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Santa Barbara County Board of Supervisors
105 E. Anapamu Street
Santa Barbara, CA 93101

Re: Eastern Goleta Valley Community Plan Environmentally Sensitive Habitat Map Update
August 14, 2018 Agenda Item # 2

Dear Chairman Williams and Honorable Supervisors:

I am a long-time resident of the Painted Cave community, which is located in the heart of the Eastern Goleta Valley mountain area. I believe I can safely say that most mountain residents are interested both in protecting our local environment and in protecting our families and homes from wildfires. Some of us, including representatives of the San Marcos Pass and Painted Cave Volunteer Fire Departments, Paradise Canyon, and San Marcos foothill residents, have been working with County Fire and Los Padres National Forest staff for almost 2½ years to create a Community Wildfire Protection Plan (“CWPP”) for our area. We are hoping that approval of the revised ESH map will free County planning staff to turn attention to the draft CWPP which was submitted for review *over six months ago*. Completion of this CWPP is specifically mandated by the East Goleta Valley Community Plan (“EGVCP”). The EGVCP also includes additional major policies regarding fire protection; copies are attached as Attachment A. These policies are equally important to those governing protection of Environmentally Sensitive Habitats (ESH).

With respect to the updated ESH map, I suggest the following:

1. Approve the revised ESH map. Although it does not provide complete information on existing or likely ESH areas, more information is better than less.
2. The “disclaimer” language that staff currently proposes to include on the ESH map is not only confusing but extremely misleading to the public. (See Agenda Letter, p.5.) Contrary to what the current language suggests, not all chaparral vegetation in the EGVCP area is ESH. Ninety-nine percent of the chaparral in our area is ordinary chaparral that does not qualify as ESH under the standards set out in the EGVCP. No permits or biological reports are required for work in ordinary chaparral. This letter proposes alternate, more accurate and less confusing disclaimer language below.

3. With respect to possible further ESH mapping, the County has reached the point of diminishing returns. While accurate information on additional ESH areas would be useful, it is unlikely that any mapping process is going to capture all possible ESH sites, or that the information would remain valid for long given the likelihood of ongoing changes in plant and animal distribution caused by drought, wildfire, climate change and other natural factors. What would be useful is an easily accessible data base recording locations of the more stable and easily verifiable types of ESH that are currently unmapped, e.g., raptor roosting trees, vernal pools and native grasslands. Creation of such a database with appropriate public input would eliminate some of the uncertainties posed by the revised ESH map, although it would not eliminate them all. This more economical approach would also permit planning staff to turn some much-needed attention to assisting in completion of the CWPP for the San Marcos Pass mountain and foothill areas, something that is long overdue.

DISCUSSION

1. Map Approval.

As we found in preparing our CWPP, there is generally little conflict between the ESH policies of the EGVCP and wildfire protection. The vast majority of mapped ESH areas are riparian zones and oak woodlands. Under many conditions these areas can actually be a barrier to wildfires. At worst they contribute far less to the intensity and rate of spread of wildfires than other native vegetation types. Substantial fuel modification in these areas is not anticipated. To the extent that there may be occasional minor conflicts between ESH policies and fire safety, the EGVCP and County zoning code provide enough flexibility to ensure that individual homeowners can meet minimum defensible space requirements.

The CWPP does identify potential areas for community defensible space that would provide additional safety for firefighters and residents in the more densely populated areas, e.g. the foothill communities, Trout Club and Painted Cave. Based on on-the-ground inspection, we are confident that appropriate vegetation treatments in these areas will not adversely impact any ESH.¹ The updated ESH map, which will be included in the CWPP, strongly reinforces that conclusion. In particular, the revised ESH map confirms that the rare types of chaparral-related plant assemblages that qualify as ESH are generally not located near existing development, and will not be impacted by fire protection activities.

It is understood that the revised ESH map is not complete, and that there may be disagreements over its accuracy in some particulars, as is inevitable in any undertaking of this kind. Nevertheless, the map is at least a major step forward in identifying ESH within the mountain and foothill areas, and should be approved.

2. Staff-Proposed Disclaimer

County staff, as well as virtually all commenters, acknowledge that the ESH map is incomplete and that the actual extent of known, verifiable ESH is likely to change over time. Planning staff proposes to alert the public to this problem by adding a disclaimer on the map. (Agenda Letter,

¹ Most areas identified as suitable for individual and community defensible space in the CWPP are areas that were cleared in the past, and require future maintenance work only. The relatively minor areas that will involve new fuel modification are either ordinary chaparral, which is not an ESH, or areas that will be subject to very limited activity such as removing dead ground fuels and invasive species in oak groves, which is authorized by the EGVCP.

p. 5.) As currently written, however, the disclaimer language is not only confusing but extremely misleading in that it implies that all chaparral vegetation in the EGVCP is ESH. This is patently untrue. EGVCP Policy ECO-EGV-5.4 states that chaparral may qualify as an ESH only “where it supports rare or vulnerable native vegetation alliances and/or sensitive native plant and/or animal species.” (See Attachment B.) As the revised ESH map itself indicates, the literally thousands of acres of ordinary chaparral we have in the San Marcos Pass area are not ESH. Neither the EGVCP nor the County Planning and Development Code require permits for fuel modification involving less than 5 acres of ordinary chaparral.

It is important that any ESH map adopted by the County be consistent with existing policies and not mislead the public, nor intimidate residents from conducting reasonable fire protection activities by implying that expensive permits or biological reports are required when they are not. To address this problem, the WRA suggests the following alternate disclaimer language.

The extent of ESH and RC habitats depicted on the map is approximate and based on known resources at the time of adoption of the map. In some cases, the precise locations of habitat areas are not known (e.g., isolated wetlands, vernal pools, native grasslands or chaparral that supports rare or vulnerable native vegetation alliances or sensitive native plant or animal species) and are therefore not mapped. ~~In addition, chaparral, which covers most of the Rural Area that is not in agricultural production, and other identified ESHs pursuant to EGVCP Policies ECO-EGV-5.2 and 5.4, may not be shown on this map. Before removing vegetation that may include any ESH described in EGVCP Policies ECO-EGV 5.2 and 5.4, or beginning any activity that requires a permit, including removal of chaparral or other ESHs, which might require a permit absent any proposed development, please consult the EGVCP and Planning and Development staff and/or have an onsite survey completed by a qualified biologist.~~

3. Next Steps

Everyone recognizes that it is important for property owners, County staff and the public at large to be able to identify ESH areas in order to protect them. It is also universally acknowledged that the new ESH map remains incomplete, and will likely become even less accurate over time. Continued draught or a major wildfire, for example, would undoubtedly affect the accuracy of the map. While some members of the public advocate further mapping as a solution, the reality is that mapping efforts have reached the point of diminishing returns, and that the costs of further mapping would exceed the value of any benefits.

The majority of the mountain area included in the ESH map is national forest land, over which the County has no planning authority and in which there is little or no danger of significant private encroachment. Further mapping in these areas would serve academic purposes only. Even on private lands in the mountain and foothill areas, major new development is unlikely to occur. If it does, any ESH on the subject property would no doubt be identified and protected through the County permitting process.

With respect to sensitive wildlife habitat areas, effective mapping may be impossible because animals typically move around. Past sightings, without current verification, are not a reliable method of charting current habitat. This can also be true to some extent with rare plants, whose presence (or at least their detectability) may be subject to variations caused by drought, disease or other natural factors. The difficulties of identifying ESH areas will also increase dramatically

as the County attempts to identify and delineate increasingly smaller, isolated or more difficult-to-reach patches. Intensive new wildlife or botanic studies would no doubt provide additional information, but the costs are likely to vastly exceed any added value, and even this new information would have a limited shelf-life.

Everything considered, it seems extremely unlikely that the County could ever produce a map that was definitive or likely to remain current for more than a relatively short period of time. Correspondingly, the map is never going to provide the kind of certainty that would be most helpful to residents, planners or the general public.

This does not mean that additional information would not be useful. However, such information could more economically take the form of an accessible database or overlay listing new locations where ESH has been identified and verified by staff. In particular, the locations of more stable and readily verifiable ESH types such as raptor roosting sites, native grasslands and vernal pools could probably be documented without huge expense. Residents and members of the public may be able to provide some useful information to assist in this process. However, no area or location should be classified as ESH unless its status can be verified by staff on the basis of objective criteria and objective analysis.

It must also be remembered the protection of ESH is not the sole purpose of the EGVCP. While the latest ESH mapping process has produced some interesting and useful information, it has also consumed a great deal of staff time (and funds) that could equally well have been spent on other priorities. In the wake of the Thomas Fire, Holiday Fire and the current fire siege in northern California, it is high time that the County give equal consideration to policies governing fire protection, both in the EGVCP area and elsewhere. (See, e.g., Attachment A, Policies FIRE-EGV-1.1 – 1.3, and Development Standards FIRE-EGV-1A – 1C.) Our draft CWPP for the San Marcos Pass mountain and foothill areas was submitted to the County Planning and Development staff and County Executive Office for review over six months ago. We have received no response to the draft, other than indications from the Executive Office that the draft is being held up because it might be controversial. Under County guidelines, the CWPP process is intended to be an open collaborative process, including full public hearings. County Fire, the Forest Service and citizen representatives have now been involved in this CWPP process for almost 2½ years. We would like very much to get the process moving again, so that any genuine controversies can be addressed and resolved in an open and public manner. We encourage the Board to direct County Planning and Development and the County Executive Office to make cooperation with our CWPP Development Team their next priority for the Eastern Goleta Valley/San Marcos Pass planning area.

Sincerely,

Philip Seymour

B. PUBLIC SAFETY: FIRE PROTECTION, LAW ENFORCEMENT, AND EMERGENCY SERVICES

Eastern Goleta Valley requires the public safety services of County Fire, Sheriff, and Office of Emergency Services, as well as responses by other local, regional and state agencies. Fire suppression, evacuation, law enforcement and first-aid often require a coordinated response by multiple agencies. While some of these public safety services are provided by agencies other than the County, land use planning is intrinsically tied to the provision of services, since staffing levels, size, type and location of facilities, and response standards are determined by population, the type/location of structures, and the circulation network.

The following policies have been developed to support exemplary fire protection, law enforcement, and emergency response services for the community.

Land Use and Development Policies and Implementation Strategies

GOAL #4. LIFE AND PROPERTY IS PROTECTED FROM THE POTENTIAL HAZARDS OF THE BUILT AND NATURAL ENVIRONMENTS.

Fire Protection Services and Facilities

OBJECTIVE FIRE-EGV-1: Minimize the potential hazard to human and animal life, property, and the ecosystem of Eastern Goleta Valley due to fire.

Policy FIRE-EGV-1.1: The County shall support and pursue collaborative fuel management and wildfire protection programs for the City of Santa Barbara, the City of Goleta, and Eastern Goleta Valley to encourage fire hazard reduction and protection of natural resources.

Policy FIRE-EGV-1.2: Fire hazards shall be minimized in order to reduce the cost of and need for increased fire protection services, while protecting environmental resources.

DevStd FIRE-EGV-1A: *In high-fire hazard areas, compliance with State and local defensible space and vegetation management requirements for structures and properties shall be demonstrated prior to development.*

DevStd FIRE-EGV-1B: *In high-fire hazard areas, the use of native, drought-tolerant, and fire-resistant plants shall be strongly encouraged in landscaping and restoration projects.*

DevStd FIRE-EGV-1C:

Within high fire hazard areas, vegetation management practices within Environmentally Sensitive Habitat (ESH)/Riparian Corridor (RC) overlay and setback areas should be limited to the following activities to balance environmental resources preservation against wildfire protection:

- *Removal of non-native trees or immature native trees*
- *Removal of surface debris*
- *Removal of invasive non-native plants as defined and listed in the California Invasive Plant Council's "California Invasive Plant Inventory"*
- *Removal of vegetation in non-riparian oak woodland or forest within the minimum defensible space area from structures as required by the County Fire Department*
- *Selective limb removal of mature trees away from structures within minimum defensible space area as required by the County Fire Department*
- *Thinning, pruning or mowing of vegetation (except trees) to no less than that required to meet fuel modification criteria (in no case less than 4 inch stubble) and leaving the roots intact*

Policy FIRE-EGV-1.3:

The Planning and Development Department shall work with the County Fire Department and other interested agencies as needed to address community wildfire protection planning, including, but not limited to, defensible space requirements, landscaping standards and/or guidelines, and other standards for high fire hazard areas.

Action FIRE-EGV-1A: Develop educational materials and enhanced programs for properties within the ESH/RC overlay in high fire hazard areas through coordination between Planning and Development and the County Fire Department to ensure that fuel modification activities and practices achieve a balance between habitat values and fire hazard risk.

Action FIRE-EGV-1B: The County shall encourage and support the development of a Community Wildfire Protection Plan for at risk communities of the Eastern Goleta Valley in compliance with the Community Wildfire Protection Plan Development Process for Santa Barbara County, adopted on August 8, 2011.

~~ATTACHMENT 4~~

EASTERN GOLETA VALLEY COMMUNITY PLAN
POLICY ECO-EGV-5.4

Policy ECO-EGV-5.4: (INLAND) ESH and RC Habitat Types: Specific biological resources and habitats shall be considered environmentally sensitive and designated on the Eastern Goleta Valley Community Plan ESH/Riparian Corridor map (EGVCP Figure 22 or where determined to exist during a site survey) based on the criteria of Policy ECO-EGV-5.2. *(Note: The scale of the overlay map precludes complete accuracy in the mapping of habitat areas. In some cases, the precise location of habitat areas is not known and is therefore not mapped. In addition, the migration of species or the discovery of new habitats may result in the designation of new areas, or site-specific reviews may indicate different habitat designations.)*

1. ESH Habitat Types: In the Urban, Inner-Rural, EDRNs and Mountainous Areas, the following habitats shall be considered environmentally sensitive and shall be protected and preserved through provisions of the ESH Overlay.

- Riparian woodlands and riparian corridors (including but not limited to willow, riparian mixed hardwood, California sycamore, and riparian mixed shrub alliances)
- Monarch butterfly roosts
- Sensitive native flora
- Coastal sage scrub (including but not limited to California sagebrush and soft scrub – mixed chaparral alliances)
- Coastal bluff scrub
- Chaparral (e.g., chamise chaparral, lower montane mixed chaparral, ceanothus chaparral, and soft scrub – mixed chaparral alliances) where it supports rare or vulnerable native vegetation alliances and/or sensitive native plant and/or animal species
- Oak woodlands (including but not limited to coast live oak and coastal mixed hardwood alliances)
- Bigcone Douglas-fir alliance
- Vernal pools
- Native grasslands (including but not limited to perennial grasses and forbs alliance)
- Wetlands (including but not limited to tule-cattail alliance)
- Dunes
- Raptor/turkey vulture roosts
- Critical wildlife habitat
- Wildlife corridors

2. RC Habitat Types: On lands designated Agriculture in the Rural Area, the following habitats shall be considered environmentally sensitive and shall be protected and preserved through the provisions of the RC Overlay.

- Riparian woodlands and riparian corridors (including but not limited to willow, riparian mixed hardwood, California sycamore, and riparian mixed shrub alliances)