

SANTA BARBARA COUNTY PLANNING COMMISSION

Staff Report for Mosby Sports & Outdoor Recreation Facility

Hearing Date: September 11, 2013

Staff Report Date: August 22, 2013

Case Nos.: 12RZN-00000-00003

11CUP-00000-00032

Environmental Document: Negative Declaration

12NGD-00000-00024

Deputy Director: Alice McCurdy

Division: Development Review

Supervising Planner: John Karamitsos

Supervising Planner Phone #: (805) 934-6255

Staff Contact: Dana Eady

Planner's Phone #: (805) 934-6266

OWNER/APPLICANT:

Mr. James Mosby
P.O. Box 1227
Lompoc, CA 93438
(805) 801-2362



This site is identified as Assessor Parcel Numbers 099-141-016 and -017, located approximately 0.5 miles northeast of the City of Lompoc, known as 625 East Highway 246, Fourth Supervisorial District.

Application Complete: July 18, 2012

Processing Deadline: 60 days from approval of ND

1.0 REQUEST

Hearing on the request of Mr. James Mosby, owner, to consider Case Nos. 12RZN-00000-00003, & 11CUP-00000-00032 [applications filed on December 2, 2011 & June 21, 2012] proposing to rezone 2 lots (9.99 and 9.50 gross acres) from 40-AG to AG-II-40 in compliance with Chapter 35.104 of the County Land Use and Development Code; and approval of a Conditional Use Permit in compliance with Section 35.82.060 of the County Land Use and Development Code to permit an approximately 7.6-acre sports and outdoor recreation facility comprised of athletic fields, a paint ball field, and a remote control car track; and to

Adopt the Negative Declaration (12NGD-00000-00024) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of this project, significant but mitigable effects on the environment are anticipated in the following categories: Aesthetics/Visual Resources, and Transportation/Circulation.

The ND and all documents may be reviewed at the Planning and Development Department at 624 West Foster Road, Suite C, Santa Maria. The ND is also available for review at the Lompoc Public Library located at 501 East North Ave and 3755 Constellation Road, Lompoc, CA 93436. The application involves Assessor's Parcel Numbers 099-141-016 and -017 located approximately 0.5 mile east of the City of Lompoc, northwest of the intersection of Hwy 246 and Sweeney Road, commonly known as 625 E. Hwy 246, Lompoc area, Fourth Supervisorial District.

2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below and conditionally approve Case Nos. 12RZN-00000-00003 & 11CUP-00000-00032 marked "Officially Accepted, County of Santa Barbara, September 11, 2013, County Planning Commission Attachments A-I", based upon the project's consistency with the Comprehensive Plan and based on the ability to make the required findings.

Your Commission's motion should include the following:

1. Recommend that the Board of Supervisors make the required findings for approval of the project specified in Attachment A of this staff report, including CEQA findings;
2. Recommend that the Board of Supervisors adopt the Negative Declaration (Attachment C) and adopt the mitigation monitoring program contained in the conditions of approval (Attachment B);
3. Recommend that the Board of Supervisors approve a zoning map amendment (12RZN-00000-00003), changing the zone district on the subject parcels from 40-AG to AG-II-40 (draft resolution included as Attachment D);
4. Recommend that the Board of Supervisors approve a Conditional Use Permit (11CUP-00000-00032) subject to the conditions included as Attachment B; and

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

3.0 JURISDICTION

This project is being considered by the County Planning Commission for a recommendation to the Board of Supervisors based on the following sections of the County Land Use and Development Code (LUDC):

- 3.1 12RZN-00000-00003** - LUDC Section 35.104.050.A.1 requires the Planning Commission to hold at least one noticed public hearing on the proposed rezone. LUDC Section 35.104.050.A.2 states that the Planning Commission's recommendation on the proposed rezone shall be transmitted to the Board of Supervisors in the form of a written recommendation. LUDC Section 35.104.050.B.1 requires the Board of Supervisors to hold a public hearing and take final action on the matter.

- 3.2 11CUP-00000-00032** - Pursuant to LUDC Sections 35.21.30.C & 35.82.020, Sports and Recreational Facilities in agriculturally zoned areas require Conditional Use Permits and shall be placed under the review authority of the Planning Commission.
- 3.3** LUDC Section 35.80.020 states that when two or more discretionary applications are submitted that relate to the same development project and the individual applications are under the separate jurisdiction of more than one review authority, all applications for the project shall be under the jurisdiction of the review authority with the highest jurisdiction. In this case, the highest jurisdiction is the Board of Supervisors, due to the consistency rezone. When the Board of Supervisors is the review authority for a project, the Commission shall make an advisory recommendation to the Board of Supervisors on each project.

4.0 ISSUE SUMMARY

4.1 Consistency Rezone

The subject parcels are located within the rural area of the County and are currently zoned 40-AG under the now superseded Santa Barbara County Zoning Ordinance 661. Both parcels are less than the 40-acre minimum parcel size required in the 40-AG zone district and are therefore non-conforming as to size. In order to permit the existing recreational facility, a rezone to AG-II-40 under the current Santa Barbara County Land Use & Development Code (LUDC) is required. Following approval of the proposed rezone to AG-II-40, the subject parcels would remain non-conforming as to size.

4.2 Conditional Use Permit

Approval of the proposed Conditional Use Permit would permit the existing approximately 7.6-acre recreational facility comprised of athletic fields currently used for soccer, a paintball field, and a remote control car track. The existing recreational uses have been ongoing on the subject parcel for the past several years (i.e., paintball for 7 years, remote control car track for 3 years, and athletic fields used for soccer for 2 years). Adequate services (water, sanitary, police, fire, parking, etc.) would continue to be available to serve the project site.

In letters dated May 30, 2012 and August 8, 2013 (Attachments E and F), the City of Lompoc confirms that access from River Park Road, and public restroom and drinking water facilities located at River Park will be available to serve the proposed project. In order to ensure that adequate restroom facilities are available to serve the users of the recreational facility for the life of the project, the project is conditioned to require the applicant to maintain a formal agreement with the City of Lompoc for use of the existing restroom facilities at River Park. As conditioned, the proposed project would be consistent with the Santa Barbara County Land Use & Development Code and Comprehensive Plan requirements.

4.3 Agricultural Resources

According to the analysis completed in the Final Mitigated Negative Declaration dated June 19, 2013 (Attachment C), the subject parcels are not considered to be agriculturally viable and therefore, the proposed project would not impair the agricultural productivity of the land. Each parcel would be able to support the current/proposed use without affecting the potential use of the land for future agricultural activities.

5.0 PROJECT INFORMATION

5.1 Site Information

Comprehensive Plan Designation	Rural area, A-II-40, Commercial Agriculture, 40 acre minimum parcel size
Zoning District, Ordinance	40-AG, 40-acres minimum lot area, Ordinance 661
Site Size	Two parcels which are 9.99 (APN 099-141-016) and 9.50 (APN 099-141-017) gross acres in size.
Present Use & Development	APN 099-141-016: 1. Greenhouse: 48,960 sq. ft; height 12 feet; used for farming of agriculture crops (Land Use Rider 97498 and 77-DP-032) and aquaculture. 2. Warehouse: 1,782 sq. ft, 16 feet in height; (77-DP-032) 3. Residence: 765 sq. ft., 11 feet in height (Land Use Rider 102272) 4. Paintball field of approximately 0.40-acres, 5. Athletic (soccer) fields of approximately 5.2-acres APN 099-141-017: 1. Pump house: 100 sq. ft., 12 feet in height. 2. Remote control car track of approximately 2-acres 3. Aquaculture pond (approx. 1-acre in size)
Surrounding Uses/Zoning	North: Agriculture (row crops, aquaculture); 40-AG, Ord. 661. South: County Road Yard; 40-AG, Ord. 661. East: Bridgehouse Homeless Shelter, equestrian uses, low intensity residential uses; 40-AG, Ord. 661. West: River Park Campground, agriculture (row crops), Santa Ynez River; 40-AG, Ord. 661.
Access	Existing 25 foot wide River Park driveway, approximately 1,000 feet in length via Highway 246
Public Services	Water Supply Private onsite water wells Sewage: City of Lompoc (existing restrooms at River Park Campground) Fire: Santa Barbara County Fire Station #51 Police: Santa Barbara County Sheriff's Department

5.2 Setting

Slope/Topography: The subject parcels are relatively flat; topography of the project site ranges from 0-2% slopes. At its closest point, APN 099-141-017 is located approximately 250 feet northeast of the Santa Ynez River.

Flora: The majority of the subject parcel has been cleared of native vegetation due to ongoing recreational and agricultural uses. The types of vegetation found on the site visit included non-native, weedy vegetation.

Fauna: Wildlife in the surrounding area is typical for the northern areas of Santa Barbara County, and would include birds (including raptors), Pacific tree frog, Western fence lizard, bullfrogs, mosquito fish, stickleback, crayfish, black-tailed deer, striped skunk, raccoon, coyote, gray fox, California ground squirrels, Botta's pocket gophers, California meadow voles, and brush rabbits.

Archaeological Sites: Based on a review of a pedestrian phase 1 survey for APN 099-141-017 completed by archaeologist Joyce Gerber, M.A. RPA, and a completed pedestrian phase 1 survey for APN 099-141-016 completed by Larry Spanne in 1993, no prehistoric or historic cultural resources are located on the subject parcels.

Soils: APN: 099-141-017 contains 9-acres (95%) of Class III soils (Metz Loamy Sand, 0-2% slopes), and 0.5-acres (5%) of Class I soils (Mocho Fine Sandy Loam and Mocho Loam). APN: 099-141-016 contains 6.4-acres (64%) of Class III soils (Metz Loamy Sand, 0-2% slopes), and 3.5-acres (46%) of Class I (prime) soils (Mocho Fine Sandy Loam and Mocho Loam).

Surface Water Bodies (including wetlands, riparian areas, ponds, springs, creeks, rivers, lakes, and estuaries): No surface water bodies or drainage courses are present on the subject parcel. The Santa Ynez River, at its closest point, runs approximately 250 feet southwest of the subject parcels. Current mapping indicates that the subject lots do not lie within the river's 100-year floodway. The subject parcels are located entirely within the designated 100-year floodplain of the Santa Ynez River.

Existing Structures: The parcels are currently developed with approximately 51,500 sq. ft. of structural development, a paintball field of approximately 0.40-acres, athletic (soccer) fields of approximately 5.2-acres, and a remote control car track of approximately 2-acres.

Project Site and Surrounding Land Uses: The subject parcels are located on the northwest side of Highway 246 approximately 0.5 miles northeast of the City of Lompoc. It is bordered on all sides by parcels zoned 40-AG. Surrounding parcels are developed with agricultural uses (row crops, vineyards), River Park (park, campground, children's motofun park), Bridge House homeless shelter, Santa Barbara County's Road Yard, equestrian uses, and residential ranchettes.

5.3 Statistics

Statistics		
Item	Proposed	Ordinance Standard
Structures (floor area)	No permanent structural development proposed.	Ord. 661 – Development Plan LUDC – Land Use Permit
Max. Height of Structure(s)	No permanent structural development proposed.	Ord. 661- no height limit LUDC- Maximum height 35 ft
Building Coverage (footprint)	No permanent structural development proposed.	No maximum limit identified in 40-AG or AG-II zone district
Roads Parking (covered/uncovered, ratio) Walkways	150 parking spaces located on APN 099-141-017	No requirement identified in 40-AG or AG-II zone district
Open Space Public Private landscaping Undeveloped/Other	Proposed landscaped berm located along the proposed parking lot area.	No requirements identified in 40-AG or AG-II zone district
Number of Dwelling Units	None	Allowed per Ordinance 661 & LUDC (via an LUP)
Employees/Residents	None	N/A
Grading	None	grading on slopes > 30% not allowed

5.4 Description

The proposed project is a request of Jim Mosby, owner, to consider Case Nos. 12RZN-00000-00003, and 11CUP-00000-00032 for the approval of: 1) a Consistency Rezone to rezone the property from its current zoning of General Agriculture, 40-acre minimum lot area (40-AG) under Zoning Ordinance No. 661 to Agriculture II, 40-acre minimum lot area (AG-II-40) under the Santa Barbara County Land Use & Development Code (LUDC); and 2) a Conditional Use Permit to allow for existing outdoor recreational development and activities consisting of a paintball field, athletic (soccer) fields, and a remote controlled car track consistent with the Comprehensive Plan and the Santa Barbara County Land Use and Development Code (LUDC).

Consistency Rezone (12RZN-00000-00003): The subject 9.99 and 9.50 gross/acre parcels are legal non-conforming as to size and are currently zoned General Agriculture, 40-acres minimum lot area (40-AG), pursuant to Ordinance 661. Ordinance 661 does not provide for outdoor recreational activities to be permitted on parcels with a 40-AG zone designation. In order to permit the subject recreational development and activities, the zoning map is proposed to be amended to Agriculture II, 40-acres minimum gross lot area (AG-II-40), consistent with the current Land Use and Development Code. The subject parcels would remain legal non-conforming as to size.

Conditional Use Permit (11CUP-00000-00032): Applicant requests approval of a Conditional Use Permit to permit existing outdoor development and recreational activities consisting of a paintball field, athletic (soccer) fields, and a remote controlled car track to be conducted on the subject parcels (APN(s) 099-141-016, -017). The application arises from the need to abate an existing zoning violation for the above mentioned uses on the property. Existing development consists of a paintball field of approximately 0.40-acres, two (2) athletic (soccer) fields totaling approximately 5.2-acres, and remote control car track of approximately 2-acres.

The remote control car track would be open between the hours of 10:00 a.m. and 4:00 p.m., with attendance ranging between 10-30 people. The paintball field would be open between the hours of 10:00 a.m. and 4:00 pm. with attendance ranging from 2-50 people. The athletic fields would be open from 7:00 a.m. to dusk daily. During a weekday, a maximum of 30 people would utilize the athletic fields. During a weekend, athletic field attendance would range from 65-700 attendees depending on the type of event and number of games occurring on that day (ex. club soccer games, or end of season tournaments). At no time would 700 participants be on the project site at the same time. The 700 participant maximum would occur over the entire weekend day during a tournament where multiple games are played on the same day.

No outdoor lighting, amplified sound, or signage is proposed. 150 parking spaces composed of compacted base and screened with a landscaped berm planted with pine trees would be provided on the southern property line of APN 099-141-017, and adjacent to the parking areas. Accessible public restrooms and drinking water facilities owned by the City of Lompoc would be provided on the adjacent River Park property. The applicant proposes to sell food on site through legally licensed vendors. According to the application no full or part time employees would be employed on the site; however, monitors would be present during recreational activities to ensure compliance with onsite rules and regulations. On occasion maintenance of the Remote Control Car Track would include earthwork of less than 50 cubic yards, no permit would be required. No vegetation or tree removal is proposed.

5.5 Background Information

The existing unpermitted recreational uses have been ongoing on the subject parcels for the past several years (i.e., paintball for seven years, remote control car track for 3 years, and athletic fields (soccer) for 2 years). Recreational facilities are not permitted on parcels located within the 40-AG zone district. As a result, the subject uses were reported to the County as zoning violations, and the property owner applied for the subject rezone and conditional use permit in order to permit the existing uses under the current Santa Barbara County Land Use and Development Code.

6.0 PROJECT ANALYSIS

6.1 Environmental Review

A Mitigated Negative Declaration (12NGD-00000-00024) was prepared for the proposed project (see Attachment C) pursuant to Section 15070 of the State Guidelines for the implementation of the California Environmental Quality Act and the County of Santa Barbara Environmental Guidelines. Overall, the project would not result in any significant unavoidable (Class I) impacts and all of the potentially significant impacts can be reduced to less than significant levels with the inclusion of mitigation measures into the conditions of approval for the proposed project (Attachment B). Please refer to the Proposed Final Mitigated Negative Declaration dated June 19, 2013 for a full discussion of all environmental issues, including the existing setting, potential project impacts, and mitigation measures required to reduce these identified impacts to less than significant (Attachment C).

6.1.1 Impacts/Mitigation

Mitigation measures required to reduce potentially significant impacts on **Aesthetics/Visual Resources and Transportation/Circulation**, were accepted by the applicant on December 11, 2012, and are included in the recommended conditions of approval (Attachment B). The Draft Mitigated Negative Declaration (MND) was circulated for public comment and review for an initial 30 days (December 21, 2012 through January 21, 2013). The review period was extended for an additional three weeks to February 11, 2013 to allow for additional time for interested third parties to comment on the MND, and to attend the environmental hearing which was held on January 29, 2013. Ten comment letters were received and are included as Attachment 7 of the Final Mitigated Negative Declaration dated August 15, 2013 (Attachment C). The comments received have been reviewed and edits to the Final Mitigated Negative Declaration have been incorporated into the document and shown as strike-through and underline.

6.2 Comprehensive Plan Consistency

REQUIREMENT	DISCUSSION
<i>Land Use Element</i>	
<i>Land Use Designation: Agriculture, A-II-40, 40-AG zone district under Ordinance 661.</i>	Consistent: The proposed consistency rezone would rezone the subject parcels to AG-II-40 under the current Santa Barbara County Land Use & Development Code. The existing recreational uses are permittable in the AG-II-40 zone district with a Conditional Use Permit. Each parcel would be able to maintain the current/proposed use without affecting the land's potential use for agricultural in the future. Therefore, the proposed project is

REQUIREMENT	DISCUSSION
<p><i>Land Use Development Policy 3: No urban development shall be permitted beyond boundaries of land designated for urban uses except in neighborhoods in rural areas.</i></p>	<p>consistent with this policy.</p> <p>Consistent: The project site is located within a rural area of the County, approximately 0.50 mile east of the City of Lompoc. The urban boundary limit line is located approximately 1,200 feet west of APN 099-141-017 (see Attachment H: Urban Sphere of Influence). Existing temporary structures associated with the proposed project consists of fencing surrounding the paint ball field, and structures for use during paintball activities consisting of plastic barrels, wooden barriers with netting, and inflatable barriers. The proposed recreational use is allowed in the rural area with a Conditional Use Permit, and does not constitute urban development. Therefore, the proposed project is consistent with this policy.</p>
<p><i>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.</i></p>	<p>Consistent: <u>Water:</u> Water for field maintenance would continue to be provided by an existing onsite private water well which has been shown to provide a sufficient flow rate to serve the proposed project. Domestic water is not required for the proposed project since no permanent employees would be employed on the site, and all participants would utilize the site on a temporary basis. However, the City of Lompoc has submitted a letter stating that people at the recreational facility would have access to existing drinking water provided at the adjacent River Park. County Environmental Health Services has reviewed the proposed project and has no conditions.</p> <p><u>Sewer:</u> Following project approval, the City of Lompoc has agreed to work with the applicant to allow the use of existing restroom facilities located at the adjacent River Park for the subject recreational facility (Attachment E). The project is conditioned to require the applicant to maintain an agreement with the City of Lompoc for use of the existing restroom facilities at River Park, and the use of River Park Road for project access. In the event of revocation of the agreement by either party, the</p>

REQUIREMENT	DISCUSSION
	<p>applicant shall notify P&D within 30 days, and identify an alternative provision for restrooms and access in a manner acceptable to Environmental Health Services, and Planning and Development. If no alternative is available, any use authorized by the subject Conditional Use Permit would immediately cease. Environmental Health Services has no conditions on the project.</p> <p><u>Roads:</u> Access to the facility would continue to be provided by an existing driveway accessed from River Park Road. In a letter dated August 8, 2013 (Attachment F), the City of Lompoc has agreed to continue to allow the applicant to use River Park Road for access to the project site.</p> <p><u>Police/Fire:</u> Fire protection would continue to be provided by Santa Barbara County Fire Station #51 located at 3500 Harris Grade Rd. in Lompoc. Police protection would continue to be provided by the Santa Barbara County Sheriff's Department.</p> <p>All necessary services are adequate to serve the proposed project. Therefore, the proposed project is consistent with this policy.</p>
<i>Lompoc Area Community Goals</i>	
<p><u>Land Use</u> <i>The unique character of the area should be protected and enhanced with particular emphasis on protection of agricultural lands, grazing lands, and natural amenities.</i></p> <p><i>Prime agricultural lands should be preserved for agricultural use only. Preservation of lesser grades of presently producing or potential agricultural land should be actively encouraged.</i></p>	<p>Consistent: The recreational facility would continue to be visible to travelers from Highway 246. The project site is located along one of the main entrance corridors coming into the City of Lompoc and is located on the urban fringe of the City. County Environmental Thresholds consider these urban fringe areas "especially important" visual resources. In order to protect the visual character of the area, the applicant has proposed vegetation screening along the parking lot area by use of a landscape berm and pine trees. The project is conditioned to require additional screening in the form of dense green shrubbery that screens from the ground to approximately 15 feet in height located along the entire southeast border of</p>

REQUIREMENT	DISCUSSION
	<p>APN: 099-141-017. This additional landscaping would further protect visual impacts to the unique character of the area.</p> <p>Policy 1A.1.a-b of the Agricultural Element and Section 35.43.240 of the Land Use and Development Code allow for recreational uses on agriculturally designated lands, through the use of discretionary permits. As described in the Agricultural Resources Section of the Final Mitigated Negative Declaration (Attachment C), the subject parcels do not qualify as agriculturally viable. Furthermore, the proposed recreational uses would not affect each parcels capability of being used for agricultural purposes in the future. Therefore, the proposed project can be found consistent with these Lompoc area community goals.</p>
<p><u>Parks/Recreation</u> <i>Provide facilities for a maximum variety of recreational activities for all age levels within a reasonable distance of the place of residence, so separated and protected as to avoid conflicts between different types of activities.</i></p> <p><i>Locate recreational activities where adverse effects, such as increased auto traffic, noise, and increased litter would not conflict with surrounding areas.</i></p>	<p>Consistent: The proposed project would provide the community of Lompoc with a variety of recreational activities for all age levels. The subject recreational uses associated with the project are of a similar type and intensity to the types of recreational activities currently occurring at the adjacent River Park. The subject recreational uses would continue to provide the community with recreational amenities without substantially impacting the quality of existing established recreational opportunities in the area. No significant impacts associated with traffic, noise, or litter would occur. Adequate onsite parking and restrooms located at the adjacent River Park would be available to serve the proposed project. Therefore, the proposed project is consistent with these community goals.</p>
<p><u>Environment</u> <i>Pollution of streams, sloughs, drainage channels, underground water basins, estuaries, the ocean, and areas adjacent to such waters should be minimized.</i></p>	<p>Consistent: The existing recreational facility is located approximately 250 feet east of the Santa Ynez River. According to the Regional Water Quality Control Board, the water quality in the area of the existing facility is good. The project is not proposing to intensify the existing operation. Santa Barbara County Flood Control and Project Clean Water have reviewed the</p>

REQUIREMENT	DISCUSSION
	<p>existing facility and have determined that no additional flood control infrastructure, including drainage devices, is required. Minimal run-off associated with the project would be accommodated onsite. Therefore, the proposed project would not cause degradation of water quality of the ground water basin or the Santa Ynez River, and the proposed project is therefore consistent with this community goal.</p>
<i>Hillside and Watershed Protection Policies</i>	
<p><i>Hillside and Watershed Protection Policy 1:</i> <i>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.</i></p>	<p>Consistent: No grading is proposed or required as a part of the proposed project. Therefore, the project is consistent with this policy.</p>
<p><i>Hillside and Watershed Protection Policy 2:</i> <i>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.</i></p>	<p>Consistent: The proposed project would not result in substantial changes in existing drainage patterns, or to the topography of the project site. No grading is proposed. The existing recreational facility is located in areas of the parcel which are devoid of native vegetation, natural landforms, and trees. There are no known geologic hazards located within the project site area. The subject parcels are located outside of the 100 year floodway, but are entirely within the 100 year floodplain of the Santa Ynez River. The Santa Barbara County Flood Control District has reviewed the proposed project and has determined that no conditions of approval are required, and the project meets the requirements of the Flood Plain Management Ordinance. Therefore, the proposed project is consistent with this policy.</p>

REQUIREMENT	DISCUSSION
<p><i>Hillside and Watershed Protection Policy 6</i> <i>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 runoff shall be retained onsite whenever possible to facilitate groundwater recharge.</i></p>	<p>Consistent: There are no impervious surfaces associated with the existing recreational facility, and none are proposed. Santa Barbara County Flood Control and Project Clean Water have reviewed the existing facility and have determined that no additional flood control infrastructure, including drainage devices, is required. Minimal run-off associated with the project would be accommodated onsite. Therefore, the project is consistent with this policy.</p>
<p><i>Hillside and Watershed Protection Policy 7</i> <i>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 along coastal streams or wetlands either during or after construction.</i></p>	<p>Consistent: The existing paintball field is located approximately 250 feet east of the Santa Ynez River. Due to: 1) the distance between the paintball field and the River; 2) the confinement of the field by the use of netting and fences; 3) the high percolation rate of the area; and 4) the non-toxic composition of the paint, impacts to the Santa Ynez River would be less than significant. Consultation with the Regional Water Quality Control Board indicates that the water quality in the area of the existing facility is adequate. As a result, no degradation of water quality of the ground water basin or the Santa Ynez River would occur and the proposed project is consistent with this policy.</p>
<p><i>Flood Protection Policies</i></p>	
<p><i>Flood Policy 1:</i> <i>All development, including construction, excavation, and grading, except for flood control projects and non-structural agricultural uses, shall be prohibited in the floodway unless off-setting improvements in accordance with federal regulations are provided. If the proposed development falls within the floodway fringe, development may be permitted, provided creek setback requirements are met and finished floor elevations are two feet above the projected 100-year flood elevation, and the other requirements regarding materials and utilities as specified in the Flood Plain Management Ordinance are in compliance.</i></p>	<p>Consistent: The subject parcels are located outside of the 100 year floodway, but are entirely within the 100 year floodplain of the Santa Ynez River. The Santa Barbara County Flood Control District has reviewed the proposed project and has determined that no conditions of approval are required, and the project meets the requirements of the Flood Plain Management Ordinance. Therefore, the proposed project is consistent with this policy.</p>

REQUIREMENT	DISCUSSION
<p><i>Flood Policy 2:</i> Permitted development shall not cause or contribute to flood hazards or lead to expenditure of public funds for flood control work, i.e., dams, stream channelizations, etc.</p>	<p>Consistent: No permanent structural development is proposed as a part of the project. The structures associated with the paintball field are not habitable, and the Santa Barbara County Flood Control District has determined that the project meets the requirements of the Flood Plain Management Ordinance, and would not cause or contribute to flood hazards or lead to expenditure of public funds for flood control work. Therefore, the proposed project is consistent with this policy.</p>
<i>Cultural Resources Policy</i>	
<p><i>Historical and Archaeological Policy 2:</i> When developments are proposed for lots where archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible.</p>	<p>Consistent: No ground disturbance or permanent structural development is proposed as a part of the proposed project. No historical, archaeological, or cultural sites are known to exist on the subject parcels, and the proposed project would not have the potential to impact significant or important prehistoric or historic cultural remains as defined in the County Cultural Resource Guidelines. A Phase 1 survey for the presence of cultural resources was completed on APN 099-141-016 by Larry Spanne in 1993. Joyce Gerber, staff archeologist, conducted a Phase 1 Survey on APN 099-141-017 on October 22, 2012. Both surveys were negative for the presence of cultural resources. Therefore, the proposed project is consistent with this policy.</p>
<i>Visual Resources Policies</i>	
<p><i>Visual Resource Policy 2:</i> 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 landforms; shall be designed to follow the natural contours of the landscape; and shall be sited so as to not to intrude into the skyline as seen from public viewing places.</p>	<p>Consistent: The subject parcels are designated as rural. No permanent structural development or grading is proposed as a part of the proposed project. Existing temporary/mobile structures associated with the paintball field include storage containers, and barriers used during paintball games consisting of wooden structures, plastic barrels, and inflatable bunkers. There is no permanent structural development associated with the athletic fields and remote control car track. The structures associated with the subject recreational uses are</p>

REQUIREMENT	DISCUSSION
	subordinate in appearance to the surrounding landscape, and do not intrude into the skyline. Therefore the project is consistent with this policy.
<i>Visual Resource Policy 4: Signs shall be of size, location, and appearance so as not to detract from scenic areas or views from public roads and other viewing points.</i>	Consistent: No signage is proposed. Therefore, the project is consistent with this policy.
<i>Agricultural Element</i>	
<p><i>Agricultural Element, Goal I: Santa Barbara County shall assure and enhance the continuation of agriculture as a major viable production industry in Santa Barbara Country. Agriculture shall be encouraged. Where conditions allow, (taking into account environmental impacts) expansion and intensification shall be supported.</i></p> <p><i>Agricultural Element, Policy IA: The integrity of agricultural operations shall not be violated by recreational or other non-compatible uses.</i></p> <p><i>GOAL II. Agricultural lands shall be protected from adverse urban influence.</i></p> <p><i>Agricultural Element, Policy II.D: Conversion of highly productive agricultural lands whether urban or rural, shall be discouraged. The County shall support programs which encourage the retention of highly productive agricultural lands.</i></p>	<p>Consistent: The proposed project does not involve a subdivision of land, nor would the project permanently convert the agricultural potential of these parcels from viable to non-viable. According to the analysis completed in the Final Mitigated Negative Declaration dated June 19, 2013 (Attachment C), the subject parcels are not considered to be agriculturally viable. Each parcel would be able to support the current/proposed use without affecting the potential use of the land for future agricultural activities. Permitting the existing sports and outdoor recreation facility would not substantially hinder or diminish the agricultural capabilities or potential for the subject parcels. Therefore, the proposed project would not impair the agricultural productivity of the land, and would be consistent with the Agricultural Element goals and policies.</p>

6.3 Zoning: Land Use and Development Code Compliance

6.3.1 Consistency Rezone

Approval of the proposed consistency rezone would amend the current zoning of 40-AG under the out dated Ordinance 661 to AG-II-40 (Agricultural, 40-acre minimum parcel size) under the current Santa Barbara County Land Use and Development Code (LUDC). Sports and Outdoor Recreational Facilities are allowed in the AG-II-40 zone district with the approval of a Conditional Use Permit (LUDC Section 35.21.030, Table 2-1).

6.3.2 Conditional Use Permit

Sports and Outdoor Recreation Facilities are allowed in the AG-II-40 zone district with the approval of a Conditional Use Permit (LUDC Section 35.21.030, Table 2-1) and are defined in the LUDC glossary as: "Public and private facilities for various outdoor sports and other types of recreation, where the facilities are oriented more toward participants than spectators." The LUDC does not include specific development standards for Sports and Outdoor Recreation Facilities, but would comply with all applicable requirements of the AG-II-40 zone district including setbacks, height standards, landscaping, and parking.

6.4 Subdivision/Development Review Committee

The proposed project was reviewed by the Subdivision/Development Review Committee (SDRC) on January 5, 2012. Departments with conditions of approval include Santa Barbara County Fire Department, and Public Works Transportation Division. The condition letters are included in Attachment B, Conditions of Approval.

6.5 Development Impact Mitigation Fees

A series of ordinances and resolutions adopted by the County Board of Supervisors require the payment various development impact mitigation fees. This project is subject to the fees as shown in the following table. The amounts shown are estimates only. The actual amounts will be calculated in accordance with the fee resolutions in effect when the fees are paid.

Estimated Countywide Development Impact Mitigation Fees			
Fee Program	Base Fee (per unit or 1,000 sf)	Estimated Fee	Fee due at
Transportation	\$550.00 per peak hour trip x 16 peak hour trips	\$8,800	Land Use Clearance

7.0 APPEALS PROCEDURE

The recommendation of the Planning Commission will be forwarded to the Board of Supervisors. Pursuant to Government Code Sections 65354.5 and 65856, any interested party may file a written request with the Clerk of the Board for a hearing by the Board of Supervisors within five days after the Planning Commission acts on the proposed zoning map amendment. Whether or not a written request is filed, a public hearing before the Board of Supervisors will be conducted.

ATTACHMENTS

- A. Findings
- B. Conditions of Approval with attached Departmental letters
- C. Final Mitigated Negative Declaration dated August 15, 2013
- D. Draft Ordinance/Resolution

- E. City of Lompoc Letter Re: Availability of drinking water & restroom facilities at River Park, dated May 30, 2012
- F. City of Lompoc Letter Re: Availability of River Park Road Access, dated August 8, 2013
- G. APN Sheet
- H. Sphere of Influence Exhibit
- I. Site Plan

ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

1.1 CONSIDERATION OF THE NEGATIVE DECLARATION AND FULL DISCLOSURE

The Planning Commission has considered the Negative Declaration together with the comments received and considered during the public review process. The Negative Declaration reflects the independent judgment and analysis of the Planning Commission and has been completed in compliance with CEQA, and is adequate for this proposal.

1.2 FINDING OF NO SIGNIFICANT EFFECT

On the basis of the whole record, including the Negative Declaration and any comments received, the Planning Commission finds that that through feasible conditions placed upon the project, the significant impacts on the environment have been eliminated or substantially mitigated and on the basis of the whole record (including the initial study and any comments received), there is no substantial evidence that the project will have a significant effect on the environment.

1.3 LOCATION OF DOCUMENTS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Planning Commission of the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101.

1.4 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15074(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 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. The monitoring program is designed to ensure compliance during project implementation.

2.0 ADMINISTRATIVE FINDINGS

2.1 REZONE FINDINGS

In compliance with Section 35.104.060 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for an Amendment to the Development Code, Local Coastal Program, or Zoning Map the review authority shall first make all of the following findings:

2.1.1 The request is in the interests of the general community welfare.

Rezoning the subject parcels from 40-AG under zoning ordinance 661 to AG-II-40 will bring the subject parcels into conformance with the current ordinance, the County's Land Use and Development Code (LUDC). The subject parcels are currently non-conforming as to size, and following the proposed rezone they would remain non-conforming as to size. The subject parcels are zoned for agricultural use and will remain zoned for agricultural use. Recreational facilities are allowable uses in the AG-II-40 zone district with the approval of a Conditional Use Permit. Rezoning the parcels will also facilitate permitting for new agricultural or other types of development including the sports and recreational facility. Therefore, the rezone is in the interest of the general community welfare.

2.1.2 The request is consistent with the Comprehensive Plan, the requirements of State planning and zoning laws, and this Development Code.

The subject parcels are designated Agriculture II, 40 acre minimum lot area (A-II-40) under the County Comprehensive Plan. The request will rezone the subject parcels from the antiquated 40-AG zone district under Ordinance 661 to the current AG-II-40 zone district under LUDC Section 35.21. The subject parcels are currently non-conforming as to size and will remain non-conforming as to size following approval of the rezone. The AG-II-40 zone district is consistent with the objectives, policies and general land uses in the A-II-40 plan designation. In accordance with Sections 6.2 and 6.3 of the Planning Commission staff report dated August 22, 2013, the project is consistent with the Comprehensive Plan, and the LUDC. Therefore, the rezone is consistent with this finding.

2.1.3 The request is consistent with good zoning and planning practices.

The subject parcels along with other parcels in rural areas are currently still subject to the outdated Ordinance 661. In 1983, the County replaced Ordinance 661 with Article III, and then again in 2006 with the Inland Santa Barbara County Land Use and Development Code (LUDC). Rezoning the subject parcels to AG-II-40 under the LUDC will assist in the implementation of a uniform and up-to-date zoning ordinance throughout the inland area. The benefits of the rezone include allowing for the permitting of the existing sports and recreation facility with a Conditional Use Permit. In addition, the property owner will enjoy full use of the parcel consistent with other parcels that are already subject to LUDC zones and allowable uses. Therefore, the rezone is consistent with good zoning and planning practices, and is consistent with this finding.

2.2 CONDITIONAL USE PERMIT FINDINGS

Findings required for all Conditional Use Permits. 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 Conditional Use Permit or Minor Conditional Use Permit the review authority shall first make all of the following findings, as applicable:

2.2.1 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 subject 9.99 (APN 099-141-016) and 9.50 (APN 099-141-017) gross acre parcels are located on the northwest side of Highway 246 approximately 0.5 miles northeast of the City of Lompoc and the intersection of Highway 1 and Highway 246. The overall visual characteristics of the neighborhood include agricultural cultivation, scattered residential and agricultural buildings, River Park, Bridgehouse Homeless Shelter, vineyards, County road yard, and equestrian uses.

The proposed project includes the continued use of athletic fields for soccer, a paintball field, and remote control car track. Approximately 5.6-acres (56%) of APN 099-141-016 is developed with the existing paintball and athletic fields. The remaining 4.99-acres is developed with a permitted greenhouse, warehouse, and residence. Approximately 2-acres (21%) of APN 099-141-017 is developed with the existing remote control car track. The remaining 7.5-acres will remain developed with the existing pump house, and aquaculture pond, and approximately 3-acre parking area.

The subject parcels are adequate in size and shape to continue to accommodate the development associated with the project. Adequate parking areas, public and private services, and access will continue to be available to serve the facility. No parking will be permitted on River Park Road or Highway 246. Therefore, the project is consistent with this finding.

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

The Final Mitigated Negative Declaration (12NGD-00000-00024) prepared for the project identified potentially significant, but mitigable impacts to Aesthetics/Visual Resources, and Transportation/Circulation. Adherence to required mitigation measures will ensure that adverse impacts are reduced to less than significant levels, and mitigated to the maximum extent feasible. Therefore, the project is consistent with this finding.

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

Vehicular access will continue to be provided by the existing River Park Rd. driveway (approximately 1,000 feet in length and 25 foot in width), accessed via Highway 246. The existing recreational facility has been in operation for approximately the past 7 years without the benefit of permits. During this time, traffic associated with the existing use has not resulted in traffic impacts to Highway 246 or River Park Road, which demonstrates that the streets and highways are adequately designed to carry the type and quantity of traffic generated by the project, and will not result in a degradation of the current Level of Service on surrounding roads or highways.

Parking for the existing unpermitted recreational uses will be provided in two parking areas totaling approximately 3-acres located on APN 099-141-017. The 3-acres dedicated for parking will continue to accommodate 150 vehicles, and will accommodate the vehicles present during any day when a maximum of 700 people visit the site. The parking areas are designed with adequate turning radii, and aisles to ensure safe and efficient ingress and egress. Therefore, the project is consistent with this finding.

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

Adequate public services are available to serve the project. Water for landscaping and athletic field irrigation will continue to be provided by an existing onsite private water well which has been shown to provide a sufficient flow rate. Public restroom facilities and drinking water will be provided through the City of Lompoc at the adjacent River Park. Access to the facility will continue to be provided by an existing driveway accessed from River Park Road via Highway 246. Fire protection will continue to be provided by Santa Barbara County Fire Station #51 located at 3500 Harris Grade Rd. in Lompoc, and through the City of Lompoc. Police protection will continue to be provided by the Santa Barbara County Sheriff's Department. Therefore, the project is consistent with this finding.

2.2.5 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.

In accordance with Sections 6.2 and 6.3 of the Planning Commission staff report dated August 22, 2013, the project is consistent with the Comprehensive Plan, and the LUDC. With incorporation of mitigation measures and conditions of approval addressing parking, landscaping, and hours of operation, the recreational facility will not be detrimental to the comfort, convenience, general welfare, health, and

safety of the neighborhood. The project is compatible with the surrounding area including the adjacent River Park and Campground, and the types of recreation associated with the project are of a similar type and intensity to the existing uses. The project will augment existing recreational opportunities which include the kids “moto fun” park located at River Park, and the Lompoc Valley Motorsports Park project currently being developed at the Lompoc Airport which is approximately 2.5 miles northwest of the project site. Adequate parking, water, sanitary services, and safe ingress/egress will be provided.

Vehicular access will continue to be provided by the existing 25 foot wide River Park Rd. driveway of approximately 1,000 feet in length accessed via Highway 246. The unpermitted existing recreational facility has been operating for at least the past 7 years. Traffic associated with the existing use has not resulted in traffic impacts to Highway 246 or River Park Road, which demonstrates that the streets and highways are adequately designed to carry the type and quantity of traffic generated by the project, and will not result in a degradation of the current Level of Service on surrounding roads or highways.

The subject parcels are located entirely within the 100 year floodplain of the Santa Ynez River. No permanent structural development is proposed as a part of the project. The structures (including fencing) associated with the paintball field are not habitable, and are set back approximately 1,000 feet from SR 246. The Santa Barbara County Flood Control District has determined that the project meets the requirements of the Flood Plain Management Ordinance, and does not cause or contribute to flood hazards. The infrequent and generally low intensity use of the recreational facility will not impede the existing agricultural activities in the surrounding area. Therefore, the project is consistent with this finding.

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

In accordance with Sections 6.2 and 6.3 of the Planning Commission staff report dated August 22, 2013, the project is consistent with the applicable requirements of the AG-II-40 zone district, the Comprehensive Plan, and the LUDC. Approval of the rezone will amend the current zoning of 40-AG under Ordinance 661 to AG-II-40 (Agricultural, 40-acre minimum parcel size) under the Santa Barbara County Land Use and Development Code (LUDC)). Sports and Outdoor Recreation Facilities are allowed in the AG-II-40 zone district with the approval of a Conditional Use Permit (LUDC Section 35.21.030, Table 2-1) and are defined in the LUDC glossary as: “Public and private facilities for various outdoor sports and other types of recreation, where the facilities are oriented more toward participants than spectators.” The project is not subject to a community or area plan. Therefore, the project is consistent with this finding.

2.2.7 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 project site is located at the eastern entry to the City of Lompoc in an area characterized by a combination of agricultural, residential, and ranchette uses. The project site is located within a rural area of the County, approximately 0.50 mile east of the City of Lompoc. The Lompoc urban boundary limit line is located approximately 1,200 feet west.

The subject recreational uses are compatible with the camping and recreational uses occurring at the adjacent River Park, and project site vicinity. The project will augment existing recreational opportunities which include the kids “moto fun” park located in River Park, and the Lompoc Valley Motorsports Park project currently being developed at the Lompoc Airport which is approximately 2.5 miles northwest of the project site.

Temporary structures associated with the existing paintball field include wooden structures with netting, plastic barrels, temporary paintball inflatable barriers, and storage buildings. These structures could be removed at any time, are subordinate to the scenic character of the area, and do not require a permit. As a condition of approval the owner will install landscape screening of the property to ensure compliance with the rural area and public views from Hwy 246. Therefore, the project is consistent with this finding.

ATTACHMENT B: CONDITIONS OF APPROVAL

Mosby Sports and Outdoor Recreation Facility

Case No. 11CUP-00000-00032

Associated Case No. 12RZN-00000-00003

September 11, 2013

I. PROJECT DESCRIPTION

- 1. Proj Des-01 Project Description.** This Conditional Use Permit is based upon and limited to compliance with the project description, the hearing exhibits marked A-I, dated _____ (approval date by the Board of Supervisors), 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:

The proposed project is a request of Jim Mosby, owner, to consider Case Nos. 12RZN-00000-00003, and 11CUP-00000-00032 for the approval of: 1) a Consistency Rezone to rezone the property from its current zoning of General Agriculture, 40-acre minimum lot area (40-AG) under Zoning Ordinance No. 661 to Agriculture II, 40-acre minimum lot area (AG-II-40) under the Santa Barbara County Land Use & Development Code (LUDC); and 2) a Conditional Use Permit to allow for existing outdoor recreational development and activities consisting of a paintball field, athletic (soccer) fields, and a remote controlled car track consistent with the Comprehensive Plan and the Santa Barbara County Land Use and Development Code (LUDC).

Consistency Rezone (12RZN-00000-00003): The subject 9.99 and 9.50 gross/acre parcels are legal non-conforming as to size and are currently zoned General Agriculture, 40-acres minimum lot area (40-AG), pursuant to Ordinance 661. Ordinance 661 does not provide for outdoor recreational activities to be permitted on parcels with a 40-AG zone designation. In order to permit the subject recreational development and activities, the zoning map is proposed to be amended to Agriculture II, 40-acres minimum gross lot area (AG-II-40), consistent with the current Land Use and Development Code. The subject parcels would remain legal non-conforming as to size.

Conditional Use Permit (11CUP-00000-00032): Applicant requests approval of a Conditional Use Permit to permit existing outdoor development and recreational activities consisting of a paintball field, athletic (soccer) fields, and a remote controlled car track to be conducted on the subject parcels (APN(s) 099-141-016, -017). The application arises from the need to abate an existing zoning violation for the above mentioned uses on the property. Existing development consists of a paintball field of approximately 0.40-acres, two (2) athletic (soccer) fields totaling approximately 5.2-acres, and remote control car track of approximately 2-acres.

The remote control car track would be open between the hours of 10:00 a.m. and 4:00 p.m., with attendance ranging between 10-30 people. The paintball field would be open between the hours of 10:00 a.m. and 4:00 pm. with attendance ranging from 2-50 people. The athletic fields would be open from 7:00 a.m. to dusk daily. During a weekday, a maximum of 30 people would utilize the athletic fields. During a weekend day, athletic field attendance would range from 65-700 attendees depending on the type of event and number of games occurring on that day (ex. club soccer games, or end of season tournaments). At no time would 700 participants be on the project site at the same time. The 700 participant maximum would occur over the entire weekend day during a tournament where multiple games are played on the same day.

No outdoor lighting, amplified sound, or signage is proposed. 150 parking spaces composed of compacted base and screened with a landscaped berm planted with pine trees would be provided on the southern property line of APN 099-141-017, and adjacent to the parking areas. Accessible public restrooms and drinking water facilities owned by the City of Lompoc would be provided on the adjacent River Park property. The applicant proposes to sell food on site through legally licensed vendors. According to the application no full or part time employees would be employed on the site; however, monitors would be present during recreational activities to ensure compliance with onsite rules and regulations. On occasion maintenance of the Remote Control Car Track would include earthwork of less than 50 cubic yards, no permit would be required. No vegetation or tree removal is proposed.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

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 NEGATIVE DECLARATION 12NGD-00000-00024**

3. **Special Condition-Landscaping Screening.** In order to screen the effects of the proposed use, the project's landscaping shall consist of drought-tolerant species which will screen the site from Hwy 246. It shall be in the form of dense green shrubbery that at maturity screens from the ground to at least 15 feet in height. The landscape plan must be approved by P&D. The landscaping shall be compatible with the character of the surroundings. Screening shall be planted along the entire southeast border of APN: 099-

141-017. The vegetation shall be closely staggered together and run adjacent to Highway 246. Screening shall adhere to the following minimum specifications:

- a. The screening shall be located out of the Caltrans Right-of-Way at a distance no greater than 30 feet away from the southeast border of the Right-of-Way. It shall run adjacent to the entire southeast border of APN 099-141-017 (exceptions allowed for sight-distance requirements).
- b. At a minimum there should be 3 varieties of trees planted with a minimum gallon size of 5 gallons at the time of installation.
- c. At minimum there should be 5 varieties of shrubs with a minimum gallon size of 5 gallons at the time of installation.

PLAN REQUIREMENTS/TIMING: Prior to Zoning Clearance Issuance, the applicant/owner shall enter into an agreement with the County to install the required landscaping, and water-conserving irrigation systems and maintain required landscaping for the life of the project. The applicant shall also submit four copies of a final landscape and water-conserving irrigation plan to P&D for review and approval. Prior to zoning clearance, landscape and irrigation shall be installed.

MONITORING: Prior to occupancy clearance, Permit Compliance staff shall photo document installation. Permit Compliance staff shall check maintenance as needed. With the incorporation of this measure, residual impacts would be less than significant.

4. **Special Condition – River Park Road Parking Restriction:** In order to prevent potential safety impacts from parked vehicles, no project related parking shall be allowed along River Park Road except in designated parking stalls. During games/tournaments/practices the owner/applicant shall ensure that if the parking demand exceeds the supply provided by the designated spaces, vehicles may be parked in other available areas onsite (e.g. along interior agricultural roads, etc.) so long as they are outside of the emergency access corridors.

PLAN REQUIREMENTS: The applicant shall provide P&D with a Parking Management Plan that includes this parking restriction and indicates on a site plan where additional parking would be located. This plan shall include the required emergency access ways where no parking is to be allowed. This Plan shall indicate the name and telephone number of the onsite contact person responsible for parking management. **TIMING:** This Parking Management Plan shall be submitted to P&D and the Fire Department for review and approval prior to issuance of a zoning clearance permit.

MONITORING: P&D shall ensure that all elements of the Parking Management Plan are installed prior to zoning clearance permit issuance. Permit Compliance shall respond to complaints.

III. PROJECT SPECIFIC CONDITIONS

5. **Special Condition – River Park Restroom Facilities & Access.** In order to ensure that adequate restroom facilities and access are available to serve the users of the recreational facility for the life of the project, the applicant shall maintain an Agreement with the City of Lompoc for use of the existing restroom facilities at River Park, and the use of River Park Road for project access. In the event of revocation of the agreement by either party, the applicant shall notify P&D within 30 days, and identify an alternative provision for restrooms and access in a manner acceptable to Environmental Health Services, and Planning and Development. If no alternative is available, any use authorized by the Conditional Use Permit shall immediately cease.

PLAN REQUIREMENTS/TIMING: The applicant shall provide Planning and Development and Environmental Health Services with the subject Agreement between the City of Lompoc and the Property Owner prior to Zoning Clearance permit issuance.

6. **Rules-28 NTPO Condition.** A recorded Notice to Property Owner document is necessary to ensure that adequate restroom facilities located at River Park, and access to the project site from River Park Road continue to be provided for the subject recreational facility. The property owner shall sign and record the document prior to zoning clearance issuance. The Notice shall specify that in the event of revocation of the agreement by either party, the applicant shall notify P&D within 30 days, and identify an alternative provision for restrooms and access in a manner acceptable to Environmental Health Services, and Planning and Development. If no alternative is available, any use authorized by the Conditional Use Permit shall immediately cease.

IV. COUNTY RULES AND REGULATIONS

7. **Rules-03 Additional Permits Required.** The use and/or construction of any structures or improvements authorized by this approval shall not commence until the 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; 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.
8. **Rules-04 Additional Approvals Required.** Approval of this Conditional Use Permit is subject to the Board of Supervisors approving the required rezone.
9. **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.
10. **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.

11. **Rules-09 Signs.** No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with the LUDC.
12. **Rules-12 CUP Expiration.** The Owner/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 35.82.060 of the County Land Use and Development Code and an application for an extension has not been submitted to the Planning and Development Department, the Conditional Use Permit shall be considered void and of no further effect.
13. **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 35.82.060 of the Santa Barbara County Land Use and 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.
14. **Rules-18 CUP and DVP Revisions.** The approval by the Board of Supervisors of a revised Conditional Use Permit shall automatically supersede any previously approved Conditional Use Permit upon the effective date of the revised permit.
15. **Rules-23 Processing Fees Required.** Prior to issuance of zoning clearance, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
16. **DIMF-24g DIMF Fees-Transportation.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for transportation. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law. The total DIMF amount for Transportation is currently estimated to be at \$8,800. **TIMING:** Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division prior to zoning clearance permit issuance.
17. **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.

- 18. Rules-26 Performance Security Required.** The Owner/Applicant shall post separate performance securities, the amounts and form of which shall be approved by P&D, to cover the full cost of installation and maintenance of landscape and irrigation. Installation securities shall be equal to the value of a) all materials listed or noted on the approved referenced plan, and b) labor to successfully install the materials. Maintenance securities shall be equal to the value of maintenance and/or replacement of the items listed or noted on the approved referenced plan(s) for two years of maintenance of the items. Securities shall be posted Prior to Land Use Clearance. The installation security shall be released when P&D determines that the Owner/Applicant has satisfactorily installed all approved landscape & irrigation plans per those condition requirements. Maintenance securities shall be released after the specified maintenance time period and when all approved landscaping & irrigation have been satisfactorily maintained. If they have not been maintained, P&D may retain the maintenance security until satisfied. If at any time the Owner fails to install or maintain the approved landscaping and irrigation P&D may use the security to complete the work.
- 19. Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters required as follows:
1. Fire Department dated June 4, 2012;
 2. Transportation Division dated August 22, 2013.
- 20. 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.
- 21. 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 occupied. To accomplish this, the Owner/Applicant shall:
1. 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;
 2. Pay fees prior to approval of zoning clearance as authorized by ordinance and fee schedules to cover full costs of monitoring as described above, including 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;

3. Note the following on each page of grading and building plans “This project is subject to Mitigation Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval, and mitigation measures from negative declaration no. 12NGD-00000-00024.
 4. 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.
22. **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 Owner / 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.
23. **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.

Memorandum

DATE: June 4, 2012

TO: John Zorovich
Planning and Development
Santa Maria

FROM: Dwight Pepin, Captain
Fire Department

SUBJECT: APN: 099-141-016, -017; Permit 11CUP-00032
Site: 625 East HWY 246 and Riverpark Road, Lompoc
Project: Conditional Use Permit for Athletic Fields



This Condition Letter Supersedes the Previous Condition Letter Dated December 22, 2011

All Other Conditions Remain the Same

The above project is located within the jurisdiction of the Santa Barbara County Fire Department. To comply with the established standards, we submit the following with the understanding that the Fire Protection Certificate application may involve modifications, which may determine additional conditions.

**PRIOR TO ISSUANCE OF CONDITIONAL USE PERMIT
THE FOLLOWING CONDITIONS MUST BE MET**

1. Create a defensible space of 100 feet (or to the property line, whichever is nearer) around the proposed structures and any existing structures on this property.
2. All access ways (public and private, road and driveways) shall be installed and made serviceable and maintained for the life of the project.
 - A minimum of 13 feet, 6 inches of vertical clearance shall be provided and maintained for the life of the project for emergency apparatus access.
3. A recorded address is required. The fire department shall determine and assign all address numbers and shall issue such numbers to property owners and occupants.
4. Address numbers shall be posted as required by fire department.

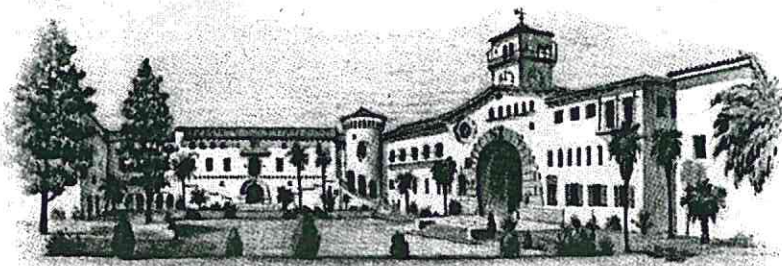
These conditions apply to the project as currently described. Future changes, including but not limited to further division, change of occupancy, intensification of use, or increase in hazard classification, may require additional mitigation to comply with applicable development standards in effect at the time of change.

As always, if you have any questions or require further information, please call 805-681-5523 or 805-681-5500.

DP:mkb

c James Mosby, PO Box 1227, Lompoc 93438

COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT
123 East Anapamu Street
Santa Barbara, California 93101
805/568-3232 FAX 805/568-3222



August 22, 2013

TO: Dana Eady, Planner
Development Review

FROM: William Robertson, Transportation Planner
Public Works, Transportation Division

SUBJECT: **Conditions of Approval , Rev. 2(1 page)**
Mosby Recreational Fields CUP
12RZN-00000-00003; 11CUP-00000-00032
APN: 099-141-016, -017/ Lompoc

Traffic Mitigation Fees

1. Pursuant to Ordinance No. 4270 regarding Transportation Impact Fees, the applicant will be required to pay a fee for each new peak hour trip (PHT), for the purpose of funding transportation facilities within the Unincorporated Lompoc Planning Area of the County.

Based on the current fee schedule, the total estimated fee for the proposed project is **\$8,800 (16 new PHT's x \$550/PHT)**. The Transportation Impact Mitigation Fee Program is designed to collect fees from any project that generates more than one additional peak hour trip. **Fees are due prior to zoning clearance and shall be based on the fee schedule in effect when paid.** This office will not accept payment or process a check received prior to project approval.

Fees are payable to the County of Santa Barbara, and may be paid in person or mailed to: Santa Barbara County Transportation Division, 123 E. Anapamu St., 2nd Floor, Santa Barbara, CA 93101 or Santa Barbara County Transportation Division North, 620 West Foster Road, Santa Maria, CA 93455. Please phone this office prior to payment if unsure as to the final fee required.

If you have any questions, please contact me at 739-8785.

Sincerely,

 08/22/2013

William T. Robertson

Date

cc: 12RZN-00000-00003, 11CUP-00000-00032
Chris Sneddon, Transportation Manager, County of Santa Barbara, Public Works Department
G:\Transportation\Traffic\Transportation Planning\Development Review\Lompoc\Mosby Recreational Fields-Rev2 12RZN-Cond.doc

PUBLIC REVIEW

A Draft Mitigated Negative Declaration (12NGD-00000-00024) was prepared to analyze environmental impacts of the proposed Mosby Recreational Fields and Rezone project (Case Nos. 11CUP-00000-00032, and 12RZN-00000-00003) under requirements of the California Environmental Quality Act (CEQA). The Draft Mitigated Negative Declaration (MND) was circulated for public comment and review for an initial 30 days (December 21, 2012 through January 21, 2013). The review period was extended for an additional three weeks to February 11, 2013 to allow for additional time for interested third parties to comment on the MND, and to attend the environmental hearing which was held on January 29, 2013 at 6:00 p.m. at the Solvang Veteran's Hall located at 1745 Mission Drive, Solvang, CA 93463.

During the public review period, the following comment letters were received: 1) Ms. Sharyne Merritt, dated February 7, 2013; 2) Citizens Planning Association, dated February 8, 2013; 3) Grower Shipper Association, dated February 8, 2013; 4) Mr. Art Hibbits, dated February 9, 2013; 5) Ms. Kari Campbell-Bohard, dated February 11, 2013; 6) SBCAN, dated February 11, 2013; 7) Mosby Enterprises, dated February 11, 2013; 8) Environmental Defense Center, dated February 11, 2013; 9) Santa Barbara County Air Pollution Control District, dated January 8, 2013; and 10) Native American Heritage Commission, dated December 26, 2012. These letters are included as Attachment 7 of the attached Final Mitigated Negative Declaration dated August 15, 2013.

The comments received have been considered and appropriate changes indicated by ~~strike-through~~ and underline have been incorporated into the attached Final Mitigated Negative Declaration dated June 19, 2013 in the following sections:

- 2.0 Project Location
- 3.0 Environmental Setting
- 4.1 Aesthetics/Visual Resources
- 4.2 Agricultural Resources
- 4.3 Air Quality
- 4.4 Biological Resources
- 4.5 Cultural Resources
- 4.6 Energy
- 4.7 Fire Protection
- 4.8 Geological Processes
- 4.9 Hazardous Materials/Risk of Upset
- 4.10 Historic Resources
- 4.11 Land Use
- 4.12 Noise
- 4.13 Public Facilities
- 4.14 Recreation
- 4.15 Transportation/Circulation
- 4.16 Water Resources/Flooding

The Proposed Final Mitigated Negative Declaration concludes that with identified mitigation measures and implementation of the required monitoring program, project impacts on the environment would be less than significant.



COUNTY OF SANTA BARBARA

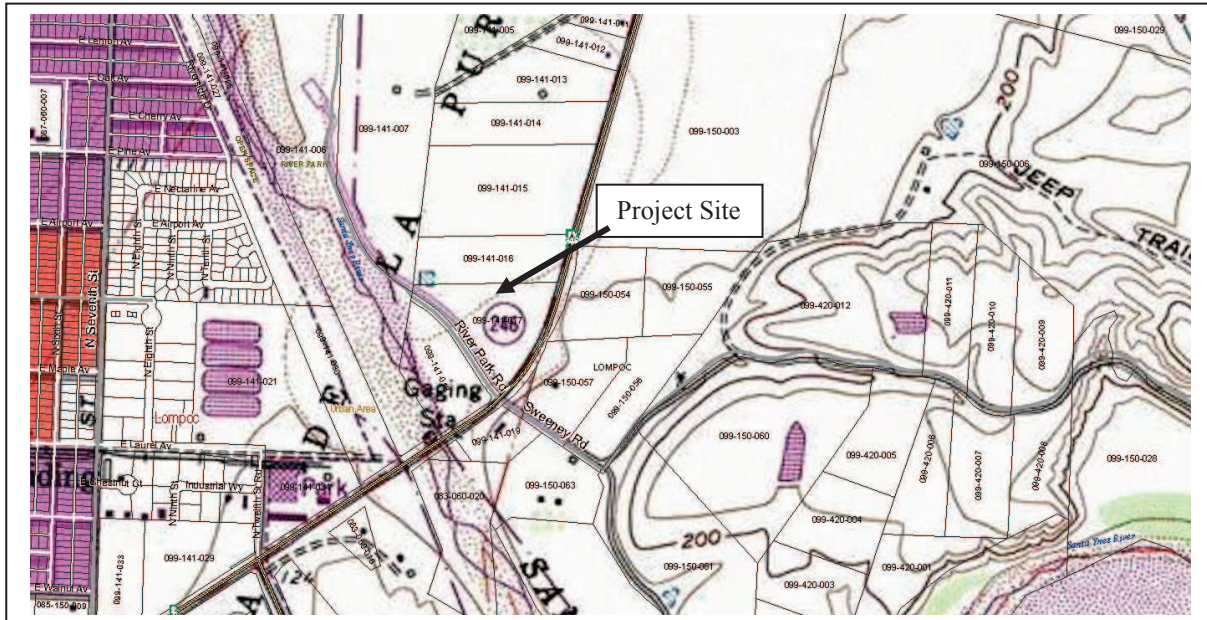
Planning and Development

www.sbcountyplanning.org

Final Mitigated Negative Declaration 12NGD-00000-00024

Mosby Recreational Fields & Consistency Rezone Case Nos.12RZN-00000-00003/11CUP-00000-00032

August 15, 2013



Owner/Applicant

Mr. James Mosby
P.O. Box 1227
Lompoc, CA 93438
(805) 801-2362

For More Information Contact Dana Eady, Planner, Development Review Division, (805) 934-6266

1.0 REQUEST/PROJECT DESCRIPTION

The proposed project is a request of Jim Mosby, owner, to consider Case Nos. 12RZN-00000-00003, and 11CUP-00000-00032 for the approval of: 1) a Consistency Rezone to rezone the property from its current zoning of General Agriculture, 40-acre minimum lot area (40-AG) under Zoning Ordinance No. 661 to Agriculture II, 40-acre minimum lot area (AG-II-40) under the Santa Barbara County Land Use & Development Code (LUDC); and 2) a Conditional Use Permit to allow for existing outdoor recreational development and activities consisting of a paintball field, athletic fields, and a remote controlled car track consistent with the Comprehensive Plan and the Santa Barbara County Land Use and Development Code (LUDC).

Consistency Rezone (12RZN-00000-00003): The subject 9.99 and 9.50 gross/acre parcels are legal non-conforming as to size and are currently zoned General Agriculture, 40-acres minimum lot area (40-AG), pursuant to Ordinance 661. Ordinance 661 does not allow outdoor recreational activities to be permitted on parcels with a 40-AG zone designation. In order to permit the subject recreational development and activities, the zoning map is proposed to be amended to Agriculture II, 40-acres minimum gross lot area (AG-II-40), consistent with the current Land Use and Development Code. The subject parcels would remain non-conforming as to size.

Conditional Use Permit (11CUP-00000-00032): Applicant requests approval of a Conditional Use Permit to permit existing outdoor development and recreational activities consisting of a paintball field, athletic fields, and a remote controlled car track to be conducted on the subject parcels (APN(s) 099-141-016, -017). The application arises from the need to abate an existing zoning violation for the above mentioned uses on the property. Existing development consists of a paintball field of approximately 0.40-acres, two (2) athletic fields of approximately 5.2-acres, and remote control car track of approximately 2-acres. ~~Hours of operation would be 7 a.m. to dusk daily.~~

The remote control car track would be open between the hours of 10:00 a.m. and 4:00 p.m., with attendance ranging between 10-30 people. The paintball field would be open between the hours of 10:00 a.m. and 4:00 pm. with attendance ranging from 2-50 people. The athletic fields would be open from 7:00 a.m. to dusk daily. During a weekday, a maximum of 30 people would utilize the athletic fields. During a weekend, athletic field attendance would range from 65-700 attendees depending on the type of event and number of games occurring on that day (ex. club soccer games, or end of season tournaments). At no time would 700 participants be on the project site at the same time. The 700 participant maximum would occur over the entire weekend day during a tournament where multiple games are played on the same day.

~~An estimated maximum of approximately 700 participants would be expected daily.~~ No outdoor lighting, amplified sound, or signage is proposed. 150 parking spaces composed of compacted base and screened with a landscaped berm planted with pine trees would be provided on the southern property line of APN 099-141-017, and adjacent to parking areas. Accessible public restrooms and drinking water facilities owned by the City of Lompoc would be provided on the adjacent River Park property. The applicant proposes to sell food on site through legally licensed vendors. According to the application no full or part time employees would be employed on the site; however, monitors would be present during recreational activities to ensure compliance with onsite rules and regulations. On occasion maintenance of the Remote Control Car Track would include earthwork of less than 50 cubic yards, no permit would be required. No vegetation or tree removal is proposed.

2.0 PROJECT LOCATION

The application involves Assessor Parcel No. 099-141-016, -017 located approximately 0.5 miles northeast of the City of Lompoc, known as 625 East Highway 246, Fourth Supervisorial District. (See Attachment A for Vicinity Map)

2.1 Site Information	
Comprehensive Plan Designation	A-II-40, Commercial Agriculture, 40 acre minimum parcel size
Zoning District, Ordinance	40-AG, 40-acres minimum lot area, <u>Ordinance 661</u>
Site Size	Two parcels which are 9.99 (APN 099-141-016) and 9.50 (APN 099-141-017) gross acres in size
Present Use & Development	<p>Parcel APN: 099-141-016</p> <ol style="list-style-type: none"> Greenhouse: 48,960 sq. ft; height 12 feet; use, used for farming of agriculture crops (Land Use Rider 97498 and 77-DP-032) and <u>aquaculture operation.</u> Warehouse w/restrooms: 1782 sq. ft, 16 feet in height; (77-DP-032) Residence: 765 sq. ft., 11 feet in height (Land Use Rider 102272) Paintball field of approximately 0.40-acres, Athletic fields of approximately 5.2-acres, and remote control car track of approximately 2-acres <p>Parcel APN 099-141-017</p> <ol style="list-style-type: none"> Pump house, approximate square footage: 100; height: 12 feet Remote control car track of approximately 2-acres Permitted aquaculture pond of approx. 1-acre in size.
Surrounding Uses/Zoning	<p>North: <u>Agriculture (row crops, aquaculture);</u> 40-AG, Ord. 661, 40-acres-minimum lot area</p> <p>South: <u>County Road Yard,</u> 40-AG, Ord. 661, 40-acres minimum lot area</p> <p>East: <u>Agriculture (row crops), Bridgehouse Homeless Shelter, Equestrian Uses, Low Intensity Residential Uses,</u> 40-AG, Ord. 661, 40-acres minimum lot area</p> <p>West: <u>River Park Campground, Agriculture (row crops), Santa Ynez River,</u> 40-AG, Ord. 661, 40-acres minimum lot area</p>
Access	Existing <u>25 foot wide</u> River Park Driveway, approximately <u>1,000 feet in length</u> via Highway 246
Public Services	<p>Water Supply: <u>City of Lompoc Existing onsite private water wells</u></p> <p>Sewage: <u>City of Lompoc (River Park Campground Restrooms)</u></p> <p>Fire: Santa Barbara County Fire Station #51</p> <p>Schools: Lompoc Unified School District</p>

3.0 ENVIRONMENTAL SETTING

3.1 PHYSICAL SETTING

Slope/Topography: The subject parcels ~~are~~ is relatively flat; topography of the project site ranges from 0-2%. ~~The parcel,~~ At its closest point, APN 099-141-017 is located approximately 250 feet northeast of the Santa Ynez River.

Flora: The majority of the subject parcel has been cleared of native vegetation due to ongoing recreational and agricultural uses. The types of vegetation found on the site visit included non-native, weedy vegetation.

Fauna: Wildlife in the surrounding area is typical for the northern areas of Santa Barbara County, and would include birds (including raptors), Pacific tree frog, Western fence lizard, bullfrogs, mosquito fish, stickleback,

crayfish, black-tailed deer, striped skunk, raccoon, coyote, gray fox, California ground squirrels, Botta's pocket gophers, California meadow voles, and brush rabbits.

Archaeological Sites: Based on a review of a pedestrian phase 1 survey for APN 099-141-017 completed by archaeologist Joyce Gerber, M.A. RPA, and a completed pedestrian phase 1 survey for APN 099-141-016 done by Larry Spanne in 1993, no prehistoric or historic cultural resources are located on the subject parcels, ~~in the area proposed for development.~~

Soils: There are two soil types located on ~~that dissect~~ the subject parcels. Metz loamy sand (MnA), a Class III soil and Mocho fine sandy loam (Mu), a Class I/II soil.

Surface Water Bodies (including wetlands, riparian areas, ponds, springs, creeks, rivers, lakes, and estuaries): No surface water bodies or drainage courses are present on the subject parcel. The Santa Ynez River, at its closet point, runs approximately 250 feet southwest of the subject parcels. Current mapping indicates that the subject lots do not lie within the river's 100-year floodway. The subject parcels are entirely located within the designated 100-year floodplain of the Santa Ynez River.

Existing Structures: The parcels are currently developed with approximately 51,500 sq. ft. of structural development, a paintball field of approximately 0.40-acres, ~~a~~ athletic fields of approximately 5.2-acres, and a remote control car track of approximately 2-acres.

Project Site and Surrounding Land Uses: The proposed project site is located on the north side of Highway 246 approximately 0.5 miles northeast of the City of Lompoc. It is bordered on all sides by parcels zoned 40-AG. These ~~adjoining outlying~~ parcels are developed with agricultural uses (row crops, aquaculture, vineyards), ~~a~~ River Park (consisting of a park, campground, children's motofun park), Bridge House homeless shelter, Santa Barbara County's Road Yard, equestrian operations, and single family dwellings.

3.2 ENVIRONMENTAL BASELINE

The environmental baseline from which the project's impacts are measured consists of the on the ground conditions described above.

4.0 POTENTIALLY SIGNIFICANT EFFECTS CHECKLIST

The following checklist indicates the potential level of impact and is defined as follows:

Potentially Significant Impact: A fair argument can be made, based on the substantial evidence in the file, that an effect may be significant.

Less Than Significant Impact with Mitigation: Incorporation of mitigation measures has reduced an effect from a Potentially Significant Impact to a Less Than Significant Impact.

Less Than Significant Impact: An impact is considered adverse but does not trigger a significance threshold.

No Impact: There is adequate support that the referenced information sources show that the impact simply does not apply to the subject project.

Reviewed Under Previous Document: The analysis contained in a previously adopted/certified environmental document addresses this issue adequately for use in the current case and is summarized in the discussion below. The discussion should include reference to the previous documents, a citation of the page(s) where the information is found, and identification of mitigation measures incorporated from the previous documents.

4.1 AESTHETICS/VISUAL RESOURCES

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
a. The obstruction of any scenic vista or view open to the public or the creation of an aesthetically offensive site open to public view?		X			
b. Change to the visual character of an area?			X		
c. Glare or night lighting which may affect adjoining areas?			X		
d. Visually incompatible structures?			X		

Existing Setting: The project site is located on the north side Highway 246 approximately 0.5 miles northeast of the City of Lompoc and the intersection of Highway 1 and Highway 246. ~~in a designated rural area bounded by~~ It is bordered on all sides by parcels zoned 40-AG. These outlying parcels are developed with both agricultural and non-agricultural uses. Non-agricultural uses consist of a Park/campground, homeless shelter, Santa Barbara County's Road Yard, single family dwellings and equestrian operations. Agricultural uses predominate and include row crops, orchards, vineyards, and aquaculture. ~~a park and rural residential uses.~~ The subject parcels ~~are~~ is visible to travelers on Highway 246 heading in both the north and southbound directions. The overall visual characteristics of the neighborhood include scattered residential and agricultural buildings within an area that supports agriculture, a park/campground, ~~the a~~ County's road yard, vineyards, orchards, grazing land, equestrian uses, and residential ranchettes. Please refer to Exhibit 4.11-1 in the Land Use Section of this document for PhotoMapper exhibit depicting the project site and surrounding area.

County Environmental Thresholds. The County's Visual Aesthetics Impact Guidelines classify coastal and mountainous areas, the urban fringe, and travel corridors as "especially important" visual resources. A project may have the potential to create a significantly adverse aesthetic impact if (among other potential effects) it would impact important visual resources, obstruct public views, remove significant amounts of vegetation, substantially alter the natural character of the landscape, or involve extensive grading visible from public areas. The guidelines address public, not private views.

Impact Discussion:

The proposed ~~parcels~~ rezoning from 40-AG to AG-II-40 would not have an impact on aesthetics in the area; the rezone merely brings the parcel into today's current ordinance. Below is discussion on the proposed recreational uses' interaction with aesthetic resources.

(a) Less than significant impacts with mitigation. The project site is visible ~~to travelers on from~~ Highway 246 ~~in both directions.~~ Although no new structural development is proposed, the ~~additional~~ parked cars, and the current areas designated for equipment storage (which are necessary to serve the proposed use and existing agricultural uses), would be directly visible ~~to travelers~~ from Highway 246. Highway 246 is not considered a state scenic highway; however, it is one of the main entrance corridors coming into the City of Lompoc and is located on the urban fringe of the City. County Environmental Thresholds consider these "urban fringe" areas "especially important" visual resources. The applicant has proposed vegetational screening along the parking lot area by use of a landscape berm and pine trees. ~~but~~ Additional screening in the form of dense green shrubbery that screens from the ground to approximately 15 feet in height ~~that located~~ ~~ran~~ along the entire southeast border of APN: 099-141-017 would further reduce any potential impacts to "especially important" visual resources to a less than significant level impact. (MM #1).

(b,c,d) Less than significant impacts. No structural development or lighting is proposed with the use. As such, there would be no change in the visual character of the area from lights or structures, nor would there be a compatibility issue with the surrounding areas or structures. Taking into consideration the above mentioned items, as well as the rezone of the parcel, which would not have an effect on the aesthetic resources in the area, impacts would be **less than significant.**

Cumulative Impacts: The implementation of the project is not anticipated to result in any substantial change in the aesthetic character of the area since there is no structural development being proposed. Thus, the project would not cause a cumulatively considerable effect on aesthetics.

Mitigation and Residual Impact:

The following mitigation measures would reduce the project's aesthetic impacts to a **less than significant** level:

1. **Special Condition-Landscaping Screening.** In order to screen the effects of the proposed use, the project's landscaping shall consist of drought-tolerant species which will screen the site from Hwy 246. It shall be in the form of dense green shrubbery that at maturity screens from the ground to at least 15 feet in height. The landscape plan must be approved by P&D. The landscaping shall be compatible with the character of the surroundings. Screening shall be planted along the entire southeast border of APN: 099-141-017. The vegetation shall be closely staggered together and run adjacent to Highway 246. Screening shall adhere to the following minimum specifications:
 - a. The screening shall be located out of the Caltrans Right-of-Way at a distance no greater than 30 feet away from the southeast border of the Right-of-Way. It shall run adjacent to the entire southeast border of APN 099-141-017 (exceptions allowed for sight-distance requirements).
 - b. At minimum there should be 3 varieties of trees planted with a minimum gallon size of 5 gallons at the time of installation.
 - c. At minimum there should be 5 varieties of shrubs with a minimum gallon size of 5 gallons at the time of installation.

PLAN REQUIREMENTS/TIMING: Prior to Zoning Clearance Issuance the applicant/owner shall enter into an agreement with the County to install required landscaping and water-conserving irrigation systems and maintain required landscaping for the life of the project. The applicant shall also submit four copies of a final landscape and water-conserving irrigation plan to P&D for review and approval. Prior to zoning clearance, landscape and irrigation shall be installed.

MONITORING: Prior to occupancy clearance, Permit Compliance staff shall photo document installation. Permit Compliance staff shall check maintenance as needed. With the incorporation of this measure, residual impacts would be less than significant.

4.2 AGRICULTURAL RESOURCES

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
a. Convert prime agricultural land to non-agricultural use, impair agricultural land productivity (whether prime or non-prime) or conflict with agricultural preserve programs?			X		
b. An effect upon any unique or other farmland of State or Local Importance?			X		

Existing Setting:

Background:

Agricultural lands play a critical economic and environmental role in Santa Barbara County. Agriculture continues to be Santa Barbara County's major producing industry with a gross production value of over \$1 billion (Santa Barbara County 2010 Crop Production Report). In addition to the creation of food, jobs, and economic value, farmland provides valuable open space and maintains the County's rural character.

Physical:

The project site is comprised of two separate parcels (APN's 099-141-016, -017). The adjacent parcel to the north (APN 099-141-015) is also owned by the applicant and along with the two project parcels constitutes the owner's premises. The project parcels contain approximately 1,400 feet of frontage on the western side of SR 246, and approximately 1,000 feet along the eastern side of the access road to River Park. The shared property line with the adjacent parcel to the north is approximately 1,200 feet in length.

APN: 099-141-017 contains 9-acres (95%) of mostly Class III soils (Metz Loamy Sand, 0-2% slopes), and 0.5-acres (5%) of with some Class I soils (Mocho Fine Sandy Loam and Mocho Loam). Existing development on this parcel consists of the following : 1) 2.0-acre remote control car track located on areas of the parcel which are underlain by Class III soils; 2) 100 sq. ft. pump house, and 3) permitted aquaculture pond. Dry farming was part of this parcel's past farming practice (approximately 15-20 years ago). Currently and the subject parcel contains no agricultural production crop cultivation activities.

APN: 099-141-016 contains 6.4-acres (64%) of Class III soils (Metz Loamy Sand, 0-2% slopes), and 3.5-acres (46%) of Class I (prime) soils (Mocho Fine Sandy Loam and Mocho Loam). This parcel is developed with a total of approximately 51,500 sq. ft. of structural development including currently supports a permitted 48,960 sq. ft. greenhouse (used for Botany/aquaculture research), and other agricultural storage structures, as well as the existing unpermitted 5.2-acres of athletic fields, and existing unpermitted 0.40-acre paintball field. The greenhouse, and agricultural storage structures are located in the areas of the parcel which are underlain with Class I soils. The existing unpermitted athletic and paintball fields are located in areas of the parcel which are underlain with Class III soils. include is used for non-agricultural purposes.

Both Neither of the subject parcels, nor along with the property owner's adjacent parcel APN: 099-141-015 (which is located directly to the North of the subject parcels), have been used for agricultural crop cultivation for at least the past 15-20 years. at some point in time, According to the applicant, the lack of agricultural crop cultivation on the subject parcels is due to the type of soils (95% Class III non-prime) onsite, poor water quality, and small parcel size.

Parcels located to the north, east, and west sides of the subject site parcels are adjoined by parcels zoned agricultural, and ranging in size from approximately 10 to 100 acres. Though all of these adjacent parcels are zoned agriculturally, not all of them are used for agricultural purposes. The parcel to the south is developed with the River Park Campground; the parcel to the east contains is the a County's Road yard; the parcel to the

north is owned by the applicant and is used for aquaculture. Parcels to the west are utilized for agricultural purposes (row crops). The subject parcels are not under a Williamson Act contract, however a portion of APN: 099-141-016 is designated by the Department of Conservation as Prime Farmland. Please refer to Exhibit 4.11-1, PhotoMapper exhibit depicting the project site and surrounding area.

County Environmental Thresholds: Agricultural lands play a critical economic and environmental role in Santa Barbara County. Agriculture continues to be Santa Barbara County's major producing industry with a gross production value of over \$1 billion. In addition to the creation of food, jobs, and economic value, farmland provides valuable open space and maintains the County's rural character.

The County's Agricultural Resources Guidelines (approved by the Board of Supervisors, August 1993) provide a methodology for evaluating agricultural resources. According to the Environmental Thresholds and Guidelines Manual an agricultural viability assessment shall be conducted for a Development Plan, Conditional Use Permit, or other discretionary act which would result in the conversion of farmland. These guidelines utilize a weighted point system to serve as a preliminary screening tool for determining significance. The tool assists in identifying whether a proposed project could potentially result in the loss or impairment of agricultural resources and would create a potentially significant impact.

Where the points from the weighted point system total 60 points or more, the following types of projects would be considered to have a potentially significant impact: 1) A division of land (including parcel and tract maps, etc.) which is currently considered viable but would result in parcels which would not be considered viable using the weighted point system; 2) A Development Plan, Conditional Use Permit, or other discretionary act which would result in the conversion from agricultural use of a parcel qualifying as viable using the weighted point system; and 3) Discretionary projects which may result in substantial disruption of surrounding agricultural operations.

The weighted point system assigns values to nine particular characteristics of agricultural productivity of a site. These factors include parcel size, soil classification, water availability, agricultural suitability, existing and historic land use, comprehensive plan designation, adjacent land uses, agricultural preserve potential, and combined farming operations. If the tabulated points total 60 or more, the parcel is considered viable for the purposes of analysis. The project would be considered to have a potentially significant impact if a discretionary act resulted in a tabulated point devaluation of an agricultural use of a parcel that once qualified as viable to become non-viable. Any loss or impairment of agricultural resources identified using the weighted point system could constitute a potentially significant impact and warrants additional site specific analysis. Initial Studies are to use the weighted point system in conjunction with any additional information regarding agricultural resources.

The current proposal ~~does not involve~~ ~~is not requesting~~ a subdivision of land, nor would the project permanently convert the agricultural potential of these parcels since ~~because~~, the requested use is not proposing any structural development. With no structural development, the subject lots would remain open space and have the potential to be easily converted back into cultivation by the current or any future owner. None the less, an agricultural viability ~~analysis study~~ was completed for the parcels and the following conclusions have been made below. The weighted point system analysis completed for the existing parcels with their current and proposed use is shown below in Table 4.2-1- Agricultural Suitability and Productivity Analysis.

Table 4.2-1 – Agricultural Suitability and Productivity Analysis

Category	APN 099-141-017	APN 099-141-016																						
Parcel size <table><tr><td>Less than 5</td><td>0-3</td></tr><tr><td>5 less than 10</td><td>4-6</td></tr><tr><td>10 less than 40</td><td>7-8</td></tr><tr><td>40 less than 100</td><td>9-10</td></tr><tr><td>100 less than 500</td><td>11-12</td></tr><tr><td>500 less than 1000</td><td>13-14</td></tr><tr><td>1000 or more</td><td>15</td></tr></table>	Less than 5	0-3	5 less than 10	4-6	10 less than 40	7-8	40 less than 100	9-10	100 less than 500	11-12	500 less than 1000	13-14	1000 or more	15	6 points	6 points								
Less than 5	0-3																							
5 less than 10	4-6																							
10 less than 40	7-8																							
40 less than 100	9-10																							
100 less than 500	11-12																							
500 less than 1000	13-14																							
1000 or more	15																							
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Crops																								
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Comprehensive Plan Designation		5 points	5 points
A-II	5		
A-I	4		
MA; Open space; Recreation; Open land; Rural Residential 40-100 acres	3-4		
Residential Ranchette 5-20 acres	2		
Residential 5 acres or less; Commercial; Industrial; Community Facility	0		
Adjacent Land Uses		8 points	8 points
Surrounded by ag /open space in a region with adequate support uses	9-10		
Surrounded by ag operations or open spaces in a region without adequate agricultural support uses; Partially surrounded by ag or open space with some urban uses adjacent, in a region with adequate ag support uses	7-8		
Partially surrounded by ag or open space with some urban uses adjacent in a region without adequate agricultural support uses.	3-6		
Immediately surrounded by urban uses with no buffers	0-2		
Agricultural Preserve Potential		0 points	0 points
Can qualify for prime ag preserve by itself or is in a preserve	5-7		
Can qualify for non-prime ag preserve by itself	2-4		
Can qualify for prime ag preserve with adjacent parcels	3-4		
Can qualify for non-prime ag preserve with adjacent parcels	1-3		
Cannot qualify	0		
Combined Farming Operations		0 pt.	0 pt.
Provide a significant component of a combined farming operation	5		
Provide a important component of a combined farming operation	3		
Provide a small component of a combined farming operation	1		
No combined farming operation	0		
Total		47 points	59 points

Parcel Size

APN 099-141-017 is 9.5-acres and APN 099-141-016 is 9.9-acres. Each parcel received 6 points, which is the high end of the range for a 5 to 10 acre parcel.

Soil Classification

The Natural Resource Conservation Service's (NRCS) Soil Survey Geographic Database (SSURGO) was used to determine irrigated land capability classes, the broadest category in the classification system. Land capability classification is a system of grouping soils primarily on the basis of their capability to produce common cultivated crops and pasture plants without deteriorating over a long period of time. APN 099-141-017 contains approximately 95% Class III non-prime soils and approximately 5% Class I, prime soils. The parcel was therefore assigned points within the Class III range. The low end of the range, 8 points, was assigned to reflect the lack of agriculture on the parcel.

A portion of APN 099-141-016 is developed with a permitted 48,960 sq. ft. greenhouse. The greenhouse is underlain with Class I (prime soils) and the remaining portion of the parcel (approximately 60%) is used as the

~~soccer~~ athletic fields and contains Class III soils. Points for APN 099-141-016 were assigned within the Class III range, the dominant soil class type. The high end of the range, 10 points, was assigned to reflect the presence of Class I soils.

Water availability

Water for APN 099-141-017 is provided via an existing onsite water well. Water for APN 099-141-016 is provided by two existing water wells; one on the subject parcel, and a second well located on the property owner's adjacent parcel to the north (099-141-015). ~~Both parcels have one well(s) on site. According to the applicant, the well on APN 099-141-017 does not provide enough adequate water quality to support irrigated crops. As a result, hence past dry farming practices were utilized in the past on this parcel, and a thus a score of 8 points was given for this parcel. The well located on APN 099-141-016(s) and on the property owner's adjacent parcel located to the north (APN 099-141-015) would continue to provides adequate water for the greenhouses and the athletic soccer fields. thus~~ As a result, the highest score of 15 points was given to this parcel.

Agricultural Suitability

The 2010 Important Farmland map designates ~~the subject parcels land is~~ as "Other Land", "Urban and Built-Up Land", and "Prime Farmland" ~~in the and the area with the greenhouse as "Urban and Built up Lands". This is consistent with the current use of the parcel being non-agricultural.~~

The National Resource Conservation Service (NRCS) soils data indicate the majority of soils (95%) on APN 099-141-017 are considered Class III, non-prime soils. ~~and the 2010 Important Farmland Maps indicate designate the parcel as "Other". Neither This parcel has not been used for agricultural production for at least the past 15-20 years some time. However,~~ historically, this parcel was utilized for dry farming. Therefore, the parcel is considered highly suitable for dry farm crops, and the high end of the range, 8 points, was assigned to APN 099-141-017.

APN 099-141-016 contains Class III (64.0%) and Class I/II (46%) soils. ~~An existing permitted greenhouse of approximately 48,960 sq. ft. utilized for aquaculture research is located on the eastern portion of the subject parcel, and is underlain by of the Class I, prime soils are developed. The 2010 Important Farmland Map designates the area currently developed with athletic fields and a paintball field used for recreation, and underlain with Class III soils, as "Prime Farmland". According to the 2010 Important Farmland Map, "Prime Farmland has the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date." Although the subject parcel contains areas designated as "Prime Farmland", it has not supported irrigated agricultural production for at least 15 years. However, the parcel contains a permitted greenhouse which would continue operating for aquaculture research, thus it was considered highly suitable for agriculture and received the maximum 10 point score.~~

Existing and Historic Land Use

Both of the subject parcels, along with the property owner's adjacent parcel APN: 099-141-015 (which is located directly to the north of the subject parcels) have ~~at some point in time,~~ been historically used for cultivation. ~~However,~~ The most recent uses ~~are unpermitted,~~ and include the paintball field (use has been conducted for approximately 7 years); the Remote Control Car Track (use has been conducted for approximately 3 years); and the ~~soccer~~ athletic fields (soccer use has been conducted for approximately 2 years).

Taking into consideration that APN 099-141-017 has not been utilized for any type of farming in the past 15 years, a 4 point score was given. APN 099-141-016 has adequate irrigation (currently maintains the ~~athletic soccer~~ fields) and a greenhouse currently used for aquaculture research (~~not being used for an agricultural commodity~~); therefore, the maximum score of 5 points was assigned.

Comprehensive Plan Designation

The project site has an A-II comprehensive plan designation with no proposed change in land use designation. The parcels were assigned 5 points each.

Adjacent Existing Land Use

The ~~subject existing~~ parcels lie within a designated rural area, approximately 0.30 miles east of the Lompoc City Limits. River Park Campground is located adjacent and ~~to the~~ southwest of the proposed recreational fields. ~~and~~ The County's road yard, and Bridgehouse Homeless Shelter ~~is are~~ located to the east. The remaining neighboring parcels to the north, and west are zoned Agriculture. These parcels are in active in agricultural cultivation. With this in mind, each parcel was assigned points in the range for "Partially surrounded by agricultural or open space with some urban uses adjacent, in a region with adequate agricultural support use," and both were assigned 8 points each. ~~This is because the park would be considered a land use that is more compatible for urban uses.~~

Agricultural Preserve

The existing parcels are less than 10 acres in size. Based on the small parcel size, neither would qualify for a Williamson Act contract and each were assigned 0 points.

Combined Farming

The project site is comprised of two separate parcels (APN's 099-141-016, -017). The adjacent parcel to the north (APN 099-141-015) is also owned by the applicant and along with the two project parcels constitutes the owner's premises. The agricultural uses occurring on the adjacent parcel to the north are not directly related to the recreational or agricultural activities occurring on the project site. As a result, the project site is not part of a combined farming operation, and 0 points were assigned for each parcel.

Impacts:

(a,b) Less than significant. The property is not under a Williamson Act contract and it would not conflict with the Agricultural Preserve program. The property is currently used for the following unpermitted non-agricultural activities: paintball field, ~~soocer~~ athletic fields, and remote control car track, ~~and greenhouse~~. ~~This includes parking for 150 vehicles and 700 participants per day.~~

The subject parcels are developed with the following: 1) 48,960 sq. ft. greenhouse used for aquaculture research; 2) 1,782 sq. ft. warehouse; 3) 765 sq. ft. residence; 4) Paintball field of approximately 0.40-acres; 5) Athletic fields of approximately 5.2-acres; 6) 100 sq. ft. pump house; and 7) 2-acre remote control car track. Temporary structures associated with the paintball field include wooden structures with netting, inflatable paint ball barriers, and storage buildings. These temporary structures could be removed at any time, and do not require a permit.

According to the Environmental Thresholds Analysis Point system, where the points from the weighted point system total 60 points or more, the following types of projects would be considered to have a potentially significant impact: 1) A division of land (including parcel and tract maps, etc.) which is currently considered viable but would result in parcels which would not be considered viable using the weighted point system; 2) A Development Plan, Conditional Use Permit, or other discretionary act which would result in the conversion from agricultural use of a parcel qualifying as viable using the weighted point system; and 3) Discretionary projects which may result in substantial disruption of surrounding agricultural operations. parcels with a designated point value of 60 and above are considered agriculturally viable parcels. Parcels below 60 points are considered not agriculturally viable. APN 099-141-017 received a score of 47 points; which indicates the parcel is not viable for agriculture. APN 099-141-016 received a score of 59 points which indicates the parcel is not viable for agriculture. If either parcel had scored 60 points or higher, the impacts to agriculture from the proposed project would remain less than significant since the project is not proposing a division of land, it would not

disrupt surrounding agricultural operations, and the type of development (athletic fields, paintball field, and remote control car track) are not permanent in nature, and could easily be removed to allow the land to be used for agricultural uses. ~~The presence of an existing 50,000 square foot greenhouse and adequate water supply on APN 099-141-016 contributed to the parcel receiving a higher score than that of APN 099-141-017. Both parcels received low scores because the lots are small and there is little to no agriculture on them.~~

Therefore, according to the analysis completed in the weighted point system, the subject parcels are not considered to be agriculturally viable and therefore, the proposed project ~~will~~ would not impair the agricultural productivity of the land. ~~However,~~ If the current property owner wanted to use the lots for agriculture in the future, the proposed non-agricultural use for the land is not permanent, and with amendments to the soils the subject lots could be converted ~~back~~ to a cultivational use.

The continued use of the property for non-agricultural uses will not affect adjacent agriculture. In addition to surrounding agricultural activities, ~~the~~ the subject lots are surrounded by a River Park/campground, the County's road yard, agricultural cultivation, and the applicant's other property. ~~The applicant's proposed recreational use, in comparison to River Park, is a similar type use; the current River Park use has not affected surrounding agricultural uses, therefore it is foreseeable that the proposed additional recreational use would also not affect the surrounding agricultural uses.~~ The recreational components of the project are located on areas of the subject parcels that would not introduce substantial land use conflicts with the surrounding development and agricultural uses. There are existing agricultural operations occurring on the adjacent parcel to the west. River Park is located adjacent to this parcel and is also exposed to agricultural activities in this area. While the subject recreational uses introduce land use incompatibilities with certain agricultural activities, primarily during times of chemical application (insecticide & fertilizer application) to the west, the uses are of a similar type and intensity as the recreational activities occurring at River Park. Historically, there have not been known instances of conflicts between River Park or the existing recreational facility from the adjacent agricultural activities. Therefore, the project would not substantially impede existing agricultural activities in the surrounding area.

~~Furthermore, no structural development is proposed.~~ Each parcel would be able to maintain the current/proposed use without affecting the lands potential use for agricultural in the future. Furthermore, there will be no change in the County's agricultural gross production or agricultural capabilities because the subject lots have not been utilized to support an agricultural commodity in some time. Thus impacts to agricultural industry would be **less than significant**.

Cumulative Impacts: The County's Environmental Thresholds were developed, in part, to define the point at which a project's contribution to a regionally significant issue constitutes a significant effect at the project level. In this instance, the project has been found not to exceed the threshold of significance for agricultural resources. Therefore, the project's contribution to the regionally significant loss of agricultural resources is not considerable, and its cumulative effect on regional agriculture is less than significant.

4.3 AIR QUALITY

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
a. The violation of any ambient air quality standard, a substantial contribution to an existing or projected air quality violation, or exposure of sensitive receptors to substantial pollutant concentrations (emissions from direct, indirect, mobile and stationary sources)?			X		
b. The creation of objectionable smoke, ash or odors?			X		
c. Extensive dust generation?			X		
Greenhouse Gas Emissions	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
d. Emissions equivalent to or greater than 10,000 metric tons (MT) of CO ₂ per year from stationary sources during long-term operations?			X		
e. Emissions equivalent to or greater than 1,100 MT of CO ₂ e (carbon dioxide equivalent) per year or 4.6 MT CO ₂ e/Service Population (residents + employees) per year from other than stationary sources during long-term operations?			X		
f. Emissions equivalent to or greater than 6.6 MT CO ₂ e/Service Population (residents + employees) per year for plans (General Plan Elements, Community Plans, etc.)?				X	

Existing Setting: Santa Barbara County is part of the Central South Coast Air Basin, which also includes Ventura and San Luis Obispo Counties. Ambient air quality within the basin is generally good. However, the area periodically experiences atmospheric temperature inversion layers (generally between May and October) which tend to prevent the rapid dispersion of pollutants. Presently, Santa Barbara County is in attainment of the California Ambient Air Quality Standards (CAAQS) for NO₂, SO₂, CO, sulphates (SO₄²⁻), hydrogen sulfide (H₂S), and lead (Pb) and in nonattainment of the CAAQS for O₃ (8-hour) and PM₁₀. The major sources of ozone precursor emissions in the County are motor vehicles and marine vessels, the petroleum industry, and solvent use. Sources of PM₁₀ include grading, road dust, dust resulting from agricultural activities, and vehicle and vessel exhaust.

County Environmental Thresholds:

Chapter 5 of the Santa Barbara County Environmental Thresholds and Guidelines Manual (as amended in 2006) addresses the subject of air quality. The thresholds provide that a proposed project will not have a significant impact on air quality if operation of the project will:

- emit (from all project sources, mobile and stationary), less than the daily trigger for offsets of 55 pounds per day for NO_x and ROC, and 80 pounds per day for PM₁₀;
- emit less than 25 pounds per day of oxides of nitrogen (NO_x) or reactive organic compounds (ROC) from motor vehicle trips only;
- not cause or contribute to a violation of any California or National Ambient Air Quality Standard (except ozone);
- not exceed the APCD health risk public notification thresholds adopted by the APCD Board; and
- be consistent with the adopted federal and state Air Quality Plans.

As demonstrated above, long-term/operational emissions thresholds have been established to address mobile source emissions (i.e., motor vehicle emissions) and stationary source emissions (i.e., stationary boilers, engines, paints, solvents, and chemical or industrial processing operations that release pollutants). No thresholds have been established for short-term impacts associated with construction activities.

Impact Discussion:

The parcels rezoning would not have an impact on air quality in the area; the rezone merely brings the parcel into today's current ordinance. Below is discussion on the proposed recreational use's interaction with current air quality standards.

(a) Less than significant impact. Potential Air Quality Impacts: The proposed project would generate criteria pollutants from long term (operational) activities. No construction is proposed, therefore short-term construction emissions are not expected. However, long-term emissions of criteria pollutants would result from mobile emissions sources (vehicle trips by recreational users). These emissions were calculated for the project using the project descriptions expected visitor use of 100 visitors on weekdays and 700 visitors on weekend days. Assuming the 2.5 visitors per car the recreational fields would generate 33 weekday vehicle trips per day, Monday-Friday; and 280 weekend vehicle trips per day on Saturdays & Sundays. The CalEEMod calculations and APCD emissions worksheet are provided in Attachment 2. Long-term operational emissions are summarized below in Table 4.3-1. Based on these assumptions, the proposed project's mobile source emissions of criteria pollutants would be 2.09 lb/day of NO_x, 1.34 lb/day of ROC, and 1.19 lb/day of PM₁₀. Because each of these is less than 25 lbs/day, impacts from motor vehicle trips are considered **less than significant**.

Emissions from Other Sources. Diesel back-up generators are not proposed to be utilized. Other sources of criteria pollutants are stationary combustion equipment such as boilers, and area sources such as natural gas usage. These were calculated using the CalEEMod model. The CalEEMod summaries are contained in Attachment 2.

Table 4.3.1 Summary of Long-Term (Operational) Emissions

Emission Source	Criteria Pollutants (lb/day)		
	NO _x	ROC	PM ₁₀
Mobile Sources (Vehicles) (CalEEMod)	2.09	1.34	1.19
<i>Greater than 25 lbs/day?</i>	<i>No</i>	<i>No</i>	<i>No</i>
Threshold	55 lb/day	55 lb/day	80 lb/day

Summary of long-term operational impacts. The proposed project would not violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. Impacts would be **less than significant**.

(b) Less than significant impact. The recreational use is not expected to create substantial smoke, ash or odor. Impacts would be **less than significant**.

(c) Less than significant impact. No grading is required, and impacts would be **less than significant levels**.

Greenhouse Gas Emissions / Global Climate Change

Background: Greenhouse gases (GHGs) include carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulphur hexafluoride (SF₆) and nitrogen trifluoride (NF₃). Combustion of fossil fuels constitutes the primary source of GHGs. GHGs accumulate in the atmosphere, where these gases trap heat near the Earth's surface by absorbing infrared radiation. This effect causes global warming and climate change, with adverse impacts on humans and the environment. Potential effects include reduced water supplies in some areas, ecological changes that threaten some species, reduced agricultural productivity in some areas, increased coastal flooding, and other effects.

Methodology: The County's methodology to address Global Climate Change in CEQA documents is evolving. The County is currently working to develop an inventory of GHG emissions and a Climate Action Strategy and Climate Action Plan based on this data. Until County-specific data becomes available and significance thresholds applicable to GHG emissions are developed and formally adopted, the County will follow an interim approach to evaluating GHG emissions.

Significance Determination Criteria	
GHG Emission Source Category	Operational Emissions
Other than Stationary Sources	1,100 MT of CO ₂ e/yr OR 4.6 MT CO ₂ e/SP/yr (residents + employees)
Stationary Sources (sources that require an APCD Permit)	10,000 MT/yr
Plans	6.6 MT CO ₂ e/SP/yr (residents + employees)

The BAAQMD does not include any standards for construction-related emissions.

Impact Discussion:

(d,e) Less than significant impact. The proposed project would generate GHG from mobile emissions (vehicle trips). The GHG calculations for the project were calculated with the CalEEMod program. Attachment 2 contains the GHG calculations for the project. As shown in Table 4.3.2 below, analysis of the project concludes that total annual GHG emissions for the project would be 62.93 metric tons of CO₂e/year. This figure is under both the 10,000 MT criterion of CO₂e for stationary sources and the 1,100 MT of CO₂e criterion for other than stationary sources that would be considered significant. Impacts would be **less than significant**.

Table 4.3.2 Summary of Greenhouse Gas Emissions

<i>Emission Source</i>	<i>In Metric Tons CO₂e/year (MTCO₂e/yr) <u>Greenhouse Gas Equivalent (CO₂e)</u></i>
Mobile Emissions (Vehicles) (CalEEMod)	56.63
Area Emissions (Energy, Consumer Products, Solid Waste, Water Conveyance, & etc.) (CalEEMod)	6.10
<i>Totals</i>	62.93
Threshold	<u>1,100 MTCO₂e/yr & 10,000MTCO₂e/yr</u>

(f) No impact. The project is not considered a Plan; therefore this threshold does not apply.

Cumulative Impacts: The County's Environmental Thresholds were developed, in part, to define the point at which a project's contribution to a regionally significant impact constitutes a significant effect at the project level.

County air quality thresholds are required to be consistent with the CEQA requirements of the Santa Barbara County Air Pollution Control District (SBCAPCD). As discussed in the SBCAPCD CEQA Guidelines, the cumulative contribution of project emissions to regional levels should be compared with existing programs and plans, including the most recent Clean Air Plan (CAP). Due to the county's non-attainment status for ozone and its regional nature, if a project's emissions from traffic sources of either of the ozone precursors, NO_x or ROC, exceed the long-term thresholds, then the project's cumulative impacts will be considered significant. For projects that do not have significant ozone precursor emissions or localized pollutant impacts, if emissions have been taken into account in the most recent CAP growth projections, regional cumulative impacts may be considered to be insignificant. When a project's emissions exceed the thresholds and are clearly not accounted for in the most recent CAP growth projections, then the project is considered to have significant cumulative impacts which must be mitigated to a level of insignificance.

In this instance, the project has been found not to exceed the significance criteria for air quality. Therefore, the project's contribution to regionally significant air pollutant emissions, including GHGs, is not cumulatively considerable, and its cumulative effect is less than significant.

Mitigation and Residual Impact: No mitigation is required. Residual impacts would be less than significant. ~~are identified. No mitigation measures are required.~~

4.4 BIOLOGICAL RESOURCES

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
Flora					
a. A loss or disturbance to a unique, rare or threatened plant community?				X	
b. A reduction in the numbers or restriction in the range of any unique, rare or threatened species of plants?				X	
c. A reduction in the extent, diversity, or quality of native vegetation (including brush removal for fire prevention and flood control improvements)?				X	
d. An impact on non-native vegetation whether naturalized or horticultural if of habitat value?				X	
e. The loss of healthy native specimen trees?				X	
f. Introduction of herbicides, pesticides, animal life, human habitation, non-native plants or other factors that would change or hamper the existing habitat?			X		
Fauna					
g. A reduction in the numbers, a restriction in the range, or an impact to the critical habitat of any unique, rare, threatened or endangered species of animals?				X	
h. A reduction in the diversity or numbers of animals onsite (including mammals, birds, reptiles, amphibians, fish or invertebrates)?			X		
i. A deterioration of existing fish or wildlife habitat (for foraging, breeding, roosting, nesting, etc.)?			X		
j. Introduction of barriers to movement of any resident or migratory fish or wildlife species?			X		
k. Introduction of any factors (light, fencing, noise, human presence and/or domestic animals) which could hinder the normal activities of wildlife?			X		

Existing Setting:

The majority of the subject parcels have been cleared of native vegetation due to ongoing recreational and agricultural uses. Melissa Mooney, the County's staff biologist, conducted a site visit on October 3, 2012. The types of vegetation found on the site visit included non-native, weedy vegetation. The subject lots are located approximately 250 feet south of the Santa Ynez River with the River Park property inlaid between them.

County Environmental Thresholds: Santa Barbara County's Environmental Thresholds and Guidelines Manual (2008) includes guidelines for the assessment of biological resource impacts.

The following thresholds are applicable to this project:

Other Rare Habitat Types: The Manual recognizes that not all habitat-types found in Santa Barbara County are addressed by the habitat-specific guidelines. Impacts to other habitat types or species may be considered significant, based on substantial evidence in the record, if they substantially: (1) reduce or eliminate species diversity or abundance; (2) reduce or eliminate the quality of nesting areas; (3) limit reproductive capacity through losses of individuals or habitat; (4) fragment, eliminate, or otherwise disrupt foraging areas and/or access to food sources; (5) limit or fragment range and movement; or (6) interfere with natural processes, such as fire or flooding, upon which the habitat depends.

Impact Discussion:

The parcels rezoning would not have an impact on fauna and flora in the area; the rezone merely brings the parcel into today's current ordinance. Below is discussion on the proposed recreational use's interaction with biological resources.

(a-e, g) No impact. During the Ms. Mooney's site visit by the County's biologist, she observed that no sensitive natural plant communities or habitats exist were identified on the site; and due to ruderal vegetation on site, no sensitive wildlife species would inhabit the premises or use the site for breeding or foraging. Additionally, no native or specimen trees are located in the area of project. As a result, **no impacts** to biological resources **(a-e, g)** are anticipated.

(f, h-k) Less than significant impact. The unpermitted recreational uses on site are already occurring. ~~¶ The subject parcel does not utilize, nor is the applicant proposing the use of lighting associated with the proposed project. Though it is questionable if the current use of the site could be analyzed as baseline for CEQA purposes, staff has determined that the past on-site agricultural practices can be considered a reasonable CEQA baseline.~~ Since the past farming practices have negated the ability of any native vegetation to grow on site, and the adjacent River Park has high human occupation already in existence (which has disturbed any potential riparian habitats along the Santa Ynez River), ~~it is foreseeable that~~ The proposed additional existing recreational uses on the subject lots would have a **less than significant impact (f, h-k)** on the possibility of hampering, reducing, deteriorating and introducing barriers to flora and fauna habitats.

Mitigation and Residual Impact: No mitigation is required. Residual impacts would be ~~are~~ less than significant. ~~is necessary.~~

Cumulative Impacts: Since the project would not significantly impact biological resources onsite, it would not have a cumulatively considerable effect on the County's biological resources.

4.5 CULTURAL RESOURCES

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
Archaeological Resources			X		
a. Disruption, alteration, destruction, or adverse effect on a recorded prehistoric or historic archaeological site (note site number below)?			X		
b. Disruption or removal of human remains?			X		
c. Increased potential for trespassing, vandalizing, or sabotaging archaeological resources?			X		
d. Ground disturbances in an area with potential cultural resource sensitivity based on the location of known historic or prehistoric sites?			X		
Ethnic Resources					
e. Disruption of or adverse effects upon a prehistoric or historic archaeological site or property of historic or cultural significance to a community or ethnic group?			X		
f. Increased potential for trespassing, vandalizing, or sabotaging ethnic, sacred, or ceremonial places?			X		
g. The potential to conflict with or restrict existing religious, sacred, or educational use of the area?			X		

Existing Setting:

For at least the past 10,000 years, the area that is now Santa Barbara County has been inhabited by Chumash Indians and their ancestors. Based on records, on file, at the Central Coast Information Center (CCIC) there have been cultural resource sites in close proximity to the proposed use. On file with our department is a Phase 1 survey for APN 099-141-016 which was completed by Larry Spanne in 1993. Joyce Gerber, staff archeologist, conducted a Phase 1 Survey for APN 099-141-017 on October 22, 2012.

County Environmental Thresholds:

The County Environmental Thresholds and Guidelines Manual contains guidelines for identification, significance determination, and mitigation of impacts to important cultural resources. Chapter 8 of the Manual, the *Archaeological Resources Guidelines: Archaeological, Historic and Ethnic Element*, specifies that if a resource cannot be avoided, it must be evaluated for importance under CEQA. CEQA Section 15064.5 contains the criteria for evaluating the importance of archaeological and historical resources. For archaeological resources, the criterion usually applied is: (D), "Has yielded, or may be likely to yield, information important in prehistory or history. A project that may cause a substantial adverse effect on an archaeological resource may have a significant effect on the environment.

Impact Discussion:

The parcels rezoning would not have an impact on cultural resources in the area; the rezone merely brings the parcel into today's current ordinance. Below is discussion on the proposed recreational use's interaction with current cultural resource standards.

(a-c) Less than significant impact. The results of background research at the Central Coast Information Center at the University of California, Santa Barbara indicate that there are prehistoric or historic archaeological sites in the project site vicinity. The Phase 1 work by both Mr. Spanne and Ms. Gerber did not identify any prehistoric or historic materials within the proposed use area. The proposed project ~~improvements~~ would not have the potential to impact significant or important prehistoric or historic cultural remains as defined in the

County Cultural Resource Guidelines. Therefore, the proposed project would not be expected to disrupt, alter, destroy or adversely affect a recorded prehistoric or historic archaeological site, disrupt or remove human remains, or increase the potential for trespassing, vandalizing, or sabotaging archaeological resources. Impacts would be **less than significant**.

(d) Less than significant impact. The potential for undiscovered cultural resources to exist onsite is low. As indicated by the Phase 1 Studies impacts from the proposed development would not occur. Furthermore, County policy requires a Standard Archeological Discovery Clause on all projects with grading, which would be applied to this project at the time of approval. As a result, impacts would be less than significant.

(e-g) Less than significant impact. Based on information provided by the NAHC, local Native American Representatives and Phase 1 Studies, no known religious, sacred, or educational sites are located on the subject parcel. The proposed project is not expected to adversely affect a prehistoric or historic archaeological site or property of historic or cultural significance to a community or ethnic group. There would not be an increased potential for trespassing, vandalizing, or sabotaging ethnic, sacred or ceremonial places. As a result, impacts would be **less than significant**.

Cumulative Impacts: Since the project would not impact known cultural resources, it would not be likely to have a cumulatively considerable effect on the County's cultural resources.

Mitigation and Residual Impact: No mitigation is required. Residual impacts would be less than significant.

4.6 ENERGY

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
a. Substantial increase in demand, especially during peak periods, upon existing sources of energy?				X	
b. Requirement for the development or extension of new sources of energy?				X	

Existing Setting:

Physical: The subject parcels are developed with the following : 1) 48,960 sq. ft greenhouse; 2) 1,782 sq. ft warehouse; 3) 765 sq. ft. residence; 4) Paintball field of approximately 0.40-acres; 5) Athletic fields of approximately 5.2-acre; 6) 100 sq. ft. pump house; and 7) 2-acre remote control car track.

County Environmental Thresholds: The County has not identified significance thresholds for electrical and/or natural gas service impacts (Thresholds and Guidelines Manual). Private electrical and natural gas utility companies provide service to customers in Central and Southern California, including the unincorporated areas of Santa Barbara County.

Impact Discussion:

(a-b) No Impacts. The proposed project consists of day time recreational fields with no lighting, and a rezoning the parcels from 40-AG to AG-II-40. In summary, the project would have a negligible effect on regional energy needs. **No adverse impacts** would result.

Cumulative Impacts: The project's contribution to the regionally significant demand for energy is not considerable, and is therefore **less than significant**.

Mitigation and Residual Impact: No mitigation is required. Residual impacts would be less than significant.

4.7 FIRE PROTECTION

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
a. Introduction of development into an existing high fire hazard area?				X	
b. Project-caused high fire hazard?				X	
c. Introduction of development into an area without adequate water pressure, fire hydrants or adequate access for fire fighting?				X	
d. Introduction of development that will hamper fire prevention techniques such as controlled burns or backfiring in high fire hazard areas?				X	
e. Development of structures beyond safe Fire Dept. response time?				X	

Existing Setting:

Physical: The project site, due to its location in a rural area with significant amounts of open space is designated a high fire hazard area. Fire response services for the site would continue to be provided by Santa Barbara County Fire Station #51, located at 3500 Harris Grade Road in Lompoc. Fire response time from this fire station is approximately five minutes. High fire hazard areas are those regions of the County that are exposed to significant fuel loads, such as large areas of undisturbed native/naturalized vegetation.

County Environmental Thresholds: Predictions about the long-term effects of global climate change in California include increased incidence of wildfires and a longer fire season, due to drier conditions and warmer temperatures. Any increase in the number or severity of wildfires has the potential to impact resources to fight fires when they occur, particularly when the state experiences several wildfires simultaneously. Such circumstances place greater risk on development in high fire hazard areas.

The following County Fire Department standards are applied in evaluating impacts associated with proposed development:

- The emergency response thresholds include Fire Department staff standards of one on-duty firefighter per 4000 persons (generally 1 engine company per 12,000 people, assuming three fire fighters per station). The emergency response time standard is approximately 5-6 minutes.
- Access road standards include a minimum width (depending on number of units served and whether parking would be allowed on either side of the road), with some narrowing allowed for driveways. Cul-de-sac diameters, turning radii and road grade must meet minimum Fire Department standards based on project type.
- Two means of egress may be needed and access must not be impeded by fire, flood, or earthquake. A potentially significant impact could occur in the event any of these standards is not adequately met.
- Vegetation clearance requirements:
 - **Zone 1** – Extends 30 feet out from buildings, structures, decks, etc. Remove all flammable vegetation or other combustible growth within 30 feet of any structure or within 50 feet of any structure in areas determined to be high hazard. Single trees, ornamental shrubbery or cultivated ground covers may be permitted provided they are maintained in such a manner that they do not readily transmit fire from native vegetation to the structure.

- **Zone 2** – Thin out and remove additional vegetation an additional 70 feet from the structure for a total of 100 feet. The inspecting officer may require an additional 100 feet of thinning or removal (for a total of 200 feet) due to high fire hazard.

Note – Special attention should be given to the use and maintenance of ornamental plants known or thought to be high hazard plants when used in close proximity to structures. Examples include Acacia, Cedar, Cypress, Eucalyptus, Juniper, Pine, and pampas grass. These plantings should be properly maintained and not allowed to be in mass plantings that could transmit fire from the native growth to any structure.

Impact Discussion:

(a-e) No Impacts. The project site is located within a High Fire Hazard Area, but no permanent structural development is proposed, thus neither the use, nor the rezone would involve new fire hazards. All of the structures associated with the existing recreational uses are temporary and could be removed at any time. The existing development on the subject parcels would not hamper fire prevention techniques such as controlled burns or backfires.

The project site is located in an area with an adequate response time from fire protective services. ~~There will be the~~ Standard Fire Department requirements would be applied to the proposed project, which include brush clearance, installation of an all weather road base for ease of emergency vehicle access, and addressing of the property off of River Park Rd. These requirements will ~~would~~ be required by the Fire Department prior to zoning clearance approval.

Cumulative Impacts: The proposed project's contribution to cumulative impacts is considered adverse but not significant with implementation of Fire Department standard conditions including the payment of development impact mitigation fees. Fees from new development will fund fire protection facilities and/or additional firefighter positions, as deemed necessary.

Mitigation and Residual Impact: No mitigation is required. Residual impacts would be less than significant. are identified. No mitigation is necessary.

4.8 GEOLOGIC PROCESSES

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
a. Exposure to or production of unstable earth conditions such as landslides, earthquakes, liquefaction, soil creep, mudslides, ground failure (including expansive, compressible, collapsible soils), or similar hazards?				X	
b. Disruption, displacement, compaction or overcovering of the soil by cuts, fills or extensive grading?			X		
c. Exposure to or production of permanent changes in topography, such as bluff retreat or sea level rise?				X	
d. The destruction, covering or modification of any unique geologic, paleontologic or physical features?				X	
e. Any increase in wind or water erosion of soils, either on or off the site?				X	
f. Changes in deposition or erosion of beach sands or dunes, or changes in siltation, deposition or erosion which may modify the channel of a river, or stream, or the bed of the ocean, or any bay, inlet or lake?				X	
g. The placement of septic disposal systems in impermeable soils with severe constraints to disposal of liquid effluent?				X	
h. Extraction of mineral or ore?				X	
i. Excessive grading on slopes of over 20%?				X	
j. Sand or gravel removal or loss of topsoil?				X	
k. Vibrations, from short-term construction or long-term operation, which may affect adjoining areas?				X	
l. Excessive spoils, tailings or over-burden?				X	

Existing Setting:

Physical: The subject parcels are located in a portion of the County that is identified in the Seismic Safety and Safety Element as having a low potential for liquefaction, landslides, soil creep, compressible/collapsible soils and high groundwater. The project site has a moderate potential for expansive soils and a high potential for seismic/tectonic activity. Its overall geological problems index is Category II (low to moderate). The subject parcels are relatively flat with slopes ranging from 0-5%.

County Environmental Thresholds: Pursuant to the County's Adopted Thresholds and Guidelines Manual, impacts related to geological resources may have the potential to be significant if the proposed project involves any of the following characteristics:

1. The project site or any part of the project is located on land having substantial geologic constraints, as determined by Planning and Development, and the Department of Public Works. Areas constrained by geology include parcels located near active or potentially active faults and property underlain by rock types associated with compressible/collapsible soils or susceptible to landslides or severe erosion. "Special Problems" areas designated by the Board of Supervisors have been established based on geologic constraints, flood hazards and other physical limitations to development.
2. The project results in potentially hazardous geologic conditions such as the construction of cut slopes exceeding a grade of 1.5 horizontal to 1 vertical.

3. The project proposes construction of a cut slope over 15 feet in height as measured from the lowest finished grade.
4. The project is located on slopes exceeding 20% grade.

Impact Discussion:

(a, c-l) No Impacts. The proposed project site does not have substantial geological constraints or slopes exceeding 20%. Septic systems would not be required for the proposed use because the City of Lompoc would allow the applicant to use the existing River Park's restroom facilities and drinking fountains (Attachment 6). There is no new proposed development. Minor land alterations (less than 50 cubic yards) have been completed for parking, the RC ~~motorcross~~ track and paintball field. The proposed project would not result in excessive grading. As such, the proposed use and rezone would **not result in impacts** related to geological resources.

(b) Less than significant. No grading or additional earth disturbance beyond the existing baseline conditions is proposed as a part of the project. As discussed above, APN: 099-141-016 supports the permitted greenhouse used for aquaculture research, and APN 099-141-017 has a permitted dry aquaculture pond, ~~and APN: 099-141-015 has existing ponds that are supporting an ongoing aquaculture operation.~~ The applicant is an aquaculturist. County Code considers aquaculture to be part of agriculture.

The topography of APNs: 099-141-015, -016 have been altered to support the applicants aquaculture uses. The cuts and fills to achieve these existing ponds and grades onsite have been approved with either grading permits and erosion control permits (case nos. 10GRD-00000-00067, 10EXE-00000-00290, 93-GR-004, LIX Building #249004). The terrain changes for the applicants aquaculture operations are not part of the proposed recreational use. Recently the applicant has been temporarily importing/stockpiling dirt from other areas of the County to utilize on other properties within the County; this is also not intended for the proposed recreational use. Therefore impacts from the proposed recreational use are expected to be **less than significant**.

Cumulative Impacts: The proposed project would continue occur in a previously developed area, would not result in any significant geologic impacts, and would have no cumulatively considerable effect on geologic hazards within the County. Since the project would not result in significant geologic impacts, it would not have a cumulatively considerable effect on geologic hazards within the County.

Mitigation and Residual Impact: No mitigation is required. Residual impacts would be less than significant. ~~No impacts are identified. No mitigations are necessary.~~

4.9 HAZARDOUS MATERIALS/RISK OF UPSET

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
a. In the known history of this property, have there been any past uses, storage or discharge of hazardous materials (e.g., fuel or oil stored in underground tanks, pesticides, solvents or other chemicals)?				X	
b. The use, storage or distribution of hazardous or toxic materials?				X	
c. A risk of an explosion or the release of hazardous substances (e.g., oil, gas, biocides, bacteria, pesticides, chemicals or radiation) in the event of an accident or upset conditions?				X	
d. Possible interference with an emergency response plan or an emergency evacuation plan?				X	
e. The creation of a potential public health hazard?				X	
f. Public safety hazards (e.g., due to development near chemical or industrial activity, producing oil wells, toxic disposal sites, etc.)?				X	
g. Exposure to hazards from oil or gas pipelines or oil well facilities?				X	
h. The contamination of a public water supply?				X	

Existing Setting:

Physical: The subject parcels are not known to have used, stored or spilled hazardous materials onsite. For properties which are known, or discovered, to contain hazardous materials are subject to the removal and/or treatment requirements of the California Fire Code. Within the County, the Fire Department's Hazardous Materials Unit (HMU) must review and approve any proposed plan to decontaminate a site found to contain a hazardous material.

County Environmental Thresholds: The County's safety threshold addresses involuntary public exposure from projects involving significant quantities of hazardous materials. The threshold addresses the likelihood and severity of potential accidents to determine whether the safety risks of a project exceed significant levels.

Impact Discussion:

(a-h) There is no evidence that hazardous materials were used, stored or spilled on site in the past, and there are no aspects of the proposed use or rezone that would include or involve hazardous materials at levels that would constitute a hazard to human health or the environment.

Mitigation and Residual Impact: No mitigation is required. Residual impacts would be less than significant. are identified. No mitigations are necessary.

Cumulative Impacts: Since the project would not create significant impacts with respect to hazardous materials and/or risk of upset, it would not have a cumulatively considerable effect on safety within the County.

4.10 HISTORIC RESOURCES

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
a. Adverse physical or aesthetic impacts on a structure or property at least 50 years old and/or of historic or cultural significance to the community, state or nation?				X	
b. Beneficial impacts to an historic resource by providing rehabilitation, protection in a conservation/open easement, etc.?				X	

Existing Setting:

Physical: The subject parcels are developed with the following : 1) 48,960 sq. ft greenhouse; 2) 1,782 sq. ft warehouse; 3) 765 sq. ft. residence; 4) Paintball field of approximately 0.40-acres; 5) Athletic fields of approximately 5.2-acre; 6) 100 sq. ft. pump house; and 7) 2-acre remote control car track.

County Environmental Threshold: Historic Resource impacts are determined through use of the County's Cultural Resources Guidelines. A significant resource: a) possesses integrity of location, design, workmanship, material, and/or setting; b) is at least fifty years old, and c) is associated with an important contribution, was designed or built by a person who made an important contribution, is associated with an important and particular architectural style, or embodies elements demonstrating outstanding attention to detail, craftsmanship, use of materials, or construction methods.

Impact Discussion:

(a-b) No Impacts. The oldest existing structure located on the project was built in 1977. The proposed use and rezone does not include the demolition or alteration of structures in excess of 50 years in age. The project would not alter the contextual nature of the site in a manner which would significantly degrade the historical significance of the existing structure(s). As a result, **no impacts** to historic resources are anticipated.

Cumulative Impacts. Since the project would not result in any substantial change in the historic character of the site, it would not have any cumulatively considerable effect on the region's historic resources.

Mitigation and Residual Impact: No mitigation is required. Residual impacts would be less than significant. are identified. No mitigations are necessary.

4.11 LAND USE

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
a. Structures and/or land use incompatible with existing land use?			<u>X</u>	X	
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X		
c. The induction of substantial growth or concentration of population?			<u>X</u>	X	
d. The extension of sewer trunk lines or access roads with capacity to serve new development beyond this proposed project?				X	
e. Loss of existing affordable dwellings through demolition, conversion or removal?				X	
f. Displacement of substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X	
g. Displacement of substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X	
h. The loss of a substantial amount of open space?			<u>X</u>	X	
i. An economic or social effect that would result in a physical change? (i.e. Closure of a freeway ramp results in isolation of an area, businesses located in the vicinity close, neighborhood degenerates, and buildings deteriorate. Or, if construction of new freeway divides an existing community, the construction would be the physical change, but the economic/social effect on the community would be the basis for determining that the physical change would be significant.)				X	
j. Conflicts with adopted airport safety zones?				X	

Existing Setting:

Physical: The proposed project site is located on the northwest side of Highway 246 approximately 0.5 mile northeast of the Lompoc City limit line. It is bordered on all sides by parcels zoned 40-AG. These outlying parcels are developed with both agricultural and non-agricultural uses. Non-agricultural uses consist of a Park/campground, homeless shelter, Santa Barbara County's Road Yard, single family dwellings and equestrian operations. Agricultural uses predominate and include row crops, orchards, vineyards, and aquaculture.

The project site is comprised of two separate parcels (APN's 099-141-016, -017). The adjacent parcel to the north (APN 099-141-015) is also owned by the applicant and along with the two project parcels constitutes the premises. The project parcels contain approximately 1,400 feet of frontage on the western side of SR 246, and approximately 1,000 feet along the eastern side of the access road to River Park. The shared property line with the adjacent parcel to the north is approximately 1,200 feet in length.

Exhibit 4.11-1: Mosby Project Site and Premises (Photomapper, 2010)



Regulatory: The property is subject to the provisions of: 1) the County Comprehensive Plan; and 2) the Santa Barbara County Land Use and Development Code (LUDC).

County Environmental Thresholds: The Thresholds and Guidelines Manual contains no specific thresholds for land use. A potentially significant impact can occur if a project as proposed would result in substantial growth inducing effects.

Impact Discussion:

(a,c,h) Less than Significant Impacts. The subject parcels contain a substantial amount of frontage on SR 246, and the access road to River Park and are developed with the following: 1) 48,960 sq. ft. greenhouse used for aquaculture research; 2) 1,782 sq. ft. warehouse; 3) 765 sq. ft. residence; 4) Paintball field of approximately 0.40-acres; 5) Athletic fields of approximately 5.2-acres; 6) 100 sq. ft. pump house; and 7) 2-acre remote control car track. Temporary structures associated with the paintball field include wooden structures with netting, inflatable paint ball barriers, and storage buildings. These temporary structures could be removed at any time, and do not require a permit.

The recreational components of the project are located on areas of the subject parcels that would not introduce substantial land use conflicts with the surrounding development and agricultural uses. There are existing agricultural operations occurring on the adjacent parcel to the west. River Park is located adjacent to this parcel and is also exposed to agricultural activities in this area. While the subject recreational uses introduce

land use incompatibilities with certain agricultural activities, primarily during times of chemical application (insecticide & fertilizer application) to the west, the uses are of a similar type and intensity as the recreational activities occurring at River Park. Historically, there have not been known instances of conflicts between River Park or the existing recreational facility from the adjacent agricultural activities. Therefore, the permanent and temporary structures existing on site are compatible with the existing agricultural and recreational uses within the surrounding area. Therefore, impacts associated with the potential for incompatible structures would be **less than significant**.

The unpermitted recreational uses associated with the proposed project would continue to operate under existing levels of participant attendance as follows:

The remote control car track would be open between the hours of 10:00 a.m. and 4:00 p.m. with attendance ranging between 10-30 people. The paintball field would be open between the hours of 10:00 a.m. and 4:00 pm. with attendance ranging from 2-50 people. The athletic fields would be open from 7:00 a.m. to dusk daily. During a weekday, a maximum of 30 people would utilize the athletic fields. During a weekend, athletic field attendance would range from 65-700 attendees depending on the type of event and number of games occurring on that day (ex. club soccer games, or end of season tournaments). At no time would 700 participants be on the project site at the same time. The 700 participant maximum would occur over the entire weekend day during a tournament where multiple games are played on the same day.

Based on the current levels of participant attendance, the project is conditioned to restrict the number of attendees utilizing the site to a maximum of 700 participants per day. The applicant has indicated that this number of participants is a “worst-case scenario” and would occur very rarely during a weekend tournament when multiple games are played on the same day. As discussed in further detail in Section 4.15 – Transportation/Circulation below, the traffic associated with a maximum of 700 participants daily would not generate project specific significant traffic impacts, and would not induce substantial growth or concentration of population beyond the existing baseline conditions. Though most of the site is not utilized for agriculture it will remain in open space and the project is compatible with existing land uses. Therefore, impacts would be **less than significant**.

(b) *Less than significant Impacts.* Following completion of the proposed consistency rezone to re-designate the subject parcels as AG-II-40 under the Santa Barbara County Land Use and Development Code, the proposed recreational uses and rezone does not cause a physical change that would not conflict with adopted environmental policies or regulations including the Santa Barbara County Comprehensive Plan and Land Use and Development Code. The A-II zoning and comprehensive land use designation policies and regulations are in place to promote agricultural uses. However, Policy 1A.1.a-b of the Agricultural Element and Section 35.43.240 of the Land Use and Development Code allows for recreational uses in agriculturally designated lands, through the use of discretionary permits. As described in the Agricultural Resources Section of this document, herein incorporated by reference, the proposed recreational uses would not affect each parcels capability of being agriculturally suitable. Therefore, impacts to the County’s agricultural industry would be **less than significant**.

(a, c-d-g, i-j) *No impacts.* The project is not growth inducing, and does not result in the loss of affordable housing, or a significant displacement of people. The project does not involve the extension of a sewer trunk line, and does not conflict with any airport safety zones. As discussed in Section 4.13 – Public Facilities, below, restrooms serving the existing recreational uses will be provided through the City of Lompoc, located at the adjacent River Park Campground facility.

Cumulative Impacts: The implementation of the project is not anticipated to result in any substantial change to the site’s conformance with environmentally protective policies and standards. Thus, the project would not cause a cumulatively considerable effect on land use.

Mitigation and Residual Impact: No mitigation is required. Residual impacts would be ~~are~~ less than significant. No mitigation is necessary.

4.12 NOISE

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
a. Long-term exposure of people to noise levels exceeding County thresholds (e.g. locating noise sensitive uses next to an airport)?				X	
b. Short-term exposure of people to noise levels exceeding County thresholds?				X	
c. Project-generated substantial increase in the ambient noise levels for adjoining areas (either day or night)?				X	

Existing Setting:

Physical: The subject property is located in a rural area approximately ¼ mile north of the City of Lompoc. The closest off-site sensitive noise receptor to the subject parcel is the Bridgehouse homeless shelter located approximately 1,400 feet southeast. There are no residences on the parcel west of the project site, and the parcel located to the north is owned by the applicant and is utilized in an aquaculture operation. The River Park Campground is located approximately 300 feet west of the subject parcels. The proposed project site is located outside of 65 dB(A) noise contours for roadways, public facilities, airport approach and take-off zones.

County Environmental Thresholds: Noise is generally defined as unwanted or objectionable sound which is measured on a logarithmic scale and expressed in decibels (dB(A)). The duration of noise and the time period at which it occurs are important values in determining impacts on noise-sensitive land uses. The Community Noise Equivalent Level (CNEL) and Day-Night Average Level (L_{dn}) are noise indices which account for differences in intrusiveness between day and night-time uses. County noise thresholds are: 1) 65 dB(A) CNEL maximum for exterior exposure, and 2) 45 dB(A) CNEL maximum for interior exposure of noise-sensitive uses. Noise-sensitive land uses include: residential dwellings, transient lodging, hospitals and other long-term care facilities, public or private educational facilities, libraries, churches, and places of public assembly.

Impact Discussion:

(a, b, c) No Impacts. The nearest sensitive noise receptors to the project site are the Bridgehouse Homeless Shelter located approximately 1,400 feet southeast, and River Park located approximately 300 feet west. The noises associated with the proposed project include sounds from crowds attending soccer games, the use of paintball guns, and remote control cars. The sounds from these uses would be intermittent and temporary in nature and would only occur during times when the facility is operating. The nearest single family residence is located approximately 1,500 feet southeast. Based on the total distance between sensitive noise receptors and the project site (1,500 feet), the noise associated with the project would not exceed the 65 dB(A) CNEL maximum for exterior exposure. The proposed subject recreational uses and rezone will not utilize amplified sound such as music or PA systems. Thus the generation of any noise exceeding County thresholds is not expected to occur. No noise-related impacts would result.

Mitigation and Residual Impact: No mitigation is required. Residual impacts would be less than significant.

Cumulative Impacts: The implementation of the project is not anticipated to result in any continually substantial noise effects. Therefore, the project would not contribute in a cumulatively considerable manner to noise impacts.

4.13 PUBLIC FACILITIES

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
a. A need for new or altered police protection and/or health care services?				X	
b. Student generation exceeding school capacity?				X	
c. Significant amounts of solid waste or breach any national, state, or local standards or thresholds relating to solid waste disposal and generation (including recycling facilities and existing landfill capacity)?				X	
d. A need for new or altered sewer system facilities (sewer lines, lift-stations, etc.)?			X	✗	
e. The construction of new storm water drainage or water quality control facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X	

Impact Discussion:

(a-c, e-f) No Impacts. The proposed use and rezone is not population growth inducing. It would merely result in additional recreation facilities next to Lompoc River Park, and would provide ~~ing~~ additional recreational choices for residents of the area. As such, it would not have a significant impact on existing police protection or health care services. Existing service levels would be sufficient to serve the proposed project. The proposed project would not generate solid waste in excess of County thresholds. No impervious areas are proposed, thus no additional drainages or water quality control facilities would be necessary to serve the project. Therefore, the project would have **no impact** to these public facilities.

(d) Less than Significant Impact. The proposed project would not cause the need for new or altered sewer system facilities as it will utilize the existing River Park restrooms, and the District has adequate capacity to serve the project. As a result, impacts to sewer facilities would be less than significant.

Mitigation and Residual Impact: No mitigation is required. Residual impacts would be less than significant. ~~are identified. No mitigation is necessary.~~

Cumulative Impacts:

The County's Environmental Thresholds were developed, in part, to define the point at which a project's contribution to a regionally significant impact constitutes a significant effect at the project level. In this instance, the project has been found not to exceed the threshold of significance for public services. Therefore, the project's contribution to the regionally significant demand for public services is not considerable, and is less than significant.

4.14 RECREATION

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
a. Conflict with established recreational uses of the area?			<u>X</u>	X	
b. Conflict with biking, equestrian and hiking trails?			<u>X</u>	X	
c. Substantial impact on the quality or quantity of existing recreational opportunities (e.g., overuse of an area with constraints on numbers of people, vehicles, animals, etc. which might safely use the area)?			<u>X</u>	X	

Existing Setting:

Physical: The Santa Barbara County Comprehensive Plan Lompoc Area Parks, Recreation, and Trails Map designates a proposed Open Road Trail along the entire length of Hwy 246, including the length of the subject parcels.

County Environmental Thresholds: The Thresholds and Guidelines Manual contains no thresholds for park and recreation impacts. However, the Board of Supervisors has established a minimum standard ratio of 4.7 acres of recreation/open space per 1,000 people to meet the needs of a community. The Santa Barbara County Parks Department maintains more than 900 acres of parks and open spaces, as well as 84 miles of trails and coastal access easements.

Impact Discussion:

(a,c-b) No Impact. Less Than Significant Impacts. The proposed project site has been utilized for is an established the existing unpermitted recreational uses for several years, starting with the paintball field. The River Park located west of the subject parcels is an established recreational use. The recreational amenities offered at this park include horseshoe pits, playground areas, fitness trail, sand volleyball courts, group camping areas and a recently permitted “moto fun” park for children 12 years of age and under. Operating days and hours at this park are Saturdays, Sundays, & Holidays from 10:00 a.m. to 4:00 p.m.

The recreational uses associated with the proposed project are of a similar type and intensity to the types of recreational activities occurring at River Park. The proposed uses would not conflict with nearby established recreational uses because they would continue to provide the community with additional recreational amenities without substantially impacting the quality of existing established recreational opportunities in the area. Adequate onsite parking and restrooms located at River Park would continue to be available to serve the proposed project. Therefore, recreational impacts would be less than significant, which has not conflicted with the adjacent River Park’s use; instead it has broadened the choices of the community within a specific area.

(b) Less than Significant Impact. The recreational uses associated with the proposed project would not conflict with biking, equestrian and hiking trails. All project related parking would be provided onsite, and no parking would be permitted on Hwy 246 or River Park Road. Therefore, impacts would be **less than significant**.

(c) No Impact. The proposed project will increase the quality and quantity of existing recreational opportunities, thus benefiting the community.

Cumulative Impacts. The proposed project site is immediately adjacent to the City of Lompoc’s River Park which consists of a variety of uses as described above. Additional existing recreational opportunities in the Lompoc Valley are provided by the City of Lompoc, County of Santa Barbara, State of California, and a variety of private opportunities. In addition to River Park, there are 11 parks with the Lompoc City Limits. Three County Parks (Ocean, Miguelito Canyon, and Santa Rosa) and one State Park (La Purisima) round out the public recreational opportunities. There are numerous private parks, primarily serving neighborhoods, and private groups providing organized recreational opportunities to local residents. The proposed project would augment existing

recreational opportunities which include the kids “moto fun” park described above, and the Lompoc Valley Motorsports Park project currently being developed at the Lompoc Airport which is approximately 2.5 miles northwest of the project site. The proposed recreational facility would not create cumulatively considerable adverse impacts as it is compatible with the adjacent recreation activities occurring at River Park, and is more than 2 miles from the future location of the Lompoc Valley Motorsports Park. As a result, impacts would be less than significant.

Mitigation and Residual Impact: No mitigation is required. Residual impacts would be less than significant.

4.15 TRANSPORTATION/CIRCULATION

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
a. Generation of substantial additional vehicular movement (daily, peak-hour, etc.) in relation to existing traffic load and capacity of the street system?			X		
b. A need for private or public road maintenance, or need for new road(s)?			X		
c. Effects on existing parking facilities, or demand for new parking?		X			
d. Substantial impact upon existing transit systems (e.g. bus service) or alteration of present patterns of circulation or movement of people and/or goods?				X	
e. Alteration to waterborne, rail or air traffic?				X	
f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians (including short-term construction and long-term operational)?			X		
g. Inadequate sight distance?			X		
ingress/egress?			X		
general road capacity?			X		
emergency access?			X		
h. Impacts to Congestion Management Plan system?				X	

Existing Setting/County Environmental Thresholds:

The primary factor influencing efficiency of operation of a roadway system is the adequacy of intersection design and operation. Operating conditions are described by level-of-service (LOS), which is derived by comparing traffic volumes with roadway capacity. LOS A represents the best traffic operation, while LOS F represents the worst.

Both the State Department of Transportation (Caltrans) and the County of Santa Barbara are responsible for establishing acceptable LOS on roadway networks within the County, with Caltrans commenting as a responsible agency on projects affecting State Highways and their intersections. Currently, Caltrans’s policy establishes LOS D as the minimum acceptable level for Highway 246 intersections (Transportation Concept Report State Route 246, Caltrans District 5, 2004). Caltrans has classified the segment of Highway 246, where the project is located, as a 2-lane conventional highway, which is currently operating at LOS C.

Pursuant to the County Environmental Thresholds and Guidelines Manual, a significant traffic impact would occur when:

- a. The addition of project traffic to an intersection increases the volume to capacity (V/C) ratio to an unacceptable LOS level.

Public Works utilizes the V/C ratio value methodology for measuring traffic flow on signalized intersections. Since the intersection at Highway 246 and River Park Road is *not* signalized, the methodology used for monitoring traffic volumes is measured by the amount of delay time the vehicle has to wait to pull into the queue (i.e. left hand turns).

- b. Project access to a major road or arterial road would require a driveway that would create an unsafe situation, or would require a new traffic signal or major revisions to an existing traffic signal.
- c. Project adds traffic to a roadway that has design features (e.g., narrow width, road side ditches, sharp curves, poor sight distance, inadequate pavement structure) or receives use which would be incompatible with substantial increases in traffic (e.g. rural roads with use by farm equipment, livestock, horseback riding, or residential roads with heavy pedestrian or recreational use, etc.) that will become potential safety problems with the addition of project or cumulative traffic. Exceeding the roadway capacity designated in the Circulation Element may indicate the potential for the occurrence of the above impacts.
- d. Project traffic would utilize a substantial portion of an intersection(s) capacity where the intersection is currently operating at acceptable levels of service (A-C) but with cumulative traffic would degrade to or approach LOS D (V/C 0.81) or lower. Substantial is defined as a minimum change of 0.03 for intersections which would operate from 0.80 to 0.85 and a change of 0.02 for intersections which would operate from 0.86 to 0.90, and 0.01 for intersections operating at anything lower.

Impact Discussion:

The parcels rezoning would not have an impact on traffic circulation in the area; the rezone merely brings the parcel into today's current ordinance.

(a) *Less than Significant.* The remote control car track would be open between the hours of 10:00 a.m. and 4:00 p.m., with attendance ranging between 10-30 people. The paintball field would be open between the hours of 10:00 a.m. and 4:00 pm. with attendance ranging from 2-50 people. The athletic fields would be open from 7:00 a.m. to dusk daily. During a weekday, a maximum of 30 people would utilize the athletic fields. During a weekend, athletic field attendance would range from 65-700 attendees depending on the type of event and number of games occurring on that day (ex. club soccer games, or end of season tournaments). At no time would 700 participants be on the project site at the same time. The 700 participant maximum would occur over the entire weekend day during a tournament where multiple games are played on the same day.

According to the Institute of Traffic Engineers (ITE), the vehicle occupancy rate for Baseball and Soccer practices is 1.3 people per vehicle. Based on the project description, a maximum of 30 people would utilize the soccer fields on a weekday (15 per field). According to ITE, the parking and vehicle generation rate for soccer fields and elementary schools is between 13 and 17 vehicles during practices. The above calculation supports the low end of the scale at 13 trips per field for a total of 26 trips. Applying the credit of 10 peak hour trips from the previous discretionary approval of a greenhouse operation to this total reduces the total number of peak hour trips associated with the project to 16. Therefore, the project's contribution of additional trips to the surrounding road network would be approximately 33 ADT on weekday afternoons, ~~33~~ 16 PHT on weekday evenings, and 280 ADT on weekend days. (assuming 2.5 visitors per car). According to Caltrans, the Highway 246/River Park Rd. intersection is currently operating at LOS C. In 2004, Caltrans released their Transportation Concept Report State Route 246, Caltrans District 5, which demonstrates that at that time, the road segment was operating at an LOS C.

The unpermitted development/uses have been conducted on an ongoing basis; the paintball use has been conducted for approximately 7 years; the remote control car track use for approximately 3 years, and the athletic field use for approximately 2 years. The current LOS along this segment of highway remains at an LOS C. Thus the ~~trip~~ traffic generated by this project has demonstrated that the level of service from the ongoing traffic generated by the project has not changed (Frank Boyle, Transportation Engineer, Caltrans District 5, email

dated November 15, 2012, Attachment 3) and no further traffic analysis is necessary. As such, the project has demonstrated that it would not generate significant project-specific traffic impacts.

(b) *Less than Significant. Need for New Roads or Road Maintenance.* Traffic that would be generated by the project would not result in significant impacts to public streets that would require new roads or a significant amount of increased roadway maintenance. Prior to zoning clearance issuance, the applicant would be required to pay Development Impact Mitigation Fees on the number of week day peak hour trips (16) generated by the project, for a total of \$8,800.

(c) *Less than Significant with Mitigation.* Parking for the existing unpermitted recreational uses would continue to be provided in two existing parking areas totaling approximately 3-acres located on APN 099-141-017. The 3-acres dedicated for parking would easily accommodate the vehicles which would be present during a day when 700 participants visited the site. 150 permanent parking spaces would be installed within this area composed of compacted base and screened with a landscaped berm planted with pine trees. The parking areas are designed with adequate turning radius, and aisles to ensure safe and efficient ingress and egress.

If overflow parking from the recreational uses were to occur on River Park Rd. along the shoulder in undesignated parking stalls, the appropriate sight-distance for entering and exiting the proposed project site and River Park Campground could have the potential to be impaired causing potential safety impacts. Therefore, a mitigation measure requiring that all overflow parking be accommodated on-site and that parking along River Park Road is prohibited has been added as **Mitigation Measure 2**. The proposed project would be required to provide all required parking spaces on-site, and out of the road right-of-way reducing potential sight-distance impairment impacts to **less than significant levels**.

(d, e) *No impact. Transit.* The proposed project would not result in significant transit-or transportation-related impacts.

(f, g) *Less than Significant. Traffic Hazards and Emergency Access.* The daily operational use of sports fields would not create a traffic hazard for motorists, pedestrians, bicyclists, or transit users, or affect emergency access. Additionally, a County approved Parking Management Plan would be required that indicates the location of overflow parking, the emergency access points and access ways, and includes the parking coordinators contact name and telephone number. Inclusion of this would ensure sight distances remain adequate along Highway 246 and River Park Road, reducing potential traffic hazard impacts, to **less than significant levels**.

(h) *No impacts. Congestion Management Plan.* The project would not generate more than the 500 ADT and 50 PHT required to be considered an impact to the Congestion Management Plan.

Cumulative Impacts: The County's Environmental Thresholds were developed, in part, to define the point at which a project's contribution to a regionally significant impact constitutes a significant effect at the project level. In this instance, the traffic generated by the proposed project and adjacent "motofun" park located at River Park have been found not to exceed the threshold of significance for traffic, and the current level of service along this segment of Hwy 246 would continue to remain at LOS C. Therefore, the project's contribution to the regionally significant traffic congestion is not considerable, and is less than significant.

Mitigation and Residual Impact: No mitigation measures for cumulative impacts have been identified. The following mitigation measure would reduce the project's transportation impacts to a less than significant level. With the incorporation of these measures, residual impacts would be less than significant.

2. **Special Condition – River Park Road Parking Restriction:** In order to prevent potential safety impacts from parked vehicles, no project related parking shall be allowed along River Park Road except in designated parking stalls. During games/tournaments/practices the owner/applicant shall ensure that if the parking demand exceeds the supply provided by the designated spaces, vehicles may be parked in other available areas onsite (e.g. along interior agricultural roads, etc.) so long as they are outside of the emergency access corridors.

PLAN REQUIREMENTS: The applicant shall provide P&D with a Parking Management Plan that includes this parking restriction and indicates on a site plan where additional parking would be located. This plan shall include the required emergency access ways where no parking is to be allowed. This Plan shall indicate the name and telephone number of the onsite contact person responsible for parking management. **TIMING:** This Parking Management Plan shall be submitted to P&D and the Fire Department for review and approval prior to issuance of a zoning clearance permit.

MONITORING: P&D shall ensure that all elements of the Parking Management Plan are installed prior to zoning clearance permit issuance. Permit Compliance shall respond to complaints.

With the incorporation of this measure, residual impacts would be **less than significant**.

4.16 WATER RESOURCES/FLOODING

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
a. Changes in currents, or the course or direction of water movements, in either marine or fresh waters?				X	
b. Changes in percolation rates, drainage patterns or the rate and amount of surface water runoff?				X	
c. Change in the amount of surface water in any water body?				X	
d. Discharge, directly or through a storm drain system, into surface waters (including but not limited to wetlands, riparian areas, ponds, springs, creeks, streams, rivers, lakes, estuaries, tidal areas, bays, ocean, etc) or alteration of surface water quality, including but not limited to temperature, dissolved oxygen, turbidity, or thermal water pollution?			X		
e. Alterations to the course or flow of flood water or need for private or public flood control projects?			X		
f. Exposure of people or property to water related hazards such as flooding (placement of project in 100 year flood plain), accelerated runoff or tsunamis, sea level rise, or seawater intrusion?			X		
g. Alteration of the direction or rate of flow of groundwater?			<u>X</u>	X	
h. Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or recharge interference?			<u>X</u>	X	
i. Overdraft or over-commitment of any groundwater basin? Or, a significant increase in the existing overdraft or over-commitment of any groundwater basin?			<u>X</u>	X	
j. The substantial degradation of groundwater quality including saltwater intrusion?			<u>X</u>	X	
k. Substantial reduction in the amount of water otherwise available for public water supplies?			<u>X</u>	X	
l. Introduction of storm water pollutants (e.g., oil, grease, pesticides, nutrients, sediments, pathogens, etc.) into groundwater or surface water?			X		

Existing Setting:

Physical: The subject parcels are located entirely within the 100 year flood plain of the Santa Ynez River. Water utilized on the subject parcels is provided from the Lompoc Plain Groundwater Basin. This basin is in equilibrium as during periods of dry climate water is released from Lake Cachuma to recharge groundwater levels in the eastern portion of the Plain.

Water Quality Thresholds:

A significant water quality impact is presumed to occur if the project:

- Is located within an urbanized area of the county and the project construction or redevelopment individually or as a part of a larger common plan of development or sale would disturb one (1) or more acres of land;
- Increases the amount of impervious surfaces on a site by 25% or more;
- Results in channelization or relocation of a natural drainage channel;
- Results in removal or reduction of riparian vegetation or other vegetation (excluding non-native vegetation removed for restoration projects) from the buffer zone of any streams, creeks or wetlands;
- Is an industrial facility that falls under one or more of categories of industrial activity regulated under the NPDES Phase I industrial storm water regulations (facilities with effluent limitation; manufacturing; mineral, metal, oil and gas, hazardous waste, treatment or disposal facilities; landfills; recycling facilities; steam electric plants; transportation facilities; treatment works; and light industrial activity);
- Discharges pollutants that exceed the water quality standards set forth in the applicable NPDES permit, the Regional Water Quality Control Board's (RWQCB) Basin Plan or otherwise impairs the beneficial uses¹ of a receiving water body;
- Results in a discharge of pollutants into an "impaired" water body that has been designated as such by the State Water Resources Control Board or the RWQCB under Section 303 (d) of the Federal Water Pollution Prevention and Control Act (i.e., the Clean Water Act); or
- Results in a discharge of pollutants of concern to a receiving water body, as identified by the RWQCB.

Water Resources Thresholds:

A project is determined to have a significant effect on water resources if it would exceed established threshold values which have been set for each over drafted groundwater basin. These values were determined based on an estimation of a basin's remaining life of available water storage. If the project's net new consumptive water use [total consumptive demand adjusted for recharge less discontinued historic use] exceeds the threshold adopted for the basin, the project's impacts on water resources are considered significant. A project is also deemed to have a significant effect on water resources if a net increase in pumpage from a well would substantially affect production or quality from a nearby well.

Impact Discussion:

The ~~proposed consistency rezone parcels rezoning~~ would not have an impact on water resources in the area; the rezone merely brings the parcel into today's current ordinance. Below is discussion on the proposed recreational use's interaction with the water resources in the area.

(a-c) No Impact. No new development or impervious surfaces are proposed. Permitting the existing athletic fields, remote control car track, and paintball field would not create a change in current or course of direction of water movements to the adjacent Santa Ynez River. In addition, there would be no changes to percolation rates, surface run-off patterns, or surface water amounts. As such, the project would **not result in impacts** on surface

¹ Beneficial uses for Santa Barbara County are identified by the Regional Water Quality Control Board in the Water Quality Control Plan for the Central Coastal Basin, or Basin Plan, and include (among others) recreation, agricultural supply, groundwater recharge, fresh water habitat, estuarine habitat, support for rare, threatened or endangered species, preservation of biological habitats of special significance.

water quality, including storm water runoff, direction or course of surface or ground water or the direction, volume, or frequency of runoff.

(d,l) Less than significant Impacts. The existing paintball field is located adjacent to ~~between~~ the Santa Ynez River and River Park Campground, approximately 250 feet east of the river. Due to: 1) the distance between the paintball field and the River; 2) the confinement of the field by the use of netting and fences; and 3) the high percolation rate of the area; it is not foreseeable that impacts to the Santa Ynez River would occur from paintball material run-off. None the less, staff reviewed paintball materials, which have shown to be made up of biodegradable ingredients (Attachment 4) and contacted the California Regional Water Quality Control Board (CRWQCB).

Through the use of the Central Coast Ambient Monitoring Program, 314SYL located within the Santa Ynez River at River Park (Attachment 5), and a teleconference with David Innis, CPESC, QSD Environmental Scientist for the CRWQCB, it was determined that the Santa Ynez River water quality at the River Park station (which is tested at minimum on a yearly basis) is good. There are some measurements such as water temperature and coli-form analytes which have been on the rise at the testing site, but the constituents of the paintballs would not affect the rise of these analytes. Taking into consideration that the paintball operation has been in use for 7 years and the current water quality at this station remains good, impacts to water resources would be **less than significant**.

(g-k) Less than Significant Impacts. According to Table 9 of the Groundwater Thresholds Manual for environmental review of water resources in Santa Barbara County, the irrigation of turf grass within the Lompoc Valley requires an average water usage of 2.7 acre feet per year (AFY)/acre. Using this factor, water usage for the existing 5.2-acres of ~~soccer~~ athletic fields on APN 099-141-016 is expected to continue to be approximately 14 AFY (5.2-acres x 2.7 AFY/acre). similar in use as the past agricultural uses. No additional water usage is needed for the remote control car ~~motocross~~ track or paintball field.

The subject parcels are located within the Lompoc Plain Groundwater Basin. The water usage associated with the existing recreational uses on the subject parcels would remain unchanged at the current environmental baseline amounts. No additional water usage is proposed. The Lompoc Plain Groundwater Basin is in equilibrium as during periods of dry climate water is released from Lake Cachuma to recharge groundwater levels in the eastern portion of the Plain. There is an adequate water source via an existing well for the supply of water for the project and the project would not contribute to overdraft of Groundwater Basin resources. Substantial degradation of groundwater quality (including saltwater intrusion) would not occur, and adequate water would continue to be available for public water supply. Therefore, impacts would be less than significant.

(e,f) Less than significant impacts. Both of the subject parcels are located outside of the 100 year floodway, but are entirely within the designated 100 year floodplain of the Santa Ynez River. The proposed project has been reviewed by Santa Barbara County Flood Control, and no conditions have been placed on the project. There are no habitable structures associated with the subject recreational uses, and all structures located within the designated floodplain area are temporary and not habitable. No impervious surfaces are being proposed. Taking this into consideration as well as the distance the project would be set back from the Santa Ynez River (250 feet), the project would not be expected to have a significant impact to watercourses, or expose people or property to water related hazards, accelerated runoff, or tsunamis, sea level rise, or sea water intrusion. Impacts would be less than significant.

Cumulative Impacts: The County's Environmental Thresholds were developed, in part, to define the point at which a project's contribution to a regionally significant impact constitutes a significant effect at the project level. In this instance, the project has been found not to exceed the threshold of significance for water resources. Therefore, the project's contribution to the regionally significant issues of water supplies and water quality is not considerable, and is less than significant.

Mitigation and Residual Impact: No mitigation is required. Residual impacts would be less than significant.

5.0 INFORMATION SOURCES

5.1 County Departments Consulted (*underline*):

Police, Fire, Public Works, Flood Control, Parks, Environmental Health, LAFCO,
Regional Programs, Other: CRWCB and Caltrans

5.2 Comprehensive Plan (*check those sources used*):

<u> X </u>	Seismic Safety/Safety Element	<u> X </u>	Conservation Element
<u> </u>	Open Space Element	<u> X </u>	Noise Element
<u> </u>	Coastal Plan and Maps	<u> X </u>	Circulation Element
<u> </u>	ERME	<u> X </u>	Parks, Recreation & Trails

5.3 Other Sources (*check those sources used*):

<u> X </u>	Field work	<u> X </u>	Ag Preserve maps
<u> X </u>	Calculations	<u> X </u>	Flood Control maps
<u> X </u>	Project plans	<u> </u>	Other technical references (reports, survey, etc.)
<u> </u>	Traffic studies	<u> X </u>	Planning files, maps, reports
<u> </u>	Records	<u> X </u>	Zoning maps
<u> </u>	Grading plans	<u> X </u>	Soils maps/reports
<u> </u>	Elevation, architectural renderings	<u> </u>	Plant maps
<u> X </u>	Published geological map/reports	<u> X </u>	Archaeological maps and reports
<u> X </u>	Topographical maps	<u> </u>	Other

6.0 PROJECT SPECIFIC (*short- and long-term*) AND CUMULATIVE IMPACT SUMMARY

- I. Project-Specific Impacts which are of unknown significance levels (Class I): None
- II. Project Specific Impacts which are potentially significant but can be mitigated to less than significant levels (Class II): Aesthetics / Visual Resources, and Transportation / Circulation.
- III. Potentially significant adverse cumulative impacts: None

7.0 MANDATORY FINDINGS OF SIGNIFICANCE

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
1. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, contribute significantly to greenhouse gas emissions or significantly increase energy consumption, or eliminate important examples of the major periods of California history or prehistory?			X		
2. Does the project have the potential to achieve short-term to the disadvantage of long-term environmental goals?		X	X		
3. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects and the effects of probable future projects.)			X		
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X		
5. Is there disagreement supported by facts, reasonable assumptions predicated upon facts and/or expert opinion supported by facts over the significance of an effect which would warrant investigation in an EIR ?			X		

8.0 PROJECT ALTERNATIVES: N/A

9.0 INITIAL REVIEW OF PROJECT CONSISTENCY WITH APPLICABLE SUBDIVISION, ZONING AND COMPREHENSIVE PLAN REQUIREMENTS

Zoning: Upon approval of the rezone the proposed project is consistent with the requirements of the Santa Barbara County Land Use and Development Code (Inland Zoning Ordinance). The proposed AG-II-40 zoning of the site allows for the uses and densities proposed.

Comprehensive Plan : The project will be subject to all applicable requirements and policies under the Santa Barbara County Land Use and Development Code, and the County’s Comprehensive Plan. This analysis will be provided in the forthcoming Staff Report. The following policies will be included, among other relevant policies; ~~but are not limited to the project~~: 1) Visual Resources Policies # 2,5; and 2) Agricultural Resources Policies #1A.1.a-b.

10.0 RECOMMENDATION BY P&D STAFF

On the basis of the Initial Study, the staff of Planning and Development:

- _____ Finds that the proposed project WILL NOT have a significant effect on the environment and, therefore, recommends that a Negative Declaration (ND) be prepared.
- X Finds that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures incorporated into the REVISED PROJECT DESCRIPTION would successfully mitigate the potentially significant impacts. Staff recommends the preparation of an ND. The ND finding is based on the assumption that mitigation measures will be acceptable to the applicant; if not acceptable a revised Initial Study finding for the preparation of an EIR may result.
- _____ Finds that the proposed project MAY have a significant effect on the environment, and recommends that an EIR be prepared.
- _____ Finds that from existing documents (previous EIRs, etc.) that a subsequent document (containing updated and site-specific information, etc.) pursuant to CEQA Sections 15162/15163/15164 should be prepared.

Potentially significant unavoidable adverse impact areas:

X With Public Hearing ~~X~~ Without Public Hearing

PREVIOUS DOCUMENT:

PROJECT EVALUATOR: Dana Eady, Planner

DATE: August 15, 2013

11.0 DETERMINATION BY ENVIRONMENTAL HEARING OFFICER

- X I agree with staff conclusions. Preparation of the appropriate document may proceed.
- _____ I DO NOT agree with staff conclusions. The following actions will be taken:
- _____ I require consultation and further information prior to making my determination.

SIGNATURE: [Signature] INITIAL STUDY DATE: 11.30.12

SIGNATURE: [Signature] NEGATIVE DECLARATION DATE: 12.14.12

SIGNATURE: [Signature] REVISION DATE: August 15, 2013

SIGNATURE: _____ FINAL NEGATIVE DECLARATION DATE: _____

12.0 ATTACHMENTS

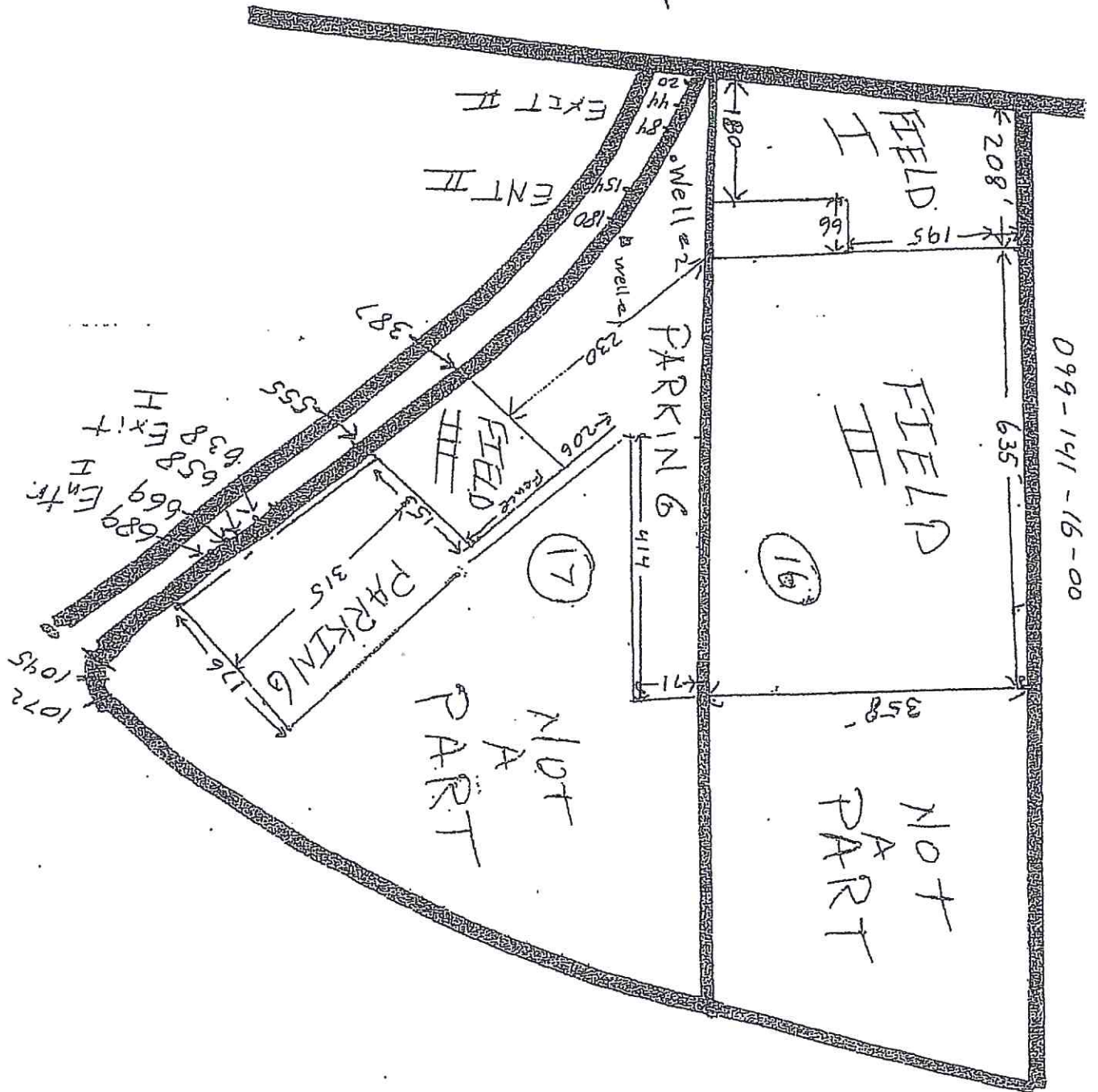
1. Site Plan
2. CalEEMod Air Quality Calculations
3. Caltrans, Frank Boyle email, dated November 7, 2012
4. Paintball Material Worksheet
5. Santa Ynez River water quality analysis at River Park (314SYL)
6. City of Lompoc Letter Regarding Bathroom Facilities
7. Comments received on Draft Mitigated Negative Declaration:
 - a. Mr. Art Hibbits, dated February 9, 2013
 - b. Citizens Planning Association, dated February 8, 2013
 - c. Ms. Kari Campbell-Bohard, dated February 11, 2013
 - d. SBCAN, dated February 11, 2013

- e. Mosby Enterprises, dated February 11, 2013
- f. Environmental Defense Center, dated February 11, 2013
- g. Grower Shipper Association, dated February 8, 2013
- h. Ms. Sharyne Merritt, dated February 7, 2013
- i. Santa Barbara County Air Pollution Control District, dated January 8, 2013
- j. Native American Heritage Commission, dated December 26, 2012

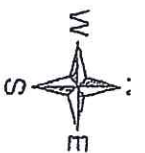
G:\GROUP\PERMITTING\Case Files\CUP\11 cases\11CUP-00000-00032 Mosby Recreational Fields\CEQA\Mosby Final
MND dated 8-13-13.docx

ATTACHMENT 1: Site Plan

Public Restroom



099-141-16-00



7" = 1200'

ATTACHMENT 2: CalEEMod Air Quality Calculations

Mosby Recreational Field
Santa Barbara County APCD Air District, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Use	Size	Unit
City Park	5	Acre

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)		Utility Company	Pacific Gas & Electric Company
Climate Zone	4		2.9		
		Precipitation Freq (Days)	37		

1.3 User Entered Comments

Project Characteristics -
Land Use - 33 PHT weekdays, 280 ADT weekends
Vehicle Trips - 280/5=56 33/5=6.6

2.2 Overall Operational

Unmitigated Operational

Category	ROG	NOx	CO	SO ₂	Fugitive PM ₁₀	Exhaust PM ₁₀	PM ₁₀ Total	Fugitive PM _{2.5}	Exhaust PM _{2.5}	PM _{2.5} Total	Biogenic CO ₂	NBS CO ₂	Total CO ₂	CH ₄	N ₂ O	CO ₂ e
Area	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Energy	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Mobile	0.09	0.14	0.91	0.00	0.07	0.00	0.07	0.00	0.00	0.00	0.00	56.53	56.53	0.01	0.00	56.53
Waste						0.00	0.00		0.00	0.00	0.09	0.00	0.09	0.01	0.00	0.20
Water						0.00	0.00		0.00	0.00	0.00	6.07	6.07	0.00	0.00	6.10
Total	0.09	0.14	0.91	0.00	0.07	0.00	0.07	0.00	0.00	0.00	0.09	62.60	62.69	0.02	0.00	62.93

Mitigated Operational

Category	ROG	NOx	CO	SO ₂	Fugitive PM ₁₀	Exhaust PM ₁₀	PM ₁₀ Total	Fugitive PM _{2.5}	Exhaust PM _{2.5}	PM _{2.5} Total	Biogenic CO ₂	NBS CO ₂	Total CO ₂	CH ₄	N ₂ O	CO ₂ e
Area	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Energy	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Mobile	0.09	0.14	0.91	0.00	0.07	0.00	0.07	0.00	0.00	0.00	0.00	56.53	56.53	0.01	0.00	56.53
Waste						0.00	0.00		0.00	0.00	0.09	0.00	0.09	0.01	0.00	0.20
Water						0.00	0.00		0.00	0.00	0.00	6.07	6.07	0.00	0.00	6.10
Total	0.09	0.14	0.91	0.00	0.07	0.00	0.07	0.00	0.00	0.00	0.09	62.60	62.69	0.02	0.00	62.93

4.0 Mobile Detail

4.1 Mitigation Measures Mobile

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	CO ₂	CH ₄	N ₂ O	HFC	PFC	SO ₂	NO _x	CO ₂ e
Mitigated	0.09	0.01	0.00					0.20
Unmitigated	0.09	0.01	0.00					0.20
Total	NA	NA	NA	NA	NA	NA	NA	NA

8.2 Waste by Land Use

Unmitigated

	CO ₂	CH ₄	N ₂ O	HFC	PFC	SO ₂	NO _x	CO ₂ e
City Park	0.43							0.20
Total	0.09	0.01	0.00					0.20

Mitigated

Land Use	Water Disposed	TOC	NO _x	CO ₂	SO ₂	HCl/CO ₂	CH ₄	N ₂ O	CO ₂ e
City Park	0.43					0.09	0.01	0.00	0.20
Total						0.09	0.01	0.00	0.20

9.0 Vegetation

Category	COG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	Black-CO2	Total CO2	CH4	N2O	CO2e
Area	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00		0.00
Energy	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00		0.00
Mobile	1.34	2.09	12.32	0.01	1.13	0.05	1.19	0.02	0.04	0.06		950.90		0.08		952.55
Total	1.34	2.09	12.32	0.01	1.13	0.05	1.19	0.02	0.04	0.06		950.90		0.08	0.00	952.55

Mitigated Operational

Category	COG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	Black-CO2	Total CO2	CH4	N2O	CO2e
Area	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00		0.00
Energy	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00		0.00
Mobile	1.34	2.09	12.32	0.01	1.13	0.05	1.19	0.02	0.04	0.06		950.90		0.08		952.55
Total	1.34	2.09	12.32	0.01	1.13	0.05	1.19	0.02	0.04	0.06		950.90		0.08	0.00	952.55

4.0 Mobile Detail

4.1 Mitigation Measures Mobile

Category	COG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	Black-CO2	Total CO2	CH4	N2O	CO2e
Area	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00		0.00
Energy	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00		0.00		0.00		0.00
Mobile	1.34	2.09	12.32	0.01	1.13	0.05	1.19	0.02	0.04	0.06		950.90		0.08		952.55
Total	1.34	2.09	12.32	0.01	1.13	0.05	1.19	0.02	0.04	0.06		950.90		0.08	0.00	952.55

Mitigated	1.34	2.09	12.32	0.01	1.13	0.05	1.19	0.02	0.04	0.06	NA	950.90	0.08	952.55
Unmitigated	1.34	2.09	12.32	0.01	1.13	0.05	1.19	0.02	0.04	0.06	NA	950.90	0.08	952.55
Total	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

4.2 Trip Summary Information

City Park	Weekday	Saturday	Sunday	Unmitigated	Mitigated
Total	33.00	280.00	280.00	126,823	126,823

4.3 Trip Type Information

City Park	8.80	4.60	4.60	0.00	100.00	0.00
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ATTACHMENT 3: Caltrans email dated, November 7, 2012

Weber, Tammy

From: Frank Boyle [frank_boyle@dot.ca.gov]
Sent: Wednesday, November 07, 2012 4:26 PM
To: Weber, Tammy
Subject: Mosby Development

Hello Tammy,

The turning movements of concern were the northbound left-turn, northbound right-turn, and the eastbound right-turn movements. However recent estimates of traffic anticipated to use Sweeney Rd/SR 246 are not expected to create, or have the potential to create, traffic impacts for these movements.

Caltrans does request substantiating documentation that the development's actual trip generation will not notably exceed current trip generation estimates. Specifically, documentation stipulating approximately a hundred visitors, at a rate of 2-2.5 visitors per vehicle, will be accessing this development site on weekdays between the hours of 3:00pm and dusk.

Please feel free to call me if you have any questions.

Frank J. Boyle, P.E.

Transportation Engineer

Caltrans, District 5

Phone: (805) 542-4760

Fax: (805) 549-3045

email: Frank_Boyle@dot.ca.gov

ATTACHMENT 4: Paintball Material Worksheet

Paintballs: Material Safety Data Sheet

Material Description		CAS Number
Fill Components		
Polyethylene Glycol 300		25322-68-3
Polyethylene Glycol 3350		25322-68-3
Water		7732-18-5
Glycerine		56-81-5
Emulsifying Wax		8002-74-2
Sorbitol		50-70-4
FD&C Approved Colorants		(Varied)
Titanium Dioxide		13463-67-7
Shell Components		
Gelatin		9000-70-8
Anti Foam		556-67-2
Soy Lecithin		8002-43-5

Product Information	
Product Identifier	Soft Gel Capsule
Product Use	Recreational
Product Decomposition	BioDegradable

Fill Material Physical Data			
Physical State: Liquid	Odor : No Odor Appearance: Depends on Colourant	Odor Threshold: N/A	
Specific Gravity: 1,200 g/ml	Co-Efficient of Water/Oil Distribution: N/A	Vapor Pressure: (AIR=1) 1	
Boiling Point: 200 Celsius	Freezing Point: 4-9 Celsius	PH: 6, -7.5	Vapor Density: (AIR=1) 1
Evaporation Rate: (BuAc=1) N/A	Percent Volatile (By Volume): N/A		

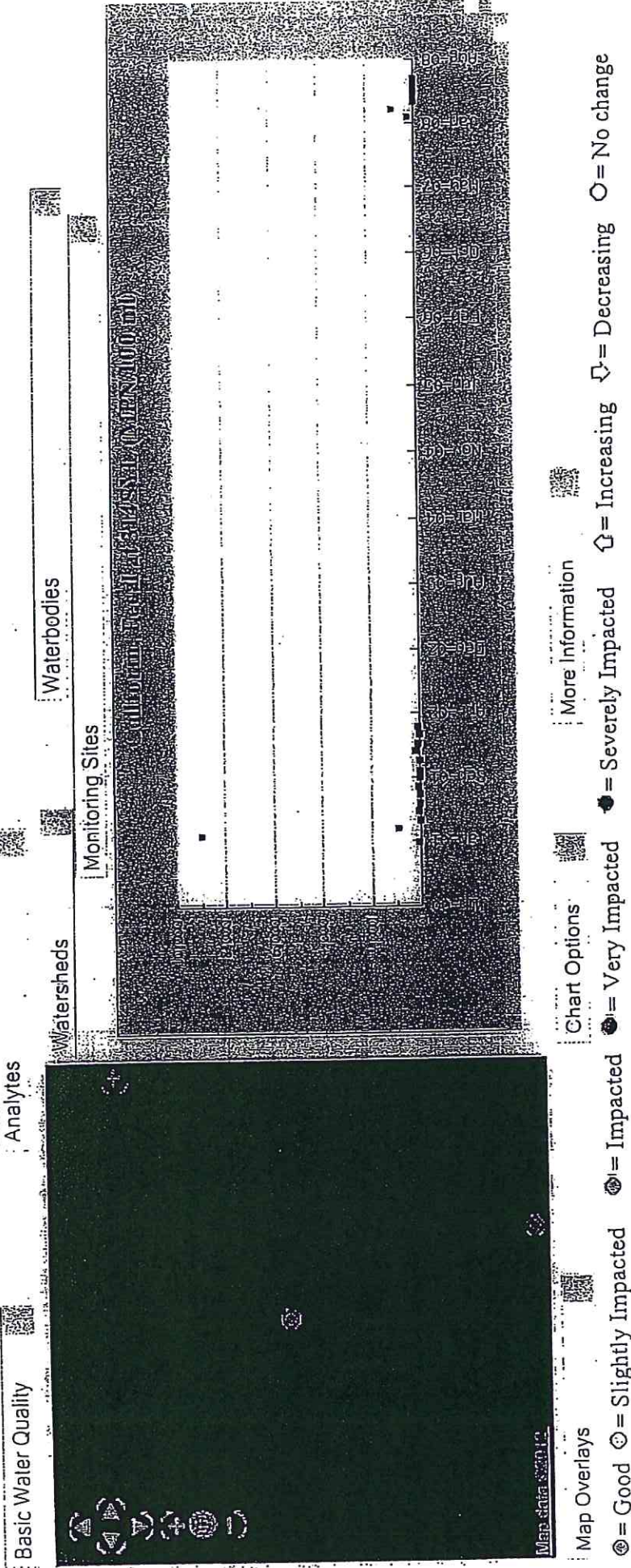
Preparation Information		
Prepared By: Plant Manager	Phone:	Date: 11/30/2010

ATTACHMENT 5: Santa Ynez River Water Quality Analysis at River Park (314SYL)



CENTRAL COAST AMBIENT MONITORING PROGRAM
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD

Search Address
895 Aerovista Place, San Go



Analyte Name	Units	Min	Mean	Geomean	Median	Max	Samples	Dates	Before	After	Year
Ept Index(%)	%	38.00	54.00	51.58	54.00	70.00	2	2001-2002			
EPT Individuals	Individuals	188	269	257	269	350	2	2001-2002			
Ept Taxa	Taxa	5	6	6	6	7	2	2001-2002			
Intolerant Individuals	Individuals	1	2	1	2	2	2	2001-2002			
NorCal IBI	Score	38	43	43	43	48	2	2001-2002			
Percent Dominant Taxon	%	16.80	35.00	29.90	35.00	53.20	2	2001-2002			
Percent Predator Taxa	%	39.00	39.50	39.50	39.50	40.00	2	2001-2002			
Percent Predators	%	8.00	15.00	13.27	15.00	22.00	2	2001-2002			
Percent Tolerant Taxa (8-10)	%	26	31	30	31	35	2	2001-2002			
Sensitive EPT Index (%)	%	0.00	2.00	4.00	2.00	4.00	2	2001-2002			
Sensitive EPT Individuals	Individuals	2	11	6	11	19	2	2001-2002			
SoCal IBI	Score	46	48	47	48	49	2	2001-2002			
Taxonomic Richness	Taxa	20	26	25	26	31	2	2001-2002			
Tolerance Value	Tolerance Index	5	5	5	5	6	2	2001-2002			
Air Temperature	Degrees C	8.0	19.7	19.2	19.6	29.8	65	2001-2011			
algae-attached	%	0.00	4.63	5.90	0.50	35.00	40	2001-2011	8.93	2.31	2008
algae-floating mats	%	0.00	3.35	4.91	1.00	15.00	43	2001-2011	6.00	2.44	2006
Ammonia as N, Total	mg/l	0.010	0.067	0.048	0.049	0.297	59	2001-2011	0.044	0.083	2006
Ammonia as N, Unionized	mg/l	0.000	0.003	0.002	0.003	0.027	57	2001-2011	0.001	0.004	2004
Boron, dissolved	mg/l	0.210	0.465	0.442	0.485	0.680	22	2001-2008			
Calcium	mg/l	63.00	123.50	120.02	130.00	160.00	22	2001-2008			
Chlorophyll a, water column	ug/l	0.000	2.027	0.451	0.370	32.400	59	2001-2011			
Coliform, ecoli	MPN/100 ml	5	120	32	19	370	6	2008-2008			
Coliform, Fecal	MPN/100 ml	2	555	52	30	9,000	21	2001-2008			
Coliform, Total	MPN/100 ml	70	10,725	1,332	1,300	110,000	27	2001-2008			
Dissolved Solids, Fixed	mg/l	353.00	745.91	719.65	830.00	940.00	22	2001-2008			
Dissolved Solids, Total	mg/l	173.00	934.95	894.16	980.00	1,250.00	59	2001-2011			
Dissolved Solids, volatile	mg/l	73.000	228.773	217.000	225.000	420.000	22	2001-2008			
Flow	cfs	1.3	119.0	22.4	18.6	2,747.5	45	2006-2011			
Hardness as CaCO3	mg/l	297.0	600.4	581.2	643.5	754.0	22	2001-2008			
Magnesium	mg/l	34.000	70.364	67.789	76.000	90.000	22	2001-2008			
Nitrate, Nitrite as N	mg/l	0.006	0.157	0.045	0.028	2.170	59	2001-2011			
Nitrogen, Total	mg/l	0.2	2.2	0.8	0.7	10.0	6	2008-2008			
Nitrogen, Total Kjeldahl	mg/l	0.150	0.991	0.457	0.400	9.300	22	2001-2008			

Introduction

This water quality monitoring fact sheet was prepared by the Irrigated Agriculture Program of the Central Coast Regional Water Quality Control Board (Water Board) and made available on November 30, 2008. The data were delivered by Central Coast Water Quality Preservation, Inc. (CCWQP) to the Water Board as part of the monitoring and reporting requirements for all dischargers enrolled under *Conditional Waiver of Waste Discharge Requirements for Discharge from Irrigated Lands, Order No. R3-2004-0117*. Monitoring stations were selected to represent water quality in predominantly agricultural areas, but in some cases reflect mixed land uses upstream of the sites.

314SYL Santa Ynez River at River Park

The Cooperative Monitoring Program sampled Santa Ynez River at River Park 14 times (approximately one sample per month) between January 2006 and December 2007, excluding seven sample dates that were recorded as dry or no flow.

Summary of Water Quality Data

Notable Measured Analytes for Water Quality Monitoring

Analyte/Parameter	Average	Range	Water Quality Criteria (WQC) or Guideline ¹	Percent Outside WQC or Guideline
Ammonia as N, Unionized	0.009 mg/L	0.001–0.027 mg/L	<0.025 mg/L ⁺	7%
Nitrate/Nitrite as N	0.04 mg/L	0.01–0.20 mg/L	<10.0 mg/L*	0%
Orthophosphate as P	0.10 mg/L	0.03–0.22 mg/L	<0.12 mg/L*	36%
Turbidity (NTU)	18 NTU	0–167 NTU	<25 NTU*	7%
Conductivity	1.36 mmho/cm	1.08–1.64 mmho/cm	Ranges: ⁺ <0.75 No Problem 0.75–3.0 Increasing >3.0 Severe	0% 100% 0%
pH	8.2	8.1–8.4	7.0–8.3 ⁺	29%
Annual Median Dissolved Oxygen (% Saturation)	2006: 108% 2007: 101%	98–120%	>85% annual median ⁺	Std met Std met
Dissolved Oxygen	9.7 mg/L	8.3–10.6 mg/L	>5.0 mg/L (GEN/WARM) ⁺ >7.0 mg/L (COLD/SPWN) ⁺	0% 0%
Chlorophyll a	0.5 µg/L	0–1.4 µg/L	<40 µg/L*	0%
Water Temperature	18.8°C	13.0–28.5°C	Water Basin Specific	--

+ Indicates standard defined in the Water Quality Control Plan, Central Coast Basin (Basin Plan)

* Indicates guideline not described in the Basin Plan or not specifically stated as applicable to the beneficial uses of the site. Origin of the guideline is described in the individual discussion of the analyte/parameter.

The present and potential beneficial uses for Santa Ynez River as defined in the Basin Plan include Municipal and Domestic Supply (MUN), Agricultural Supply (AGR), Industrial Process Supply (PROC), Industrial Service Supply (IND), Ground Water Recharge (GWR), Water Contact Recreation (REC-1), Non-Contact Water Recreation (REC-2), Wildlife Habitat (WILD), Cold Fresh Water Habitat (COLD), Warm Fresh Water Habitat (WARM), Migration of Aquatic Organisms (MIGR), Spawning, Reproduction, and/or Early Development (SPWN), Rare, Threatened, or Endangered Species (RARE), Fresh Water Habitat (FRESH), and Commercial and Sport Fishing (COMM).

¹ Water Quality Criteria (WQC) are defined in the Water Quality Control Plan, Central Coast Basin (also referred to as the "Basin Plan") to protect beneficial uses such as drinking water, fish habitat, irrigation water, etc. WQC include general water quality standards for some analytes as well as specific criteria based on the defined beneficial uses. Other water quality guidelines were compiled to provide a standard in order to compare sites. Bold indicates beneficial uses that apply to this watershed. Bold indicates beneficial uses that apply to this watershed.

Unionized Ammonia (as N)

Unionized ammonia (as N) is a calculated value based on water temperature, pH, and total ammonium concentration. Ammonia can be toxic in water. With high water temperature and/or high pH, ammonia becomes unionized and is toxic at much lower levels. The Basin Plan general water quality objectives state that unionized ammonia should not exceed 0.025 mg/L. Over time, ammonia should reduce to nitrate, so long-lasting levels of ammonia may indicate continuous discharges of waste. One of 14 samples (7%) exceeded the standard (June 2006 – 0.027 mg/L). The average unionized ammonia concentration was 0.009 mg/L.

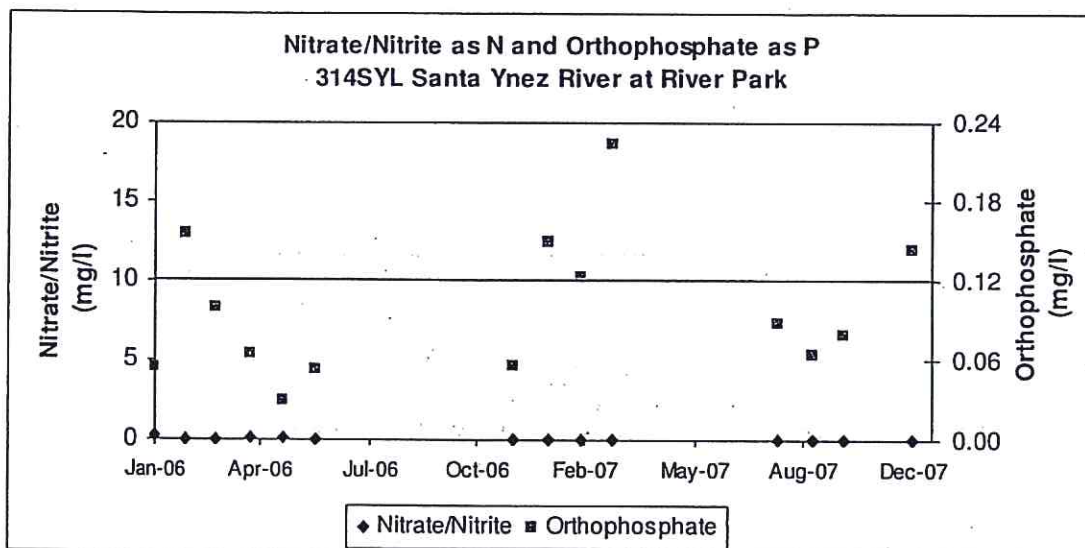
Nitrate/Nitrite as N

The Municipal and Domestic Supply (MUN) objective states in Table 3-2 of the Basin Plan that nitrate as NO_3 shall not exceed 45 mg/L. This value is equivalent to 10 mg/L of nitrate as N. Nitrite accounts for a small percent of total nitrate/nitrite, and therefore, nitrate as N criterion was used as a guideline for nitrate/nitrite. No nitrate/nitrite samples exceeded the guideline. The average concentration was 0.04 mg/L.

Orthophosphate as P

The Basin Plan does not contain orthophosphate standards. The Central Coast Ambient Monitoring program (CCAMP) non-regulatory guideline for general water quality objectives states that orthophosphate concentrations shall not exceed 0.12 mg/L. Orthophosphate concentrations exceeded the guideline in five of 14 samples (36%), reaching as high as 0.22 mg/L (March 2007). All exceedances occurred between January and March. The average concentration was 0.10 mg/L.

The chart below shows the nitrate/nitrite and orthophosphate concentrations throughout the sampling period. The guidelines for nitrate/nitrite as N and orthophosphate as P state that their concentrations shall not exceed 10 mg/L and 0.12 mg/L, respectively, shown by the black horizontal line on the graph.



Turbidity

The Basin Plan states: "Water shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses." Sigler et al.² shows that turbidity levels of 25 NTU or greater caused reduction in juvenile salmonid growth due to interference with their ability to find food. Turbidity is often affected by suspended material in runoff. One of 14 turbidity readings (7%) exceeded the guideline. Turbidity levels exceeded the guideline in one sample (March 2006 – 167 NTU). Including this exceedance, turbidity levels in Santa Ynez River at River Park averaged 18 NTU.

² Sigler, J.W., T.C. Bjornn, & F.H. Everst. (1984). *Effects of chronic turbidity on density and growth of steelhead and coho salmon*. Transactions of the American Fisheries Society. 113:142-150.

Conductivity

Conductivity is measured from a water sample. Based on Table 3-3 of the Basin Plan showing Guidelines for Interpretation of Quality of Water for Irrigation, conductivity below 0.75 mmho/cm causes no problems to irrigation, between 0.75 and 3.0 mmho/cm causes increasing problems, and conductivity above 3 mmho/cm causes severe problems. The conductivity level can be greatly affected by geologic and biological influences and is not necessarily related to agricultural activities. All 14 conductivity samples at this site indicated increasing problems to irrigation water, ranging from 1.08 to 1.64 mmho/cm.

pH

Multiple beneficial uses have objectives for pH. The Basin Plan general water quality objective for pH is between 7.0 and 8.5; MUN, AGR, REC-1, and REC-2 pH objectives are between 6.5 and 8.3. The standard, therefore, is 7.0-8.3 if one or more of MUN, AGR, REC-1, and REC-2 is defined as a beneficial use. pH above 9 can cause skin irritant to humans and makes water inhospitable to many species. Four of 14 pH samples (29%) exceeded the standard, with pH levels ranging from 8.1 to 8.4 at this site.

Dissolved Oxygen Concentration and Dissolved Oxygen Saturation

The Basin Plan general water quality objectives state annual median dissolved oxygen shall remain above 85% saturation. General and WARM objectives state that the dissolved oxygen concentration must remain above 5.0 mg/L at all times, and SPWN and COLD objectives state that the dissolved oxygen concentration must remain above 7.0 mg/L at all times. All 14 samples met the general and WARM and the COLD and SPWN concentration standards. Dissolved oxygen met the saturation standard during 2006 and 2007, with median annual values of 108 and 101% saturation, respectively.

Though no standards have been set in the Basin Plan regarding dissolved oxygen supersaturation (>100%), studies have shown that supersaturation of gases may cause gas bubble trauma in fish³. Dissolved gas saturation levels were not collected at this site; however, oxygen levels reached 120% saturation, which may indicate dissolved gas supersaturation.

Chlorophyll a

Healthy and appropriate Chlorophyll a levels are not defined in the Basin Plan. Chlorophyll a indicates phytoplankton growth, a necessary component of healthy water bodies. Because turbidity causes interference for the Chlorophyll a probe, measurements of Chlorophyll a may not be accurate when turbidity is above 1000 NTU. Chlorophyll a levels over 40 µg/L are considered problematic by North Carolina Administrative Code (NCAC). No readings exceeded the guideline. The Chlorophyll a readings averaged 0.57 µg/L.

Temperature

Sullivan et al.⁴ state that the maximum weekly average temperatures for protection of steelhead or rainbow trout, and coho salmon are 19.6 and 19.7°C, respectively. The temperature averaged 18.8°C and ranged from 13.0 to 28.5°C. Though weekly averages were not taken, the temperatures taken at this site indicated averages that exceed the maximum temperatures for fish protection.

³ Mesa, M.G., L.K. Weiland, & A.G. Maule. (2000). *Progression and severity of gas bubble trauma in juvenile salmonids*. Transactions of the American Fisheries Society. 129:174-185.

⁴ Sullivan, K., D.J. Martin, R.D. Cardwell, T.E. Toll, & S. Duke. (2000). *An analysis of the effects of temperature on salmonids of the Pacific Northwest with implications for selecting temperature criteria*. Portland, OR: Sustainable Ecosystems Institute.

Summary of Toxicity Data

Species with Significant Mortality

	Feb-06	May-06	Feb-07	Mar-07	Oct-07
Invertebrate (Water Column)	No*		No	No	No*
Invertebrate (Sediment)		No			
Fish (Water Column)	No		No	No	No
Algae (Water Column)	No		No	No	No

* Indicates significant effect on growth or reproduction (even though mortality did not have a significant effect)

Significant effect is determined by statistically significant rates of mortality, growth, or reproduction compared to a control sample and provides an indication that something is affecting plant or animal life in the stream. Invertebrates show significant sensitivity to organophosphates and pesticides. Significant effect to algae often indicates the presence of herbicides and metals such as copper. Fish are less sensitive to organophosphates but can be impacted by other pollutants such as ammonia and pyrethroid pesticides.

Photos of Site



February 2006



July 2006

QAQC

The data in this water quality monitoring fact sheets meet the quality assurance and quality control requirements of the Water Board's Surface Water Ambient Monitoring Program (SWAMP). Additional surface water monitoring data are available at the Water Board's Central Coast Ambient Monitoring Program website <http://www.ccamp.org>. Any questions regarding the data or analysis should be directed to either Peter Meertens at pmeertens@waterboards.ca.gov (805) 549-3869 or Amanda Bern at abern@waterboards.ca.gov (805) 594-6197.

Attachment: Monitoring Data

[illegible]

ATTACHMENT 6: City of Lompoc Letter Regarding Bathroom Facilities



CITY OF LOMPOC

May 30, 2012

05/31/2012
06/06/2012
S.B. COUNTY
PLANNING & DEVELOPMENT

County of Santa Barbara
Public Health Department, Environmental Health Services (EHS)
123 East Anapamu Street
Santa Barbara, CA 93101

Subject: Availability of Drinking Water and Restrooms at River Park

To Whom It May Concern:

This letter is to confirm that there are public restrooms and drinking water facilities at River Park, located adjacent to Mr. Mosby's proposed project parcel at 625 East Highway 246 and No. 2 River Park Road. These facilities are separate, and do not include, the facilities that are only accessible to paid campers, and they are easily accessed and available for use by the general public.

The City of Lompoc owns and operates these facilities, and provides all necessary maintenance. Once Mr. Mosby's completed project is operating, evaluation can be made to ascertain if the public facility restrooms and drinking water use warrants additional maintenance, at which time the City of Lompoc will enter into an agreement with Mr. Mosby for those additional required services.

This project will be a real asset to the City of Lompoc, providing our community extended opportunities for recreation. Mr. Mosby is to be commended for his initiative to facilitate this community benefit. The City of Lompoc welcomes this opportunity and appreciates your assistance in this matter.

Respectfully Submitted,

Laurel M. Barcelona
City Administrator

C: Lompoc City Council
Joseph W. Pannone, City Attorney
Larry A. Bean, Public Works Director
Douglas K. Anthony, Deputy Director

ATTACHMENT 7: Comments received on Draft Mitigated Negative Declaration

SUBJECT: DMG 12NGD-00000-00024 (Draft ND Mosby...)
DATE: 02/09/2013

COMMENTS, CORRECTIONS, and SUGGESTIONS (not in any particular order of significance):

- (A) A complete history of SBCo General Plan, Comp. Plan, and Zoning for all APN
 - (B) “ “ “ “ current and past zoning violations, un-permitted activities including grading
 - (C) Note that owner is NOT Jim Mosby (see top page 1) Does he have authority to act?
 - (D) Owner of APN 099-141-015, 016, and 017 is “...Mosby Trust
 - (E) There are three APN involved, which apparently share irrigation wells, distribution systems, shops, restrooms, storage facilities and other support infrastructure:
 - (1) APN 099-141-015, 20.09 acres, owned and farmed for many years, with about half currently lined ponds and half irrigated cut-flowers. A large steel constructed building exists on SE. This is the Northern most parcel.
 - (2) APN 099-141-016, 9.99 acres, owned and mostly farmed until recently. The description of uses (pg. 1 and 2) is correct. There is no mention of a domestic water source for restrooms and trailer residence. The West 0.4 acre is the Paintball Facility, the middle 5.2 acres is the Soccer (athletic fields), and the balance on East is some open land, plus greenhouses and other buildings as noted.
 - (3) APN 099-141-017, 9.51 acres, located on South. This parcel was recently purchased by Mosby Trust, and was previously farmed intermittently. It has two wells...the GPM data should be shown. This parcel was created when the City of Lompoc placed a road through the center of a larger parcel owned by Collins and Fletcher Construction Co. This road is the access to the City owned (but not in City Limits) River Park. Note: River Park was obtained from the Valla Family by Threat of Condemnation. The remaining Valla Ranch is contiguous on West and is intensely farmed, irrigated row crop land.
- At least 80% of this parcel was graded about three years ago (a rough estimate is 3-4 feet of cut and fill) Note that the previous Planner told me that “...she went by the property everyday and there was no apparent grading violation!” In addition there has been, in the last three months, a relatively large amount of off-site fill, placed on the SW corner of the parcel. The Remote Car Facility that is existing and the proposed Parking for 150 vehicles is on the NW portion of the parcel and contiguous to the Park entrance Road.
- (F) The “Site Plan” Attachment 1, needs considerable improvement:
 - (1) It is not to scale and the actual amount of parking area for 150 cars can not be determined.
 - (2) The access and exits to/from the parking is vague and potentially hazardous.
 - (3) The heavily graded portions of parcel 017, labeled “NOT A PART” are for what?
 - (4) The exact location of the proposed use of City-owned restrooms and their distance from the various activities proposed, must be shown somewhere.
 - (G) Restrooms and water: We have never heard of a City offering to provide these services to a private commercial enterprise, as is proposed. (see City of Lompoc letter of May 30, 2012, signed by Laurel M. Barcelona, City Administrator, cc City Council. City Attorney, etc.) Subject letter is the last page of the Draft ND.

Note that Agricultural Employers are required to provide no less than one restroom per 20 employees...so does the City have those facilities available for 700 people, 7 days a week, from 7AM to dusk? I don't think so, and staff stated at the AAC meeting, so called “porta potties” were not an option. So what is the real plan to mitigate?
 - (H) Flood Hazards: Applicant has attempted to discount the various maps (FEMA, City GP Update EIR, etc.) that clearly show all Mosby parcels in the “100 year flood zone.” Until shown otherwise, all existing un-permitted and proposed uses are in the 100-year flood zone, and have as recently as the late 1930's been under water. Note that the draft statement (bottom of page 2) “...the subject lots do not lie within the 100 year floodway.” The correct statement would be: “Subject parcels APN 099-141-015, 016, and 017, are entirely within the designated 100 year flood zone.”

Someone will surely point out that the flood in 1937 was pre-Lake Cachuma (1952, I think), but records show that flooding started to occur again near the 246 Bridge in 1969, about 150 feet from the Mosby current holdings. So next they will say

that was because the operators of the Cachuma Project screwed-up and now the Dam is operated in a "modified" flood control mode. (note that this is way too much detail...but if you need further info, please let me know)

Actually today, with the prohibition of vegetation clearance by SBCo Flood Control in most of the SY River below the Dam, flood risk downstream, in the Lompoc Valley is greatly increased.

Mosby also has stated that they previously had DMG and High Density Residential zoning, which the SBCo took away, many years ago...our response is now, and back then...a flood zone is not an appropriate location for those uses, nor is it an appropriate location for the subject projects today. It all boils down to finding the appropriate location, no matter how beneficial the use.

(I) Compatibility with neighbors and Historical Agricultural Uses in the Area:

- (1) The proposed legalizing of un-permitted, non-agricultural, commercial uses, involving up to 700 people, 7 days a week, 7AM to dusk, in a Comp Plan Area designated "A-II-40" is in complete conflict with the Goals and Policies of the adopted Comp Plan, existing Zoning, and the Agriculture Element. (please quote the precise wording)
- (2) The proposed uses, in spite of any "feel-good" mitigation measures, sets-up a highly likely conflict with the surrounding intensely farmed properties contiguous on three sides. Specifically, the uses proposed, are incompatible with, and comparable to what would exist between, for example, Ag and a School, or a flood zone and residential zone, or for that matter, any use that puts lots of people in the rural area, on an on-going, daily basis.
- (3) If allowed (legalized), these proposed uses would set a precedent for the area, and encourage future similar uses and resulting conflicts. Please note the well known "domino effect..."

(J) Google Maps: A quick look at the standard Google Maps, clearly shows the changes in use to the subject parcels from 09/21/1994 to 06/06/2012. Staff undoubtedly has access to even more up-to-date, better quality, color, aerial photos. These should be part of the Final ND or EIR, so that the public and the SBCo Decision Makers, can easily see what was there before, along the way, and currently. Plus the surrounding uses on the same soils will be obvious...and of course the close proximity of the proposed uses to historically, intensely-farm neighboring ranches.

(K) Buffers between Urban and Agriculture: Again, high quality, aerial photos clearly show the City of Lompoc on the West side of the River, and a very large, contiguous area comprised of irrigated row crops, orchards, and to the East, the Santa Rita Hills Appellation (a now well known viticulture area)...being separated by the Santa Ynez River. The River has provided the perfect natural BUFFER between URBAN and RURAL.

Any allowance of non-agricultural uses East or North of this Natural Buffer, is a very serious matter, that will, over time, encourage more urban development, East of the River. These are not new ideas...preventing urban sprawl and loss of valuable agricultural resources, and avoiding conflicts is the essence of why we have planning in the first place.

(L) Public Safety: There are at least two important issues:

- (1) Bicycle and pedestrian access from Lompoc, across the Hwy 246 Bridge is very narrow and hazardous. There is no plan to improve in the near future.
- (2) 700 people, 7days a week, 7AM to Dusk, w/o supervision is a wreck waiting to happen. It seems obvious that increased Police and Fire services will be required.

(M) EIR Baseline must be prior to the initiation of illegal, un permitted uses. To do otherwise sets an awful precedent and will encourage pre-application misbehavior.

(N) Aesthetics: The site is at the East Entrance to the City and the entrance to the park. In addition the La Purisma Mission is several miles North. It is one of the few Missions that is still surrounded by relatively unspoiled, rural lands. The proposed projects would constitute an incremental step toward degrading that resource.

(O) Ag Resources (pg. 5-8): A lot has already been said by others on this, the most important issue, so the following will be only briefly summarized.

It should be clear by now that the Draft grossly down-plays the significance of what has been going on for many years, and is now being proposed as legal uses, in an otherwise intensely farmed, highly productive, rural area. Suggestions follow.

- (1) Ag Resources, 4.2, items (a) and (b) both should be "potentially significant" or more accurately "Significant and w/o

Feasible Mitigation.”

(2) Table 1 seems to have a goal of reaching the lowest total number of points possible. (See Attachment A)

(3) Past and current Management practices should never be the basis for a lower assignment of points. What should be Evaluated is the potential of the land under normal management. A comparison to the Agricultural Productivity of other properties in the area, with similar soils, should be the basis for the assignment of points.

(4) Water (see pg. 8, bottom) States that “Both parcels have one well(s) on site...” The site map, however, shows only two wells on parcel 017. Whatever... this area, contiguous to the SY River, has a history of productive wells, and it is a decision by management to not provide water to parcel 017. Once again Potential, not Management should be the basis for points.

(5) Ag Preserve potential: Based on what is going on with the same soils, on properties West, North, and East of subject parcels, an assignment of 7 for each parcel seems appropriate. In addition, the combined total for the three parcels (39.58 acres) should qualify for AP status. In fact, based on Fair Market Leases in this area, the individual parcels could potentially qualify for “Super Prime Status.”

SUMMARY: It is recommended that the issues above, be given careful consideration. Hopefully, a final environmental document will more accurately depict the resources involved, the potential conflicts that would result, and the major precedent an approval would set.

The draft is labeled a “Mitigated “ ND. “Mitigated” is obviously not synonymous with “Minimized.” The Draft, overall seems to choose the latter.

Submitted by Art Hibbits, 1251 E. Hwy. 246, Lompoc, Ca. 93436

this parcel's past farming practice (approximately 15 years ago). APN: 099-141-016 contains Class III and Class I (prime) soils. The parcel currently supports a greenhouse (used for Botany research), and other agricultural storage structures, as well as, the existing soccer and paintball field. Both of the subject parcels, along with the property owner's adjacent parcel APN: 099-141-015 (which is located directly to the North of the subject parcels), have at some point in time, been used for cultivation. The north, east, and west sides of the subject site are adjoin by parcels zoned agricultural ranging in size from approximately 10 to 100 acres. Though all of these adjacent parcels are zoned agriculturally, not all of them are used for agricultural purposes. The parcel to the south is River Park; the parcel to the east is the County's Road yard; the parcel to the north is owned by the applicant and is used for aquaculture.

The subject parcels are not under a Williamson Act contract, however a portion of APN: 099-141-016 is designated by the Department of Conservation as Prime Farmland.

The County's Agricultural Resources Guidelines (approved by the Board of Supervisors, August 1993) provide a methodology for evaluating agricultural resources. According to the Environmental Thresholds and Guidelines Manual an agricultural viability assessment shall be conducted for a Development Plan, Conditional Use Permit, or other discretionary act which would result in the conversion of farmland. The current proposal is not requesting a subdivision of land, nor would the project permanently convert the agricultural potential of these parcels because, the requested use is not proposing any structural development. With no structural development the subject lots would remain open space and have the potential to be easily converted back into cultivation by the current or any future owner. None the less, an agricultural viability study was completed for the parcels and the following conclusions have been made below.

The weighted point system assigns values to nine particular characteristics of agricultural productivity of a site. These factors include parcel size, soil classification, water availability, agricultural suitability, existing and historic land use, comprehensive plan designation, adjacent land uses, agricultural preserve potential, and combined farming operations. If the tabulated points total 60 or more, the parcel is considered viable for the purposes of analysis. The project would be considered to have a potentially significant impact if a discretionary act resulted in a tabulated point devaluation of an agricultural use of a parcel that once qualified as viable to become non-viable. Any loss or impairment of agricultural resources identified using the weighted point system could constitute a potentially significant impact and warrants additional site specific analysis. Initial Studies are to use the weighted point system in conjunction with any additional information regarding agricultural resources.

The weighted point system analysis completed for the existing parcels with their current and proposed use is shown below in Table 1- Agricultural Suitability and Productivity Analysis.

Table 1 – Agricultural Suitability and Productivity Analysis

Category		APN 099-141-017	APN 099-141-016	APN 099-141-015
Parcel size		6 points	6 points	7 POINTS
Less than 5	0-3	6	6	7
5 less than 10	4-6			
10 less than 40	7-8			
40 less than 100	9-10			
100 less than 500	11-12			
500 less than 1000	13-14			
1000 or more	15			

		099-141-017	099-141-016	099-141-015
Soil classification		8 points	10 points	
Class I	14-15	10.25	12	15
Class II	11-13			
Class III	8-10			
Class IV	6-7			
Class VI&VII	1-5			
Class VIII	0			
Water availability		8 points	15 points	
Land has adequate water supply suitable for crops or grazing	12-15	15	15	15
Land has water but may be marginal in quantity or quality suitable for crops or grazing	8-11			
Land does not have developed water supply but an adequate supply is potentially available	3-7			
Land does not have developed water and potential sources are of poor quality or quantity	0-2			
Agricultural Suitability				
Crops		10	10	10
Highly suitable for irrigated grain, truck and field, orchard, or vineyard crops	8-10	8 pts	10 pts	
Highly suitable for irrigated ornamentals, pasture, alfalfa, or dry farming	6-8			
Moderately suitable for irrigated crops, orchard, ornamental or dry farming	4-5			
Low suitability for irrigated crops, orchard, ornamentals or dry farming	1-3			
Unsuitable for crop production because of soil capabilities, environmental constraints, etc.	0			
Grazing		N/A	N/A	N/A
Highly suitable for pasture or range	6-10			
Moderately suitable for pasture or range	3-5			
Low suitability for pasture or range	1-2			
Unsuitable for pasture or range	0			
Existing and Historic Land Use		4 points	5 points	
In active agricultural production or maintained range/pasture	5	5	5	5
Unmaintained, but productive within the last ten years	3-5			
Vacant land - fallow or never planted	1-3			
Substantial urban or industrial ag development onsite	0			
Comprehensive Plan Designation		5 points	5 points	
A-II	5	5	5	5
A-I	4			
MA; Open space; Recreation; Open land; Rural Residential 40-100 acres	3-4			
Residential Ranchette 5-20 acres	2			
Residential 5 acres or less; Commercial; Industrial; Community Facility	0			
Adjacent Land Uses		8 points	8 points	
Surrounded by ag/open space in a region with adequate support uses	9-10	10	10	10
Surrounded by ag operations or open spaces in a region without adequate agricultural support uses; Partially surrounded by ag or open space with some urban uses adjacent, in a region with adequate ag support uses	7-8			
Partially surrounded by ag or open space with some urban uses adjacent in a region without adequate	3-6			

Mosby 12RZN-00000-00003/11CUP-00000-00032
Initial Study

agricultural support uses		...	017	...	016	...	015
Immediately surrounded by urban uses with no buffers		0-2					
Agricultural Preserve Potential			0 points	0 points			
Can qualify for prime ag preserve by itself or is in a preserve	5-7		7	7			7
Can qualify for non-prime ag preserve by itself	2-4						
Can qualify for prime ag preserve with adjacent parcels	3-4						
Can qualify for non-prime ag preserve with adjacent parcels	1-3						
Cannot qualify	0						
Combined Farming Operations			0 pt.	0 pt.			
Provide a significant component of a combined farming operation	5		5	5			5
Provide a important component of a combined farming operation	3						
Provide a small component of a combined farming operation	1						
No combined farming operation	0						
Total			47 points	50 points			
Parcel Size			73.25	75			79

CORRECTED

APN 099-141-017 is 9.5 acres and APN 099-141-016 is 9.99 acres. Each parcel received 6 points, which is the high end of the range for a 5 to 10 acre parcel.

Soil Classification

The Natural Resource Conservation Service's (NRCS) Soil Survey Geographic Database (SSURGO) was used to determine irrigated land capability classes, the broadest category in the classification system. Land capability classification is a system of grouping soils primarily on the basis of their capability to produce common cultivated crops and pasture plants without deteriorating over a long period of time. APN 099-141-017 contains approximately 95% Class III -non prime soils and approximately 5% Class I, prime soils. The parcel was therefore assigned points within the Class III range. The low end of the range, 8 points, was assigned to reflect the lack of agriculture on the parcel. A portion of APN 099-141-016 is developed with a greenhouse. The greenhouse is underlain with Class I (prime soils) and the remaining portion of the parcel (approximately 60%) is used as the soccer field and contains Class III soils. Points for APN 099-141-016 were assigned within the Class III range, the dominant soil class type. The high end of the range, 10 points, was assigned to reflect the presence of Class I soils.

Water availability

Both parcels have one well(s) on site. The well on APN 099-141-017 does not provide enough water to support irrigated crops, hence past dry farming practices were utilized on this parcel, thus a score of 8 points was given for this parcel. The well(s) on APN 099-141-016 provides adequate water for the greenhouses and the soccer fields thus the highest score of 15 points was given to this parcel.

Agricultural Suitability

The land is designated as "other" in the 2010 Important Farmland maps. This is consistent with the current use of the parcel being non-agricultural. The NRCS soils data indicate the majority of soils on APN 099-141-017 are considered Class III, non-prime and the 2010 Important Farmland Maps



Google earth

miles
km

1 2

MOSBY AR LINES PROPOSED RECREATIONAL USES -

CITY URBAN AREA

COUNTY AG

SANTA YNEZ RIVER AREA












Draft To: "Carmichael, Dana" <dcarmich@co.santa-barbara.ca.us>

Dana...my notes follow:

[Quoted text hidden]

11 attachments

PHOTO I.D.

-  2013-01-26 11.52.26.jpg (1)
1962K
-  2013-01-26 11.51.59.jpg (2)
2009K
-  2013-01-26 11.50.45.jpg (3)
1932K
-  2013-01-26 11.50.10.jpg (4)
2498K
-  2013-01-26 11.49.05.jpg (5)
2286K
-  2013-01-26 11.48.57.jpg (6)
2128K
-  2013-01-26 11.48.37.jpg (7)
1853K
-  2013-01-26 11.48.25.jpg (8)
1949K
-  2013-01-26 11.47.58.jpg (9)
2187K
-  2013-01-26 11.45.49.jpg (10)
2286K
-  2013-01-26 11.43.15.jpg (11)
2350K

-
- (1) City owned parcel w. of Mosby APN 99-141-017 which was in irr. ag a year ago and has a well. River Park Entrance Road in background.
 - (2) SW corner 017 show portion of many truck loads of offsite fill dirt recently dumped.
 - (3) Portable trailer on NE corner of 017...part of remote car facility
 - (4) East side fence surrounding paintball facility on parcel 016
 - (5) Looking East...rt side is dirt parking on 017, green foreground is soccer field, and background is green houses
 - (6) " " N.E. soccer in front, shop and other buildings in back.
 - (7) Paintball on left...soccer on rt. view toward North.
 - (8) " " " storage container on rt.
 - (9) " " facility viewed from west...fence close to property line
 - (10) Cars parked on both sides of Park Entrance Road looking N.
 - (11) Not sure about this one

1. County sign down. Other poles are where some large illegal signs are occasionally posted. Visible from 246
 2. illegal grading/dumping (view from River Park Rd.)
 3. water hookup? etc. Existing unpermitted development at racetrack area.
 4. advertising signs, etc. at racetrack area.
 5. portapotty and outdoor storage areas at the aquaculture business.
 6. More trailer storage near existing business. Project will include food sales. Will they sell alcohol?
-
7. portapotty between soccer field and paintball facility. (Note makeshift walls/light posts? Owner says they are not for lights.
Note unobstructed view in the background.
 8. existing storage container
 9. front entrance to paintball facility
 10. River Park Rd. at RV park. Note cars/trucks on either side.
 11. Panoramic view of active farming operation on adjacent parcels. Mosby storage area on right.

Photo 1



Photo 2

P P P



photo 3





photo 5



Photo 6



photo 7



photo 8

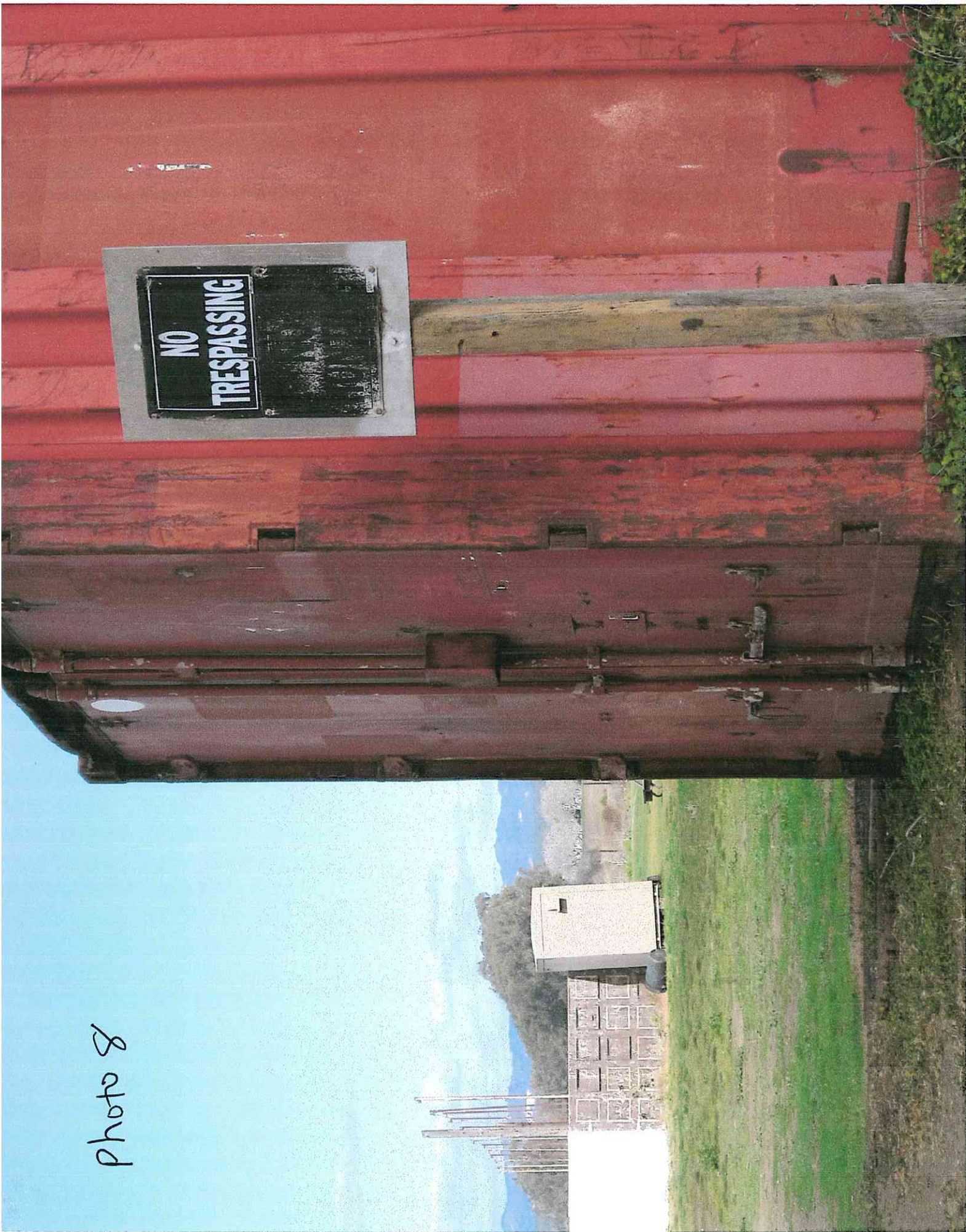


photo 9



0. / 36.0304

Photo 10



Photo 11





Citizens Planning Association OF SANTA BARBARA COUNTY
916 Anacapa Street, Santa Barbara, CA 93101
phone (805) 966-3979 • toll free (877) 966-3979 • fax (805) 966-3970
www.citizensplanning.org • info@citizensplanning.org

February 8, 2013

RE: Comments on Mosby Recreation Fields ND

CPA NCLUC (North County Land Use Committee) has studied the Mosby Recreational Fields ND and would like to submit the following comments:

Ag. Resources: Soil classifications might be incorrect and should be re-evaluated based on research and information provided elsewhere in public comment.

Historic Uses: This is agriculturally zoned property. The recreational activities are unpermitted. We recommend the recreational uses be listed as 'unpermitted' or 'illegal'. Historic use is agriculture.

Site Info: Staff needs to examine how the proposed recreational fields will be compatible with adjacent businesses, to include existing and proposed additional city RV parks, as well as other Mosby operations to include an existing aquaculture business. Cumulative impacts need more attention.

Aesthetics: Viewshed across the Valley from 246 will be impacted. Current unpermitted uses and proposed uses are highly visible from 246. Any screening should not impede the prior view north across the Valley toward the Mission. NBAR should be involved. Corrugated walls around the paintball area have a negative visual impact on once pastoral landscape. Views from River Park to the south now negatively impacted by make-shift nature of the recreational structures. Existing unpermitted activities have negatively impacted the visual character of the parcels.

Circulation/Traffic: We disagree with staff descriptions. River Park Rd. is a narrow paved road that can barely handle cars/RVs two-way traffic now. Safe egress onto 246 with traffic traveling 55 mph or higher is problematic. Project includes 150 cars/ 700 people. Staff should study traffic impacts when games end and people leave at the same time. Further environmental review should study alternative access.

CPA NCLUC supports the condition that there will be no overflow parking on River Park Rd but we would like to see monitors required for enforcement of safe passage and parking. Staff could research what was required of the Vintners Festival (1500 people) and take half those requirements.

Flooding: Public records show the applicant received federal funds for flooding previously. Public records also show the applicant requested of the City different status from FEMA in regards to flood plain mapping. This discussion should be added to the ND.

Adequate Services: CPA NCLUC does support recreational activities for the area residents but feels there are adequate sites that do not require the loss of prime agricultural land in the unincorporated area east of the City. Lompoc City claims it will look at services after project approval and see if services are adequate especially added septic. ND should consider adequate services now, not in the future. There are four restroom stalls used by the RV park. How many restrooms will be required for projected capacity?

Noise impacts: Please add a condition: No amplified music: In 2007, grand opening had radio station with amplified music.

Loss of Ag. Land with no public benefit: A paintball facility requires waivers because of safety concerns. Owners of previous business have recently opened a paint ball course in SM. The proposed uses could be located in other areas within the City boundaries or be incorporated in other existing and proposed parks within the City limits.

Signage Plan: Signage plan needed. Property has a history of illegal billboard sized signs. Advertising signs were placed on utility poles throughout the Valley when events were held.

Please note that the P & D sign for this project has not been visible since early November. It has been lying in the mud.

NCLUC of CPA concludes that the subject ND incorrectly describes the project and minimizes the impacts of the project. We are especially concerned with the loss of viable agricultural land in the Lompoc Valley. This project is a request for intense urban recreational use within an agricultural zone.

CPA NCLUC recommends corrections and further study of environmental impacts.

Respectfully submitted,

Mary Ellen Brooks

Member

CPA North County Land Use Committee

Marrell Brooks Comments 2-9-13

From: Mary Ellen Brooks [mebrooks@sbceo.org]
Sent: Saturday, February 09, 2013 6:15 PM
To: Carmichael, Dana
Subject: additional comments

Hi Dana, This is the advertisement for the paintball facility on Mosby's property. I believe it has been on Craigslist for at least a year. I am not sure how this could be incorporated into my comments on the ND. It probably would be a comment under the 'project description' section. It does show that they might want to cater to adult parties which might involve some kind of alcohol consumption. Perhaps my comment would be that 'staff research the current advertising and uses of the existing unpermitted facility. Your advice is appreciated. This is public info on Craigslist. (Santa Barbara).
Regards, Marell

Hi, This is what is advertised on Craigslist under travel/tourism. I would assume bachelor parties and company parties would require some 'alcohol' service. meb

Come join the fun at River Park Paintball (Lompoc)

NOW OPEN! Come and Join the Fun!

Contact: River Park Paintball featuring Elements Arena
Phone: 805-736-8564
Web site: www.riverparkpaintball.com
<https://www.facebook.com/Riverparkpaintball> "LIKE" us on Facebook for events, deals and promotions!!!

Welcome to River Park Paintball a.k.a RPP featuring Elements Arena! This is a new paintball field in Lompoc and to Southern and Central California!

~Our public fields will accommodate walk ons, groups, birthday parties, bachelor parties, and company parties. Rentals are available for customers that need equipment. Reservations are available and recommended to assure proper rental equipment is available for your party. We also welcome team reservations to practice on the PSP Xball field a.k.a The Elements Arena.

The Elements Arena our speedball field renovation is almost completed! We are expanding its layout to meet current PSP field regulations. Field configurations will be updated every week to keep the game new for repeat players. And for field updates and specials check out our Facebook page.

Currently we have a 4500 PSI compressor and we provide CO2 fills as well.

We look forward to seeing at the field and thank you for your support and passion for keeping paintball alive! Remember nothing in life is done without passion, so come on out and enjoy the passion of paintball!

Contact us at 805-736-8564 for more information or to make reservations.

- Location: Lompoc

Subject: DMG 12NGD-00000-00024 (Draft ND Mosby Recreational Fields)

Date: 2/11/13

I have numerous areas of concern within this Draft Mitigated Negative Declaration, but will focus most of my comments to the Agricultural Resources section.

1. Agricultural Suitability and Productivity Analysis - I believe that the analysis on the 2 parcels in question is flawed, as it uses the current status of the land (illegal uses and zoning violations) as the baseline for points instead of the potential agricultural uses determined by past use of the subject parcels along with current use of surrounding parcels. I have done my own analysis using Table 1, and came up a total of 63 points for APN 099-141-017 and 65 points for APN 099-141-016. The basis for my additional points is as follows:
 - a. Water availability – both parcels should be 15. Many farming operations share wells between parcels, particularly parcels of these size. There are two current wells between the two parcels in question, plus an additional well on APN 099-141-015 which supports irrigated crops. Most, if not all, of the surrounding parcels have very productive wells. The fact that the owner has made the decision to not drill a well on APN 099-141-016 should not be a basis for a lower score.
 - b. Ag Suitability – both parcels should be 10. The surrounding parcels all produce high value crops on basically a year-round schedule. Again, poor owner and/or management decisions should not be the basis for a lower score.
 - c. Adjacent use – both should be 9-10. I have used 9 for my analysis. The adjacent land uses are all open space or agriculture. River Park should be considered open space, the Valla property directly West of APN 099-141-016 has supported highly productive agricultural product for 20+ years, etc.
 - d. Combined Farming Operations – both parcels should be 5. As stated on page 19, within the Impact Discussion of 4.8 Geologic Processes, (b) “The applicant is an aqua culturist. APN 099-141-016 supports the greenhouse use for aquaculture research; APN 099-141-017 has a permitted dry aquaculture pond; and APN 099-141-015 has existing ponds that are supporting an ongoing aquaculture operation.” This would seem to fit the definition of a “Combined Farming Operation.” In addition, there are shared wells between the parcels, which would add to this conclusion.
2. Impacts – parcels are considered not agriculturally viable. This seems to be a pre-determined outcome that was then proven by the arbitrary assignment of low scores in certain categories.

This project has potentially significant impacts to not only the parcels in question, but surrounding parcels as well. These impacts need to be addressed fully in an EIR that outlines the agricultural resources affected, potential conflicts between agricultural and non-agricultural uses, and the major precedent that would be set.

Sincerely,

Kari Campbell-Bohard

5726 Campbell Road, Lompoc, CA 93436



February 11, 2013

Ms. Dana Carmichael, Planner
Santa Barbara County Development Review North Division
624 West Foster Street
Santa Maria, CA 93455

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Ken Hough

**COMMUNICATIONS
MANAGER**

Jeanne Sparks

SB CAN

P.O. Box 23453
Santa Barbara, CA 93121
805.563.0463
kennethahough@gmail.com

Re: Draft Mitigated Negative Declaration for Mosby Recreational Fields

Dear Ms. Carmichael,

For more than a decade, the Santa Barbara County Action Network (SB CAN) has worked to promote social and economic justice, to preserve our environmental and agricultural resources, and to create sustainable communities. We have reviewed the Mosby Recreational Fields Mitigated Negative Declaration (MND) and have concluded that the level of environmental review of this project should be elevated to an Environmental Impact Report (EIR).

The most fundamental flaw of the analysis is that the wrong baseline is used. While it is true that recreational activities currently take place on the site, these uses are unpermitted. The baseline for the environmental analysis should be the past agricultural use for which the property is zoned. Using currently unpermitted uses as the baseline would set a precedent that would encourage others to initiate unpermitted uses of their properties.

Use of the wrong baseline land use also results in the improper analysis of the project's aesthetic, agricultural, biological, and geologic impacts. In addition, allowing continuation of unpermitted active recreational activities or the expansion of such activities on agriculturally zoned land would create conflicts with the Agricultural Element of the County's General Plan. On this basis alone, the County should deny the project. The precedent-setting nature of approving the conversion of agricultural lands to active recreational use would constitute a cumulative impact that would need to be evaluated in an EIR.

Thank you for your consideration of our comments. We look forward to a recommendation for denial of this project or at least to seeing an EIR that accurately evaluates the project's impacts using the correct baseline.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Hough", is written over a horizontal line.

Ken Hough
Executive Director

Mosby Enterprises
755 East Hwy 246
Lompoc, CA 93436
Phone (805) 801-2362
Mosbyenterprises@aol.com

February 11, 2013

RE: Negative Declaration for Mosby Recreational Fields

Dear Ms. Carmichael:

Thank you for the opportunity to review and comment on the project.

I believe that facts should be used when determining the validity of the cequa document and that is what the previous planner did. During the past public comment period (environmental and AAC meeting) there were many emotional comments made regarding this project. Let the facts prevail:

1. When this project is approved, it will not be the end of farming on the lands East of Lompoc.
2. The two parcels in question are not prime ag lands nor will they ever be. Parcel #099-141-017 was fallow for over 20 years and was for lease for the same amount of time and there were no takers. If this parcel was of such great quality and importance somebody would have leased it but nobody did. This parcel was for sale by three different owners during this interim and nobody came forward to farm it. The last time that this parcel came available, there were two parties vying for the title, myself and the City of Lompoc. The City had already been authorized for acquisition with the plans and the developer ready to transform the land into an RV park. This land already is within the urban limit line and in the eyes of the City is zoned open space with a park overlay. If the current project were to fail the only other alternative would be to sell the parcel to the city.
3. Parcel #099-141-016 and 017 were at one time zoned lite industrial and were part of the expansion plans of the City of Lompoc. In 1978, the development rights were taken and the land was down zoned to agriculture. The same EIR document that validated this inverse condemnation stated that a **parcel under 18 acres is too small for commercial agriculture**. This EIR was considered the gospel when the lands in the Valley were rezoned and it should carry the same weight now as it did then! For this reason alone, the parcels in question should not be considered viable as agriculture.
4. Parcel#099-141-016 has been owned by my family for the past 40 years. We have primarily used the lands for recreational purposes for ourselves and the public. Over the past 40 years we have had no fewer that 7 different farmers try to farm the lands but all failed due to parcel size, poor soil quality, and poor water quality.
5. This land was purchased for the reason of establishing a buffer between the ag lands to the north and the city. The current operations have done that. If the City were to purchase these parcels this buffering capacity and the ability to mitigate the expansion would be lost.

Sincerely

James I Mosby



February 11, 2013

Ms. Dana Carmichael, Planner
Santa Barbara County Development Review North Division
624 West Foster Street
Santa Maria, CA 93455

**Re: Draft Mitigated Negative Declaration for Mosby Recreational Fields,
12RZN-00000-00003/11CUP-00000-00032**

Dear Ms. Carmichael,

The following comments are submitted by the Environmental Defense Center (EDC) in response to the Mitigated Negative Declaration (MND) prepared for the proposed Mosby Recreational Fields project. This letter has been prepared as part of EDC's Open-Space Preservation Educational Network (OPEN) program, which provides a proactive approach to assessing projects and plans with the potential to affect agriculture and open space throughout Santa Barbara County. The purpose of the OPEN program is to engage all interested sectors of our communities in a dialog about policies and programs to protect agricultural, open space lands, and the urban-rural interface.

This letter provides comments on various items assessed in the MND for the Mosby Recreational Fields project, with a particular focus on conducting analysis using the correct baseline. There are significant impacts resulting from the project, as described below. Thus, we request that the level of environmental review be elevated from a MND to an Environmental Impact Report (EIR), using the proper baseline of past on-site agricultural use, in order to properly disclose and mitigate all potential environmental impacts that would result from the proposed project.

The project must be analyzed in an EIR because:

- The incorrect baseline was used for analysis, thus the evaluation of the project's environmental impacts is grossly underestimated.

906 Garden Street, Santa Barbara, CA 93101 (805) 963-1622
www.EnvironmentalDefenseCenter.org

- The project's aesthetic impacts have not been evaluated, as the incorrect baseline has been used for analysis and public viewsheds have been greatly affected.
- The application of the County's Environmental Thresholds for agricultural impacts has not been properly evaluated, and the threshold would be triggered when the parcels are correctly analyzed using the point system.
- The project's biological and geological impacts have not been disclosed due to an incorrect baseline analysis.
- There are significant land use incompatibilities resulting from an active recreational use next to agriculture and a passive-use public park.
- The project will require additional police protection beyond that stated in the MND (e.g., 700 person users per day with no employees to monitor use).
- The public services needed to serve the project's water and restroom use are unconfirmed and would be in a different jurisdiction (City of Lompoc).
- The project lies within the 100 year flood zone and would influence drainage, percolation rates, and surface water quality near the Santa Ynez River.
- The project would be a precedent-setting conversion of agricultural land into active recreational use and would cause a significant cumulative impact.

Project Information

The proposed project is a request of Jim Mosby, owner, to consider Case Nos. 12RZN-00000-00003, and 11CUP-00000-00032 for the approval of: 1) a Consistency Rezone to rezone the property from its current zoning of General Agriculture, 40-acre minimum lot area (40-AG) under Zoning Ordinance No. 661 to Agriculture II, 40-acre minimum lot area (AG-II-40) under the Santa Barbara County Land Use & Development Code (LUDC); and 2) a Conditional Use Permit to attempt to rectify an existing illegal unpermitted zoning violation for outdoor recreational development and activities consisting of a paintball field, athletic fields, and a remote controlled car track.

Consistency Rezone (12RZN-00000-00003): The subject 9.99 and 9.50 gross/acre parcels are legal non-conforming as to size and are currently zoned General Agriculture, 40-acres minimum lot area (40-AG), pursuant to Ordinance 661. Ordinance 661 does not allow outdoor recreational activities to be permitted on parcels with a 40-AG zone designation. In order to permit the subject recreational development and activities, the zoning map is proposed to be amended to Agriculture II, 40-acres minimum gross lot area (AG-II-40), consistent with the current Land Use and Development Code. The subject parcels would remain non-conforming as to size.

Conditional Use Permit (11CUP-00000-00032): Applicant requests approval of a Conditional Use Permit to permit existing illegal unpermitted outdoor development and recreational activities consisting of a paintball field, athletic fields, and a remote controlled car track on the subject parcels (APN(s) 099-141- 016, -017). These activities

received a zoning violation since their use is not permitted under the existing Ordinance 661 zoning. The County has the option of either terminating the illegal uses and requiring restoration, or considering approval of a CUP and rezone to allow some form of recreational use. If the County decides to consider approval of a CUP and rezone, all potentially significant impacts must be fully analyzed and avoided or substantially lessened through adoption of feasible mitigation measures and/or alternatives.

Existing illegal development consists of a paintball field of approximately 0.40-acres, two (2) athletic fields of approximately 5.2-acres, and remote control car track of approximately 2-acres. (Please see Exhibit 1, which contains photos of the paintball operation from the "Riverpark Paintball" web site.) Hours of operation would be 7 a.m. to dusk daily. An estimated maximum of approximately 700 participants would be expected daily. No outdoor lighting, amplified sound, or signage is proposed. 150 parking spaces composed of compacted base and screened with a landscaped berm planted with pine trees would be provided on APN 099-141-017, which apparently contains some prime soils. Accessible public restrooms and drinking water facilities owned by the City of Lompoc may be provided on the adjacent River Park property; however there is no confirmation from a decision-making body at the City that these services would continually serve the project. The applicant proposes to sell food on site through legally licensed vendors, however, no description of these services has been provided in the MND. Also, according to the application, no full or part time employees would be employed on the site; however, monitors would be present during recreational activities to ensure compliance with onsite rules and regulations. On occasion, the MND states that maintenance of the Remote Control Car Track would include earthwork of less than 50 cubic yards, however, extensive illegal grading has already occurred on the property without proper permits. No vegetation or tree removal is proposed, although it appears from aerial photos that vegetation has been removed from the property.

The MND Contains an Improper Baseline and Incomplete Site Plan

The baseline used in an ND or EIR is critical because it provides the environmental setting against which potential project impacts can be evaluated. According to the CEQA Guidelines, the "environmental setting will normally constitute the baseline physical conditions" that exist "at the time environmental analysis is commenced." (CEQA Guidelines § 15125(a).) However, circumstances may exist that warrant use of different conditions. One such factor exists when prior illegal or unpermitted activities (i.e., that have not been subject to environmental review) result in the alteration of the environmental setting. To not consider the pre-existing setting robs

the public and decision-makers of an accurate analysis of the project's impacts on the environment.¹

We support the statement in the MND's Biological Resources section which provides:

Though it is questionable if the current use of the site could be analyzed as baseline for CEQA purposes, *staff has determined that the past on-site agricultural practices can be considered a reasonable CEQA baseline.*²

This baseline (pre-project, using past agricultural practices) must be uniformly applied throughout the entire MND's analysis.

Additionally, the site plan that was accepted by the County for the project analysis is entirely inadequate for purposes of CEQA or public review. The plan does not show

¹ Although two published CEQA decisions hold that it was acceptable to use current conditions rather than conditions that existing prior to unpermitted development, they are readily distinguishable from the case at hand. In *Riverwatch v. County of San Diego* (2000) 76 Cal.App.4th 1428, the court found that another agency (not the County) was in charge of enforcement, and the County should not interfere with such process. In fact, in *Riverwatch*, the court determined that the other agency was already handling an enforcement action and the County's consideration of a land use approval would not jeopardize or interfere with such enforcement. (76 Cal.App.4th at 1453.) The court also found that since enforcement was under another agency's jurisdiction, it would be difficult for the County to sort out what the violation was and how to ascertain a pre-violation condition. (*Id.*) In the Mosby case, the exact opposite is true. The County is the agency in charge of permitting and environmental review AND the enforcing agency. The County has the tools to ascertain the violation and what the pre-violation condition was. Proceeding with the permitting process without considering the proper baseline would completely undermine the County's ability to assess or remedy the impacts of the violations.

In *Fat v. County of Sacramento* (2002) 97 Cal.App.4th 1270, 1278, the project under review pertained to operations at an airport that had been ongoing based upon a prior permit and an approved Airport Comprehensive Land Use Plan and subject to environmental review. Although the Airport pursued actual development without authorization, the development did not generate significant new impacts compared to what had been considered in prior environmental review; thus the court upheld the County's ND that relied on a baseline based on existing physical conditions. In the Mosby case, there have been no prior approvals or environmental review.

² MND, p. 15, emphasis added.

the basic ingress/egress points or proposed circulation/roads, the topographic lines are not shown, the surrounding land uses are not shown, existing structures and fences resulting from the violation versus what existed prior to the current uses are not displayed, the parking areas are not delineated properly or to scale, and the orientation/access of the site in relation to the Riverpark site (where the public services and access to restrooms may be provided) are not depicted. The project application should never have been deemed complete with the current site plan, and a *complete, revised site plan* must be included as a basis for analysis for discretionary review.

Substantial Evidence supports a “Fair Argument” that Significant Impacts may Occur, and thus an EIR must be Prepared

Throughout much of the MND, the failure to use an accurate description of the environmental setting subverts the analysis of project impacts. In other areas, the MND simply excludes important information or inadequately analyzes project impacts. As shown herein, because the project “may have a significant effect on the environment, the [County] shall prepare a draft EIR.” (CEQA Guidelines § 15064(a)(1).) This letter, and other evidence presented to the County, demonstrates that there is substantial evidence to support a fair argument that the project may have a significant environmental impact. Accordingly, the County must prepare an EIR. (*No Oil Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68; *Friends of B Street v. City of Hayward* (1980) 106 Cal.App.3d 988.)

1. The MND does not consider the aesthetic impacts of the project due to the incorrect baseline.

The project site is located on the north side Highway 246 approximately 0.5 miles northeast of the City of Lompoc and the intersection of Highway 1 and Highway 246, in a designated rural area bounded by a park and rural residential uses. The subject parcel is visible to travelers on Highway 246. The overall visual characteristics of the neighborhood include scattered residential and agricultural buildings amongst an area that supports a public passive-use park (Riverpark), the County’s road yard, vineyards, orchards, grazing land and residential ranchettes, and the Santa Ynez River.

The County’s Visual Aesthetics Impact Guidelines classify coastal and mountainous areas, the urban fringe, and *travel corridors* as “especially important” visual resources. A project may have the potential to create a significantly adverse aesthetic impact if (among other potential effects) it would impact important visual resources, *obstruct public views*, remove significant amounts of vegetation, *substantially alter the natural character of the landscape, or involve extensive grading visible from public areas*. (emphasis added).

When the correct, pre-project baseline is used for analysis, the illegal project has had significant visual impacts when the County's thresholds are applied. The zoning violation was originally reported due to the public's clear observation of major, non-agricultural extensive grading along Hwy 246. The erection of fencing and numerous other structures for the paintball operation and other aspects of the active recreational use are also extensive and change the views of the site from the public, passive park adjacent to the site, at Riverpark (See Exhibit 1). Additionally, the natural character of the site has been substantially altered. The addition of at least 150+ parked cars on a daily basis that would be visible from Hwy 246 is a significant impact.

Given the lack of analysis in the MND of pre-zoning violation conditions, the entire section must be re-done acknowledging the significant impacts to public views that have been affected in the immediate area. The proposed mitigation (a landscaped berm with no performance bond attached to it) is simply inadequate to begin to address the scale of aesthetic impacts that have occurred at the site.

2. The MND improperly assesses and underestimates Agricultural Impacts due to an incorrect application of the County Thresholds and Guidelines manual point system.

The County's thresholds require an analysis of the site using the point analysis for agriculture. These points have been incorrectly assigned as noted below. Additionally, the project converts prime and non-prime agricultural land into a non-agricultural active recreation use that has dramatically altered the onsite soils from compaction due to parking, new structures, and paintball detritus. The analysis must show a map of the various soil types and describe the exact amount of prime/non-prime soils that would be affected. The historic cultivation of the site must be carefully evaluated. The MND mischaracterizes the current site condition as "open space", when clearly this is no longer the case (see Exhibit 1).

The soils classification has not been correctly assigned, as both parcels contain some prime soil (one with 40% prime), and should be increased respectively to 10 points for APN 099-141-017 and 12 points for APN 099-141-016. This increase must reflect the actual percentages of soils classifications as they relate to prime/non-prime acreage.

Water availability points should be increased to 15 for APN 099-141-017. The MND's assertion that onsite the well on APN 099-141-017 does not provide enough water to support irrigated crops is illogical and unsupported, given the site's proximity to the Santa Ynez River. The low producing current well may be old, poorly sited, inadequately drilled, or provided with inadequate pumps.

Agricultural suitability points should also be increased given the success of surrounding growers and the quality of the on-site soils.

Adjacent land uses points should be increased to 10 for each parcel, as there are numerous agricultural support facilities in the region and the site is in close proximity to other surrounding agriculture. Parcel 099-141-016 is completely surrounded by agriculture and open space. It is a rectangle and has four neighbors:

- Parcel 099-141-017, which is zoned Ag 40 and currently has some fallow land and some non-permitted recreational use.
- Parcel 099-141-007, which is zoned Ag 40 and currently is being farmed.
- Parcel 099-141-015, which is zoned Ag 40 and currently is being farmed.
- Parcel 099-150-003, which is zoned Ag 40, is in the Williamson Act, and is currently being farmed.

The agricultural preserve potential of the site should be increased, as the site could qualify for at least a non-prime agricultural preserve with adjacent parcels, to which 3 points should be assigned.

While it is recognized that that assignment of points for each of the categories can be somewhat subjective, those challenged herein deal with physical conditions that cannot be disputed. The increase in points triggers the threshold for a significant impact to agricultural resources that cannot be mitigated, and an EIR must be prepared for the project. Additionally, the precedent-setting nature of conversion of viable agricultural land into a non-agricultural, active recreation use that has the potential to permanently impact the quality of on-site soils due to compaction, the use of paintball materials and associated solid waste, and the placement of structures, parking of cars, etc. would have a direct impact on the future potential for the land to be utilized for agriculture. The conversion of land out of agriculture is one that the County has always carefully considered, and allowing this illegal use to continue and potentially receive permits is a very bad precedent for our agricultural lands in the entire county. This project, if approved, would encourage other agricultural landowners to convert land into other uses, and ask for approval after the impacts have already been realized. This is simply unheard of in the history of Santa Barbara County.

3. The Biological Baseline used in the MND is incorrect, thus significant environmental impacts would result.

The MND states that the baseline used for biological impact analysis is pre-project, i.e., "past onsite agricultural practices." However, while the MND purports to use the pre-project biological baseline, it fails to do so. Instead, the MND describes the baseline as the project site in its existing condition as already altered by the project. For

example, the MND finds that existing (i.e., post-project construction) site conditions are dominated by non-native plants as follows:

During Ms. Mooney's site visit she observed that no natural plant communities or habitats exist on the site; and due to ruderal vegetation on site, no sensitive wildlife species would inhabit the premises or use the site for breeding or foraging. Additionally, no native or specimen trees are located in the area of project.³

Moreover, the MND Biological Resources "Setting" section describes the post-project baseline:

Setting:

The majority of the subject parcels have been cleared of native vegetation *due to ongoing recreational and agricultural uses*. Melissa Mooney, the County's staff biologist, conducted a site visit on October 3, 2012. The types of vegetation found on the site visit included non-native, weedy vegetation. The subject lots are located approximately 250 feet south of the Santa Ynez River with the River Park property inlaid between them.⁴ [*Emphasis added.*]

The MND describes the existing conditions after the Project (1) was constructed, and (2) may have already eliminated native plants and wildlife habitat. While the MND says the Biological Resources section uses a pre-project baseline, by describing the project site at the time of the biologist's site visit (i.e., after project construction) the MND actually uses a post-project baseline. Use of a post-project baseline – because it has already been altered by the project - makes it impossible for the MND to identify and disclose adverse impacts of project construction and operation. Therefore, to the extent it uses a post-project baseline, the MND's Biological Resources section fails to identify the project's impacts to habitats and species that may have been present before project construction.

The MND also fails to adequately describe the Environmental Baseline Setting which existed prior to project construction, and the MND assumes prior conditions absent substantial evidence. CEQA requires a description of the physical conditions utilized as the baseline; these conditions establish the baseline against which project impacts are measured. The subject MND only assumes prior conditions, *but does not investigate prior conditions*, and therefore includes a baseline which is not supported by substantial evidence. Specifically, the MND analysis concludes that there were no sensitive habitats,

³ MND, at p. 15.

⁴ MND, at p.14.

important biological resources or species previously present, and bases its findings of no significant biological impacts on this assumed baseline condition.⁵

The County Environmental Thresholds and Guidelines Manual directs County planners how to prepare a CEQA document and evaluate biological impacts. The Guidelines specify that biological surveys are necessary to adequately establish a project site's biological baseline resources, in cases where sensitive resources may be (or may have been) present. (See Guidelines Manual, Chapter 6, Biological Resources, Appendix A, pages A-8 – A-12.) Such surveys were not undertaken for this project despite its location adjacent to the biologically-sensitive Santa Ynez River.

Given the above information, the MND's baseline and therefore the MND's impact analysis is not based on substantial evidence but on mere speculation as to what species may or may not have existed prior to the project construction.

The MND states:

Since, the past farming practices have *negated the ability of any native vegetation to grow on site*, and the adjacent River Park has high human occupation already in existence (which has disturbed any potential riparian habitats along the Santa Ynez River), it is foreseeable that the proposed additional recreational uses on the subject lots would have a less than significant impact (f, h-k) on the possibility of hampering, reducing, deteriorating and introducing barriers to flora and fauna habitats.⁶

Farming practices did not eliminate the ability of any native species to occur onsite. An evaluation of the attached, pre-project aerial photos of the Mosby project site (see Exhibit 2), as well as other photographs, by EDC's biologist demonstrates that - prior to project construction - the habitat onsite was probably suitable for foraging by special-status species including white-tailed kites and other raptors. There was extensive grassland with shrubs, which has now been eliminated and replaced with bare, compacted dirt and constructed active recreational facilities. Review of the photos also demonstrates that there was denser scrub vegetation with apparent trees immediately north of Highway 246 on the project site. More recent aerial photographs depict these areas as cleared and essentially bare earth. Project construction eliminated portions of and altered these potentially valuable habitats. However, because the MND assumed past farming practices had eliminated all habitats and did not properly research or support its baseline with substantial evidence, the MND failed to identify and document these impacts.

⁵ MND, at p.15.

⁶ MND, at p.15, emphasis added.

In addition, the site is close to the River, but no analysis of wetlands was undertaken. Wetlands can be identified by vegetation, soils or hydrology. Aerial photos should be analyzed for areas of dark green vegetation which might indicate wetlands on the site prior to the unpermitted project grading. These factors were not analyzed to determine whether the site supported wetlands before grading and construction.

Furthermore, the MND assumes that the riparian habitats along the Santa Ynez River are disturbed. Based on this assumption and with no analysis or supporting documentation, the MND concludes that the project's impacts to the River's riparian habitat cannot have been significant. However, the Santa Ynez River's riparian and aquatic habitats are very sensitive and subject to heightened protections under the County's Conservation Element. The River is designated Critical Habitat for a number of endangered and threatened species including Southern Steelhead. (See NOAA website at <http://www.nmfs.noaa.gov/pr/pdfs/criticalhabitat/steelheadtrout.pdf>.) The River is also designated as a Core 1 Habitat for recovering Southern Steelhead.⁷ Substantial evidence in the record demonstrates that the River and its riparian habitat are sensitive, important resources which must be protected to avoid significant damage to biological resources. This evidence is counter to the MND's unsupported assumptions that the River is substantially degraded and implicitly bereft of any significant biological resources.

The MND failed to consider existing information including reports, analyses and aerial photographs which would have helped the MND document the proper, pre-project biological resources baseline and evaluate project impacts. The MND does not analyze impacts; it assumes with no evidence that prior baseline conditions lacked any biological values, and then - based on this assumption - incorrectly concludes that no impacts occurred.

In order to properly identify and disclose the project's construction and operational impacts on biological resources, the MND's analysis must be redone using a prior baseline which is supported by evidence (e.g., biologists' assessment of prior existing reports, aerial photographs, etc.) - not speculation. Only then can the document reveal the adverse effects of the built project's extensive grading, vegetation removal, construction and operation on biological resources.

The MND only considers future impacts of the project (i.e., impacts of operation), and does not consider the impacts of construction. The use of the words "foreseeable" and "additional" in the last sentence in the biological resources analysis suggests the MND is only considering future impacts:

⁷ 2012 Steelhead Recovery Plan. NOAA. Page 7-5. Exhibit 3.

Past on-site agricultural practices can be considered a reasonable CEQA baseline. Since the past farming practices have negated the ability of any native vegetation to grow on site, and the adjacent River Park has high human occupation already in existence (which has disturbed any potential riparian habitats along the Santa Ynez River), it is *foreseeable that the proposed additional* recreational uses on the subject lots would have a **less than significant impact (f, k, h)** on the possibility of hampering, reducing, deteriorating and introducing barriers to flora and fauna habitats.⁸

Under CEQA, an MND must disclose “direct” construction impacts as well as post-construction, “indirect” operational impacts. (CEQA Guidelines Section 15126.2(a)) However, the MND appears to consider only indirect, post-project operational impacts to biological resources, and fails to consider the past impacts of construction. This inadequate impact analysis results from the MND’s failure to adequately describe the pre-construction baseline; the MND cannot identify construction impacts if it assumes the pre-project baseline lacked biological resources. This is a flaw in the MND’s Biological Resources section which stems from its use of an assumed baseline.

4. Geology: the MND does not recognize the pre-project conditions or provide an analysis based on it.

The MND incorrectly states that only minor land alterations (less than 50 cubic yards) have occurred for the project site. In fact, *major grading* clearly visible from Hwy 246 was the original reason that the property was reported and investigated for a zoning violation. *Site preparations for nearly eight acres of active recreational uses (including a remote controlled car track, paintball obstacle course, and athletic fields) have required hundreds of cubic yards of earth moving.* The MND does not investigate aerial photos from past agricultural uses and uses the incorrect topographic baseline for assessment of impacts. The existing and prior (pre-project) topographic lines *must be added to the site plan* in order to assess the current project when compared to earlier aerial photographs. Once the pre-project conditions have been identified, a review of any changes to site drainage patterns must also be evaluated.

The MND states that temporary stockpiling is occurring, but there is no confirmation as to why the stockpiling of graded material is needed.

⁸ MND, at page 15, emphasis added.

Additionally, the MND states that:

Septic systems would not be required for the proposed use; because the City of Lompoc would allow the applicant to use the existing River Park's restroom facilities and drinking fountains.⁹

This is not factually correct, as *the letter appended to the MND does not confirm the City's commitment to serve the proposed project*. This was affirmed via personal communication with the signatory on the letter (Laurel Barcelona, City Administrator on 1/25/13). The City would need to confirm via a public meeting at the City Council level that there is a financial commitment and willingness to serve the proposed project *in perpetuity as an off-site provider*. Further, it is unclear whether it is acceptable for another jurisdiction to provide such services, since there would be no enforcement authority for Santa Barbara County if the City of Lompoc does not provide these services into the foreseeable future.

The MND astoundingly states that there is no new proposed development, when the environmental review must in fact address the numerous major physical changes to the site with the unpermitted use(s) [Exhibit 1].

5. Land Use: The introduction of an active recreational area adjacent to ag lands would be an incompatible use.

The Land Use conflicts that would occur as a result of continuing or approving this illegal use on agriculturally-zoned land are significant. First and foremost, allowing an active recreational use on agricultural land with clear capability for viable agricultural production and directly adjacent to active agriculture is a land use conflict. Allowing for a zone change to promote a non-agricultural use that conflicts with on-going agriculture is a very bad precedent with the potential to lead to cumulative impacts from other conversions to similar uses throughout the County on agriculturally-zoned lands. Further, the message that would be sent in allowing this conflicting and illegal use to be permitted would encourage others to conduct illegal activities and seek approvals after the environmental effects have taken place. It is critical that the County analyze this project as if the project site was currently in agricultural use, and evaluate the appropriateness of considering such a use on valuable agriculturally-zoned land.

⁹ MND, at p. 18.

The project conflicts with adopted plans, namely, the Agricultural Element which states:

- *Goal I. Santa Barbara County shall assure and enhance the continuation of agriculture as a major viable production industry in Santa Barbara Country.*
- *Goal I, Policy 1A states "The integrity of agricultural operations shall not be violated by recreational or other non-compatible uses." (emphasis added)*

These adopted goals, among others in various elements of the General Plan, must be listed and evaluated as part of the environmental analysis for Land Use. This section must be redone in its entirety to address the clear conflicts this project has with existing policy. This project should not be approved in light of Policy 1A as stated above, and the County should recommend denial based on clear and unreconcilable policy conflicts.

6. Public Facilities: The project would require water, restroom and police protection services.

The letter that was provided by the City of Lompoc regarding the use of the River Park restrooms for the proposed project does not commit the City to providing restroom facilities for the project, as noted in item 5 above. The County must be able to make the finding that adequate public services are available to serve the project before any discretionary approval can be granted. Thus, there are currently no guaranteed water and restroom resources available to serve the project.

Additionally, the addition of up to 700 persons on a daily basis would likely require increased police protection, and there has been no confirmation from the department that they have the capability to serve the project. Further, it is unclear how this volume of people could be managed without permanent employees.

7. Passive Recreational uses at Riverpark are affected by the Active Recreation on the project site.

While recreational uses are often a benefit to the community, it is imperative they are appropriately sited. The project's active uses, which required structural changes to the site, have changed the passive enjoyment of users at Riverpark. The erection of fencing and other structures for the paintball operation (see Exhibit 1) change the views of open space from the Riverpark. Further, the noise that is generated from active uses affects surrounding passive recreational uses (such as hiking, bird watching, picnicking) and the ability of those users to enjoy the peace and quiet of camping. This must be analyzed in the EIR, as it is a significant impact.

8. Transportation and Circulation: The addition 700 persons daily presents significant traffic impacts.

A project's traffic impacts would be considered significant if a "Project adds traffic to a roadway that has design features (e.g., narrow width, road side ditches, sharp curves, poor sight distance, inadequate pavement structure) or receives use which would be incompatible with substantial increases in traffic (e.g. rural roads with use by farm equipment, livestock, horseback riding, or residential roads with heavy pedestrian or recreational use, etc.) that will become potential safety problems with the addition of project or cumulative traffic."¹⁰

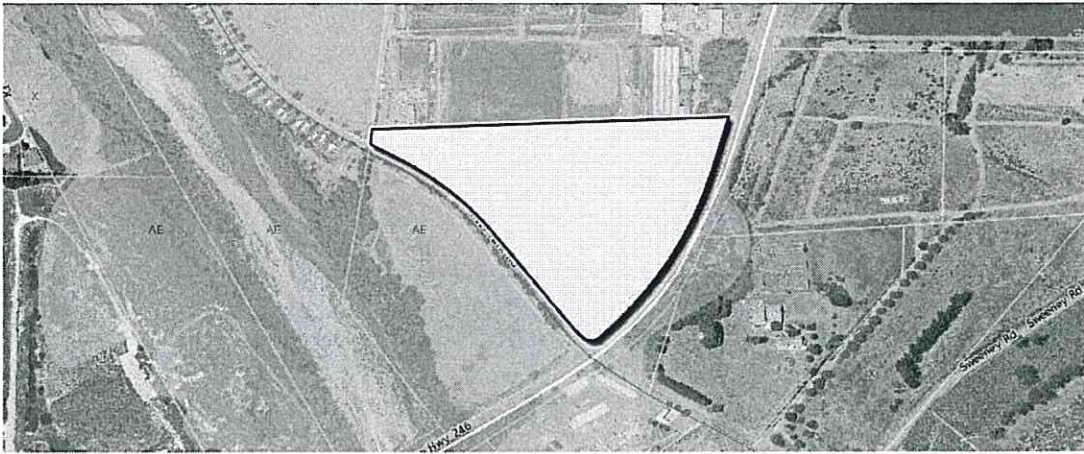
The project's projected added 150 car trips is based on the unrealistic assumption that 2.5 persons would ride in a car. It is very likely that given typical driver behavior, more car trips than those assumed would be generated.

Further, the ingress/egress and sight distance going onto Highway 246 is very unsafe and must be analyzed. The interior circulation of the site (especially with regard to access to the Riverpark restrooms) is also unclear. This section must be entirely redone with detailed analysis of these issues.

9. Water Resources and Flooding: The project has changed the drainage and nature of the site.

The project site is located entirely within the 100 year flood plain, as indicated by the photograph below. The impacts of the project have not been disclosed, as the entire section has been written with the assumption that the site is outside of the floodplain. A search of the Santa Barbara County Flood Zone – Online Map shows both properties within the 100-year flood zone. (In the map below parcel APN(s) 099-141-017 is shown in yellow and APN(s) 099-141-016 is visible above. Blue indicates 100-year flood zone.)

¹⁰ MND, at page 24 (from the County Environmental Thresholds and Guidelines Manual).



Additionally, the soils on the site will be changed by the continued use of the site as active recreation, not only from compaction, but also from oils and dirt from parked cars, and runoff/debris from paintball detritus (see Exhibit 3 for additional information). One soil type present, Mocho loam, has moderate permeability and slow surface runoff;¹¹ while Metz loamy sand has rapid permeability, and very slow surface runoff. It is quite likely that soil compaction for a parking lot for 150 cars and recreational activities can result in a change in percolation rates, drainage patterns, and/or rate and amount of surface runoff. This is a potentially significant impact that must be analyzed. Further, the site's close proximity to the Santa Ynez River has not been assessed with regard to the aforementioned issues.

Again, as with other sections of the MND, the incorrect baseline was utilized for analysis. The lack of analysis of changes to the site resulting from the premise that "No new development or impervious surfaces are proposed" must be rectified in a completely redone analysis.

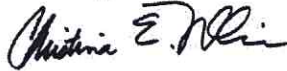
Conclusion:

The MND is based on an inaccurate description of the environmental setting and inadequately analyzes many project impacts. An EIR must be prepared because of the project's potentially significant impacts related to agriculture, biology, aesthetics, land use, geology, flooding, public services, traffic, and passive recreation. In addition, the project would have a cumulative impact due to the precedent-setting conversion of agricultural lands to active recreational use.

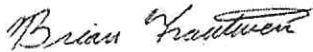
¹¹ MND, at page 15.

We sincerely appreciate your consideration of the above recommendations regarding the appropriate level of analysis for this project. EDC and OPEN appreciate the opportunity to provide comments on the MND, and especially appreciate the extension of the comment period deadline. We look forward to seeing an EIR analysis of the project that comprehensively assesses the potential impacts we have raised in this letter.

Sincerely,



Christina McGinnis, OPEN Program Director



Brian Trautwein, Environmental Analyst / Watershed Program Coordinator



Linda Krop, Chief Counsel

EXHIBITS

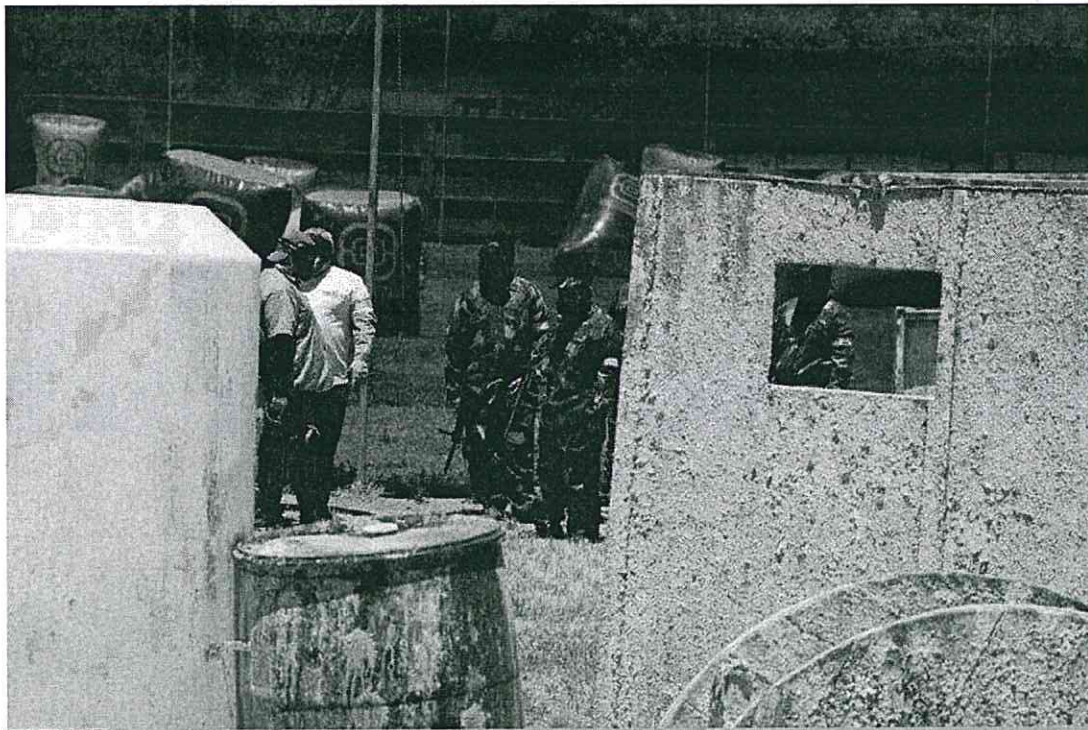
Exhibit 1: Photos of the paintball operation from the "Riverpark Paintball" web site; see also <http://www.riverparkpaintball.com/>.

Exhibit 2: Photos of the site

Exhibit 3: 2012 Steelhead Recovery Plan. NOAA. Page 7-5

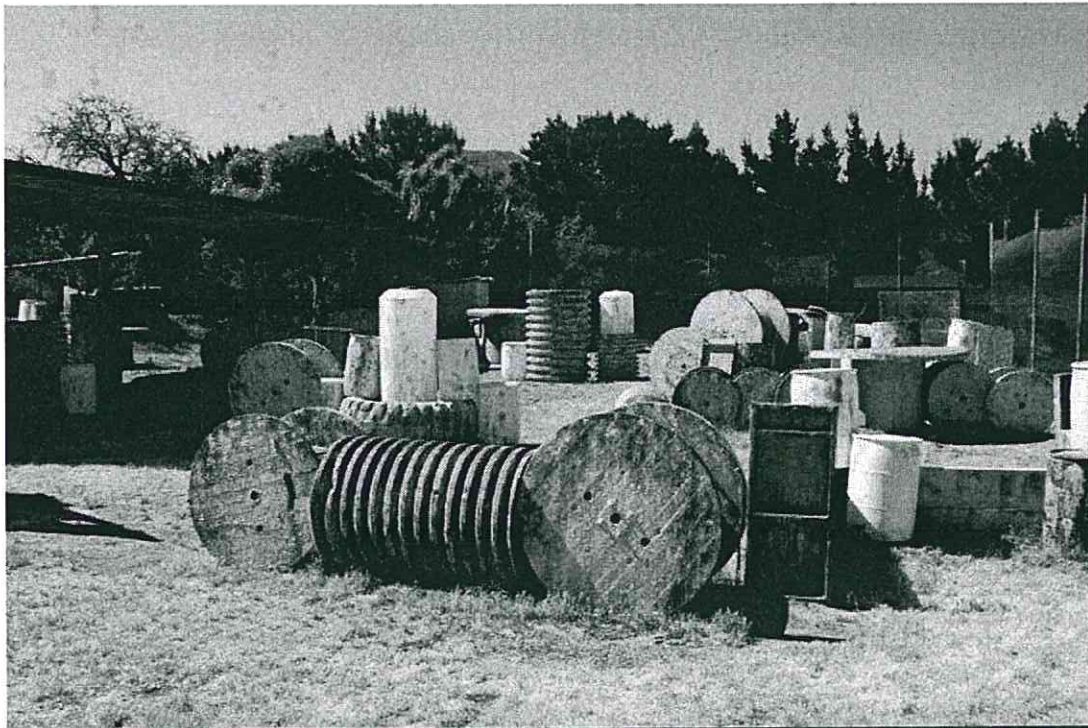
Exhibit 1: Paintball Operation photographs









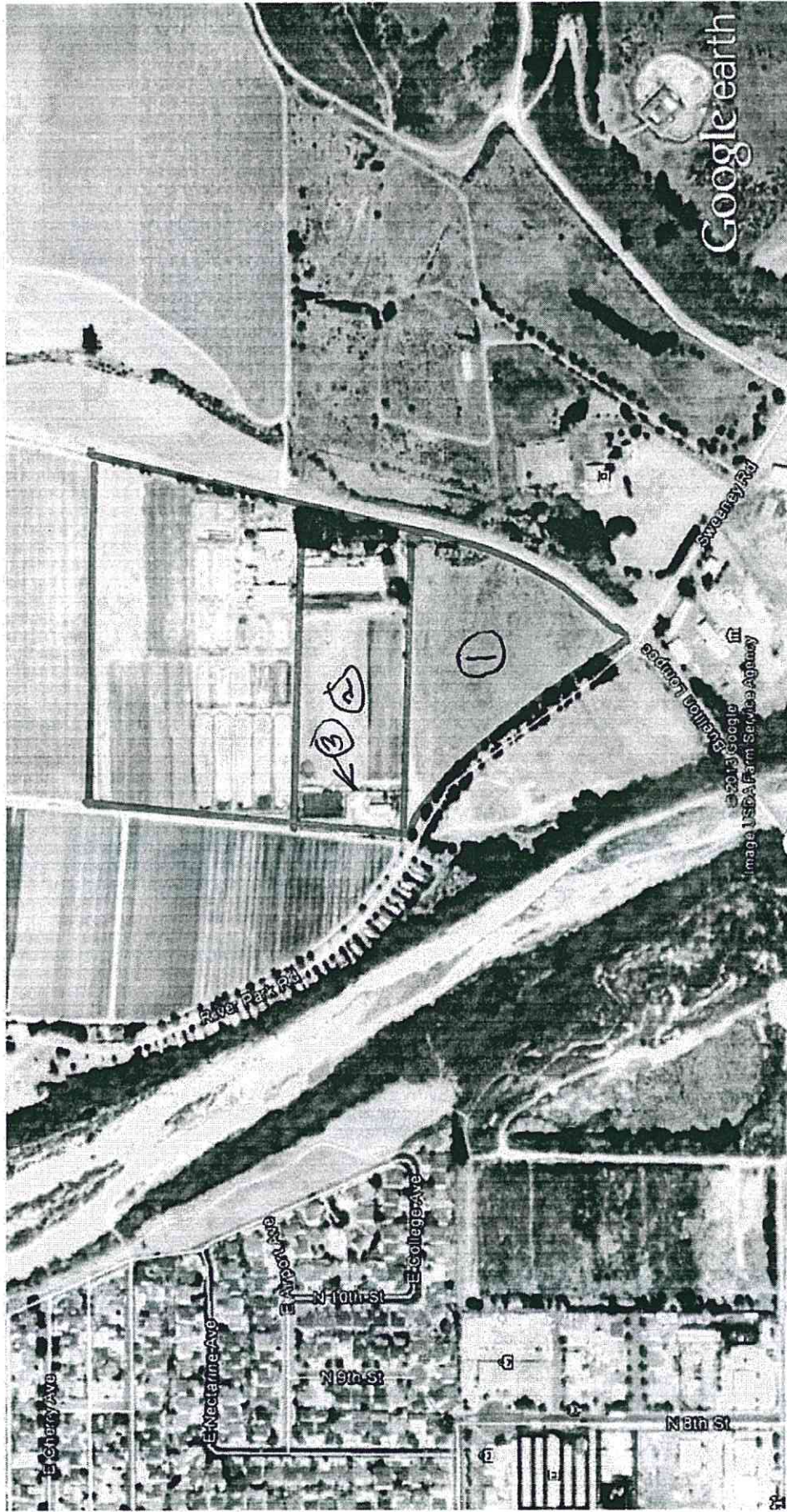




4/6/12



6/6/2012 MOSEY APN LINES
SHOWS UNPERMITTED GRADING ON 017

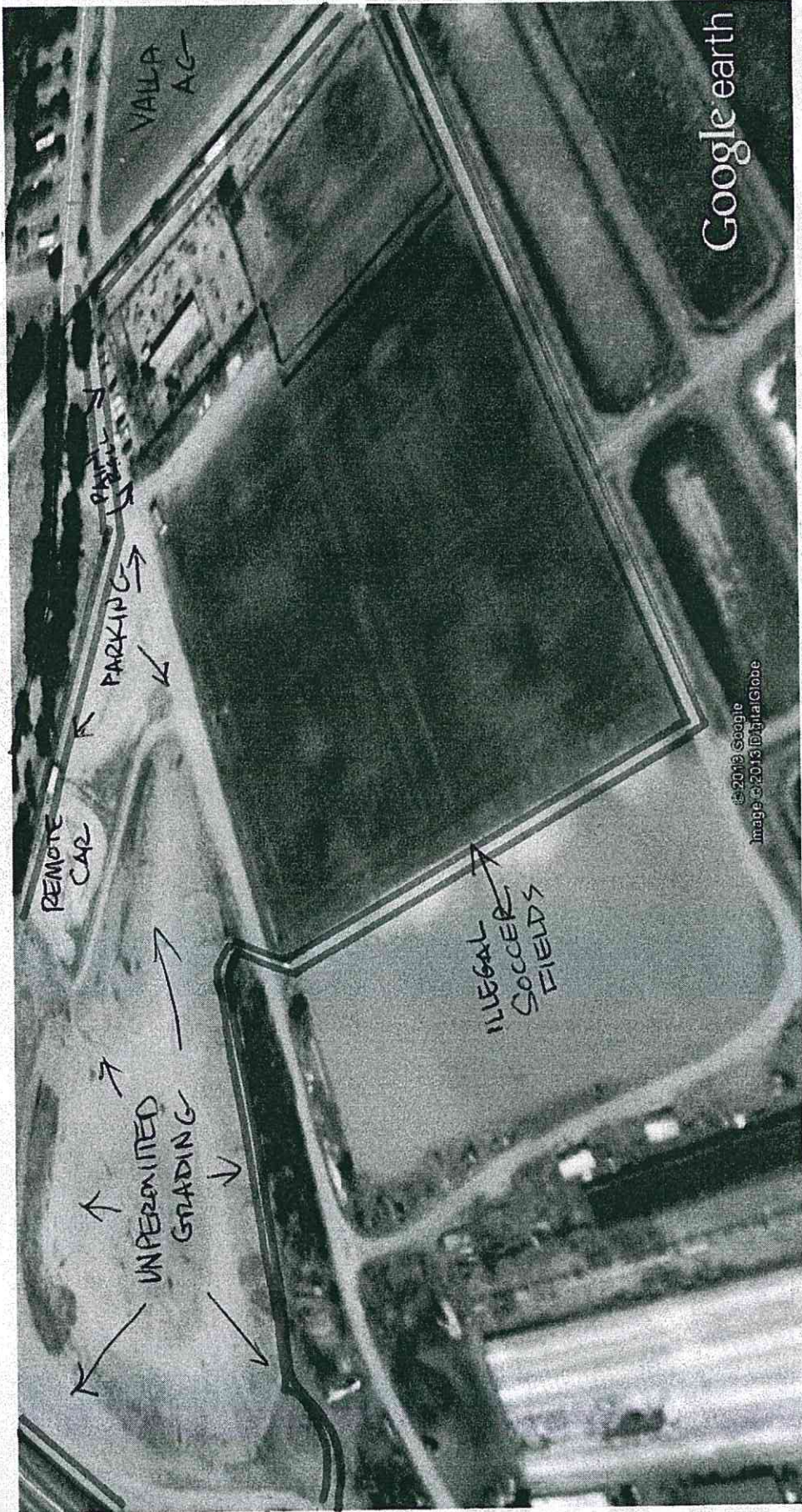


Google earth



MOSBEY APN'S PRE GRADING ①
AND PRE SOCCER ②
PAINT BALL EXISTING ③

5/24/0



Google earth

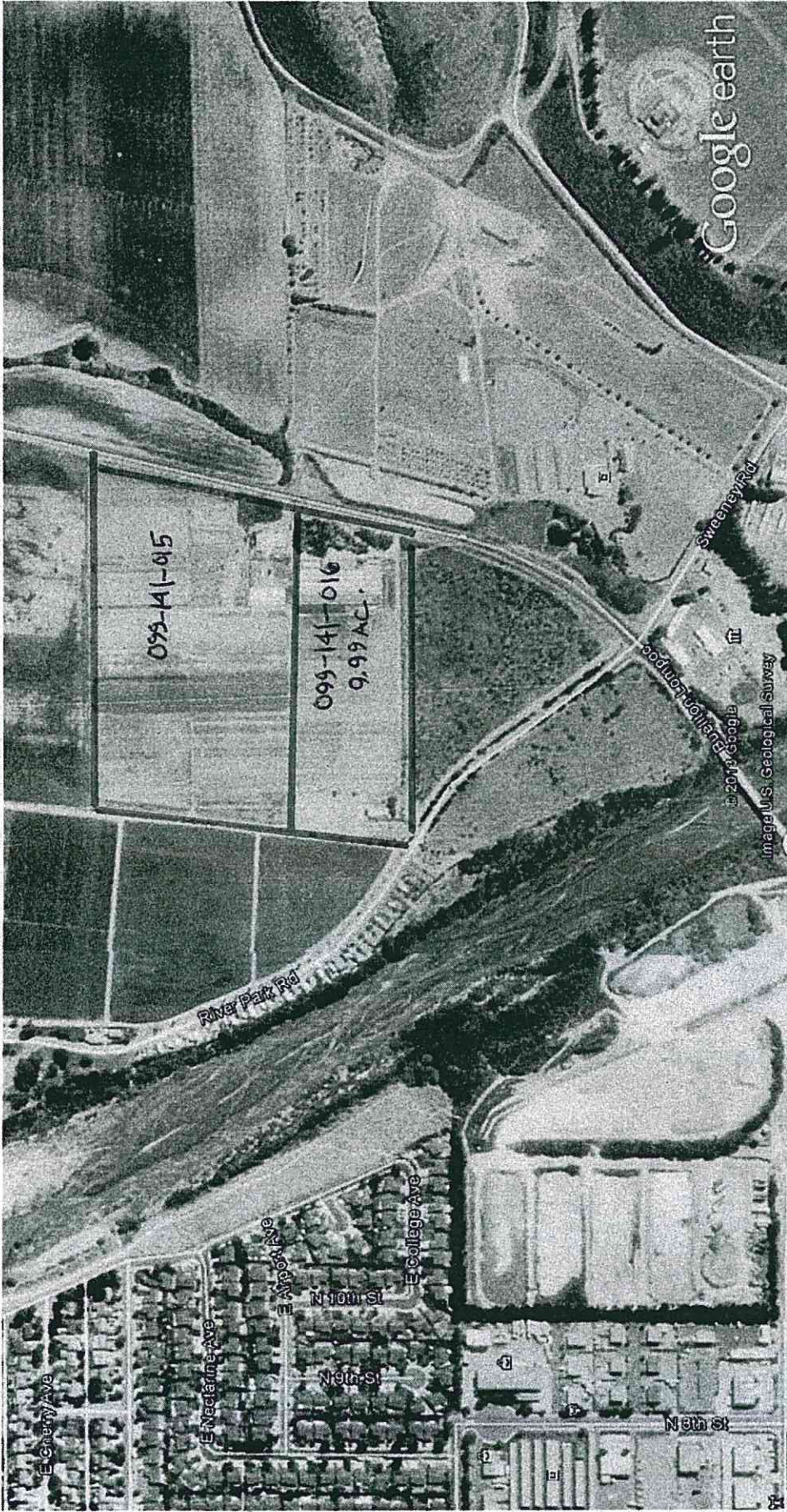
feet
meters



6/6/12

NOBBY PROPERTY LINES
and/or illegal - UNPERMITTED USES

NOTE
NORTH



Google earth

feet
km



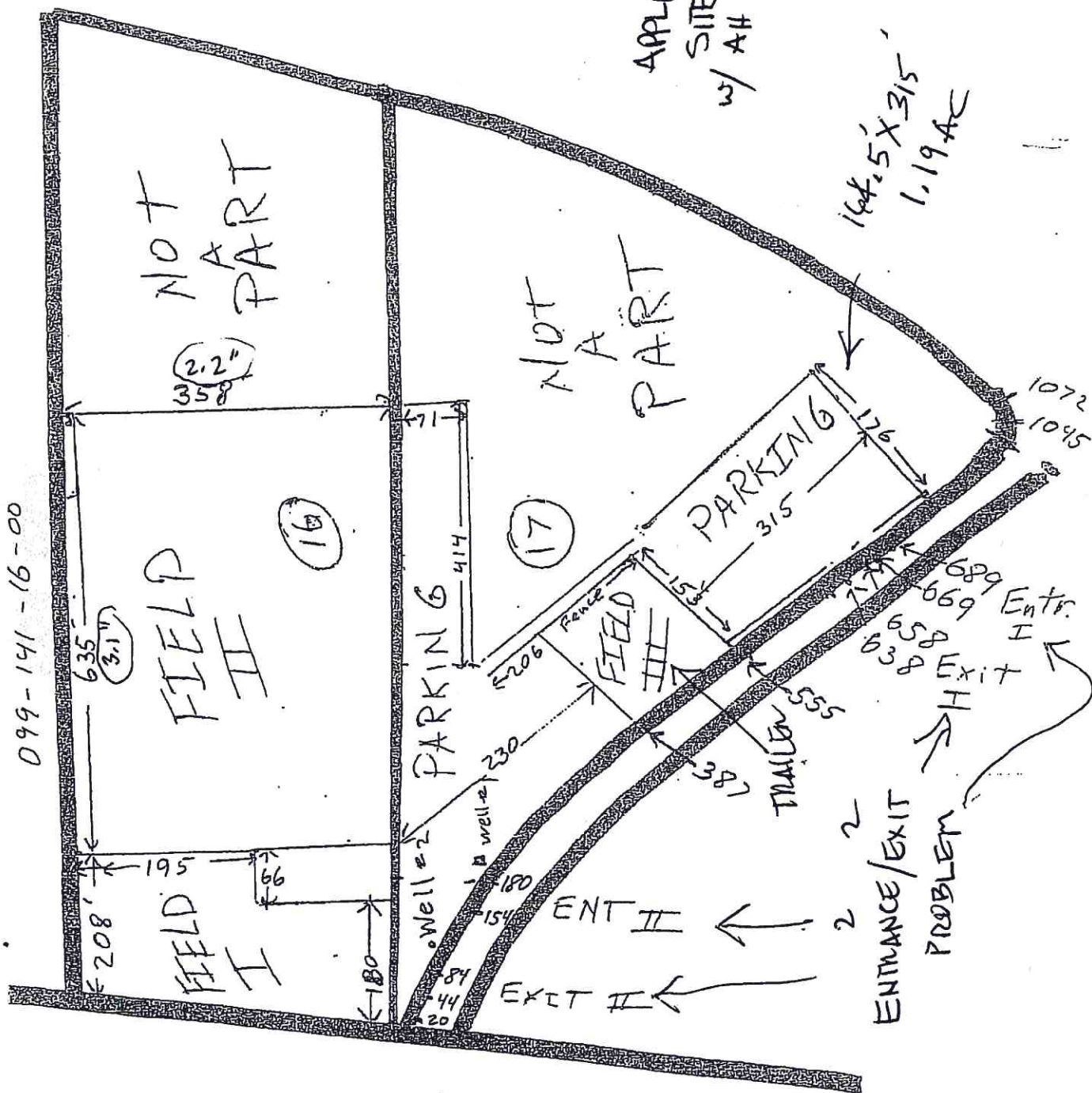
1994 MOSBY APN LINES

9/2/1994



APPLICANTS
w/ SITE PLAN
AND ADDITIONS

164.5 X 315
1.19 AC



Public Restroom

SOUTHERN CALIFORNIA STEELHEAD RECOVERY PLAN



Southwest Regional Office
National Marine Fisheries Service
Long Beach, CA

January 2012

Table 7-1. Core 1, 2, and 3 *O. mykiss* populations within the Southern California Steelhead Recovery Planning Area. Higher priority populations are highlighted in bold face.

BPG	POPULATION	FOCUS FOR RECOVERY
Monte Arido Highlands	Santa Maria River	Core 1
	Santa Ynez River	Core 1
	Ventura River	Core 1
	Santa Clara River	Core 1
Conception Coast*	Jalama Creek	Core 3
	Canada de Santa Anita	Core 3
	Canada de la Gaviota	Core 2
	Agua Caliente	Core 3
	Canada San Onofre	Core 3
	Arroyo Hondo	Core 3
	Arroyo Quemado	Core 3
	Tajiguas Creek	Core 3
	Canada del Refugio	Core 3
	Canada del Venadito	Core 3
	Canada del Corral	Core 3
	Canada del Capitan	Core 3
	Gato Canyon	Core 3
	Dos Pueblos Canyon	Core 3
	Eagle Canyon	Core 3
	Tecolote Canyon	Core 3
	Bell Canyon	Core 3
	Goleta Slough Complex	Core 2
	Arroyo Burro	Core 3
	Mission Creek	Core 1
	Montecito Creek	Core 3
	Oak Creek	Core 3
	San Ysidro Creek	Core 3
	Romero Creek	Core 3
	Arroyo Paredon	Core 3
	Carpinteria Salt Marsh Complex	Core 3
	Carpinteria Creek	Core 1
	Rincon Creek	Core 1
Santa Monica Mountains**	Big Sycamore Canyon	Core 3
	Arroyo Sequit	Core 2
	Malibu Creek	Core 1
	Topanga Canyon	Core 1
	Solstice Creek	Core 3



February 8, 2013

Re: Draft Negative Declaration for the Proposed Mosby Recreational Fields and Consistency Rezone Permits

Dear Ms. Carmichael:

Thank you for the opportunity to review and comment on the Mosby Recreational Fields Negative Declaration. The Grower-Shipper Association represents farmers in Lompoc and works to promote the wellbeing of the produce industry in Santa Barbara and San Luis Obispo Counties. The Association is concerned that a Negative Declaration finding is inappropriate given the potential impacts on Agricultural Resources and Land Use. The Association does not concur with the "Less Than Significant" Determination for the Mandatory Findings of Significance and requests that a full EIR with a professional consideration of all resources be prepared.

Agricultural Resources

The Association believes that the proposal will result in a Potentially Significant impact on Agricultural Resources. The Association is concerned that the proposal will result in potentially significant impacts resulting from the conversion of neighboring agricultural lands to non-agricultural use. More specifically, the Association is concerned about the potential future conversion of farmlands to the north and east of the project if the CUP and rezone are approved.

Land Use

The Association does not concur with the "No Impact" finding for c) "The induction of substantial growth or concentration of population." The formal change in land use proposed by this project could lead to a Potentially Significant series of non-agricultural developments on agricultural lands to the east of Lompoc. The same consequences necessitate a Potentially Significant finding for i) "An economic or social effect that would result in a physical change."

Mandatory Findings of Significance

The Association does not concur with the "Less Than Significant" determination for 3. "Cumulatively Considerable," given the potential for serial non-agricultural development of farmland in the future if this project is approved. As such, we would argue on item 5 that there *is* in fact disagreement that would warrant investigation in an EIR.

The Association has substantial concerns about this project's individual and cumulative impacts on farmland in Lompoc and the precedent it sets throughout the county. We urge you to consider these concerns and address them in an EIR that adequately identifies the Potentially Significant impacts of this project. Thank you for your attention to this matter.

Sincerely,

Claire Wineman
President

To: John Karamitsos
Dana Carmichael

From: Sharyne Merritt

Date: February 7, 2013

Re: Negative Declaration for Mosby Recreational Fields 11CUP-00000-00032
(APN(s) 099-141-016, 017).

Dear Ms. Carmichael and Mr. Karamitsos,

Thank you for the opportunity to comment on the Negative Declaration for Mosby Recreational Fields 11CUP-00000-00032 (APN(s) 099-141-016, 017). As a farmer in Santa Barbara County who by virtue of my membership on the Santa Barbara County Agriculture Committee may be more aware of and sensitive to issues of planning and development on Ag zoned lands (though I am writing as a private citizen and my comments are not those of the AAC), I have serious concerns with the proposed project as presented.

I understand that the Negative Declaration is a preliminary document, but if inaccurate, it may mistakenly lead to approval of a project for which further study would have led to denial.

Allow me to say at the outset that I appreciate the desire for recreation in the Lompoc Valley but think an accurate assessment would reveal this is a poor location because of its impact on agriculture.

A summary of my comments is presented below, followed by more detailed explanation.

- The wrong baseline was used resulting in inaccurate evaluation of the project and setting a precedent that will undermine State and County policies
- The calculation of Agricultural Suitability and Productivity points is inaccurate resulting in a gross underestimation of the agricultural viability of both parcels and consequent underestimation of impacts
- The project conflicts with land use policy, specifically, the Agricultural Element of the County's Comprehensive Plan and the LUDC standards for Rural Recreation projects to be located in the AG II zone.
- The ND incorrectly characterizes the subject lots' position within the 100 year flood zone
- The project may
 - require additional police protection beyond what is required on agricultural land
 - interfere with passive recreation at River Park
 - impact percolation rates, drainage patterns or the rate and amount of

- surface runoff
- expose people to flooding hazards

3.0 ENVIRONMENTAL SETTING

3.2 ENVIRONMENTAL BASELINE

ND: "The environmental baseline from which the project's impacts are measured consists of the on the ground conditions described above."

I am deeply concerned that the Neg Dec uses the wrong baseline and consequently has not only failed to accurately analyze the full scope of the project's impacts, but sets a precedent that one can violate the law and then benefit from the violation.

While I am not a lawyer, my reading of legislation and current case law indicates that the circumstances of this project require the baseline to predate the unpermitted activities. Indeed, staff acknowledges "it is questionable if the current use of the site could be analyzed as baseline for CEQA purposes."¹

The use of a baseline that includes an applicant's prior unpermitted activities is problematic and has broad planning implications. By incorporating a proposed project into the baseline, the agency in effect grants a unilateral exemption from CEQA for that activity.² Applying such an exemption to unpermitted uses defeats the policies of both CEQA and the County to avoid adverse effects. If a project has been operating without permits, it may already be causing impacts, but if current conditions are used as the baseline, those impacts will not be identified. This sets a precedent that could encourage others to initiate projects without first obtaining permits, undermining the State and County policies and the Land Use Code. Future applicants will know that they can engage in unpermitted activities that convert agricultural land to non-agricultural uses causing de facto environmental impacts (see Thresholds³) and afterward apply for a permit saying, "my project won't cause conversion of agricultural land to non-agricultural uses, the property is already non-agricultural."⁴ This is just bad planning.

¹ Mosby Initial Study p. 15

² *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 195-97 as quoted in State of California STATE WATER RESOURCES CONTROL BOARD, Hearing Regarding Water Rights Application 30166 of El Sur Ranch, Trout Unlimited Closing Brief

³ "A California appeals court in *Cleary vs. County of Stanislaus* (1981) 118 Section App. 3d 348, has indicated that the conversion of agricultural land to nonagricultural uses may in itself be considered a significant environmental impact." County of Santa Barbara Planning and Development. Environmental Thresholds and Guidelines Manual. 2008. P 7.

⁴ Somewhat like the story of the man who kills his parents and then asks the court for mercy because he is an orphan.

Use of a baseline for a permit that includes prior unpermitted activities also contradicts what the California Superior Court identified as one of CEQA's "first principles": in *Citizens of Goleta Valley v. Board of Supervisors of the County of Santa Barbara* the Court held that the purpose of the EIR (and by extension the Negative Declaration) "is to inform the public and its responsible officials of the environmental consequences of their decisions **before** (emphasis added) they are made."⁵

Article 9, section 15125 of the Guidelines for Implementation of The California Environmental Quality Act states: "(a) An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting will **normally** (emphasis added) constitute the baseline physical conditions by which a lead agency determines whether an impact is significant."⁶ Inclusion of the term "normally" indicates there are exceptions, such as when the project has been operating illegally prior to the CEQA review and the use of the current environmental setting as the baseline would effectively grant an exemption from CEQA.

Courts have determined that when there have been illegal activities prior to application for a permit, the following circumstances determine whether or not the environmental setting as it exists at the time of permit application (which includes that activity) should constitute the baseline:

- If the prior illegal activity has resulted in permanent physical change in the environment, it can be included in the baseline because the change would be present whether the permit is granted or not. In *Riverwatch v. County of San Diego* (1999) the California Court of Appeal (Fourth District, Division 1) held permanent physical conditions from prior sand mining could be incorporated into the baseline.⁷
- If the prior illegal activity had already undergone environmental, it can be included because CEQA does not require repetition of analysis. In *Fat v. County of Sacramento*, the California Court of Appeal (Third District) held prior environmental review had been conducted.⁸
- If prior illegal activity is/was subject to enforcement by another agency, it can be included in the baseline because the permitting agency should not interfere with enforcement by another agency. But, if the permitting agency is responsible for enforcement and has not done so, the baseline should precede the illegal/unpermitted activity. In *Klamath Riverkeeper et.al. v. DFG*, the San Francisco Superior Court held: "when a lead agency

⁵ http://ceres.ca.gov/ceqa/cases/1990/goleta_valley_123190.html

⁶ <http://ceres.ca.gov/ceqa/guidelines/art9.html>

⁷ http://ceres.ca.gov/ceqa/cases/1999/00-07-10_ceqa_riverwatch.html

⁸ http://ceres.ca.gov/ceqa/cases/2002/Fat_v_Sacramento.html

issues and EIR, it cannot include activities allowed by the agency's complete non-enforcement into the baseline."⁹ In *League to Save Lake Tahoe v. Tahoe Regional Planning Agency*, the United States District Court invalidated an EIR baseline that included existing unpermitted buoys on Lake Tahoe, stating: "an agency may not escape its duty by ignoring that duty and then presenting the results as a *fait accompli* incorporated into an environmental baseline."¹⁰

The current application does not meet any of the criteria for using the current site description as the baseline in the presence of illegal/unpermitted activities.

- The recreational activities are not permanent
- The recreational activities have not undergone prior environmental review.
- The enforcement agency is County Planning, the same agency in charge of preparing the Neg Dec and determining whether to issue a permit

For the purposes of environmental review of this application, the baseline should be set at pre-project conditions. The failure of Planning to analyze the effects of the entire project, including all current activities for which the applicant does not have a legal entitlement, undermines the policies of both CEQA and the County, and serves to abrogate the County's responsibilities to avoid adverse affects on agricultural land. It also sets a terrible precedent.

4.2 AGRICULTURAL RESOURCES

Detailed below are corrections that indicate the proposed project will result in potentially significant effects in the category of

- a. Convert prime agricultural land to non-agricultural use, impair agricultural land productivity (whether prime or non-prime) or conflict with agricultural preserve program
- b. An effect upon any unique or other farmland of State or Local Importance

4.2 AGRICULTURAL RESOURCES: Soil Classification

ND: "APN 099-141-017 contains approximately 95% Class III –non prime soils and approximately 5% Class I prime soils. The parcel was therefore assigned points within the Class III range. The low end of the range, 8 points, was assigned to reflect the lack of agriculture on the parcel."

The point assignment is incorrect. The high end of the range should be assigned to reflect Agricultural Suitability.

⁹http://waterboards.ca.gov/ssi/serp.shtml?q=Klamath+Riverkeeper+et.al.+v.+DFG&cx=001779225245372747843%3Attksqsdjfn4&cof=FORID%3A10&ie=UTF-8&siteurl=http%3A%2F%2Fwaterboards.ca.gov%2Fflaws_regulations%2F

¹⁰http://scholar.google.com/scholar_case?case=288229747664686660&hl=en&as_sdt=2,5&as_vis=1&scfhb=1

- According to the USDA Soil Map parcel 017 is about 95% Metz loamy sand, 0 to 2% slope. While USDA defines this soil in its Land Capability Classification as Class III, it defines it in its Farmland Classification as "**Prime farmland** (emphasis added) if irrigated and either protected from flooding or not frequently flooded during the growing season"¹¹
 - **Definition.** Prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and that is available for these uses. It has the combination of soil properties, growing season, and moisture supply needed to produce sustained high yields of crops in an economic manner if it is treated and managed according to acceptable farming methods.¹²
- Land Capability Class III indicates soil that while restricted in plant choice may be appropriate for valuable crops. According to the County Environmental Thresholds "sites with soils classified as non-prime, but which can support specialized high cash crops (e.g., strawberries, avocados and specialty crops) **should be assigned higher points within the ranges** (emphasis added)."¹³ APN 099-141-017 has Metz loamy sand soil (MnA). According to the US Department of Agriculture Soil Survey, Metz loamy sand soil "is used primarily for vegetables, strawberries, walnuts, avocados, citrus crops, and field crops."¹⁴ These fit the Environmental Thresholds category of high cash crops – unequivocally given the citation of strawberries in both documents. Another high value crop that grows well in sandy loamy soils is broccoli¹⁵, making Metz loamy sand, while a Class III soil, appropriate for the two top dollar crops grown in Santa Barbara County. Also, flowers and flower seed, quite high value crops, are being produced on similar soils in the immediate area.
- The lack of agriculture on the parcel is not a reason to assign lower points. This is a management decision, not an assessment of the soil as resource. If the parcel were "managed according to acceptable farming methods" it would be productive. It is worth noting that the parcel to the West of 016 is 100% Metz loamy sand, is in full production.

¹¹ <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>

¹² National Soil Survey Handbook Part 622.

<http://soils.usda.gov/technical/handbook/contents/part622.html>

¹³ County of Santa Barbara Planning and Development. Environmental Thresholds and Guidelines Manual. 2008. p 13

¹⁴ United States Bureau of Soils. Soil Survey: Ventura Area, California. 1970. p 38

<http://books.google.com/books?id=QdLwAAAAMAAJ>

¹⁵ AgriLife Extension, Texas A&M System. "Cole Crops." (E-279).



- Further supporting assignment at the top of the range, Environmental Thresholds states: "the assessment of suitability should account for the approximate frequency and intensity of frosts and other climactic factors in applying points within the ranges. Parcels which are relatively frost free and may accommodate multiple croppings may be considered more suitable than those which can support only a single crop or limited crop types due to climactic factors."¹⁶ Both APN 099-141-017 and 016 are classified by the USDA as a 10a Hardiness Zone (the same as Goleta and Carpinteria and warmer than Santa Maria which is 9b.)¹⁷ Zone 10a has an average annual minimum temperatures: 30-35 and is the warmest zone in Santa Barbara County. On average it is frost free from March 1 to November 30 permitting multiple croppings.

Given these facts, points should be calculated for APN 099-141-017 using the high range to reflect the potential for agriculture: $(10 \times 95\%) + (15 \times 05\%) = 10.25$

Soil Classification (continued)

ND: "A portion of APN 099-141-016 is developed with a greenhouse. The greenhouse is underlain with Class I (prime soils) and the remaining portion of the parcel (approximately 60%) is used as the soccer field and contains Class III soils. Points for APN 099-141-016 were assigned within the Class III range, the dominant soil class type."

The point assignment is incorrect.

- Environmental Thresholds states: "Where a variety of soil types are present on a site, weight should depend upon extent of useable prime/non-prime

¹⁶ County of Santa Barbara Planning and Development. Environmental Thresholds and Guidelines Manual. 2008. P 13.

¹⁷ (<http://www.plantmaps.com/interactive-california-usda-plant-zone-hardiness-map.php?ZS=93436>)

acreage. As appropriate, points may be assigned **according to approximate percentages** (emphasis added) of site area containing various soil classifications.”¹⁸

As such points for parcel 099-141-016 should be weighted to reflect soil types (60% class III and 40% class I) not assigned within the dominant class. As above, higher points within the ranges should be assigned because of potential valuable crops and potential for multiple croppings. Calculations should be:

60% class III; 40% class I
 $(10*60\%)+(15*40\%) = 12$

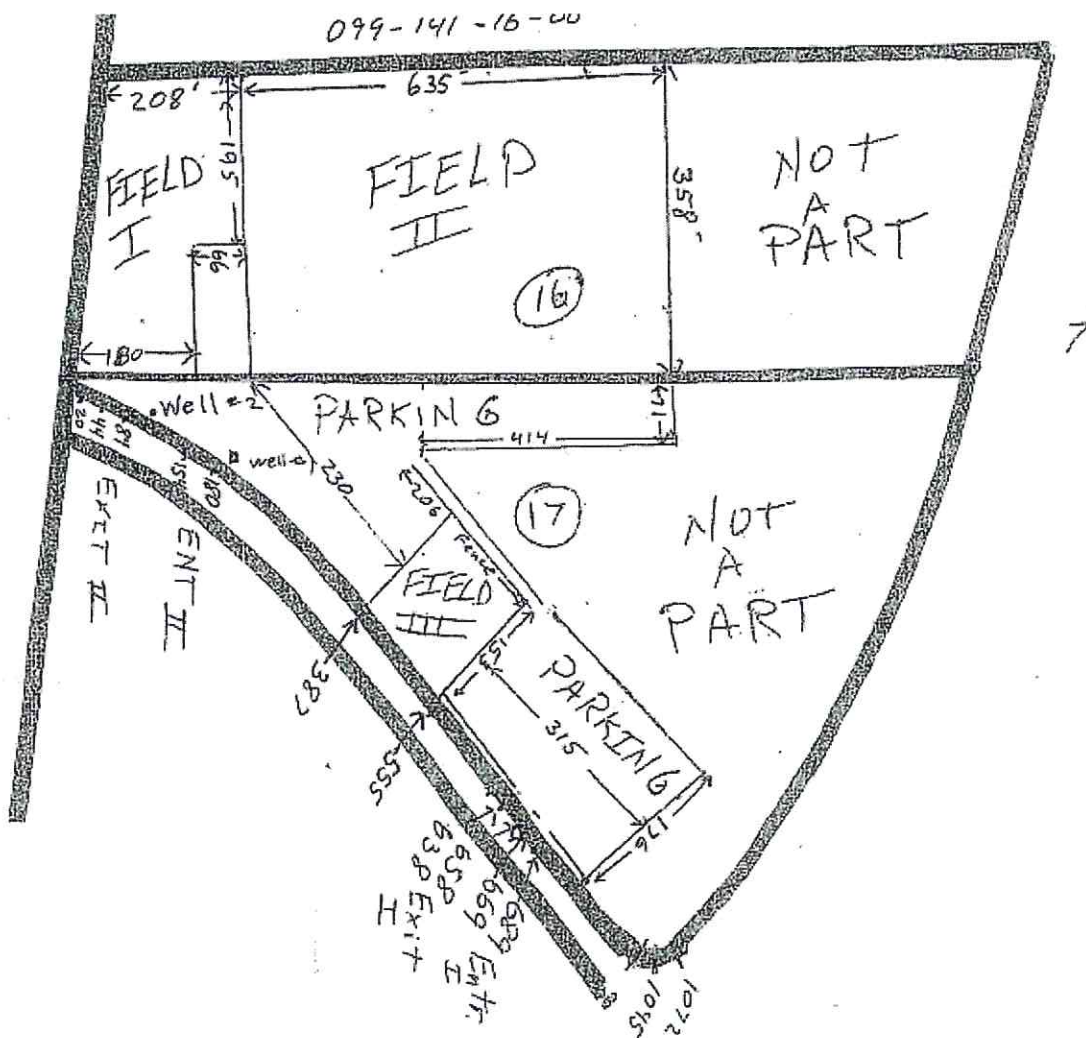
4.2 AGRICULTURAL RESOURCES: Water Availability

ND: “The well on APN 099-141-017 does not provide enough water to support irrigated crops, hence past dry farming practices were utilized on this parcel, thus a score of 8 points was given for this parcel. The well(s) on APN 099-141-016 provides adequate water for the greenhouses and the soccer fields thus the highest score of 15 points was given to this parcel.”

Given APN 099-141-017’s proximity to the Santa Ynez River, and the fact that it is adjacent to a property that has a water availability score of 15, APN 099-141-017 should have high water availability. The current well that “does not provide enough water” may be old, poorly maintained, inadequately drilled, or provided with inadequate pumps. As such, it is a management decision to not supply an optimal amount of water, not a condition of the parcel. Also, it is possible that water from the adjacent parcel or a nearby parcel can be piped in. It is not unusual for fields to receive water from a well a mile from away.

Further, the plot map shows two wells on parcel 099-141-017 and none on 016 suggesting the adequate well is on 017 and 016 gets water from it.

¹⁸ County of Santa Barbara Planning and Development. Environmental Thresholds and Guidelines Manual. 2008. P 12



APN 099-141-017 should be assigned 15.

4.2 AGRICULTURAL RESOURCES: Agricultural Suitability

ND: "The land is designated as "other" in the 2010 Important Farmland maps. This is consistent with the current use of the parcel being non-agricultural. The NRCS soils data indicate the majority of soils on APN 099-141-017 indicate the majority of soils on APN 099-141-017 are considered Class III, non-prime and the 2010 Important Farmland Maps indicate designate (sic) the parcel as "Other." Historically, this parcel was utilized for dry farming, therefore the parcel is considered suitable for dry farm crops. The high end of the range, 8 points, was assigned to APN 099-141-017."

This is incorrect:

The Important Farmland Maps designates 099-141-017 Farmland of Local

Importance (the map is admittedly difficult to read), not "Other."¹⁹ See map below.

The statement that the Important Farmland map land designation "is consistent with the current use of the parcel being non-agricultural" suggests the land is non-agricultural because it is "Other." This is either a tautology or causally reversed. Important Farmland maps are based on aerial photographs showing current or recent production or lack thereof. The (inaccurate) land designation of "Other" is not "consistent" with it being non-agricultural, rather it is caused by it's being non-agricultural. According to Troy Dick, one of the individuals responsible for creating the Important Farmland maps, Important Farmland Maps "are current use, not agricultural suitability." If land with Class III soil were irrigated and farmed it would be reclassified as "Farmland of Statewide Importance."²⁰

Further, there is overlap in the top two categories of Agricultural Suitability: the top category includes vineyard crops; the second category is dry farming which (sic) can apply to vineyard crops. "The production of some of the finest wines and olive oils in the world is accomplished with dry-farmed fruit. The famous California wines that won the 1976 Paris Wine Tasting were all dry farmed. Today, California has dry-farmed vineyards all up and down the coast, from Mendocino in the north, Sonoma, Napa (estimated 1,000 acres), to San Benito, San Luis Obispo, and Santa Barbara on the central and south coast."²¹

Finally, note that the Important Farmland map is incorrect in labeling Mr. Mosby's greenhouse on 016 as urban and his aquaculture ponds on 099-141-015 "urban".

Clearly using these maps alone to define suitability is inaccurate.











APN 099-141-017 should be assigned 10.

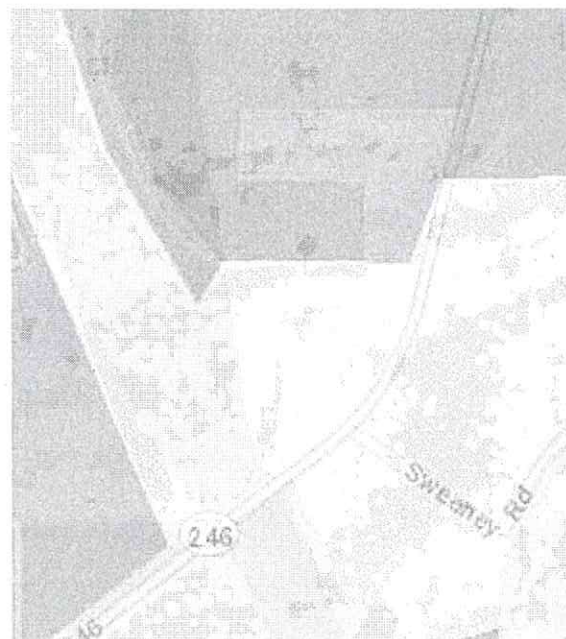
¹⁹ State of California Department of Conservation California Important Farmland Finder. <http://maps.conservation.ca.gov/ciff/ciff.html>

²⁰ Personal telephone conversation with Troy Dick, Research Analyst, Division of Land Resource Protection, State of California Department of Conservation

²¹ California Agricultural Water Stewardship Initiative. "Dry Farming." http://agwaterstewards.org/index.php/practices/dry_farming/

CIFF Farmland Type Legend

	Prime Farmland
	Farmland of Statewide Importance
	Unique Farmland
	Grazing Land
	Farmland of Local Importance
	Farmland of Local Potential
	Other Land
	Confined Animal Agriculture
	Nonagricultural or Natural Vegetation
	Vacant or Disturbed Land
	Rural Residential Land
	Semi-agricultural and Rural Commercial Land
	Urban and Built-Up Land
	Water Area
	Irrigated Farmland
	Nonirrigated Farmland
	Out of Survey Area



4.2 AGRICULTURAL RESOURCES: Adjacent Land Uses

ND: "The existing parcels lie within a rural region. River Park is located adjacent and to the southwest of the proposed recreational fields and the County's road yard is located to the east. The remaining neighboring parcels to the north are zoned Agriculture. These parcels are active in cultivation. With this in mind, each parcel was assigned points in the range for "Partially surrounded by agricultural or open space with some urban uses adjacent, in a region with adequate agricultural support use," and both were assigned 8 points each. This is because the park would be considered a land use that is more compatible for urban uses."

This is incorrect.

- River Park is passive recreation, not urban. Furthermore, the portion of River Park that is adjacent to 099-141-017 is an open field. See map below:



- Parcel 099-141-017 is a triangle. The County's road yard (099-141-010) is opposite the bottom point of the triangle and is not "adjacent" on any side of the triangle. Should P&D decide this qualifies as "adjacent," please note that many of the activities of the County road yard support agriculture and as such, its presence should be interpreted as supportive of agricultural use.
- Parcel 099-141-016 is completely surrounded by active agriculture with the exception of adjacent Parcel 099-141-017, which is zoned Ag 40 and currently has some fallow land and some non-permitted recreational use

Both Parcel 099-141-017 and parcel 099-141-016 should be assigned 10 points.

Combined Farming Operation

Look again at the plot map. The two parcels share a well. This is a combined farming operation.

SUMMARY of POINTS

Correct Agricultural Suitability and Productivity Analysis

Category	APN 099-141-017	APN 099-141-016
Parcel Size	6 points	6 points
Soil Characteristics	10 points	12 points
Water Availability	15 points	15 points
Agricultural Suitability	10 points	10 points
Existing and Historic Land Use	4 points	5 points
Comprehensive Plan Designation	5 points	5 points
Adjacent Land Uses	10 points	10 points
Agricultural Preserve Potential	0 points	0 points
Combined Farming Operations	3 points	3 points
<i>Total</i>	<i>63 points</i>	<i>66 points</i>

4.2 AGRICULTURAL RESOURCES: Impacts

Potentially Significant Impact

According to the Environmental Thresholds Point system, parcels with a designated point value of 60 and above are considered agriculturally viable parcels. As noted above, both parcels are agriculturally viable and the proposed (existing) project is/will impact agricultural productivity of farmland of State or Local Importance

The Neg Dec is only partially correct in stating, "if the current property owner wanted to use the lots for agriculture in the future, the proposed non-agricultural use for the land is not permanent and with amendments to the soils, the subject lots could be converted back to a cultivational (sic) use."

I urge P&D not to underestimate how much compacting (from trampling and parking) can degrade soil, making it less suitable for long-term agricultural sustainability. Soil properties considered most representative of the overall soil health or quality include: organic matter content, soil structure, bulk density, infiltration rate, and activity of the biological community. The impacts on these soil properties increase with intensity and duration of compaction as do the financial and time costs of restoration/remediation. Financial costs will include soil amendments, labor, equipment, fuel and reduced yields; time costs will be incurred for natural processes that improve soil such as biological activity and

soil aggregation to take place.²²

As such, contrary to the ND, the longer the subject lots have non-agricultural activities that compact their soil, the more costly and therefore less likely it will be for any owner to convert them back to cultivation.

The proposed non-agricultural use is clearly detrimental to agricultural resources.

4.11 LAND USE: b Conflict with any applicable land use plan, policy . . . adopted for the purpose of avoiding or mitigating an environmental effect:

ND: "As described in the Agricultural Resources Section of this document, herein incorporated by reference, the proposed recreational use would not affect each parcel[']s capability of being agriculturally suitable."

This is incorrect.

Reference to the Agricultural Element Policy 1 A. 1 a-b is inaccurate. This policy does not allow for recreation, it restricts the County from imposing trails.

Policy 1A. The integrity of agricultural operations shall not be violated by recreational or other non-compatible uses.

Imposition of any condition requiring an offer of dedication of a recreational trail or other recreational easement shall be discretionary (determined on a case-by-case basis), and in exercising its discretion, the County shall consider the impact of such an easement upon agricultural production of all lands affected by and adjacent to said trail or other easement.

1. On lands which are in agricultural production and have a zoning or Comprehensive Plan designation for agriculture, provisions for recreational trails or other recreational easements defined in the Comprehensive Plan may be imposed by the County as a condition for a discretionary permit or land division only in the following circumstances: a. The area in which the trail is proposed to be located is land which is not under cultivation or being grazed or is not part of a rotation program, or is not an integral part of the agricultural operations on the parcel; or,

b. The land use permit requested is not for a use which is compatible with agricultural production on the property, as defined in the County Agricultural Preserve Uniform Rules. In this instance, the recreational trail or other recreational use shall be required to be located only on the portion of the property taken out of agricultural production for the permit

Reference to Section 35.43.240 – does not exist in LUDC

35.42.240 is "Rural Recreation." It specifically states

Inland area. Low-intensity recreational development (e.g., recreational camps, hostels, campgrounds, retreats, and guest ranches, trout farm, rifle

²² Gimenez, D., Kluchinski, D., Murphy, S., Muldowny, L.S. "Assessment of Soil Disturbance on Farmland." Presented to New Jersey State Agriculture Development Committee. (2010)

range, and duck shooting farm) may be allowed subject to a Conditional Use Permit in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits) provided the development complies with the applicable standards included in Subsection C. (Standards) below.

C. Standards

1. AG-II and AG-II CZ zones. The following development standards shall apply to projects located in the AG-II and AG-II CZ zones.

- a. Is in character with the rural setting.
- b. Does not interfere with agricultural production on or adjacent to the lot on which it is located.
- c. Does not include commercial facilities open to the general public who are not using the recreational facility.
- d. Does not require an expansion of urban services that shall increase pressure for conversion of the affected agricultural lands.

The proposed project is high intensity.

The proposed project will affect the parcels' capability of being agriculturally suitable. The project takes 63% of the two parcels out of agricultural production. That clearly affects their being used for agriculture. Further, trampling and parking degrade the ground. It will take considerable money and time to bring the ground back to production.

The proposed project conflicts with County land use policy, specifically, the Agricultural Element of the County Comprehensive Plan:

- The Preamble states: the County recognizes the need to "provide for the conservation of its agriculture."
- Goal I, Policy IA states "The integrity of agricultural operations shall not be violated by recreational or other non-compatible uses."
- Goal I, Policy IB states that the "rights of operation, freedom of choice as to . . . functions within the traditional scope of agricultural management decisions . . . shall be conducted in a manner which is consistent with . . . sound agricultural practices that promote the long-term viability of agriculture"
- Goal I, Policy I.E. states "The use of the Williamson Act (Agricultural Preserve Program) shall be strongly encouraged and supported."
- Goal I, Policy I.F. states "The quality of availability of . . . soil resources shall be protected through provisions including . . . the stability of Urban/Rural Boundary Lines."
- Goal I, Policy I.G, states "Sustainable agricultural practices on agriculturally designated land should be encouraged in order to preserve the long-term health and viability of the soil."
- Policy II.D. Conversion of highly productive agricultural lands whether urban or rural, shall be discouraged. The County shall support programs which encourage the retention of highly productive agricultural lands.
- The purpose of an agricultural designation is to preserve agricultural land

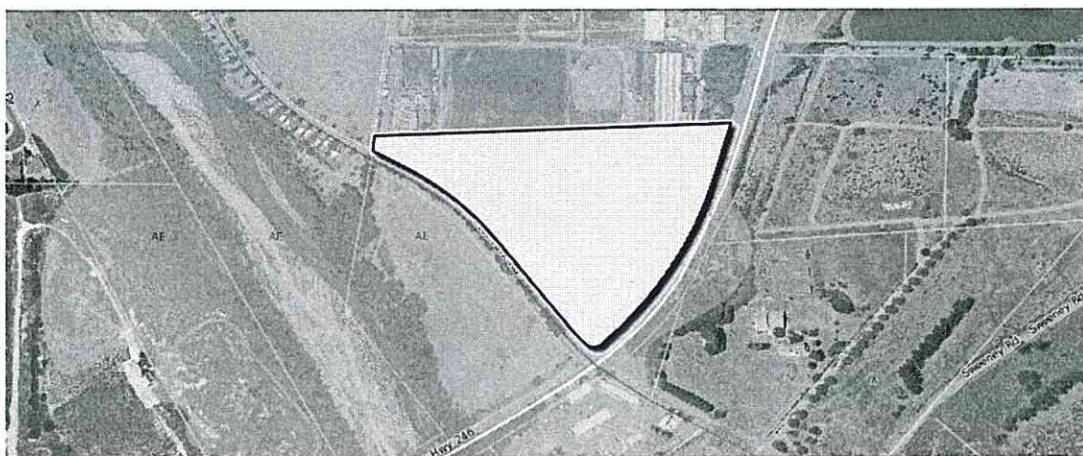
for the cultivation of crops and the raising of animals. For the purposes of this Element, agriculture shall be defined as the production of food and fiber, the growing of plants, the raising and keeping of animals, aquaculture, and the preparation for marketing of products in their natural form when grown on the premises, and the sale of products which are accessory and customarily incidental to the marketing of products in their natural form grown on the premises. Lands eligible for this designation include, but are not limited to, lands with prime soils, prime agricultural land, grazing land, land in existing agricultural use, **land with agricultural potential** (emphasis added), and lands under Williamson Act contracts.

3.1 PHYSICAL SETTING

Surface Water Bodies (including wetlands, riparian areas, ponds, springs, creeks, rivers, lakes, and estuaries):

ND: "Current mapping indicates that the subject lots do not lie within the river's 100-year floodway."

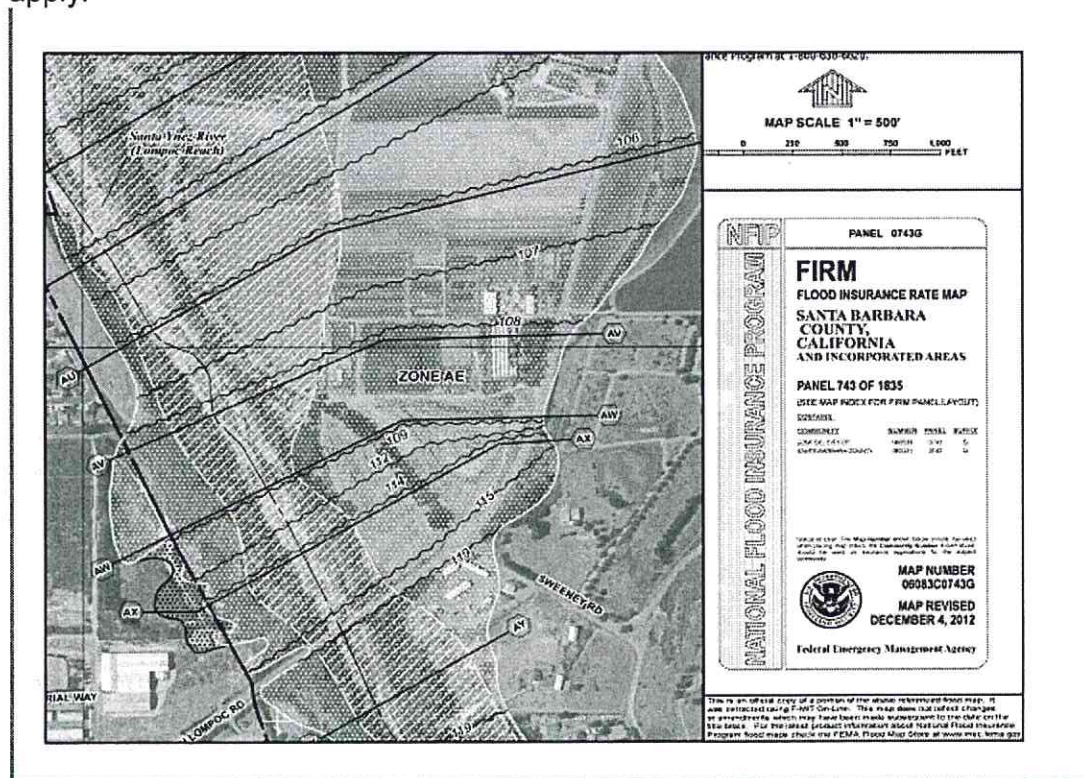
While the properties may not within the rivers "floodway" (defined as "The channel of a river or stream and the parts of the floodplain adjoining the channel that are reasonably required to efficiently carry and discharge the flood water or flood flow of a river or stream"²³), they are within the "100-year floodplain" (defined as "The area adjoining a river or stream that has been or may be covered by the 100-year flood"²⁴). A search of the Santa Barbara County Flood Zone Look Up – Online Map shows both properties within the "100-year flood zone." (In the map below parcel APN 099-141-017 is shown in yellow and APN 099-141-016 is visible above. Blue indicates 100-year flood zone.)



²³ Development Services Division. County of Yolo. "Floodways Vs. Floodplain: A quick guide to floodplains and floodways.

²⁴ Ibid.

FEMA Flood Rate Insurance Map (see below) shows it to be in Zone AE: "Areas subject to inundation by the 1-percent-annual-chance flood event determined by detailed methods. Base Flood Elevations (BFEs) are shown. Mandatory flood insurance purchase requirements and floodplain management standards apply."²⁵



4.13 PUBLIC FACILITIES: a. A need for new or altered police protection

The project will have a potentially significant impact. It is difficult to imagine how 700 people a day at a recreation facility without part-time or full-time staff (only volunteer monitors?) would not require police protection beyond what would be required by agricultural usage.

4.14 RECREATION: c. Substantial impact on the quality or quantity of existing recreation opportunities.

Given its intensive nature, the project will have a potentially significant impact on the passive recreation (hiking, bird watching, picnicking) recreational opportunities at River Park.

²⁵ <http://www.fema.gov/national-flood-insurance-program-2/zone-ae-and-a1-30#0>

4.16 WATER RESOURCES/FLOODING a. Changes in percolation rates, drainage patterns nor the rate and amount of surface runoff

ND: "No new development or impervious surfaces are proposed"

Mocho loam has moderate permeability and slow surface runoff;²⁶ Metz loamy sand has rapid permeability, very slow surface runoff.²⁷ It is quite likely that soil compaction caused by use of a parking lot for 150 cars and continued recreational activities will result in further soil compaction that can change percolation rates, drainage patterns, and/or rate and amount of surface runoff. This is a potentially significant impact.

4.16 WATER RESOURCES/FLOODING f. Exposure of people or property to water related hazards such as flooding (placement of project in 100 year flood plain).

ND: "Both parcels are outside of the 100 year flood plain"

The County Flood Zone Lookup Map and FEMA map indicate both parcels are inside the 100-year flood zone.²⁸

Conclusion:

The proposed project MAY have a significant effect on the environment and an EIR must be prepared.

Thank you,
Sharyne Merritt, Ph.D.

²⁶ United States Bureau of Soils. Soil Survey: Ventura Area, California. 1970. p 41
<http://books.google.com/books?id=QdLwAAAAMAAJ>

²⁷ *ibid.*, p 38

²⁸ https://www.cartograph.com/v2.5/viewer/?do=start&project=938&application=CG3Viewer&embedded=1&query_url=0&context=2&search_layer=3599&criteria=address_number_street;contains;



**Santa Barbara County
Air Pollution Control District**

Our Vision  Clean Air

January 6, 2012



John Zorovich
Santa Barbara County
Planning and Development
624 W. Foster Road
Santa Maria, CA 93455

Re: APCD Comments on Mosby Recreational Fields, 11CUP-00000-00032

Dear John:

The Air Pollution Control District (APCD) has reviewed the referenced case, which consists of the use of agricultural property for athletic fields. Uses of the fields include a Paintball field, a remote control car track, and a soccer field. The fields will be opened primarily on weekends between the hours of 8 am and 5 pm; minimal use will occur during the week. No permanent structures will be built at this time. The proposed project is designed to have minimal, and no permanent, effects to the existing use of the property (agricultural-entertainment and fallow farming). The subject property, a 19.5-acre parcel zoned 40-AG and identified in the Assessor Parcel Map Book as APN 099-141-016,-017, is located at 625 E. Hwy 246/2 Riverpark Road in the community of Lompoc.

The APCD has no comment on this project at this time.

If you or the project applicant have any questions, please feel free to contact me at (805) 961-8890 or via email at cwv@sbcapcd.org.

Sincerely,

Carly Wilburton,
Air Quality Specialist
Technology and Environmental Assessment Division

cc: James Mosby
TEA Chron File

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net



RECEIVED

JAN 14 2013

STATE CLEARING HOUSE

December 26, 2012

Ms. Tammy Weber, Planner

County of Santa Barbara Planning and Development

624 W. Foster Road, Suite C
Santa Maria, CA 93436

Re: SCH#2012121065; CEQA Notice of Completion; proposed Negative Declaration for the "Mosby Recreational Fields and Rezone Consistency," located one-half mile north of the City of Lompoc; Santa Barbara County, California

Dear Ms. Weber:

The California Native American Heritage Commission (NAHC) is the State of California 'trustee agency' for the preservation and protection of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties or resources of religious and cultural significance to American Indian tribes law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendment s effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC advises the Lead Agency to request a Sacred Lands File search of the NAHC if one has not been done for the 'area of potential effect' or APE previously.

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you

make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties, including archaeological studies. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and California Public Resources Code Section 21083.2 (Archaeological Resources) that requires documentation, data recovery of cultural resources, construction to avoid sites and the possible use of covenant easements to protect sites.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

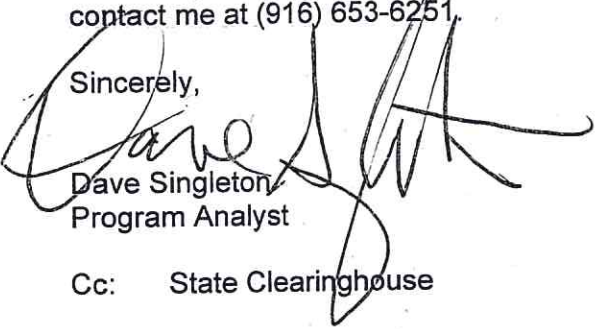
Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

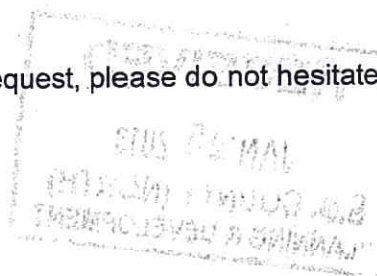
If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,


Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List



RESOLUTION OF THE SANTA BARBARA COUNTY PLANNING COMMISSION
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING)	RESOLUTION NO.: 13 - _____
TO THE BOARD OF SUPERVISORS THAT)	
AN ORDINANCE BE APPROVED AMENDING)	CASE NO.: 12RZN-00000-00003
SECTION 35-1, THE SANTA BARBARA)	
COUNTY LAND USE AND DEVELOPMENT)	
CODE, OF CHAPTER 35 OF THE SANTA)	
BARBARA COUNTY CODE, BY AMENDING)	
THE COUNTY ZONING MAP BY CHANGING)	
THE ZONING OF ASSESSOR'S PARCEL)	
NUMBERS 099-141-016, -017 FROM 40-AG TO)	
<u>AG-II-40</u>)	

WITH REFERENCE TO THE FOLLOWING:

- A. Whereas all zoning maps and zoning designations previously adopted under the provisions of Sections 35.14.020 and 35-516, "Adoption of New Zoning Maps", of Chapter 35, Zoning, of the Code of the County of Santa Barbara, California, are hereby repealed as they relate to Assessor's Parcel Numbers 099-141-016, -017 as shown in Exhibit A of Exhibit 1.
- B. Whereas the County Planning Commission has held a duly noticed public hearing, as required by Section 65484 of the Government Code on the proposed amendment to a zoning ordinance, at which hearing the proposed amendments were explained and comments invited from persons in attendance.
- C. Whereas Section 65855 of the Government Code requires inclusion of the reason for the recommendation and the relationship of the zoning map amendment to the applicable general and specific plans, which is hereby identified as necessary to provide needed residential development within the existing urban core rather than extending the Urban Boundary line into the designated Rural area of the County consistent with the General Comprehensive Plan.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The Commission recommends that the Board of Supervisors approve an Ordinance, Exhibit 1, Amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35 of the Santa Barbara County Code, by Amending the County Zoning Map by changing the zoning of Assessor's Parcel Numbers 099-141-016, -017 from 40-AG to AG-II-40 based on the findings included as Attachment A of the Planning Commission staff report dated August 22, 2013.

2. A certified copy of this resolution shall be transmitted to the Board of Supervisors.

PASSED, APPROVED AND ADOPTED this 11th day of September, 2013 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

JOAN HARTMANN, Chair
Santa Barbara County Planning Commission

ATTEST:

Dianne Black
Secretary to the Commission

APPROVED AS TO FORM:

DENNIS A. MARSHALL
COUNTY COUNSEL

By _____
Deputy County Counsel

EXHIBITS:

1. Ordinance

EXHIBIT 1

LAND USE DEVELOPMENT CODE (ZONING MAP AMENDMENT)

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ASSESSOR PARCEL NUMBERS 099-141-016, -017

Case No. 12RZN-00000-00003

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1

All zoning maps and zoning designations previously adopted under the provisions of Sections 35.14.020 and 35-516, "Adoption of New Zoning Maps," of Chapter 35, Zoning, of the Code of the County of Santa Barbara, California, are hereby repealed as they related to Assessor's Parcel Numbers 099-141-016, -017 shown on the map attached hereto as Exhibit A and incorporated by reference.

SECTION 2

Pursuant to the provisions of Section 35.14.020, "Adopting New Zoning Ordinances and Maps," of Land Use Development Code, of Chapter 35 of the Code of the County of Santa Barbara, California, the Board of Supervisors hereby adopts by reference the Zoning Map identified as Board of Supervisors Exhibit A, dated (date of approval by Board of Supervisors), which re-designates Assessor's Parcel Numbers 099-141-16, -017 from 40-AG to AG-II-40 and which is made a part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein, as exhibited in Exhibit A, and which is made part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein.

SECTION 3

The Chair of the Board of Supervisors is hereby authorized and directed to endorse said Exhibit A to show that said map has been adopted by this Board.

SECTION 4

Except as amended by this Ordinance, Section 35.14.020 of the Land Use Development Code of Santa Barbara County, California, shall remain unchanged and shall continue in full force and effect.

SECTION 5

This ordinance shall take effect and be in force thirty (30) days from the date of its passage; and before the expiration of fifteen (15) days after its passage it, or a summary of it, shall be published once, with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News Press, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this ____ day of ____, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CHANDRA L. WALLAR
Clerk of the Board of Supervisors

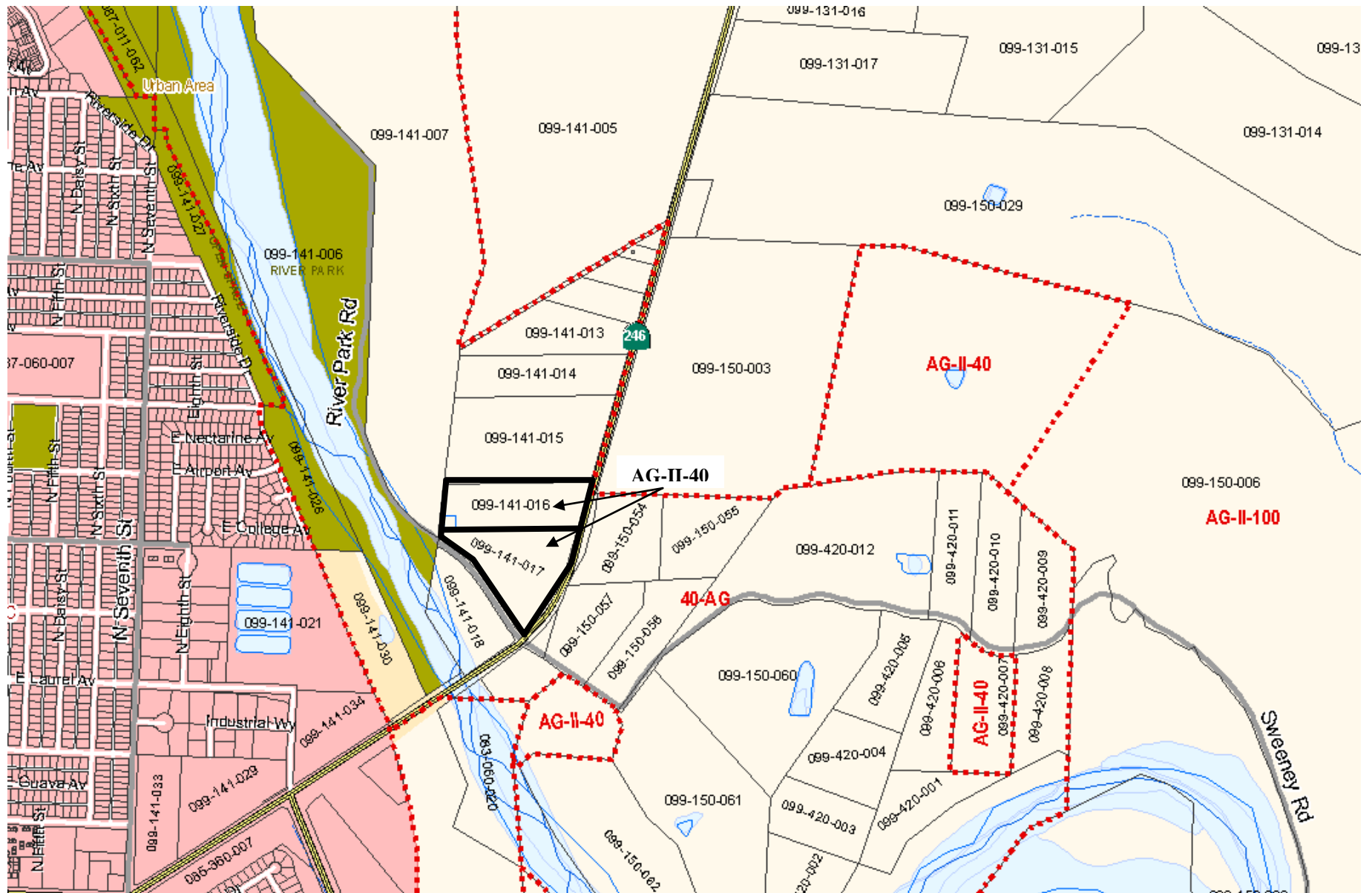
By: _____
Deputy Clerk

SALUD CARBAJAL, Chair, Board of Supervisors
County of Santa Barbara
State of California

DENNIS A. MARSHALL
County Counsel

By: _____
Deputy County Counsel

EXHIBIT A





CITY OF LOMPOC

May 30, 2012

05/30/2012
05/03/2012
S.B. COUNTY
PLANNING & DEVELOPMENT

County of Santa Barbara
Public Health Department, Environmental Health Services (EHS)
123 East Anapamu Street
Santa Barbara, CA 93101

Subject: Availability of Drinking Water and Restrooms at River Park

To Whom It May Concern:

This letter is to confirm that there are public restrooms and drinking water facilities at River Park, located adjacent to Mr. Mosby's proposed project parcel at 625 East Highway 246 and No. 2 River Park Road. These facilities are separate, and do not include the facilities that are only accessible to paid campers, and they are easily accessed and available for use by the general public.

The City of Lompoc owns and operates these facilities, and provides all necessary maintenance. Once Mr. Mosby's completed project is operating, evaluation can be made to ascertain if the public facility restrooms and drinking water use warrants additional maintenance, at which time the City of Lompoc will enter into an agreement with Mr. Mosby for those additional required services.

This project will be a real asset to the City of Lompoc, providing our community extended opportunities for recreation. Mr. Mosby is to be commended for his initiative to facilitate this community benefit. The City of Lompoc welcomes this opportunity and appreciates your assistance in this matter.

Respectfully Submitted,

Laurel M. Barcelona
City Administrator

C: Lompoc City Council
Joseph W. Pannone, City Attorney
Larry A. Bean, Public Works Director
Douglas K. Anthony, Deputy Director



CITY OF LOMPOC

August 8, 2013

Honorable Planning Commission Chair and Members
County of Santa Barbara
123 E. Anapamu Street
Santa Barbara, CA 93101

Subject: Mosby Rezone and Recreational Fields Application
River Park Road

Honorable Chair and Commission Members:

This letter is in regards to Case Nos. 12RZN-00000-00003, and 11CUP-00000-00032 pending before the County Planning Commission at the request of Jim Mosby (Project). The City of Lompoc owns the property locally know as "River Park Road" adjacent to the Project. River Park Road is also referred to in documents prepared by the County in support of the application. The Project Description relies on River Park Road to provide access. (See site plan attached.)

Be advised that River Park Road is property owned in fee by the City of Lompoc and not a public road as described in the Project. The City of Lompoc is willing to grant temporary right of entry to support the Project and is in negotiations with the owner to that end.

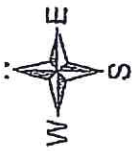
The City of Lompoc continues to support the Project and believes it will be an asset to the community as it enhances recreational opportunities. Mr. Mosby is to be commended for his initiative to facilitate this community benefit.

Respectfully Submitted,

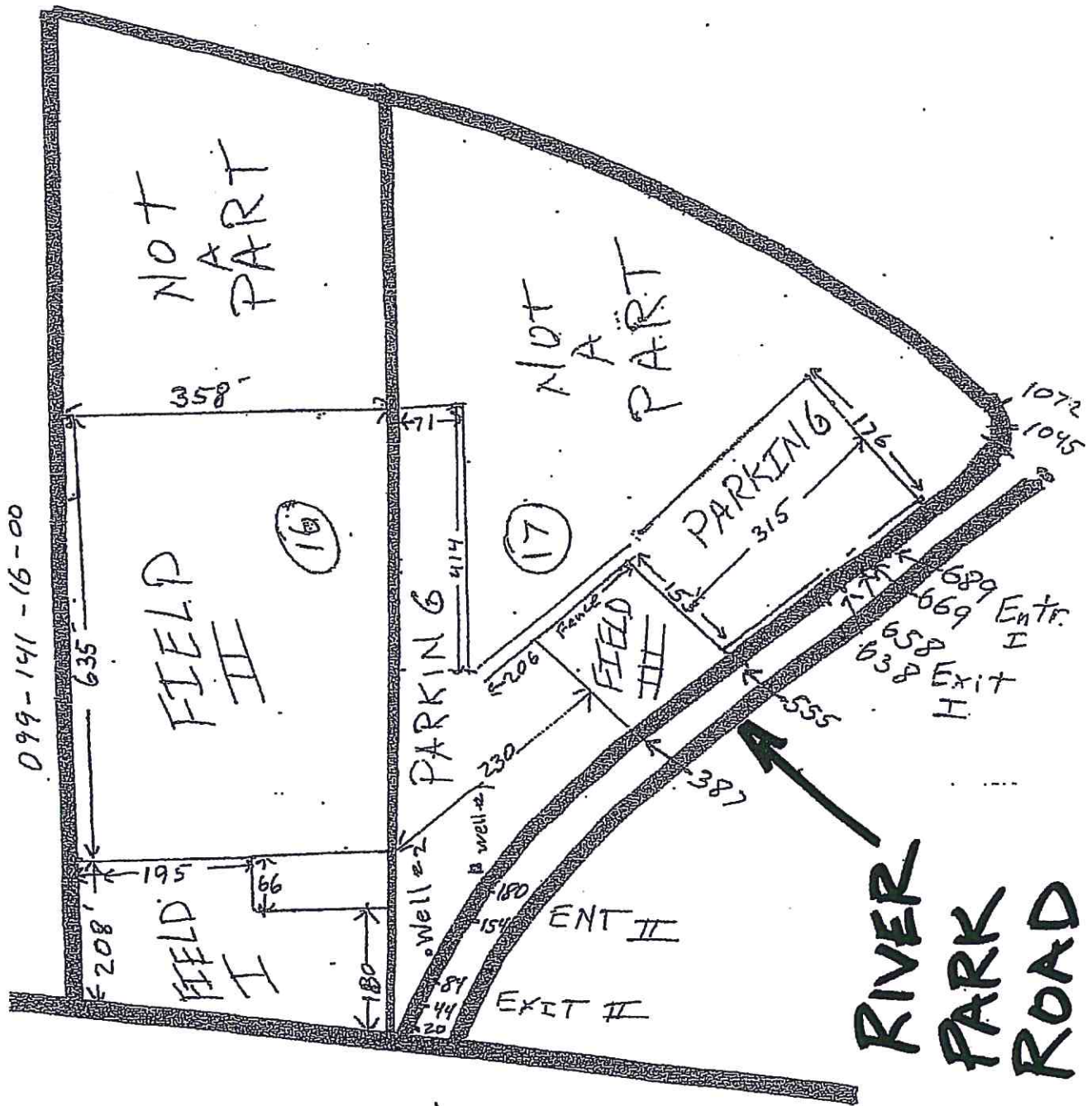
Laurel M. Barcelona
City Administrator

Attach: Site Plan

C: Lompoc City Council
Joseph W. Pannone, City Attorney
Dana Carmichael, Project Planner
Douglas K. Anthony, Planning Deputy Director
Jim Mosby

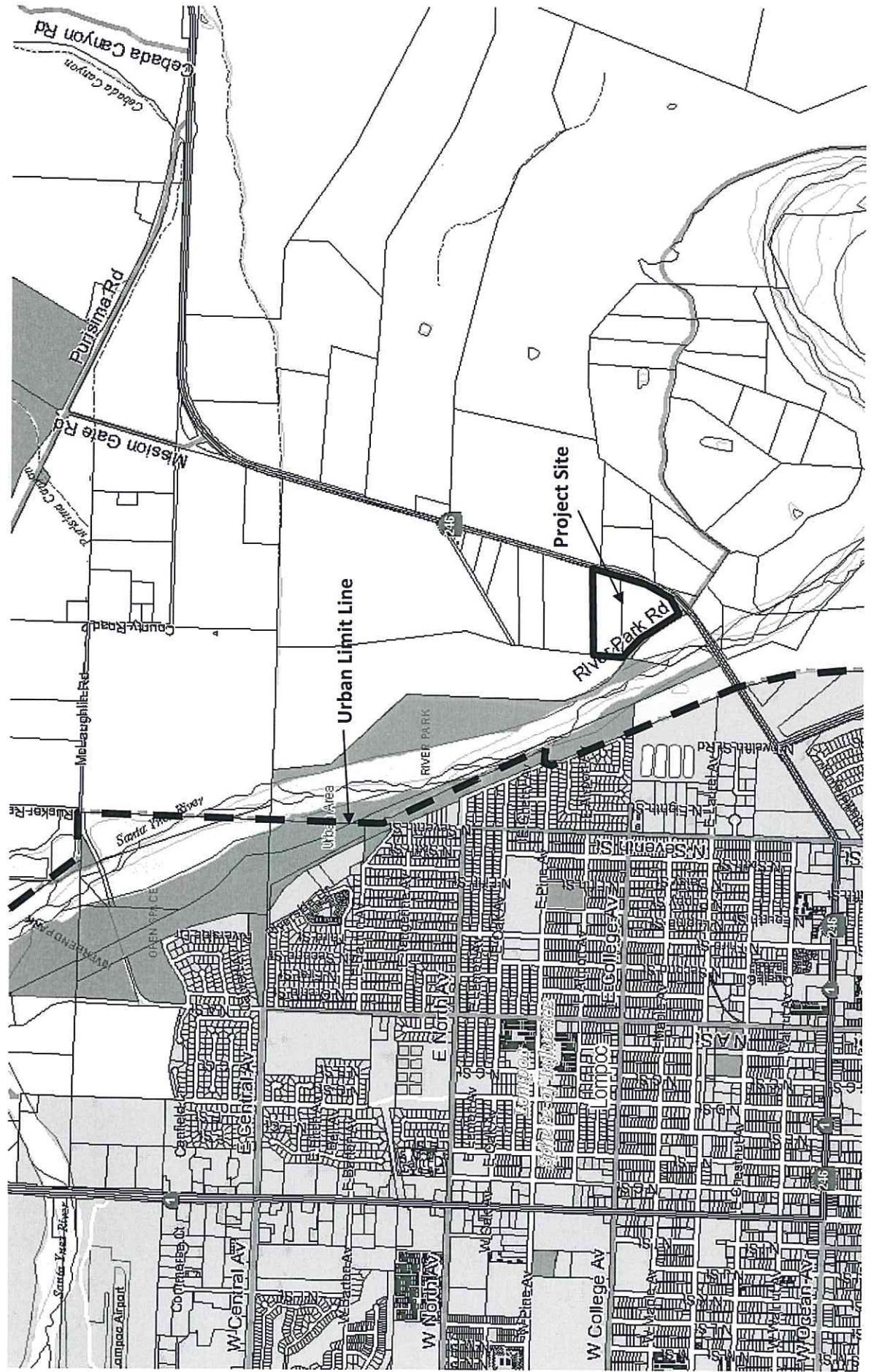


7" = 1200'

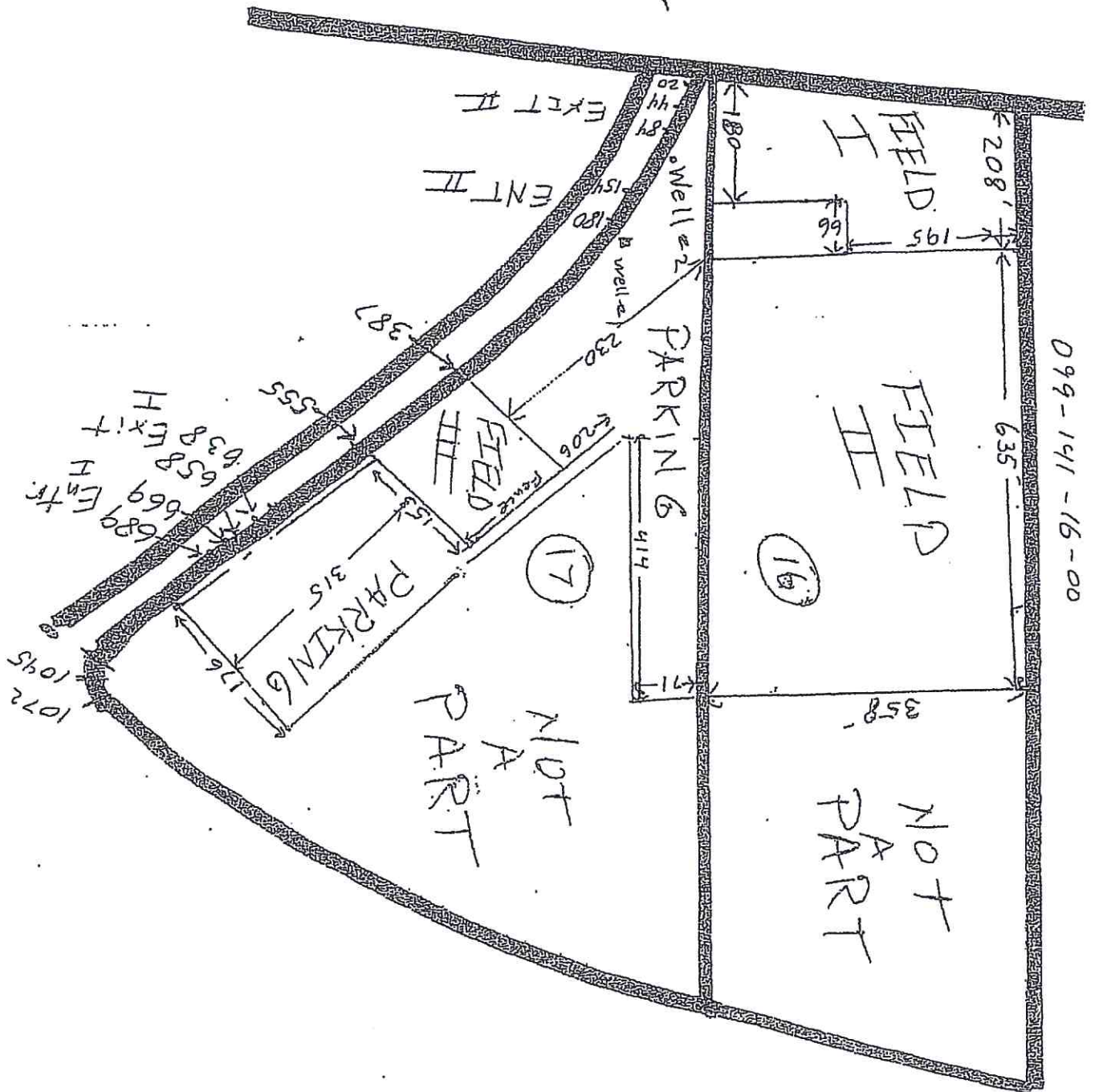


Public Restroom

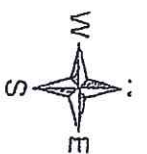
ATTACHMENT H: URBAN SPHERE OF INFLUENCE



Public Restroom



099-141-16-00



7" = 1200'

ATTACHMENT I