

5.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

Prior to preparation of the Draft EIR, the Santa Barbara County Planning and Development (“County”) prepared an Initial Study/Draft Mitigated Negative Declaration (MND), which evaluated the potential impacts of the project requests. The MND is an attachment to the NOP/EIR Scoping document, which was circulated for public review, and is available for review on the County’s OASIS project webpage at <https://www.countyofsb.org/plndev/projects/oasiscenter.sbc> and is included in Appendix A. The County determined that there was no substantial evidence that the project would cause or otherwise result in significant environmental effects in the resource areas discussed below. This determination was confirmed when these issue areas were revisited as part of EIR preparation. CEQA Guidelines § 15128 states that, “*An EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR. Such a statement may be contained in an attached copy of an Initial Study.*” In this instance, the Initial Study/Superseded Draft ND document is attached and additional explanation is included below for each issue area identified as having less than significant impacts.

No further environmental review of Agricultural Resources, Airport Hazards, Energy, and Hazardous Materials, and Schools is necessary, for the reasons summarized in the discussion below and in the Initial Study/MND attachment to the EIR/NOP Scoping Document (Appendix A).

5.1 AGRICULTURAL RESOURCES

Key Site S18 (KS18), including the 5.28 acre OASIS project site is not an agricultural property with regard to Comprehensive Plan land use designation, zoning, or use. Soils on KS18 are not considered prime agricultural soils and none of the KS18 parcels are enrolled in the Williamson Act. In addition, no part of KS18 is identified as “Important”, “Unique” or other special status farmland by the state or County. A review of aerial photos dating to the 1950s did not identify evidence of row crops, vineyards, orchards, or livestock onsite. The property does not contain a combination of acreage and/or soils which render all or a portion of KS18 an important agricultural resource. Finally, KS18 does not adjoin, and the project requests would not impact, any contiguous or nearby agricultural operations.

While the OCP EIR identified significant unavoidable (Class I) impacts to agricultural resources from buildout of the OCP, the project requests would not result in significant adverse impacts to agricultural resources for the reasons noted above. Further, the project’s contribution to the regionally significant loss of agricultural resources is not considerable. Therefore the project requests’ cumulative effect on regional agriculture is also less than significant..

The project requests would not result in potentially significant project specific or cumulative impacts to onsite or off-site agricultural resources.

Also see Section 6.1, Other CEQA Discussions, Growth Inducing Effects.

5.2 AIRPORT HAZARDS

KS18, including the OASIS property, is located over two miles south of the Santa Maria Municipal Airport. The proposed project is not subject to significant hazards from the Santa Maria Municipal Airport and the project design would not result in significant impacts to the airport or airport operations. Santa Barbara County's Airport Land Use Plan (ALUP) provides guidance for development near the County's airports. The Santa Barbara County Association of Governments (SBCAG) acts as the Airport Land Use Commission (ALUC). This commission evaluates development projects pursuant to ALUP criteria (e.g., proximity to safety zones, height of buildings in proximity to airports, etc.). On August 17, 2017, SBCAG, acting as the ALUC, determined that the OASIS project was consistent with the ALUP with no conditions (see ALUP letter dated 08/22/17 in Appendix D-8). Therefore, the project requests do not conflict with the Santa Maria Municipal Airport safety zones or the County's ALUP. Further, when taking into account other reasonably foreseeable cumulative projects, including buildout assumptions in the OCP, the project would not contribute considerably to airport related hazards.

5.3 ENERGY

The County has not identified significance thresholds for electrical and/or natural gas service impacts. However, energy conservation is addressed in Appendix F of the State *CEQA Guidelines*. Appendix F states that:

"In order to assure that energy implications are considered in project decisions, the California Environmental Quality Act requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy."

In addition, OCP Policy AQ-O-3 states that:

The County should promote the use of alternative fuels, solar energy systems, and the use of construction techniques which are designed to conserve energy and minimize pollution in Orcutt consistent with, but not limited to the provisions of the CA Building Code.

The project site, Orcutt Community Plan KS18, is located in the central urban core of the Orcutt Planning Area (OPA). The project would be served by Pacific Gas & Electric's (PG&E's) existing energy sources and infrastructure. To ensure that future projects do not cause existing electricity and natural gas systems to exceed capacity, prior to construction a "will serve" letter would be required from PG&E.

Several project features would result in reduced energy demand for operation of the new facilities. Energy demand would be reduced in the short-term as earthwork cut and fill quantities are proposed to be balanced onsite, reducing energy demand (fuel) associated with trucks hauling soil to/from the site (import/export fill). The proposed installation of solar panels on the roof of the main building would reduce long-term energy demand (overall demand and peak usage period electrical

demand). In addition, the site's location in the urban core of Orcutt and proximate to Highway 135 would reduce travel distance (vehicle fuel demand) for workers and deliveries during the construction period and for seniors using the OASIS facility in the long-term. The project is expected to have a negligible effect on regional energy needs, whether considered on a project-specific basis or when considered in the context of buildout of the Orcutt Community Plan. As noted, all projects would be required to receive a "will serve" letter indicating whether adequate electricity and natural gas supplies would be available to each future project. The will serve letter documents that the gas and electricity provider has adequate capacity to serve the project and ensures that new projects would not cause existing electricity and natural gas systems to exceed capacity. For the reasons noted above, the project would not result in significant project specific or cumulative impacts to energy resources.

5.4 HAZARDOUS MATERIALS

There is no known historic or current use, storage or release of hazardous materials on KS18. KS18 was designated as open space acreage as part of the Southpoint Estates subdivision (TM 12,679/Rezone Ordinance #3106 and TM 13,345). As part of the Southpoint Estates subdivision approval, one of the lots adjacent to the OASIS property was designated for oil drilling (Lot 201 of the final recorded tract map for TM 12,679 Unit I, Book 121, page 14; current APNs 105-020-052, -053). However, no wells are known to have been drilled on APN 105-020-053 and there are otherwise no known or expected oil or gas facilities (e.g., wells, sumps, etc.) within the OASIS property or elsewhere on KS18. These assumptions are based on a review of historic aerial photos, the OCP Orcutt Oil Activities Map (OCP, p 230), discussions with Environmental Health Services (P. McCaw, Supervisor EHS LUFT, Site Mitigation Unit & Ocean Water Monitoring (phone call February 2019), information from the project applicant (L. Tamura, agent, January 2019 email), and research of the following databases:

- State Water Resources Control Board's (SWRCB's), Central Coast Regional Water Quality Control Board (RWQCB) Geotracker. These agencies implement the federal Clean Water Act and California's Porter-Cologne Water Quality Control Act. The latter became Division Seven ("Water Quality") of the State Water Code, which establishes the responsibilities and authorities of the SWRCB and nine RWQCBs. These Boards have primary responsibility for coordinating control of water quality (Section 13001). Each RWQCB establishes water quality control plans for all areas within the region. The *Geotracker* database tracks and archives compliance data from authorized or unauthorized discharges of waste to land, or unauthorized releases of hazardous substances from underground storage tanks.
<https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=orcutt> ;

- Department of Toxic Substances Control (DTSC) Envirostar: DTSC establishes and implements cleanup programs and standards for contaminated sites and oversees hazardous substance release sites. The Envirostar system tracks DTSC's cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known or suspected contamination issues.
https://www.envirostar.dtsc.ca.gov/public/search?CMD=search&city=Orcutt&zip=&county=Santa+Barbara&case_number=&business_name=&FEDERAL_SUPERFUND=True&STATE_RESPONSE=True&VOLUNTARY_CLEANUP=True&SCHOOL_CLEANUP=True&CORRECTIVE_ACTION=True&tiered_permit=True&evaluation=True&operating=True&post_closure=True&non_operating=True&inspections=True); and
- Department of Conservation, Division of Oil, Gas and Geothermal Resources (DOGGR) GIS WellFinder: DOGGR has records of all work done on wells; from installment to abandonment. When proposed construction of structures over, or in proximity to, a well could result in a hazard, DOGGR has authority per Public Resources Code (PRC) Section 3208.1 to require re-abandonment of wells not abandoned in accordance with present standards. DOGGR has instituted several programs to encourage proper well abandonment including in the the Idle Well Abatement Program (PRE Sections 3206 & 3206.5). WellFinder identifies the location of oil and gas wells and related facilities, and also includes permitting information for oil and gas operations.
<https://maps.conservation.ca.gov/doggr/wellfinder/#openModal/-120.43913/34.86806/16>.

In addition to the above agencies and databases, the following County agencies are involved in the abandonment of oil and gas operations and regulation of the storage and use of hazardous materials:

Santa Barbara County Petroleum Office: The County Petroleum Ordinance includes provisions for plugging and abandoning wells (Sec. 25-32), removal of all drilling equipment following abandonment (Sec. 25-33), and abandonment following determination of idle well status (Sec. 25- 44).

Santa Barbara County Public Health Department, Environmental Health Services: The Certified Unified Program Agency (CUPA) for the County of Santa Barbara, administered through Environmental Health Services, regulates businesses that handle hazardous materials, generate or treat hazardous waste or operate aboveground or underground storage tanks. The primary goal of the CUPA Program is to protect public health and the environment by promoting compliance with applicable laws and regulations.

Based on a review of historic aerial photos, the site also does not appear to have been used for row crops or orchards, which can be associated with use of agricultural chemicals.

KS18 is not known to be associated with past or present oil or gas activities or the use of hazardous materials, and the proposed project requests do not involve the use, storage, or release of hazardous materials, other than substances commonly used by most residential and commercial developments (e.g., household cleaning supplies). Therefore the project would not result in

significant impacts related to hazardous materials, including no expected impacts to the public or to the environment. (Class III)

Cumulative Impacts from Hazardous Materials. Continued urban development in the Santa Maria-Orcutt Area will cumulatively increase the potential for exposure to hazardous materials. Pursuant to existing standard regulatory review processes, if soil or groundwater contamination is identified on sites proposed for new development, including redevelopment, required site assessment and any necessary remediation will be required prior to development. As discussed above, the project site and proposed use are not associated with hazardous materials, past contamination, or the presence of oil or gas activities. Therefore, the project's contribution to potential cumulative hazardous materials impacts would not be cumulatively considerable and would be less than significant.

(See section 4.12, *Water Resources*, regarding water quality impacts).

5.5 SCHOOLS

PUBLIC SCHOOLS

A project would normally result in potentially significant impacts to schools if the project would result in an increase in school aged children sufficient to generate the need for a new classroom at a local elementary, junior high or senior high school.

KS18 and the OASIS property are served by the following schools: Patterson Road Elementary, Orcutt Junior High, and Orcutt Academy Charter High School in the Orcutt Union School District (OUSD) and by Ernest Righetti High, which is in the Santa Maria Joint Union High School District (SMJUHSD). Orcutt Academy Charter High School enrollment is determined via a lottery system, which enrolls students to this school's capacity. Enrollment at the other three schools is below each school's capacity. School enrollment figures for the 2018-2019 school year are provided in Table 4.10-1.

Table 5-1 Current School Enrollment

School	Enrollment*
<u>Orcutt Union School District</u>	
Orcutt Academy High School	589
Orcutt Junior High School	515
Patterson Road Elementary	635
<u>Santa Maria Joint High School District</u>	
Ernest Righetti High	2105

*Sources: Christina Samaniego, Orcutt Union School District, January 2019, Karen Townsend, Righetti High, Santa Maria Joint High School District, January 2019

Section 5.0 Effects Found Not to be Significant

The OCP EIR concluded that development of KS18 would contribute to increased demand for public schools, based on designation of the northeast corner of KS18 for new residential development (and associated new school-aged children). With implementation of OCP EIR general and site specific mitigation, impacts to junior high schools and high schools were determined to be reduced to a less than significant level, and impacts to elementary schools were determined to remain significant and unavoidable. OCP EIR Mitigation Measure KS3-SCH-1 requires that developers contribute the maximum school fees allowable. The OCP EIR also identified Mitigation Measures SCH-1 through SCH-3, which include the development of the maximum allowable developer impact fee, provision of new schools sites and the formation of a Mello-Roos District or other funding source.

The OASIS project requests would continue and expand their existing programs for seniors, as well as accommodating use of the new facility for non-OASIS activities outside of regular OASIS program hours. Because the OASIS project requests are not associated with an increase in school aged children (grades K-12), the project would not increase the number of students or otherwise impact area schools. The project would be subject to payment of state mandated school development fees based on the development's square footage.

The project would not result in significant impacts to public schools.