SANTA BARBARA COUNTY PLANNING COMMISSION

Staff Report for the North Fork Ranch Frost Ponds Project Minor Conditional Use Permit

Hearing Date: March 29, 2023

Staff Report Date: March 15, 2023

Case No.: 16CUP-00000-00005

Environmental Document: 21EIR-00000-00002

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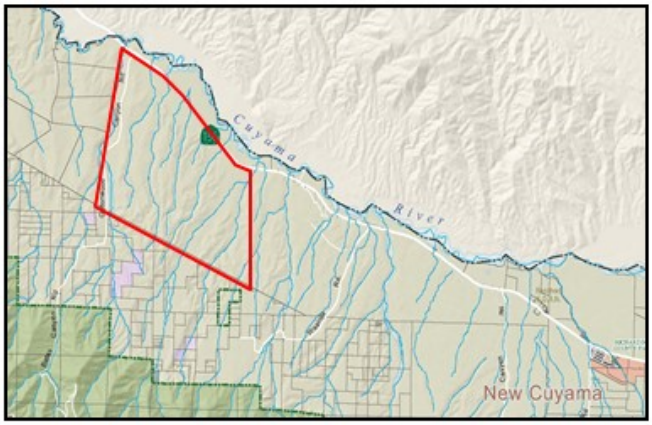


The project parcel is identified as Assessor's Parcel Number 147-010-045, located along State Route 166, approximately nine miles west of the community of New Cuyama, between Cottonwood Canyon Road and Schoolhouse Canyon Road, First Supervisorial District.

1.0 REQUEST

Hearing on the request of Brodiaea, Inc., Property Owner, to consider Case No. 16CUP-00000-00005 for a Conditional Use Permit allowing the construction and operation of three water storage reservoirs within a 6,565-acre parcel in compliance with Section 35-21 of the County Land Use and Development Code, on property zoned Agricultural II (AG-II-100); and certify the Environmental Impact Report (21EIR- 00000-00002) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act (CEQA). As a result of this Project, significant and mitigable effects on the environment are anticipated in the following categories: Biological Resources, Cultural Resources and Tribal Cultural Resources, Geologic Processes, and Water Resources/Flooding.

The proposed Final EIR and documents referenced therein are available online on the Planning and Development website at: https://www.countyofsb.org/3060/North-Fork-Ranch-Frost-Ponds.

Printed copies of the EIR and all documents referenced therein may be reviewed at the Planning and Development Department, 123 East Anapamu Street, Santa Barbara, or 624 West Foster Road, Suite C, Santa Maria, with an appointment with the Project planner. The EIR is also available for review at the Central Branch of the City of Santa Barbara Library, 40 East Anapamu Street, Santa Barbara; and the Cuyama Branch Public Library located at 4689 Highway 166, New Cuyama.

The application involves Assessor Parcel No. 147-020-045, located approximately nine miles west of the community of New Cuyama between Cottonwood Canyon Road and Schoolhouse Canyon Road, First Supervisorial District.

2.0 RECOMMENDATION AND PROCEDURES

Staff recommends that the Commission:

1. Make the required Findings for approval of the Project, Case Number 16CUP-00000-00005 as specified in Attachment A of this staff report dated March 15, 2023.

2. Certify the Final Environmental Impact Report (FEIR) for the North Fork Ranch Frost Ponds Project (21EIR-00000-00002, Attachment C) and adopt the mitigation monitoring program contained in the conditions of approval for Case Number 16CUP-00000-00005 (Attachment B).

3. Approve the Project (Case Number 16CUP-00000-00005) subject to the conditions included as Attachment B.

Refer back to staff if the County Planning Commission takes other than the recommended action for appropriate findings and conditions.

3.0 JURISDICTION

Pursuant to Table 2-1 of the County Land Use & Development Code (LUDC), Section 35.21.030, a Minor Conditional Use Permit is required for reservoirs with more than 50,000 square feet of total development in the AG-II Zone District. This project was initially considered by the Zoning Administrator pursuant to LUDC Section 35.80.020.A.1. However, after appeals to the Planning Commission and Board of Supervisors, the Board directed staff to bring the Project back to the County Planning Commission after conducting additional environmental review.

4.0 ISSUE SUMMARY

4.1 Project-Related Water Use

This Project is a request to construct and operate three water storage reservoirs. Water stored in the reservoirs will be used to provide water for an existing frost protection water spray system that serves an existing 840-acre vineyard. Three feet of water will be stored in the reservoirs after the end of the frost season, and any water above a height of three feet will be used to irrigate the vineyard. Water to be stored in the reservoirs will be supplied by existing agricultural wells.

The County of Santa Barbara *Environmental Thresholds and Guidelines Manual* includes thresholds of significance for groundwater use. The thresholds are only applicable to discretionary projects. The adopted groundwater use threshold for the Cuyama Groundwater Basin is 31-acre-feet per year. This threshold of significance is the level of groundwater consumption considered to result in a significant project-specific impact, and the level of new pumpage considered to be a cumulatively considerable contribution to the existing groundwater overdraft conditions in the Cuyama Groundwater Basin.

The groundwater use thresholds of significance included in the Guidelines Manual are based on groundwater basin characteristics and overdraft condition data that was available when the thresholds were prepared in 1992. The threshold of significance for the Cuyama Groundwater Basin is based on a reported net overdraft condition of 28,525-acre-feet per year. More recent groundwater overdraft information is included in the Cuyama Groundwater Basin Sustainability Plan (July, 2022), which was prepared to comply with the requirements of the Sustainable Groundwater Management Act (see Section 4.2 below). The Groundwater Sustainability Plan states "*The Basin average annual current and projected budget has greater outflows than inflows, leading to an average annual decrease in groundwater storage (i.e., overdraft) of 25,000 acre feet. Accounting for potential uncertainties in numerical model parameters…the projected average annual overdraft could range from 23,000 to 27,000 acre feet*" (Page 2-135). Based on the recent data included in the Groundwater Sustainability Plan, the amount of groundwater overdraft used to develop the adopted groundwater use threshold of significance for the Cuyama Groundwater Basin was greater than existing and projected overdraft conditions. Therefore, data included in the Groundwater Sustainability Plan supports the continued relevance of the adopted threshold of significance for the Cuyama Groundwater Basin, and the threshold continues to be adequate to evaluate the groundwater use impacts of proposed discretionary projects.

LUDC Section 35.80.020.A.1 specifies that cultivated agriculture is an allowed land use that is exempt from land use permit requirements, and as stated above, the County's adopted groundwater use thresholds of significance are only applicable to discretionary land use projects. Irrigation water applied to the vineyard that would be served by the proposed reservoirs is also not subject to the adopted groundwater use thresholds because irrigation of the vineyard is an existing condition and not an impact related to the construction or operation of the proposed

reservoirs. Therefore, the water used for irrigation of the vineyard is not included in the evaluation of the proposed Project's water use impacts.

Water from the proposed reservoirs that is sprayed through the vineyard's frost protection system onto vineyard plants forms a layer of ice on the plants that protects new leaf buds from frost damage. As the ice thaws, some water drops to the ground and percolates deep into the ground. Some of the water that is stored in the reservoirs and that is sprayed through the vineyard's frost protection system, however, will be lost to evaporation. Groundwater that is lost to evaporation cannot be used to irrigate the vineyard, therefore, those water losses are considered to be an impact of the Project and subject to the groundwater use threshold of significance adopted for the Cuyama Groundwater Basin.

Project-related evaporation losses of groundwater were estimated by the Environmental Impact Report (21EIR-00000-00002) prepared for the Project. Potential sources of evaporation that were evaluated include:

- Water that evaporates from the surface of each proposed reservoir;
- Water that evaporates as it is sprayed on the grapevines; and
- The evaporation of frost protection water that drops to the ground surface after being sprayed on the grapevines.

Water that drops to the ground after it is sprayed on the vines but percolates deep into the ground is not considered a water loss impact because that water can either recharge the groundwater basin or be used by the vineyard plants. The EIR's analysis determined that evaporation from the surface of the reservoirs and from the ground surface substantially contribute to the Project's total evaporative water losses. Evaporation losses resulting from the operation of the spray irrigation system are negligible.

Based on historical weather data, soil conditions at the project site vineyard, and other factors, the EIR estimated evaporative water losses expected to result from the operation of the proposed reservoirs and associated spray irrigation system during years with low, normal, and heavy frost protection demands. The analysis estimated that the Project's evaporative losses of groundwater would be up to 272-acre-feet during a year with high frost protection requirements. Less water would be lost to evaporation during years with low or normal frost protection requirements. However, the EIR concluded that evaporative water losses during low, normal, and heavy frost years would each exceed the water use significant impact threshold of 31-acre-feet per year. The Project's estimated potential groundwater losses due to evaporation are summarized on Table 1.

Table 1
Estimated Evaporation Losses of Groundwater

Estimated Groundwater Evaporation	Light (2015)	Normal (2017)	Heavy (2009)
Reservoir Evaporation Less Rainfall (AFY)	24.2	21.5	23.1
Frost Protection Soil Evaporation Loss (AFY)	10.8	39.6	249.5
Total Estimated Evaporation Losses (AFY)	**35.0**	**61.1**	**272.6**

The EIR identified mitigation measures to reduce Project-related evaporation losses, and evaluated the effectiveness of those measures. The EIR determined that total annual Project-related groundwater evaporation losses would be reduced to below 31-acre-feet per year by 1) covering each of the reservoirs and 2) limiting the total amount of water used for frost protection (i.e., the amount of water sprayed on the vines during frost events) to 103-acre-feet per year.

The Project's groundwater evaporation losses from the surface of the proposed reservoirs would be effectively eliminated by covering the surface of the reservoirs. As shown on Table 1, eliminating evaporation losses from the surface of the reservoirs would reduce the Project's water loss impacts between 21.5 to 24.2-acre-feet per year during light, normal, and heavy frost years. Covering the reservoirs, however, would not reduce Project's total annual evaporative losses during years with normal and heavy frost protection requirements to below the threshold of significance of 31-acre-feet per year. During a normal frost protection year, operation of the frost protection system would result in 39.6-acre-feet of evaporation loss; and during a heavy frost protection year operation of the system would result in 249.5-acre-feet of evaporation loss.

Additional reductions in evaporation loss resulting from the operation of the spray irrigation system can be achieved by limiting the amount of water that is sprayed for frost protection. The amount of water used for frost protection can be measured by installing water use meters on the spray irrigation system. Implementation of this mitigation requirement would not require a reduction in frost protection water use during a "light" frost year, but would result in an approximate 22 percent reduction in frost protection water use during a "normal" frost year, and an approximate 88 percent reduction in a "heavy" frost year. With the implementation of the proposed mitigation requirements (i.e., the installation and maintenance of reservoir covers throughout the year, and limiting the amount of water used for frost protection to 103-acre-feet or less), Project-related evaporation losses of water used for frost protection would be reduced to below 31-acre-feet per year, and the Project's water use impacts would be reduced to a less than significant level.

4.2 Sustainable Groundwater Management Act

The Sustainable Groundwater Management Act (SGMA) took effect on January 1, 2015, and requires that the Cuyama Valley Groundwater Basin be sustainably managed by the year 2040. The Cuyama Valley Groundwater Basin is listed as a "high" priority basin by the California Department of Water Resources (DWR) and is also listed as a "critically overdrafted" basin by DWR. SGMA requires that a Groundwater Sustainability Plan be prepared for the Cuyama Valley Groundwater Basin by a local Groundwater Sustainability Agency (GSA). The Cuyama Basin GSA submitted a Groundwater Sustainability Plan to DWR, and on January 21, 2022, DWR determined that the Plan was incomplete. Responses to DWR's comments are included in an amended Groundwater Sustainability Plan dated July 2022, and the Cuyama Basin GSA adopted the amended Plan on July 6, 2022. DWR recommended approval of the amended Plan on March 2, 2023.

Under the requirements of SGMA, the Cuyama Basin GSA has the authority to conduct actions such as investigations, measure and limit groundwater extractions from individual wells, require registration of water wells, and impose fees for groundwater management. Consistent with their authority to limit groundwater extractions as a method to achieve long-term sustainability of a groundwater basin, the Cuyama Basin GSA intends to implement groundwater pumping restrictions in a portion of the Cuyama Groundwater Basin referred to as the Central Management Area, which is generally located in the vicinity of the communities of Cuyama and New Cuyama. The proposed North Fork Ranch Frost Ponds Project is located approximately eight miles west of the Central Management Area, and wells in the Project area will not be subject to the proposed Central Management Area pumping restrictions at this time. However, based on the results of future groundwater condition monitoring, the Cuyama Basin GSA has the authority to implement groundwater pumping restrictions in other portions of the groundwater basin. Such actions could reduce the amount of groundwater available to the Project and/or the amount of groundwater that may be used to irrigate the vineyard located on the project site property.

The groundwater basin sustainability management tools available to the GSA enable it to manage the entire groundwater basin in a comprehensive manner, and to also address groundwater use issues within individual subareas of the basin. This approach to groundwater basin management differs from the County's groundwater use thresholds of significance. The County's CEQA thresholds of significance utilize a numeric level to indicate when a discretionary land use project's water use will result in project-specific and cumulatively considerable water use impacts.

In 2021, several Cuyama Valley farms filed a Notice of Commencement of Groundwater Adjudication of the Cuyama Valley Groundwater Basin in Los Angeles County Superior Court. In ground water basins where a lawsuit is brought to adjudicate, the rights to use groundwater are determined by the court. The court will determine who the water rights owners are and how much groundwater those rights owners can extract. The court may appoint a watermaster or

water manager, who would be required to submit certain data and documents to DWR each year. Adjudications can take many years, even decades, to complete. The adjudication could potentially result in changes to pumping restrictions and other management issues. In the meantime, the GSA will continue to manage the basin pursuant to SGMA.

5.0 PROJECT INFORMATION

5.1 Site Information

Site Information	
Comprehensive Plan Designation	Rural Area, Agricultural Commercial (AC)
Ordinance, Zone	Land Use and Development Code, AG-II-100, 100-acre minimum parcel size
Site Size	6,565 acres
Present Use & Development	The three proposed reservoir sites are vacant and located adjacent to existing vineyards
Surrounding Uses/Zone(s)	North: Agriculture, AG-II-100 South: Open Space, AG-II-100 East: Open Space, AG-II-100 West: Open Space, AG-II-100
Access	State Route 166
Public Services	Water Supply: Private wells Sewage: None Fire: Santa Barbara County Fire, Station No. 41 Police Services: County Sheriff

5.2 Setting

The 6,565-acre project parcel is located in the Cuyama Valley, approximately nine miles west of the community of New Cuyama. The project parcel is located on the south side of State Highway 166 and the proposed reservoir sites are approximately 4,000 to 5,000 feet south of the Cuyama River. The proposed reservoir sites are currently vacant open land adjacent to existing vineyards. Irrigation lines have been installed throughout the vineyards and are located near the proposed reservoir project sites. The existing irrigation lines will also be used to deliver frost protection water from the proposed reservoirs.

Slope/Topography. The proposed reservoir sites are on gentle slopes and flat areas. They slope gently towards named and unnamed ephemeral drainages on the south side of Highway 166 and the Cuyama River. All three proposed reservoir sites can be accessed by existing ranch roads.

Elevations in the Project areas range from approximately 1,700 to 1,900 feet above mean sea level.

The Reservoir No. 1 project site is located on the eastern end of the Project property approximately 500 feet west of Schoolhouse Canyon Road. This site ranges in elevation from approximately 1,958 feet above sea level in the southwest corner to approximately 1,938 feet in the southeast corner, which results in a slope gradient of approximately five percent. A small drainage feature is present north of this reservoir site.

The Reservoir No. 2 project site is located on the central portion of the Project property. This site ranges in elevation from approximately 1,790 feet above sea level in the southwest corner to approximately 1,766 feet in the northwest corner, which results in a slope gradient of approximately six percent. The site generally slopes to the east and is approximately 100 feet west of a small ephemeral drainage.

The Reservoir No. 3 project site is located on the western end of the Project property approximately one mile east of Cottonwood Canyon Road. Small ephemeral drainages are located approximately 100 feet to west and approximately 250 feet to the east of the reservoir site. This site ranges in elevation from approximately 1,740 feet above sea level in the southeast corner to approximately 1,726 feet in the northwest corner, which results in a slope gradient of approximately two percent. The site generally slopes to the northeast towards the adjacent drainage.

Flora/Fauna. The proposed reservoir sites and surrounding areas have been historically used for crop production and cattle grazing. Vegetation at and near the sites is sparse and consists predominately of non-native weeds and annual grasses. The proposed reservoir sites and areas adjacent to the sites were last disked in 2016. The drainages located near the proposed reservoirs are dry most of the year and generally flow briefly during the summer monsoon season and after winter rains. The drainages support patches of native habitat.

In the southwestern portion of the Reservoir No. 3 project site, primarily south of the reservoir construction footprint, the site extends up a slope and this area was noted to contain a predominance of perennial curly bluegrass co-occurring with native bunchgrass. This area is characterized as a native bunchgrass grassland, and bluegrass (a species of native bunchgrass) was present at a cover greater than 10 percent. The bluegrass area south of the reservoir site extends outside the study area and covers much of the steeper hillside. This plant community is characterized as a curly bluegrass grassland and is considered a sensitive plant area under County environmental thresholds.

A search of the California Natural Diversity Database (CNDDB) was performed for the area within five-mile radius of the North Fork Ranch property limits. Based on the CNDDB results and local knowledge of the area, fourteen (14) special status plant species and sixteen (16) special status

animal species were identified that are known to occur within the general region. While no special status plant communities were identified in the CNDDB within the five-mile radius, recent biological surveys identified the special status curly bluegrass grasslands adjacent to proposed Reservoir No. 3. Sensitive wildlife species that have the potential to occur in the project area include San Joaquin kit fox and American badger.

Archaeological Sites. Archaeological resources located on or near the project site are described in a report titled *Phase 1 Cultural Resources Study for the North Fork Reservoir Project, Santa Barbara County, California* (Rincon, August, 2016). The Phase 1 investigation included a survey of the proposed reservoir sites and the location of the proposed pipelines that would connect the reservoirs to existing irrigation water pipelines. The Phase 1 survey did not identify any archaeological resources within the proposed project site boundaries. The survey report does, however, state that human remains were identified during the excavation of a trench for the installation of an irrigation pipeline on the north side of State Highway 166. Due to the presence of this pre-historic burial, the proposed reservoir sites are considered to be sensitive for cultural resources.

Water Resources. The proposed reservoir sites are located in the western portion of the Cuyama Valley Groundwater Basin, and in an area described by the Cuyama Groundwater Basin Sustainability Plan (https://cuyamabasin.org/resources#gw-extract) as the "Northwestern Threshold Region." The 2021 Groundwater Basins Status Report (Santa Barbara County Water Agency, 2021) includes the following description of the Northwestern Threshold Region:

> *"The Northwestern Threshold Region has historically been characterized by rangeland with limited development. In 2015, a new vineyard was developed within the eastern portion of this sub-basin on both sides of the Cuyama River. A limited data set of shallow wells indicates that water levels have historically remained fairly stable throughout this region, and remain stable in the western portion of this region. However, deep wells within the eastern portion of this region have experienced continued declines, with water levels dropping 40 feet on average since pumping began in 2016. It should be noted however, that although water levels continue to decline in this area, stable and static water level measurements are difficult to obtain. The aquifer never fully recovers as a result of pumping."*

The *Cuyama Basin Groundwater Sustainability Plan–Annual Report for the 2020-2021 Water Year*[1] describes groundwater trends in the Northwestern Threshold Region as follows:

> *"Slight downward trend influenced by seasonal fluctuations. This is expected as recent changes in land use have begun to pump groundwater. Levels are still approximately 80 feet above the Measurable Objective."*

[1] Available at: https://cuyamabasin.org/assets/pdf/WY-2020-21-Cuyama_GSP_Annual_Report_Compiled.pdf

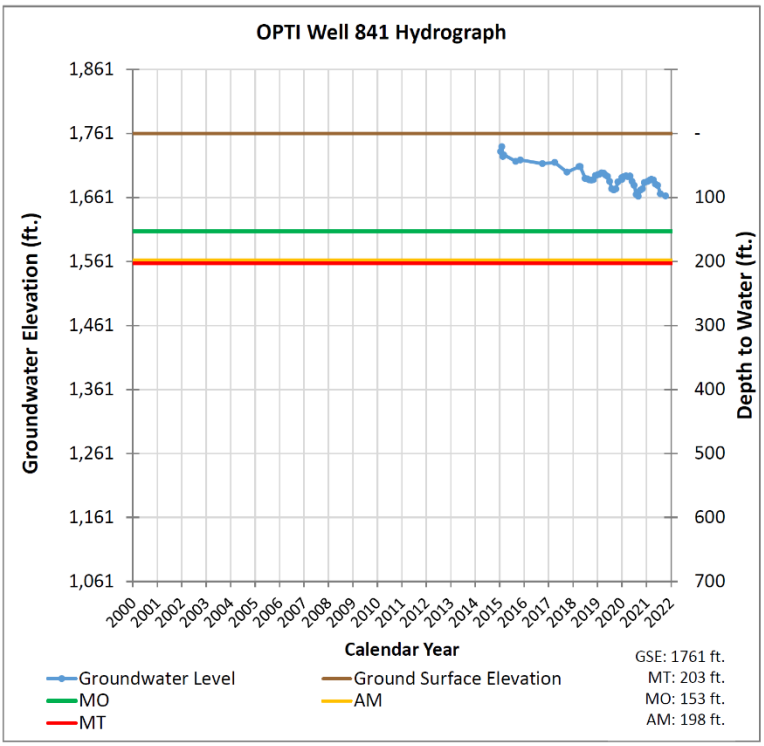
The term "Measurable Objective" refers to a specific set of quantifiable goals (depth to groundwater) included in Groundwater Sustainability Plan for the maintenance or improvement of groundwater conditions..

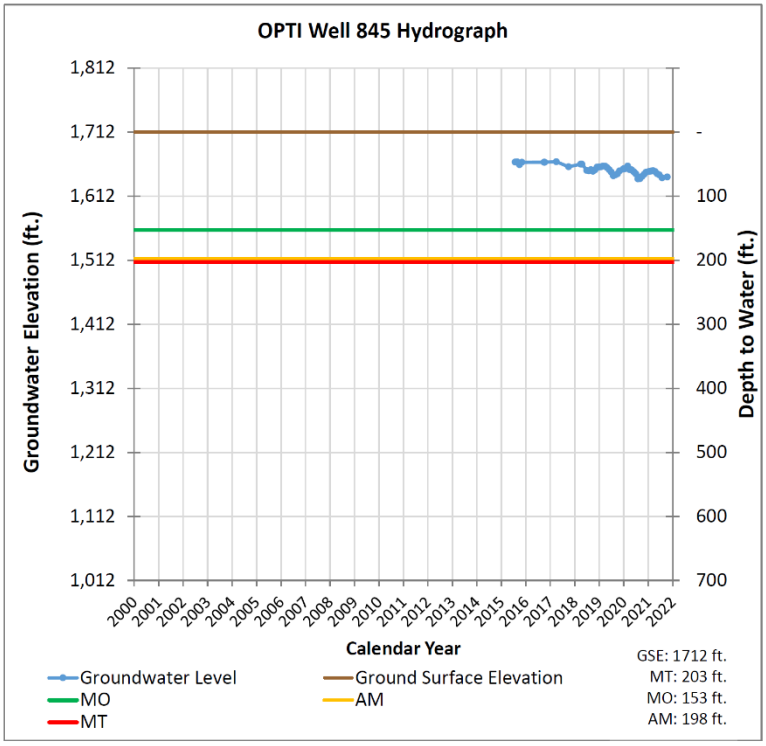
As described in Section 4.2 (Sustainable Groundwater Management Act) of this Staff Report, the Cuyama GSA monitors a network of water wells throughout the Cuyama Groundwater Basin to determine the depth to groundwater and changes to the water elevation over time. Based on that data and their authority under SGMA, the GSA has the authority to implement pumping restrictions with the objective of managing the water resources of the basin in a sustainable manner.

The *Cuyama Basin Groundwater Sustainability Plan–Annual Report for the 2020-2021 Water Year* includes monitoring well hydrographs for two wells used by the North Fork Ranch to irrigate the vineyards that would be served by the proposed reservoirs. The hydrographs for wells 841 and 845 are shown on Figure 1 (below). The green lines shown on the hydrographs is the groundwater depth of the Measurable Objective described above. The red lines shown on the hydrographs are the Minimum Threshold, which is a numeric value for each "sustainability indicator" and is used to define when "undesirable results" occur if Minimum Thresholds are exceeded in a percentage of sites in the monitoring network. Sustainability indicators refer to any of the adverse effects caused by groundwater conditions occurring throughout the Basin that, when significant and unreasonable, cause undesirable results, including: lowering groundwater levels, reduction of groundwater storage, degraded water quality, land subsidence, and depletion of interconnected surface water.

The water levels in wells 841 and 845 shown on the hydrographs are consistent with the general trend summary for the Northwestern Threshold Region described above. The water levels show seasonal variations, however, there is an overall downward trend in the depth to groundwater. However, water levels in the well remain above the Measurable Objective green line. . Any subsequent changes to the Measurable Objectives criteria that may be required by DWR will not affect the impact analysis of the proposed Project's water use because the Project has been evaluated using the County's water use significance threshold adopted for the Cuyama Groundwater Basin (31-acre-feet per year).

Figure 1
North Fork Ranch Well Hydrographs





5.3 Project Description

The North Fork Ranch Frost Pond project is a request to construct and operate three frost ponds (reservoirs) that will store water to be used for frost protection at the North Fork Ranch Vineyards. The project also includes the construction of new underground pipelines that will extend between each of the proposed reservoirs and the existing vineyard irrigation system.

The proposed reservoirs will serve an existing approximately 840-acre vineyard. Reservoir No. 1 will be located on the eastern portion of the project site adjacent to Schoolhouse Canyon Road (a private road). Reservoir No. 2 will be located in the central portion of the project site, and Reservoir No. 3 will be located on the western portion of the project site approximately 0.75 mile east of Cottonwood Canyon Road. Access to the reservoirs will be from existing roads that connect to State Highway 166.

Frost protection will be achieved by sustained spray irrigation of grape vines when frost damage has the potential to occur. Frost protection will generally be required during the months of February, March and April. The reservoirs will be maintained at a full condition between February and April. A maximum of three feet of well-supplied water will be maintained in the reservoirs between May 1st through January 31st. Water above a depth of three feet contained in the reservoirs after May 1 will be distributed for vineyard irrigation.

Each reservoir will have a water storage capacity of approximately 44-acre-feet and will be lined with a high-density polyethylene plastic liner to prevent water seepage. Each reservoir will also have an emergency overflow discharge system to prevent stored water from over-topping the reservoir. Water to be stored in the reservoirs will be supplied by existing agricultural wells located on the north side of State Route 166. Water from the wells will be conveyed to the reservoirs by existing vineyard irrigation pipelines that extend beneath the highway and throughout the vineyard. A six-foot high fence will be installed around the exterior perimeter of each reservoir to prevent unauthorized entry. Life ring stations and floating pool ropes will also be provided for rescue purposes.

A total of approximately 257,945 cubic yards of cut and fill grading will be required to construct the three proposed reservoirs. The reservoirs will have a maximum depth of 27-28 feet, and in total occupy an area of approximately 15.6 acres. Proposed pipelines to convey water from the vineyard's existing irrigation system to each of the reservoirs will have a total length of 1,350 feet. Proposed pipelines to convey water from each of the reservoirs to the vineyard's existing spray irrigation system will have a total length of 976 feet. Construction details for each of the proposed reservoirs are summarized on Table 2. It is estimated that the construction period for the three proposed reservoirs will be approximately one year.

Proposed project plans are provided as Attachment E.

Table 2
North Fork Ranch Frost Ponds
Construction Characteristics

Reservoir	Proposed Grading			Reservoir Area			Reservoir Depth			Proposed Pipelines	
	Cut (cu. yds.)	Fill (cu. yds.)	Total (cu. yds.)	Approximate Dimensions (feet)	Acres	Storage Capacity (ac. ft.)	Top of Pond Elevation	Bottom of Pond Elevation	Depth (feet)	Fill Line (feet)	Drain Line (feet)
No. 1	44,062	44,589	88,651	590 x 370	5.0	44.8	1,955	1,927	28	624	517
No. 2	44,064	42,205	86,269	580 X 410	5.7	44.8	1,788	1,761	27	370	202
No. 3	42,771	40,254	83,025	590 x 360	4.9	44.6	1,744	1,717	27	356	257
TOTAL	**130,897**	**127,048 (1)**	**257,945**	**--**	**15.6**	**134.2**	**--**	**--**	**--**	**1,350**	**976**

(1) Due to shrinkage of fill material, no soil would be exported from the project site

Surface water drainage from upslope areas adjacent to the reservoirs will be collected by proposed drainage swales. The collected water will be discharged and allowed to sheet flow at downslope locations adjacent to the reservoirs. Rock energy dissipaters will be installed at each discharge location to reduce potential erosion-related impacts. Stormwater discharge from Reservoir No. 1 will be conveyed beneath Schoolhouse Canyon Road by a proposed culvert beneath the road.

The Project is proposed to achieve the following objectives:

1. Construct reservoirs to store extracted groundwater to protect select vineyard areas during frost events.
2. Protect sensitive environmental resources adjacent to and on the reservoir sites.

5.4 Background Information

A Minor Conditional Use Permit (16CUP-00000-00005) application for the proposed Project was submitted on February 2, 2016. The application was deemed complete on February 10, 2017.

The proposed Project was approved and a Final Initial Study/Mitigated Negative Declaration (IS/MND) dated August 11, 2017, and was adopted by the Zoning Administrator on September 25, 2017. The Zoning Administrator's approval was appealed (17APL-00000-00017) on October 2, 2017.

The County Planning Commission considered the appeal on September 12, 2018. The Commission determined that the evaluation of potential environmental impacts in an IS/MND dated August 1, 2018, was inadequate and directed P&D staff to prepare a Focused EIR. The purpose of the Focused EIR was to evaluate three project-related issues: 1) water use impacts resulting from operation of the three reservoirs and associated frost protection spray irrigation system; 2) impacts to sensitive plant and wildlife species; and 3) potential flooding impacts from a structural failure of the reservoirs that could affect State Route 166. The Commission's decision to require a Focused EIR was appealed to the Board of Supervisors on September 21, 2018.

The Board of Supervisors affirmed the action of the Planning Commission on February 5, 2019. On March 5, 2019, the Board adopted CEQA findings requiring that a Focused EIR be prepared for the proposed Project.

Although a Focused EIR was initially drafted and circulated for public review, in response to a Court of Appeal case *Farmland Protection Alliance v. County of Yolo*, 71 Cal. App. 5th 300 (2021), a full EIR was prepared for the Project. The court in *Farmland Protection Alliance* held that when substantial evidence supports a fair argument that a proposed project may have a significant effect on the environment, a full environmental impact report is required, not an EIR confined to discrete impacts that would result from the project. In response to this decision, a Revised Draft EIR (April, 2022) was prepared that includes an analysis of each of the proposed Project's potentially significant environmental impacts. Subsequent to the circulation of the Revised Draft EIR, the Cuyama GSA released the amended Groundwater Sustainability Plan prepared for the Cuyama Groundwater Basin. Information included in the amended Groundwater Sustainability Plan regarding groundwater conditions in the Project area was added to a Second Revised EIR (October, 2022) that was also circulated for public review.

6.0 PROJECT ANALYSIS

6.1 Environmental Review

The October 2021, Draft EIR (DEIR) originally prepared for the Project was circulated for public review between November 18, 2021, and January 28, 2022. An environmental hearing was held on December 16, 2021, to provide an overview of the environmental review and project review process, receive public comment regarding the adequacy of the Draft EIR, and to describe additional opportunities for public input. Planning and Development received nine comment letters on the October 2021, DEIR. The comments and responses to the comments are included in Section 9, Response to Comments, of the proposed Final EIR.

The Revised Draft EIR, dated April 2022, was prepared as a "full" EIR in response to the *Farmland Protection Alliance* case and was circulated for public review between April 15 and May 30, 2022. Planning and Development received six comment letters on the Revised DEIR. The comments and

responses to the comments are included in Section 9, Response to Comments, of the proposed Final EIR.

The Second Revised Draft EIR, dated October 2022, was prepared to include updated information regarding groundwater levels in the vicinity of the proposed Project site. The Second Revised Draft EIR was circulated for public review between November 1 and December 15, 2022. Planning and Development received four comment letters on the Second Revised DEIR. The comments and responses to the comments are included in Section 9, Response to Comments, of the proposed Final EIR.

6.1.1 Impacts and Mitigation

Potentially significant but mitigable (Class II) impacts were identified by the Final EIR in the issue areas of Biological Resources, Cultural and Tribal Cultural Resources, Geological Processes, Water Quality, Reservoir Flooding Risk, and Evaporative Groundwater Loss. With the implementation of the mitigation measures identified in the Final EIR, all of the proposed Project's project-specific and cumulative environmental impacts would be reduced to less than significant. The Project's significant environmental impacts and identified mitigation measures are briefly described below and are summarized on Table 3.

1. **Biological Resources.** Potential impacts to sensitive biological resources would be reduced to less than significant with the implementation of protection measures for sensitive animal species; and the implementation of an approved native grasslands avoidance and restoration plan.

2. **Cultural Resources and Tribal Cultural Resources.** Impacts to these resources would be reduced to less than significant with the implementation of specified construction monitoring requirements and resource protection measures.

3. **Geological Processes.** Potential erosion-related impacts would be reduced to less than significant with the implementation of an approved Erosion and Sediment Control Plan.

4. **Water Quality.** Potential construction-related water quality impacts would be reduced to a less than significant level with the implementation of specified equipment storage and washout measures.

5. **Reservoir Flooding Risk.** Potential flooding impacts that could result from the failure of a proposed water storage reservoir would be reduced to a less than significant level with the implementation of an approved Operation and Maintenance Plan, and specified Project construction plan clarifications.

6. **Evaporative Groundwater Loss.** Project-related groundwater use would be reduced to below the adopted significance threshold of 31-acre-feet per year with the implementation of measures to be included in a Frost Protection System Evaporative Loss Reduction Plan. This Plan has two primary requirements: the installation and maintenance of reservoir covers to limit evaporative losses from the reservoirs, and a limit on the amount of groundwater that may be used for frost protection each year. Based on the analysis of proposed frost protection system groundwater evaporation impacts included in the Final EIR, the Project's potential groundwater use impacts would be less than significant if the amount of stored groundwater used by the vineyard's frost protection spray irrigation system is less than 103.1-acre-feet per year. By using reservoir covers and limiting the amount of stored water used by the vineyard's frost protection system, Project-related water evaporation losses would be reduced to less than 31-acre-feet per year.

   The proposed groundwater use limitation would be based on a three-year rolling average, which means frost protection water use cannot exceed 103.1-acre-feet in a given year unless there is a water use "credit" remaining from the previous two years. The purpose of using a three-year period groundwater use average is to provide flexibility in the implementation of this groundwater use limitation while still maintaining compliance with the 31-acre-foot per year threshold of significance criteria. An annual monitoring report must be submitted to P&D that indicates monthly groundwater use for frost protection, a description of the effectiveness of reservoir covers, and a summary of reservoir maintenance activities.

Table 3
North Fork Ranch Frost Ponds EIR
Impact and Mitigation Summary

Impact	Impact Classification	Mitigation Measure	Residual Impact
Sensitive Biological Resources			
Impact BIO-1. Special Status Plant/Wildlife Species	Class II	MM BIO-1.1 San Joaquin Kit Fox Avoidance Measures. Pre-activity surveys & weekly site visits during project construction from biologist consistent with USFWS recommendation. MM BIO-1.2 USFWS Jurisdiction Advisory. CUP permit does not approve "take" of listed species.	Less than Significant

Impact	Impact Classification	Mitigation Measure	Residual Impact
		MM BIO-1.3 Biological Preconstruction Surveys MM BIO-1.4 American Badger Avoidance and Minimization Measure. Pre-activity surveys consistent with USFWS recommendation. MM BIO-1.5 Biological monitor during construction. MM BIO-1.6 Nesting Birds Preconstruction Surveys. MM BIO-1.7 Prohibition of Pesticides, Herbicides, and Rodenticides in Operation and Maintenance Plan.	
Impact BIO-2. Wildlife Movement	Class II	MM BIO-1.5 Biological monitor during construction. MM BIO-1.7 Prohibition of Pesticides, Herbicides, and Rodenticides in Operation and Maintenance Plan.	Less than significant
Impact BIO-3. Damage to Native Grasslands.	Class II	MM BIO-02 Prepare and Implement a Native Grasslands Avoidance and Restoration Plan.	Less than significant
Cultural and Tribal Cultural Resources			
Unanticipated discoveries of cultural resources during project construction	Class II	MM CUL-01.1 Cultural Resource Monitor. CMM UL-01.2 Stop Work at Encounter. MM CUL-01.3 Preconstruction Meeting.	Less than significant
Geological Processes			
Erosion-related impacts	Class II	MM GEO-02.1 Erosion and Sediment Control Plan.	Less than significant
Water Quality			
Short-term water quality impacts	Class II	MM WQ 01.1 Equipment Storage-Construction. MM WQ 01.2 Equipment Washout-Construction.	Less than significant

Impact	Impact Classification	Mitigation Measure	Residual Impact
Reservoir Flooding Risk			
Impact FLOOD-1 Failure of Reservoir Berms	Class II	FLOOD-01 Applicant prepared Operation and Maintenance Plan to include inspection of berms.	Less than significant
Impact FLOOD-2 Erosion in Nearby Drainages	Class II	FLOOD -02.1 Clarify the purpose and function of drainage swales on grading plans prior to permit issuance. FLOOD-02.2 Clarify swale lining and other details on grading plans prior to permit issuance. FLOOD-02.3 Revise grading plans to ensure proper stormflow drainage prior to permit issuance.	Less than significant
Impact FLOOD-3 Embankment Slope Stability	Class II	FLOOD-03 Applicant geotechnical engineer to approved configuration of reservoir embankments.	Less than significant
Evaporative Groundwater Loss			
Impact WAT-01 Groundwater Pumping	Class II	WAT-01 Frost Protection System Evaporative Loss Reduction Plan.	Less than significant
Impact WAT-02 Evaporative Groundwater Loss	Class II	WAT-01 Frost Protection System Evaporative Loss Reduction Plan.	Less than significant

Class II = significant but mitigatable to less than significant

6.1.2 Alternatives to the Proposed Project

As required by Section 15126.6 of the CEQA Guidelines, the FEIR (21EIR-00000-00002) evaluated a range of reasonable alternatives to the proposed Project that would attain most of the project objectives listed in Section 5.3 of this Staff Report. Each of the alternatives to the proposed Project that were evaluated are described below.

In addition to evaluating a range of alternatives to the Project, the EIR identifies alternatives that were considered but rejected from further evaluation. A variety of alternative frost protection methods were considered but rejected from further analysis because they were considered to be infeasible, ineffective, or would have the potential to result in environmental impacts that would not result from the implementation of the proposed Project.

It was also determined that requiring the implementation of an alternative frost protection method at the project site would be inconsistent with the County Comprehensive Plan - Agricultural Element Policy 1.B, which in part states: "*The County shall recognize the rights of operation, freedom of choice as to the methods of cultivation, choice of crops or types of livestock, rotation of crops and all other functions within the traditional scope of agricultural management decisions."* An alternative that is inconsistent with the Comprehensive Plan could not be approved and is therefore not a feasible alternative to the proposed Project. CEQA Guidelines Section 15126.6 states that an EIR is not required to consider alternatives that are infeasible. Additional information regarding the proposed Project's consistency with Agricultural Element Policy 1.B is provided in Section 6.2 (Comprehensive Plan Consistency) of this Staff Report.

No Project Alternative

The purpose of describing and analyzing a No Project Alternative is to allow decision-makers to compare the impacts of approving the proposed project with the impacts of not approving the project. CEQA Guidelines Section 15126.6(e)(3)(C) states that the lead agency should analyze the impacts of the No Project Alternative by projecting what would reasonably be expected to occur in the foreseeable future if the project were not approved.

Under the No Project Alternative, the proposed reservoirs would not be constructed, existing conditions at reservoir sites would not be affected, and potential project-related impacts to biological resources, cultural and tribal cultural resources, geological processes, water quality, and flooding would be avoided. Without access to water stored in reservoirs, and based on the vineyard's existing groundwater pumping capabilities, it is estimated that approximately 68 acres of the existing vineyard can be protected by the existing spray irrigation system. Therefore, the No Project Alternative would minimize but not avoid the use of groundwater for frost protection purposes. The No Project Alternative would not implement the objective of the Project to construct reservoirs to store groundwater to protect vineyard areas during frost events.

It is possible that under the No Project Alternative frost protection methods other than spray irrigation may be used at the project site, and it has been reported that wind machines have recently been used at the site. Information provided by the Project applicant included in Attachment G of this staff report states that wind machines have been used on the project site with limited effectiveness. According to the applicant, wind machines have not been effective because during frost events temperatures at a height of 35 feet are generally only two or three degrees warmer than temperatures at ground level (See Final EIR Appendix B.06 for additional temperature monitoring conducted at the vineyard site). Due to these conditions, mixing of warmer air at elevation with colder air at ground level only results in a small (i.e., one to 1.5 degrees) increase in temperatures at ground level.

Alternative 1: Construct Only Two Reservoirs

Under Alternative 1, proposed Reservoirs 1 and 2 would be constructed at their proposed locations, and Reservoir 3, which is located on the western end of the project property, would not be constructed. Additional piping and pumps would be required to distribute water from Reservoirs 1 and 2 to the areas that would have been frost protected using water stored in Reservoir 3.

Alternative 1 would reduce evaporative water loss by up to approximately one-third during individual frost protection events because a maximum of two-thirds of the water used by the proposed Project would be available for frost protection at any given time. This alternative would provide some level of frost protection, however, there would be inadequate frost protection capabilities to protect the entire vineyard and this could result in death or damage to grape vines and grape harvest yield. Therefore, Alternative 1 would partially meet the Project's frost protection objectives, but to a lesser extent than the proposed Project due to the reduced amount of stored water.

Alternative 1 would avoid impacts to native grasslands located on and adjacent to the Reservoir 3 site, and would minimize other construction- and operation-related impacts when compared to the proposed Project. However, each of the proposed Project's significant environmental impacts can be reduced to a less than significant level with the implementation of identified mitigation measures. Therefore, implementation of Alternative 1 is not required to reduce the Project's impacts to a less than significant level.

Alternative 2: Construct Only One Reservoir

Under Alternative 2, proposed Reservoirs 1 and 3 would not be constructed. Additional piping and pumps would be required to distribute water to areas that would have been frost protected from groundwater stored in Reservoirs 1 and 3. Alternative 2 would reduce spray irrigation-related evaporative water loss by up to approximately two-thirds, because the amount of reservoir water available for frost protection would be reduced by two-thirds. Alternative 2 would still provide some level of frost protection, however, there would be inadequate frost protection capabilities to protect the entire vineyard and this could result in death or damage to grape vines and grape harvest yield.

Alternative 2 would avoid impacts to native grasslands located on and adjacent to the Reservoir 3 site, and would further reduce construction- and operation-related impacts when compared to the proposed Project. Alternative 2 would partially meet the Project objectives, but to a lesser extent than the proposed Project due to the reduced amount of water storage available for frost protection. Each of the proposed Project's significant environmental impacts can be reduced to a less than significant level with the implementation of identified mitigation measures. Therefore,

implementation of Alternative 2 is not required to reduce the Project's impacts to a less than significant level.

Environmentally Superior Alternative

CEQA Guidelines Section 15126.6(e)(2) requires that an environmentally superior alternative be identified among the alternatives that have been evaluated. The environmentally superior alternative is the alternative that would result in the least adverse environmental impacts, when compared to the impacts of the Project. If the No Project Alternative is found to be the environmentally superior alternative, the EIR must identify an environmentally superior alternative among the other alternatives.

The No Project Alternative would result in the greatest reduction in groundwater use for frost protection when compared to the proposed Project, Alternative 1, and Alternative 2; and would generally avoid potential construction- and operation-related impacts associated with the proposed Project and the alternatives to the Project that were evaluated. The No Project Alternative, however, would not implement the Project objective to provide water storage capacity for frost protection, and implementation of the No Project Alternative is not required to reduce Project-related impacts to a less than significant level.

Alternative 1 (Construct Only Two Reservoirs) is the environmentally superior alternative that would partially implement the Project objectives. Reducing the Project by eliminating Reservoir 3 and constructing only Reservoirs 1 and 2 would: (1) reduce impacts to biological resources by avoiding the impacts on native grasslands and reduce potential habitat impacts on special-status species; (2) reduce the potential impacts of potential flooding and construction-related water quality effects by reducing the number of sites that could result in those impacts; (3) reduce the evaporative loss during individual frost events; and (4) reduce ground disturbance area, which would reduce the potential for impacts to cultural and tribal cultural resources, erosion and sedimentation. Therefore, Alternative 1 is the alternative most closely aligned with the Project objectives to:

- Construct reservoirs to store extracted groundwater to protect select vineyard areas during frost events.
- Protect sensitive environmental resources adjacent to and on the reservoir sites.

Alternative 1 would minimize Project-related environmental impacts, however, implementation of Alternative 1 is not required to reduce the Project's significant environmental impacts to a less than significant level. In addition, information provided by the Project applicant included in Attachment G of this staff report states that implementation of Alternative 1 would require extensive modifications to the vineyard and associated water delivery infrastructure in the areas that would have been served by the removed reservoir.

Alternative 1 would be consistent with Comprehensive Plan Agricultural Element Policy 1.B related to "…*freedom of choice as to the methods of cultivation, choice of crops or types of livestock, rotation of crops and all other functions within the traditional scope of agricultural management decisions"* because the proposed method of frost control (water spray) would still be used. However, Alternative 1 would result in reduced frost protection capability when compared to the proposed Project. The implementation of Alternative 1 would also result in a small increase in Project-related energy use to pump water from the remaining two reservoirs to areas that would have been served by the removed reservoir, and would also result in a small short-term increase in construction emissions to extend new pipelines to areas that would have been served by the removed reservoir. Therefore, Alternative 1 is rejected because it would provide less frost protection than the proposed Project and its implementation is not required to reduce the environmental impacts of the Project to a less than significant level.

6.2 Comprehensive Plan Consistency

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ADEQUATE SERVICES	
Land Use Development Policy 4: Prior to issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development. The applicant shall assume full responsibility for costs incurred in service extensions or improvements that are required as a result of the proposed project. Lack of available public or private services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the land use plan.	The proposed Project is consistent with the requirement that development have adequate public or private services. Adequate services are in place to serve the proposed reservoirs. Water to be stored in the reservoirs will be provided from existing private agricultural wells that produce irrigation water for the existing vineyards that will be served by the proposed frost protection system. With the implementation of a proposed condition of approval (Attachment B, Condition 16) to limit frost protection water use to 103-acre-feet per year, the Project would not result in a significant water use impact. The proposed reservoirs will not generate wastewater that requires sewer disposal. Regional access to the reservoirs will be from State Route 166 and existing access roads from the highway to the reservoir sites are adequate to serve the Project. The reservoirs will not generate a substantial amount of traffic. Fire service is provided to the property by the Santa Barbara County Fire Station #41 and the reservoirs will not create

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	the need for additional services. Law enforcement service is provided by the Santa Barbara County Sheriff. The Project will not result in a substantial increase in the demand for law enforcement services.
Land Use Element – Hillside and Watershed Protection Policies	
Hillside and Watershed Protection Policy 1: *Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.*	The proposed Project is consistent with the requirement to minimize cut and fill operations. The proposed reservoirs will be constructed by excavating soil below existing grade and using the excavated soil to construct berms that will impound stored water. A total of approximately 130,897 cubic yards of cut and 127,048 cubic yards of fill will be required to construct the three proposed reservoirs; however, no soil will be imported or exported from the project site.
Hillside and Watershed Protection Policy 2. *All developments shall 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 an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited to development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.*	The proposed Project is consistent with the requirement that projects be located at sites suited for their development. The proposed reservoir sites have gentle slopes that generally range between two and six percent. Grading required to construct the reservoirs will not result in the creation of grading scars or other alterations to existing topography or vegetation that would result in a significant visual impact. The Project will not result in the removal of trees and impacts to native grassland vegetation will be reduced to a less than significant level with the implementation of a native grasslands avoidance and restoration plan (Attachment B, Condition 10). Required erosion control planting on the reservoir berms will help to make the appearance of the berms blend with undisturbed areas near the reservoir sites. The

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	proposed reservoirs are not located in a 100-year floodplain and will be a minimum of 100 feet from ephemeral drainages that drain to the Cuyama River. Potential flooding impacts that could be result from a reservoir berm failure will be minimized with the implementation of conditions of approval that require clarifications on proposed drainage plans (Attachment B, Conditions 11 through 14).
Hillside and Watershed Protection Policy 3. For necessary grading operations on hillsides, the smallest practical area of land shall be exposed at any one time during development, and the length of exposure shall be kept to the shortest practicable amount of time. The clearing of land should be avoided during the winter rainy season and all measures for removing sediments and stabilizing slopes should be in place before the beginning of the rainy season. **Hillside and Watershed Protection Policy 5.** Temporary vegetation, seeding, mulching, or other suitable stabilization method shall be used to protect soils subject to erosion that have been disturbed during grading or development. All cut and fill slopes shall be stabilized as rapidly as possible with planting of native grasses and shrubs, appropriate non-native plants, or with accepted landscaping practices.	The proposed project is consistent with policies to minimize potential erosion and sedimentation impacts. The Applicant estimates that it will require approximately one year to construct the three proposed reservoirs. Potential grading-related erosion impacts will be reduced to a less than significant level with the implementation of an approved Erosion and Sediment Control Plan (Attachment B, Condition 20), which requires the preparation and implementation of an approved Storm Water Pollution Prevention Plan (SWPPP), Storm Water Management Plan (SWMP) and/or an Erosion and Sediment Control Plan (ESCP). Required erosion and sediment control measures must be implemented for the duration of the grading period and until graded areas have been stabilized by long-term erosion control measures or permanent landscaping.
Hillside and Watershed Protection Policy 6. Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as a result of development. Water	The proposed Project is consistent with policy requirements to minimize potential drainage-related impacts. The stormwater drainage system for each of the proposed reservoirs will collect water from a limited upslope area, and water from the

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runoff shall be retained onsite whenever possible to facilitate groundwater recharge.	reservoir overflow and drainage systems will be discharged over rock energy dissipaters. After discharge over the energy dissipaters, the water will sheetflow over the ground surface, which in the vicinity of proposed discharge locations has a gradient of five percent or less. Therefore, the amount of stormwater discharged from the drainage systems and the reservoir overflow systems will be limited and will not substantially alter existing drainage patterns, the course or direction of runoff water, or substantially increase or decrease the amount of water in the ephemeral drainages located adjacent to the reservoir sites. Potential long-term project-related drainage impacts will be further minimized by conditions of approval that require clarifications of proposed drainage systems shown on the Project plans (Attachment B, Conditions 12, 13, and 14).
Hillside and Watershed Protection Policy 7. Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.	The proposed Project is consistent with policy requirements to protect the quality of water resources. The Project will have potentially significant but mitigable short-term water quality impacts related to possible increases in erosion and sedimentation, and the potential for an uncontrolled release of hazardous construction materials to the environment. These impacts will be reduced to a less than significant level with the implementation of an approved Storm Water Pollution Prevention Plan (SWPPP), Storm Water Management Plan (SWMP) and/or an Erosion and Sediment Control Plan (ESCP) (Attachment B, Condition 20); the designation of a construction equipment filling and storage area(s) to contain spills (Attachment B, Condition 21); and the

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	designation of an equipment washout area (Attachment B, Condition 22).
Land Use Element - Visual Resources Policies	
Visual Resources Policy 2. In areas designated as rural on the land use plan maps, the height, scale, and design of structures shall be compatible with the character of the surrounding natural environment, except where technical requirements dictate otherwise. Structures shall be subordinate in appearance to natural contours of the landscape; and shall be sited so as not to intrude into the skyline as seen from public viewing place.	The proposed Project is consistent with the policy requirements related to the design and appearance of new development. The Santa Barbara County Scenic Highways Element (2009) states that State Route 166 has been identified as being eligible for a "Scenic Highway" designation. The proposed reservoirs will be visible from public viewing locations such as State Route 166. The reservoirs will be setback from the highway by approximately 3,000, 1,200 and 1,500 feet. Due to the distances between the three reservoir sites and State Route 166, they will not be prominently visible to persons traveling on the highway. Grading required to construct the reservoirs will not result in the creation of grading scars or other alterations to existing topography or vegetation that will result in a significant visual impact. Erosion control planting on the reservoir berms will make the appearance of the berms blend with undisturbed areas near the reservoir sites. The proposed reservoir berms will have a maximum height of approximately 20 feet above surrounding grade and will not adversely affect existing views of the Sierra Madre Mountains to the south of the project site from public viewpoints such as State Highway 166. No nighttime lighting will be used at the project sites.

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Land Use Element – Historical and Archaeological Sites Policies	
Historical and Archaeological Sites Policy 2. When developments are proposed for parcels where archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible. **Historical and Archaeological Sites Policy 3.** When sufficient planning flexibility does not permit avoiding construction on archaeological or other types of cultural sites, adequate mitigation shall be required. Mitigation shall be designed in accord with guidelines of the State Office of Historic Preservation and the State of California Native American Heritage Commission. **Historical and Archaeological Sites Policy #5:** Native Americans shall be consulted when development proposals are submitted which impact significant archaeological or cultural sites.	The proposed Project is consistent with the policy requirements related to historical and archaeological sites. The proposed reservoir sites were surveyed for the presence of cultural resources. During the preparation of the survey, the Native American Heritage Commission, Santa Ynez Band of Mission Indians, Barbareño/Ventureño Band of Mission Indians, and other Native American tribes were contacted. The cultural resources evaluation did not identify any archaeological resources that will be impacted by the construction of the proposed reservoirs or associated pipelines. However, based on a previous discovery of pre-historic human remains in the vicinity of the project sites, the project area is considered sensitive for cultural resources. In compliance with the requirements of AB 52, the Barbareño/Ventureño Band of Mission Indians were contacted regarding the proposed Project in March 2017. No response from the Tribe was received. On January 13, 2022, Planning and Development conducted an AB 52 consultation meeting with the Santa Ynez Band of Chumash Indians. The Tribal representative requested that project-related construction operations be monitored. This request is a requirement of Condition of Approval No. 17. The potential for the Project to result in significant impacts to cultural and tribal cultural resources would be reduced to a less than significant level with the implementation of requirements for: archaeological monitoring of construction operations (Attachment B, Condition 17); stopping work in the vicinity of a

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	suspected archaeological resource (Attachment B, Condition 18); and conducting a pre-construction meeting with on-site personnel (Attachment B, Condition 19).
Agricultural Element	
Agricultural Element, Goal I: Santa Barbara County shall assure and enhance the continuation of agriculture as a major viable production industry in Santa Barbara County. Agriculture shall be encouraged.	The proposed Project is consistent with the policy to enhance agriculture in Santa Barbara County. On April 1, 2016, the Agricultural Preserve Advisory Committee unanimously found the Project to be consistent with the Uniform Rules and contract 95-AP-24. The proposed reservoirs will be on land that is currently vacant and located adjacent to the existing vineyards served by the Project. The reservoirs will be an agriculture-related use that supports vineyards planted on the project property by supplying frost protection water when needed. With the implementation of a proposed condition of approval (Attachment B, Condition 16) to limit frost protection water use to 103-acre-feet per year, the Project would not result in a significant reduction in the amount of groundwater available to other land uses, including agriculture, in the vicinity of the project site.
Policy 1.B: The County shall recognize the rights of operation, freedom of choice as to the methods of cultivation, choice of crops or types of livestock, rotation of crops and all other functions within the traditional scope of agricultural management decisions. These rights and freedoms shall be conducted in a manner which is consistent with: (1) sound agricultural practices that promote the long-term viability of agriculture and (2) applicable resource protection policies and regulations.	The proposed Project is consistent with the policy to recognize the rights of agricultural operations that are conducted consistent with sound agricultural practices and applicable resource project requirements. The amount of groundwater used (i.e., lost to evaporation) by the proposed frost protection system has the potential to exceed the groundwater use threshold of significance adopted by the County Board of Supervisors. This potentially significant impact would be

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	reduced to a less than significant level with the implementation of an approved Frost Protection System Evaporative Loss Reduction Plan (Attachment B, Condition 16). This condition of approval identifies measures that will reduce the amount of groundwater lost to evaporation due to the operation of a discretionary project (the proposed water storage reservoirs) and the operation of the frost protection spray system, which will be connected to the reservoirs. This condition of approval does not specify or require methods of cultivation, alternative methods of providing frost protection, or type of crops to be raised at the project site. By reducing the Project's water use to a less than significant level, the proposed condition of approval also promotes the long-term viability of agriculture in Project area.
Policy 1.G: Sustainable agricultural practices on agriculturally designated land should be encouraged in order to preserve the long-term health and viability of the soil.	The proposed Project is consistent with the policy that encourages the protection of the long-term viability of agricultural soils. Implementation of an approved Frost Protection System Evaporative Loss Reduction Plan (Attachment B, Condition 16) will reduce the Project's groundwater use impacts to a less than significant level. Minimizing project-related groundwater use will facilitate the long-term use of soil on the project property for agricultural cultivation.
Conservation Element - Ecological Systems	
This Element guides the County to preserve for the future, biological diversity, including as many different species and communities, as possible.	The proposed Project is consistent with the requirement of the Conservation Element to preserve biological diversity at the project site. The Project will not result in the elimination of any species or their communities. Potential significant impacts to native grasslands would

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	be reduced to a less than significant level by requiring the preparation and implementation of a native grasslands avoidance and restoration plan (Attachment B, Condition 10). This plan requires installation of exclusionary fencing during construction to avoid and limit impacts to native grasslands, and the implementation of a restoration plan for native grasslands and native grassland buffers that are impacted by project-related construction. Impacts to sensitive wildlife species will be reduced to a less than significant level by implementing: measures to avoid and protect San Joaquin kit fox and American badger (Attachment B, Conditions 3, 4, and 6); measures to protect Northern California legless lizard and California glossy snake (Attachment B, Condition 5); on-site construction monitoring (Attachment B, Condition 7); surveys for nesting birds during nesting season (Attachment B, Condition 8); and prohibiting the use of pesticides at the project sites (Attachment B, Condition 9).
Conservation Element – Groundwater Resources Section	
Policy 3.4: The County's land use planning decisions shall be consistent with the ability of any affected water purveyor(s) to provide adequate services and resources to their existing customers, in coordination with any applicable groundwater management plan. **Policy 3.5:** In coordination with any applicable groundwater management plan(s), the County shall not allow, through its land use permitting decisions, any basin to become seriously overdrafted on a prolonged basis.	The proposed Project is consistent with the requirements of the Conservation Element to not affect water purveyors in coordination with an applicable groundwater management plan; or to allow a groundwater basin to become seriously overdrafted. In regard to not affecting water purveyors (Policy 3.4), water used by the proposed Project will be produced by existing agricultural wells. The project will not use water from water purveyors or impact their ability to provide water to existing customers.

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Policy 3.6: The County shall not make land use decisions which would lead to the substantial overcommitment of any groundwater basin.	The Cuyama Community Service District (CCSD) is a water purveyor in the vicinity of the Project site. As reported in the *Cuyama Basin Groundwater Sustainability Plan* (July, 2022, pg 7-1), overdraft conditions have been modeled in the CCSD service area, however, the service area is not included in the Central Basin Management Area where groundwater pumping restrictions have been proposed by the Cuyama Groundwater Sustainability Agency. Groundwater use restrictions have not been proposed in the CCSD area because the District produces a relatively small quantity of water for domestic purposes (i.e., approximately 150-acre-feet per year). In regard to policy requirements regarding coordination with any applicable groundwater management plan, as described in Section 4.2 of this Staff Report, the objective of the Sustainable Groundwater Management Act is to manage groundwater basins in a comprehensive and sustainable manner. The July, 2022, Groundwater Sustainability Plan prepared for the Cuyama Basin does not include thresholds of significance for groundwater extraction that are applicable to individual land use projects. Based on the basin-wide overdraft conditions reported by the Groundwater Sustainability Plan that are described in Section 4.1 of this Staff Report, the existing County threshold of significance adopted for the Cuyama Groundwater Basin of 31 AFY remains the applicable threshold for assessing groundwater extraction impacts from non-cultivation agricultural projects. In addition, P&D staff consulted with staff from the Cuyama Groundwater Sustainability Agency to identify data related to groundwater

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	overdraft conditions in the Cuyama Groundwater Basin. Agency staff were also consulted regarding the groundwater overdraft conditions in the vicinity of the proposed Project site that are described in Section 5.2 of this Staff Report. In regard to policy requirements regarding groundwater basin overdraft (Policies 3.5 and 3.6), with the implementation of an approved Frost Protection System Evaporative Loss Reduction Plan (Attachment B, Condition 16), the Project's water use that is subject to the County's adopted groundwater use threshold of significance would be less than significant because evaporative water losses resulting from the operation of the proposed reservoirs and the vineyard's spray irrigation system will be below the threshold of 31-acre-feet per year. As described in Section 4.1 above, recent data from the Cuyama Groundwater Sustainability Plan demonstrates the continued relevance of the County's water use threshold of significance adopted for the Cuyama Groundwater Basin. With implementation of an approved Frost Protection System Evaporative Loss Reduction Plan (Attachment B, Condition 16), the proposed Project's water use that is subject to the adopted threshold of significance will be below 31 AFY. Therefore, the project-specific and cumulative water use impacts of the Project are less than significant, and the Project will not substantially contribute to on-going overdraft conditions in the Cuyama Groundwater Basin.

6.3 Zoning: Land Use and Development Code Compliance

6.3.1 AG-II Zone District Development Standards

The project property is located in the AG-II-100 (Agriculture, 100-acre minimum parcel size) Zone District. The AG-II Zone District is applied to areas appropriate for agricultural land uses on prime or non-prime agricultural lands located within the Rural Area as shown on the Comprehensive Plan maps. Soils at the proposed reservoir sites are designated as "Grazing Land" by the California Department of Conservation's Important Farmland Inventory. The intent of the AG-II Zone is to preserve lands for long-term agricultural use on large properties (a minimum of 40- to 320-acre lots) with prime and non-prime agricultural soils in the rural areas of the County, and to preserve prime and non-prime soils for long-term agricultural use.

The construction and operation of the proposed reservoirs is a conditionally permitted use in the AG-II Zone. Table 2-3 of the LUDC specifies standards for new development in the AG-II Zone related to structure setbacks, height limits, landscaping, parking, and signs. The proposed reservoirs will be located a minimum of 1,200 feet south/southeast of Highway 166 and will comply with the required 50-foot setback requirement of the AG-II Zone. Structure height requirements in the AG-II Zone are only applicable to residential structures and do not apply to the proposed reservoirs. Similarly, the landscaping (LUDC Chapter 35.34) and parking (LUDC Chapter 35.36) standards identified by Table 2-3 are not applicable to the development of reservoirs in the AG-II Zone, and the Project does not include a proposal to install any signs. Therefore, the Proposed Project is consistent with all applicable AG-II development standards.

6.3.2 Sensitive Biological Resources

Pursuant to LUDC Section 35.21.050.C.2, development shall be located no less than 100 feet from environmentally sensitive habitat areas that are deemed by a qualified professional to be intact and of high quality. This setback may be adjusted upward or downward on a case-by-case basis depending upon site specific conditions such as slope, biological resources and erosion control. This requirement specifically applies to native plant communities recognized as rare by CDFW (*e.g.,* native grasslands; nesting, roosting, and/or breeding areas for rare, endangered or threatened animal species; and plant communities known to contain rare, endangered, or threatened species).

Project-related impacts to sensitive wildlife species would be reduced to a less than significant level with the implementation of conditions of approval that minimize potential impacts to special status animals (Attachment B, Conditions 3 through 9). Project-related impacts to native grasslands would be reduced to a less than significant level with the installation of exclusionary fencing during Project construction; preparation and implementation of a restoration plan to replace damaged or destroyed native grasslands, and restoration of native grasslands to offset

the loss of native grassland buffer which provides long-term protection to native grasslands (Attachment B, Condition 10). A native grassland buffer of 25 feet is considered adequate due to site conditions including current buffer width, current buffer quality, on-going human activity, and slope. The required grassland restoration plan requires that existing grassland removed or disturbed by Project construction be replaced at a 3:1 ratio; and that disturbed native grassland buffer (defined as natural habitat within 25 feet of native grassland) be replaced at a 1:1 ratio. With the implementation of these conditions of approval, the Project is consistent with the sensitive biological resource requirements of the AG-II Zone District.

6.4 Subdivision/Development Review Committee

The Project application was distributed to the Development Review Committee members for review and comment. The Santa Barbara Air Pollution Control District provided a condition letter that is included in Attachment B.

6.5 Agricultural Preserve Advisory Committee

On April 1, 2016, the Agricultural Preserve Advisory Committee unanimously found the proposed Project to be consistent with the Uniform Rules and contract 95-AP-24 (Attachment F).

7.0 APPEALS PROCEDURE

The action of the Planning Commission may be appealed to the Board of Supervisors within 10 calendar days of said action. The appeal fee to the Board of Supervisors is $709.06.

ATTACHMENTS

A. Findings
B. Conditions of Approval with Attached Departmental Letter
C. Link to the Proposed Final EIR
D. Parcel Exhibit
E. Project Plans
F. Agricultural Preserve Committee Meeting Minutes
G. Project Applicant Letters Regarding Wind Machine Use and the Environmentally Superior Alternative.

ATTACHMENT A: FINDINGS

North Fork Ranch Frost Ponds Conditional Use Permit
Case No. 16CUP-00000-00005

1.0 CEQA FINDINGS

Findings pursuant to Public Resources Code Section 21081 and the California Environmental Quality Act Guidelines Sections 15090 and 15091:

1.1 CONSIDERATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The County Planning Commission has considered the Final Environmental Impact Report (FEIR) (Case No. 21EIR-00000-00002) together with the comments received and considered during the public review process. The FEIR reflects the independent judgement and analysis of the County Planning Commission and has been completed in compliance with CEQA and is adequate for this proposal. The project evaluated in the FEIR involves a Conditional Use Permit (Case No. 16CUP-00000-00005) to allow the construction and operation of three water reservoirs to be used as part of a frost protection system for an existing vineyard in compliance with Section 35-21 of the Land Use Development Code.

1.2 FULL DISCLOSURE

The Planning Commission finds and certifies that the Final EIR (21EIR-00000-00002) constitutes a complete, accurate, adequate and good faith effort at full disclosure under CEQA. The Planning Commission further finds and certifies that the Final EIR has been completed in compliance with CEQA.

1.3 LOCATION OF RECORD OF PROCEEDINGS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101 or 624 West Foster Road, Santa Maria, CA 93455. The document is also available at:

https://www.countyofsb.org/3060/North-Fork-Ranch-Frost-Ponds

1.4 FINDINGS THAT CERTAIN IMPACTS ARE MITIGATED TO INSIGNIFICANCE BY CONDITIONS OF APPROVAL

The FEIR (21EIR-00000-00002), incorporated herein by reference, identified environmental issue areas for which the Project is considered to cause or contribute to

significant but mitigable environmental impacts (Class II). For each of these impacts evaluated in the FEIR, feasible changes or alterations have been required in, or incorporated into, the Project, which avoid or substantially lessen the significant environmental effect, as discussed below:

1.4.1 Biological Resources. The Planning Commission finds that proposed mitigation is adequate to reduce project-specific and cumulative impacts to biological resources to a less than significant level. Potentially significant impacts to biological resources resulting from Project-related construction and operation activities include impacts to sensitive wildlife species identified in local or regional plans, policies, or regulations, or by the CDFW or USFWS; and impacts to native grassland. Mitigation measures to reduce these impacts are identified in the FEIR as mitigation measures BIO-1.1 through BIO-1.7, and BIO-02. These measures reduce project-specific impacts to biological resources by requiring avoidance, minimization, pre-construction surveys, construction monitoring, and compensatory mitigation of impacted native grassland. Implementation of these mitigation measures reduce project-related impacts to biological resources to less than significant.

1.4.2 Cultural and Tribal Resources. The Planning Commission finds that proposed mitigation is adequate to reduce project-specific and cumulative impacts to cultural and tribal cultural resources to a less than significant level. Potentially significant impacts to unanticipated cultural and tribal cultural resources could result from grading and construction activities on the project site. Mitigation to reduce these impacts is identified in the FEIR as mitigation measures CUL-1.1, -1.2, and -1.3. These measures reduce project-specific and cumulative impacts to cultural and tribal cultural resources to less than significant by requiring archaeological monitoring during construction, avoidance and evaluation of cultural resources encountered during construction, and a worker education program.

1.4.3 Geologic Processes. The Planning Commission finds that proposed mitigation is adequate to reduce project-specific and cumulative impacts related to geologic processes to a less than significant level. Potentially significant impacts resulting from a project-related increase in erosion and sedimentation that may result from grading and construction activities would be reduced to a less than significant level with the implementation of a mitigation measure identified in the FEIR as GEO-2.1. This measure reduces project-specific and cumulative erosion-related impacts by requiring the preparation and implementation of an approved Erosion and Sediment Control Plan.

1.4.4 Hydrology and Water Quality – Flooding. The Planning Commission finds that proposed mitigation is adequate to reduce project-specific and cumulative flooding-related impacts resulting from a failure of a proposed water storage reservoir. Mitigation to reduce this

potential impact is identified in the FIER as mitigation measures FLOOD-01; FLOOD-2.1, -2.2, and -2.3; and FLOOD-03. These measures reduce project-specific and cumulative flooding-related impacts to a less than significant level by requiring the implementation of an approved Operation and Maintenance Plan, providing specified Project construction plan clarifications, and a review of proposed project plans by a geotechnical engineer.

1.4.5 Hydrology and Water Quality – Groundwater Use. The Planning Commission finds that proposed mitigation is adequate to reduce project-specific and cumulative use of groundwater impacts to below the adopted significance threshold of 31-acre feet per year. Mitigation to reduce this potential impact is identified in the FIER as mitigation measure WAT-01. This measure reduces project-specific and cumulative groundwater use impacts to a less than significant level by requiring the implementation of a Frost Protection System Evaporative Loss Reduction Plan. This Plan must include the installation and maintenance of reservoir covers to limit evaporative losses. The mitigation measure also identifies a limit on the amount of groundwater that may be used for frost protection each year. The Project's groundwater use impacts would be less than significant if the amount of groundwater used for frost protection is less than 103.1-acre feet per year.

1.4.6 Hydrology and Water Quality – Water Quality. The Planning Commission finds that proposed mitigation is adequate to reduce potential project-specific and cumulative water quality impacts that may result from short-term construction operations. Mitigation to reduce this potential impact is identified in the FIER as mitigation measures WQ-1.1 and WQ-1.2. These measures reduce project-specific and cumulative construction-related water quality impacts to a less than significant level by requiring the implementation of specified construction equipment storage and equipment washout measures.

1.5 FINDINGS FOR LESS THAN SIGNIFICANT ENVIRONMENTAL EFFECTS OF THE PROPOSED PROJECT

The FEIR (21EIR-00000-00002) identifies environmental areas for which the project is considered to cause adverse but not significant environmental impacts (Class III). The Planning Commission has concluded that the following effects are adverse but not significant:

- **Aesthetics** – scenic vistas, scenic resources, cumulative impacts to visual quality and character

- **Agricultural Resources** – agricultural resources, cumulative impacts to agricultural resources

- **Air Quality** – Clean Air Plan consistency, construction air quality emissions, operational air quality emissions, odor emissions

- **Energy** – energy impacts, cumulative energy impacts

- **Fire Protection** – development in high fire hazard areas or beyond safe fire department response times

- **Greenhouse Gas Emissions** – consistency with applicable plans, policies, and regulations that are adopted for the purpose of reducing GHG emissions

- **Geologic Processes** – groundshaking, ground failure and liquefaction, landslides, erosion, loss of topsoil, and related cumulative impacts

- **Hazards and Hazardous Materials** – project-specific and cumulative hazardous and hazardous materials impacts

- **Land Use** –Growth inducing impacts, economic or social effects that would result in a physical change in the environment, cumulative land use impacts

- **Noise** – short- and long-term noise impacts to noise-sensitive receptors, traffic noise, cumulative noise impacts

- **Public Facilities** – construction of new stormwater drainage facilities

- **Transportation and Circulation** – intersection operations, roadway segment operations, traffic safety hazards

- **Utilities and Service Systems** – capacity for water/wastewater treatment, stormwater drainage, electric power, natural gas, telecommunication facilities, cumulative development demand

1.6 FINDINGS THAT IDENTIFIED PROJECT ALTERNATIVES OR MITIGATION MEASURES ARE NOT FEASIBLE

The FEIR (21EIR-00000-00002) analyzed three alternatives to the proposed Project. The alternatives evaluated included the required No Project Alternative, and two reduced project development alternatives. The Planning Commission finds that the following alternatives are infeasible for the reasons stated in Findings 1.6.1 through 1.6.3.

1.6.1 No Project Alternative

The Planning Commission finds that the No Project Alternative is infeasible because it would not fulfill the Project objective to construct water storage reservoirs to provide frost protection water. In addition, implementation of this alternative is not required to reduce the significant environmental impacts of the proposed Project to a less than significant level. Therefore, this alternative is rejected. This alternative assumes the proposed reservoirs would not be constructed, and any frost protection water used at the project site would be pumped directly from existing water wells. This alternative would avoid or reduce the environmental effects that would result from the construction and operation of the proposed Project.

1.6.2 Alternative 1: Construct Only Two Reservoirs. The Planning Commission finds that the Construct Only Two Reservoirs Alternative is rejected as infeasible because implementation of this Alternative is not required to reduce the significant environmental impacts of the proposed Project to a less than significant level. Among the alternatives evaluated by the FEIR, Alternative 1 would be the Environmentally Superior Alternative because it would result in a reduced magnitude of impacts related to biological resources, flooding, groundwater use, cultural and tribal cultural resources, geological processes, and short-term water quality impacts. Alternative 1 would partially meet the project objectives, but to a lesser extent than the proposed Project because of the reduced amount of stored water that would be available for frost protection and the reduced amount of frost protection that would be provided by the alternative project. For these reasons, Alternative 1 is rejected as infeasible.

1.6.3 Alternative 2: Construct Only One Reservoir. The Planning Commission finds that the Construct Only One Reservoir Alternative is rejected as infeasible because implementation of this Alternative is not required to reduce the significant environmental impacts of the proposed Project to a less than significant level. In addition, this Alternative would not fulfill Agricultural Element Policy 1B to the same extent as the proposed Project. Additionally, Alternative 2 would partially meet the project objectives, but to a lesser extent than the proposed Project because of the reduced amount of stored water that would be available for frost protection and the reduced amount of frost protection that would be provided by the alternative project. For these reasons, Alternative 2 is rejected as infeasible.

1.7 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The FEIR includes a mitigation monitoring and reporting program designed to ensure compliance with adopted mitigation measures during project implementation, including specifications for each adopted mitigation measure that identify the action required and the monitoring that must occur. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the Reporting and Monitoring Program for this project. This program is designed to ensure compliance during project implementation.

2.0 ADMINISTRATIVE FINDINGS

2.1 Conditional Use Permits Findings

In compliance with Subsection 35.82.060.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Minor Conditional Use Permit the review authority shall first make all of the following findings, as applicable:

2.1.1 The site for the proposed project is adequate in terms of location, physical characteristics, shape, and size to accommodate the type of use and level of development proposed.

The Planning Commission finds that the site for the proposed Project is adequate in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of development proposed. The project property (147-020-045) is approximately 6,565 acres. The proposed reservoir sites are generally level and slope gently to the east or northeast. The proposed reservoirs will be approximately 3,000, 1,200 and 1,500 feet south of State Route 166 and at least 100 feet from nearby ephemeral drainages. The proposed reservoirs will be located in areas adjacent to the vineyards they will serve and limit the amount of required grading to the maximum extent feasible. In addition, as discussed in Sections 6.2 and 6.3 of this staff report, dated March 15, 2023, and incorporated herein by reference, the proposed project is consistent with the Comprehensive Plan and LUDC.

2.1.2 Within the Inland area significant environmental impacts will be mitigated to the maximum extent feasible.

The Planning Commission finds that significant adverse environmental impacts will be mitigated to the maximum extent feasible for the project as set forth in the Final Environmental Impact Report (21EIR-00000-00002). The Project's Final EIR identifies significant impacts that can be mitigated to less than significant levels with the mitigation measures incorporated into the conditions of approval (Attachment B, incorporated herein by reference). These impacts include: Biological Resources, Cultural and Tribal Resources, Geologic Processes, Groundwater Use, Flooding, and Water Quality. For each of these Class II impacts identified in the Final EIR, feasible changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect, as discussed in Findings 1.4.1 through 1.4.6, incorporated herein by reference. All required mitigation measures are incorporated into the Conditions of Approval (Attachment B) of this staff report, dated March 15, 2023, and herein incorporated by reference. Adherence to department and agency letters is included as a condition of approval for the proposed Project (Attachment B, Condition 34) and will mitigate adverse impacts to the maximum extent feasible.

2.1.3 Streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.

The Planning Commission finds that streets and highways will be adequate and properly designed to carry the type and quantity of traffic generated by the proposed use. Vehicular access to the reservoirs would be from State Route 166. This public highway is adequate to serve the Project as designed. As described in the Initial Study/Mitigated Negative Declaration prepared for the Project dated August 1, 2018, and included as Appendix C.1 of the Project Final EIR (21EIR-00000-00002) the Project will not result in a substantial increase in traffic on the highway and will not result in a substantial decrease in the highway's current level of service.

2.1.4 There will be adequate public services, including fire protection, police protection, sewage disposal, and water supply to serve the proposed project.

The Planning Commission finds that the proposed project will be adequately served by public and private services. Water to be stored in the proposed reservoirs will be supplied by existing private agricultural wells that currently provide irrigation water for the vineyard to be served by the proposed frost protection reservoirs. The Project will draw groundwater from the Cuyama Groundwater Basin, which is in a state of overdraft. The proposed Project's water use that is subject to the County's adopted groundwater use

threshold of significance for the Cuyama Valley Groundwater Basin consists only of the Project's annual evaporative losses of water stored in the reservoirs, and the evaporation of stored water that is used by an existing frost protection spray irrigations system that will be connected to the reservoirs. As discussed in Section 6.1.1 of this staff report, dated March 15, 2023, and incorporated herein by reference, the Project's annual evaporative losses from the three proposed reservoirs and operation of the associated frost protection system can be reduced to below the adopted significance threshold of 31-acre-feet per year. The Project's annual water use that is subject to discretionary review (i.e., project-related water that evaporates) will be reduced to a less than significant level with the implementation of condition of approval 16 (WAT—01: Frost Protection System Evaporative Loss Reduction Plan), which limits the amount of project-related water used for frost protection to approximately 130 acre feet per year. Therefore, annual water use by the Project that is subject to discretionary review will not significantly affect water supplies available to the Cuyama Community Service District, which is the public service agency in the Project region that provides domestic water service. In addition, groundwater pumping limitations that may be implemented by the Cuyama Groundwater Sustainability Agency pursuant to the requirements of SGMA will provide additional assurance that regional groundwater resources are used in a sustainable manner. Therefore, the Project will not result in a significant impact on public service water supplies. No sewage will be produced by the proposed Project, therefore, no waste water disposal systems are required. Finally, the proposed reservoirs will not increase the population of the project area or result in a substantially increased demand for fire and police protection services. .

2.1.5 The proposed project will not be detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood and will be compatible with the surrounding area.

The Planning Commission finds that the proposed Project is compatible with the surrounding area, and the Project is not detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood. The project site is located in an agricultural zone (AG-II-100). The Land Use and Development Code allows for the construction of agricultural reservoirs greater than 50,000 square feet in the AG-II Zone with the approval of a Minor Conditional Use Permit.

As discussed in the staff report, dated March 15, 2023, and incorporated herein by reference, the potentially significant environmental impacts of the Project can be reduced to a less than significant level with the implementation of mitigation measures that have been included as conditions of project approval (Attachment B). There are no residences or other buildings located near the proposed reservoir sites. Due to the absence of sensitive receptors on or near the 6,565-acre project parcel, the proposed reservoirs will

not result in significant short-term (i.e., construction-related) or long-term operational impacts that would adversely affect nearby residents.

The Final EIR (21EIR-00000-00002), which is hereby incorporated herein by reference, includes analysis of the Project potential long-term erosion, flooding, and water use impacts. Through compliance with conditions of project approval (Attachment B) the Project's potential long-term erosion and flooding impacts that could adversely affect the Project area would be reduced to a less than significant level. The Project also includes fencing and safety equipment to reduce the potential for humans and animals to become trapped in the proposed reservoirs. The Project's water use that is subject to discretionary review will contribute to declining groundwater levels in the project region. However, this project-related effect will not be significant on a project-specific or cumulative basis because evaporative losses from the reservoirs would be below the adopted significance threshold of 31-acre feet per year. As a result, the Project's water use that is subject to discretionary review, and other environmental impacts of the project, will not be detrimental to the comfort, convenience, general welfare, health and safety of the project area.

2.1.6 The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan, including any applicable community or area plan.

The Planning Commission finds that the proposed Project will comply with all applicable requirements of the Land Use Development Code and the Comprehensive Plan. As discussed in Sections 6.2 and 6.3 of this staff report, dated March 15, 2023, , and incorporated herein by reference, the Project is consistent with the Comprehensive Plan and Land Use and Development Code.

2.1.7 Within Rural areas as designated on the Comprehensive Plan maps, the proposed use will be compatible with and subordinate to the rural and scenic character of the area.

The Planning Commission finds that the proposed Project is compatible and subordinate to the character of the project area. As discussed in Section 6.2 of this staff report, dated March 15, 2023, the proposed reservoirs are designed in a manner that is compatible with the rural and scenic character of the area. The reservoirs will not result in grading scars, will not be prominently visible from State Route 166, and will not obstruct scenic views of the mountains located south of the project site as seen from the highway.

ATTACHMENT B: CONDITIONS OF APPROVAL

North Fork Ranch Frost Ponds Conditional Use Permit
Case No. 16CUP-00000-00005

I. PROJECT DESCRIPTION

1. Proj Des-01 Project Description

This Conditional Use Permit is based upon and limited to compliance with the project description, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

A request by Brian Tetley, Urban Planning Concepts, agent for Brodiaea, Inc., owner, for approval of a Conditional Use Permit to construct and operate three frost ponds (reservoirs) that would store water to be used for frost protection at the North Fork Ranch Vineyards. The project also includes the construction of new underground pipelines that would extend between each of the proposed reservoirs and the existing vineyard irrigation system.

The proposed reservoirs will serve an existing approximately 840-acre vineyard. Reservoir No. 1 will be located on the eastern portion of the project site adjacent to Schoolhouse Canyon Road (a private road). Reservoir No. 2 will be located in the central portion of the project site, and Reservoir No. 3 will be located on the western portion of the project site approximately 0.75 mile east of Cottonwood Canyon Road. Access to the reservoirs will be from existing roads that connect to State Highway 166.

Frost protection will be achieved by sustained spray irrigation of grape vines when frost damage has the potential to occur. Frost protection will generally be required during the months of February, March and April. The reservoirs will be maintained at a full condition between February and April. A maximum of three feet of well-supplied water will be maintained in the reservoirs between May 1st through January 31st. Water above a depth of three feet contained in the reservoirs after May 1 will be distributed for vineyard irrigation.

Each reservoir will have a water storage capacity of approximately 44-acre-feet and will be lined with a high-density polyethylene plastic liner to prevent water seepage. Each reservoir will also have an emergency overflow discharge system to prevent stored water from over-topping the reservoir. Water to be stored in the reservoirs will be supplied by existing agricultural wells located on the north side of State Route 166. Water from the wells will be conveyed to the reservoirs by existing vineyard irrigation pipelines that extend beneath the highway and throughout the vineyard. A six-foot high fence will be installed around the exterior perimeter of each reservoir to prevent unauthorized entry. Life ring stations and floating pool ropes will also be provided for rescue purposes.

A total of approximately 257,945 cubic yards of cut and fill grading will be required to construct the three proposed reservoirs. The reservoirs will have a maximum depth of 27-28 feet, and in total occupy an area of approximately 15.6 acres. Proposed pipelines to convey water from the vineyard's existing irrigation system to each of the reservoirs will have a total length of 1,350 feet. Proposed pipelines to convey water from each of the reservoirs to the vineyard's existing spray irrigation system will have a total length of 976 feet. Construction details for each of the proposed reservoirs are summarized on Table 1. It is estimated that the construction period for the three proposed reservoirs will be approximately one year.

Table 1
North Fork Ranch Frost Ponds
Construction Characteristics

Reservoir	Proposed Grading			Reservoir Area			Reservoir Depth			Proposed Pipelines	
	Cut (cu. yds.)	Fill (cu. yds.)	Total (cu. yds.)	Approximate Dimensions (feet)	Acres	Storage Capacity (ac. ft.)	Top of Pond Elevation	Bottom of Pond Elevation	Depth (feet)	Fill Line (feet)	Drain Line (feet)
No. 1	44,062	44,589	88,651	590 x 370	5.0	44.8	1,955	1,927	28	624	517
No. 2	44,064	42,205	86,269	580 X 410	5.7	44.8	1,788	1,761	27	370	202
No. 3	42,771	40,254	83,025	590 x 360	4.9	44.6	1,744	1,717	27	356	257
TOTAL	**130,897**	**127,048 (1)**	**257,945**	--	**15.6**	**134.2**	--	--	--	**1,350**	**976**

(1) Due to shrinkage of fill material, no soil would be exported from the project site

Surface water drainage from upslope areas adjacent to the reservoirs will be collected by proposed drainage swales. The collected water will be discharged and allowed to sheet flow at downslope locations adjacent to the reservoirs. Rock energy dissipaters will be installed at each discharge location to reduce potential erosion-related impacts. Stormwater discharge from Reservoir No. 1 will be conveyed beneath Schoolhouse Canyon Road by a proposed culvert beneath the road.

The application involves Assessor Parcel Number 147-020-045, a 6,565-acre parcel that is zoned AG-II-100.

2. Proj Des-02 Project Conformity

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or

financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

II. MITIGATION MEASURES FROM 21EIR-00000-00002

3. BIO-01.1: San Joaquin Kit Fox Avoidance Measures

Project-related pre-construction / pre-activity surveys, including prior to site clearing and grubbing, shall be conducted prior to the beginning of ground disturbance and/or construction activities, or any Project activity that has the potential to affect the SJKF. Required pre-construction / pre-activity surveys and project-related construction activities shall be conducted in accordance with the requirements of the *USFWS Standardized Recommendations for Protection of The Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance* (USFWS 2011). This comprehensive set of recommendations also includes measures to protect the SJKF as well as other wildlife species including a prohibition of firearms, secure disposal of trash and food scraps, and revegetation of areas that are temporarily disturbed. The Standardized Recommendations are provided as Final EIR Attachment B1-3.

PLAN REQUIREMENTS AND TIMING: Prior to the start of any Project-related pre-construction / pre-activity, the areas that would be affected by reservoir construction and the construction of the proposed reservoir fill and drain lines shall be marked in the field and surveyed by a qualified biologist. Project-related pre-construction / pre-activity surveys shall be conducted no less than 14 days and no more than 30 days prior to the beginning of ground disturbance and/or construction activities. The qualified biologist shall conduct weekly site visits during site disturbance activities that proceed longer than 14 days for the purpose of monitoring compliance with *USFWS Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior To Or During Ground Disturbance* (USFWS 2011). Site disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of SJKF or their dens are made on-site or the qualified biologist recommends additional monitoring. This measure shall be printed on all grading and construction plans. The name, qualifications, scope of biological surveys and contact information for the surveying biologist must be submitted to P&D and CDFW in advance of the surveys. This measure shall be included on all land use, grading, and building plans for the construction of the reservoirs/frost protection system. A report of the results of the San Joaquin Kit fox survey shall be submitted to P&D for review and approval prior to commencement of vegetation removal or grading.

MONITORING: The qualified biologist shall document the methods and results of site visits in weekly construction monitoring reports submitted to P&D. If incidental take of SJKF fox during project activities is determined possible based on pre-construction surveys, the applicant must consult with the USFWS and CDFW, before project activities commence. The results of this consultation may require the applicant to develop additional avoidance measures acceptable to

USFWS and CDFW or to obtain a federal and/or state permit for incidental take during project activities prior to the start of construction activities.

4. BIO-01.2: Fish and Wildlife Jurisdiction Advisory

The project site is within the range of SJKF, a species listed as Endangered by the USFWS and Threatened by the CDFW. Based upon reports prepared by KMA dated February 24, 2016, June 24, 2016, February 4, 2019, and June 15, 2020, the probability for SJKF occurrence on the site is very low. The issuance of the permit for the frost protection system does not relieve the permit-holder of any duties, obligations, or responsibilities under the federal Endangered Species Act (ESA) or California Endangered Species Act (CESA) or any other law. The permit-holder shall contact the Ventura Office for USFWS at (805) 644-1766 and the CDFW South Coast Region Office at (858) 467-4201 and any other necessary jurisdictional agencies to ascertain the level of risk under the ESA and CESA in implementing the project herein permitted.

Indemnity for Violation of the Endangered Species Act: The applicant shall defend, indemnify and hold harmless the County or its agents, officers and employees from any and all claims, actions, proceedings, demands, damages, costs, expenses (including attorney's fees), judgments or liabilities, against the County or its agents, offices or employees brought by any entity or person for any and all actions or omissions of the applicant or his agents, employees or other independent contractors arising out of this permit alleged to be in violation of the federal or California Endangered Species Acts (16 USC Sec. 1531 et seq.; Cal. Fish and Game Code Sec. 2050 et sec.). This permit does not authorize, approve or otherwise support a "take" of any listed species as defined under the federal or California Endangered Species Acts. Applicant shall notify County immediately of any potential violation of the federal and/or California Endangered Species Act.

5. BIO-01.3: Wildlife Preconstruction Surveys

To reduce potential impacts to wildlife, a preconstruction survey will take place a minimum of 14 days prior to initiation of ground disturbing activities. The survey will focus on Northern California legless lizard and California glossy snake and shall be conducted by an approved biologist familiar with identification of the wildlife species in the region. The survey area for all wildlife species shall include the disturbance footprint in addition to areas within 100 feet of the disturbance footprint. The survey shall include both visual surveys and raking searches for reptiles. Any special-status wildlife species observed in the Project Area shall not be physically relocated without permission from the CDFW or the USFWS, as appropriate.

PLAN REQUIREMENTS AND TIMING: The applicant shall submit survey results for P&D review and approval prior to commencement of vegetation removal or grading.

MONITORING: The qualified biologist shall document the survey methods and results to be submitted to P&D. The applicant shall demonstrate to P&D compliance monitoring staff (and/or

County-contracted biological monitor) that any necessary project and adjacent areas are clear of reptiles and sensitive wildlife species before initiation of vegetation removal or grading.

6. BIO-01.4: American Badger Avoidance and Minimization Measures

A minimum of 14 days prior to initiation of ground disturbing activities, a survey for badger burrows shall be conducted within the disturbance footprint by an approved biologist (a biologist familiar with, including identification of the wildlife species in the region). Dens found within the survey area shall be mapped and monitored using a tracking medium, remote camera system, and/or spotlighting at night for minimum of three days to assess the presence of badgers. Inactive dens shall be collapsed by hand with a shovel to prevent badgers from re-using them during construction. Active dens located within the survey area shall be avoided during the breeding season (March 1 through June 30). A minimum buffer of 50 feet around the active den within the proposed area of disturbance shall be demarcated by construction fencing. The fencing shall be installed one foot above ground to permit movement of badgers in and out of the buffer zone. Once the biologist has determined that active dens are no longer in use, the den shall be collapsed by shovel. Prior to ground disturbing activities occurring outside of the breeding season, badgers may be discouraged from using currently active dens by partially blocking the entrance of the den with sticks, debris, and soil for three (3) to five (5) days. Access to the den would be incrementally blocked to a greater degree over this period. This would cause the badger to abandon the den and move elsewhere. After badgers have stopped using active dens within the project site, the dens would be collapsed by hand with a shovel.

The Standardized Recommendations of the USFWS for reducing potential impacts to SJKF, including a prohibition of firearms, secure disposal of trash and food scraps, and revegetation of areas that are temporarily disturbed, shall also be implemented to minimize the potential for effects on American badger.

PLAN REQUIREMENTS AND TIMING: The name, qualifications, scope of biological surveys and contact information for the surveying biologist must be submitted to P&D and CDFW in advance of the surveys. This measure shall be included on all land use, grading, and building plans for the construction of the reservoirs/frost protection system. A report of the results of the badger survey shall be submitted to P&D for review and approval prior to commencement of vegetation removal or grading.

MONITORING. P&D will review and approve the reports. A County-approved biologist shall be present during initial ground-disturbing activity.

7. BIO-01.5: Construction Activity Biological Resources Monitor

A P&D-approved biologist shall provide environmental training to all construction workers and monitor construction activities at least periodically (e.g., twice a week) for all grading and ground-disturbing activities to ensure that practicable measures are being employed to avoid incidental

disturbance of habitat and species of special concern outside the Project footprint. Work shall be stopped if necessary to protect wildlife and other biological resources, or if violations of laws or permit conditions are observed. Duties of the biological resources monitor include the responsibility to ensure all aspects of the approved biological mitigation measures are carried out per County requirements and that USFWS and/or CDFW are notified of the presence of any listed species. To the extent practical, common wildlife species entering the construction zone shall be captured and relocated to suitable habitat. Any special-status wildlife species observed in the Project Area shall not be physically relocated without permission from the CDFW or the USFWS, as appropriate. The construction fencing must be inspected daily, and the Construction Contractor must perform any required maintenance immediately.

PLAN REQUIREMENT AND TIMING: Within 60-days prior to the start of construction activities, the applicant shall designate a P&D-approved biologist to be onsite throughout all grading activities for the three reservoirs and frost protection system.

MONITORING: The applicant shall submit to P&D compliance monitoring staff the name and contact information for the approved biologist prior to the start of construction activities. P&D compliance monitoring staff or grading inspectors shall conduct site inspections, as appropriate during construction activities. The biologist shall provide monthly grading monitoring reports submitted to P&D documenting construction activities completed and measures used to limit impacts to biological resources consistent with Conditions of Approval BIO-01.1 through BIO-01.5. In addition, the biologist will notify P&D, USFWS, and/or CDFW (as appropriate) whenever listed species are encountered and will notify P&D when work stoppages are required. Such notifications shall occur within 3 days of occurrence, or sooner as required by law.

8. BIO-01.6: Nesting Birds Preconstruction Surveys

For construction activities occurring during the nesting season (generally February 1 - September 15), surveys for nesting birds covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a qualified biologist no more than 30 days prior to vegetation removal/site grubbing and clearing. The survey area for all nesting bird and raptor species shall include the disturbance footprint plus a 300-foot buffer. 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 disturbance of nesting birds. All buffers shall be marked using high-visibility flagging or fencing acceptable to P&D, and, unless approved by the qualified biologist, no construction activities shall be allowed within the buffers until the young have fledged from the nest or the nest fails.

PLAN REQUIREMENTS AND TIMING: The applicant shall submit survey(s) and identification of buffer areas, if determined necessary (on plans and marked in field), for P&D review and approval prior to commencement of vegetation removal or grading. Any required flagging/fencing shall remain in place until applicable construction activities are complete.

MONITORING: The applicant shall demonstrate to P&D compliance monitoring staff (and/or County-contracted biological monitor) that any necessary buffer areas are protected (flagging/fencing acceptable to P&D) before initiation of grading through project completion/final sign-off.

9. BIO-01.7: Prohibition of Pesticides, Herbicides, and Rodenticides

Use of all chemical pesticides, herbicides, or rodenticides shall be prohibited on the project (reservoir) sites. Any means of rodent control shall be using natural means (e.g. deterrents, predator attractants).

PLAN REQUIREMENTS AND TIMING: The applicant shall submit a Rodent Control Plan as part of the Operations and Maintenance Plan described in Mitigation Measure FLOOD-1 for County approval prior to grading permit approval. The plan shall include specific measures for rodent control and alternatives that do not include the use of pesticides, herbicides, or rodenticides.

MONITORING: P&D staff shall review and approve the Rodent Control Plan in consultation with other County Departments (i.e., Grading Division, Flood Control, Public Works).

10. BIO-02: Prepare and Implement a Native Grasslands Avoidance and Restoration Plan.

A Native Grasslands Avoidance and Restoration Plan will be prepared and implemented by the applicant. The plan will reduce and mitigate construction-related removal of the existing native grasslands, impacts and degradation of the native grasslands, and long-term impacts to the native grassland buffer located within and adjacent to the Project site. For native grasslands within the construction footprint, adjacent construction area, and native grassland buffer area for Reservoir No. 3 the plan shall include the following elements at a minimum:

1. Avoidance of impacts in the area outside the reservoir footprint and construction disturbance area:
    a) Installation and maintenance of temporary exclusionary fencing prior to any Project-related pre-construction / pre-activity. Exclusionary fencing will be constructed at the edge of the construction disturbance area where native grasslands are present within 50 feet of any planned construction activities.
    b) Documentation of the fencing limits including GPS data and photographic reference points taken before and after construction.
    c) Confirmation of fencing location by the County-approved biologist.
    d) Post-construction documentation that the areas outside the construction disturbance area were not disturbed, including photographs and GPS data.
2. Restoration of native grasslands that are removed for Project construction within the Project footprint, or significantly disturbed by in the construction disturbance area; defined as within

the construction zone inside the temporary fencing. The restoration description will consist of:

a) A map of native grasslands within 100 feet of the proposed Project, including the Reservoir No. 3 footprint and temporarily fenced area. The purpose of this mapping is to ensure that the extent of native grasslands removed or disturbed by construction or by loss of a buffer can be accurately determined.
b) A budget for the restoration project and establishment of a bond to cover the costs of a similar restoration project should the implemented restoration project fail.
c) Replanting native grasslands as follows:
    - At a ratio of 3:1 for each acre (or portion thereof) removed within the project footprint.
    - At a ratio of 3:1 for each acre (or portion thereof) disturbed within the construction disturbance area. All native grassland located within the required exclusionary fencing shall be mitigated by restoration at a 3:1 ratio.
    - At a ratio of 1:1 for each acre (or portion thereof) of native grassland buffer removed by the project. The native grassland buffer is defined for this Project as natural habitat within 25 feet of native grassland. The loss of native grassland buffer shall be determined by measuring the linear distance of native grassland adjacent to the temporary fencing and multiplying by 25 to determine the total square feet of restoration that is required.
d) The location of restoration site including a map. The restoration site shall be continuous with native grasslands on the same property.
e) Seed collection and propagation methods, including specific information on the collection area, which must be within the same region as the restoration site.
f) Planting methods, species, and density information.
g) Irrigation methods, timing, and duration.
h) Maintenance and monitoring requirements, including weed control methods and timing. Monitoring requirements will include quantitative measures at the conclusion of the Project to document success.
i) Performance criteria which will specify:
    - Minimum density, cover and diversity, which shall be determined based on achieving results that are minimally as high as an adjacent reference area that supports native grassland, identified at the outset of the project. Density, cover, and diversity will be determined for both the mitigation site and reference area annually by qualitive measurements (e.g. transects).
    - Time since planting, which shall minimally be 5 years.
    - Time since cessation of irrigation, which shall minimally be 3 years.

- Maximum contiguous area within the restoration site that does not contain native grasses (maximum size), which shall not exceed 1 meter.

j) A description of remedial measures to be implemented if the site does not meet performance criteria. Remedial measures shall include options such as additional planting, additional weed control, additional irrigation, and extension of the monitoring period, or some combination of these measures.

k) Reporting requirements consisting of annual reports documenting the progress of the restoration and a final report.

PLAN REQUIREMENTS AND TIMING: The applicant shall provide the Native Grasslands Avoidance and Restoration Plan for review and approval by P&D prior to Zoning Clearance. Prior to the start of any Project-related pre-construction/pre-activity, including site clearing and grubbing, the area of native grassland at the Reservoir No. 3 Project site, shall be temporarily fenced in accordance with approved Plan requirements with chain link or other material to satisfactory to P&D staff and signage shall be posted with the words: "No Entry, Native Grassland Protection Area." This measure and the location of this fencing shall be printed on all grading and construction plans. Implementation of the restoration component shall commence prior to usage of the reservoirs and frost protection system.

MONITORING: The qualified biologist shall document that fencing has been installed and that construction does not impact any of the native grassland through regular site visits during construction and through documentation in monthly construction monitoring reports submitted to P&D. A final monitoring report with photographs shall be provided to P&D at completion of construction. Annual monitoring reports and a final monitoring report shall be provided to P&D at completion of the restoration project, including a statement that compares the project conditions with each performance criteria.

11. FLOOD-01: Prepare a Maintenance and Operations Plan.

The applicant shall provide a Maintenance and Operations Plan, which includes requirements for regular inspection of the reservoir embankments, liners, overflow piping, and perimeter drainage ditches and criteria for implementing any corrective actions.

PLAN REQUIREMENTS AND TIMING: The applicant shall submit the Maintenance and Operations Plan to P&D for approval prior to grading permit approval.

MONITORING: P&D staff shall review and approve the Plan in consultation with other County Departments (i.e., Grading Division, Flood Control, Public Works).

12. FLOOD-02.1: Clarify the Purpose and Function of Drainage Swales on Project Plans

The applicant shall ensure that the drainage ditches proposed for the upstream and adjacent sides of the three reservoirs are clearly identified and not as a "brow ditch" as shown on the

February 1, 2021 Plan set. If the Project engineer intended for this feature to be different than a drainage swale, additional notations and design details shall be added to the Final Construction Plan set.

PLAN REQUIREMENT AND TIMING: The applicant shall submit revised plans with notations listed above for P&D approval as part of Grading Plan review.

MONITORING: P&D and Grading Division staff shall review and approve the revised plans, prior to issuance of a grading permit.

13. FLOOD-02.2: Clarify Swale Lining and Other Details on Project Plans

The applicant shall ensure that the Santa Barbara County Building & Safety Division Grading Note #8 on Sheet 1 of the February 1, 2021 plans indicates that existing slopes that are to receive fill materials shall be keyed and benched per the geotechnical engineer's recommendation. The drainage channels which are intended to intercept surface flows and avoid impacts to the proposed fill slopes shall be armored per the Geotechnical Report.

PLAN REQUIREMENT AND TIMING: The applicant shall submit revised plans with notations listed above for P&D approval as part of Grading Plan review.

MONITORING: P&D staff shall review and approve the revised plans, in consultation with other County Departments, if needed, for technical assistance and approve the revised plans prior to issuance of a grading permit for construction.

14. FLOOD-02.3: Revise Plans to Ensure Proper Stormflow Drainage

The design engineer shall revise Project Plans to ensure that storm flows approaching the reservoirs from the southwest are addressed. The design engineer shall clearly indicate the slope angle for these much deeper swales and any proposed armoring measures to ensure that stormflow drainage is controlled.

PLAN REQUIREMENT AND TIMING: The applicant shall submit revised plans with notations listed above for P&D approval as part of Grading Plan review.

MONITORING: P&D staff shall review and approve the revised plans, in consultation with other County Departments, if needed, for technical assistance and approve the revised plans prior to issuance of a grading permit for construction.

15. FLOOD-03: Plan Review by Geotechnical Engineer

The applicant shall engage a geotechnical engineer to determine that the design configuration of the reservoir embankments meet seismic safety requirements and/or make minor revisions to the project plans to meet those requirements.

PLAN REQUIREMENT AND TIMING: The applicant shall submit revised plans with notations listed above for P&D approval as part of Grading Plan review.

MONITORING: P&D and Grading Division staff shall review and approve the revised plans, prior to approval of a grading permit.

16. WAT—01: Frost Protection System Evaporative Loss Reduction Plan

The applicant shall submit an Evaporative Loss Reduction Plan (ELRP) designed to reduce evaporative groundwater loss impacts resulting from operation of the frost protection system to below the County's Groundwater Threshold of Significance for the Cuyama Groundwater Basin. The adopted significance threshold is 31-acre feet per year (AFY). The ELRP shall include two components: 1) Installation and use of reservoir covers to reduce evaporative loss from each of the proposed reservoirs and 2) A limitation on the amount of groundwater used for frost protection.

1. Reservoir Covers: Project plans shall include specifications for the installation, operation, and maintenance of covers for all three frost protection system reservoirs. The reservoir covers shall be used year around, including May 1 through January 31 when three feet of water is maintained in the reservoirs. At a minimum, the ELRP specifications shall include:
    a. Reservoir cover manufacturer specifications
    b. Installation requirements
        i. Delivery of materials to North Fork Ranch
        ii. Installation schedule
        iii. Installation procedures
    c. Operational parameters
    d. Maintenance requirements
        i. Scheduled maintenance
        ii. Repair and replacement requirements
2. Frost Protection Groundwater Use Limit: Ensure that the frost protection spray irrigation system uses no more than 103.1 AFY of groundwater. At a minimum, the ELRP shall include:
    a. Installation and operation of flow meter(s) for the frost protection pumping system
    b. Maintenance requirements
        i. Scheduled maintenance of the frost protection spray irrigation system
        ii. Repair and replacement requirements
    c. Reporting Requirements
        i. Record daily groundwater use readings for each frost protection event.

ii. Record monthly groundwater use readings of flowmeters in February, March and April of each year the vineyard is in operation.
iii. Prepare an annual report detailing groundwater used for frost protection and submit the report by June 1 each year the reservoirs are in operation.

PLAN REQUIREMENTS: The applicant shall submit an ELRP to P&D for review and approval. The Plan shall include all items listed above. In addition, the locations of construction, operation, reporting and maintenance components of the Plan shall be included as notes or depictions on the Project site plan.

TIMING: The applicant shall submit the ELRP prior to Zoning Clearance for the Project. The applicant shall demonstrate to P&D compliance monitoring staff that the reservoir covers and frost protection system flow meters are installed prior to Final Grading Inspection Clearance.

MONITORING: The applicant shall submit a record of the volume of groundwater used after each frost protection event to P&D compliance monitoring staff to track that the amount of groundwater applied to the vineyard through the frost protection system. The applicant will be responsible for ensuring that the evaporative groundwater loss does not exceed 31 AFY, by ensuring that the frost protection water application is less than 103.1 AFY.

REPORTING: By June 1 of each year that the vineyard is in operation, the applicant shall submit to P&D compliance monitoring staff a report that includes the following information:

1) Monthly quantities of frost protection groundwater used during the months of March and April. This reporting requirement shall include a summary of groundwater used during each frost event and verify that the total amount of groundwater applied to the vineyard through the frost protection system does not exceed 103.1 AFY.
2) A description of the effectiveness of the reservoir covers.
3) A summary of operational activities and maintenance conducted during the previous year and planned maintenance activities to be completed in the upcoming year.

To address the unpredictable number of frost protection events that may occur in any given year, the vineyard operator may monitor frost protection groundwater use based on a 3-year rolling average. The purpose of using a three-year period groundwater use average is to provide flexibility in the implementation of this Mitigation Measure, while still maintaining compliance with the 31 AFY threshold of significance adopted for the Cuyama groundwater basin. This implementation approach allows for years with minimal or low frost protection groundwater use requirements (below 103.1 AFY) to count towards future consecutive year's demands. Under a three-year rolling average, frost protection groundwater use cannot exceed 103.1 AFY in a year unless there is a credit from the prior 2 year(s). This implementation approach may start in Year 2 of project operation, only if groundwater use in Year 1 was less than 103.1 AF.

17. Cul-01.1: Cultural Resource Monitor

The Owner/Applicant shall have all earth disturbances including scarification and placement of fill within the proposed project sites monitored by a P&D approved archaeologist and a Chumash Tribe provided monitor in compliance with the provisions of the County Archaeological Guidelines. Ground-disturbing construction work within native soils shall be monitored by a County-qualified archaeologist and a Chumash Tribe provided monitor during construction to a depth of 10 feet below the ground surface.

PLAN REQUIREMENTS AND TIMING: Prior to the approval of a grading permit, the Owner/Applicant shall submit for P&D review and approval, a contract or Letter of Commitment between the Owner/Applicant and the archaeologist, consisting of a project description and scope of work, and once approved, shall execute the contract. This condition shall be printed on all building and grading plans. In addition, Owner/Applicant shall submit for P&D review and approval, a contract or Letter of Commitment between the Owner/Applicant and a Chumash Tribe monitor consisting of a project description and scope of work, and once approved, shall execute the contract.

MONITORING: The Owner/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 archaeologist and Chumash Tribal monitor and P&D grading inspectors shall spot check field work. The P&D permit processing planner shall check plans prior to approval of all building and grading permits and P&D compliance monitoring staff shall spot check in the field.

18. Cul-01.2: Stop Work at Encounter

The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event potential human remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall ensure an osteologist/zooarchaeologist makes a determination if they are human remains in consultation with a P&D approved archaeologist and Chumash Tribal representative. If they are determined to be human remains Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.94 and 5097.98 will be followed and funded by the Owner/Applicant. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicant.

PLAN REQUIREMENTS: This condition shall be printed on all building and grading plans.

MONITORING: The P&D permit processing planner shall check plans prior to the issuance of a Zoning Clearance and P&D compliance monitoring staff shall spot check in the field.

19. CUL-01.3 Special Condition: Pre-Construction Meeting

A pre-construction meeting shall be conducted by a County-qualified archaeologist and a Chumash Tribal representative funded by the applicant. Meeting attendees shall include the applicant, archaeologist, local Chumash 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. All construction personnel who would work on the site during any phase of ground disturbance shall be required to attend the meeting. The names of all personnel who attend the meeting shall be recorded denoting that they have received the required training.

The meeting shall review the following: types of archaeological resources that may be uncovered; provide examples of common archaeological artifacts and other cultural materials to examine; describe why monitoring is required; what makes an archaeological resource significant; identify monitoring procedures; what would temporarily halt construction and for how long; describe a reasonable resource discovery scenario (i.e., feature or artifact); and describe reporting requirements and the responsibilities of the construction supervisor and crew. The meeting shall make attendees aware of prohibited activities, including vehicle use in protected areas, and educate construction workers about the inappropriateness of unauthorized collecting of artifacts that can result in impacts on cultural resources.

PLAN REQUIREMENTS: The pre-construction meeting requirements shall be shown on approved grading and building plans.

TIMING: The pre-construction meeting shall be conducted prior to the start of ground disturbing activities.

MONITORING: The Owner/Applicant shall provide P&D compliance monitoring staff with the names and responsibilities of persons who attended the meeting.

20. GEO-02.1: Erosion and Sediment Control Plan

Where required by the latest edition of the California Green Code and/or Chapter 14 of the Santa Barbara County Code, a Storm Water Pollution Prevention Plan (SWPPP), Storm Water Management Plan (SWMP) and/or an Erosion and Sediment Control Plan (ESCP) shall be implemented as part of the project. Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until re-graded areas have been stabilized by structures, long-term

erosion control measures or permanent landscaping. The Owner/Applicant shall submit the SWPPP, SWMP or ESCP using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The SWPPP or ESCP shall be a part of the Grading Plan submittal and will be reviewed for its technical merits by P&D. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (http://sbcountyplanning.org/building/grading.cfm) refer to Erosion and Sediment Control Plan Requirements; and in the California Green Code for SWPPP (projects greater than 1 acre) and/or SWMP requirements.

PLAN REQUIREMENTS: The grading and SWPPP, SWMP and/or ESCP shall be submitted for review and approved by P&D prior to issuance of a Zoning Clearance. The plan shall be designed to address erosion, sediment and pollution control during all phases of development of the site until all disturbed areas are permanently stabilized.

TIMING: The SWPPP requirements shall be implemented prior to the commencement of grading and throughout the year. The ESCP/SWMP requirements shall be implemented between November 1st and April 15th of each year, except pollution control measures shall be implemented year round.

MONITORING: P&D compliance monitoring staff shall perform site inspections throughout the construction phase.

21. WQ-01.1: Equipment Storage-Construction

The Owner/Applicant shall designate a construction equipment filling and storage area(s) to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 feet unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, water body or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all plans for zoning clearance, grading and building permits.

TIMING: The Owner/Applicant shall install the area prior to commencement of construction.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

22. WQ-01.2: Equipment Washout-Construction

The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site daily. The area shall be located at least 100 feet from any storm drain, water body or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all zoning clearance, grading and building permits.

TIMING: The Owner/Applicant shall install the area prior to commencement of construction.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

III. CONDITIONS UNIQUE TO CONDITIONAL USE PERMITS

23. Rules-12 CUP Expiration

The Applicant shall obtain the required Zoning Clearance within the 18 months following the effective date of this Conditional Use Permit. If the required Zoning Clearance is not issued within the 18 months following the effective date of this Conditional Use Permit, or within such extended period of time as may be authorized in compliance with Section 35.84.030.D.1 of the County Land Use Development Code, and an application for an extension has not been submitted to the Planning and Development Department, then this Conditional Use Permit shall be considered void and of no further effect.

24. Rules-17 CUP-Void

This Conditional Use Permit shall become void and be automatically revoked if the development and/or authorized use allowed by this Conditional Use Permit is discontinued for a period of more than 12 months, or within such extended period of time as may be authorized in compliance with Section 35.84.030 of the County Land Use Development Code. Any use authorized by this Conditional Use Permit shall immediately cease upon expiration or revocation of this Conditional Use Permit. Any Zoning Clearance approved or issued pursuant to this Conditional Use Permit shall expire upon expiration or revocation of the Conditional Use Permit. Conditional Use Permit renewals must be applied for prior to expiration of the Conditional Use Permit. [LUDC §35.82.060 & §35.84.060].

25. Rules-18 CUP Revisions

The approval by the Planning Commission of a revised CONDITIONAL USE PERMIT shall automatically supersede any previously approved CONDITIONAL USE PERMIT upon the effective date of the revised permit.

26. Rules-21 CUP Revisions-Change of Use

Any change of use in the proposed structure shall be subject to appropriate environmental analysis and review by the County including Building Code compliance.

IV. COUNTY RULES AND REGULATIONS

27. Rules-03 Additional Permits Required

The use and/or construction of any structures or improvements authorized by this approval shall not commence until all necessary planning and building permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions, including: The Santa Barbara Air Pollution Control District. Such clearance shall indicate that the Owner/Applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.

28. Rules-05 Acceptance of Conditions

The Owner/Applicant‘s acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.

29. Rules-08 Sale of Site

The project site and any portions thereof shall be sold, leased or financed in compliance with the exhibit(s), project description and the conditions of approval including all related covenants and agreements.

30. Rules-09 Signs

No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with Chapter 35.38 of the Santa Barbara County LUDC.

31. Rules-22 Leased Facilities

The Operator and Owner are responsible for complying with all conditions of approval contained in this Conditional Use Permit. Any zoning violations concerning the installation, operation, and/or abandonment of the facility are the responsibility of the Owner and the Operator.

32. Rules-23 Processing Fees Required

Prior to approval of a Zoning Clearance, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.

33. Rules-25 Signed Agreement to Comply

Prior to approval of Zoning Clearance, the Owner/Applicant shall provide evidence that they have recorded a signed Agreement to Comply with Conditions that specifies that the Owner of the property agrees to comply with the project description, approved exhibits and all conditions of approval. Form may be obtained from the P&D office.

34. Rules-29 Other Department Conditions

Compliance with Departmental/Division letters required as follows:

1. Air Pollution Control District letter dated June 28, 2017.

35. Rules-30 Plans Requirements

The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.

36. Rules-31 Mitigation Monitoring Required

The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and operational. To accomplish this, the Owner/Applicant shall:

a. Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;

b. Sign a separate Agreement to Pay for compliance monitoring costs and remit a security deposit prior to approval of a Zoning Clearance as authorized by ordinance and fee schedules. Compliance monitoring costs will be invoiced monthly and may include costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute. Monthly invoices shall be paid by the due date noted on the invoice;
c. Note the following on each page of grading and building plans "This project is subject to Mitigation and Condition Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, conditions of approval, and mitigation measures from EIR 21-00000-0002";
d. Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.

37. Rules-33 Indemnity and Separation

The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

38. Rules-37 Time Extensions-All Projects

The Owner / Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner / Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.

apcd air pollution control district
SANTA BARBARA COUNTY

May 11, 2022

Travis Seawards
Santa Barbara County
Planning and Development
624 W. Foster Road
Santa Maria, CA 93455

Sent Via Email: tseawards@countyofsb.org

Re: Santa Barbara County Air Pollution Control District Comments on the Revised Draft Environmental Impact Report for the North Fork Ranch Frost Ponds Project, 16CUP-00000-00005

Dear Travis Seawards:

The Santa Barbara County Air Pollution Control District (District) has reviewed the Revised Draft Environmental Impact Report (EIR) for the referenced project, which consists of the construction and operation of three water reservoirs and associated piping for frost protection at the North Fork Vineyard. Each reservoir would have a storage capacity of approximately 44-acre feet and would occupy an area of approximately five acres. Water stored in the reservoirs would be supplied by pumping water from existing groundwater wells. A total of approximately 130,987 cubic yards (cy) of cut and 127,049 cy of fill would be required for grading to construct the three proposed reservoirs. No soil export is required due to soil shrinkage. Minor amounts of grading would also be required to install approximately 2,326 linear feet of reservoir fill and drain lines. The subject property, a 6,565-acre parcel zoned AG-II-100 and identified in the Assessor Parcel Map Book as APN 147-020-045, is located on the southside of State Highway 166 in the community of New Cuyama.

The District recommends that the following **best practices** be considered for inclusion as conditions of approval, in the interest of reducing emissions of criteria air pollutants, toxic air contaminants, greenhouse gases, and dust:

1. To reduce the potential for violations of District Rule 345 *(Control of Fugitive Dust from Construction and Demolition Activities)*, Rule 302 *(Visible Emissions)*, and Rule 303 *(Nuisance)*, standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the District prior to grading/building permit issuance.

2. The State of California considers particulate matter emitted by diesel engines carcinogenic. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of

ATTACHMENT C: LINK TO FINAL EIR (21EIR-00000-00002)

North Fork Ranch Frost Ponds Conditional Use Permit
Case No. 16CUP-00000-00005

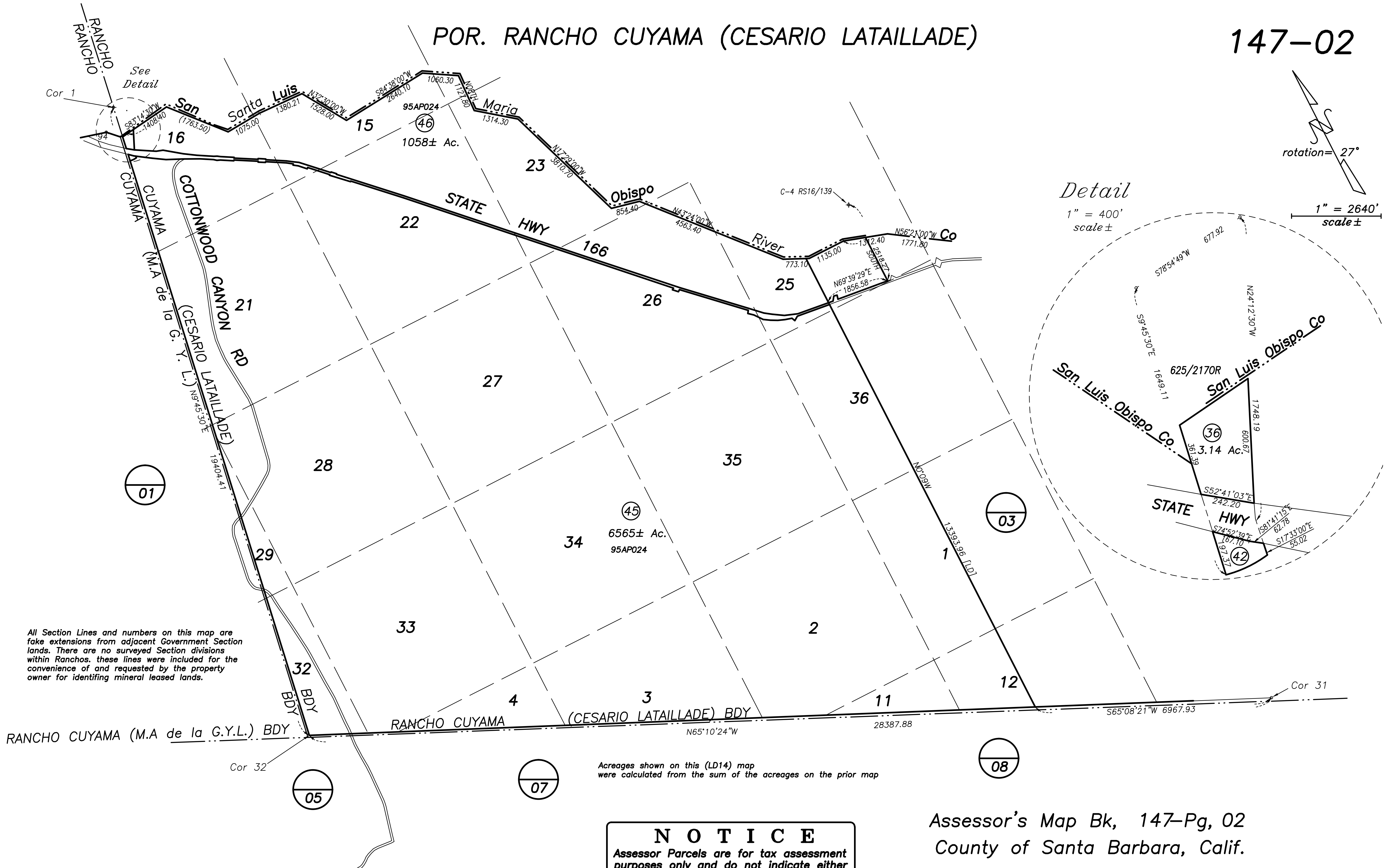
https://www.countyofsb.org/3060/North-Fork-Ranch-Frost-Ponds

ATTACHMENT D: PARCEL EXHIBIT

North Fork Ranch Frost Ponds Conditional Use Permit
Case No. 16CUP-00000-00005

POR. RANCHO CUYAMA (CESARIO LATAILLADE)

147–02



RANCHO
RANCHO
CUYAMA
CUYAMA
See Detail
Cor 1
S83°14'30"W
1408.40
San
(1763.50)
Santa
1075.00
Luis
1380.21
N32°30'00"W
1528.00
S84°38'00"W
2640.10
1060.30
NORTH
1121.80
Maria
1314.30
N17°29'00"W
3810.70
Obispo
854.40
N43°24'00"W
4563.40
River
773.10
1135.00
1312.40
N56°21'00"W
1771.80
Co
C-4 RS16/139
N69°39'29"E
1856.58
SOUTH
2518.27
95AP024
46
1058± Ac.
16
15
23
22
21
25
26
27
28
29
32
33
34
35
36
1
2
3
4
11
12
45
6565± Ac.
95AP024
STATE HWY 166
COTTONWOOD CANYON RD
(M.A de la G. Y. L.)
(CESARIO LATAILLADE)
N9°45'30"E
1940.41
N0°09'W
13393.96 [LD]
RANCHO CUYAMA (M.A de la G.Y.L.) BDY
BDY
BDY
RANCHO CUYAMA (CESARIO LATAILLADE) BDY
N65°10'24"W
28387.88
S65°08'21"W 6967.93
Cor 31
Cor 32
01
03
05
07
08
rotation= 27°
1" = 2640'
scale ±
Detail
1" = 400'
scale ±
S78°54'49"W
677.92
N24°12'30"W
S9°45'30"E
1649.11
625/2170R
San Luis Obispo Co
San Luis Obispo Co
1748.19
600.67
36
3.14 Ac.
361.39
S52°41'03"E
242.20
STATE HWY
S81°41'15"E
62.78
S17°33'00"E
55.02
S74°52'39"E
167.10
197.37
42
All Section Lines and numbers on this map are fake extensions from adjacent Government Section lands. There are no surveyed Section divisions within Ranchos. these lines were included for the convenience of and requested by the property owner for identifing mineral leased lands.
Acreages shown on this (LD14) map were calculated from the sum of the acreages on the prior map

NOTICE
Assessor Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

Assessor's Map Bk, 147–Pg, 02
County of Santa Barbara, Calif.

LD/15 Add fake Section Lines

ATTACHMENT E: PROJECT PLANS

North Fork Ranch Frost Ponds Conditional Use Permit
Case No. 16CUP-00000-00005

Santa Barbara County Building & Safety Division Grading Notes

1. All grading shall conform to Santa Barbara County Code Chapter 14 and standards and requirements pertaining thereto, these construction drawings and the recommendations of the soils engineer and engineering geologist.
2. Contractor to notify the county grading inspector and soils laboratory at least 48 hours before start of gradi work or any pre-construction meeting.
3. Contractor shall employ all labor, equipment and methods required to prevent his operations from producing dust in amounts damaging to adjacent property, cultivated vegetation and domestic animals or causing a nuisance to persons occupying buildings in the vicinity of the job site. Contractor shall be responsible for damage caused by dust from his grading operation.
4. Before beginning work requiring exporting or importing of materials, the contractor shall obtain approval from Public Works Road Division for haul routes used and methods provided to minimize the deposit of soils on county roads. Grading/road inspectors shall monitor this requirement with the contractor.
5. The Geotechnical Engineer shall provide observation and testing during grading operations in the field and shall submit a final report stating that all earth work was properly completed and is in substantial conformance with the requirements of the grading ordinance.
6. Areas to be graded shall be cleared of all vegetation including roots and other unsuitable materials for a structural fill, then scarified to a depth of 6" prior to placing any fill. Call grading inspector for initial inspection.
7. A thorough search shall be made for all abandoned man-made facilities such as septic tank systems, fuel or water storage tanks, and pipelines or conduits. Any such facilities encountered shall be removed and the depression properly filled and compacted under observation of the geotechnical engineer.
8. Areas with existing slopes which are to receive fill materials shall be keyed and benched. The design and installation of the keyway shall be per the geotechnical engineer's recommendation or per County Standard Detail No. G-13.
9. Fill materials shall be spread in lifts not exceeding 6" in compacted thickness, moistened or dried as necessary to near optimum moisture content and compacted by an approved method. Fill materials shall be compacted to a minimum of 90% maximum density as determined by 1957 ASTM D-1557-91 modified proctor (AASHO) test or similar approved methods. Some fill areas may require compaction to a greater density if called for in the construction documents. Soil tests shall be conducted at not less than one test for each 18" of fill and/or for each 500 cubic yards of fill placed.
10. Cut slopes shall not exceed a grade of 1 1/2 horizontal to 1 vertical. Fill and combination fill and cut slopes shall not exceed 2 horizontal to 1 vertical. Slopes over three feet in vertical height shall be planted with approved perenial or treated with equally approved erosion control measures prior to final inspection.
11. Surface drainage shall be provided a minimum of 2% for 5 feet away from the foundation line of any structure.
12. All trees that are to remain on site shall be temporarily fenced and protected around the drip line during grading.
13. An erosion and sediment control plan shall be required as part of the grading plan and permit requirements.
14. "Best Management Practices for Construction Activities: Eroded sediments and other pollutants must be retained onsite and must not be transported from the site via sheet flow,swales, area drains, natural drainage courses, or wind. Stockpiles of earth and other construction related materials must be protected from being transported from the site by forces of wind or water. Fuels, oils, solvents, and other toxic materials must be stored in accordance with their listing and are not to contaminate the soil and surface waters. All approved storage containers are to be protected from the weater. Spills may not be washed into the drainage system. Excess or waste concrete may not be washed into public way or any other drainage system. Provisions must be made to retain concrete wastes on site until they can be disposed as solid waste. Trash and construction related solid waste must be deposited into a covered waste receptacle to prevent contamination of rainwater and dispersal by wind. Sediments and other material may not be tracked from the site by vehicular traffic. The construction entrance roadways must be stabilized so as to inhibit sediments from being deposited into the public way. Accidental deposition must be swept up immediately and may not be washed down by rain or other means. Any slopes with disturbed soils or denuded of vegetation must be stabilized so as to minimize erosion by wind and water."
15. If grading occurs during Nov 1 through Apr 15, no grading shall occur unless approved erosion and sediment control measures are in place. Discharges of sediment from the project site may result in a Stop Work Order.
16. All earthwork on hillsides, sloping or mountainous terrain shall be stabilized to protect and prevent loss of soils, as necessary, year-round.

Earthwork Estimates

Cut: 132,833 C.Y. Fill: 127,047 C.Y. Import: 0 C.Y. Export: 0 C.Y. Quantities based on 30% shrinkage

Erosion Control Notes

1. Erosion control measures shall be implemented on all projects and shall include source control, including protection of stockpiles, protection of slopes, protection of all disturbed areas, and protection of accesses. In addition, perimeter containment measures shall be placed prior to the commencement of grading and site disturbance activities unless the Public Works Department determines temporary measures to be unnecessary based upon location, site characteristics or time of year. The intent of erosion control measures shall be to keep all sediment from entering a swale, drainage way, watercourse or onto adjacent properties.
2. Site inspections and appropriate maintenance of erosion control devices shall be conducted and documented prior to, during, and after rain events.
3. The developer shall be responsible for the placement and maintenance of all erosion control devices as specified by the approved plan until such time that the project is accepted as complete by the Public Works Department. Erosion control devices may be relocated, deleted or additional items may be required depending on the actual soil conditions encountered. Additional erosion control devices shall be placed at the discretion of the Engineer of Work, County Inspector, SWPPP Monitor, or RWQCB Inspector. Guidelines for determining appropriate erosion control devices are included in the appendix of the Public Improvement Standards.
4. All erosion control devices shall be the first order of work and shall be in place between Oct 15 and April 15 or anytime when the rain probability exceeds 30%. This work shall be installed or applied after each area is graded and no later than five (5) working days after the completion of each area.
5. The Engineer of Work and the Public Works Department shall be notified before October 15 for inspection of installed erosion control devices.
6. A standby crew for emergency work shall be available at all times during the rainy season (October 15 through April 15). Necessary materials shall be available and stock piled at convenient locations to facilitate rapid construction or maintenance of temporary devices when rain is imminent.
7. Permanent erosion control shall be placed and established with 90% coverage on all disturbed surfaces other than paved or gravel surfaces, prior to final inspection. Permanent erosion control shall be fully established prior to final acceptance. Temporary erosion control measures shall remain in place until permanent measures are established.
8. In the event of a failure, the developer and/or his representative shall be responsible for cleanup and all associated costs or damages.
9. All projects involving site disturbance of one acre or greater shall comply with the requirements of the National Pollutant Discharge Elimination System (NPDES). The developer shall submit a Notice of Intent (NOI) to comply with the General Permit for Construction Activity with the Regional Water Quality Control Board (RWQCB). The developer shall provide the County with the Waste Discharge Identification Number (WDID #) or with verification that an exemption has been granted by RWQCB.

   WDID# _Ag Exempt_____

10. Person to contact 24 hours a day in the event there is an erosion control/sedimentation problem (Storm Water Compliance Officer):

    Name __Kevin Merrill_____
    Local Phone Number ___310-3989_____

Project Air Quality Control Notes:

During Construction the contractor shall designate a person or persons to monitor the Dust Control Program and to order increases measures as necessary to prevent the transport of dust off-site. Their duties shall include holiday and weekend periods when work may or may not be in progress. The name and telephone number for such persons shall be provided to the APCD prior to the commencement of construction.
The measures for dust control are as follows but not limited to:

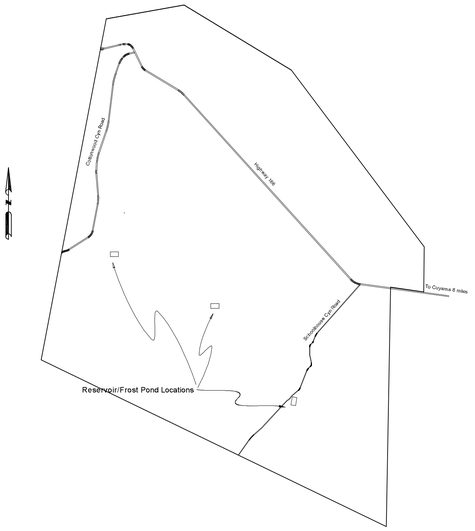
Reduce the amount of disturbed area where possible.

1. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15mph. Reclaimed (non-potable) water should be used whenever possible.
2. All dirt stockpile areas shall be sprayed daily as needed.
3. Exposed ground areas that are planned to be reworked at dates later than one month after initial grading should be seeded with a fast germinating native grass seed and watered until vegetation is established.
4. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the ACCD.
5. All external slopes shall be hydroseeded as soon as possible upon completion.
6. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
7. All trucks hauling dirt, sand, soil, or other loose material are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
8. Install wheel washers where vehicles enter and exit paved roads and streets, or wash off trucks and equipment leaving the site.
9. Prior to final inspection all disturbed areas shall be vegetated with a fast-growing, native seed mix.

General Notes

1. No construction shall be started without plans approved by the County Planning Department. The Planning Department shall be notified at least 24 hrors prior to the start of construction and the time and location for the preconstruction conference.
2. All construction work and installations shall conform to the County Standards and Specifications.
3. Soils tests shall be done in accordance with the County Standards. The test results shall clearly indicate the location and source of materials.
4. Compaction tests shall be made on all embankment materials, subgrades and ditch backfill.
5. There will be no need for special concrete inspection. Concrete for the anchor pad shall be 2000 psi. The rebar shall be inspected prior to the placement of the concrete. All concrete and the two sack slurry for the anti-seep collars and ditch backfill where shown shall be properly vibrated.
6. The Design Engineer shall inspect the installation of the HDPE Liner. The liner shall be installed by a contractor specializing in lining ponds.
7. The Engineer of Record shall certify that the improvements when completed are in accordance to the plans prior to the request for Final Inspection. As-built plans are to be prepared after construction is completed. The Engineer certifying the improvements shall be present at the Final Inspection.
8. Final Reports for grading and earthwork shall be prepared in accordance with the requirements of the UBC, Chapter 33.
9. Upon completion of the work, the Geotechnical Engineer shall submit to the Engineer of Record a complete summary of all testing done during the project.
10. The Construction Contractor shall maintain a current, complete and accurate record of all changes which deviate from the approved plans. No changes shall be made without the prior approval of the Engineer of Record and the County.

North Fork Reservoirs/Frost Ponds #1-3
APN 147-020-045
Vicinity Map



Best Management Practices for Construction Activities

Eroded sediments and other pollutants must be retained onsite and may not be transported from the site via sheet flow, swales, area drains, natural drainage courses, or wind. Stockpiles of earth and other construction related materials must be protected from being transported from the site by the forces of wind or water. Fuels, oils, solvents, and other toxic materials must be stored in accordance with their listing and are not to contaminate the soil and surface waters. All approved storage containers are to be protected from the weather. Spills may not be washed into the drainage system. Excess or waste concrete may not be washed into public way or any other drainage system. Provisions must be made to retain concrete wastes on site until they can be disposed as a solid waste. Trash and construction related solid waste must be deposited into a covered waste receptacle to prevent contamination of rainwater and dispersal by wind. Sediments and other material may not be tracked from the site by vehicle traffic. The construction entrance roadways must be stabilized so as to inhibit sediments from being deposited into the public way. Accidental deposition must be swept up immediately and may not be washed down by rain or other means. Any slopes with disturbed soils or denuded of vegetation must be stabilized so as to mimimize erosion by wind and water.

Pacific Coast Testing, Inc shall perform all special inspections for the earthwork for this project.
GSI Geotechnical Investigation dated January 4, 2016 Project 15-7274 shall be a part of these documents.
Call 48 hours prior to inspection to set up an appointment.

Table 1705.6
Required Verification and Inspection of Soils

Verification and Inspection Task	Continuous During Task Listed	Periodically During Task Listed
1. Verify materials below embankments are adequate to achieve the design capacity	———	X
2. Verify excavations are extended to proper depth and have reached proper material.	———	X
3. Perform classification and testing of controlled filled materials.	———	X
4. Verify use of proper materials, densities and lift thicknesses during placement and compaction of controlled fill.	X	———
5. Prior to placement of controlled fill, observe subgrade	———	X

Scope of Work

The work consists of constructing three new lined reservoirs/frost ponds for frost control purposes. All areas to receive fill shall be excavated a minimum of three feet, the exposed surface scarified and moisture conditioned, then recompacted to 90% relative compaction. The intent is to balance the earthwork with no import or export. The completed interior slopes shall be fine graded and all rocks removed, then rolled with a smooth drum roller. A 40 mil roughened surface HDPE geomembrane liner will then be installed on the slopes and bottom. The liner will be installed per manufacturer's recommendations by a company specializing in liner installation. In addition, the liner installer will bond an HDPE escape ladder in each corner. A 6 foot non-climb fence will be built around the exterior perimeter. Coast Guard Approved buoys with a minimum of 90 feet of line shall be placed at no more than 200 foot intervals around the top interior slope of the reservoirs. The sources of water are pvc waterlines from existing wells and no surface water shall enter the reservoir. Valving, filters and pumps will be installed after the reservoirs are constructed by the Irrigation Contractor and are not part of this permit. This contract is for stubbing inlet pipes through the exterior slope for future connection to the fill and transfer lines by an Irrigation Contractor. These pipes shall have 2 sack concrete slurry anti-seep collars. A 24" PVC Drop Pipe Outlet Structure will serve as an emergency overflow in the event the high water limit switch fails and is sized to prevent the reservoir from overtopping with a working freeboard of three feet. Access to the reservoir is by existing dirt farm roads . No driveways will be constructed. The existing farm fields sheet flow gently across the locations and earthen swales will be constructed around the perimeters where necessary to keep any surface flow away from the toe of the fill slopes. No electrical work is included in this permit.

Benchmark and Basis of Bearing

Benchmark is a 2 1/2" aluminum disc, stamped h-2,
Cal-Trans Monument sb166 pm-55.01
elevation = 1824.55 NAVD88

Basis of Bearing is GPS established true north from NAD 83(92) from Cal-Trans Monuments sb166 pm-55.01 and sb166 pm-55.43

Project Information

Address: 7400 Hwy 166, Cuyama Valley
APN 147-020-045
Zoning AG
Project Description: Construct three 44.5 ac-ft Reservoirs/Frost Ponds for irrigation and frost protection purposes

Pre-Construction Meeting

Prior to construction a pre-construction meeting is required with the inspector to go over the special inspection reporting requirements, final and progress reports, & erosion control. E-mail inspection-North@countyofsb.org

Contacts:

Owner: Grapevine Land Management

Matt Turrentine
444 Higuera St Suite 202
San Luis Obispo, CA 93401
805 312-1828

Engineer: Tom A Howell

1812 N Vine
Santa Maria, CA 93454
805 925-5311

Geotechnical Engineer: Pacific Coast Testing, Inc

Rick Amero
524 East Chapel
Santa Maria, CA 93454
805 631-5108

Sheet Index

Engineer's Certificate

I, Tom A Howell, RCE 27037, Engineer of Record, hereby certify that these plans are in accordance with the following codes: _____Date:_____

2013 California Energy Codes
2016 California Building Code Vols 1 & 2
2016 California Electrical Code
2016 California Energy Code
2016 California Fire Code
2016 California Green Building Code
2016 California Mechanical Code
2016 California Plumbing Code
2016 Reference Standards Code
County Building and Construction Ordinance Title 19
County Coastal Zone Land Use Ordinance Title 23
County Fire Code Ordinance Title 16
County Land Use Ordinance Title 22

Geotechnical Engineer's Certificate

I have reviewed the plans and specifications and have found them to be in substantial conformance with the recommendations as found in my Soil Investigation.

_____Date:_____

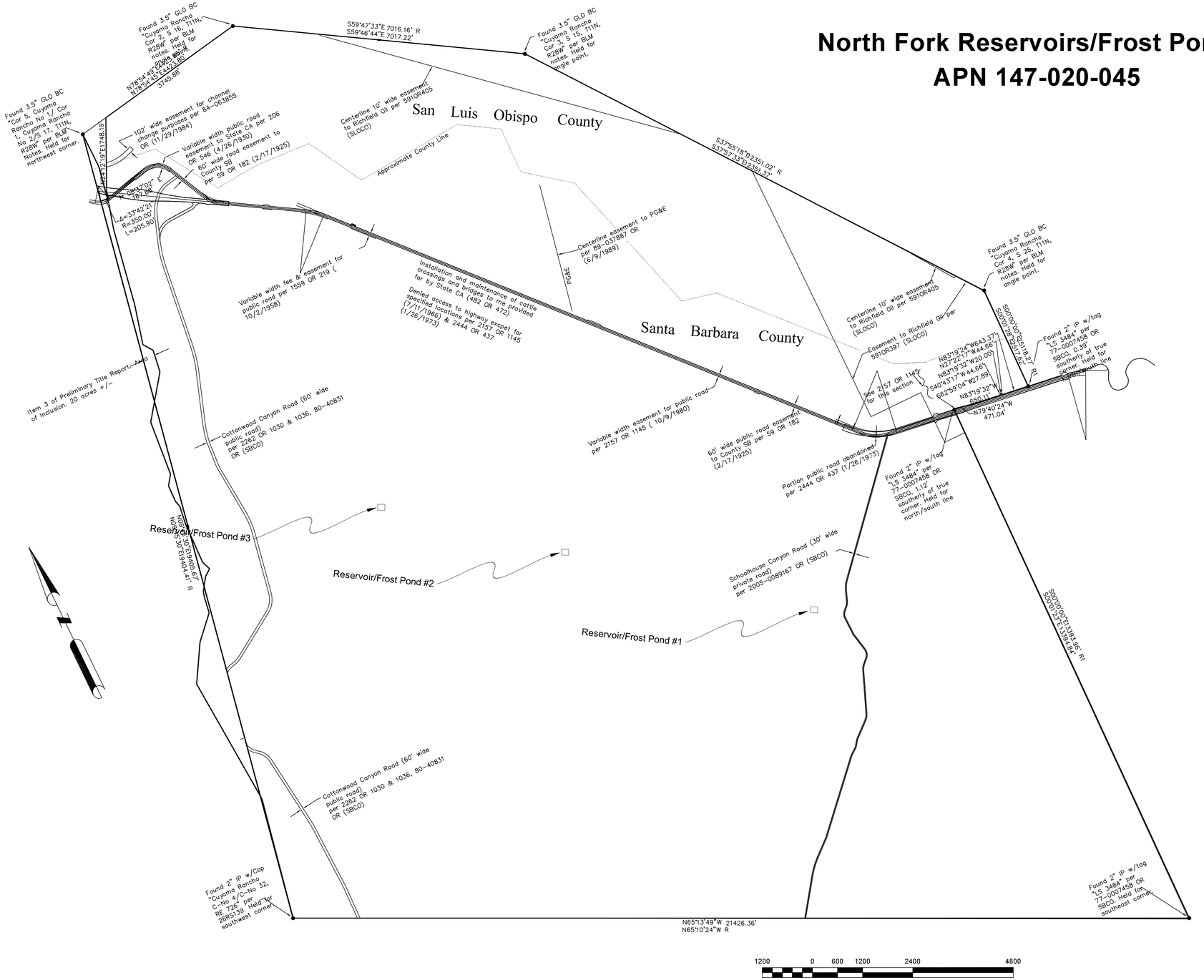
Revisions:
2/1/21 Changed antiseep collars to filter diaphragm
Resized overflow to 24" pipe
Added 15" gravity drain pipes

The undersigned civil engineer will provide supervision of the civil improvements, including grading and drainage, certifies that this work will be completed in accordance with the Santa Barbara County Grading Ordinance #4477.

REGISTERED PROFESSIONAL ENGINEER — TOM A. HOWELL — No. C 27037 Expires 3/31/21 — CIVIL — STATE OF CALIFORNIA

North Fork Vineyards		
DRAWN TH	DATE 2/1/2021	44 Ac-ft Frost Ponds Hwy 166 Cuyama, CA Cover Sheet
APPROVED	DATE	
SCALE Varies	SHEET 1 of 12	PROJECT NO. 101715-6233

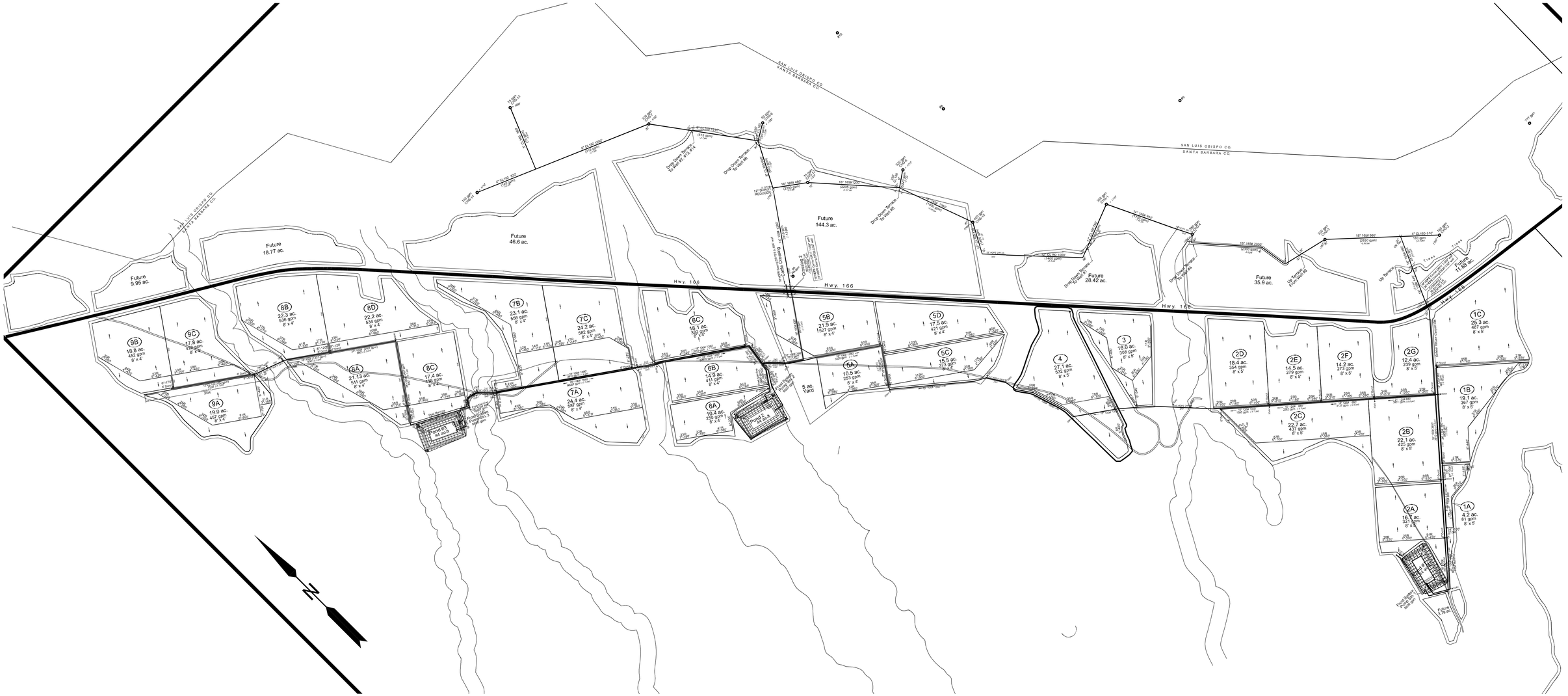
North Fork Reservoirs/Frost Ponds #1-3
APN 147-020-045



REGISTERED PROFESSIONAL ENGINEER
TOM A. HOWELL
No. C 27037
Expires 3/31/21
CIVIL
STATE OF CALIFORNIA

North Fork Vineyards		
DRAWN	DATE	49 Ac-ft Frost Ponds
TH	2/1/2021	Hwy 166
APPROVED	DATE	Cuyama, CA
		Overall Property
SCALE	SHEET	PROJECT NO.
1"=1200'	2 of 12	101715-6233

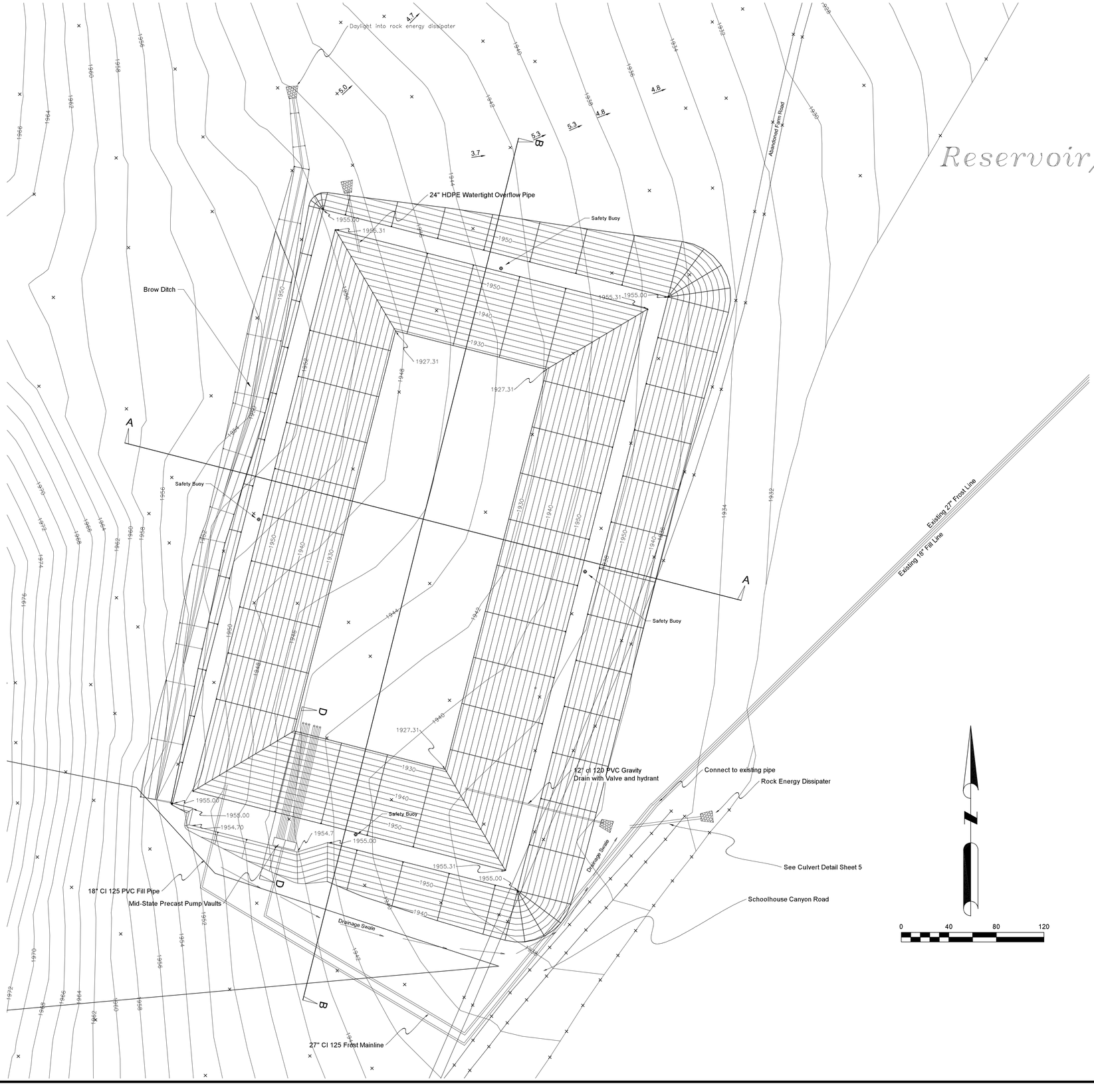
North Fork Vineyard Frost Protection Overall Site Plan



REGISTERED PROFESSIONAL ENGINEER
TOM A. HOWELL
No. C 27037
Expires 3/31/21
CIVIL
STATE OF CALIFORNIA

North Fork Vineyards		
DRAWN	DATE	*Frost Ponds #1-3*
TH	*2/1/21*	*Overall Piping Plan*
APPROVED	DATE	*Existing Piping*
SCALE	SHEET	PROJECT NO.
1"=600'	*3 of 12*	*101715-6233*

Reservoir/Frost Pond # 1 Grading Plan



Pond #1 Report

Top of dam elevation: 1955.3
Bottom of pond elevation: 1927.3
Top of dam width: 14.0
Cut Slope: 2.00:1
Fill Slope: 2.50:1
Interior Slope: 2.50:1

Pond Earthwork Volumes

Fill Factor: 1.30
Total cut : 44,062 C.Y.
Total fill: 44,589 C.Y.
Total Disturbed Area: 4.85 Acres

Pond Storage Volumes

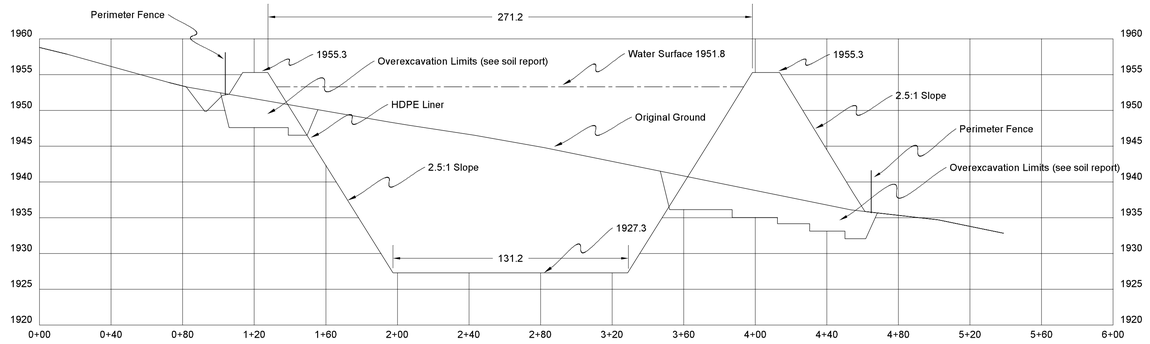
Water Elev	Storage(AcreFt)	Area(Acre)	
1927.31	0.00	1.046	
1929.31	2.20	1.158	
1931.31	4.63	1.274	
1933.31	7.30	1.395	
1935.31	10.21	1.520	
1937.31	13.38	1.650	
1939.31	16.81	1.784	
1941.31	20.52	1.923	
1943.31	24.51	2.066	
1945.31	28.79	2.214	
1947.31	33.37	2.366	
1949.31	38.26	2.523	
1951.31	43.46	2.684	
1951.81	44.80	2.761	Overflow
1953.31	49.00	2.850	
1955.31	54.87	3.020	

REGISTERED PROFESSIONAL ENGINEER
TOM A. HOWELL
No. C 27037
Expires 3/31/21
CIVIL
STATE OF CALIFORNIA

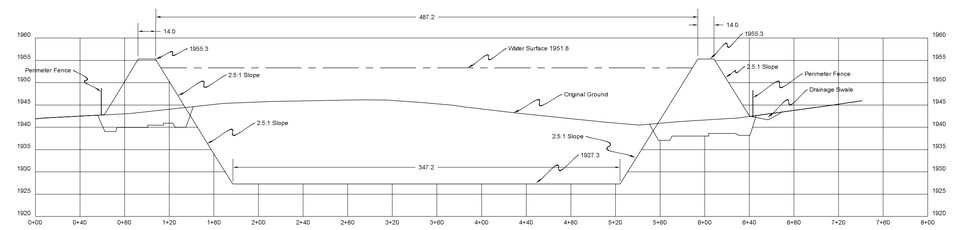
North Fork Vineyards

DRAWN TH	DATE 2/1/21	Frost Pond #1 Grading Plan
APPROVED	DATE	
SCALE 1"=40'	SHEET 4 of 12	PROJECT NO. 101715-6233

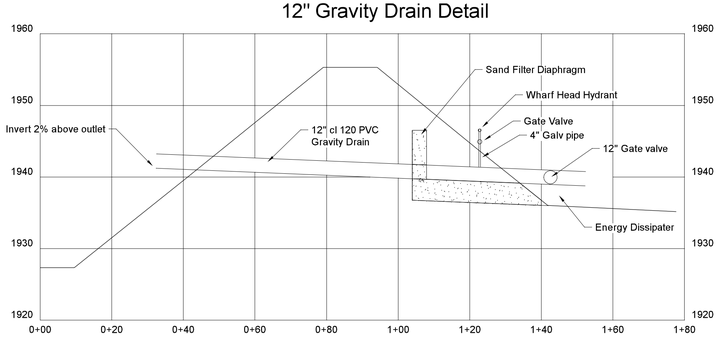
Reservoir/Frost Pond #1 Section A-A



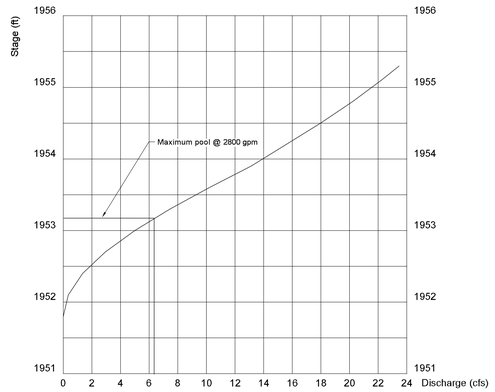
Reservoir/Frost Pond #1 Section B-B



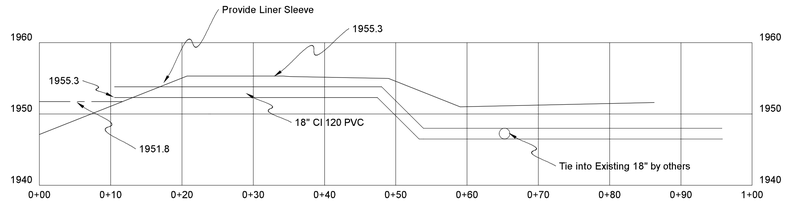
12" Gravity Drain Detail



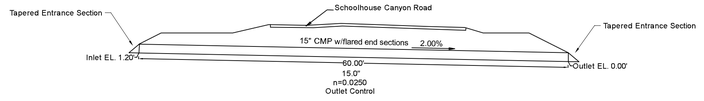
24" Culvert Stage Storage



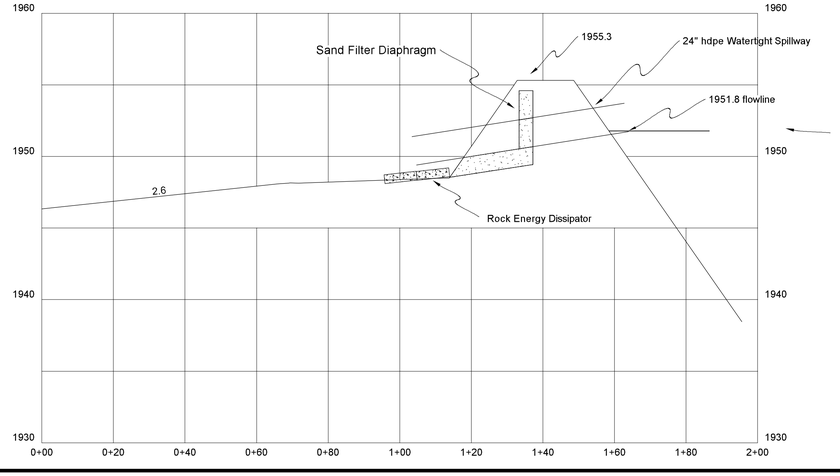
Reservoir/Frost Pond #1 Filler Pipe

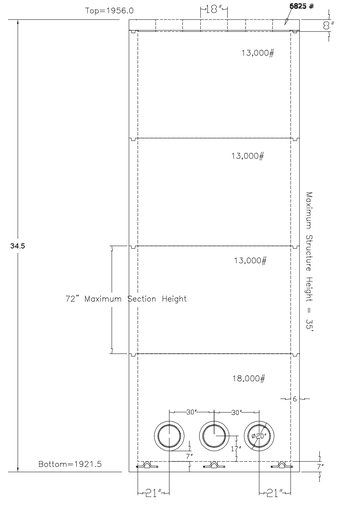


15" CMP Under Schoolhouse Road

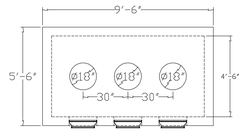


Reservoir/Frost Pond #1 Overflow Detail



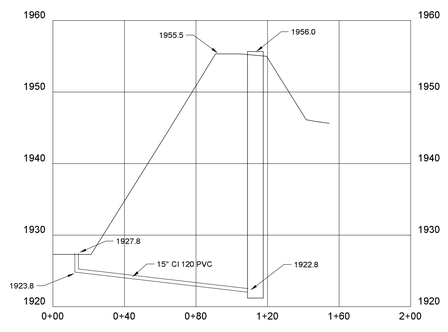


Mid-State Concrete Products
Pump Housing Vault Reservoir #1



Vault Inlet View

Reservoir/Frost Pond #1 Pump Inlet



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STATE OF CALIFORNIA

North Fork Vineyards		
DRAWN TH	DATE 2/1/21	Frost Pond #1 Details
APPROVED	DATE	
SCALE Varies	SHEET 5 of 12	PROJECT NO. 101715-6233

Reservoir/Frost Plan #2 Grading Plan

Pond Report

Tue Oct 20 14:36:54 2015

Top of dam elevation: 1788.50
Bottom of pond elevation: 1761.50
Top of dam width: 14.00
Cut Slope: 2.00:1
Fill Slope: 2.50:1
Interior Slope: 2.50:1
Existing Surface: C:\Carlson Projects\North Fork\Reservoir 2B OG.tin

Pond Earthwork Volumes

Fill Factor: 1.30
Total cut : 44,064.35 C.Y.
Total fill: 1 42,205.16 C.Y.
Total Disturbed Area: 4.93 ac

Pond Storage Volumes

Water Elev	Storage(AcreFt)	Area(Acre)	
1761.50	0.00	1.146	
1763.50	2.40	1.259	
1765.50	5.04	1.378	
1767.50	7.91	1.502	
1769.50	11.05	1.630	
1771.50	14.44	1.762	
1773.50	18.10	1.899	
1775.50	22.03	2.040	
1777.50	26.26	2.186	
1779.50	30.73	2.336	
1781.50	35.60	2.490	
1783.50	40.74	2.649	
1785.00	44.80	2.804	Overflow
1785.50	46.20	2.813	
1787.50	52.00	2.981	
1788.50	55.02	3.067	

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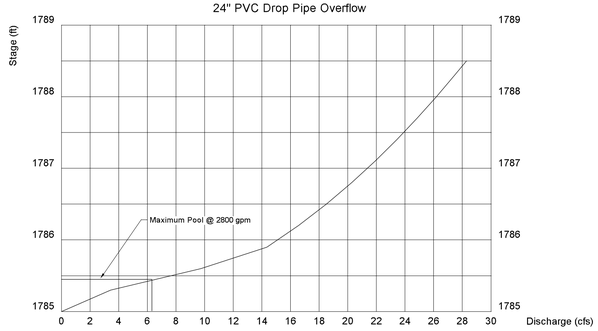
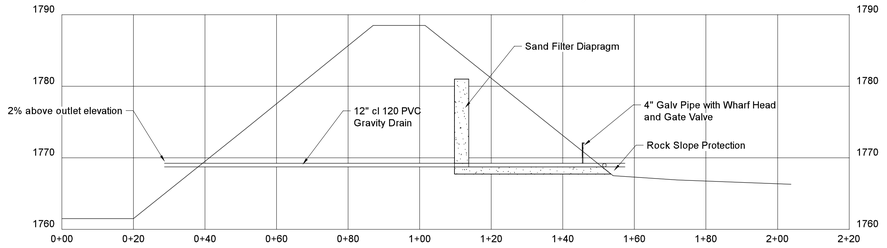
DRAWN	DATE	Frost Pond #2
TH	2/1/21	Grading Plan
APPROVED	DATE	
SCALE	SHEET	PROJECT NO.
1"=40'	6 of 12	101715-6233

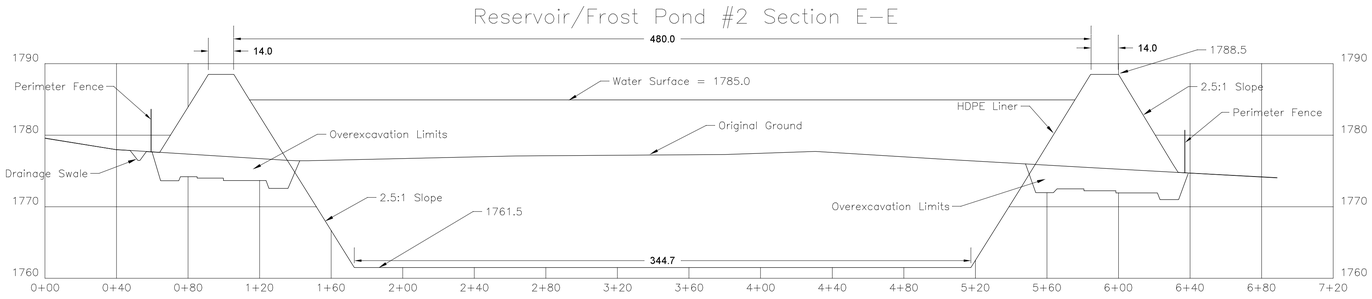
Reservoir #2 Stage Storage
24" PVC Drop Pipe Overflow



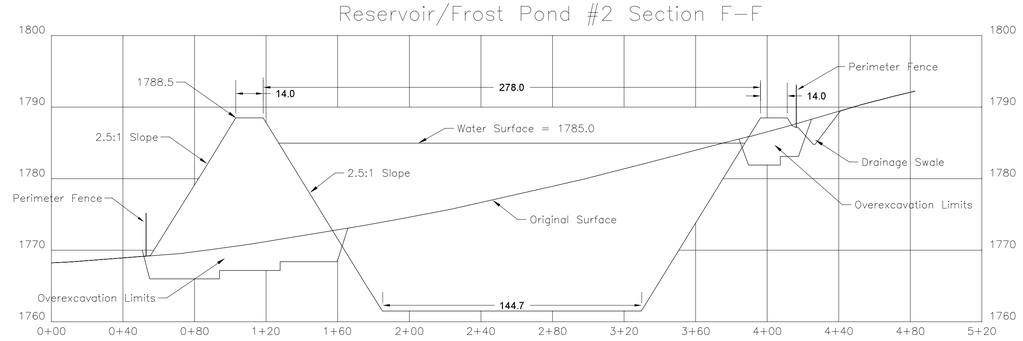
12" PVC Gravity Drain
with valves and wharf head hydrant



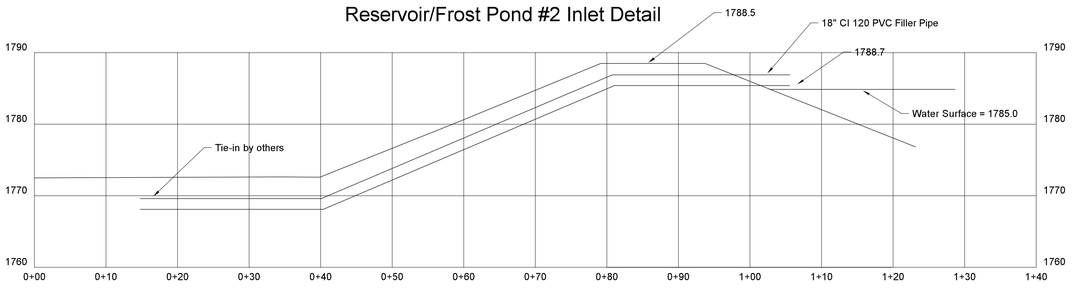
Reservoir/Frost Pond #2 Section E–E



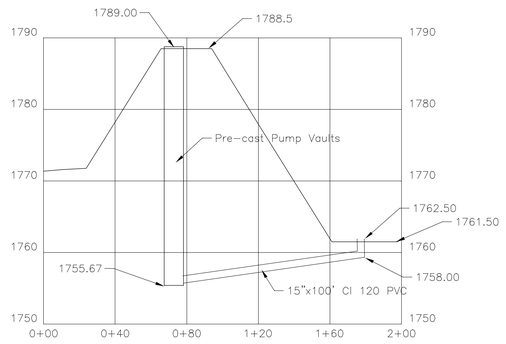
Reservoir/Frost Pond #2 Section F–F



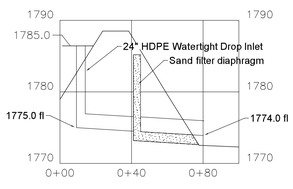
Reservoir/Frost Pond #2 Inlet Detail



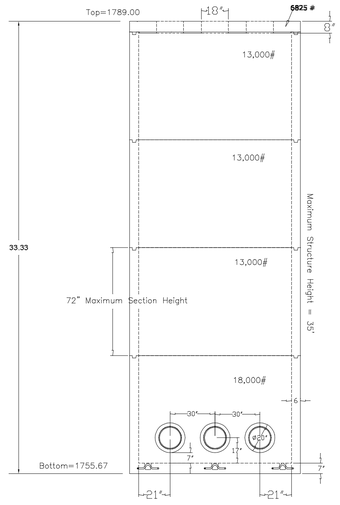
Reservoir/Frost Pond #2 Pump Vaults Section G–G



Reservoir/Frost Pond #2 Overflow

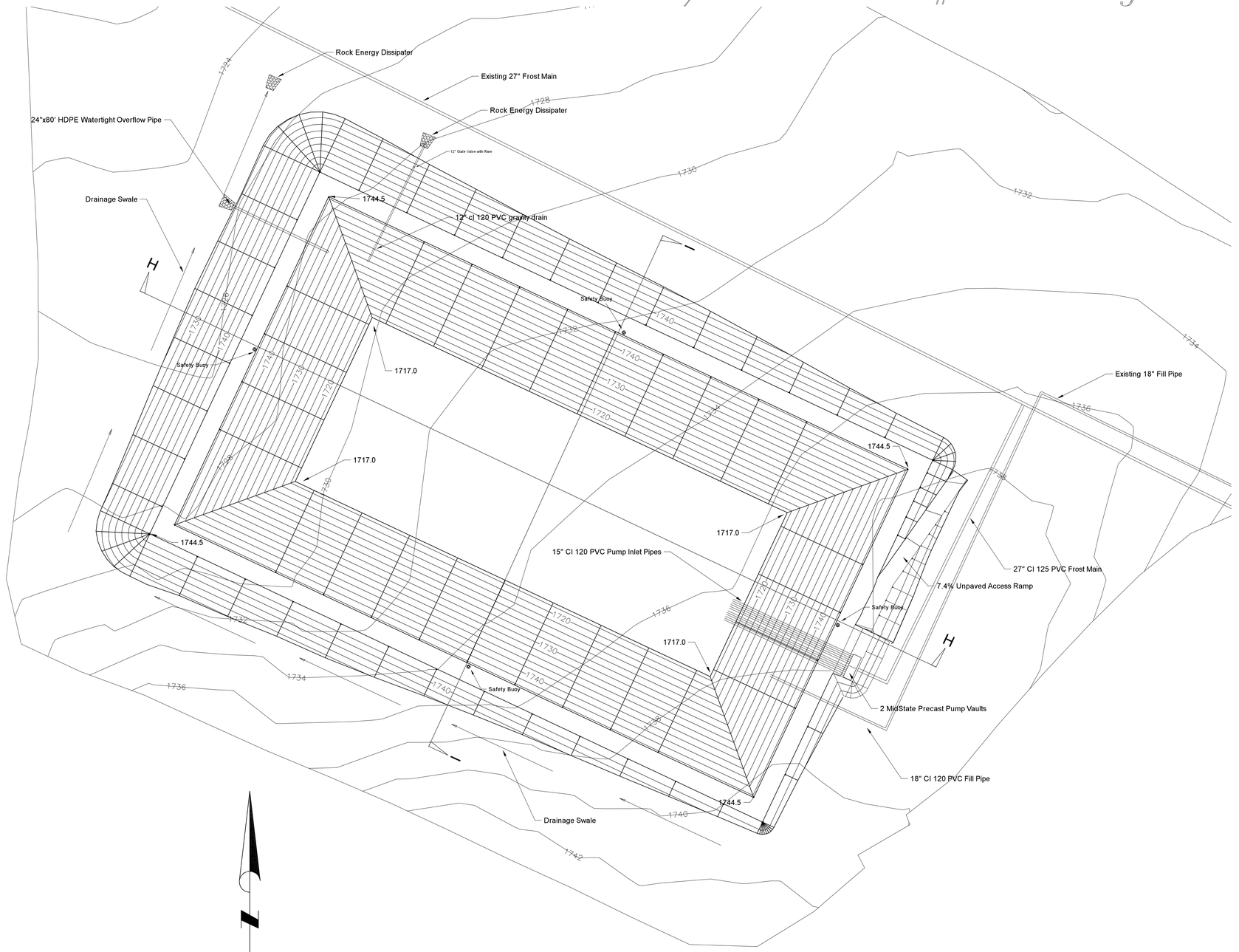


Reservoir/Frost Pond #2 Pump Vaults



North Fork Vineyards		
DRAWN TH	DATE 2/1/21	Frost Pond #2 Details
APPROVED	DATE	
SCALE Varies	SHEET 7 of 12	PROJECT NO. 101715-6233

Reservoir/Frost Pond #3 Grading Plan



Pond Report

Top of dam elevation: 1744.50
Bottom of pond elevation: 1717.00
Top of dam width: 14.00
Cut Slope: 2.00:1
Fill Slope: 2.50:1
Interior Slope: 2.50

Pond Earthwork Volumes

Fill Factor: 1.30
Total cut : 42,770.71 C.Y.
Total fill: 40,253.87 C.Y.
Total Disturbed Area: 4.68 ac

Pond Storage Volumes

Water Elev	Storage(AcreFt)	Area(Acre)	
1717.00	0.00	1.093	
1719.00	2.29	1.206	
1721.00	4.82	1.323	
1723.00	7.59	1.445	
1725.00	10.60	1.571	
1727.00	13.87	1.701	
1729.00	17.41	1.835	
1731.00	21.22	1.973	
1733.00	25.30	2.116	
1735.00	29.68	2.263	
1737.00	34.36	2.414	
1739.00	39.34	2.570	
1741.00	44.64	2.729	Overflow
1743.00	50.26	2.893	
1744.50	54.70	3.019	

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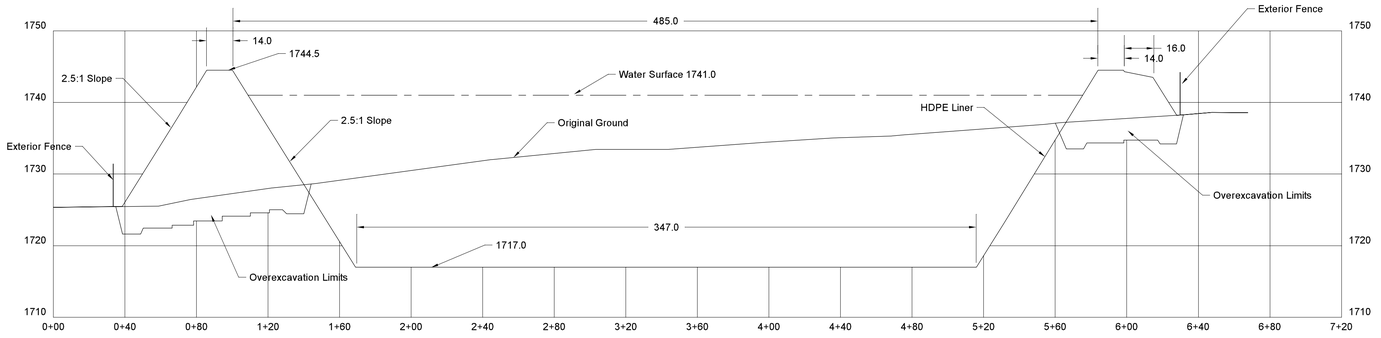
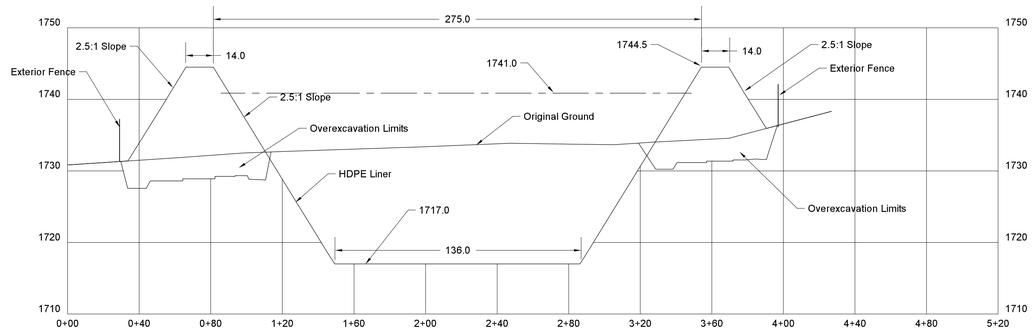
DRAWN *TH*	DATE *2/1/21*	*Frost Pond #3 Grading Plan*
APPROVED	DATE	
SCALE *1"=40'*	SHEET *8 of 12*	PROJECT NO. *101715-6233*

Reservoir/Frost Pond #3 Details

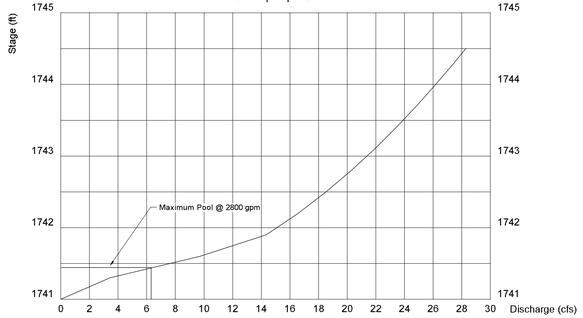
Reservoir/Frost Pond #3 Section H-H



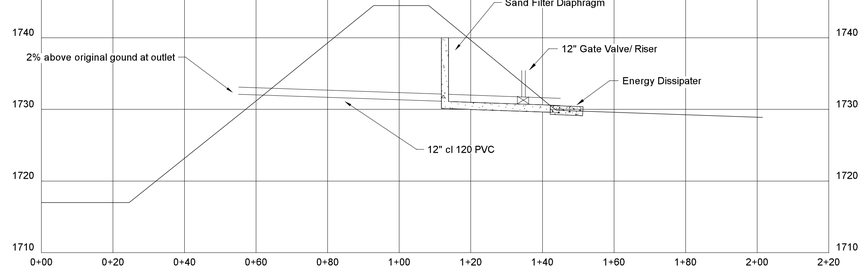
Reservoir/Frost Pond #3 Section I-I



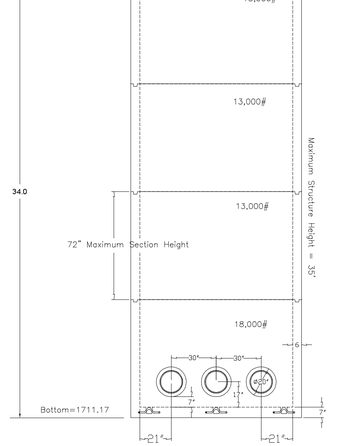
Reservoir #3 Stage Storage
24" PVC Drop Pipe Overflow



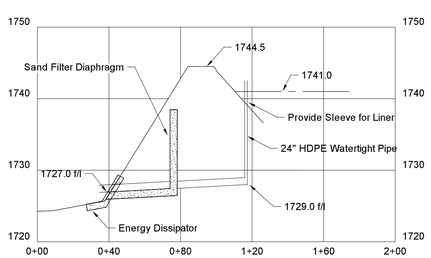
12" Drain Pipe



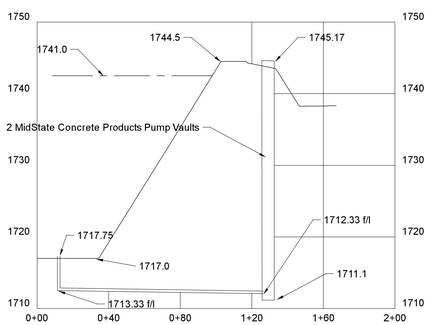
Mid-State Concrete Products
Pump Housing Vault Reservoir/Frost Pond #3



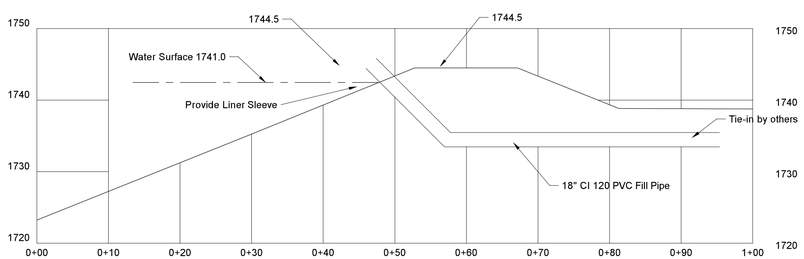
Reservoir/Frost Pond #3 Overflow



Reservoir/Frost Pond #3 Pump Vaults



Reservoir/Frost Pond #3 18" Fill Pipe



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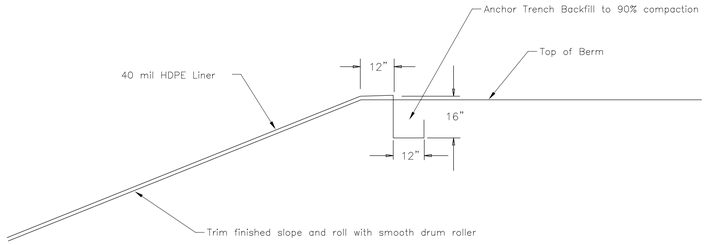
North Fork Vineyards

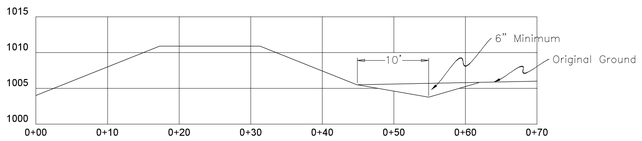
DRAWN TH	DATE 2/1/21	Frost Pond #3 Details
APPROVED	DATE	
SCALE Varies	SHEET 9 of 12	PROJECT NO. 101715-6233

Details Common to All Reservoirs/Frost Ponds

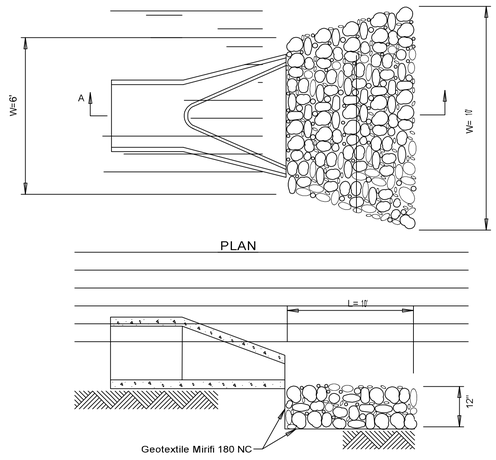
HDPE Liner Anchor Trench



Drainage Swale Detail



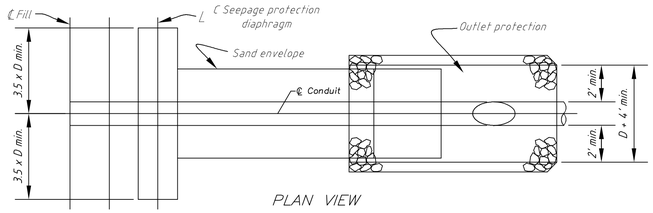
Rock Energy Dissipater



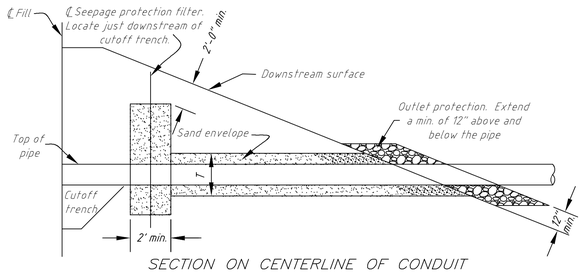
Notes:

1. Rock shall be 6" to 12" diameter
2. Minimum diminsion shall be 6' x 10' x 12"

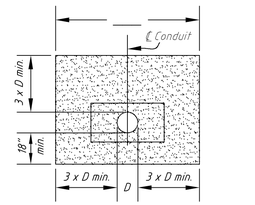
Sand Diaphragm Seepage Control Detail



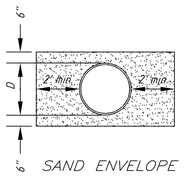
PLAN VIEW



SECTION ON CENTERLINE OF CONDUIT



SECTION ON CENTERLINE OF SEEPAGE PROTECTION FILTER



SAND ENVELOPE

Construction Notes:

1. *Natural ground or earth fill shall be completed to above the top of the sand envelope and a trench excavated (per detail) for the pipe and sand envelope placement.*
2. *The sand envelope will be protected from surface erosion by 12 inches of crushed rock aggregate (max. size = 1 inch) covered with 12 inches of outlet protection material. This material may be rock riprap, broken concrete debris, or native stone (max. size = 8 inches).*
3. *Seepage protection filter and envelope material shall be compacted as specified in the construction specification.*
   - *A. Each layer of sand material shall be flooded prior to compaction.*
   - *B. Compaction shall be accomplished while the material is wet.*
   - *C. Each layer shall be compacted by a minimum of 2 passes of a hand-directed, vibratory compactor over the entire layer surface.*
   - *D. Layer thickness shall not exceed 12 inches after compaction.*

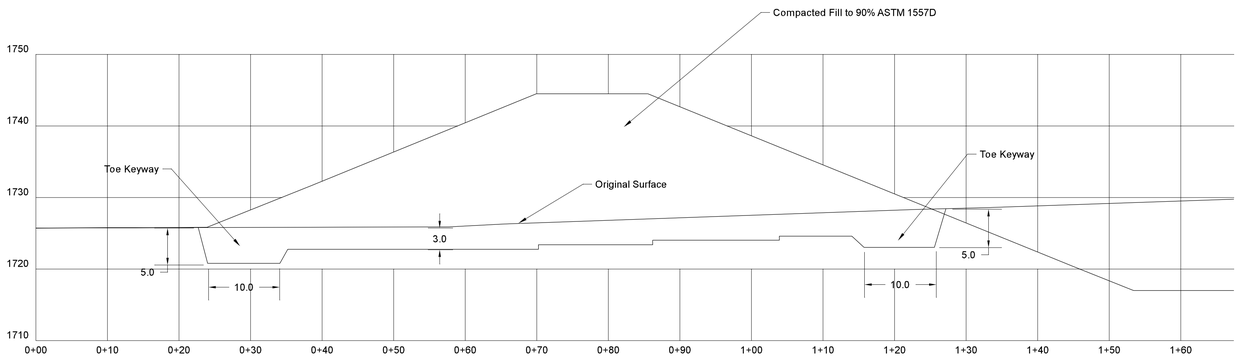
ASTM C-33 Fine Aggregate Gradation for Filter and Envelope

Sieve Size	Percent Passing
3/8	100
4	95-100
10	74-94
20	35-75
30	25-60
50	10-30
100	2-10

General Notes:

1. All grading shall conform to the Soil Report prepared by GSI Soils for this project dated January 4, 2016.
2. All slopes shall be overfilled than trimmed to finish grade to provide firm surfaces.
3. Finished slopes and the bottom surface shall be rolled with a smooth drum roller prior to placing fabric. The Engineer of Record shall inspect the surfaces to assure they are rock free and to the proper lines and grades before fabric shall be installed.
4. The non-slip 40 mil liner shall be placed by a contractor specializing in pond liners and all pipes extending through the liner shall have sleeves and stainless bands to prevent leakage.
5. A 6 foot high non-climb fence shall be installed around the exterior perimeter of the reservoir. The fabric shall have 10 guage top and bottom wires with 12 1/2 guage 2x4 mesh filler fabric. Tee Posts shall be at 8 feet spacings and shall be heavy weight a minimum of 8 feet long.
6. The finished pond shall be surveyed by the Engineer of Record and the storage volume calculated. The 24" HDPE Watertight Overflow Pipe shall be adjusted as necessary to ensure that the retained volume below the outflow inlet is no more than 49 acre feet and that there is a minimum of three feet of freeboard to the top of berm at the lowest point.

Overexcavation and Keyway Details per Figure 3 of Soil Report



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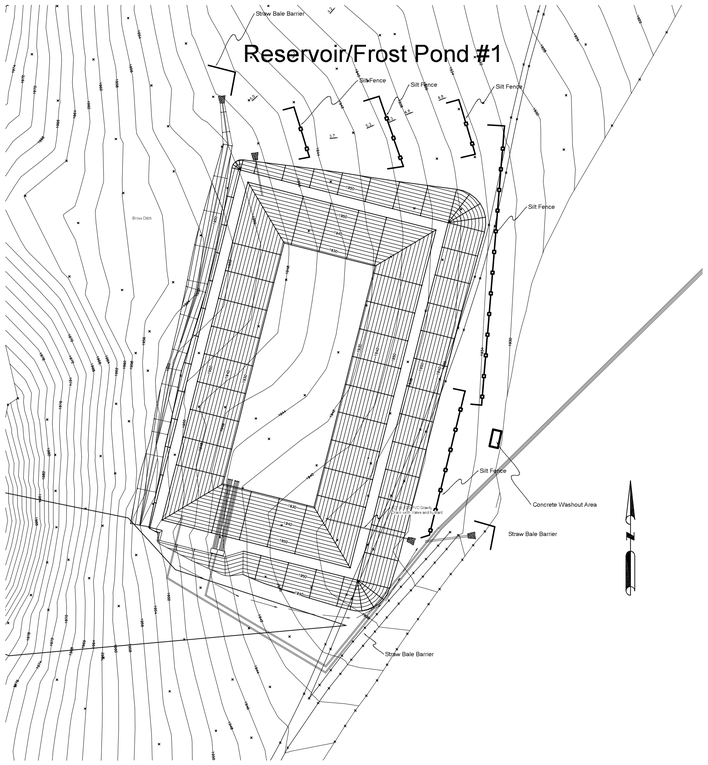
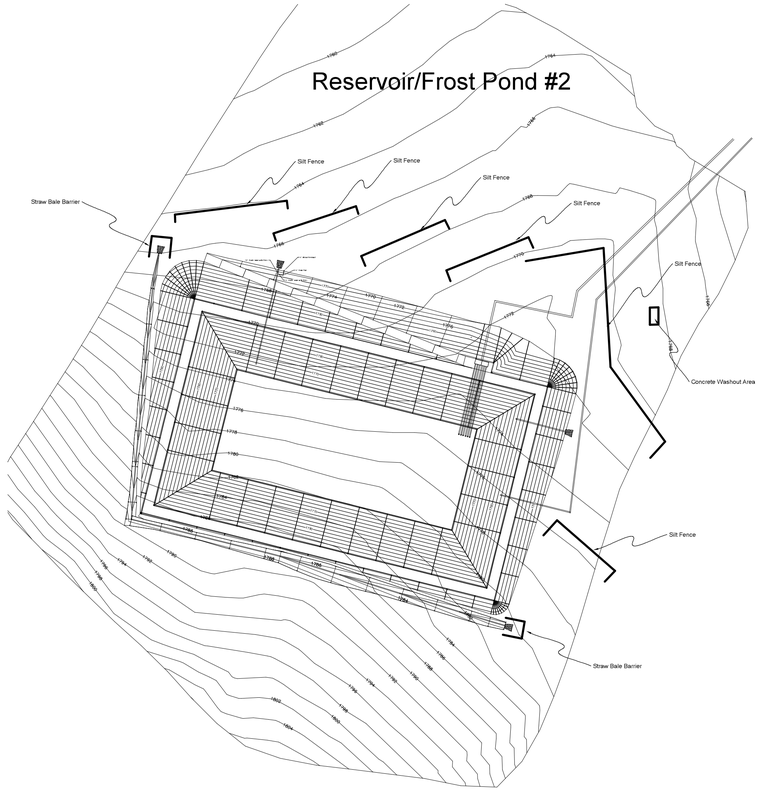
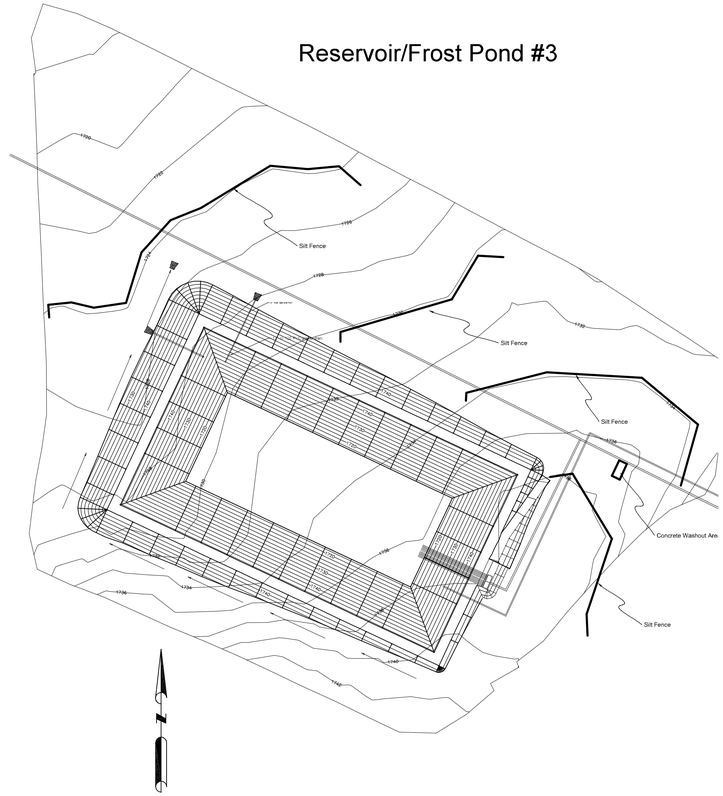
North Fork Vineyards		
DRAWN TH	DATE 2/1/21	Frost Ponds #1-3 Common Details
APPROVED	DATE	
SCALE Varies	SHEET 10 of 12	PROJECT NO. 101715-6233

Erosion and Sedimentation Control Plan







Erosion Control Notes:

1. Erosion control measures shall be implemented on all projects and shall include source control, including protection of stockpiles, protection of slopes, protection of all disturbed areas, and protection of accesses. In addition, perimeter containment measures shall be placed prior to the commencement of grading and site disturbance activities unless the Engineer determines temporary measures to be unnecessary based upon location, site characteristics or time of year. The intent of the erosion control measures shall be to keep all sediment from entering a swale, drainage way, watercourse or onto adjacent properties. An approved Erosion Control and Sedimentation Control Plan will require County approval
2. Site inspections and appropriate maintenance of erosion control devices shall be conducted and documented prior to, during, and after rain events.
3. The developer shall be responsible for the placement and maintenance of all erosion control devices as specified by the approved plan until such time that the project is accepted as complete by the Engineer. Erosion control devices may be relocated, deleted or additional items may be required depending on the actual soil conditions encountered. Additional erosion control shall be placed at the discretion of the Engineer of Work, Engineer, SWPPP Monitor or RWQCB Inspector. Guidelines for determining appropriate erosion control devices are included in the appendix of the Public Improvement Standards.
4. All erosion control devices shall be the first order of work and shall be in place between October 15 and April 15 or anytime when the rain probability exceeds 30%. This work shall be installed or applied after each area is graded and no longer than five (5) working days after the completion of each area.
5. The Engineer of Work and the Engineer shall be notified before October 15 for inspection of installed erosion control devices.
6. A standby crew for emergency work shall be available at all times during the rainy season (October 15 through April 15). Necessary materials shall be available and stockpiled at convenient locations to facilitate rapid construction or maintenance of temporary devices when rain is imminent.
7. Permanent erosion control shall be placed and established with 70% coverage on all disturbed surfaces other than paved or gravel surfaces prior to final inspection. Permanent erosion control shall be fully established prior to final inspection. Temporary erosion control measures shall remain in place until permanent measures are established. A water truck shall be used to water areas hydroseeded until the planting is established.
8. In the event of a failure, the developer and/or his representative shall be responsible for cleanup and all associated costs or damages.
9. Slurry Mix: The slurry mix shall be composed of the following materials:

Bromus mollis - Blando Brome (95%, 85%)	20 pounds per acre
Festuca megalura - Zorro Fescue (85%, 80%)	8
Trifolium hirtum "Hykon" - Rose Clover (95%, 90%) inoculated with appropriate bacteria	30 3
Eschscholzia californica - California Poppy (95%, 75%)	3
Lupinus nanus - Sky Lupine (95%, 75%)	4

(Seed avaialbale at S&S Seeds (805) 684-0436

Other Materials:

100% Wood fiber mulch (green)	1600 pounds per acre
Commercial Fertilizer (16-20-0)	400
"M-Binder" (stabilizing emulsion) or equal	120
Water (as needed for application and as specified by manufacturer)	

10. Application: The slurry preparation shall take place at the site and in the presence of the Engineer. Spraying of the slurry shall be done by an experienced hydroseeding company and commence within five minutes after all the materials have been mixed thoroughly.

11. The hydroseeded areas shall be watered with a fine mist periodically until the seed begins to germinate then every other day until the roots are established and 70% of the area is covered. Do not use the side spray of a watertruck but instead use a nozzle adjusted to spray a fine mist attached to a hose.
12. BMP's to be constructed include but are not limited to:
    a: Silt Fence
    b: Straw bale barrier
    c: Concrete washout area

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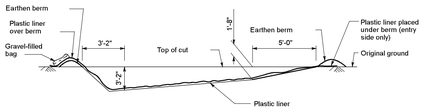
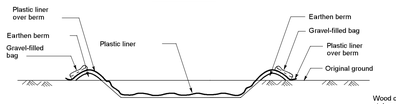
North Fork Vineyards

DRAWN TH	DATE 2/1/21	Frost Ponds #1-3 Erosion & Sedimentation Control
APPROVED	DATE	
SCALE 1"=100'	SHEET 11 of 12	PROJECT NO. 101715-6233

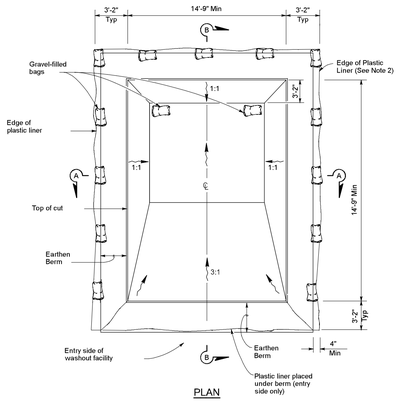
Erosion Control BMP Details



SECTION B-B

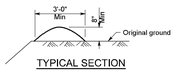


SECTION A-A



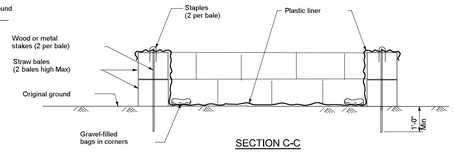
PLAN

TEMPORARY CONCRETE WASHOUT FACILITY

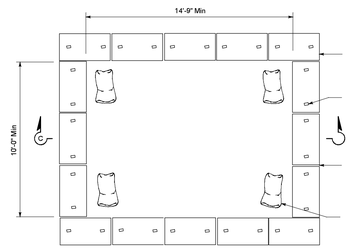


TYPICAL SECTION

EARTHEN BERM



SECTION C-C

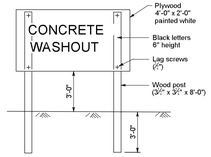


PLAN

TEMPORARY CONCRETE WASHOUT FACILITY

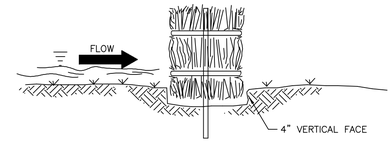
NOTES:

1. The concrete washout sign shall be installed within 32'-10" of the temporary concrete washout facility.
2. Plastic liner shall be anchored with gravel-filled bags for below grade concrete washout facility.



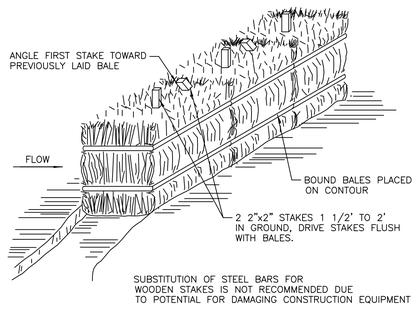
CONCRETE WASHOUT SIGN DETAIL

NO SCALE



* PROMOTES ON SITE SEDIMENTATION BY CREATING A TEMPORARY POND.

BEDDING DETAIL

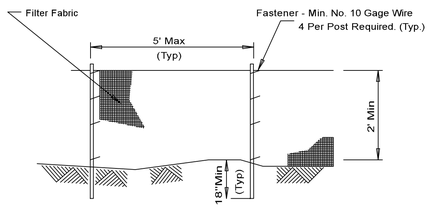


SUBSTITUTION OF STEEL BARS FOR WOODEN STAKES IS NOT RECOMMENDED DUE TO POTENTIAL FOR DAMAGING CONSTRUCTION EQUIPMENT

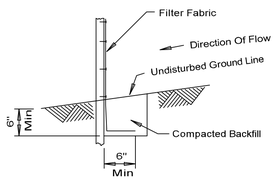
ANCHORING DETAIL

STRAW BALE BARRIERS

SILT FENCE PLAN



ELEVATION



FABRIC ANCHOR DETAIL

NOTES:

1. Temporary sediment fence shall be installed prior to any grading work in the area to be protected. They shall be maintained throughout the construction period and removed in conjunction with the final grading and site stabilization.
2. Filter fabric shall meet the requirements of material specification 592 Geotextile Table 1 or 2, Class with equivalent opening size of at least 30 for nonwoven and 50 for woven.
3. Fence posts shall be either standard steel post or wood post with a minimum cross-sectional area of 3.0 sq. in.

REGISTERED PROFESSIONAL ENGINEER
TOM A. HOWELL
No. C 27037
Expires 3/31/21
CIVIL
STATE OF CALIFORNIA

North Fork Vineyards

DRAWN *TH*	DATE *2/1/21*	*Frost Ponds #1-3 BMP Details*
APPROVED	DATE	
SCALE *Varies*	SHEET *12 of 12*	PROJECT NO. *101715-6233*

ATTACHMENT F: AGRICULTURAL PRESERVE COMMITTEE MEETING MINUTES

North Fork Ranch Frost Ponds Conditional Use Permit
Case No. 16CUP-00000-00005

Plan designation located at 7476 Graciosa Road in the Santa Maria area, Fourth District Supervisorial District. **(Continued from 3/4/16)**

Trupe moved, seconded by Lackie, and carried by a vote of 3 - 0 (Jevremovic & Ricardo absent) to continue the project to the May 6, 2016 APAC meeting. Additional information has been requested regarding the current request and the existing Suzy Q operation taking place on the property.

V. NEW ITEMS:

2. 95-AP-24 — Brodiaea Reservoirs — New Cuyama

16CUP-00000-00005 — Steve Rodriquez, Planner

Consider the request of Brian Tetley agent for, Mesa Vineyard Management, of Case No. 16CUP-00000-00005 regarding the proposed agricultural reservoirs as supportive/ compatible use and its consistency with the Uniform Rules and consider ongoing eligibility of the property as an agricultural preserve consistent with the Uniform Rules and any enforcement actions pursuant to Uniform Rule 6. The property is 6,565 acres (total) identified as Assessor's Parcel Numbers 147-020-045 & 147-020-046, zoned AG-II-100 with an AC Comprehensive Plan designation located 11 miles west of New Cuyama, between Cottonwood Canyon & Schoolhouse Canyon Roads in the New Cuyama area, 5th Supervisorial District.

Lackie moved, seconded by Larsen, and carried by a vote of 3 – 0 (Jevremovic & Ricardo absent) to find the project consistent with the Uniform Rules.

3. 87-AP-002 — Bossom New Single Family Dwelling — Carpinteria

16CDP-00000-00013 — Sean Herron, Planner (805) 568-3510

Consider the request of Mica Beving, agent for the owner Andrew Bossom, of Case No. 16CDP-00000-00013 regarding the construction of a new single family dwelling and pool and its consistency with the Uniform Rules, and consider ongoing eligibility of the property as an agricultural preserve consistent with the Uniform Rules and any enforcement actions pursuant to Uniform Rule 6. The lot is 10.20 (total) identified as Assessor's Parcel Numbers 001-020-038 and 001-020-039, on property zoned AG-I-10 with an A-I-10 Comprehensive Plan designation, and is located at 5424 Foothill in the Carpinteria area, First Supervisorial District.

Trupe moved, seconded by Lackie, and carried by a vote of 3 – 0 (Jevremovic & Ricardo absent) to continue the project to the May 6, 2016 APAC meeting. Additional information including accurate delineation of proposed non-agricultural envelope and proposed commercial agricultural site plan with acreage calculations.

4. 72-AP-062 — Cegelski Agricultural Barn Conversion to Single Family Residence — Hollister Ranch

15CUP-00000-00013
15CDP-00000-00060 — Sean Herron, Planner (805) 568-3510

ATTACHMENT G: PROJECT APPLICANT LETTERS REGARDING WIND MACHINE USE AND THE ENVIRONMENTALLY SUPERIOR ALTERNATIVE

North Fork Ranch Frost Ponds Conditional Use Permit
Case No. 16CUP-00000-00005

Grapevine Capital Partners

P.O. Box 12958
San Luis Obispo, CA 93406

VIA EMAIL
Travis Seawards
tseawards@countyofsb.org
Santa Barbara County
Planning & Development
624 W. Foster Rd
Santa Maria, CA 93455

Mr. Seawards,

Regarding the topic of alternative frost protection methods, overhead water application to the vines is the only viable and dependable method of frost protection available for North Fork Ranch, given its topography and weather conditions. Alternative methods were considered and analyzed during the initial development of the vineyard, including wind machines, but were found inadequate and not included in the final vineyard design.

The permit to complete construction of the vineyard frost protection system has been delayed for five frost seasons now the farm team has worked hard to protect the vines in any way possible. This has included running limited portions of the frost system directly from the wells, adjusting pruning practices to delay bud break, and using wind machines in areas with the greatest likelihood for inversion layers, in an effort to at least protect some of the vineyard. But we are unable to completely protect the vineyard at this point and only those blocks that receive overhead water application have been able to survive unscathed.

We do use wind machines on other properties where conditions are more suitable to their application. They simply aren't applicable for the types of freezing events at North Fork Ranch. For wind machines to protect the plants, warm air needs to be present 30-50 feet above ground surface elevation. If such a layer of warm air is present a wind machine can stir up the air to achieve an average temperature warmer than what it would have been for the plants. For example, if ground surface temperatures are 30 degrees and a warmer layer of 40 degree air is available, the wind machine can bring the ground temperature closer to 35 degrees.

During spring freeze events at North Fork, temperature differences between ground surface and 35ft generally do not deviate by more than 2-3 degrees, which result in 1-1.5 degrees of temperature change at ground level with wind machines. We have rented wind machines including most recently during the 2022 season, but all without successful protection of the vines. We keep trying though, because we don't have other options while we wait for this permit to construct agricultural reservoirs on our farm.

Any perception of wind machines having "worked" is likely based on observations from our fence line, seeing vines growing green later in the season. In areas where frost killed entire shoots, secondary buds push in the following weeks to replace the vegetative growth that was lost. Shoots that emerge from secondary buds are known to produce fewer and smaller clusters. Yield potential from secondary buds are generally about 50% of what would be expected from primary buds, decreasing crop size and economic viability. In other cases, entire vines have been burned by frost, requiring replanting, rework and significant expense.

The only successful frost protection we have had is in those blocks protected by water directly delivered from the wells. This corroborates our original decision and design of the vineyard infrastructure and hardens our resolve to continue with construction of the reservoirs.

Sincerely,

Raymond Shady

Grapevine Capital Partners

P.O. Box 12958
San Luis Obispo, CA 93406

VIA EMAIL
Travis Seawards
tseawards@countyofsb.org
Santa Barbara County
Planning & Development
624 W. Foster Rd
Santa Maria, CA 93455

Mr. Seawards,

Regarding the latest amended EIR, we respectfully disagree with its methods of water use analysis and politely indicate that the efforts put in by the County and its consultants to quantify, monitor and measure agricultural water use is already successfully being managed under SGMA and the Cuyama Basin GSA, of which the County is a member. However, given the 64 months of delay since our permit was originally approved, we are eager to bring this process to a close and to construct a modified version of the original design.

Regarding the amended EIR's suggested Environmentally Superior Alternative design to our project, we respectfully offer that the only feasible version is to construct all three and not to simply eliminate one of them. The other mitigation measures such as covering the reservoirs, which the EIR concludes essentially eliminates surface evaporation, and metering applied frost water can be accommodated, but eliminating a reservoir is not realistic.

The frost protection system was designed and has been constructed to deliver water from all three reservoirs. Building only two effectively eliminates frost protection for those blocks covered by the missing reservoir. The EIR's suggestion that we would simply "redo" piping in fact requires removal of existing vineyard and trellis infrastructure and effectively asks us to "redo" the vineyard.

We also respectfully request the removal of all language requiring us to maintain certain levels in the reservoirs at different times of the year. This concept is a legacy from the Mitigated Negative Declaration to handle surface evaporation by decreasing reservoir surface area. In the design suggested by the EIR, all reservoirs are covered and this requirement is no longer applicable.

Thank you,

Raymond Shady