construction cannot reasonably be ruled out at this time. Mitigation Measure BIO-1(a), which requires pre-construction surveys for special-status plant species, is required prior to construction in order to verify the presence or absence and, if

necessary, determine the abundance and distribution of special status plants on Key Site 21 at the time of project construction.

## Response 17.13

The commenter concurs with Mitigation Measure BIO-1(a) with regard to conducting seasonally-timed botanical surveys for the proposed sewer line easement, and states that implementation of Mitigation Measure BIO-1(b) is prudent if special status plant species are observed along the sewer line easement. This comment will be forwarded to County decision-makers for their consideration.

## Response 17.14

The commenter states that the Draft SEIR misrepresents the project report findings related to potentially suitable aquatic habitat for the CTS. Refer to Response 17.19 which addresses the appropriateness of a conservative approach to analysis of impacts to CTS used in the Draft EIR regarding potentially suitable aquatic habitat for CTS based on currently available information and reports pertaining to biological resources on the project site.

## Response 17.15

The commenter notes the Draft SEIR impact findings relating to CTS. The commenter concurs that impacts to CTS would occur through individual and upland habitat impacts, but that the upland habitat is of poor quality due to scattered Botta's pocket gopher (*Thomomys bottae*) burrows and lack of California ground squirrel (*Otospermophilus beecheyi*) burrows. The commenter states that the grass in the open space area is dense and difficult for CTS to travel through and disagrees that project impacts would occur to CTS breeding habitat. Refer to Response 17.19 which addresses the appropriateness of conservative approach to analysis of impacts to CTS used in the Draft EIR regarding potentially suitable aquatic habitat within for CTS based on currently available information and reports regarding pertaining to biological resources on the project site

## Response 17.16

The commenter provides text recommendations for clarity in the CTS impact analysis under Impact BIO-2 in the Draft SEIR. Impact BIO-2 has been revised as follows:

> …In addition, the basin (refer to Figure 4.4-2) in the northwest corner of Key Site 21 on the RMGC public golf course ~~the project site~~ is identified as SAMA-21, a known breeding pond, by the USFWS (2010). The drift fence study conducted in the winter of 2004-2005 as well as aquatic survey conducted the RMGC in 2017 detected CTS within Key Site 21.

The commenter states that no additional known or potential CTS breeding pools occur on the project site, but that low quality upland habitat is located on the site. Impacts to CTS upland habitat are addressed in Impact BIO-2 in the Draft SEIR. Also refer to Response 17.19 regarding potentially suitable aquatic habitat for CTS.

The commenter states that burrow excavations in disturbed areas will be necessary during project construction to reduce the potential for individual CTS take. Avoidance and minimization measures, such as burrow excavations, that require authorization under an ITP to conduct, would be included in such permit(s). Additionally, the mitigation measures included in the Draft SEIR are intended to avoid and minimize impacts without the potential for conflict with the Federal and State Endangered Species Acts.

The commenter states they do not agree with the Class I finding for potential impacts to CTS because the CTS population is isolated, upland habitat quality is poor, compensatory mitigation for the metapopulation will be achieved per the Recovery Plan and ITP process and, on-site mitigation will enhance habitat for the breeding CTS population at SAMA-21. As discussed under Impact BIO-2, impacts were determined to remain significant and unavoidable because off-site compensatory mitigation requirements (Mitigation Measure BIO-2[c]) may not be feasible due to lack of available off-site locations for CTS compensatory mitigation within the West Santa Maria/Orcutt metapopulation area.

## Response 17.17

The commenter provides a narrative disputing the assessment that the site contains potentially suitable aquatic habitat for CRLF. Also refer to Response 17.19 regarding potentially suitable aquatic habitat for CTS.

The commenter recommends that pre/post rain event monitoring of project construction during the wet-season (November through April) be required for the project because frogs may disperse to and from breeding ponds during this season. Mitigation Measure BIO-2(e) includes CRLF avoidance and minimization measures. As shown in Response 5.16, Bullet "d" in Mitigation Measure BIO-2(e), has also been revised to incorporate CRLF and limit initial ground disturbance generally within upland areas from July 15 to October 15.

## Response 17.18

The commenter states that not all wetlands are suitable VPFS habitat and that the areas of potential impact included in Impact BIO-2 are likely incorrect. The commenter states that protocol surveys will determine the presence or absence of this species and determine if the project will potentially impact the VPFS. Based on the information currently available regarding the potential for occurrence of VPFS onsite and lack of protocol surveys, the evaluation of potential impacts in the Draft SEIR utilized a conservative approach for quantifying the amount of VPFS habitat and accounts for the full extent of potentially suitable habitat located on the project site. Additionally, Mitigation Measure BIO-2(i) addresses the identification of occupied habitat as well as corresponding compensatory mitigation requirements.

## Response 17.19

The commenter confirms the relevancy of Mitigation Measures BIO-2(a) regarding USFWS and CDFW consultation, and notes that informal consultation has been on-going with these agencies since 2016. The commenter states that the project applicant will continue to work with Orcutt LLC, USFWS, and CDFW to acquire ITPs through Section 10 for the CTS, CRLF, and potentially the VPFS and through California Fish and Game Code 2081 for the CTS. The commenter indicates that they have no comment on Mitigation Measure BIO-2(b). These comments will be forwarded to County decision-makers for their consideration.

With regard to Mitigation Measure BIO-2(c), the commenter states that the Draft SEIR should not be restricted to off-site compensatory mitigation opportunities or set values to mitigation. The commenter provides recommended edits to BIO-2(c) which include removal of CRLF as well as mitigation ratios and requirements that mitigation be accomplished off-site. This comment is addressed in Responses 17.9 and 17.10, and no revisions to Mitigation Measure BIO-2(c) are warranted.

The commenter states that there are no impacts to CTS or CRLF breeding (aquatic habitat). The Biological Resources Assessment prepared by Dudek in 2019 for the project fails to determine whether the wetland areas located in the northeastern portion of the project site or any other wetlands (all of which are within dispersal distance from SAMA-21) on the site are or are not currently suitable aquatic habitat for CTS. The report also states "As currently proposed, the project will not impact this man-made pond; however, use of the project site by CRLF is not known definitively and other ponding locations and/ or upland habitats within and adjacent to the project site may be used by this species." Feedback received during the Draft SEIR scoping process also identified the need for "… a more detailed description (size, character, and hydro-period) and mapping of where those features occur should be included in the Report. Current protocol level surveys to determine presence/absence of CRLF should also be considered. Wetland features in the northeastern portion of the study area appear to have the most potential in this regard" (Storrer Environmental Services 2018). Because information regarding the suitability of on-site wetland features is lacking and in order to maintain the adequacy of the impact analysis, impacts were based on a conservative assessment of habitat and assumes all areas of potential aquatic habitat (i.e. wetlands) onsite, including those on the northeast portion of the project site, as being potentially occupied.

## Response 17.20

The commenter concurs that the HMMP components detailed in Mitigation Measure BIO-2(d) are acceptable. The commenter states that the applicant shall coordinate with the USFWS and CDFW for approval of the HMMP in conjunction with County approval. Accordingly, the Plan Requirements and Timing for Mitigation Measure BIO-2(d) has been revised as follows:

> **Plan Requirements and Timing.** The HMMP shall be submitted to Planning and Development, USFWS and CDFW for review and approval prior to zoning clearance issuance for grading. Proof of purchase or an easement controlling off-site acreage shall also be submitted to Planning and Development prior to zoning clearance issuance for grading.

## Response 17.21

The commenter provides recommended revisions to Mitigation Measure BIO-2(d) regarding review of the HMMP by the USFWS and CDFW. Refer to Response 17.20 for revisions to Mitigation Measure BIO-2(d) to identify USFWS and CDFW as review and approval authorities for the HMMP.

## Response 17.22

The commenter states that avoidance measures in Mitigation Measure BIO-2(e) will be reviewed through the "HCP/2081.1" ITP process. The commenter encourages the applicant to coordinate with USFWS and CDFW regarding avoidance measures that may be incorporated into an ITP(s) with consideration of Mitigation Measure BIO-2(e). These comments will be forwarded to County decision-makers for their consideration.

The commenter also provides the following notes and suggested revisions to the language in bullets "a," "c," and "d" in Mitigation Measure BIO-2(e):

a. The commenter states that dry-weather surveys for CTS are challenging because they inhabit small mammal burrows in the spring through the fall, and that ITPs will have additional pre-construction survey measures for CTS and CRLF. This comment will be forwarded to County

decision-makers for their consideration, and the County acknowledges that additional pre-construction survey requirements may be required by the USFWS and CDFW.

c. The commenter proposes revisions to this measure to remove the seasonal work restrictions within/adjacent to aquatic habitats if CTS or CRLF are not found during pre-construction surveys. Due to known occurrences of CTS and CRLF on Key Site 21, the conditions of this measure are appropriate as is and no revisions are necessary in response to this comment. Also refer to Response 5.15.

d. The commenter provides recommended revisions to this measure to change the construction period limitations. The existing construction limitations in this measure are adequate and no additional revisions are necessary in response to this comment. Also refer to Response 5.16.

## Response 17.23

The commenter states they have no comment on Mitigation Measure BIO-2(i).

## Response 17.24

The commenter agrees that impacts to the Monarch butterfly are less than significant and that no mitigation measures are warranted. The commenter provides additional details regarding Monarch butterfly overwinter aggregation Site 7, located 700 feet north of the isolated stand of eucalyptus trees that would be impacted by the project. The commenter adds that Site 7 (located on the public golf course) would not be impacted by the project. The Monarch Butterfly impact analysis discussion under Impact BIO-2 has been revised with this new information as follows:

*Monarch Butterfly*

The project could result in the potential loss or degradation of monarch butterflies autumnal and over-wintering habitat.

Monarchs are known to migrate through the area during winter months along the coastal strip from Los Angeles to Santa Barbara with a known autumnal site on the public golf course. <u>The autumnal site is not located on the project site and no impacts to the site are expected.</u> The project site <u>does</u> provide~~s~~ suitable roosting habitat in the form of a large mixed eucalyptus windbreaks in the central, central-northern, and central-eastern portions of the site. The project will permanently impact approximately 0.49 acres of eucalyptus stands on the site. Due to the small overall impact area to eucalyptus stands (compared to the 5.08 total acres which occur on Key Site 21), the impact would be considered minimal to monarch butterflies. In addition, long-term indirect impacts from development would be minimal in comparison to existing disturbances of the golf course. Therefore, impacts to monarch butterflies would be less than significant.

## Response 17.25

The commenter states they concur with the Draft SEIR finding that impacts to reptile species of special concern would be less than significant and no mitigation measures are warranted. This comment will be forwarded to County decision-makers for their consideration.

## Response 17.26

The commenter states they concur with the Draft SEIR finding that impacts to western spadefoot from the project are potentially significant and that Mitigation Measure BIO-2(f) is acceptable. This comment will be forwarded to County decision-makers for their consideration.

## Response 17.27

The commenter states they concur with the Draft SEIR finding that impacts to special-status mammals would be less than significant. This comment will be forwarded to County decision-makers for their consideration.

## Response 17.28

The commenter states that they concur with the Draft SEIR finding that impacts to special status bird species would be less than significant, and that Mitigation Measure BIO-2(g), requiring preconstruction surveys for nesting birds and raptors, is acceptable. The Draft SEIR concludes that impacts to special status birds, nesting birds, and nesting raptors are potentially significant. Nonetheless, Mitigation Measure BIO-2(g) is required for the project, and this comment will be forwarded to County decision-makers for their consideration.

## Response 17.29

The commenter notes the low potential for the burrowing owl to occur on the project site and that no burrows suitable for the species were identified on the site during 2015-2016 field surveys. The commenter states that nesting or wintering burrowing owls are not expected to occur on-site. The commenter states that Mitigation Measure BIO-2(h) deviates from standard burrowing owl mitigation, with reference to the Staff Report on Burrowing Owl Mitigation State of California Natural Resources Agency Department of Fish and Game (2012). The commenter describes the methodologies for project impact evaluations. Mitigation Measure BIO-2(h) is intended to avoid and minimize impacts to the burrowing owl if found nesting onsite at the time of project construction, and the methodology proposed by the commenter would not fulfill that purpose. Nevertheless, Mitigation Measure BIO-2(h) has been revised for clarity as follows:

*BIO-2(h) Burrowing Owl Avoidance and Minimization Measures*

The following measures shall be implemented in order to avoid and minimize impacts to burrowing owl.

a. Ground-disturbance activities associated with construction of the project shall begin outside of the burrowing owl nesting season (nesting season is typically February 1 through September 15).

b. Not more than 30 days prior to initiation of ground-disturbing activities, and again within 24-hours of the initiation of ground-disturbing activities associated with construction, a County-approved biologist shall conduct a take avoidance survey of the project site and surrounding areas to a distance of 150 meters, in accordance with the methods outlined in the Mitigation Methods –Pre-construction and Appendix D Surveys for Take Avoidance of the CDFG Staff Report on Burrowing Owl Mitigation (CDFG 2012). […]

## Response 17.30

The commenter provides recommended text to revise Mitigation Measure BIO-2(h). Mitigation Measure BIO-2(h) is adequate for avoiding take of burrowing owl. Also refer to Response 17.29.

## Response 17.31

The commenter states that they have no comments on Mitigation Measures BIO-2(i) and BIO-2(k) related to conducting a worker environmental awareness program and incorporation of species protection measures into the Open Space Management Plan, respectively.

## Response 17.32

The commenter concurs with the 2:1 mitigation ratio specified in Mitigation Measure BIO-3(b). The commenter expresses concern that impacts to riparian habitat that contains willow trees should not be mitigated twice, with reference to Mitigation Measure BIO-6(b). Mitigation Measure BIO-6(b) has been revised for clarity as follows:

*BIO-6(b) Tree Replacement Plan*

For protected trees that require removal, a Tree Replacement Plan shall be prepared and/or incorporated into the Final OSMP (depending upon on site and/or off-site replacement) by a certified arborist or landscape architect. The tree replacement plan shall be designed to replace native trees removed by the proposed project at a ratio of 10:1 (trees planted: trees impacted) for oak trees, 3:1 (trees planted: trees impacted) for arroyo willow, and 1:1 (native trees planted: non-native trees impacted) for non-native trees. Upon final design, the applicant's biologist shall determine the final impacts to protected trees and the subsequent number of replacement plantings needed for restoration for the project. Replacement trees shall be installed on-site. Required arroyo willow replacement trees may also be incorporated as a component of mitigation sites (under Mitigation Measure BIO-3[b]) required to mitigate for impacts to sensitive vegetation communities where this species is found. Monitoring of planted trees shall be for a minimum of seven years or until stasis has been determined by a certified arborist. The plan shall include the following components at a minimum:

## Response 17.33

The commenter concurs with the analysis of impacts to wetlands and riparian habitats. The commenter notes that the project applicant has and will continue to engage with, submit permits, and coordinate with appropriate agencies, as necessary. The commenter references Mitigation Measure BIO-3(c) and suggests that a 1:1 mitigation ratio is appropriate for temporary impacts to wetlands and riparian areas. Mitigation Measure BIO-3(c) requires invasive weed prevention BMPs and does not pertain to wetland compensatory mitigation. The commenter also requests that a minimum of a 1:1 mitigation ratio for permanent impacts to wetlands containing a dominance of invasive and non-native vegetation be included in Mitigation Measure BIO-4(a). Mitigation Measure BIO-4(a) refers to Agency Coordination and does not pertain to wetland compensatory mitigation. The following revision to Mitigation Measure BIO-4(c) incorporates a minimum 1:1 mitigation ratio for temporary impacts as no ratio for temporary impacts was initially included in the measure. The commenter states that the County, the U.S. Army Corps of Engineers, Regional Water Quality Control Board, and CDFW will have to approve the restoration site(s). This information is also incorporated into the revised measure as follows.

*BIO-4(c) Wetland and Drainage Mitigation*

Impacts to wetlands and drainages shall be mitigated at a minimum ratio of 2:1 (acres of habitat restored to acres impacted) for permanent impacts and minimum ratio of 1:1 (acres of habitat restored to acres impacted) for temporary impacts. Upon final design, the County-approved biologist shall determine the final impacts to wetlands and the subsequent amount of acreage needed for restoration for the project. Restoration on the project site is preferable. However, the County may approve off-site restoration at a location in the same watershed as the project (Upper Orcutt Creek; HUC180600080501) that results in equal compensatory value if the applicant can demonstrate to the County's satisfaction that restoration on the project site cannot be achieved. The Draft OSMP shall be revised or an Off-Site Restoration Plan developed by a County-approved biologist in accordance with Mitigation Measure BIO-3(a) above and shall be implemented for no less than five years after construction, or until the local jurisdiction and/or the permitting authority (e.g., USACE) has determined that restoration has been successful.

**Plan Requirements and Timing.** The applicant shall submit the revised OSMP or off-site Restoration Plan to Planning and Development as well as U.S. Army Corps of Engineers and/or Regional Water Quality Control Board, and/or California Department of Fish and Wildlife (depending upon the agencies permitting authority over the project) for review and approval prior to issuance of grading permits.

**Monitoring.** Planning and Development shall ensure that impacts to wetlands from the proposed development are properly mitigated for.

## Response 17.34

The commenter concurs with the Draft SEIR finding in Impact BIO-5 that impacts to wildlife movement would be significant. The commenter provides additional information pertaining to the limited potential for CTS to move into the development area. The commenter also states that it is unlikely that the project would substantially interfere with the movement of native wildlife species. The impact analysis presented in the Draft SEIR is adequate, and this comment will be forwarded to County decision-makers for their consideration.

The commenter notes that the hiking and trailhead parking lot would be facilitated by an easement granted to Santa Barbara County Parks for public access and would not be located in a "biologically sensitive area." The commenter's statements that the Santa Barbara County Parks would be responsible for public trail and signage maintenance and that interpretive signage developed by a biologist would not be needed are incorrect. The commenter provides recommended text edits to Bullet "b" in Mitigation Measure BIO-5(a) requiring the Santa Barbara Parks Department to develop and maintain educational signage instead of the developer or HOA.

The HOA would develop and install all educational signage in coordination with a biologist due to the known presence of sensitive biological species onsite, such as CTS and CRLF. Santa Barbara County Parks would maintain all signage located on public hiking trails following installation and the HOA would maintain all additional interpretive signage located outside of hiking and trailhead easement.

## Response 17.35

The commenter provides background regarding discussions with the USFWS and CDFW regarding soft bottom culverts. The commenter states that the USFWS will not accept on-site mitigation

within the boundaries of the Western Santa Maria/Orcutt Metapopulation of the CTS. The commenter expresses support for Mitigation Measure BIO-5(d) but believes it to be unachievable as currently written. The commenter requests that Mitigation Measure BIO-5(d) be removed from the Draft SEIR. The intent of Mitigation Measure BIO-5(d) is to address impediments to wildlife movement for species such as CTS, as noted in the measure. Impact BIO-5 addresses wildlife movement taking into account all native species (including CTS). Regardless of on-site versus off-site compensatory mitigation options as it relates to the Federal and State Endangered Species Acts, Mitigation Measure BIO 5-(d) is required to address the impact of construction of roadways to general small wildlife movement identified in Impact BIO-5.

## Response 17.36

The commenter concurs with the Draft SEIR finding discussed under Impact BIO-6 that impacts to protected trees from the project are potentially significant. The commenter states that Mitigation Measures BIO-6(a) and BIO-6(b) are acceptable, and notes that willow replacement trees shall be incorporated into the Final Open Space Management Plan and HMMP for riparian and/or wetland habitat restoration. Refer to Response 17.32, which describes revisions to Mitigation Measure BIO-6(b) including the specification that arroyo willow replacement trees may be incorporated as a component of mitigation sites.

## Response 17.37

The commenter states that they concur with the Draft SEIR finding that impacts to environmentally sensitive vegetation for fuel management purposes are potentially significant. The commenter then states that Mitigation Measure BIO-7 is acceptable. This comment will be forwarded to County decision-makers for their consideration.

## Response 17.38

The commenter states that the Draft SEIR does not mention the population of CTS that breeds on the RMGC public golf course (SAMA-21) and uses the golf course and neighboring areas on Key Site 21 for dispersal and upland habitat. As discussed in Response 5.7, Section 4.4, Biological Resources, identifies SAMA-21 as a known breeding site based on previous data identifying it as such by USFWS. The project would remove upland habitat for an already largely isolated population of CTS, further isolating it. The removal of upland habitat in this context and given that compensatory mitigation opportunities for this isolated population may not be feasible, the Class I determination for cumulative impacts to sensitive species is considered appropriate. The commenter states that the Draft SEIR incorrectly concludes that impacts to aquatic habitat where CTS and CRLF are known to breed would be significant and unavoidable. Refer to response 17.19 which addresses the appropriateness of conservative approach to analysis of impacts to CTS and CRLF used in the Draft EIR.

August 5, 2019

Letter 18

Ms. Dana Eady, Planner
Development Review Division
Planning & Development, Santa Barbara County
624 West Foster Road, Suite C
Santa Maria, CA 93455

**RE:** *Comment Letter*
*The Neighborhoods Specific Plan Project Draft Supplemental Environmental Impact Report*
*Orcutt Area, Santa Barbara County*

Dear Ms. Eady:

Thank you for the opportunity to review and comment on the Draft Supplemental Environmental Impact Report (SEIR) for the Neighborhoods Specific Plan Project (Project) on the behalf of the project applicant, Orcutt Rancho LLC. Each comment references the SEIR page and paragraph of the concern addressed.

Where appropriate, revised wording to refine and clarify the Draft SEIR text is provided in underline (additions) and strikeout (deleted) text.

**General Comments**

1. This document is titled a Supplemental Environmental Impact Report, but the relationship of this analysis to the document it tiers from, the Orcutt General Plan (OCP) Environmental Impact Report 95-EIR-01, is inadequately explained. Instead, the Supplemental Environmental Impact Report is perceived as a completely new analysis of impacts related to a project that was programmatically assessed as OCP Key Site 21. This is particularly significant in that Key Site 21 was programmatically approved as a 150-unt residential development, while the proposed Project would result in fewer units (146) within the same development footprint. 18.1
2. The following information is necessary to explain the relationship between the OCP General Plan EIR.

   **Executive Summary.** The role of the Supplemental Environmental Impact Report, as defined in CEQA Guidelines Section 15163, needs to be included. The fact that the OCP General Plan EIR assessed a 150-unit residential project within Key Site 21, the same development footprint as the proposed Project, needs to be made explicit. The proper location for this statement is appropriately characterized as "History of Environmental Review for Key Site 21," immediately following Summary of Proposed Project. This SEIR structure has been traditionally been presented in SEIRs assessing OCP EIR Key Site analyses, most recently for OCP Key Site 3 (14-EIR-07). 18.2

3. **Introduction.** A section "History of Environmental Review for Key Site 21" is appropriately included in Section 1.1 Project Background, to immediately provide the reader sufficient context for understanding the planning of the proposed 146-unit Project, four fewer units than the programmatically approved OCP Key Site 21. This introduction must describe all impacts and their respective residual impact: Class I, significant and unavoidable; Class II, significant but feasibly mitigated to less than significant; Class III, adverse, but less than significant; and Class IV, beneficial. 18.3
4. **Section 4.0, Environmental Analysis Chapters.** It is appropriate and instructive to understand the relationship of the programmatically approved Key Site 21 project to the proposed Project to summarize each of the impacts under a particular environmental resource at the beginning of each chapter. This can be done easily in tabular or bulleted paragraph format. 18.4
5. It is appropriate and instructive to include in the residual impact analysis at the end of each resource impact if the proposed Project impact would be greater than, similar or equal to, or less than the Key Site 21 project impact. 18.5

These clarifications are addressed in detail in relation to the appropriate SEIR section.

6. **Page ES-1. Paragraph 3**. Project objectives should be identified after the Project Description. 18.6

7. **Page ES-1. Paragraph 3.** The purpose of the Supplemental Environmental Impact Report is appropriately included after Project Objectives, as follows. 18.7

"**History of Environmental Review for Key Site 21.**

A 150-residential unit development within the proposed Project site was previously analyzed at a programmatic level as Key Site 21 in the Orcutt Community Plan EIR (95-EIR-01). Projected in the OCP EIR identified impacts, mitigation measures, and alternatives to the Key Site 21 150-unit project. This programmatic analysis was intended to provide the foundation subsequent development proposals within the proposed Project site.

**Supplemental Impact Report**

The analysis of the proposed Project complies with the direction provided in CEQA Guidelines 15162 and 15163. The Supplement to an EIR is prepared when:

*(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*

*(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due*

*to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*

*(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:*

*(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*

*(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;*

*(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*

*(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

This Supplemental Impact Report identifies changes to the proposed Project description and to the environmental setting relative to the programmatically approved OCP Key Site 21 project."

18.7 cont.

8. **Page ES-2. Additional Alternatives Considered in this SEIR.** This letter addresses the feasibility of SEIR Alternatives as defined by CEQA Guidelines Section 15126.6, finding that the No Project Alternative is appropriately defined as consistent with 150-unit Key Site 21 buildout, and that Alternative 2 and 3 allowing only one Neighborhood buildout would not feasibly achieve most of the basic project objectives. This summary would need to reflect these changes discussed later in this comment letter. 18.8

9. **Page ES-2 Summary of Impacts and Mitigation Measures**. The environmental impacts and residual impact level associated with OCP EIR Key Site 21 buildout should be summarized in advance of Table ES-1 in order to provide a comparison with the analysis to the proposed Project that is required by CEQA Guidelines Section 15163, Supplement to and EIR. 18.9

10. **Page ES-26, Paragraph 3; Page 4.4-54, Paragraph 10. BIO-5(a) Wildlife Impact Avoidance.** The hiking trail & trailhead parking lot would be a result of an easement granted to Santa Barbara County Parks for public access. Therefore, Santa Barbara County Parks would be responsible for public trail maintenance and signage. This trail would not be located in a "biologically sensitive area." Therefore, interpretive signage developed by a biologist is not needed. The following revisions are required. 18.10

b. Appropriate signage warning residents of the potential presence of wild animals on roadways and bike paths shall be installed along roads adjacent to open space areas. Interpretative educational signage discussing sensitive resources on site (oak woodland, rare plants and animals etc.) shall be installed along all bike paths, hiking trails and rest areas. Information on educational signage shall be prepared and maintained by the Santa Barbara Parks Department. ~~developed by a County approved biologist. Such signage shall be maintained by the developer or HOA.~~ 18.10 cont.

11. **Page ES-26, Paragraph. 3; Page 4.5-8, Paragraph 2. Mitigation Measure CUL-1(a ) Avoidance of Site CA-SBA-1169/H Monitoring**. The Monitoring component of this measure erroneously references submittal of an avoidance plan to the County Historic Landmarks Advisory Commission (HLAC). The HLAC only have recommended review authority over County Historic Landmarks. The following revisions are required. 18.11

    **Monitoring.** Planning & Development staff shall ensure receipt of the revised site plan. ~~and distribution of the plan to the County Historic Landmarks Advisory Commission~~. Permit Compliance shall ensure that the plan is implemented prior to construction.

12. **Page 1-1, Section 1.1.2 Relationship of the Project to the Orcutt Community Plan**. This section fails to provide a summary of the Class I, II, III, and IV impacts identified in projected in the OCP EIR associated with Key Site 21 150-unit buildout. This is required to address and illustrate the relationship of the proposed Project's impacts relative to those previously identified. 18.12
13. **Page 1-2, Paragraph 3.** "A summary of impacts projected and identified in the OCP EIR and applicable mitigation identified in the OCP EIR are ~~is~~ included under the heading of Previous Environmental Review in the discussion of each environmental issue area in Section 4, Environmental Impact Analysis." 18.13
14. **Page 1-2, Section 1.1.3 Areas of Known Public Controversy**. These areas of concern need to be compared to those initially identified in projected in the OCP EIR and Key Site 21 analysis and identify which are new. 18.14
15. **Page 1-4, Paragraph 2.** "This SEIR builds upon the programmatic analysis ~~performed~~ identified in the OCP EIR." 18.15
16. **Page 1-4, Paragraph 5**. "In preparing the SEIR, use was made of pertinent County policies and guidelines, existing EIRs and background documents prepared by the County, and documents that guide land use in the neighboring City of Santa Maria. A full reference list is contained in Section 7, References, of this SEIR." 18.16

    Environmental documentation provided by the applicant, including technical studies, must be referenced here.

17. **Page 1-5, Paragraph 4, Section 1.5 Environmental Review Process**. This section must address the specific characteristics of preparing a Supplemental Environmental Impact Report (SEIR) under CEQA Guidelines Section 15163. Projected in the OCP EIR Key Site 21 previously evaluated a project of up to 150 single family residences on the Project site. 18.17

18. **Page 2-13, Paragraph 6, Section 2.6 Project Objectives**. The SEIR states, "The primary objectives for the Key Site 21 project are as follows:

    - To develop the site consistent with the Orcutt Community Plan designation as one of the major residential Key Sites identified for future development."

    And in bullet paragraph 3,

    - "To provide single family homes to meet the needs of the Orcutt Community, the County of Santa Barbara, and the State of California by constructing up to 146 homes to help meet the demand to construct 350,000 homes annually for the next seven years to address the current State-wide housing shortage of two million units." 18.18

    The third paragraph should be incorporated with the first paragraph to illustrate the manner in which the proposed project is consistent with the OCP allowed density of up to 150 single-family residences. The proposed Project provides less than this density.

    - "To develop the site consistent with the Orcutt Community Plan Key Site 21 designation allowing up to 150 single-family homes ~~as one of the major residential Key Sites 21 identified for future development.~~ by constructing 146 homes to help meet the demand to construct 350,000 homes annually for the next seven years to address the current State-wide housing shortage of two million units."

19. **Page 2-10, Paragraph 3. Sustainable Design Features**. California Energy Commission Title 24 Building Energy Efficiency Standards have been revised since the submittal of the proposed project application, requiring provision of solar collectors on all residential units built after 2020. Therefore, the following revisions are required. 18.19

    "The proposed Specific Plan would incorporate the following sustainable design features: 1) providing homes with rooftop ~~wiring for future access to~~ solar collectors ~~power~~ for electrical energy use; 2) energy efficiency improvements (achieving the California Energy Commission Title 24 Building Energy Efficiency Standards);

20. **Page 2-10, Paragraph 3, Open Space Areas.** Refer to OCP Key Site 21 requirements and explain that the Project provides for equivalent area as envisioned. 18.20

21. **Page 3-2, Paragraph 5, Cumulative Impact Analysis.** The SEIR does not explicitly state that the list of related projects considered for cumulative impact analysis has been determined at the time of SEIR Notice of Preparation (NOP). According to CEQA Guidelines Section 15125(a), this is the point in time used to generally define the environmental setting and related projects analyzed in an EIR or SEIR. CEQA does not, however, preclude the addition of related projects after the NOP that have an important bearing on proposed project cumulative impact assessment.

    The project applicant team was made aware of plans by the Laguna County Sanitation District (LCSD) to deliver reclaimed irrigation water to the RMGC (Marty Wilder, Laguna County Sanitation District, July 16, 2019). The planning of the reclaimed water importation to the site has been under preparation since 2010 (Final Rancho Maria Golf Course Adaptive Management Plan, CH2MHILL, 5/3/2010; this document was provided to you by the project applicant team on 7/18/19), but a means to fund its physical conveyance has not been identified. LCSD intends to condition the proposed Project applicant to design a utility layout that allows adequate space for a lateral pipeline from SH 1 to provide distribution to the golf course. The pipeline would be constructed within the existing easement for the proposed Project sewer lateral by LCSD. The proposed Project could also use the imported reclaimed water for common open space landscape area irrigation. 18.21

    This related project would have a long-term beneficial impact by reducing the potable water presently used by RMGC for irrigation and would reduce the proposed Project's fresh water demand. Discussion of this action is therefore appropriately discussed in the SEIR.

22. **Page 3-3, Paragraph 3, Cumulative Impact Analysis.** A figure is required to illustrate the relationship of related projects used in the cumulative impact analysis and the proposed Project. This is critical for understanding how the related projects are associated with the Region of Influence for each cumulative impact, as required in CEQA Guidelines Section 15130(B)(2) and (B)(3). 18.22

23. **Page 4-1, Section 4.0 Environmental Impact Analysis.** This section would appropriately address the requirements of a Supplemental Environmental Impact Report as identified in CEQA Guidelines Section 15163. It must explain that the objective of the SEIR is to compare the original environmental impacts of the 150-unit Key Site 21 as identified in projected in the OCP EIR to those resulting from the 146-unit proposed Project. The impact analysis is responsible for identifying if the proposed Project would result in equal, more than, or less than impacts previously identified in projected in the OCP EIR Key Site 21 programmatic EIR. The nature of any change in impact must be described; is any change in impact level a result of the changes in the proposed Project, or are they resulting from a change in the environmental setting. The proposed Project is consistent with the intent and basic objectives of the 150-unit Key Site 21 development. The comparison between projected in the OCP EIR impact levels and the present SEIR should be clearly identified. 18.23

This can be easily achieved by highlighting in bold text the conclusion of the proposed Project's impact relative to the previously approved OCP EIR Key Site 21.

24. **Page 4-1.2, Paragraph 7. Regulatory Setting. The** proposed project is not subject to Hillside Protection Policies reviewed by the North County Board of Architectural Review (NBAR). The following revisions are required.

    "The LUDC contains height and size limits, including guidelines ~~for hillside development~~ that regulate the design of future development, in some cases, through review of project plans by the regional (North County) Board of Architectural Review (NBAR)."

18.24

25. **Page 4-1.3, Paragraph 7. DevStd VIS-O-3.1.** The proposed project does not have a frontage on SH 1, except for the detention basin that is subject to DevStd KS 21-6). Reference to DevStd VIS-O-3.1 should therefore be deleted.

18.25

26. **Page 4.1-6, Paragraph 6. Impact AES-1.** The proposed Project's impact summary statement should include a comparison with the previously certified OCP EIR, as follows:

    **Impact VIS-1.** The Project would alter views from the Rancho Maria Golf Club Public Golf Course and State Route 1 but would not substantially impact nearby scenic vistas or damage scenic resources. This impact would be <u>adverse, but</u> less than significant (Class III), <u>similar to that identified in the OCP EIR</u>.

18.26

    This type of statement would appropriately be repeated throughout the SEIR to clearly illustrate the comparison of projected in the OCP EIR Key Site 21 findings relative to the SEIR for the proposed Project.

27. **Page 4.1-6, Paragraph 8. Impact AES-1**. It is appropriate to disclose that each view corridor illustrated by computer simulations of the proposed Project was identified by Planning & Development staff during a site visit with the Project applicant team. Each of the photograph locations was reviewed and approved by Planning & Development staff.

    "Figure 4.1-1 through Figure 4.1-4 show public views of Key Site 21 as seen from SR 1, including simulated views of the project site with the proposed development with and without planned landscaping. <u>The location of each public view represented in the SEIR was identified by Planning & Development staff during a site visit with the Project applicant team. Each of the photograph locations was reviewed and approved by Planning & Development staff.</u> "

18.27

28. **Page 4.1-15, Paragraph 2**. **Impact AES-1**. Public Parks and recreational areas are not necessarily "significant" visual resources as identified in CEQA. They provide opportunities for public view corridors that are subject to CEQA. The text should be revised as follows:

    "As discussed in Section 4.1.3(a), Methodology and Significance Thresholds, the County's Comprehensive Plan Open Space Element identifies parks and recreational areas as ~~significant~~ important visual resources with aesthetic value."

18.28

29. **Page 4.1-15, Paragraph 3.** The Impact VIS-1 conclusion statement must appropriately compare the proposed Project's impact relative to the previously approved OCP EIR Key Site 21. The SEIR is appropriately revised as follows:

    **"**Overall, the proposed project would not substantially obstruct scenic vistas or damage scenic resources for motorists on SR 1 or users of the public golf course, similar to the impact identified in the OCP EIR ."

30. **Page 4.1-16, Paragraph 2, 5. Impact AES-1**. The SEIR Impact VIS-2 concludes,

    "As discussed in Section 4.1.2, Previous Environmental Review, projected in the OCP EIR identified residential buildout of Key Site 21 as a substantial change in the open space character of the project site, particularly experienced from public view corridors, resulting in a significant and unavoidable impact. The OCP assumed buildout of 150 units, whereas the proposed project would result in 146 units."

    "The reduced residential buildout of the project in comparison to the OCP, combined with the proposed open space areas and agricultural buffers included in the project, would incrementally reduce potential impacts to the visual quality and open space character of the site."

    These paragraphs include the essential conclusion the proposed Project would result in similar impacts on visual resources that were previously identified in projected in the OCP EIR. This comparison, as required for an SEIR in CEQA Guidelines Section 15163, must be highlighted and made clear. The SEIR is appropriately revised as follows:

    "Overall, the change in open space character resulting from buildout of the project would be potentially significant, ~~consistent with~~ similar, but reduced compared to the impacts identified in projected in the OCP EIR."

18.29

31. **Page 4.1-16, Paragraph 6. Impact AES-2. In order to accomplish the requirements of a SEIR as defined** in CEQA Guidelines Section 15163, mitigation measures must be identified as refined from original OCP EIR measures or new measures. It is assumed that the statement "The project would be required to implement OCP EIR Mitigation Measures VIS-3 and VIS-4. These measures shall be implemented through the following mitigation measures:" is stating that each of the measures VIS-2a

18.30

through -2d in the SEIR are not new, such that the significant and unavoidable impact is unchanged from the previously approved Key Site 21 buildout.

32. **Page 4.1-18, Paragraph 1. Impact AES-2.** The SEIR Impact VIS-2 analysis previously states that "the reduced residential buildout of the project in comparison to the OCP, combined with the proposed open space areas and agricultural buffers included in the project, would incrementally reduce potential impacts to the visual quality and open space character of the site. The SEIR analysis clearly states that the proposed Project's Impact VIS-2 would be reduced relative to the previously approved OCP Key 21. Therefore, the SEIR is appropriately revised as follows:
"Therefore, this impact would remain significant and unavoidable (Class I), ~~consistent~~ ~~with~~ but would be incrementally reduced compared to the impact identified in projected in the OCP EIR."

33. **Page 4.1-18, Paragraph 3. Impact AES-3.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    Impact VIS-3. The Project would introduce new sources of light and glare. However, implementation of OCP Development Standards and OCP mitigation measure VIS-2 would reduce this impact to an adverse, but less than significant level (Class II), similar to the impact identified in the OCP EIR.

34. **Page 4.1-19, Paragraph 4. Impact AES-3.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    Implementation of Mitigation Measure AES-3, in addition to Mitigation Measures AES-2 (which includes lighting and glare requirements for development near the open space overlay) and compliance with OCP development standards would reduce this impact to an adverse, but less than significant level (Class II), similar to the impact identified in the OCP EIR.

35. **Page 4.1-20, Paragraph 2. Cumulative Impacts.** The proposed Project's residual cumulative impact statement must include a comparison with the previously certified OCP EIR, as follows:

    "Cumulative impacts associated with new sources of lighting and glare would be less than significant with mitigation (Class II), similar to the impact identified in the OCP EIR."

36. **Page 4.2-10, Paragraph 6. Impact AG-1.** The proposed Project's The proposed Project's impact summary statement must include a comparison with the previously certified OCP EIR, as follows:

    The Project would not convert FMMP-designated prime farmland, unique farmland, or farmland of statewide importance (farmland), would not conflict with existing zoning for agricultural use or a Williamson Act contract, and would not involve any other changes that would convert farmland to non-agricultural use. Impacts to Agricultural Resources would be adverse, but less than significant (Class Iii), less than the impact identified in the OCP EIR.

18.31

37. **Page 4.2-11, Paragraph 5. Cumulative Impacts.** The proposed Project's residual impact statement must include a comparison with the previously certified OCP EIR, as follows:

    "Therefore, the project's contribution to cumulative impacts to agricultural resources would be less than significant (Class III), less than the impact identified in the OCP EIR."

38. **Page 4.3-10, Paragraph 5. Impact AQ-1.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "The project would accommodate new residents in unincorporated Santa Barbara County, but this increase in population would not exceed the SBCAG growth forecasts used to prepare the 2016 ozone plan. This impact would be adverse, but less than significant (Class III), less than the impact identified in the OCP EIR."

18.31 cont.

39. **Page 4.3-11, Paragraph 2. Impact AQ-1.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Therefore, the project would not conflict with or obstruct implementation of the applicable air quality plan, and this impact would be less than significant (Class III), less than the impact identified in the OCP EIR."

40. **Page 4.3-11, Paragraph 5. Impact AQ-2.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Project construction activity would generate temporary increases in criteria air pollutant emissions of ozone precursors, CO, $SO_2$, $PM_{10}$, and $PM_{2.5}$, but these emissions would not significantly degrade regional and local air quality. This impact would be less than significant (Class III), less than the impact identified in the OCP EIR."

41. **Page 4.3-12, Paragraph 1. Impact AQ-2.** Delays in processing the SEIR have resulted in a delay of two years for commencement of construction. Therefore, emissions modeling assumes a more conservative scenario regarding the equipment that would be used. Emission factors calculated assuming a construction commencement in 2019 are a worst case assessment as equipment used in two years will be generally cleaner as older, less efficient pieces are taken out of the construction fleet. Therefore, no recalculation of emissions is necessary. The following revisions are required.

18.32

    "Construction emissions modeling assumed that construction would occur over the course of 55 months, beginning in June 2019 and ending in January 2024, with construction occurring concurrently at both the Willow Creek and Hidden Canyon locations. The estimated commencement of construction is now in June 2021. Emission factors calculated assuming a construction commencement in 2019 are a worst case assessment, as equipment used in two years will be generally cleaner as older, less

efficient pieces are taken out of the construction fleet. Therefore, no recalculation of emissions is necessary."

42. **Page 4.3-13, Paragraph 1. Impact AQ-2.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Therefore, construction-related air quality impacts would be adverse, but less than significant (Class III) ), less than the impact identified in the OCP EIR."

43. **Page 4.3-13, Paragraph 4. Impact AQ-3.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Project construction activity would generate temporary increases in criteria air pollutant emissions of ozone precursors, CO, $SO_2$, $PM_{10}$, and $PM_{2.5}$, but these emissions would not significantly degrade regional and local air quality. this impact would be less than significant (Class III), less than the impact identified in the OCP EIR."

44. **Page 4.3-14, Paragraph 1. Impact AQ-3.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Therefore, project operation would not result in a cumulatively considerable net increase of criteria pollutants for which the project region is in nonattainment, and this impact would be adverse, but less than significant (Class III), less than the impact identified in the OCP EIR."

18.33

45. **Page 4.3-14, Paragraph 4. Impact AQ-4.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Construction and operation of the project would generate emissions of carbon monoxide and toxic air contaminants, which can contribute to human health hazards. however, sensitive receptors would not be exposed to substantial concentrations of these pollutants. This impact would be less than significant (Class III), less than the impact identified in the OCP EIR."

46. **Page 4.3-15, Paragraph 8. Impact AQ-4.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "This impact would be adverse, but less than significant (Class III), less than the impact identified in the OCP EIR."

47. **Page 4.3-16, Paragraph 6, 7, Page 4.3-17, Paragraph 1. Cumulative Impacts.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

"As discussed under Impact AQ-1, the project would not conflict with the 2016 Ozone Plan (Class III), less than the impact identified in the OCP EIR."

"Therefore, the project's contribution to the County's nonattainment status for the State PM10 standard would not be cumulatively considerable (Class III), less than the impact identified in the OCP EIR."

"Therefore, the project's contribution to the County's nonattainment status for the State eight-hour ozone standard and the cumulative impact related to ozone precursor emissions identified by projected in the OCP EIR would not be cumulatively considerable (Class III), less than the impact identified in the OCP EIR."

18.33 cont.

48. **Page 4.4-27, Table 4.4-2. Summary of Biological Impacts.** This table provides an excellent comparison between biological impacts associated with projected in the OCP EIR and the proposed Project. This summary would be appropriately presented in each SEIR resource section. The table, however, fails to provide the level of residual impact associated with each of the proposed Project impacts to facilitate the comparison. It also does not completely provide impact parallels between the two CEQA reviews. The Table is appropriately revised as follows:

| OCP EIR Impact | Impact Level | Proposed Project Impact | Impact Level |
|---|---|---|---|
| BIO-19 | Class I | BIO-3 | Class II |
| BIO-20 | Class I | BIO-4 | Class II |
| BIO-22 | Class II | No | |
| BIO-23 | Class I | BIO-3 | |
| BIO-27 | Class I | BIO-3 | Class II |
| BIO-28 | Class I | No | |
| BIO-30.1 | Class II | No | |
| BIO-31 | Class II | ~~No~~ BIO-6 | Class II |
| BIO-32 | Class II | No | |
| BIO-33 | Class II | No | |
| KS21-BIO-1 | Class II | ~~No~~ BIO-1, BIO-7 | Class II |
| KS21-BIO-2 | Class I | BIO-2, BIO-5 | Class I, Class II |

18.34

49. **Page 4.4-32, Paragraph 6. Impact BIO-1.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "The project would result in impacts to special status plant species. This impact would be Class II, significant but mitigable to less than significant, similar to the OCP EIR."

50. **Page 4.4-34, Paragraph 11. Impact BIO-1.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Implementation of the above mitigation measures would reduce impacts to special status plant species to a less than significant level (Class II), similar to the impact identified in the OCP EIR."

51. **Page 4.4-35, Paragraph 3. Impact BIO-2.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "The project would result in impacts to special status animal species. Impacts to most special status animal species would be Class II, significant but mitigable; however, impacts to California tiger salamander would be Class I, significant and unavoidable, similar to identified in the OCP EIR."

52. **Page 4.4-48, Paragraph 6. Impact BIO-2.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Implementation of the above mitigation measures would reduce impacts to special status animal species to a less than significant level (Class II), similar to the impact identified in the OCP EIR, with the exception of potential impacts to CTS ~~F~~, which require off-site compensatory mitigation (Mitigation Measure BIO-2[c]) that may not be feasible due to lack of available off-site locations for CTS compensatory mitigation within the West Santa Maria/Orcutt metapopulation area. Therefore, potential impacts to CTS would remain significant and unavoidable), similar to the impact identified in the OCP EIR.

53. **Page 4.4-48, Paragraph 8. Impact BIO-3.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "The project would result in impacts to sensitive habitats, including riparian areas. This impact would be Class II, significant but mitigable to less than significant, less than identified in the OCP EIR."

54. **Page 4.4-51, Paragraph 6. Impact BIO-3.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Implementation of the above mitigation measures would reduce impacts to sensitive communities to a less than significant level through compensation for sensitive natural communities and riparian habitat (Class II), less than identified in the OCP EIR.

18.35

55. **Page 4.4-51, Paragraph 8. Impact BIO-4.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "The project would impact state and federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. This impact would be Class II, significant but mitigable to less than significant, less than identified in the OCP EIR."

56. **Page 4.4-54, Paragraph 4. Impact BIO-4.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Implementation of the above mitigation measures would reduce impacts to jurisdictional areas to a less than significant level (Class II), less than identified in the OCP EIR.

57. **Page 4.4-54, Paragraph 6. Impact BIO-5.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "The project would result in impacts to wildlife movement. This impact would be Class II, significant but mitigable to less than significant (Class II), less than identified in the OCP EIR."

18.35 cont.

58. **Page 4.4-56, Paragraph 7. Impact BIO-5.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Implementation of the required mitigation measures would reduce indirect impacts to wildlife movement to a less than significant level (Class II), less than identified in the OCP EIR.

59. **Page 4.4-56, Paragraph 9. Impact BIO-6.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "The project would result in impacts to protected trees. This impact would be Class II, significant but mitigable to less than significant (Class II), similar to identified in the OCP EIR."

60. **Page 4.4-58, Paragraph 7. Impact BIO-6.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Implementation of the required mitigation measures would reduce indirect impacts to protected trees to a less than significant level (Class II), similar to identified in the OCP EIR.

61. **Page 4.4-59, Paragraph 5. Impact BIO-7.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "The project would result in removal and degradation of environmentally sensitive vegetation for fuel management purposes. This impact would be Class II, significant but mitigable to less than significant (Class II), similar to that identified in the OCP EIR."

62. **Page 4.4-61, Paragraph 1. Impact BIO-7.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Implementation of the above mitigation measures would reduce special status species, sensitive communities and wetlands impacts from fuel management activities to a less than significant level (Class II), similar to that identified in the OCP EIR.

18.35 cont.

63. **Page 4.4-61, Paragraph 8. Cumulative Impacts.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "However, the project's contribution to cumulative loss of sensitive habitats in general, and in particular to loss of upland and potentially suitable aquatic habitat for the federally and State listed California tiger salamander Santa Barbara County DPS and federally listed California red-legged frog in northern Santa Barbara County would be significant and unavoidable (Class I), similar to that identified in the OCP EIR.

64. **Page 4.5-6, Paragraph 13. Impact CUL-1.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Ground disturbing activities associated with project construction could result in direct and/or indirect impacts to CA-SBA-1169/H and/or previously undiscovered archaeological resources, pursuant to state CEQA guidelines section15064.4. This impact would be less than significant with implementation of mitigation (Class II), similar to that identified in the OCP EIR.

65. **Page 4.5-6, Paragraph 14. Impact CUL-1.** The proposed Project site including the sewer lateral extension on Key Site 22 has been intensively surveyed by County-qualified archaeologists consistent with County Cultural Resource Guidelines (using 15-meter [50-feet] survey spacing): 1) during preparation of projected in the OCP EIR (1996); and 2) in support of Key Site 21 Specific Plan buildout (2004). No potentially significant cultural resources were identified within proposed Specific Plan footprints and ground disturbance areas. The nature of the intensive surveys prepared according to County Cultural Resource Guidelines is appropriately documented in the SEIR:

18.36

    "~~According to~~ The Addendum to the Phase 1 Archaeological Resources Investigation for the project (Appendix D) identifies that ~~, during the~~ four most recent archaeological studies have resulted in the complete intensive investigation of all proposed Specific Plan development areas, including the

proposed sewer line extension area on Key Site 22. Studies in support of projected in the OCP EIR (1996) and Key Site 21 Specific Plan buildout (2004) were consistent with present County Cultural Resource Guidelines using 15-meter (50-feet) survey spacing. No archeological resources were identified within the proposed development areas on the project site, or the proposed sewer line extension area on Key Site 22.

18.36 cont.

66. **Page 4.5-7, Paragraph 1. Impact CUL-1.** The potential for encountering unknown cultural resources within proposed Specific Plan improvement areas is unlikely, based on the completion of intensive archaeological surveys completed consistent with County Cultural Resource Guidelines (using 15-meter [50-feet] survey spacing). The likelihood of this impact is appropriately documented in the SEIR.

    "~~Although there are~~ No known archeological resources were identified on the project site as a result of two intensive archaeological surveys completed consistent with County Cultural Resources Guidelines. Therefore, the potential for project-related earth moving activities (e.g., during the construction of project) ~~could~~ to impact previously undiscovered archaeological resources is considered low."

18.37

67. **Page 4.5-8, Paragraph 4. Mitigation Measures CUL-1(b) Archaeological Monitoring.** Comments 65 and 66 appropriately define the potential for encountering unknown cultural resources within proposed Specific Plan improvement areas as unlikely, based on the completion of intensive archaeological surveys completed consistent with County Cultural Resource Guidelines (using 15-meter [50-feet] survey spacing). Therefore, monitoring of earth disturbances is not required to address this unlikely impact. It is appropriate to delete this mitigation measure as no nexus exists to require it.

    ~~CUL-1(b) Archaeological Monitoring~~

    ~~The Owner/Applicant shall have all earth disturbances including scarification and placement of fill monitored by a Planning & Development approved archaeologist and a Native American consultant in compliance with the provisions of the County Archaeological Guidelines.~~

    ~~**Plan Requirements and Timing.** Prior to zoning clearance issuance, the Owner/Applicant shall submit a contract or Letter of Commitment between the Owner/Applicant and the archaeologist, consisting of a project description and scope of work, for Planning & Development staff review and approval. Once approved, the Owner/Applicant shall execute the contract.~~

    ~~**Monitoring.** The Owner/Applicant shall provide Planning & Development compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. Planning & Development compliance monitoring staff shall confirm monitoring by archaeologist and Native American consultant and Planning & Development grading inspectors shall spot check field work.~~

18.38

68. **Page 4.5-8, Paragraph 8. Mitigation Measures CUL-1(c) Stop Work at Encounter.** This measure would effectively address the low potential to encounter unknown cultural resources within proposed Specific Plan improvement areas, as explained in Comments 65 and 66. Standard practice for ensuring adequate implementation of this condition involves conducting a Pre-Construction Meeting where this potential is explained to all construction personnel. This provision is appropriately added to the SEIR mitigation measure.

    **Plan Requirements and Timing**. This condition shall be printed on all building and grading plans prior to approval of such plans. A Worker Education Program (WEP) shall be designed and implemented for all Project construction supervisors and field personnel who may encounter unknown cultural resources during grading. The WEP shall be presented at a pre-construction workshop shall be conducted by a county-qualified archaeologist and a local tribal representative funded by the applicant. Attendees shall include the applicant, archaeologist, SYBCI representative, construction supervisors, and heavy equipment operators to ensure that all parties understand the cultural resources monitoring program and their respective roles and responsibilities. All construction and/or landscaping personnel who would work on the site during any phase of ground disturbance in archaeologically sensitive portions of the project area shall be required to attend the workshop. The names of all personnel who attend the workshop shall be recorded and all personnel attendees shall be issued hardhat stickers denoting that they have received workshop training. This workshop shall be videotaped and shown to any new employees or subcontractors that may be needed during ground-disturbance construction activities. Names of newly trained personnel shall be recorded and those personnel issued appropriate hardhat stickers.

    Examples of archaeological artifacts (e.g., ground and chipped stone tools) and other cultural materials (soils containing evidence of food refuse, localized activity areas such as roasting pits) that may be reasonably encountered during construction shall be illustrated on posters that are shown at the pre-construction workshop. The posters shall remain in construction worker break room or similar common onsite areas where they may be accessible for reference as necessary.

    **Monitoring.** Planning & Development permit processing planner shall check plans prior to issuance of zoning clearance. ~~and~~ Planning & Development compliance monitoring staff shall attend the pre-construction workshop, and spot check in the field throughout grading and construction."

18.39

69. **Page 4.5-8, Paragraph 10. Impact CUL-1.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Implementation of the Mitigation Measures CUL-1(a) ~~through~~ and CUL-1(c) would reduce impacts associated with the potential to indirectly impact CA-SBA-1169/H and/or ~~unearth~~ the low potential to encounter previously ~~undiscovered~~ unknown cultural resources during grading ~~and construction~~ to a less than significant level (Class II), similar to that identified in the OCP EIR."

18.40

70. **Page 4.4-59, Paragraph 5. Impact CUL-2.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Ground disturbing activities associated with the project could cause a substantial adverse change to previously ~~undiscovered~~ unknown tribal cultural resources. This impact would be less than significant with implementation of mitigation (Class II), similar to that identified in the OCP EIR.

    ~~At this time~~ No tribal cultural resources have been identified on the project site during two intensive archaeological surveys conducted by County-qualified archaeologists using standards consistent with County Cultural Resource Guidelines. However, Santa Barbara County has a long history of Native American occupation and, therefore, all ground-disturbing activities have ~~the~~ a low potential to uncover previously ~~undiscovered~~ unknown tribal cultural resources."

    As a result of Native American consultation for the project and because future development activities for the project have ~~the~~ a low potential to impact tribal cultural resources, impacts to tribal cultural resources would be potentially significant, requiring mitigation.

18.41

71. **Page 4.5-10, Paragraph 2. Impact CUL-2.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Implementation of the Mitigation Measures CUL-2 would ensure that previously ~~unidentified~~ unknown tribal cultural resources would ~~not~~ be property addressed ~~impacted~~ if encountered during project construction. With implementation of ~~these measures~~ this measure, potential impacts to tribal cultural resources would be less than significant (Class II), similar to that identified in the OCP EIR."

18.42

72. **Page 4.5-10, Paragraph 4. Cumulative Impacts.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Therefore, cumulative impacts to cultural resources and tribal resources in the Orcutt area as a result of the project are less than significant with implementation of mitigation (Class II) similar to that identified in the OCP EIR."

18.43

73. **Page 4.6-14, Paragraph 2. Operations, and Page 4.6-15 Paragraph 3, Cumulative Impacts.** California Energy Commission Title 24 Building Energy Efficiency Standards have been revised since the submittal of the proposed project application, requiring provision of solar collectors on all residential units built after 2020. Therefore, the following revisions are required.

    "The project would include several features to reduce energy consumption, including natural heating and cooling via roof overhangs and window placement and building orientation, ~~pre-wiring for~~ solar power roof panels; recirculating, point-of-use, or on-demand water heaters; low-flow plumbing fixtures."

18.44

"In addition, the project would include several features to reduce energy consumption, including natural heating and cooling via roof overhangs and window placement and building orientation, ~~pre-wiring for~~ solar power roof panels; recirculating, point-of-use, or on-demand water heaters; low-flow plumbing fixtures."

18.44 cont.

74. **Page 4.7-6, Paragraph 9. Impact FP-1.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

"The project would create additional sources and increased risk of wildland fires in a high fire hazard area. Compliance with SBFCD requirements, applicable OC{ development standards, and conditions of approval pertaining to fire management would ensure that potential impacts associated with wildland fire hazards would be less than significant (Class III), less than identified in the OCP EIR."

75. **Page 4.7-7, Paragraph 3, 4. Impact FP-1.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

"This impact would be less than significant (Class III), less than identified in the OCP EIR.".

"Compliance with SBCFD requirements, applicable OCP development standards, and Conditions of Approval pertaining to fire management would ensure that potential impacts associated with wildland fire hazards would be less than significant (Class III), less than identified in the OCP EIR."

76. **Page 4.7-8, Paragraph 3. Impact FP-2.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

18.45

"The project would increase demand on the Santa Barbara County Fire Department, resulting in a reduction in the fire protection service ratio. The project would be subject to the Orcutt Planning Area fire mitigation fee, which provides funding for new fire stations and acquisition of new equipment and apparatus required to serve new development. therefore, this impact would be less than significant (Class III), less than identified in the OCP EIR."

77. **Page 4.5-8, Paragraph 3, 4. Impact FP-2.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

"Payment of the required fire mitigation fees would ensure that the potential environmental impacts to fire protection services would be adverse, but less than significant (Class III), less than identified in the OCP EIR.".

78. **Page 4.7-9, Paragraph 2. Cumulative Impacts.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

"The project's contribution to cumulative impacts on fire hazards in the region would be adverse, but less than significant (Class III), less than identified in the OCP EIR.".

79. **Page 4.8-9, Paragraph 7. Impact GEO-1.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "The project may be subject to strong groundshaking, which has the potential to cause fill material to settle, destabilize slopes, and/or cause physical damage to structures, property, utilities, road access, and people. Compliance with OCP EIR mitigation measures, OCP development standards, and existing local, state, and federal regulations would ensure that impacts related to groundshaking remain less than significant (Class III), less than identified in the OCP EIR."

80. **Page 4.8-10, Paragraph 5. Impact GEO-1.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Compliance with all applicable provisions of the California Building Code would ensure that impacts from groundshaking remain less than significant (Class III), less than identified in the OCP EIR.".

81. **Page 4.8-9, Paragraph 7. Impact GEO-2.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "The project would involve grading activities on slopes which exceed 20 to 30 percent gradients. This impact would be less than significant with mitigation (Class II), similar to that identified in the OCP EIR."

82. **Page 4.8-11, Paragraph 4. Measure GEO-1.** The number of this measure, Soils Engineering Report Measures for Slope Stability, must be corrected:

    "GEO-1~~2~~ Soils Engineering Report Measures for Slope Stability"

83. **Page 4.8-12, Paragraph 5. Impact GEO-2.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Mitigation Measure GEO 1 would reduce impacts from potential hazards of slope failure to a less than significant level (Class II), less than identified in the OCP EIR."

84. **Page 4.8-12, Paragraph 7. Impact GEO-3.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "The location and fill requirements of the project could result in long-term erosive runoff and sedimentation in nearby waterways. Compliance with existing county best management practices, as well as OCP policies and development standards, would reduce erosion potential. Nevertheless, long-term erosive runoff and sedimentation may result in potentially significant hazards associated with long-term erosive runoff and sedimentation. This impact would be less than significant with mitigation (Class II), less than identified in the OCP EIR."

18.45 cont.

18.46

18.47

85. **Page 4.8-14, Paragraph 4. Measure GEO-3.** The number of this measure, Fill Compaction, must be corrected:

    "GEO-2~~3~~ Fill Compaction"

18.48

86. **Page 4.8-14, Paragraph 7. Impact GEO-3.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Implementation of Mitigation Measures GEO-1 and GEO-2~~3~~ and implementation of applicable Santa Barbara County erosion control BMPs, as well as conformity with OCP policies and development standards, would reduce impacts associated with the short-term exposure of graded soils and potential for soil erosion and sedimentation into drainages resulting from buildout of the project to as less than significant level (Class II), less than identified in the OCP EIR."

87. **Page 4.8-10, Paragraph 5. Impact GEO-1.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "The project would be located on potentially expansive soils that pose a risk for settlement. Compliance with California Building Code requirements would reduce the risk of potential hazards associated with expansive soils. Nevertheless, long-term development on soils with a high potential for expansion or settlement ~~may~~ would potentially result in potentially significant hazards. This impact would be less than significant with mitigation (Class II), similar to that identified in the OCP EIR.".

18.49

88. **Page 4.8-14, Paragraph 9. Impact GEO-4.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    The project would be located on potentially expansive soils that pose a risk for settlement. Compliance with California Building Code requirements would reduce the risk of potential hazards associated with expansive soils. Nevertheless, long-term development on soils with a high potential for expansion or settlement may result in potentially significant hazards. This impact would be less than significant with mitigation (Class II), similar to that identified in the OCP EIR.

89. **Page 4.8-15, Paragraph 3, 4. Mitigation Measures.** The number of mitigation measures must be corrected:

    "Mitigation Measure GEO-1 includes fill requirements for slopes greater than 10:1 (horizontal to vertical). Mitigation Measure GEO-2~~3~~ requires that fill material is sufficiently compacted to reduce potential for soil erosion and sedimentation into drainages. In addition, Mitigation Measure GEO-3 is also required to ensure all recommendations contained in the Soils Engineering Report and Engineering Geology Investigation (Appendix E) are fully implemented."

    GEO-3 Soils Engineering Report Measures for Expansive/Liquefiable Soils

18.50

90. **Page 4.8-16, Paragraph 1. Impact GEO-4.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Implementation of Mitigation Measures GEO-1, GEO-2~~3~~, and GEO-3 would ensure that impacts associated with expansive and liquefiable soils would be reduced to a less than significant level (Class II), similar to that identified in the OCP EIR."

18.51

91. **Page 4.8-16, Paragraph 3. Impact GEO-5.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Ground disturbance during project construction could potentially destroy a unique paleontological resource or site; however, implementation of recommended best management practices would minimize potential impacts to less than significant (Class II), similar to that identified in the OCP EIR."

92. **Page 4.8-15, Paragraph 5. Mitigation Measures.** The number of mitigation measures must be corrected:

    "GEO-4~~5~~(a) Worker Paleontological Resource Awareness Session

18.52

93. **Page 4.8-17, Paragraph 10. Cumulative Impacts.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Compliance with County regulations and policies (including compliance with County development standards; OCP development standards; CBC requirements; OCP EIR mitigation; and Mitigation Measures GEO-1, GEO-3, GEO-4, GEO-5(a), and GEO-5(b), where applicable) would reduce seismic and geologic hazards. Seismic and geologic hazards would be addressed on a case-by-case basis and would not result in cumulatively considerable impacts. Cumulative geologic hazard impacts would be adverse, but less than significant with mitigation (Class II), similar to that identified in the OCP FEIR. Potential paleontological impacts for individual projects would depend upon the location, type, and size of development and the specific geologic units and paleontological potential on a given site."

18.53

94. **Page 4.9-19, Paragraph 7. Mitigation Measure GHG Emissions Reduction Plan.** California Energy Commission Title 24 Building Energy Efficiency Standards have been revised since the submittal of the proposed project application, requiring provision of solar collectors on all residential units built after 2020. Therefore, the following revisions are required.

    10. Implementation of carbon sequestration measures;

    11. Solar roof panels.

18.54

95. **Page 4.11-8, Paragraph 5. Impact N-1.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Project construction would intermittently generate high noise levels in the project site vicinity. Project construction would take place adjacent to the RMGC fairways and near existing residences north of Key Site 21, temporarily exposing patrons at the RMGC to noise levels exceeding county thresholds. This impact would be less than significant with mitigation (Class II), less than identified in the OCP EIR."

96. **Page 4.11-10, Paragraph 3, and 4.11-11, Paragraph 2, 4.11-13, Paragraph 1. Impact N-1.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    Construction noise impacts at nearby County-identified sensitive receptors would be less than significant (Class III) ), less than identified in the OCP EIR."

    "Although temporary in duration, construction noise impacts would be potentially significant (Class II) and mitigation would be required, less than projected in the OCP EIR."

    "Therefore, with implementation of these mitigation measures, construction noise impacts would be less than significant (Class II), less than identified in the OCP EIR."

97. **Page 4.11-13, Paragraph 3. Impact N-2.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows: 18.55

    "The project would not expose sensitive receptors on the project site, including the proposed residences of the Willow Creek and Hidden Canyon neighborhoods, to noise in excess of county standards. This impact would be less than significant (Class III), less than identified in the OCP EIR."

98. **Page 4.11-14, Paragraph 2. Impact N-2.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Impacts associated with exterior and interior noise exposure in excess of County standards to sensitive receptors on Key Site 21, including the RMGC as well as the proposed new residences in the Willow Creek and Hidden Canyon neighborhoods, would be less than significant (Class III), less than identified in the OCP EIR."

99. **Page 4.11-14, Paragraph 5. Impact N-3.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

    "Project-generated traffic would not increase noise levels on area roadways in excess of County standards. This impact would be less than significant (Class III), less than identified in the OCP EIR."

100. **Page 4.11-15, Paragraph 1. Impact N-2.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

"The project would not result in a substantial permanent increase in ambient noise levels above levels existing without the project. Impacts would be less than significant (Class III), less than identified in the OCP EIR."

101. **Page 4.11-15, Paragraph 5. Cumulative Impacts.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

"Therefore, the project would not significantly increase cumulative noise levels at noise sensitive receptors along the roadways in the vicinity of the project site and cumulative noise impacts would be less than significant (Class III), less than identified in the OCP EIR."

102. **Page 4.12-8, Paragraph 5. Impact PS/R-1.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

"The project would increase the demand for schools. Through the required payment of state-mandated impact mitigation fees, potential impacts to public schools would be adverse, but less than significant (Class III), less than identified in the OCP EIR."

18.55 cont.

103. **Page 4.12-9, Paragraph 3. Impact PS/R-1.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

"Through the required payment of State-mandated impact mitigation fees, potential impacts to public schools would be adverse, but less than significant (Class III), less than identified in the OCP EIR."

104. **Page 4.12-9, Paragraph 6. Impact PS/R-2.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

"The project would not substantially diminish the LCSD's wastewater treatment capacity, nor require substantial new or expanded wastewater treatment facilities, stormwater drainage facilities, or other utilities. This impact would be less than significant (Class III), less than identified in the OCP EIR."

105. **Page 4.12-9, Paragraph 3. Impact PS/R-2.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

"Therefore, with the payment of required trunk and feeder line fees for wastewater infrastructure, impacts associated with the expansion or constructions of new wastewater treatment facilities and other utilities would be less than significant (Class III), less than identified in the OCP EIR."

106. **Page 4.12-2, Paragraph 5. Recreation.** This section does not reference updated park acreage that has been collected since 1995. While the Rice Ranch Specific Plan is addressed, no mention is made of Orcutt Community Park, a 26-acre facility that includes little league baseball & soccer fields, passive play areas, playground structures, off-leash dog parks, picnic areas, and restrooms. Rice Ranch provides 300 acres of open space and 8 miles of trails. In recent years, the burden of providing parks has been shifted to developers & HOAs; as a result, there are five private parks totaling 4.5 acres in the Rice Ranch project. County Parks maintains four public neighborhood open spaces in the Orcutt community: Cobblestone (2 acres), Domino Open Space, Lee West Open Space, & Stonebrook Open Space & there are a number of private parks in the area. These facilities are open to the public at no cost. The SEIR must be revised as follows:

"In addition, there are approximately seven acres of public neighborhood parks in the Orcutt area, with an additional nine acres in County-maintained open space (County of Santa Barbara 1995). Orcutt Community Park is a 26-acre facility that includes little league baseball & soccer fields, passive play areas, playground structures, off-leash dog parks, picnic areas, and restrooms along with 280 acres of open space and 8 miles of trails. In recent years, the burden of providing parks has been shifted to developers & HOAs; as a result, there are five private parks totaling 4.5 acres in the Rice Ranch project. County Parks maintains a variety of public neighborhood playgrounds, turf play areas, volleyball court, picnic areas, bikeways, & trails in the Orcutt community as noted in the chart below provided by SBC Parks on 7/31/19, these facilities are open to the public at no cost.

18.56

| ***Supervisorial District 4*** | **Acres** | **Facilities** |
|---|---|---|
| Domino | 0.50 | playground, turf play area |
| Lee West | 1.70 | playground, turf play area |
| Rice Ranch (small) | 0.80 | turf play area |
| Rice Ranch (large) | 306.26 | trails |
| Stonebrook | 3.00 | turf play area, volleyball court, backstop |
| Cobblestone OS | 12.47 | playground, turf play area, bikeway, trails |
| Stonegate | 0.60 | playground, picnic area |
| Harp Springs | 8.90 | trails |
| Harp Springs II | 18.30 | bikeway, trails |
| Mesa Verde | 18.81 | trails |
| Bradley 1 | 5.20 | trails |
| Crescent | 11.00 | trails |
| **Total Acreage** | **387.54** | |

107. **Page 4.12-10, Paragraph 6. Impact PS/R-3.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

"The project would generate solid waste that would increase demand on the Santa Maria landfill. This impact would be significant and unavoidable (Class I), similar to identified in the OCP EIR."

108. **Page 4.12-12, Paragraph 2. Impact PS/R-3.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

"Therefore, the project would exceed the County's solid waste thresholds for construction and operation. Impacts related to solid waste would be significant and unavoidable (Class I), similar to projected in the OCP EIR."

109. **Page 4.12-12, Paragraph 5. Impact PS/R-4.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

"Buildout of the project would increase demand on the Santa Barbara County Sheriff's Department (SBCD). The project would be subject to police protection service mitigation fees, which provide funding for capital facilities and related equipment associated with hiring new sheriff deputies required to serve new development. Therefore, this impact would be less than significant (Class III), less than identified in the OCP EIR."

18.57

110. **Page 4.12-13, Paragraph 2. Impact PS/R-4.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:
111. "With payment of the County-required police protection service mitigation fee, potential impacts to police protection services would be adverse, but less than **significant** (Class III), less than identified in the OCP EIR."
112. **Page 4.12-12, Paragraph 5. Impact PS/R-5. The proposed Project's impact summary** statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

"The project would not significantly increase the demand for recreational facilities or require the construction or expansion of recreational facilities that may have an adverse physical effect on the environment. This impact would be less than significant (Class III), less than identified in the OCP EIR."

113. **Page 4.12-13, Paragraph 7. Impact PS/R-5.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

"Therefore, the payment of the County's required parkland development impact fees would ensure compliance with the policies and performance standards in the OCP as part of the project, and impacts associated with parks and recreational facilities would be less significant (Class III), less than identified in the OCP EIR."

114. **Page 4.12-14, Paragraph 3, 4, Page 4.12-15, Paragraph 1, 2, 3. Cumulative Impacts.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

"Through the payment of impact mitigation fees, potential cumulative impacts related to public schools would be adverse, but less than significant (Class III), less than identified in the OCP EIR."

"Therefore, cumulative wastewater demand in the Orcutt Planning Area would not exceed the 75 percent capacity checkpoint threshold for the plant's design capacity. As such, cumulative wastewater impacts would be less than significant (Class III), less than projected in the OCP EIR."

"Therefore, the project would result in significant and unavoidable (Class I) contribution to cumulative solid waste impacts (Class I), similar to that identified in the OCP EIR."

"Therefore, the payment of the required police protection service mitigation fees would ensure that cumulative impacts to police services would remain less than significant (Class III), less than identified in the OCP EIR ."

"Therefore, the payment of the County's required parkland development impact fees would ensure compliance with the policies and performance standards in the OCP as part of the project, and cumulative impacts to recreational facilities would be less than significant (Class III) ), less than identified in the OCP EIR."

115. **Page 4.13-9, Paragraph 2. Impact T-1.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

18.57 cont.

"The project would add new vehicle trips to study area intersections. all study area intersections would continue to operate at acceptable levels of service with implementation of the project. the project would result in less than significant project-specific intersection impacts (Class III), less than identified in the OCP EIR."

116. **Page 4.13-12, Paragraph 4. Impact T-1.** The proposed Project's residual impact statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

"The project would result in less than significant project-specific intersection impacts (Class III), less than identified in the OCP EIR."

117. **Page 4.13-13, Paragraph 2. Impact T-2.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

"The project would add new vehicle trips to study area roadways. all study area roadway segments are forecast to operate within the county's acceptable capacity with implementation of the project. this impact would be less than significant (Class III), similar to that identified in the OCP EIR."

118. **Page 4.13-13, Paragraph 5. Impact T-2.** The proposed Project's residual impact statement needs to include a comparison with the previously certified OCP EIR, as follows:

"Therefore, the project would not significantly impact the study area roadway segments (Class III), similar to that identified in the OCP EIR."

18.57 cont.

119. **Page 4.13-16, Paragraph 2. Impact T-4.** The proposed Project's impact summary statement would appropriately characterize the nature of a disagreement among experts, and include a comparison with the previously certified OCP EIR, as follows:

"The project would contribute new vehicle trips to cumulative traffic conditions that would result in an unacceptable level of service at the Foxenwood Lane/Clark Avenue intersection. The potential feasibility of mitigation has not been determined, such that this cumulative impact would be significant and unavoidable (Class I), similar to that identified in the OCP EIR."

18.58

120. **Page 4.13-21, Paragraph 2. Impact T-4.** The following response is prepared by Dennis Lammers, Stantec, county-qualified transportation planner, based on the Technical Study Appendix K.

"The traffic and circulation study prepared by Stantec (Neighborhoods of Willow Creek and Hidden Canyon, Revised Traffic and Circulation Study, May 9, 2019) identified the cumulative impact and provided potential measures that would mitigate the cumulative impact. These included retaining the existing cross section on Clark Avenue, and/or signalization of the intersection. In addition, previously identified potential mitigations included implementation of left-turning restrictions (due to the proximity of the adjacent SR 135 Southbound Ramp).

These mitigation measures are considered potentially feasible. A monitoring program that evaluates traffic conditions periodically can be implemented that would provide the necessary information to County Public Works/Transportation Division, along with Caltrans, to determine the appropriate improvement when conditions warrant. Given that potential measures that would mitigate the cumulative impact were identified, the impact should be reduced to Class II (significant but mitigable)."

Therefore, the following disagreement among transportation experts should be reflected in the SEIR discussion as follows:

"Retaining the existing cross section on Clark Avenue, implementing left-turning restrictions, and installation of a traffic signal at the Foxenwood Lane/Clark Avenue intersection would result in a signalized corridor from Foxenwood Lane to Orcutt Road with coordinated traffic signals, and the intersection would operate at LOS C or better under cumulative conditions. However, ATE transportation planners who reviewed the Technical Study (Appendix K) prepared in support of the

proposed project application consider that the SR 135 ramps immediately east of the intersection and Orcutt Creek corridor west of the intersection have historically represented physical constraints that limit signalization options at this intersection. In addition, the cumulative traffic volumes do not satisfy traffic signal warrants. County Public Works/Transportation Division would be responsible for determining the appropriate intersection improvements at the time of implementation. There is a disagreement among transportation experts regarding the feasibility of ~~, but for the purpose of this analysis,~~ signalization of the Foxenwood Lane/Clark Avenue intersection. According to CEQA Guidelines 15064, Determining the Significance of the Environmental Effects Caused by a Project, this residual impact is considered potentially significant ~~infeasible~~.

As a result of feasibility concerns associated with potential mitigation options at the Foxenwood Lane/Clark Avenue intersection, the project contribution to cumulative impacts would remain significant and unavoidable (Class I), similar to that identified in the OCP EIR."

18.58 cont.

121. **Page 4.14-13, Paragraph 2. Impact WR-4.** The proposed Project's impact summary statement would appropriately include a comparison with the previously certified OCP EIR, as follows:

"Specific plan development would result in a projected net increase in water demand. the use of groundwater to serve the development would not result in further overdraft of the Santa Maria Groundwater Basin. However, groundwater wells in Key Site 21 may produce groundwater with a total dissolved solids concentration that would exceed the Orcutt Community Plan's 425 mg/l standard per policy WAT-O-5. This impact would be less than significant with mitigation (Class II), similar to that identified in the OCP EIR."

18.59

122. **Page 4.14-14, Paragraph 2 through 4. Impact WR-3.** Paragraph 2 correctly states that:

"OCP Policy WAT-O-2 requires that the water demand for projects in the OCP area be offset by supplemental water supplies that do not result in further overdraft of the ground water basin. Policy WAT-O-2 defines 'supplemental water' as a 'source of water other than groundwater, unless:

1. The groundwater basin has been determined to be no longer in overdraft, or
2. The use of groundwater is consistent with the final water rights judgment entered in the Basin adjudication (Santa Maria Valley Water Conservation District vs. City of Santa Maria, et. al [Superior Court, County of Santa Clara, Case no. 770214])."

18.60

Page 4.14-14, Paragraph 4 correctly states that:

"The water rights for the proposed Specific Plan area are covered by this settlement agreement. Therefore, the use of native groundwater to serve the proposed project is consistent with the final

water rights judgment, and meets the definition of 'supplemental water' for purposes of satisfying the objectives of Policy WAT-O-2.The project's water demand is legally considered to be offset by long-term supplemental water supplies, adequately mitigating potentially significant impacts resulting from increased overdraft to the SMGB (impacts WAT-1 and WAT-2) to a less than significant level (Class III)."

In addition to the foregoing discussion, and as a separate and distinct ground for demonstrating compliance with Policy WAT-O-2, the SEIR needs to discuss and clarify the fact that the groundwater basin has been determined to be no longer in overdraft. The trial court in Santa Maria Valley Water Conservation District vs. City of Santa Maria, et. al [Superior Court, County of Santa Clara, Case no. 770214, approved the physical solution based on a finding that, despite historic shortages, there is no current overdraft of the Basin.1 Instead, the Basin has been experiencing a long-term trend of hydrologic balance since roughly the late 1960s. The following is a quote taken from the appellate court decision in City of Santa Maria v. Adam, which upheld the trial court's findings:

"The Basin suffered severe water shortages beginning around the 1930's but the importation of water from outside the watershed and the local construction of dams and reservoirs relieved the historical water shortage. . . . Completion of the Twitchell and Lopez projects, the importation of SWP water by several appropriators in the area, and a leveling off of agricultural development have contributed to stabilizing water levels in the Basin. Groundwater levels have been relatively stable since the late 1960's, reaching near historic highs in 1967. By 1997, the Basin had been in equilibrium for many years." (*City of Santa Maria v. Adam* (2012) 211 Cal. App. 4th 266, 276, 281.)

18.60 cont.

Furthermore, as noted in the 2017 annual report for the SMVMA (LSCE 2018), the shallow and deep groundwater levels across the majority of the SMVMA remain above historical low levels and do not meet Stipulation provisions defining a condition of severe water shortage:

"Since the late 1960's, the basin has alternately experienced significant recharge (recovery) and decline which, collectively, reflect a general long-term stability as groundwater levels in both aquifer zones have fluctuated between historical-low and near historical-high levels over alternating five- to 15-year periods. Groundwater levels throughout the SMVMA have shown this trend, but with different ranges of fluctuation (see Figure 2.1-2); and groundwater levels have repeatedly recovered to near or above previous historical-high levels, most recently in 2002." (2017 Annual Report for the SMVMA, Page 8, Section 2.1.2.)

[1] A condition of overdraft exists when total extractions from a groundwater basin exceed the basin's ability to replenish from all sources. Overdraft is evidenced when the trend of historic groundwater level measurements indicate a continual drop in groundwater levels over time, even after wet year conditions. Under such circumstances, undesirable results are likely to eventually occur. (Slater, *California Water Law & Policy*, Chapter 1, Section 1.13 (Matthew Bender).)

Based on the foregoing, the SEIR should clarify the fact that the groundwater basin has been determined to be no longer in overdraft, and therefore the use of native groundwater to serve the proposed project meets the definition of "supplemental water" for purposes of satisfying the objectives of Policy WAT-O-2. This provides a separate and distinct ground for determining the project's water demand is legally considered to be offset by long-term supplemental water supplies, adequately mitigating potentially significant impacts resulting from increased overdraft to the SMGB (impacts WAT-1 and WAT-2) to a less than significant level (Class III). 18.60 cont.

123. **Page 5-4, Paragraph 3. Significant Unavoidable Effects.** The proposed Project's significant unavoidable effects should be compared to the previously certified OCP EIR, as follows:

"As discussed in Section 4.1, Aesthetics/Visual Resources, Section 4.4, Biological Resources, Section 4.11, Public Services and Recreation, and Section 4.12, Transportation and Circulation, implementation of the proposed project would result in significant, unavoidable impacts associated with the following issues), similar to those identified in the OCP EIR:."

124. **Page 5-4, Paragraph 13; Page 5-5, Paragraph 2. Significant Irreversible Environmental Effects.** The proposed Project's significant irreversible environmental effects should be compared to the previously certified OCP EIR, as follows: 18.61

"Development of housing under the project would result in the permanent conversion of open, undeveloped lands to a residential use similar to that identified in the OCP EIR. Development facilitated by the project would also require building materials and energy similar to that identified in the OCP EIR, some of which are non-renewable resources. Consumption of these resources would occur with any development in the region and are not unique to the project. The addition of new residential units would irreversibly increase local demand for non-renewable energy resources such as petroleum and natural gas, similar to that identified in the OCP EIR.

Growth accommodated by the project would require an irreversible commitment of law enforcement, fire protection, water supply, wastewater treatment, and solid waste disposal services, similar to that identified in the OCP EIR.

125. **Page 6-3, Paragraph 4. OCP EIR Alternative 2 (Low Buildout).** The SEIR appropriately references this alternative that was previously addressed in the OCP EIR. It does not, however, compare the buildout of this alternative to the proposed Projects "basic project objectives." Low Development Alternative buildout of 41 residential units would not achieve "most of the basic project objectives" associated with the proposed 146 residential units. As stated on SEIR Page 6-1, Paragraph 1, 18.62

"The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. *Of those alternatives, the EIR need examine in detail only the ones*

*that the Lead Agency determines could feasibly attain most of the basic objectives of the Project* (emphasis added).

The SEIR is appropriately revised to reflect the guidance provided in CEQA Guidelines Section 15126(a) as follows:

"When compared to the potential development of Key Site 21 evaluated in the OCP, this alternative would decrease the density of on-site development to one unit per five acres to create a ranchette community and would allow for the development of up to 41 units. Alternative 2, the Only Hidden Canyon Neighborhood Development Alternative, and Alternative 3, the Only Willow Creek Neighborhood Development Alternative, have been adapted from this OCP EIR Low Buildout alternative and is described in Section 6.2.3. <u>These alternatives, however, would not feasibly attain most of the basic objectives of the 146-unit project, and are therefore not considered feasible alternatives as defined by CEQA Guidelines Section 15126(a).</u>

18.62 cont.

126. **Page 6-6, Paragraph 2; No Project (No Build) Alternative**. The SEIR incorrectly evaluates the No Project alternative as: "This alternative assumes the project site is not developed with the proposed project and remains vacant and undeveloped." CEQA Guidelines Section 15126 (e)(2) states:

"The "no project" analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, *as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services* (emphasis added)*."*

CEQA Guidelines Section 15126 (e)(3) states:

18.63

"A discussion of the "no project" alternative will usually proceed along one of two lines:

(B) If the project is other than a land use or regulatory plan, for example a development project on identifiable property, the "no project" alternative is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved. *If disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, this "no project" consequence should be discussed. In certain instances, the no project alternative means "no build" wherein the existing environmental setting is maintained. However, where failure to proceed with the project will not result in preservation of existing environmental conditions, the analysis should identify the practical result of the project's non-approval and not create and analyze a set of artificial*

*assumptions that would be required to preserve the existing physical environment* (emphasis added).."

The SEIR correctly states that:

"Under this alternative, the project site would retain the existing land use designation of Planned Development (PD), 150 units maximum/Visitor Serving Commercial, and designation in the OCP as an Existing Developed Rural Neighborhood (EDRN). The project site would also retain the current PRD zoning."

The Draft SEIR Section 4.12 Public Services/Recreation identifies that "available infrastructure and community services" are available to serve the project. Therefore, the No Project Alternative is appropriately identified as the buildout of 150 residential units, as programmatically evaluated in the OCP EIR. Preservation of Key Site 21 is not a reasonable expectation in the event the proposed Project were not approved and built. This 150-residential unit project would have slightly greater environmental impacts than the proposed 146-unit Specific Plan.

18.63 cont.

The SEIR is appropriately revised as follows:

"Under this alternative, the project site would retain the existing land use designation of Planned Development (PD), 150 units maximum/Visitor Serving Commercial, and designation in the OCP as an Existing Developed Rural Neighborhood (EDRN). The project site would also retain the current PRD zoning. The Draft SEIR Section 4.12 Public Services/Recreation identifies that "available infrastructure and community services" are available to serve the project. Therefore, the No Project Alternative is appropriately identified as the buildout of 150 residential units. ~~This alternative assumes the project site is not developed with the proposed project and remains vacant and undeveloped~~. Accordingly, this alternative would ~~not~~ provide access from the site and SR 1 to neighboring foothills or the Orcutt regional trail system, as envisioned in the OCP under OCP Key Site 21 Design Standard KS 21-5. The site would remain accessible from the existing RMCG golf course access road, but ~~no~~ additional site access would be developed."

127. **Page 6-6, Paragraph 3, Page 6-8, Paragraph 1; Only Hidden Canyon Neighborhood Development**. As discussed in Comment 111 above, development of less than most of the basic objectives of the proposed Project render this alternative infeasible and not appropriately pursued under CEQA Guidelines Section 15126.6 (a). As written, this proposed alternative would provide for 38 residential units, or only 26 percent of the project objectives. Therefore, this alternative should be characterized as infeasible, as follows:

18.64

"It should be noted that the lot layout shown on Figure 6-1 is a conceptual example of how the intentions of Alternative 2 may be met. This proposed alternative would provide for 38 residential units, or only 26 percent of the project objective of 146 units. Therefore, this alternative does not achieve "most of the basic" project objectives, and is infeasible as defined by CEQA Guidelines Section 15126.6(a). ~~if this alternative were ultimately selected for development, the project applicant would have flexibility in developing a final lot layout that would meet the requirements of this alternative~~.

18.64 cont.

128. **Page 6-8, Paragraph 2, 3; Only Willow Creek Neighborhood Development**. As discussed in Comment 111 above, development of less than most of the basic objectives of the proposed Project render this alternative infeasible and not appropriately pursued under CEQA Guidelines Section 15126.6 (a). As written, this proposed alternative would provide for 75 residential units, or only 51 percent of the project objectives. Therefore, this alternative should be characterized as infeasible, as follows:

18.65

"It should be noted that the lot layout shown on Figure 6-2 is a conceptual example of how the intentions of Alternative 3 may be met. This proposed alternative would provide for 75 residential units, or only 51 percent of the project objective of 146 units. Therefore, this alternative does not achieve "most of the basic" project objectives, and is infeasible as defined by CEQA Guidelines Section 15126.6(a). ~~if this alternative were ultimately selected for development, the project applicant would have flexibility in developing a final lot layout that would meet the requirements of this alternative.~~

129. **Page 6-8, Paragraph 4, 5; Reduced Units in Willow Creek and Hidden Canyon Neighborhoods.** According to slope maps prepared by the project engineer (Bethel Engineers) and submitted as part of the project application to the County (see SEIR Appendix F, Section 3.7, Table 3.7-1), eleven proposed residential lots on slopes over 30 percent exist in the Willow Creek neighborhood, and two exist in the Hidden Creek neighborhood. (These maps are attached as attachments to this comment letter.) This correct reference is identified in the SEIR on page 4.8-10, Paragraph 2. Impact GEO-2. Therefore, the SEIR must be revised as follows:

18.66

"This alternative would eliminate lots on steep slopes of 30 percent or greater in the Willow Creek and Hidden Canyon neighborhoods. This would reduce the Willow Creek neighborhood development by ~~approximately 15~~ eleven lots ~~near~~ at the north-central portion ~~east corner~~ of the proposed development area and would reduce the Hidden Canyon neighborhood development by ~~approximately 18~~ two lots near the center of the development area."

"Grading amounts for the proposed neighborhoods, including roadways and building pads for the proposed residences, would be reduced under this alternative when compared to the proposed project. Without development on steep slopes of 30 percent or greater, this alternative would result in thirteen ~~33~~ fewer residential units than the project.

130. **Page 6-10, Figure 6-3; Reduced Units in Willow Creek and Hidden Canyon Neighborhoods.** According to slope maps prepared by the project engineer (Bethel Engineers) and submitted as part of the project application to the County (see SEIR Appendix F, Section 3.7, Table 3.7-1), eleven proposed residential lots on slopes over 30 percent exist in the Willow Creek neighborhood, and two exist in the Hidden Creek neighborhood. This correct reference is identified in the SEIR on page 4.8-10, Paragraph 2. This requires that Figure 6-3 be revised to correctly reflect the engineering prepared for this project. 18.66 cont.

These slope maps are attached for use in the Final SEIR.

131. **Page 6-11, Table 6-1. Comparison of Project Alternatives' Buildout Characteristics.** Previous comments on the SEIR Alternatives analysis require that the following changes be made to Table 6-1: 18.67

Residential Development Area: No Project: 150 units;

Alternative 4: Hidden Canyon- 54 lots; Willow Creek 79 Lots

132. **Page 6-14, Paragraph 2. No Project (No Build) Alternative.** As noted previously, the No Project Alternative is appropriately identified as the buildout of 150 residential units, as programmatically evaluated in the OCP EIR. This project would have slightly greater environmental impacts than the proposed 146-unit Specific Plan. This analysis needs to be corrected pursuant to the buildout of 150 units. 18.68

133. **Page 6-14, Paragraph 3. Only Hidden Canyon Alternative** As noted previously, the Only Hidden Canyon Alternative does not achieve "most of the basic project objectives" of 146 units and is therefore not a feasible alternative. This must be noted as identified below. 18.69

"**6.3.2 Alternative 2: Only Hidden Canyon Neighborhood Development**.

<u>This alternative would reduce the overall number of new residential units on the project site from 146 units to 38 units, or by approximately 74 percent, and would focus development east of the RMGC in a single neighborhood development. As it would only provide for 26 percent of the</u>

proposed Project buildout, it would not achieve "most of the basic project objectives" of 146 units and is therefore not a feasible project alternative as defined by CEQA Guidelines Section 15126.6(a)."

18.69 cont.

134. **Page 6-19, Paragraph 1. Only Willow Creek Alternative.** As noted previously, the Only Willow Creek Alternative does not achieve "most of the basic project objectives" of 146 units and is therefore not a feasible alternative. This must be noted as identified below.

"**6.3.3 Alternative 3: Only Willow Creek Neighborhood Development**.

This alternative would reduce the overall number of new residential units on the project site from 146 units to 75 units, or by approximately 49 percent, and would focus development west of the RMGC in a single neighborhood development. As it would only provide for 51 percent of the proposed Project buildout, it would not achieve "most of the basic project objectives" of 146 units and is therefore not a feasible project alternative as defined by CEQA Guidelines Section 15126.6(a)."

18.70

135. **Page 6-23, Paragraph 2. Reduced Units in Willow Creek and Hidden Canyon Neighborhoods.** As noted previously, the Reduced Units in Willow Creek and Hidden Canyon Neighborhoods Alternative would result in a reduction of eleven units in Willow Creek and two units in Hidden Canyon, for a total reduction to 133 project units. It would provide for 91 percent of the proposed Project buildout so that it would achieve "most of the basic project objectives" and is therefore a feasible project alternative as defined by CEQA Guidelines Section 15126.6(a). This must be noted as identified below.

**"6.3.4 Alternative 4: Reduced Units in Willow Creek and Hidden Canyon Neighborhoods**

"This Alternative would result in a reduction of eleven units in Willow Creek and two units in Hidden Canyon, for a total reduction to 133 project units. It would provide for 91 percent of the proposed Project buildout so that it would achieve "most of the basic project objectives," and is therefore a feasible project alternative as defined by CEQA Guidelines Section 15126.6(a)."

18.71

All references to alternative project units in this section must reference a 9 percent reduction from the proposed project.

136. **Page 6-27, Paragraph 2. Section 6.4 Environmentally Superior Alternative.** As noted previously, the Reduced Units in Willow Creek and Hidden Canyon Neighborhoods. CEQA Guidelines Section 15126.6(f) states:

18.72

> "Rule of reason. The range of alternatives required in an EIR is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project."

As noted in previous comments, the Only Hidden Valley and Only Willow Creek Neighborhood alternatives do not achieve most of the basic project objectives. These alternatives therefore cannot be considered Environmentally Superior, as they are not feasible.

18.72 cont.

The No Project Alternative, as defined by CEQA Guidelines Section 15126.6 (e)(3), is appropriately defined as " predictable actions by others, such as the proposal of some other project." This would be the 150-unit project for which zoning, general plan designation, and public infrastructure exist.

Analysis of the Environmentally Superior Alternative therefore must focus on the No Project Alternative, the Proposed Project, and the Reduced Units in Willow Creek and Hidden Canyon Neighborhoods Alternative, as no other alternatives are feasible as defined by CEQA Guidelines Section 15126.6. The Reduced Units in Willow Creek and Hidden Canyon Neighborhoods Alternative would be environmentally superior, while achieving most of the project's basic objectives.

Thank you for the opportunity to submit this letter on behalf of Orcutt Rancho LLC.

Sincerely,

David Stone

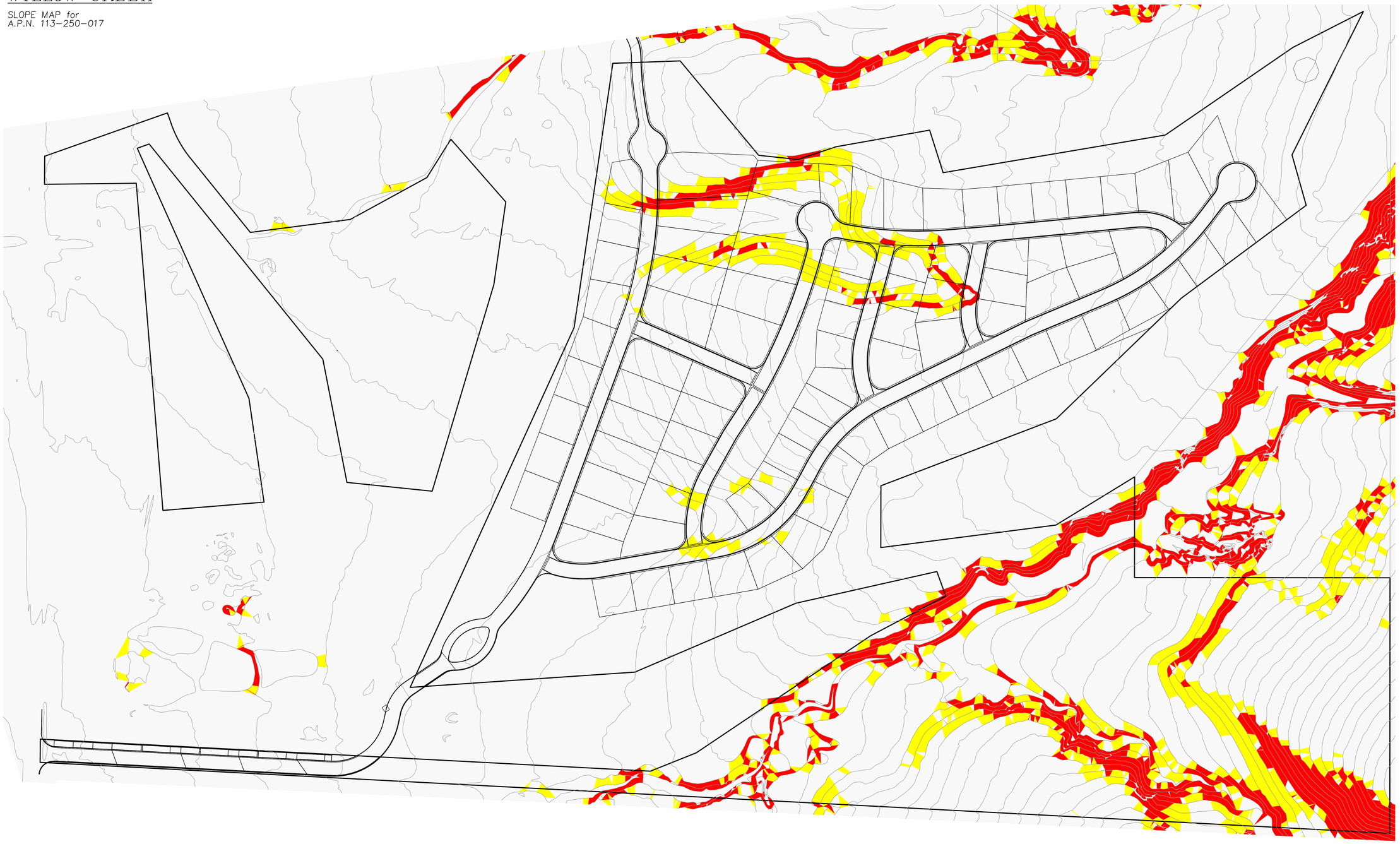
David Stone, RPA
Senior Environmental Project Manager

**cc:** Tony Wells, Orcutt Rancho LLC; Frances Romero, Forma; Peter L. Candy, Hollister & Brace

Attachments: Willow Creek Neighborhoods Grading Plan Slope Map
Hidden Canyon Neighborhoods Grading Plan Slope Map

# *WILLOW CREEK*

SLOPE MAP for
A.P.N. 113-250-017



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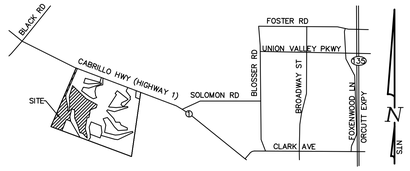


VICINITY MAP


BETHEL engineering
2624 Airpark Dr, Santa Maria,
California 93455 (805) 934-5767


REGISTERED PROFESSIONAL ENGINEER
RUSSELL J. GARRISON
LIC. NO. 59987
CIVIL
STATE OF CALIFORNIA

| DESIGNED BY: | D.V. |
|---|---|
| CHECKED BY: | R.J.G. |

REVISIONS

| DATE | DESCRIPTION |
|---|---|
| | |

# EXIST. SLOPE MAP FOR WILLOW CREEK

COUNTY OF SANTA BARBARA, CALIFORNIA

RUSSELL J. GARRISON R.C.E. 59987 DATE

SCALE: AS SHOWN

SHEET 1 OF 1

7-215

# NEIGHBORHOODS OF RANCHO MARIA– HIDDEN CANYON

SLOPE MAP for
A.P.N. 113–250–016

1"=100'

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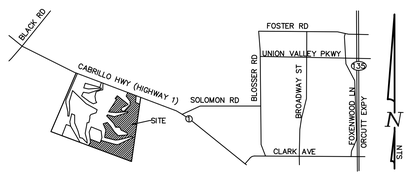


VICINITY MAP

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REGISTERED PROFESSIONAL ENGINEER
RUSSELL J. GARRISON
LIC. NO. 50987
CIVIL ENGINEER
STATE OF CALIFORNIA

DESIGNED BY: D.V.
CHECKED BY: R.J.G.

REVISIONS

| DATE | DESCRIPTION |
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## EXIST. SLOPE MAP FOR NEIGHBORHOODS OF RANCHO MARIA: HIDDEN CANYON

COUNTY OF SANTA BARBARA, CALIFORNIA

RUSSELL J. GARRISON R.C.E. 50987 DATE

SCALE: AS SHOWN

SHEET 1 OF 1

7-216

# Letter 18

**COMMENTER:** David Stone, Wood

**DATE:** August 5, 2019

## Response 18.1

The commenter states that the document is titled a Supplemental Environmental Impact Report, but the relationship of this analysis to the document it tiers from, the Orcutt General Plan (OCP) Environmental Impact Report 95-EIR-01, is inadequately explained. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.2

The commenter states that the role of the Supplemental Environmental Impact Report, as defined in CEQA Guidelines Section 15163, needs to be included. In addition, the fact that the OCP General Plan EIR assessed a 150-unit residential project within Key Site 21, the same development footprint as the proposed project, needs to be made explicit. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162. Refer to Topical Response 2 for a discussion about the Specific Plan for Key Site 21, including assumptions regarding build-out.

## Response 18.3

The commenter states that the introduction (Section 1.1) must describe all impacts and their respective residual impact: Class I, significant and unavoidable; Class II, significant but feasibly mitigated to less than significant; Class III, adverse, but less than significant; and Class IV, beneficial. Section 1.1 of the Draft SEIR, Project Background, provides a background of the project, including a summary of the project, a description of the relationship of the project to the Orcutt Community Plan, and areas of known public controversy. Section 4, Environmental Impact Analysis, describes the impact classifications used throughout the Draft SEIR. Sections 4.1 through 4.15 describe the topic-specific potential impacts of the project, including methods of evaluations, significance thresholds, conclusions, mitigation, and residual impacts. The Executive Summary includes a tabular summary of the impact conclusions and mitigation measures described in detail throughout the Draft SEIR.

## Response 18.4

The commenter states that in order to understand the relationship of the potential impact identified for Key Site 21 in the 1995 OCP EIR to the proposed project, the Draft SEIR should summarize (in tabular or bulleted format) each of the impacts under a particular environmental resource at the beginning of each chapter. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162. Refer to

Topical Response 2 for a discussion about the Specific Plan for Key Site 21, including assumptions regarding build-out. Sections 4.1 through 4.15 describe the topic-specific potential impacts of the project, including methods of evaluations, significance thresholds, conclusions, mitigation, and residual impacts. The Executive Summary includes a tabular summary of the impact conclusions and mitigation measures described in detail throughout the Draft SEIR.

## Response 18.5

The commenter states that the Draft SEIR should be modified to include a statement at the end of each resource impact discussion explaining whether the proposed project's potential impact would be greater than, similar or equal to, or less than the potential impact identified for Key Site 21 in the 1995 OCP EIR. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project. Where appropriate, Draft SEIR discusses impact conclusions in comparison to the conclusions drawn in the 1995 OCP EIR. Sections 4.1 through 4.15 each include a "Previous Environmental Review" discussion that provides the appropriate context for the project's potential impacts relative to the environmental topic being evaluated in comparison to the conclusions of the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.6

The commenter states that the project objectives should be identified after the Project Description in the Executive Summary of the Draft SEIR. The Executive Summary provides a general summary of the conclusions of the Draft SEIR, referring to later sections of the document for additional detail where appropriate. The project objectives are identified in Section 2.6.

## Response 18.7

The commenter requests additional text regarding the relationship of the Draft SEIR to the 1995 OCP EIR be added to the Executive Summary. The Executive Summary provides a general summary of the conclusions of the Draft SEIR, referring to later sections of the document for additional detail where appropriate. Section 1.1.2, Relationship of the Project to the Orcutt Community Plan, describes the relationship of the Draft SEIR to the Orcutt Community Plan and the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.8

The commenter states that should changes be made to Section 6, Alternatives, as a result of subsequent comments, the Executive Summary would need to be modified accordingly. The commenter's statement is noted; however, the Executive Summary is consistent with Section 6, Alternatives.

## Response 18.9

The comment recommends that the environmental impacts and residual impact level associated with the potential buildout identified for Key Site 21 in the 1995 OCP EIR be summarized in advance of Table ES-1 in order to provide a comparison with the analysis to the proposed project that is

required by CEQA Guidelines Section 15163. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162. Sections 4.1 through 4.15 each include a "Previous Environmental Review" discussion that provides the appropriate context for the project's potential impacts relative to the environmental topic being evaluated in comparison to the conclusions of the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.10

The commenter requests a revision to the language of Mitigation Measure BIO-5(a). The requested revision has been made in Section 4.4, Biological Resources, as follows:

b. Appropriate signage warning residents of the potential presence of wild animals on roadways and bike paths shall be installed along roads adjacent to open space areas. Interpretative educational signage discussing sensitive resources on site (oak woodland, rare plants and animals etc.) shall be installed along all bike paths, hiking trails and rest areas. Information on educational signage shall be developed by a County-approved biologist and installed and maintained by the developer and/or HOA, with the exception of the signage along the public trail, which is to be~~. Such signage shall be maintained by the developer or HOA~~ maintained by the Santa Barbara Parks Department following installation by the developer and/or HOA.

## Response 18.11

The commenter requests a revision to the language of Mitigation Measure CUL-1(a). The requested revision has been made in the Executive Summary and Section 4.5, Cultural and Tribal Cultural Resources, as follows:

*CUL-1(a) Avoidance of Site CA-SBA-1169/H*

CA-SBA-1169/H currently is protected by dense natural vegetation which serves as a barrier and discourages entry. To protect the site, this vegetation shall not be cleared at any time. Additionally, hiking or riding trails shall not be routed within 100 feet of the site, and its presence and location shall not be publicized in print or signage.

**Monitoring.** Planning & Development staff shall ensure receipt of the revised site plan ~~and distribution of the plan to the County Historic Landmarks Advisory Commission~~. Permit Compliance shall ensure that the plan is implemented prior to construction.

## Response 18.12

The commenter requests that a summary of the Class I, II, III, and IV impacts associated with potential buildout identified for Key Site 21 in the 1995 OCP EIR be added to Section 1.1.2, Relationship of the Project to the Orcutt Community Plan. Section 1.1.2, Relationship of the Project to the Orcutt Community Plan, describes the relationship of the Draft SEIR to the Orcutt Community Plan and the 1995 OCP EIR. Sections 4.1 through 4.15 each include a "Previous Environmental Review" discussion that provides the appropriate context for the project's potential impacts relative to the environmental topic being evaluated in comparison to the conclusions of the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA

documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.13

The commenter requests text revisions to language in Section 1, Page 1-2, regarding the relationship of the project to the 1995 OCP EIR. The text revisions recommended by the commenter are not related to the environmental setting, evidence, or conclusions of the Draft SEIR, and do not provide contextual clarity or otherwise improve the disclosure of potential environmental effects of the project; therefore, the recommended text revisions have not been incorporated into the Draft SEIR.

## Response 18.14

The commenter states that areas of public controversy discussed in Section 1.1.3, Areas of Known Public Controversy, be compared to those initially identified in projected in the 1995 OCP EIR to identify which are new. The Draft SEIR discusses areas of known public controversy to provide current context for evaluation of the proposed project. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.15

The commenter recommends a text revision to the language on in Section 1, Page 1-2, to clarify the relationship of the project to the 1995 OCP EIR. The change has been made as follows:

> This SEIR builds upon the programmatic analysis ~~performed~~ identified in the OCP EIR and addresses the issues referenced above and identifies potentially significant environmental impacts, including site-specific and cumulative effects of the project in accordance with the provisions set forth in CEQA and the *CEQA Guidelines*. In addition, the SEIR recommends feasible mitigation measures, where possible, that would reduce or eliminate adverse environmental effects.

## Response 18.16

The commenter states that environmental documentation provided by the applicant, including technical studies, must be referenced in Section 1.3, Scope and Content. Technical supporting evidence referenced in the Draft SEIR impact analysis is described in the individual topical sections of the Draft SEIR, Sections 4.1 through 4.15. The environmental documentation provided by the project applicant that was incorporated into the Draft SEIR analysis, referenced by the commenter, is included in the Draft SEIR appendices.

## Response 18.17

The commenter states that Section 1.5, Environmental Review Process, must address the specific characteristics of preparing a Supplemental Environmental Impact Report under CEQA Guidelines Section 15163. The commenter states that the 1995 OCP EIR previously evaluated a project of up to 150 single family residences on Key Site 21. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

Refer to Topical Response 2 for a discussion about the Specific Plan for Key Site 21, including assumptions regarding build-out.

## Response 18.18

The commenter requests that two of the project objectives listed in Section 2.6 be combined to illustrate the manner in which the project is consistent with the Orcutt Community Plan. The project objectives included in the Draft SEIR were developed with coordination between the project applicant and the County of Santa Barbara at the time the Draft SEIR was initiated. The revised language recommended by the commenter does not clarify the project objectives in a manner that enhances the public's understanding of the potential environmental effects of the project or the project alternatives; therefore, the recommended revisions have not been incorporated into the Draft SEIR.

## Response 18.19

The commenter requests a revision to the language regarding the project's sustainable design features in Section 2, Project Description. The recommended has been made as follows:

> The proposed Specific Plan would incorporate the following sustainable design features: 1) providing homes with rooftop ~~wiring for future access to~~ solar collectors ~~power~~ for electrical energy use; 2) energy efficiency improvements (achieving the California Energy Commission Title 24 Building Energy Efficiency Standards) […]

## Response 18.20

The commenter states that the discussion of open space areas in Section 2, Project Description, should refer to the Orcutt Community Plan requirements for Key Site 21 and explain that the project provides for equivalent area as envisioned. The Draft SEIR project description provides a description of the components of the project as currently proposed. Where appropriate, the Draft SEIR discusses the relationship between project components and the potential buildout identified for Key Site 21 in the 1995 OCP EIR and associated Orcutt Community Plan requirements. The project's consistency with the open space requirements in the Orcutt Community Plan is preliminarily discussed in Appendix I.

## Response 18.21

The commenter states that the Draft SEIR does not explicitly state that the list of related projects considered for cumulative impact analysis has been determined at the time the Notice of Preparation (NOP) was released. The commenter notes that LCSD intends to deliver reclaimed irrigation water to the RMGC, and that LCSD intends to condition the project to design a utility layout that allows adequate space for a lateral pipeline from SH 1 to provide distribution to the golf course. The pipeline would be constructed within the existing easement for the project sewer lateral by LCSD. The project could also use the imported reclaimed water for common open space landscape area irrigation. The commenter states that the Draft SEIR appropriately accounts for the intent of the LCSD to condition the project accordingly. This comment will be provided to County decision-makers for their consideration.

## Response 18.22

The commenter states that a figure is required to show the relationship of the project to projects listed in with the cumulative impacts table (Table 3-1) in Section 3.3, Cumulative Development. Table 3-1 includes the location of projects in northern Santa Barbara County by including the APNs of listed projects.

## Response 18.23

The commenter states that Section 4, Environmental Impacts, should be revised to discuss the requirements of a Supplemental EIR as identified in CEQA Guidelines Section 15163. The commenter states that the Draft SEIR must compare the project to the original environmental impacts identified in the 1995 OCP EIR. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162. Refer to Topical Response 2 for a discussion about the Specific Plan for Key Site 21, including assumptions regarding build-out.

## Response 18.24

The commenter requests a revision to the regulatory setting in Section 4.1, *Aesthetics,* in the Draft SEIR. The requested revision has been made as follows:

> The LUDC contains height and size limits, including guidelines ~~for hillside development~~ that regulate the design of future development, in some cases, through review of project plans by the regional (North County) Board of Architectural Review (NBAR).

## Response 18.25

The commenter states that the reference to DevStd VIS-O-3.1 in Section 4.1, *Aesthetics,* should be deleted because the project does not have a frontage on SR 1. Key Site 21 has frontage on SR 1; Therefore, the discussion of DevStd VIS-O-3.1 is appropriate.

## Response 18.26

The commenter requests that statement be added to Impact AES-1 to compare the conclusion with the 1995 OCP EIR. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project. Where appropriate, Draft SEIR discusses impact conclusions in comparison to the conclusions drawn in the 1995 OCP EIR. Section 4.1 includes a "Previous Environmental Review" discussion that provides the appropriate context for the project's potential impacts relative to the environmental topic being evaluated in comparison to the conclusions of the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.27

The commenter requests a revision to the description of the simulated views in Section 4.1, Aesthetics/Visual Resources. The text in Impact AES-1 has been revised, as follows:

Figure 4.1-1 through Figure 4.1-4 show public views of Key Site 21 as seen from SR 1, including simulated views of the project site with the proposed development with and without planned landscaping. The location of each public view was identified by Planning and Development staff during a site visit.

## Response 18.28

The commenter requests a revision to the discussion of County-identified visual resources in Section 4.1, Aesthetics/Visual Resources. The text in Impact AES-1 has been revised, as follows:

As discussed in Section 4.1.3(a), Methodology and Significance Thresholds. the County's Comprehensive Plan Open Space Element identifies parks and recreational areas as ~~significant~~ important visual resources with aesthetic value.

## Response 18.29

The commenter requests that the concluding statements in Impact AES-1 and AES-2 include comparisons with the 1995 OCP EIR. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project. Where appropriate, Draft SEIR discusses impact conclusions in comparison to the conclusions drawn in the 1995 OCP EIR. Section 4.1 includes a "Previous Environmental Review" discussion that provides the appropriate context for the project's potential impacts relative to the environmental topic being evaluated in comparison to the conclusions of the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.30

The commenter states that CEQA Guidelines Section 15163 requires that mitigation measures be refined from the 1995 OCP EIR measures or new measures. The commenter states their understanding that Draft SEIR Mitigation Measures VIS-2(a) through VIS-2(d) in the Draft SEIR are not new, such that the significant and unavoidable impact is unchanged from the 1995 OCP EIR conclusions. The commenter's understanding is correct - Draft SEIR Mitigation Measures VIS-2(a) through VIS-2(d) implement OCP EIR Mitigation Measures VIS-3 and VIS-4, although the required mitigation would not prevent the conversion of semi-rural land uses to urban land uses. As a result, Impact AES-2 remains significant and unavoidable (Class I).

## Response 18.31

The commenter requests that statements in Impact AES-2, Impact AES-3, the cumulative impacts discussion in Section 4.1, Impact AG-1, the cumulative impacts discussion in Section 4.2, Impact AQ-1, and Impact AQ-2 include comparisons with the 1995 OCP EIR. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project. Where appropriate, Draft SEIR discusses impact conclusions in comparison to the conclusions drawn in the 1995 OCP EIR. Sections 4.1, 4.2, and 4.3 include a "Previous Environmental Review" discussion that provides the appropriate context for the project's potential impacts relative to the environmental topic being evaluated in comparison to the conclusions of the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document

based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.32

The commenter states that delays in processing the Draft SEIR have resulted in a delay of two years from the dates originally estimated for the commencement of construction. The commenter recommends a revision to Section 4.3, Air Quality, Impact AQ-2 to describe this change in assumptions. Section 4.3, Air Quality has been revised, as follows:

> Construction emissions modeling assumed that construction would occur over the course of 55 months, beginning in June 2019 and ending in January 2024, with construction occurring concurrently at both the Willow Creek and Hidden Canyon locations. The estimated commencement of construction is now in June 2021. Emission factors calculated assuming a construction commencement in 2019 are a worst-case assessment, as equipment used in two years will be generally cleaner as older, less efficient pieces are taken out of the construction fleet.

## Response 18.33

The commenter requests that statement be added to Impact AQ-2, Impact AQ-3, Impact AQ-4, and the cumulative impacts discussion in Section 4.3 to compare the conclusions with the 1995 OCP EIR. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project. Where appropriate, Draft SEIR discusses impact conclusions in comparison to the conclusions drawn in the 1995 OCP EIR. Section 4.3 includes a "Previous Environmental Review" discussion that provides the appropriate context for the project's potential impacts relative to the environmental topic being evaluated in comparison to the conclusions of the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.34

The commenter requests that Table 4.4-2, Summary of Biological Impacts, be revised to include an additional column for residual impact. As described in Response 17.7, Table 4.4-2 has been revised to identify the impact findings of the 1995 OCP EIR.

## Response 18.35

The commenter requests that statements be added to Impact BIO-1, Impact BIO-2, Impact BIO-3, Impact BIO-4, Impact BIO-5, Impact BIO-6, Impact BIO-7, the cumulative impacts discussion in Section 4.4, and Impact CUL-1 to compare the conclusions to the 1995 OCP EIR. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project. Where appropriate, Draft SEIR discusses impact conclusions in comparison to the conclusions drawn in the 1995 OCP EIR. Sections 4.4 and 4.5 include a "Previous Environmental Review" discussion that provides the appropriate context for the project's potential impacts relative to the environmental topic being evaluated in comparison to the conclusions of the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.36

The commenter requests revisions to the text of Impact CUL-1. Revisions have been made to incorporate the information provided by the commenter, as follows:

> ~~According to the~~ The Addendum to the Phase 1 Archaeological Resources Investigation for the project (Appendix D) identifies that ~~during~~ the four most recent archaeological studies have results in the complete intensive investigation of all proposed Specific Plan development areas, including the proposed sewer line extension area on Key Site 22. Studies in support of projected buildout in the 1995 OCP EIR and Key Site 21 Specific Plan building (2004) were consistent with present County Cultural Resource Guidelines using 15-meter (50-feet) survey spacing. No archeological resources were identified within the proposed development areas on the project site, or the proposed sewer line extension area on Key Site 22.

## Response 18.37

The commenter requests revisions to the of Impact CUL-1. Revisions have been made to incorporate the information provided by the commenter, as follows:

> Although ~~there are~~ no known archeological resources were identified on the project site as a result of two intensive archaeological surveys completed consistent with County Cultural Resources Guidelines, project-related earth moving activities (e.g., during the construction of project) could impact previously undiscovered archaeological resources.

## Response 18.38

The commenter requests that Mitigation Measure CUL-1(b) be deleted because there is no nexus to require it. As described in Impact CUL 1, while no known archaeological sites have been identified on the project site, the potential for encounter of previously unknown cultural resources is potentially significant. Therefore, the archaeological monitoring described in Mitigation Measure CUL-1(b) is necessary to ensure that potential impacts to archaeological resources would be less than significant.

## Response 18.39

The commenter recommends the text of Mitigation Measure CUL-1(c) be revised to include a worker education program. The text of Mitigation Measure CUL-1(c) has been revised, as follows:

> **Plan Requirements and Timing.** This condition shall be printed on all building and grading plans prior to approval of such plans. A Worker Education Program (WEP) shall be designed and implemented for all project construction supervisors and field personnel who may encounter unknown cultural resources during earthmoving activities. The WEP shall be presented at a pre-construction workshop conducted by a County-qualified archaeologist and a local tribal representative funded by the applicant. Attendees shall include the applicant, archaeologist, tribal representative, construction supervisors, and heavy equipment operators to ensure that all parties understand the cultural resources monitoring program and their respective roles and responsibilities. The names of all personnel who attend the workshop shall be recorded and all personnel attendees shall be issued hardhat stickers denoting that they have received workshop training. This workshop shall be videotaped and shown to any new employees or subcontractors that may be needed during ground-disturbance construction activities. Names of newly trained personnel shall be recorded and those personnel issued appropriate hardhat stickers.

Examples of archaeological artifacts (e.g., ground and chipped stone tools) and other cultural materials (soils containing evidence of food refuse, localized activity areas such as roasting pits) that may be reasonably encountered during construction shall be illustrated on posters that are shown at the preconstruction workshop. The posters shall remain in construction worker break room or similar common onsite areas where they may be accessible for reference as necessary.

**Monitoring.** Planning & Development permit processing planner shall check plans prior to issuance of zoning clearance and Planning & Development compliance monitoring staff shall attend the pre-construction workshop, and spot check in the field throughout grading and construction.

## Response 18.40

The commenter requests revisions to the discussion of significance after mitigation associated with Impact CUL-1. Some of the recommended text revisions are not appropriate, consistent with Responses 18.38 and 18.39. Minor clarifying revisions have been made to the discussion of significance after mitigation associated with Impact CUL-1, as follows:

Implementation of the Mitigation Measures CUL-1(a) through CUL-1(c) would reduce impacts associated with the potential to indirectly impact CA-SBA-1169/H and/or unearth previously ~~undiscovered~~ unknown cultural resources during ~~grading and construction~~ earthmoving activities to a less than significant level (Class II).

The commenter also requests that a statement be added to the above referenced paragraph to compare the conclusions to the 1995 OCP EIR. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project. Where appropriate, Draft SEIR discusses impact conclusions in comparison to the conclusions drawn in the 1995 OCP EIR. Section 4.5 includes a "Previous Environmental Review" discussion that provides the appropriate context for the project's potential impacts relative to the environmental topic being evaluated in comparison to the conclusions of the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.41

The commenter requests revisions to Impact CUL-2 to clarify the nature of potential tribal cultural resources and the survey work completed as part of the Draft SEIR analysis. Impact CUL-2 has been revised to clarify, as follows:

**IMPACT CUL-2 GROUND DISTURBING ACTIVITIES ASSOCIATED WITH THE PROJECT COULD CAUSE A SUBSTANTIAL ADVERSE CHANGE TO PREVIOUSLY ~~UNDISCOVERED~~ UNKNOWN TRIBAL CULTURAL RESOURCES. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT WITH IMPLEMENTATION OF MITIGATION (CLASS II).**

~~At this time~~ No tribal cultural resources have been identified on the project site during two intensive archaeological surveys conducted by County-qualified archaeologists using standards consistent with County Cultural Resources Guidelines. However, Santa Barbara County has a long history of Native American occupation and, therefore, all ground-disturbing activities have the potential to uncover previously ~~undiscovered~~ unknown tribal cultural resources.

The commenter also requests that a statement be added to the above referenced paragraph to compare the conclusions to the 1995 OCP EIR. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project. Where appropriate, Draft SEIR discusses impact conclusions in comparison to the conclusions drawn in the 1995 OCP EIR. Section 4.5 includes a "Previous Environmental Review" discussion that provides the appropriate context for the project's potential impacts relative to the environmental topic being evaluated in comparison to the conclusions of the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.42

The commenter requests revisions to discussion of significance after mitigation in Impact CUL-2, consistent with the revisions recommended in Response 18.41. The discussion of significance after mitigation in Impact CUL-2 has been revised, as follows:

> Implementation of Mitigation Measures CUL-~~2~~1(a) through CUL-1(c) would ensure that previously ~~unidentified~~ unknown tribal cultural resources would ~~not~~ be properly addressed ~~impacted~~ if encountered during project construction. With implementation of these measures, potential impacts to tribal cultural resources would be less than significant (Class II).

The commenter also requests that a statement be added to the above referenced paragraph to compare the conclusions to the 1995 OCP EIR. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project. Where appropriate, Draft SEIR discusses impact conclusions in comparison to the conclusions drawn in the 1995 OCP EIR. Section 4.5 includes a "Previous Environmental Review" discussion that provides the appropriate context for the project's potential impacts relative to the environmental topic being evaluated in comparison to the conclusions of the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.43

The commenter requests that a statement be added to the cumulative impacts discussion in Section 4.5 to compare the conclusions with the 1995 OCP EIR. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project. Where appropriate, Draft SEIR discusses impact conclusions in comparison to the conclusions drawn in the 1995 OCP EIR. Section 4.5 includes a "Previous Environmental Review" discussion that provides the appropriate context for the project's potential impacts relative to the environmental topic being evaluated in comparison to the conclusions of the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.44

The commenter requests revisions language regarding the planned and required project components that would reduce energy consumption. In response, language in Impact E-1 has been revised as follows:

> Energy demand from project operation would include fuel consumed by passenger vehicles; natural gas consumed for heating residences; and electricity consumed by residences including, but not limited to lighting, water conveyance, and air conditioning. The project would include several features to reduce energy consumption, including natural heating and cooling via roof overhangs and window placement and building orientation, ~~pre-wiring for~~ rooftop solar ~~power~~ panels; recirculating, point-of-use, or on-demand water heaters; low-flow plumbing fixtures.

Similarly, language in Section 4.6.3(c) has been revised as follows:

> […] In addition, the project would include several features to reduce energy consumption, including natural heating and cooling via roof overhangs and window placement and building orientation, ~~pre-wiring for~~ rooftop solar power panels; recirculating, point-of-use, or on-demand water heaters; low-flow plumbing fixtures. Furthermore, as discussed under Impact E-2, the project would be consistent with the Santa Barbara County ECAP, which was adopted to reduce the cumulative impact of energy consumption in the County. Therefore, the project would not have a cumulatively considerable contribution to this impact (Class III).

## Response 18.45

The commenter requests that statements be added to Impact FP-1, Impact FP-2, the cumulative impacts discussion in Section 4.7, Impact GEO-1, and Impact GEO-2 to compare the conclusions to the 1995 OCP EIR. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project. Where appropriate, Draft SEIR discusses impact conclusions in comparison to the conclusions drawn in the 1995 OCP EIR. Sections 4.7 and 4.8 include a "Previous Environmental Review" discussion that provides the appropriate context for the project's potential impacts relative to the environmental topic being evaluated in comparison to the conclusions of the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.46

The commenter requests that the numbering of Mitigation Measure GEO-2 be corrected to read GEO-1. The numbering of this mitigation measure is intended to follow on the impact discussion for Impact GEO-2; therefore, the numbering of Mitigation Measure GEO-2 in the Draft SEIR is correct. This mitigation numbering approach is applied consistently throughout the Draft SEIR; therefore, no change to the Draft SEIR text is required. References to "Mitigation Measure GEO-1" in the Draft SEIR have been revised to correctly refer to Mitigation Measure GEO-2.

## Response 18.47

The commenter requests that a statement be added to Impact GEO-3 to compare the conclusions to the 1995 OCP EIR. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project.

Where appropriate, Draft SEIR discusses impact conclusions in comparison to the conclusions drawn in the 1995 OCP EIR. Section 4.8 includes a "Previous Environmental Review" discussion that provides the appropriate context for the project's potential impacts relative to the environmental topic being evaluated in comparison to the conclusions of the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.48

The commenter requests that the numbering of Mitigation Measure GEO-3 be corrected to read GEO-2. The numbering of this mitigation measure is intended to follow on the impact discussion for Impact GEO-3. This mitigation numbering approach is applied consistently throughout the Draft SEIR; therefore, no change to the Draft SEIR text is required.

## Response 18.49

The commenter requests that statements be added to Impact GEO-1, Impact GEO-3, and Impact GEO-4 to compare the conclusions to the 1995 OCP EIR. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project. Where appropriate, Draft SEIR discusses impact conclusions in comparison to the conclusions drawn in the 1995 OCP EIR. Section 4.8 includes a "Previous Environmental Review" discussion that provides the appropriate context for the project's potential impacts relative to the environmental topic being evaluated in comparison to the conclusions of the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.50

The commenter requests that the numbering of Mitigation Measures GEO-2 and GEO-3 be revised. Refer to Response 18.46 and Response 18.48.

## Response 18.51

The commenter requests that statements be added to Impact GEO-4 and Impact GEO-5 to compare the conclusions to the 1995 OCP EIR. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project. Where appropriate, Draft SEIR discusses impact conclusions in comparison to the conclusions drawn in the 1995 OCP EIR. Section 4.8 includes a "Previous Environmental Review" discussion that provides the appropriate context for the project's potential impacts relative to the environmental topic being evaluated in comparison to the conclusions of the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.52

The commenter requests that the numbering of Mitigation Measure GEO-5(a) be corrected to read GEO-4(a). The numbering of this mitigation measure is intended to follow on the impact discussion

for Impact GEO-5. This mitigation numbering approach is applied consistently throughout the Draft SEIR; therefore, no change to the Draft SEIR text is required.

## Response 18.53

The commenter requests that a statement be added to the cumulative impacts discussion in Section 4.8 to compare the conclusions to the 1995 OCP EIR. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project. Where appropriate, Draft SEIR discusses impact conclusions in comparison to the conclusions drawn in the 1995 OCP EIR. Section 4.8 includes a "Previous Environmental Review" discussion that provides the appropriate context for the project's potential impacts relative to the environmental topic being evaluated in comparison to the conclusions of the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.54

The commenter requests that solar roof panels be added to Mitigation Measure GHG-1. Solar photovoltaics are described in bullet a.1 of Mitigation Measure GHG-1; therefore, no changes to the text of the Draft SEIR are required.

## Response 18.55

The commenter requests that statements be added to Impact N-1, Impact N-2, Impact N-3, the cumulative impacts discussion in Section 4.11, Impact PS/R-2, and Impact PS/R-2, to compare the conclusions to the 1995 OCP EIR. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project. Where appropriate, Draft SEIR discusses impact conclusions in comparison to the conclusions drawn in the 1995 OCP EIR. Sections 4.11 and 4.12 include a "Previous Environmental Review" discussion that provides the appropriate context for the project's potential impacts relative to the environmental topic being evaluated in comparison to the conclusions of the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.56

The commenter requests that Section 4.12, Public Services and Recreation, be revised to reflect parks acreage that has been collected since 1995.

The commentor provides information regarding publicly available parks in the Orcutt area. The County has determined that the information requested by the commenter would not result in a change in the conclusions of the analysis in Section 4.12, Public Services and Recreation. Refer to Topical Response 1, which includes a detailed discussion of the conclusions of the Draft SEIR regarding recreational resources. No changes to the text of the Draft SEIR are required in response to this comment.

## Response 18.57

The commenter requests summary statements be added to Impact PS/R-3, Impact PS/R-4, Impact PS/R-5, the cumulative impacts discussion in Section 4.12, Impact T-1, and Impact T-2 to compare the conclusions to the 1995 OCP EIR. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project. Where appropriate, Draft SEIR discusses impact conclusions in comparison to the conclusions drawn in the 1995 OCP EIR. Sections 4.12 and 4.13 include a "Previous Environmental Review" discussion that provides the appropriate context for the project's potential impacts relative to the environmental topic being evaluated in comparison to the conclusions of the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.58

The commenter provides supplementary discussion from Stantec, preparer of the Traffic and Circulation Study for the project (May 2019, refer to Appendix K), regarding the potential feasibility of improvements at the Foxenwood Lane/Clark Avenue intersection that would address identified cumulative transportation impacts at this location, including discussion of retaining the existing cross section on Clark Avenue. Based on this supplementary discussion, the commenter recommends text revisions to the discussion of Impact T-4 to reflect disagreement among experts about the feasibility of mitigation at this location. As described in Section 4.13, Transportation and Circulation, the Traffic and Circulation Study prepared for the project was peer reviewed by Associated Transportation Engineers and Rincon Consultants, Inc. Retaining the existing cross section on Clark Avenue is inconsistent with the identified cumulative project list and cumulative setting used as the basis for the Draft SEIR analysis of potential cumulative transportation impacts; therefore, this recommendation is not a feasible mitigation measure. County Public Works/Transportation Division has implemented left-turn restrictions by installing flexible posts along the Clark Avenue median. Public Works will be studying the impacts of left-turn restrictions and use that information for the final median improvement design the County will be installing. While implementation of the left-turn restrictions would increase the intersection's operation to acceptable levels of service under cumulative conditions, this has not been identified as a permanent solution, and no project is approved or funded for this intersection. Therefore, the Cumulative Class I impact identified in the Draft SEIR remains accurate until a permanent, funded solution is determined. No changes to the text of the Draft SEIR are required in response to this comment.

The commenter also requests that a statement be added to Impact T-4 to compare the conclusions to the 1995 OCP EIR. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project. Where appropriate, Draft SEIR discusses impact conclusions in comparison to the conclusions drawn in the 1995 OCP EIR. Section 4.13 includes a "Previous Environmental Review" discussion that provides the appropriate context for the project's potential impacts relative to the environmental topic being evaluated in comparison to the conclusions of the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.59

The commenter requests that statements be added to Impact WR-4 to compare the conclusions to the 1995 OCP EIR. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project. Where appropriate, Draft SEIR discusses impact conclusions in comparison to the conclusions drawn in the 1995 OCP EIR. Section 4.14 includes a "Previous Environmental Review" discussion that provides the appropriate context for the project's potential impacts relative to the environmental topic being evaluated in comparison to the conclusions of the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.60

The commenter states that the Draft SEIR should clarify the fact that the groundwater basin has been determined to be no longer in overdraft, and therefore the use of native groundwater to serve the proposed project meets the definition of "supplemental water" for purposes of satisfying the objectives of Policy WAT-O-2. The commenter states that this conclusion provides a separate and distinct ground for determining the project's water demand is legally considered to be offset by long-term supplemental water supplies.

As described in Draft SEIR Section 4.14, Water Resources and Flooding, and Response 10.2, the use of native groundwater to serve the proposed project is consistent with the final water rights judgment and meets the definition of "supplemental water" for purposes of satisfying the "supplemental" water requirement set forth in Policy WAT-O-2. Also refer to Response 10.2, which discusses the project's consistency with Policy WAT-O-2. Policy WAT-O-2 requires new discretionary development to obtain a source of water other than local groundwater, ensuring no additional consumptive demand is placed on the Basin. Policy WAT-O-2 defines "supplemental water" as "a source of water other than groundwater, unless: 1. The groundwater basin has been determined to be no longer in overdraft, or 2. the use of groundwater is consistent with the final water rights judgment entered in the Basin adjudication (Santa Maria Valley Water Conservation District v. City of Santa Maria, et.al., Santa Clara Superior Court Case No. 770214)." The project's proposed use of groundwater is consistent with the final water rights judgment entered in the Basin adjudication because the project is located outside the designated "New Urban Use" boundaries established by the Settlement Stipulation and is not adjacent to or within one quarter mile of the "New Urban Use" boundaries. Therefore, the project is exempt from the final Judgment's "New Urban Use" requirements and meets the definition of "supplemental water." Also refer to Response 10.3, which discusses the Settlement Stipulation's finding that there was no overdraft of the groundwater basin (i.e., a permanent lowering of the groundwater table).

## Response 18.61

The commenter requests that statements be added to Section 5, Other CEQA Required Discussions, to compare the conclusions to the 1995 OCP EIR. The Draft SEIR is a Subsequent EIR prepared consistent with the requirements of CEQA Section 15162 and draws independent conclusions about the potential impacts of the project. Where appropriate, Draft SEIR discusses impact conclusions in comparison to the conclusions drawn in the 1995 OCP EIR. Sections 4.1 through 4.15 include a "Previous Environmental Review" discussion that provides the appropriate context for the project's potential impacts relative to the environmental topic being evaluated in comparison to the

conclusions of the 1995 OCP EIR. Refer to Topical Response 4 for a discussion of the use of a Subsequent EIR to provide CEQA documentation in the form of a tiered document based on the Programmatic Orcutt Community Plan EIR as described in the State CEQA Guidelines Section 15162.

## Response 18.62

The commenter requests that the discussion of OCP EIR Alternative 2 (Low Buildout) in Section 6, Alternatives, be revised to include a discussion of this alternative's consistency with the basic objectives of the project. As described in Section 6.2.1, discussion of the OCP EIR alternatives is provided at a conceptual level. Alternatives to the proposed project, which were developed to respond to specific environmental impacts identified in the Draft SEIR, and which are partially based on the buildout levels of the alternatives from the OCP EIR, are discussed in detail in Section 6.2.3, and compared to the basic objectives of the project in Section 6.4.

## Response 18.63

The commenter recommends that the No Project Alternative (OCP EIR Alternative 1) evaluated in Section 6, Alternatives, of the Draft SEIR be revised to describe a condition wherein the project site is developed with a 150-unit residential project based on the assumptions developed for Key Site 21 in the 1995 OCP EIR. The 150-unit residential project referenced by the commenter represents a conceptual assumption for potential buildout on Key Site 21 considered in the 1995 OCP EIR, but does not represent an approved project, a project application, or a potential ministerial approval on Key Site 21. Potential development that may occur in the absence of the proposed project would be subject to the same approval process currently being sought by the applicant, including approval of a Specific Plan and development plan. Therefore, a different potential project on Key Site 21 was not found to be reasonably foreseeable as part of the alternatives analysis for the proposed project. As a result, the No Project Alternative evaluated in Section 6, Alternatives, was determined to be the appropriate alternative to satisfy the requirements of State CEQA Guidelines Section 15126(e)(3).

## Response 18.64

The commenter states that Alternative 2, Only Hidden Canyon Neighborhood Development, should be described in the Draft SEIR as infeasible on the basis that it would not satisfy the basic objectives of the project. It should be noted that the feasibility of potential project alternatives is not based on whether or not they would achieve all or most of the basic objectives of the project. As discussed in Section 6, Alternatives, in defining feasibility of alternatives, the CEQA Guidelines state that "among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site." Section 6.4, Environmentally Superior Alternative, addresses the project objectives as they relate to the range of alternatives evaluated in the Draft SEIR. As discussed therein, Alternative 2 would not meet some of the objectives for the project. Specifically, this alternative would not be consistent with the overall development vision for Key Site 21 in the OCP and would provide substantially fewer residential units than the proposed project, which would not be consistent with the project objective to address the current State-wide housing shortage of two million units. No revisions to the text of the Draft SEIR are required.

## Response 18.65

The commenter states that Alternative 3, Only Willow Creek Neighborhood Development, should be described in the Draft SEIR as infeasible on the basis that it would not satisfy the basic objectives of the project. As discussed in Response 18.64, the feasibility of potential project alternatives is not based on whether or not they would achieve all or most of the basic objectives of the project. Section 6.4, Environmentally Superior Alternative, addresses the project objectives as they relate to the range of alternatives evaluated in the Draft SEIR. The consistency of Alternative 3 with the project objectives is not provided therein, as Alternative 3 is not identified as the environmentally superior alternative. However, it should be noted that the comparison of Alternative 2 with the basic project objectives, discussed in Response 18.64, would also apply to Alternative 3. No revisions to the text of the Draft SEIR are required.

## Response 18.66

The commenter provides slope maps prepared by the project engineer which indicate that eleven proposed residential lots in the Willow Creek neighborhood would be located on slopes that exceed 30 percent and two proposed residential lots in the Hidden Canyon neighborhood would be located on slopes that exceed 30 percent. The commenter requests that the description of Alternative 4, Reduced Units in Willow Creek and Hidden Canyon Neighborhoods, and Figures 6-2 and 6-3, be revised to reflect this information. The figures provided by the commenter are updated versions of grading plans submitted to the County as part of the project application, revised to specifically reflect areas with slopes in excess of 20 percent and 30 percent to supplement the Draft SEIR analysis. The analysis of Alternative 4 in Section 6, Alternatives, of the Draft SEIR was prepared based on a desktop analysis of grading plans that did not depict slopes in excess of 30 percent. As a result, the number of lots that would be eliminated under Alternative 4 was estimated based on conservative assumption for areas where slopes may exceed 30 percent and provides a conservative estimate for the potential reduction in lots necessary to provide a project that would be fully consistent with OCP DevStd KS21-8 requiring siting development to preserve natural landforms and minimize grading. As described in Section 6.2 of the Draft SEIR, the lot layout shown on Figure 6-3 is a conceptual example of how the intentions of Alternative 4 may be met; if this alternative were ultimately selected for development, the project applicant would have flexibility in developing a final lot layout that would meet the requirements of this alternative.

## Response 18.67

The commenter recommends revisions to Table 6-1 to reflect changes recommended in earlier comments. Refer to Responses 18.62 Through 18.66.

## Response 18.68

The commenter recommends revisions to Section 6.3.1, Alternative 1: No Project (No Build) Alternative, based on recommendations provided in earlier comments. Refer to Response 18.63.

## Response 18.69

The commenter recommends revisions to Section 6.3.2, Alternative 2: Only Hidden Canyon Neighborhood Development, based on recommendations provided in earlier comments. Refer to Response 18.64.

## Response 18.70

The commenter recommends revisions to Section 6.3.3, Alternative 3: Only Willow Creek Neighborhood Development, based on recommendations provided in earlier comments. Refer to Response 18.65.

## Response 18.71

The commenter recommends revisions to Section 6.3.4, Alternative 4: Reduced Units in Willow Creek and Hidden Canyon Neighborhoods, based on recommendations provided in earlier comments. Refer to Response 18.66.

## Response 18.72

The commenter states that the analysis of the Environmentally Superior Alternative must be revised to focus on the No Project Alternative, the proposed project, and the Reduced Units in Willow Creek and Hidden Canyon Neighborhoods Alternative, as no other alternatives are feasible as defined by CEQA Guidelines Section 15126.6. As discussed in Response 18.64, the feasibility of potential project alternatives is not based on whether or not they would achieve all or most of the basic objectives of the project. As discussed in Section 6, Alternatives, in defining feasibility of alternatives, the CEQA Guidelines state that "among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site." Also refer to Responses 18.63 through 18.66 for responses to earlier comments provided regarding the consistency of each of the alternatives discussed in Section 6, Alternatives, relative to the basic objectives of the project.

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# 8 References

## 8.1 Bibliography

Arnold, J.E. 1987. Craft Specialization in the Prehistoric Channel Islands, California. University of California Publications in Anthropology, No. 18. Berkeley.

Bamforth, D.B. 1984. Analysis of Chipped Stone Artifacts. In Archaeological Investigations on the San Antonio Terrace, Vandenberg Air Force Base, California, in Connection with MX Facilities Construction. Chambers Consultants and Planners. Submitted to U.S. Army Corps of Engineers, Los Angeles District.

Brown, Alan K. 2001. A Description of Unpublished Roads: Original Journals of the First Expedition into California, 1769–1770 by Juan Crespí. San Diego State University Press, San Diego, CA.

Belk, Denton. 1999. Fairy shrimps of California's puddles, pools, and playas. Eureka, CA: Mad River Press.

California Air Resources Board (CARB). 2005. Air Quality and Land Use Handbook: A Community Health Perspective. Sacramento, CA. April 2005.

_____. 2008. *Climate Change Scoping Plan: A Framework for Change*. December 2008. http://www.arb.ca.gov/cc/scopingplan/document/scopingplandocument.htm.

_____. 2011. Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Public Hearing to Consider the "LEV III" Amendments to the California Greenhouse Gas and Criteria Pollutant Exhaust and Evaporative Emission Standards and Test Procedures and to the On-Board Diagnostic System Requirements for Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles, and to the Evaporative Emission Requirements for Heavy-Duty Vehicles. Sacramento, CA. December 7, 2011.

_____. 2014. AB 32 Scoping Plan Website. Updated June 2014. Accessed September, 2014. Available: http://www.arb.ca.gov/cc/scopingplan/scopingplan.htm

_____. 2015. 2030 Target Scoping Plan Public Meeting Presentation. Sacramento, CA. October 1, 2015.

_____. 2016. Ambient Air Quality Standards. Sacramento, CA. May 4, 2016.

_____. 2017. California's 2017 Climate Change Scoping Plan. December 14, 2017. https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf

_____. 2018. Air Quality Standards and Area Designations. Last modified: June 12, 2018. https://www.arb.ca.gov/desig/desig.htm. Accessed May 11, 2019.

_____. 2018a. "California Greenhouse Gas Emission Inventory – 2018 Edition. Last modified: July 11, 2018. https://www.arb.ca.gov/cc/inventory/data/data.htm (accessed October 2018).

_____. 2018b. "2020 Business-as-Usual (BAU) Emissions Projection – 2014 Edition". Last modified: June 22, 2018. http://www.arb.ca.gov/cc/inventory/data/bau.htm (accessed October 2018).

_____. 2019. Health Effects of Diesel Exhaust. http://www.arb.ca.gov/research/diesel/diesel-health.htm. Accessed May 11, 2019.

California Climate Change Center (CCCC). 2006. Climate Scenarios for California.

California Department of Conservation. 2015. 2015 California Farmland Conversion Report. Sacramento, CA. September 2015.

_____. 2018. "Map Data Layer Viewer" [Interactive Map]. https://maps.conservation.ca.gov/cgs/DataViewer/.

California Department of Finance (CDOF). 2018. "E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2018 with 2010 Census Benchmark." Last modified: May 2018. http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/. Accessed January 2019.

California Department of Food and Agriculture. 2018. "California Agricultural Production Statistics." Last modified: August 30, 2018. https://www.cdfa.ca.gov/statistics/ (accessed January 2019).

California Department of Forestry and Fire Protection (CalFire). 2008. Santa Barbara County FHSZ Map. http://fire.ca.gov/fire_prevention/fhsz_maps_santabarbara

_____. 2012. California's Wildland-Urban Interface Code Information. Accessed January 16, 2019.

California Department of Fish and Game. 2012. Staff Report on Burrowing Owl Mitigation. Sacramento, CA. March 2012.

California Department of Fish and Wildlife. 2018. California Natural Communities List. Vegetation Classification and Mapping Program, Sacramento, CA. October 2018. https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=153398&inline

California Department of Food and Agriculture. 2017. "California Agricultural Statistics 2017 Crop Year – Top 10 Commodities for California Agriculture." [website]. https://www.cdfa.ca.gov/statistics/ Accessed May 12, 2019.

California Department of Conservation Division of Oil, Gas, and Geothermal Resources (DOGGR). 2018a. "Division of Oil, Gas & Geothermal Resources – Well Finder" [database]. https://maps.conservation.ca.gov/doggr/wellfinder/#close (accessed February 2019).

____. 2018b. *2017 Report of California Oil and Gas Production Statistics.* Sacramento, CA. September 2018.

California Department of Finance. 2018. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2018 with 2010 Census Benchmark http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/ (accessed February 2019).

California Department of Transportation (Caltrans). 2017. Traffic Census Program, Truck Traffic: Annual Average Daily Truck Traffic. Accessed March 4, 2019. http://www.dot.ca.gov/trafficops/census/

_____. 2018. "Scenic Highways." http://www.dot.ca.gov/design/lap/livability/scenic-highways/ Accessed January 15, 2019.

California Department of Water Resources. 2008. Managing an Uncertain Future: Climate Change Adaption Strategies for California's Water. Sacramento, CA. October 2008.

_____. 2019. Adjudicated Basins Annual Reporting System, Santa Maria Valley Management Area Annual Report 01/01/2018 - 12/31/2018. Accessed June 13, 2019. https://sgma.water.ca.gov/adjudbasins/report/preview/135

California Energy Commission (CEC). 2017a. Electricity Consumption by County [Online Database]. http://ecdms.energy.ca.gov/elecbycounty.aspx

_____. 2017b. Gas Consumption by Entity. http://www.ecdms.energy.ca.gov/gasbyutil.aspx (accessed January 2019).

_____. 2017c. *Gas Consumption by County* [Online Database]. http://ecdms.energy.ca.gov/gasbycounty.aspx

_____. 2018a. Oil Supply Sources to California Refineries. http://www.energy.ca.gov/almanac/petroleum_data/statistics/crude_oil_receipts.html (accessed February 2019).

_____. 2018b. Foreign Sources of Crude Oil Imports to California 2016. Retrieved on December 3, 2018, from http://www.energy.ca.gov/almanac/petroleum_data/statistics/2016_foreign_crude_sources.html

_____. 2018c. "Electric Generation Capacity & Energy." Retrieved on December 3, 2018, from https://www.energy.ca.gov/almanac/electricity_data/electric_generation_capacity.html

_____. 2018d. *2018 Integrated Energy Policy Report Update Vol. 1*. https://www.energy.ca.gov/2018publications/CEC-100-2018-001/CEC-100-2018-001-V1_spreads.pdf.

_____. 2018e. California Natural Gas Utility Service Areas. https://www.energy.ca.gov/maps/serviceareas/natural_gas_service_areas.pdf

_____. 2018f. "California Retail Fuel Outlet Annual Reporting (CEC-A15) Results, California Annual Retail Fuel Outlet Report Results (CEC-A15) Spreadsheets." https://www.energy.ca.gov/almanac/transportation_data/gasoline/piira_retail_survey.html (accessed February 2018).

_____. 2018f. *2019 Building Energy Efficiency Standards for Residential and Nonresidential Buildings*. https://www.energy.ca.gov/2018publications/CEC-400-2018-020/CEC-400-2018-020-CMF.pdf.

_____. 2019a. "Supply and Demand of Natural Gas in California." https://www.energy.ca.gov/almanac/naturalgas_data/overview.html (accessed January 2019)

California Gas and Electric Utilities (CGEU). 2018. *2018 California Gas Report*. Decision D.95-01-039.

California Native Plant Society, Rare Plant Program. 2019. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). http://www.rareplants.cnps.org. Accessed March 21, 2019.

California Natural Resources Agency. 2009. 2009 California Climate Adaptation Strategy. March 2009.

Central Coast Power. 2018. "Central Coast Power." http://centralcoastpower.org (accessed February 2019).

Central Coast Center for Plant Conservation. 2007. Rare Plants of Santa Barbara County. Santa Barbara Botanical Garden. v. 1.8, rev Aug 6.

California, State of. 2018. California's Fourth Climate Change Assessment Statewide Summary Report. August 27, 2018. http://www.climateassessment.ca.gov/state/ (accessed January 2019).

California State Water Resources Control Board (SWRCB). 1999. General Waste Discharge Requirements for Biosolids Land Application Draft Statewide Program EIR – Appendix G. Background Information on Acoustics. Sacramento, CA. June 28, 1999.

_____. 2018. "State and Regional Water Board." https://www.waterboards.ca.gov/waterboards_map.html (accessed December 27, 2018).

Cantu, Herb. Solid Waste Supervisor, Santa Maria Landfill. Personal communication with Herb Cantu, Solid Waste Supervisor, Santa Maria Landfill, regarding landfill capacity, January 2018.

Central Coast Regional Water Quality Control Board (RWQCB). California 2010 303(d) List. https://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2014_2016.shtml Accessed November 2018.

Dudek Environmental Planning. 2018. Wetland Delineation and Jurisdictional Determination for The Neighborhoods of Willow Creek & Hidden Canyon.

_____. 2019a. Air Quality Analysis Technical Report for The Neighborhoods of Willow Creek & Hidden Canyon. January 2019. Provided as Appendix B of this EIR.

_____. 2019b. Biological Resources Assessment Report for The Neighborhoods of Willow Creek & Hidden Canyon. Provided as Appendix C of this EIR.

_____. 2019c. Draft Open Space Management Plan for The Neighborhoods of Willow Creek & Hidden Canyon.

Erlandson, Jon M., Torben C. Rick, and Rene L. Vellanoweth. 2008. A Canyon through Time: Archaeology, History, and Ecology of the Tecolote Canyon Area, Santa Barbara County, California.

Fidler, Glenn. January 2019. Personal communication.

Federal Highway Administration (FHWA). February 15, 2006. Roadway Construction Noise Model, Version 1.0. Accessed March 4, 2019. https://www.fhwa.dot.gov/environment/noise/construction_noise/rcnm/

Federal Transit Administration (FTA). 2018. Transit Noise and Vibration Impact Assessment Manual. Washington, DC. September 2018.

Gamble, Lynn H. 2005. The Chumash World at European Contact: Power, Trade, and Feasting among Complex Hunter-gatherers. Berkeley: University of California.

Gammage, Grady; Philip Norman Jones; and Stephen L. Jones, 1975. Historic Preservation in California. Stanford Environmental Law Society.

Garciacelay, Claude, Park Planner, Santa Barbara County Community Services Department, Parks Division. Personal communication with Claude Garciacelay, Park Planner, Santa Barbara County Community Services Department, regarding trail extension installation, 2018.

GasBuddy. 2019. “Gas Price Map.” https://www.gasbuddy.com/GasPriceMap?z=13&lng=-120.40647084316407&lat=34.88370640874165

Geosolutions, Inc., 2016. Soils Engineering Report and Engineering Geology Investigation- The Estates at Rancho Maria, 1950 Highway 1, Orcutt Area, Santa Barbara County, California. Project # SB00666-1. Prepared June 7, 2016.

Gibson, Robert O. (1983). Ethnogeography of the Salinan People: A Systems Approach. Unpublished M.A. thesis, Department of Anthropology, California State University, Hayward.

Glassow, Michael A., Larry R. Wilcoxon, and Jon M. Erlandson. (1988). Cultural and Environmental Change During the Early Period of Santa Barbara Channel Prehistory. The Archaeology of Prehistoric Coastlines.

Golden State Water Company (GSWC). 2016. 2015 Urban Water Management Plan – Orcutt. Prepared by Kennedy/Jenks Corporation. San Dimas, CA. August 2016

Greenwood, Roberta S. (1978). Obispeño and Purisimeño Chumash. Handbook of North American Indians, volume 8.

Greenwood, Roberta S., Michael J. McIntyre, and David C. Burkenroad. (1980). Investigation of Historical Resources, Maria Verde Estates, Orcutt, California. Greenwood and Associates, Pacific Palisades, CA.

Helm, B. P. 1998. Biogeography of eight large branchiopods endemic to California. Ecology, conservation, and management of vernal pool ecosystems– proceedings from a 1996 conference. California Native Plant Society, Sacramento, CA (pp. 124-139).

Intergovernmental Panel on Climate Change (IPCC). 2007. Summary for Policymakers. In: Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change.

____. 2013: Summary for Policymakers. In: Climate Change 2013: The Physical Science Basis. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Stocker, T.F., D. Qin, G.-K. Plattner, M. Tignor, S. K. Allen, J. Boschung, A. Nauels, Y. Xia, V. Bex and P.M. Midgley (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA.

____. 2014. Climate Change 2014: Mitigation of Climate Change. Summary for Policymakers - Contribution of Working Group III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA.

____. 2018. Summary for Policymakers. In: Global warming of 1.5°C. An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty. https://www.ipcc.ch/sr15/ (accessed January 2019).

Jones, T. L., & Waugh, G. 1997. Climatic consequences or population pragmatism?: A middle Holocene prehistory of the central California coast. Archaeology of the California Coast during the Middle Holocene. Institute of Archaeology, University of California, Los Angeles, CA, 111-128.

Kear, Jordan, P.G., C.Hg., Kear Groundwater. Personal communication with Jordan Kear, Kear Groundwater, regarding groundwater drawdown threshold, 2019.

King, Chester D. 1981. The Evolution of the Chumash Society: A Comparative Study of Artifacts Used in Social System Maintenance in the Santa Barbara Channel Region before A.D. 1804. Ph.D. dissertation, Department of Anthropology, University of California, Davis.

King, Linda B. 1969. An Investigation of Social Organization from Mortuary Practices. UCLA Archaeological Survey Annual Report Vol. 11:23-68.

Kroeber, Alfred L. 1925. The Esselens and Salinans. In Handbook of the Indians of California, pp. 546-549. California Book Company, Limited, Berkeley.

Landberg, Leif C. W. 1965. The Chumash Indians of Southern California. Los Angeles: Southwest Museum Papers, Number 19.

LFR Levine-Fricke (LFR). 2004. Rancho Maria Estates USFWS Protocol Survey Report for the California Red-Legged Frog. May 2004.

Loredo, I., D. Van Vuren, and M.L. Morrison. 1996. Habitat Use and Migration Behavior of the California Tiger Salamander. Journal of Herpetology 30: 282-285.

Luhdorff and Scalmanini Consulting Engineers (LSCE). 2018. 2017 Annual Report of Hydrogeologic Conditions, Water Requirements, Supplies and Disposition, Santa Maria Valley Management Area. April, 2018.

Mill, B.W. 1988. Chumash: a Picture of Their World. Los Osos, CA.

Milliken, Randall, and John Richard Johnson. (2005) An Ethnogeography of Salinan and Northern Chumash Communities- 1769 to 1810. Far Waster Anthropological Group.

Morey, S. R., & Reznick, D. N. 2004. The relationship between habitat permanence and larval development in California spadefoot toads: field and laboratory comparisons of developmental plasticity. Oikos, 104(1), 172-190.

National Pipeline Mapping System. 2019. "NPMS Public Viewer" [Interactive Database]. https://pvnpms.phmsa.dot.gov/PublicViewer/ (accessed February 2019).

National Oceanic & Atmospheric Administration (NOAA). 2018a. "Climate Change: Atmospheric Carbon Dioxide." August 1, 2018. https://www.climate.gov/news-features/understanding-climate/climate-change-atmospheric-carbon-dioxide. Accessed February 2019.

_____. 2018b. "The NOAA Annual Greenhouse Gas Index (AGGI). Last modified: Spring 2018. https://www.esrl.noaa.gov/gmd/aggi/aggi.html. Accessed February 2019.

Orcutt Union School District. 1994. Developer Fee Justification Study.

Pacific Gas & Electric (PG&E). 2018a. "Company Profile." Retrieved on December 5, 2018, from https://www.pge.com/en_US/about-pge/company-information/profile/profile.page

____. 2018b. "Exploring clean energy solutions." Retrieved on December 5, 2018, from https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page

____. 2018c. *Integrated Resource Plan 2018*.San Francisco, CA. August 1, 2018.

____. 2019. “Learn where natural gas pipelines are located.” https://www.pge.com/en_US/safety/how-the-system-works/natural-gas-system-overview/gas-transmission-pipeline/gas-transmission-pipelines.page (accessed January 2019)

Parmesan, C. August 2006. Ecological and Evolutionary Responses to Recent Climate Change.

Penfield and Smith Engineers. 2005. Rancho Maria Estates, Traffic Impact Study. September 2005.

Penrod, K, R Hunter, and M Merrifield. 2001. Missing Linkages: Restoring connectivity to the California landscape. California Wilderness Coalition, The Nature Conservancy, US Geological Survey, Center for Reproduction of Endangered Species, and California State Parks. (Mapping data accessed through California Department of Fish and Wildlife Biogeographic Information & Observation System).

Rogers, David Banks. 1929. Prehistoric Man of the Santa Barbara Coast. Santa Barbara Museum of Natural History. Toren, A. George and L. Santoro. 1995. Phase 1 Archaeological Survey for the Orcutt Community Plan.

San Luis Obispo Air Pollution Control District (SLOAPCD). 2012. CEQA Air Quality Handbook. April 2012.

Santa Barbara, County of. 2004. Orcutt Community Plan. Department of Planning & Development, Comprehensive Planning Division. Santa Barbara, CA. October 2004.

_____. 2009a. Santa Barbara County Comprehensive Plan Open Space Element. Adopted 1979, Amended May 2009.

_____. 2009b. Santa Barbara, County of. 2009. Oak Tree Protection in the Inland Rural Areas of Santa Barbara County.

_____. 2009. Santa Barbara County Comprehensive Plan, Noise Element. Adopted 1979, republished May 2009.

Santa Barbara County 2011 Groundwater Report. Public Works Department. Santa Barbara, CA. May 1, 2012.

_____. 2015. County of Santa Barbara Energy and Climate Action Plan. Santa Barbara, CA. May 2015.

_____. 2015. Santa Barbara County Comprehensive Plan Seismic Safety & Safety Element. Santa Barbara, CA. Adopted 1979, amended February 2015.

_____.“Energy Element.” http://longrange.sbcountyplanning.org/programs/energyelement/energy_element.php (accessed February 2019).

_____. 2017. 2017 Santa Barbara County Multi-Jurisdictional Hazard Mitigation Plan. Office of Emergency Management. http://www.countyofsb.org/ceo/asset.c/3416

_____. 2018a. Cumulative Projects List for the North County. Santa Barbara, CA. Updated December 27, 2018.

_____. 2018b. Environmental Thresholds and Guidelines. Santa Barbara, CA. March 2018.

_____. 2018c. “North Board of Architectural Review.” Department of Planning & Development, North Board of Architectural Review. Last Updated 2018. http://www.countyofsb.org/plndev/hearings/nbar.sbc Accessed May 2019.

_____. 2018d. Energy and Climate Action Plan 2017 Progress Report. December 2018. https://www.countyofsb.org/csd/asset.c/270 (accessed March 2019).

_____. 2019. Land Use and Development Code. Santa Barbara, CA. Updated February 2019.

Santa Barbara County Agricultural Commissioner Weights & Measures Department. 2017 Agricultural Production Report. Santa Barbara, CA.

Santa Barbara County Air Pollution Control District (SBCAPCD). 2016. 2016 Ozone Plan. Santa Barbara, CA. October 2016.

_____. 2017. Scope and Content of Air Quality Sections in Environmental Documents. Prepared by Technology and Environmental Assessment Division. Santa Barbara, CA. June 2017.

Santa Barbara County Association of Governments (SBCAG). 1993. Santa Barbara County Airport Land Use Plan. Santa Barbara, CA. October 1993.

_____. 2007. Regional Growth Forecast 2005-2040. Santa Barbara, CA. August 2007.

_____. 2012. Regional Growth Forecast 2010-2040. Santa Barbara, CA. December 2012.

_____. 2016. Congestion Management Program. Santa Barbara, CA. October 20, 2016.

_____. 2017. Fast Forward 2040 – Regional Transportation and Sustainable Communities Strategy. Santa Barbara, CA. August 17, 2015.

Sawyer, J. O. and T. Keeler-Wolf. 1995. A Manual of California Vegetation. California Native Plant Society, Sacramento, California.

Sawyer, J. O., T. Keeler-Wolf, and J.M. Evens. 2009. A Manual of California Vegetation, Second Edition. California Native Plant Society, Sacramento, California.

South Coast Air Quality Management District. 2008. Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold. Diamond Bar, CA. October 2008.

Spencer, W. D., et al. 2010. California essential habitat connectivity project: a strategy for conserving a connected California. Prepared for California Department of Transportation, California Department of Fish and Game, and Federal Highways Administration.

Stantec. 2015. Rice Ranch Specific Plan, Revised Traffic and Circulation Study. August 2015.

_____. 2019. Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Traffic and Circulation Study. January 16, 2019. (provided as Appendix L of this EIR).

Storrer Environmental Services (Storrer). 2017. California Tiger Salamander Aquatic Survey Results Rancho Maria Golf Course. Provided as Appendix C of this EIR.

_____. 2018. Review Biological Resources Assessment Report for the Neighborhoods of Willow Creek & Hidden Canyon and County EIR Scope for Biological Resources Impact Analysis. Letter to Rancho Maria Golf Club. January 31, 2018.

Sutton, Carol, California School Directory Coordinator, Orcutt Union School District. Verbal communication with Carol Sutton, California School Directory Coordinator, Orcutt Union School District, regarding current enrollment for Orcutt Union School District. January 2019.

Thompson, Reese, Facilities and Operations Director, Santa Maria Joint Union High School District with personal communication with Reese Thompson, Facilities and Operations Director, Santa Maria Joint Union School District, regarding enrollment for Santa Maria Joint Union High School District, March 2018.

Transportation Research Board (TRB). 1998. *Highway Capacity Manual, Special Report 209 – Third Edition.* National Research Council. Washington, DC. April 1998

Turner, Clay, Lieu tenant, Santa Barbara County Sheriff's Department, Santa Maria Station. personal communication with Clay Turner, Lieutenant, Santa Barbara County Sheriff's Department, regarding staffing of Santa Maria police station, January 2018.

Trenham, P.C. and H.B. Shaffer. 2005. Amphibian upland habitat use and its consequences for population viability. Ecological Applications 15(4): 1158-1168.

U.S. Department of Agriculture (USDA) Soil Survey Staff, Natural Resources Conservation Service (NRCS). 2019. Web Soil Survey. Soil Survey Geographic (SSURGO) Database. [Online Database]. https://sdmdataaccess.sc.egov.usda.gov (accessed January 15, 2019).

U.S. Department of Energy (DOE). 2018. "Alternative Fuels Data Center" [Interactive Database]. https://afdc.energy.gov/fuels/biodiesel_locations.html#/find/nearest?fuel=BD&location=california&page=1 (accessed February 2019).

U.S. Department of Housing and Urban Development (HUD). 2018. Day/Night Noise Level (DNL) Calculator. Accessed March 4, 2019. https://www.hudexchange.info/environmental-review/dnl-calculator/

U.S. Department of Transportation (USDOT). 2014. "Corporate Average Fuel Economy (CAFE) Standards." Last Updated August 27, 2014. https://www.transportation.gov/mission/sustainability/corporate-average-fuel-economy-cafe-standards (accessed February 2019).

U.S. Energy Information Administration (EIA). 2018a. "Petroleum & Other Liquids, California Field Production of Crude Oil." Retrieved on December 3, 2018, from https://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=PET&s=MCRFPCA1&f=M

_____. 2018b. "U.S. Energy Mapping System." [Interactive Database]. https://www.eia.gov/state/maps.php (accessed February 2019).

_____. 2018c. *Table C1. Energy Consumption Overview: Estimates by Energy Source and End-Use Sector, 2016*. https://www.eia.gov/state/seds/sep_sum/html/pdf/sum_btu_1.pdf (accessed February 2019).

_____. 2018d. *Table CT7. Transportation Sector Energy Consumption Estimates, Selected Years, 1960-2016, California.* https://www.eia.gov/state/seds/sep_use/tra/pdf/use_tra_CA.pdf (accessed February 2019).

_____. 2018e. Table CE2.5 Annual household site fuel consumption in the West-totals and averages, 2015. https://www.eia.gov/consumption/residential/data/2015/c&e/pdf/ce2.5.pdf (accessed February 2019).

U.S. Environmental Protection Agency (USEPA). n.d. "History." *About Energy Star.* https://www.energystar.gov/about/history-0 (accessed February 15, 2019).

_____. 2018a. "Nonattainment Areas for Criteria Pollutants (Green Book)." Last modified March 31, 2018. https://www.epa.gov/green-book Accessed January 2019.

_____. 2018b. Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2016. U. S. EPA #430-R-18-003. April 2018. https://www.epa.gov/sites/production/files/2018-01/documents/2018_complete_report.pdf (accessed February 2019).

U.S. Fish and Wildlife Service. 2002. Recovery Plan for the California Red-legged Frog (Rana aurora draytonii). Portland, Oregon: Region 1.

_____. 2005. Revised Guidance on Site Assessments and Field Surveys for the California Redlegged Frog.

_____. 2010. California Tiger Salamander Habitat Map.

_____. 2015. Endangered and Threatened Wildlife and Plants; 90-Day Findings on 10 Petitions. Federal Register Vol. 80, No. 69. 19259-19263.

_____. 2016. Recovery Plan for the Santa Barbara County Distinct Population Segment of the California Tiger Salamander (Ambystoma californiense).

Wallace, William J. 1955. A Suggested Chronology for Southern California Coastal Archaeology. Southwestern Journal of Anthropology 11 (3):214-230. In Phase I Archaeological Survey. Prepared by HEART, December 2007.

Warren, Claude N. 1968. Cultural Tradition and Ecological Adaptation on the Southern California Coast. Eastern New Mexico University Contributions in Anthropology.

Wilder, Martin. 2018. Personal communication. Utilities Manager, Laguna County Sanitation District.

Wiskowski, T. 1988. Sensitive plants of Santa Barbara County. Prepared for the Division of Environmental Review, Resource Management Dept., County of Santa Barbara.

World Meteorological Organization (WMO). 2013. A summary of current and climate change findings and figures: a WMO information note. March 2013. https://library.wmo.int/opac/index.php?lvl=notice_display&id=15892#.Wt9-Z8gvzIU (accessed February 2019).

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