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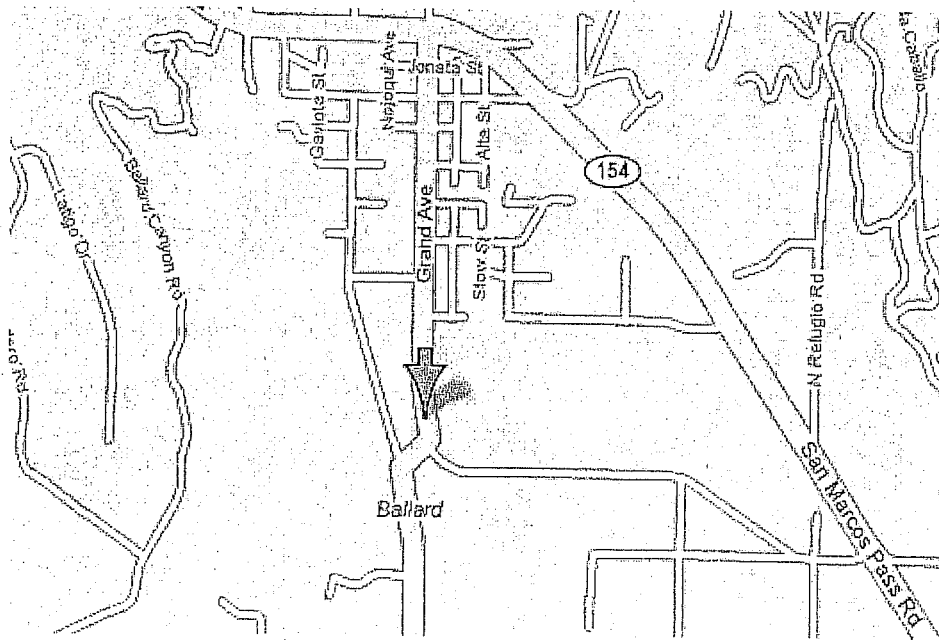
Proposed Final Mitigated Negative Declaration

06NGD-00000-00029

Herthel - Montanaro Lot Line Adjustment:

05LLA-00000-00015

March 26, 2007



Owners/Applicants Douglas Herthel PO Box 387 Los Olivos, CA 93441 805-688-2196	Agent Patricia "Tish" Beltranena 201 Industrial Way Buellton, CA 93427 805-688-5200	Architect N/A
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PUBLIC REVIEW

A Draft Negative Declaration for the Herthel Lot Line Adjustment (05LLA-00000-00015) was released for a 21-day public review period on December 2, The public review period closed on December 26, 2006.

All comments received have been considered in preparing the proposed final Negative Declaration. Two comment letters were received during the public comment period. Copies of the comments received have been attached to this document as Attachment 5. The comments received have been considered, and some changes have been incorporated into the proposed Final Mitigated Negative Declaration. These changes include the addition of a mitigation measure requiring the completion of a Phase I Archaeological study prior to map recordation. The proposed Final Mitigated Negative Declaration concludes that, with identified mitigation measures, project impacts on the environment would be less than significant. Based on review of the comments received, the responses to these comments, and associated revisions to the text of the ND, P&D believes the document complies with the requirements of the California Environmental Quality Act (CEQA) and the County's CEQA Guidelines. The proposed Final Negative Declaration will be forwarded to the appropriate decision maker for their determination that the document is adequate and complete in meeting the requirements of the California Environmental Quality Act. Any meaningful changes in the project description may require additional environmental review by P&D. Actions which might be taken that have not received proper environmental review are vulnerable to legal action.

Proposed Final Mitigated Negative Declaration
06NGD-00000-00029
Herthel – Montanaro / 05LLA-00000-00015
Lot Line Adjustment

1.0 Request / Project Description

The proposed project, consists of a Lot Line Adjustment of the southern portion of the parcels collectively and commonly known as the Montanaro property. There is a separate and distinct Lot Line Adjustment in process (05LLA-00000-00016) also on the Montanaro property involving APNs 135-200-004 and 135-180-007, north of the proposed project. These two lot line adjustments are separated by two intervening Montanaro lots which are not proposed for adjustment of lot lines (05-CC-111 and 05-CC-112). The cumulative effects of both Lot Line Adjustments will be considered and noted as part of this study.

This application on the request of Tish Beltranena, agent for Douglas Herthel, is:

05LLA-00000-00015. Assessor's Parcel Number 135-240-001, known as the Herthel Montanaro property, located at 2531 Grand Avenue, Third Supervisorial District. Requested approval under County Code Chapter 21 of a lot line adjustment between three (3) legal lots created by:

Parcel 1: 05-CC-113 (1.63/1.49 gross/net acres, zoned 1-E-1)
Parcel 2: 05-CC-114 (1.54/1.36 gross/net acres, zoned CN and 1-E-1)
Parcel 3: 05-CC-115 (3.79/3.36 gross/net acres, zoned 1-E-1 and CN)

The proposed lot lines for these three parcels would be reconfigured in order to align with existing development and the Neighborhood Commercial zone district lines as follows:

Proposed Adjusted Parcel 1 would be increased in size to 1.77/1.63 gross/net acres through a reconfiguration with a portion of Parcel 3. Zoning would remain entirely 1-E-1.

Proposed Adjusted Parcel 2 would be decreased in size to 1.00/0.82 gross/net acres through a reconfiguration with a portion of Parcel 3. Zoning would become entirely 1-E-1.

Proposed Adjusted Parcel 3 would be increased in size to 4.19/3.76 gross/net acres created through a reconfiguration with the entirety of Parcel 2 (1.54/1.36 gross/net acres) and Parcel 1 (1.63/1.49 gross/net acres). Zoning would consist of both CN and 1-E-1.

Existing development consists of a 2,008 square foot (s.f.) single family residence (the Montanaro Residence) located on existing Parcel 3 (05-CC-115). Additional existing development consists of a 3,737.0 s.f. commercial building, located on existing parcels 1 and 2, (05CC-113/114) a 2,208.0 s.f. barn, located on existing Parcels 1 and 3 (05-CC-113/115), and a 692.0 s.f. shed, located on existing Parcel 3 (05-CC-115). Proposed Adjusted Parcel 2 is vacant with no structural development.

Sewage disposal would be as follows: Both Proposed Adjusted Parcels 1 and 3 would have existing private septic systems (leach line). Proposed Adjusted Parcel 2 would be serviced by a private septic system upon approval by Environmental Health Services. Domestic water service to each parcel would be provided by the Santa Ynez Water Conservation District.

Access to Reconfigured Lots 1, 2, and 3 would be via Grand Avenue. An access ingress/egress easement would be recorded over Proposed Adjusted Parcel 2 in favor of Proposed Adjusted Parcel 1. Proposed Parcels 2 and 3 would be accessible directly off of Grand Avenue.

The application for the northern portion of the property on the request of Tish Beltranena, agent for Douglas Herthel, is:

05LLA-00000-00016. Portions of Assessor's Parcel Numbers 135-180-007 and 135-200-004, known as the Herthel "4" property, located on Grand Avenue, in the Third Supervisorial District. Requested approval under County Code Chapter 21 of a lot line adjustment between four legal lots created by:

- Parcel 1: 05-CC-107 (1.11 gross/net acres; zoned 15-R-1)
- Parcel 2: 05-CC-108 (0.79 gross/net acres; zoned 15-R-1)
- Parcel 3: 05-CC-109 (10.55/9.71 gross/net acres; zoned 15-R-1)
- Parcel 4: 05-CC-110 (0.53 gross/net acres; zoned 15-R-1)

The proposed lot lines for these four parcels all zoned 15-R-1 (three of which are land-locked parcels and one which is irregularly shaped) would be reconfigured to create four regularly shaped parcels, each with over 230 feet of frontage on Grand Avenue, as follows:

Proposed Adjusted Parcel 1 would be increased in size to 3.24/3.03 gross/net acres through a reconfiguration of a portion of Parcel 3.

Proposed Adjusted Parcel 2 would be increased in size to 3.24/3.03 gross/net acres through a reconfiguration of a portion of Parcel 3.

Proposed Adjusted Parcel 3 would be decreased in size to 3.25/3.04 gross/net acres through a reconfiguration with the entirety of Parcel 2 (0.79 gross/net acres) and Parcel 4 (0.53 gross/net acres).

Proposed Adjusted Parcel 4 would be increased in size to 3.25/3.04 gross/net acres through a reconfiguration of a portion of Parcel 3 (2.14/1.93 gross/net acres) and the entirety of Parcel 1 (1.11 gross/net acres).

All existing Parcels are currently vacant with no structural development. Each Proposed Adjusted Parcel would be served by:

Private septic systems (leach line) subject to review and approval by Environmental Health Services.

Domestic water from the Santa Ynez Water Conservation District.

Access directly from Grand Avenue.

2.0 Project Location

The project site is located approximately 0.6 miles southwest of State Route 154 and adjacent to the township of Los Olivos immediately north of the intersection of Grand Avenue and Alamo Pintado Road, in the Third Supervisorial District.

2.1 Site Information 05LLA-00000-00015	
Comprehensive Plan Designation	RES -1.0, Single Family, Maximum dwelling units 1.0/acre CN, Neighborhood Commercial, no minimum lot size
Zoning District, Ordinance	Article III Zoning Ordinance: 1-E-1, Minimum parcel size 1-acre (5.85 acres) CN, Neighborhood Commercial, no minimum lot size (1.34 acres)
Parcel Size - Existing	Parcel 1: 05-CC-113 (1.63/1.49 gross/net acres) Parcel 2: 05-CC-114 (1.54/1.36 gross/net acres) Parcel 3: 05-CC-115 (3.79/3.36 gross/net acres)
Parcel Size - Proposed	Proposed Adjusted Parcel 1: 1.77/1.63 gross/net acres Proposed Adjusted Parcel 2: 1.00/0.82 gross/net acres Proposed Adjusted Parcel 3: 4.19/3.76 gross/net acres
Present Use & Development	Residence commercial building barn and shed
Surrounding Uses/Zoning	North: Vacant, Agriculture, 15-R-1 South: Residential, 1-E-1 East: Residential, 15-R-1 West: Residential/Agriculture, 20-R-1 and AG-I-5
Access	Grand Avenue. An access ingress/egress easement would be recorded over proposed Adjusted parcel 2 in favor of Proposed Adjusted parcel 1. proposed Adjusted parcels 2 and 3 would be accessible directly from grand Avenue
Public Services	Water Supply: Santa Ynez River Conservation District Sewage: Private septic systems (leach line) Fire: Santa Barbara County Fire Department Station 32 Schools: Ballard Union School District, Santa Ynez High School

3.0 Environmental Setting

The area is characterized by both flat and gullied land along Alamo Pintado Creek with slopes of up to 30 percent. Vegetative communities consist of, landscaped lawn, some farm land and native trees. The project area is located to the west of Grand Avenue and the town of Los Olivos and east of Santa Barbara Avenue, situated in the San Carlos de Jonata area, and located within the watershed of the Santa Ynez River. Alamo Pintado Creek is located along the western boundaries of parcel three and parcel 1.

Fauna: The fauna inhabiting the project site are typical for the Santa Ynez Valley and may include small mammals such as raccoons, fox, coyote, deer, and skunk, and common birds and raptors. No known threatened or endangered plant or animal species are known to exist on the project site.

Flora: The site contains the following vegetation: landscaped lawn, farmed land, and native trees along the creekbanks.

Soils: The NRCS Soil Survey indicates following soil types are found on both properties (NRCS Soil Survey, Northern Santa Barbara Area, July 1972):

Class I: Salinas silty clay loam, 0-2% slopes (SdA)

Class VI: Gullied Land

Archaeological Sites: There are no known or recorded archaeological sites located on the property. However CA-SBAS-188, a prehistoric Chumash cemetery is mapped on the west bank of Alamo Pintado Creek on an adjacent parcel.

Surrounding Land Uses: The surrounding properties consist of 1-E-1, 15-R-1 properties and the town of Los Olivos to the East 20-R-1 properties to the west, 15-R-1 to the north and 1-E-1 properties to the south.

Existing Structures: The existing parcel: 135-240-001/ 05LLA-00000-00015 contains approximately 13,472 square feet of structural development including: a 2,008 square foot (s.f.) single family residence (the Montanaro Residence) located on existing Parcel 3 (05-CC-115). Additional existing development consists of a 3,737 s.f. commercial building, located on existing parcels 1 and 2, (05-CC-113/114) a 2,208 s.f. barn, located on existing Parcels 1 and 3 (05-CC-113/115), and a 692 s.f. shed, located on existing Parcel 3 (05-CC-115). Proposed Adjusted Parcel 2 is vacant with no structural development.

4.0 Potentially Significant Effects Checklist

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

Potentially Significant Impact: An 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 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:	Potentially Significant	Less than Significant 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		

Setting:

Physical:

The proposed project site is located approximately 2/3 mile west of State Highway 154. The parcels are not visible from State Route 154. Existing development, is located on APN 135-240-001 (as described in Sec. 1-A.). The project site and structures are visible from Grand Avenue and in close proximity to the Township of los Olivos.

Regulatory:

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 (County Environmental Thresholds, pages 179 and 180). The guidelines address public views, and not private ones.

Impact Discussion:

(a, b, d) The proposed project is located in an inner rural area adjacent to an urban area (the Township of Los Olivos). It is located in a region that contains both agricultural and residential development on the surrounding parcels. No increase in subdivision potential or residential developability would occur as a result of the proposed Lot Line Adjustments. The parcel is open to public view and it is in a visually significant area. However, no development is proposed as part of these Lot Line Adjustments. Future development would be anticipated to be residential and agricultural and would not require excessive grading for site preparation. The construction of low density residential and agricultural structures would be visually compatible with existing surrounding development.

Future development on the adjusted parcels could impact visual resources, however existing County policies would apply to this project and hence **the impact would be less than significant.**

(c) New residences or structures that could result from the proposed project may include porch and patio lighting and lights along the drive way or directed toward outdoor walking areas. Lighting would have the potential to escape the site and impact traffic on State Route 154, resulting in a potentially significant impact. Inclusion of the mitigation measure listed below, which requires all outdoor lighting to be hooded and directed downward in order to keep outside lighting onsite would ensure that adverse impacts from lighting are reduced to **less than significant with mitigation.**

Mitigation and Residual Impact: With the inclusion of the following mitigation measure, impacts to aesthetics/visual resources would be less than significant. Residual impacts would be **less than significant.**

1. All exterior night lighting installed on the project site shall be of low intensity, low glare design and shall be hooded to direct light downward onto the subject parcel and prevent spill-over onto adjacent parcels.

Plan Requirements/Timing: Prior to issuance of a Land Use Clearance, the locations of all exterior lighting fixtures and an arrow showing the direction of light being cast by each fixture and the height of the fixtures shall be depicted on the Building Plans to be reviewed and approved by P&D.

MONITORING: P&D will review the Building Plan for compliance with this measure prior to approval of a Land Use Permit for structures. Permit Compliance will inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Plans.

Cumulative Impact: The subject Lot Line Adjustment is separated from the parcels associated with 06LLA-00000-00016 by two intervening parcels, both of which are currently vacant. In total, the portions of the "Montanaro property" involved in the two separate proposed projects is comprised of nine legal parcels, each of which could be developed under existing zoning requirements. The proposed Lot Line Adjustments would reconfigure lot lines between seven of these parcels with no resultant increase in future development potential. While the number of residences which could be developed would not increase, the Lot Line Adjustment would reconfigure the four parcels in a manner which results in four parcels of equal size and configuration, precluding potential clustering of the primary single family dwelling for each parcel (See Attachments 3 and 4 for changes in parcel configuration). In both the existing and proposed scenarios, the potential adverse impacts to Aesthetics/Visual Resources would remain essentially the same; future development could be clustered along shared property lines, or distributed across the property at maximum intervals. Cumulative impacts would be **less than significant**.

However, possible future development would be similar in nature to the development discussed in (a,b,d) above and would be reduced to less than significant by the inclusion of Mitigation Measure #1.

4.2 Agricultural Resources

Will the proposal:	Potentially Significant	Less than Significant 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		

Setting:

Physical:

The proposed project site is part of a nearly 27 acre property, commonly known as the "Montanaro" property all owned by the applicant. With the exception of the soils in Alamo Pintado Creek, which are considered Gullied Lands the soils underlying the entirety of the Montanaro property, are Salinas silty clay loam 0-2 percent slopes (SdA) considered to be Class I prime soils, which are viewed as highly valuable in Santa Barbara County. The separate parcels are currently:

- a. soils underlying the parcels involved in 05LLA-00000-00015 are highly productive, but are not actively farmed, with exception of portions of parcel 05-CC-114 where some farming does take place.
- b. soils in the northern section of the property on the property involved in 05LLA-00000-00016, are highly productive and are involved in active agricultural production.

Regulatory:

County Thresholds Manual: Agricultural lands play a critical economic and environmental role in Santa Barbara County. Sustaining agricultural land not only protects open space but maintains the rural lifestyle prevalent in the County. Because of the key economic role and public benefits provided by agricultural lands, the County has recognized the need to preserve these lands and discourage non-agricultural uses through the CEQA Thresholds and Guidelines as well as the Agricultural Element of the Comprehensive Plan.

The County Agricultural Resource Guidelines (Approved: Board of Supervisors, August 1993) provide two methods of determining whether a proposed land division may result in a significant adverse effect on agricultural resources. In addition, the thresholds provide a point system which is used to evaluate the existing and proposed parcels for agricultural capability, based on review of parcel size, soil classification, water availability, agricultural suitability, existing and historic land use, Comprehensive Plan designation, adjacent land use, and agricultural preserve potential. Where a parcel scores 60 points or more, division of that parcel is considered a potentially significant impact, and requires additional analysis.

The significance determination is based on a comparison of the existing, and each proposed, parcels' ability to sustain independently productive and suitable agricultural operations.

COUNTY THRESHOLDS MANUAL POINT SYSTEM CALCULATION

Calculation methodology

The County's Agricultural Resources Guidelines utilize a weighted point system to serve as a preliminary screening tool. The tool assists planners in identifying whether a previously viable agricultural parcel could potentially be subdivided into parcels that are not considered viable after division. Any identification of a project's impact on the loss or impairment of agricultural resources would create a potentially significant impact. The Point System is not intended to measure the productive ability of an existing and/or proposed parcel(s) but simply measures the level of conduciveness for agricultural viability of a proposed parcel compared to the existing parcel. The tool compares availability of resources and prevalent uses that benefit agricultural potential but does not quantifiably measure a parcel's actual agricultural production.

Initial Studies are to use this Point System in conjunction with any thresholds identified in the County Thresholds Manual and is not intended to be the sole determiner. The Initial Study assigns values to nine particular characteristics of agricultural productivity of a site: 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, that parcel is considered viable for the purposes of analysis. The project would be considered to have a potentially significant impact if the division of land of the viable parcel would result in parcels that did not either score over 60 in themselves or resulted in a score with a significantly lower score than the existing parcel. Any

loss or impairment of agricultural resources identified using the Point System could create a potentially significant impact and warrants increased analysis.

Impact Discussion:

(a,b) Although the parcel and immediate surrounding area to east and west are zoned residential, and parcels to the south are zoned residential and agricultural, the parcels immediately surrounding the project site may be more accurately described as functioning as residential ranchette. Article III states that “residential ranchettes” include inner rural areas where low density residential and agricultural uses can be located. Many of these parcels are generally developed with residential and accessory structures, while some of these parcels maintain secondary agricultural activity such as pasture and grazing for low numbers of livestock. The Township of Los Olivos is located to the east and northeast of the project site. The parcel to the north is currently farmed and is part of the project site involved in 05LLA-00000-00016.

Due to parcel size and soil characteristics, neither of the project sites, or the property taken as a whole are eligible for an agricultural preserve contract. The 2000 Santa Barbara County Important Farmland map classifies both project site areas containing SdA soils as prime if irrigated. The Environmental Resource Management Element (ERME) Factor maps label the majority of the property as prime farmland.

The agricultural productivity and suitability of the current parcels and three proposed parcels have been calculated using the weighted point system of the County’s Environmental Thresholds and Guidelines Manual. The weighted point system does not include economic or social impacts, but assigns points based on the physical and environmental resources of the parcel. However, the weighting system is a preliminary screening of potential impacts and is one component of the agricultural analysis that is intended to be a guide to be used with flexibility for specific circumstances and specific sites.

Table 1 – Weighted Point System for Herthel Lot Line Adjustment 05LLA-00000-00015

Using the weighted point system, a score of 60 points or more identifies a parcel as a potentially independent agriculturally viable unit. The existing project site was calculated to have scores within 47-48 points for all existing parcels/proposed parcels. Therefore, neither the current parcel nor any proposed parcel is considered to be capable of sustaining an independent and productive agricultural operation.

Agricultural Suitability and Productivity	Parcel 1	Proposed Reconfigured Parcel 1	Parcel 2	Proposed Reconfigured Parcel 2	Parcel 3	Proposed Reconfigured Parcel 2
Parcel size • less than 5 acres	2	2	2	1	3	3
Soil classification • Class I	15	15	15	15	15	15
Water availability • Adequate supply: 12-15 points	12	12	12	12	12	12
Agricultural Suitability • Highly suitable for crops: 8-10 points	8	8	8	8	8	8

Existing and Historic Land Use	2	2	3	3	2	2
<ul style="list-style-type: none"> Substantial urban or agricultural industrial development on site 0 Vacant land 1-3 						
Comprehensive Plan Designation	0	0	0	0	0	0
<ul style="list-style-type: none"> Residential 5 acres or less, Commercial Industrial, Community Facility 0 						
Adjacent Land Uses	7	7	7	7	7	7
<ul style="list-style-type: none"> Partially surrounded by ag. operations w/ adequate support available: 7-8 points 						
Agricultural Preserve Potential	0	0	0	0	0	0
<ul style="list-style-type: none"> Cannot qualify: 0 points 						
Combined Farming Operations	1	1	1	1	1	1
<ul style="list-style-type: none"> No combined op.: 0 points 						
TOTAL	47	47	48	47	48	48

Although the existing parcels do not independently score in the 60 point range and do not therefore have the potential for a potential significant impact the assessment was completed to provide discussion on the possible individual and cumulative impacts of 05LLA-00000-00015 and 05LLA-00000-00016.

Following is an analysis of the assigned points:

Parcel Size (1-3 points for all existing and proposed reconfigured parcels): All existing parcels are less than five acres and while the sizes of proposed parcels 1 and 3 would be slightly increased and the size of proposed parcel two reduced because of the restrictions already placed on sustainability of farming parcels of 5 acres or fewer these changes do not afford a substantial alteration in the score received.

Soil Classification (15 points all parcels): Virtually the whole of the existing parcel is underlain by Class I soils. Therefore all parcels receive a score of 15 points.

Water Availability (12 points for all): The parcel is served by the Santa Ynez Water Conservation District. While adequate water would mostly likely be available the cost may prove to render sustainability impractical.

Agricultural Suitability (8 points for all): Staff assigned an average of 8 points to the existing parcel because although it is underlain almost entirely by Class I soils there is substantial development on much of the parcel that limits its sustainable use. And although proposed parcel 2 is currently vacant its size would limit agricultural activity.

Existing and Historic Land Use (Parcels 1 and 3: 2 points, Parcel 2: 2 points) : Parcels 1 and 3 contain considerable development in the form of residences or agricultural buildings affording them a score of 2 points. Parcel 2 is vacant affording it a score of 3 points

Comprehensive Plan Designation (0points for all): The project site is zoned 1-E-1 in the Comprehensive Plan affording it a score of 0 points.

Adjacent Land Uses, existing (7 points for all): The majority of the parcels surrounding the project site are developed with residential structures, however some parcels are also developed with residential and/or agricultural accessory structures on which agricultural activities could occur as secondary activities.

Agricultural Preserve Potential (0 points for all): The existing parcel, and therefore proposed parcels, would not qualify for an agricultural preserve contract due to parcel size and soil type.

Combined Farming Operations (1 point for all): The project site is currently serving as the commercial portion of a combined farming operation.

Impacts to Agricultural Resources would less than significant.

Table 2 – Weighted Point System for Herthel Lot Line Adjustment 05LLA-00000-00016

Using the weighted point system, a score of 60 points or more identifies a parcel as a potentially independent agriculturally viable unit. The existing project site was calculated to have scores within 49-51 points for all existing parcels/proposed parcels. Therefore, neither the current parcel nor any proposed parcel is considered to be capable of sustaining an independent and productive agricultural operation.

Agricultural Suitability and Productivity	Parcel	Proposed Reconfigured Parcel 1	Parcel 2	Proposed Reconfigured Parcel 2	Parcel 3	Proposed Reconfigured Parcel 31	Parcel 4	Proposed Reconfigured Parcel 4
Parcel size • less than 5 acres 0-3 points • 10 acres to less than 40 acres 7-8	1	2	1	2	7	2	0	2
Soil classification • Class I 12-15 points	15	15	15	15	15	15	15	15
Water availability • Adequate supply: 12-15 points	12	12	12	12	12	12	12	12
Agricultural Suitability • Highly suitable for crops: 8-10 points	8	8	8	8	8	8	8	8
Existing and Historic Land Use • In active agricultural production	5	5	5	5	5	5	5	5
Comprehensive Plan Designation • Residential 5 acres or less, Commercial Industrial, Community Facility 0	0	0	0	0	0	0	0	0
Adjacent Land Uses • Partially surrounded by ag. operations w/ adequate support available: 7-8 points	7	7	7	7	7	7	7	7
Agricultural Preserve Potential • Cannot qualify: 0 points	0	0	0	0	0	0	0	0
Combined Farming Operations • Provides a small/important component of a combined farming operation	2	2	2	2	2	2	2	2
TOTAL	50	51	50	51	56	51	49	51

Following is an analysis of the assigned points:

Parcel Size (0-4 points on existing and proposed reconfigured parcels 1,2,4 and proposed reconfigured parcel 3 and 7 points for existing parcel 3): Existing parcels 1,2 and 4 are 1.1,0.79 and 0.53 acres respectively affording scores in the 0-1 range. These parcels sizes will increase in size as a result of the lot line adjustment , however at 3.24, 3.24 and 3.25 acres they are still less than five acres and afford a score of 2 points. Existing parcel 3 receives a higher score of 7 due to its size (10.55 acres) but receives a score of 2 as it is decreased in size to 3.25 acres.

Soil Classification (15 points all parcels): Virtually the whole of the existing parcel is underlain by Class I soils. Therefore all parcels receive a score of 15 points.

Water Availability (12 points for all): The parcel is served by the Santa Ynez Water Conservation District. While adequate water would mostly likely be available the cost may prove to render sustainability impractical.

Agricultural Suitability (8 points for all): Staff assigned an average of 8 points to the existing parcel, because although it is underlain almost entirely by Class I soils, there is substantial development on much of the parcel that limits its sustainable use. And although proposed parcel 2 is currently vacant its size would limit agricultural activity.

Existing and Historic Land Use (5 points for all) The entire parcel is currently in active agricultural production.

Comprehensive Plan Designation (0points for all): The project site is zoned 1-E-1in the Comprehensive Plan affording it a score of 0 points.

Adjacent Land Uses, existing (7 points for all): The majority of the parcels surrounding the project site are developed with residential structures, however some parcels are also developed with residential and/or agricultural accessory structures on which agricultural activities could occur as secondary activities.

Agricultural Preserve Potential (0 points for all): The existing parcel, and therefore proposed parcels, would not qualify for an agricultural preserve contract due to parcel size and soil type.

Combined Farming Operations (2 points for all): The project site currently serves as a part of the combined farming operation.

Impacts to Agricultural Resources would less than significant.

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

Table 3 – Weighted Point System for Cumulative 05LLA-00000-00015/05LLA-0000-00016

Using the weighted point system, a score of 60 points or more identifies a parcel as a potentially independent agriculturally viable unit. The entire existing project site was calculated to have a

score of 57 points. Therefore, neither the current configuration of parcels (although arguably close to a minimum score) or any proposed parcel is considered to be capable of sustaining an independent and productive agricultural operation.

Cumulative impacts would be **less than significant**.

Agricultural Suitability and Productivity	Entire Property
Parcel size • 10 acres to less than 40 acres 7-8	8
Soil classification • Class I 12-15 points	15
Water availability • Adequate supply: 12-15 points	12
Agricultural Suitability • Highly suitable for crops: 8-10 points	8
Existing and Historic Land Use • In active agricultural production	5
Comprehensive Plan Designation • Residential 5 acres or less, Commercial Industrial, Community Facility 0	0
Adjacent Land Uses • Partially surrounded by ag. operations w/ adequate support available: 7-8 points	7
Agricultural Preserve Potential • Cannot qualify: 0 points	0
Combined Farming Operations • Provides a small (1) /important (3) component of a combined farming operation	2
TOTAL	57

4.3 Air Quality

Will the proposal result in:	Potentially Significant	Less than Significant 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 including, CO hotspots, 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		

Setting:

Physical:

The proposed project site is located within the South Central Coast air basin, a federal and state non-attainment area for ozone (O₃) and a state non-attainment area for particulate matter (PM₁₀). Reactive organic compounds (ROC) and nitrogen oxides (NO_x), which are precursors to ozone, are considered to be non-attainment pollutants. The major sources of ozone precursor emissions in the County are motor vehicles, the petroleum industry and solvent use. Sources of PM₁₀ include grading, road dust and vehicle exhaust.

Regulatory:

The County Air Pollution Control District is responsible for regulating stationary emission sources in the region and has established guidelines for the scope and content of the air quality analysis in CEQA documents. It has established screening criteria to determine whether a development potential would generate emissions that exceed the County's adopted threshold of 25 pounds per day for NO_x or ROC. The County's Urbemis 2002 Air Emissions from Land Development modeling system provides reference to determine whether a project would exceed these County thresholds.

Impact Discussion:

(a) The proposed Lot Line Adjustment would not result in an increase in subdivision or residential development potential on site. Potential development, could result in short term air quality impacts due to construction activities, such as emissions from construction equipment and dust generation. The project would be conditioned to mitigate such impacts by standard conditions in order to keep impacts **less than significant**.

In the long term, additional traffic, dust, and emissions associated with additional residential and accessory development could be generated. However, the proposed lot line adjustment would not result in an increase in current developability. Thus the long-term air quality impacts associated with new vehicular emissions would be adverse, but **less than significant; with less than significant cumulative impacts**.

Existing agricultural operations have associated emissions (dust, internal combustion engines). However, these emissions are not a new impact and would not increase as a result of this project. Emissions from existing agricultural operations are covered under the County's Right to Farm Ordinance which guarantees that farming operations be protected against those who have moved into the neighborhood so long as the agricultural operation has been established for at least three years and it conducts activities in a manner consistent with accepted customs and standards.

(b) Minimal to no increase in the generation of objectionable smoke, ash, or odor would be expected to occur as a result of this project. Impacts would be **less than significant**.

(b) Grading for future building pads would have the potential to create short-term dust generation. Adherence to the Air Pollution Control District's standard dust mitigation measures would ensure **less than significant** impacts to short-term dust generation. Standard dust mitigation measures include utilization of water trucks to minimize dust disturbance, regulations regarding the stockpiling and/or transport of fill material, and designation of a contact person to act as dust control monitor.

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

Cumulative Impact: The subject Lot Line Adjustment is separated from the parcels associated with 06LLA-00000-00016 by two intervening parcels, both of which are currently vacant. In total, the portions of the "Montanaro property" involved in the two separate proposed projects is comprised of nine legal parcels, each of which could be developed under existing zoning requirements. The proposed Lot Line Adjustments would reconfigure lot lines between seven of these parcels with no resultant increase in future development potential. While the number of residences which could be developed would not increase, the Lot Line Adjustment would reconfigure the four parcels in a manner which results in four parcels of equal size and configuration, precluding potential clustering of the primary single family dwelling for each of parcel (See Attachments 3 and 4 for changes in parcel configuration). In both the existing and proposed scenarios, the potential adverse impacts to Air Quality Resources would remain essentially the same; future development could be clustered along shared property lines, or distributed across the property at maximum intervals. Cumulative impacts would be **less than significant**.

4.4 Biological Resources

Will the proposal result in:	Potentially Significant	Less than Significant 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			

Setting

Physical:

Existing Plant and Animal Communities and Biological Site Conditions:

The general area of the project is characterized by flat terrain with approximately 20 percent of the parcel associated with Alamo Pintado Creek along the western boundaries of the involved parcels. Vegetative communities consist of native trees and landscaped lawn and small amount of farming. The project area is located directly adjacent to the west of the town of Los Olivos approximately 2/3 mile east of State Route Hwy 154, situated in the San Carlos de Jonata area, and located within the watershed of the Santa Ynez River.

Fauna: The fauna inhabiting the project site are typical for the Santa Ynez Valley and may include small mammals such as raccoons, fox, coyote, deer, and skunk, and common birds and raptors. No known threatened or endangered plant or animal species are known to exist on the project site.

Flora: The site contains the following vegetation large portions cultivated alfalfa, woodlands associated with gullied land and riparian areas.

Regulatory:

The County Thresholds contain guidelines for assessing impacts on biological resources. However there are no precise standards for determining levels of significance, and are assessed on a case by case basis. Because of the complexity of biological resource issues, substantial variation can occur among various projects. The Thresholds require both an evaluation of the plant and animal species and habitats on the project site and an evaluation of project impacts according to a series of assessment factors listed in the Thresholds. According to those Thresholds, disturbances to habitats or species are considered to be significant if they substantially impact significant resources in any of the following ways:

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

Impact Discussion:

(a, b, c, d, e) The proposed Lot Line Adjustment would not result in the creation of any additional parcels, and would not increase the potential for an added residential development. The present site is fully developed with agriculturally associated commercial activities.

No unique or rare plants species or brush are present on either site. A limited amount of native and non-native vegetation removal considered of habitat value is possible in association with future development, but would not occur as a result of either proposed lot line adjustment.

Whether for Fire Department clearance requirements (100 foot fuel management zone around structures) or for clearance for structure or access purposes, a less than significant impact would occur. However, minimization of grading and preservation of natural features such as

trees, as required per the County's Comprehensive Plan, Land Use Element, *Hillside and Watershed Protection Policies 1 and 2*, would reduce such impacts to **less than significant**.

(f) Future residential development has the potential of introducing additional nonpoint source pollutants into the surrounding habitat from construction activities and residentially-related runoff. However the addition of single family dwellings and limited accessory structures would not be considered to cause a significant change to the existing habitat on the proposed reconfigured parcels. Hence impacts would be considered **less than significant**.

(g, h, i, j) Future additional residential development has the potential of introducing additional nonpoint source pollutants into the surrounding habitat from construction activities and residentially-related runoff. However, the majority of the parcels have already been developed for residential, commercial and farm use; therefore the impacts would be **less than significant**.

(k) Intensification of residential use on the project site, including the addition of outdoor patio lighting, landscaping, fire clearing, etc., could result in potentially significant environmental impacts to Santa Ynez Valley wildlife migrating through or foraging on the project site. Adherence to the Mitigation Measure #1, identified in the Visual Resource Section, would reduce this impact to less than significant levels, as outdoor lighting would be minimized to reduce impacts to nocturnal animal migration. Any exterior night lighting installed on the project site would be of low intensity, low glare design, and would be hooded to direct light downward onto the subject parcel, to prevent spill-over onto adjacent parcels. The proposed mitigations below would additionally minimize such impacts to **less than significant with mitigation**.

Mitigation and Residual Impact:

The following measures would reduce impacts to biological resources to a less than significant level:

Lighting: Adherence to the **Mitigation Measure #1**, identified in the Visual Resource Section, would reduce this impact to less than significant levels, as outdoor lighting would be minimized to reduce impacts to nocturnal animal migration. Any exterior night lighting installed on the project site would be of low intensity, low glare design, and would be hooded to direct light downward onto the subject parcel, to prevent spill-over onto adjacent parcels. With implementation of these mitigation measures, residual project specific impacts as well as the project's contribution to cumulative impacts to biological resources in the area would be **less than significant**.

Cumulative Impact: The subject Lot Line Adjustment is separated from the parcels associated with 06LLA-00000-00016 by two intervening parcels, both of which are currently vacant. In total, the portions of the "Montanaro property" involved in the two separate proposed projects is comprised of nine legal parcels, each of which could be developed under existing zoning requirements. The proposed Lot Line Adjustments would reconfigure lot lines between seven of these parcels with no resultant increase in future development potential. While the number of residences which could be developed would not increase, the Lot Line Adjustment would reconfigure the four parcels in a manner which results in four parcels of equal size and configuration, precluding potential clustering of the primary single family dwelling for each of parcel (See Attachments 3 and 4 for changes in parcel configuration). In both the existing and proposed scenarios, the potential adverse impacts to Biological Resources would remain essentially the same; future development could be clustered along shared property lines, or distributed across the property at maximum intervals. Cumulative impacts would be **less than significant**.

4.5 Cultural Resources

Will the proposal result in:	Potentially Significant	Less than Significant with Mitigation	Less than Signif.	No Impact	Reviewed Under Previous Document
Archaeological Resources					
a. Disruption, alteration, destruction, or adverse effect on a recorded prehistoric or historic archaeological site?			X		
c. Disruption or removal of human remains?			X		
d. Increased potential for trespassing, vandalizing, or sabotaging archaeological resources?			X		
e. 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		

Setting:

Physical:

The Santa Ynez area was at one time densely populated by the Chumash, in part because of the abundant natural habitat and other resources in the area. A number of archeological sites have been identified in the general area, including a prehistoric Chumash cemetery located approximately ½ mile south of the flagpole in the center of Los Olivos (the precise location is unknown). The creekside location and the presence of a cemetery near the project give it a high potential for cultural resources. The subject property has been disturbed by past agricultural operations and construction of residential and agricultural structures. The property has been partially surveyed, however neither systematic survey nor subsurface presence/absence testing has been conducted on the entire property.

Regulatory:

The County's Cultural Resources Guidelines, (1986, revised January, 1993) in the Environmental Thresholds and Guidelines Manual provides, in part, for the following:

As part of the environmental review process, archaeological site maps are reviewed to determine if a recorded cultural resource is located within the project site or whether there is a high potential for its presence onsite based on recorded site distribution patterns or historical accounts. If this determination is positive and the project site is not developed, a Phase I archaeological investigation including a systematic inspection of the ground surface is carried out by Planning

and Development staff or a County-approved professional archaeologist. Sub-surface testing to define the presence of archaeological artifacts or site boundaries is also part of a Phase 1 study when vegetation obscures ground visibility or in areas historically subject to rapid alluviation (Phase 1, Prehistoric Archaeological and Historical Projects, Section 3.1.g (p.4).

If historical remains are suspected, a professional historian is retained to evaluate more fully the resource. The Phase I investigation and report are required to follow the specifications defined in the Cultural Resource Regulations defined in the *County of Santa Barbara Resource Management Department Regulations Governing Archaeological and Historical Projects Undertaken in Conformance with the California Environmental Quality Act and Related Laws: Cultural Resource Guidelines (1986, Revised January, 1993)*.

In addition, CEQA provides for an archaeological evaluation of discoveries during construction. Construction shall cease in the area of the find but may continue on other parts of the building site while evaluation and necessary mitigation takes place. If the find is determined to be an important archaeological resource under CEQA, contingency funding and a time allotment sufficient to allow recovering a data recovery sample or to apply one of the avoidance measures shall be implemented.

Impact Discussion:

(a-g) The proposed project would not result 1) a change in the potential location of future development or 2) an increase of the developability of the parcels in question.

However, the general vicinity of the site is considered to be sensitive for archaeological resources based on its proximity to both the creek and a known prehistoric cemetery. The property has been previously disturbed by agricultural activities, but it is possible that cultural materials are present under the cultivation zone in this alluvial area. For these reasons, the potential impacts of future development on the property are unknown.

A Phase 1 Archaeological Survey and Resource Assessment (Larry Carbone, Archaeologist, Western Points Archaeology, February 2007) was submitted for the subject project by the applicant following the December ZA hearing. The results of the intensive field survey revealed no cultural midden-type soils characteristic of a prehistoric Native American archaeological deposit. This assessment resulted from examination of naturally exposed or eroded soils, mechanically cleared ground surface, and visual scrutiny of animal burrowing locations. Per standard Phase 1 procedures, no subsurface testing was performed. The results were negative; no *in situ* prehistoric cultural resources or artifacts were discovered. Mr. Carbone's recommendations indicate that no further archaeological work is necessary at this time. However, he concludes that any future development proposed on the subject property "would require an Extended Phase 1 or a Phase 2 test excavation program to detect any subsurface archaeological deposit that may be in the pathway of development ground disturbances" (North Farm study p. 21, and South Farm study p. 24). It is important to note that on Page 10 of Mr. Carbone's North Farm Phase 1 study, second paragraph, last line, he states, "The SBA-188 Boundary is plotted in Figure 3." However, it should also be noted that the boundary for this site has not actually been formally established or recorded.

Mr. Laurence Spanne, archaeologist and retired Vandenberg Air Force Base Historic Preservation Officer, has expressed his professional opinion that: 1) the creek area is extremely sensitive for cultural resources, which are likely to be deeply buried in this alluvial area; and 2) limited subsurface testing normally associated with an extended Phase 1 study is an appropriate way to assess the presence or absence of cultural materials on the Montanaro property.

Dr. Michael Glassow, past Chair of the Anthropology Department at the University of California, Santa Barbara, and recognized expert on Chumash archaeology, submitted a letter of indicating that limited backhoe testing would be appropriate for assessing the presence or absence of cultural resources on the subject property.

In summary, APN 135-240-001 is potentially sensitive for cultural resources because the exact location of the cemetery and its relationship to the project site is still unknown. The project area has not been completely surveyed. Subsurface testing has not been conducted. The existence of a Chumash cemetery strongly implies the existence of an as-yet unrecorded village. Finally, the location of the project in a floodplain indicates the possibility of deeply buried deposits beneath the cultivated zone.

For these reasons, an Extended Phase 1 Survey/Assessment which includes limited subsurface testing consisting of presence/absence determinations via small, controlled backhoe excavations and screening of a limited number of bucket samples is required. The extended assessment would identify the presence or absence of cultural deposits and should be conducted prior to Record of Survey in order to allow any development limitations resulting from the study to be identified on the final map. Providing this information prior to reconfiguration of lot lines would minimize the potential for future landowners to be unaware of the resource and thus impact it unintentionally. Clarification of cultural material presence/absence would allow planning of any future development on the proposed adjusted parcels to avoid impacting these cultural resources.

The proposed mitigation measures, specifically Mitigation Measure 2 (Condition of Approval 3), are timed to be completed prior to Record of Survey. Completion of the Extended Phase 1 Study prior to record of survey would ensure that any cultural resources identified as a result of the study would be adequately protected and/or mitigated through further studies.

Mitigation and Residual Impact: Mitigation would involve the record of survey as well as the standard County discovery clause.

2. A The Phase 1 Archaeological Study prepared for the project site shall be supplemented by limited subsurface testing conducted shall be prepared by a County-listed Archaeologist, monitored by a Native American observer, and approved by P&D.

Any cultural materials identified as a result of the limited subsurface testing shall be: 1) avoided; or 2) evaluated and treated pursuant to County Archaeological Guidelines.

Plan Requirements/Timing: Prior to Land Use Permit approval for any development requiring ground disturbance, the results of limited subsurface testing shall be provided to P&D. The limited study shall include but not be limited to a records search at the University of California, Santa Barbara Central Coast Information Center (CCIC); pedestrian survey of the entire project lot(s) including careful examination of the creek banks; and subsurface testing via controlled backhoe lifts is required to assess determine the presence or absence of cultural materials within the lot(s). A small representative sample of excavated materials must be screened through 1/8-inch mesh. The work and report shall be completed according to County guidelines for an Extended Phase 1. The work shall be conducted by a qualified archaeologist and subsurface investigations shall be monitored by a Native American Observer. To be completed prior to map recordation.

MONITORING: The County-listed archaeologist shall coordinate with P&D personnel on submittal and review of the required study. P&D compliance personnel

shall field check during grading and construction activities to ensure compliance with approved plans and conditions. following measure prior to

3. In the event archaeological remains are encountered during grading, work shall be stopped immediately or redirected until a P&D qualified archaeologist and Native American representative are retained by the applicants to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicants. **Plan Requirements/Timing:** This condition shall be printed on all building and grading plans.

MONITORING: P&D shall check plans prior to approval of Land Use Permits and shall spot check in the field.

Upon adoption of this mitigation measure, residual impacts would be **less than significant**.

Cumulative Impact: The subject Lot Line Adjustment is separated from the parcels associated with 06LLA-00000-00016 by two intervening parcels, both of which are currently vacant. In total, the portions of the "Montanaro property" involved in the two separate proposed projects is comprised of nine legal parcels, each of which could be developed under existing zoning requirements. The proposed Lot Line Adjustments would reconfigure lot lines between seven of these parcels with no resultant increase in future development potential. While the number of residences which could be developed would not increase, the Lot Line Adjustment would reconfigure the four parcels in a manner which results in four parcels of equal size and configuration, precluding potential clustering of the primary single family dwelling for each of parcel (See Attachments 3 and 4 for changes in parcel configuration). In both the existing and proposed scenarios, the potential adverse impacts to Cultural Resources would remain essentially the same; future development could be clustered along shared property lines, or distributed across the property at maximum intervals. Cumulative impacts would be **less than significant**.

4.6 Energy

Will the proposal result in:	Potentially Significant	Less than Significant 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		

Setting:

Physical:

Existing development consists of a 2,008 square foot (s.f.) single family residence (the Montanaro Residence) located on existing Parcel 3 (05CC-115.) Additional existing development consists of a 3,737.0 s.f. commercial building, located on existing parcels 1 and 2, (05CC-113/114) a 2,208.0 s.f. barn, located on existing Parcels 1 and 3 05CC-113/115), and a 692.0 s.f. shed, located on existing Parcel 3 (05-CC-115) Proposed Adjusted Parcel 2 is vacant with no structural development.

Impact Discussion:

(a, b) The proposed project would not result in the creation of any additional parcels but the potential to develop a new single-family dwelling and related accessory structures does exist on each currently undeveloped legal parcel. The project would not require the development or extension of new energy sources. Existing energy sources would have sufficient capacity to serve the project. The County has no adopted thresholds for assessing the potential impact significance of permitting new development which would impose additional demand on the grid. The additional demand represented by this project could be considered incremental but not significant. **Impacts would be less than significant**

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

It is recommended that the applicant take advantage of a voluntary, no-cost program in Santa Barbara County, the Innovative Building Review Program (IBRP), to promote energy-efficient building design. Benefits include an expedited building plan-check, a reduction in the energy plan-check fee by 50%, a reduction in utility bills and a potential increase in the market value of the project.

Cumulative Impact: The subject Lot Line Adjustment is separated from the parcels associated with 06LLA-00000-00016 by two intervening parcels, both of which are currently vacant. In total, the portions of the "Montanaro property" involved in the two separate proposed projects is comprised of nine legal parcels, each of which could be developed under existing zoning requirements. The proposed Lot Line Adjustments would reconfigure lot lines between seven of these parcels with no resultant increase in future development potential. While the number of residences which could be developed would not increase, the Lot Line Adjustment would reconfigure the four parcels in a manner which results in four parcels of equal size and configuration, precluding potential clustering of the primary single family dwelling for each of parcel (See Attachments 3 and 4 for changes in parcel configuration). In both the existing and proposed scenarios, the potential adverse impacts to Energy Resources would remain essentially the same; future development could be clustered along shared property lines, or distributed across the property at maximum intervals. Cumulative impacts would be **less than significant**.

4.7 Fire Protection

Will the proposal result in:	Potentially Significant	Less than Significant with Mitigation	Less than Signif.	No Impact	Reviewed Under Previous Document
a. Introduction of development into an existing high fire hazard area?			X		

Will the proposal result in:	Potentially Significant	Less than Significant with Mitigation	Less than Signif.	No Impact	Reviewed Under Previous Document
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		

Setting:

Physical:

The project site, as is much of the Santa Ynez Valley, is located within a designated high fire hazard area. The parcel is currently developed with residential structures and ancillary units. The project site is served by the Santa Barbara County Fire Department, Station 32, Santa Ynez. Fire access to the site is provided from 154.

Regulatory:

Standard Santa Barbara County Fire Department requirements for residential development in designated High Fire Hazard areas are applicable to this property.

Impact Discussion:

(a-e) The project site is located in a partially developed inner-rural area that is designated as a High Fire Hazard area by the County Fire Department. Fire response services for the site would continue to be provided by County Fire Station #32, located on Airport Road in Santa Ynez, approximately 2 miles from the project site. The emergency response time from this station to the project site is estimated to be 4-5 minutes, an acceptable response time. Standard requirements for fire prevention in residential development within designated High Fire Hazard areas would be required by the Building and Safety Division, and the Fire Department has reviewed the proposed project and determined that impacts associated with development in this High Fire Hazard area would not be great enough to warrant additional conditions of approval for fire prevention methods. The proposed project would not cause a high fire hazard, and future development would have access to a fire hydrant and an adequate access road that will provide assistance to fire fighting.

Mitigation and Residual Impact: No potential significant impacts to fire protection would result from the project, therefore no mitigation is required. **Impacts would be less than significant.**

Cumulative Impact: The subject Lot Line Adjustment is separated from the parcels associated with 06LLA-00000-00016 by two intervening parcels, both of which are currently vacant. In total, the portions of the "Montanaro property" involved in the two separate proposed projects is comprised of nine legal parcels, each of which could be developed under existing zoning requirements. The proposed Lot Line Adjustments would reconfigure lot lines between seven of these parcels with no resultant increase in future development potential. While the number of residences which could be developed would not increase, the Lot Line Adjustment would reconfigure the four parcels in a manner which results in four parcels of equal size and configuration, precluding potential clustering of the

primary single family dwelling for each of parcel (See Attachments 3 and 4 for changes in parcel configuration). In both the existing and proposed scenarios, the potential adverse impacts to Fire Prevention Resources would remain essentially the same; future development could be clustered along shared property lines, or distributed across the property at maximum intervals. Cumulative impacts would be **less than significant**.

4.8 Geologic Processes

Will the proposal result in:	Potentially Significant	Less than Significant 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. Permanent changes in topography?				X	
d. The destruction, covering or modification of any unique geologic, paleontologic or physical features?					
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	

Setting:

Physical:

The subject parcels are underlain by two geologic units:

- Quaternary Alluvium (Qa)
- Paso Robles Formation (Tpr)

The Quaternary Alluvium is composed of stream-deposited sand, silt, and clay that fill the floor of Canada de la Laguna. Much of the area underlain by Alluvium is identified in the

SCS Soil Survey as having prime agricultural soils. Portions of the property are underlain by the inter-bedded gravels, sands, and clay of the Paso Robles Formation.

Regulatory:

The Santa Barbara County Code, Chapter 14 Grading Ordinance (June 2003) is the governing document adopted by the Board of Supervisors, which contains the minimum standards and procedures necessary to protect and preserve life, limb, health, property, and public welfare. It also addresses compliance with the National Pollutant Discharge Elimination System Phase II storm water regulations and sets forth local storm water requirements for the disturbance of less than 1 acre, to avoid pollution of water courses with sediments or other pollutants generated on or caused by surface runoff on or across the construction site.

The Seismic Safety and Safety Element describes and qualitatively addresses geological constraints.

In addition, regulations regarding wastewater treatment are governed by regulations inclusive of the Regional Water Quality Control Board's Basin Plan Prohibitions, the California Plumbing Code, the County Code Septic System Ordinance (Article II of Chapter 29, 29-6 through 29-14), and Administrative Practices of Environmental Health Services.

Impact Discussion:

a) The Seismic Safety and Safety Element identifies the site as having a low risk for liquefaction, slope stability/landslides, soil creep, compressible-collapsible soils, and high groundwater and a moderate risk for expansive soils. However a soils report will be required by the Building and Safety Division to ensure proper building techniques are implemented. Potential impacts are considered **less than significant**.

(b, e, f) While grading associated with potential new residential development is not expected to result in unstable cut or fill slopes, site preparation for future development would expose soils to wind and/or water erosion and could lead to the disruption/displacement/compaction of the soil by cuts, fills, or extensive grading. Changes in deposition, erosion, or siltation which may modify the channel of a river or stream have the potential to occur with prospective residential development. Potentially adverse significant impacts could occur if soils were exposed for an extended period of time or if the site is graded during the rainy season.

Adherence to County Grading Ordinance including observance of existing Construction Site Pollution Control Best Management Practices (as defined in the Grading Ordinance, Chapter 14, page 6) as well as standard Building & Safety division requirements for post-grading soil retention and erosion control measures would ensure impacts remain less than significant.

With inclusion of these Building & Safety Division requirements, impacts would be **less than significant**.

These requirements include the following:

- a. Methods such as geotextile fabrics, erosion control blankets, retention basins, drainage diversion structures, siltation basins and spot grading shall be used to reduce erosion and siltation into adjacent water bodies or storm drains during grading and construction activities.

- b. All entrances/exits to the construction site shall be stabilized (e.g. using rumble plates, gravel beds or other best available technology) to reduce transport of sediment off site. Any sediment or other materials tracked off site shall be removed the same day as they are tracked using dry cleaning methods.
- c. Storm drain inlets shall be protected from sediment-laden waters by the use of inlet protection devices such as gravel bag barriers, filter fabric fences, block and gravel filters, and excavated inlet sediment traps.
- d. Graded areas shall be revegetated within 4 weeks of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Geotextile binding fabrics shall be used if necessary to hold slope soils until vegetation is established.
- e. A detailed geological and/or soils engineering study addressing structure sites and the access road shall be prepared to determine structural design criteria, as recommended by the Planning and Development Building & Safety Division. The study shall be submitted for review and approval by Public Works.

(g) The Regional Water Quality Control Board Basin Plan, enforced by Environmental Health Services (EHS) under its permit authority over private sewage disposal systems, requires adequate soil conditions for septic system suitability. As one of the proposed parcels is already developed with a septic system, and additional testing has verified the viability of acceptable systems (On-Site Septic System Percolation Testing Report, MNS Engineers, Inc, May 12, 2006), septic system feasibility has been demonstrated. Future projects will require EHS approval of any new septic systems or upgrading of the existing system. Impacts due to placement of septic systems in impermeable soils with severe constraints to disposal of liquid effluent are considered to be **less than significant**.

(c, d, h-j) The proposed project would not involve: 1) the extraction of mineral or ore; 2) the destruction/covering/modification of any unique geologic, paleontologic or physical features; 3) grading on slopes in excess of 20%; or 4) significant changes to natural topography. As the aforementioned items are not part of the proposed project, **no impact is anticipated**. The removal of sand, gravel or topsoil is expected to occur in some locations on the project site; however implementation of existing County policies including the Comprehensive Plan, Land Use Element, Hillside and Watershed Protection Policies 1 and 2 would reduced potential impacts to **less than significant**.

(k) Vibrations associated with the proposed project from short-term construction or long-term operation would be **less than significant**. The construction hours would be limited due to noise concerns (see Section 4.12 Noise below). The potential does not exist for excessive vibrations from grading or construction activities due to the proximity of the site to noise sensitive receptors and the fact that standard grading and building techniques will be used during construction.

Mitigation and Residual Impact: No Mitigation required since adherence to standard Building & Safety Division requirements placed on the grading and drainage and erosion control plans as implemented through Chapter 14 (Grading Ordinance) of the County Code, would ensure that impacts from the project would be less than significant. Residual impacts would be **less than significant**.

Cumulative Impact: The subject Lot Line Adjustment is separated from the parcels associated with 06LLA-00000-00016 by two intervening parcels, both of which are currently vacant. In total, the portions of the "Montanaro property" involved in the two

separate proposed projects is comprised of nine legal parcels, each of which could be developed under existing zoning requirements. The proposed Lot Line Adjustments would reconfigure lot lines between seven of these parcels with no resultant increase in future development potential. While the number of residences which could be developed would not increase, the Lot Line Adjustment would reconfigure the four parcels in a manner which results in four parcels of equal size and configuration, precluding potential clustering of the primary single family dwelling for each of parcel (See Attachments 3 and 4 for changes in parcel configuration). In both the existing and proposed scenarios, the potential adverse impacts to Geological Resources would remain essentially the same; future development could be clustered along shared property lines, or distributed across the property at maximum intervals. Cumulative impacts would be **less than significant**.

4.9 Hazardous Materials/Risk of Upset

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	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	

Impact Discussion:

(a-h) The known history of the properties indicates that the sites have not been used for storage or discharge of any hazardous materials. The proposed land division would create the potential for development of three residences and agricultural structures, which would not interfere with any known emergency response or evacuation plans. The proposed project and future residential and agricultural development would not create public health or safety hazards, and there are no oil or gas pipelines or well facilities on site or nearby that could be exposed through the proposed project. The proposed project and potential future development would not require the use or storage of significant amounts of hazardous materials, but the public water supply could be impacted by the use of hazardous construction materials. This adverse impact to the public water supply could be minimized through adherence to the recommended mitigation measure listed below.

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

Cumulative Impact: The subject Lot Line Adjustment is separated from the parcels associated with 06LLA-00000-00016 by two intervening parcels, both of which are currently vacant. In total, the portions of the "Montanaro property" involved in the two separate proposed projects is comprised of nine legal parcels, each of which could be developed under existing zoning requirements. The proposed Lot Line Adjustments would reconfigure lot lines between seven of these parcels with no resultant increase in future development potential. While the number of residences which could be developed would not increase, the Lot Line Adjustment would reconfigure the four parcels in a manner which results in four parcels of equal size and configuration, precluding potential clustering of the primary single family dwelling for each of parcel (See Attachments 3 and 4 for changes in parcel configuration). In both the existing and proposed scenarios, the potential adverse impacts to Hazardous Materials/Risk of Upset Resources would remain essentially the same; future development could be clustered along shared property lines, or distributed across the property at maximum intervals. Cumulative impacts would be **less than significant**.

4.10 Historic Resources

Will the proposal result in:	Potentially Significant	Less than Significant 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		

Impact Discussion:

(a, b) The "Montanaro Farm" structures have not been evaluated or listed as historic properties. However, the County does recognize their historic significance and has identified them among "potential historic land marks" in the Santa Ynez Valley. The proposed Lot Line Adjustment would not affect the historic significance of the structures located onsite but would facilitate their preservation by isolating them on reconfigured lots, as opposed to the current dissection of the structures.

Should these buildings be substantially altered or demolished, an historic evaluation would be required to comply with CEQA and the County of Santa Barbara Regulations Governing Archaeological and Historical Projects Undertaken in Conformance with CEQA and related Laws: Cultural Resource Guidelines (1986, Revised January, 1993).

The SYBCI has expressed concerns regarding the effect of a lot line adjustment on the historic structures on the Montanaro property. The concern of the SYBCI as expressed in Mr. Armenta's Sept. 26, 2006 letter to the ZA is that the Montanaro Farm is a historic farm that was never intended to be subdivided. The letter argues that the lot line adjustment would sever the existing structures (a farm house, a barn, and a commercial structure) from their associated farm land. The letter suggests that this is a significant effect. From a cultural resources point of view, and specifically from a historic resource point of view, the location of lot lines does not

necessarily affect the significance of a historic resource and no inconsistency with CEQA as it applies to cultural resources would result from a lot line adjustment separating the Montanaro structures from their associated farmland. The LLA would not have a significant impact on historic cultural resources as it would not cause a substantial adverse change in the significance of the resource (California Public Resources Code Section 21084.1)

As a result, impacts from the proposed Lot Line Adjustment on historic resources would be **less than significant**.

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

Cumulative Impact: The subject Lot Line Adjustment is separated from the parcels associated with 06LLA-00000-00016 by two intervening parcels, both of which are currently vacant. In total, the portions of the "Montanaro property" involved in the two separate proposed projects is comprised of nine legal parcels, each of which could be developed under existing zoning requirements. The proposed Lot Line Adjustments would reconfigure lot lines between seven of these parcels with no resultant increase in future development potential. While the number of residences which could be developed would not increase, the Lot Line Adjustment would reconfigure the four parcels in a manner which results in four parcels of equal size and configuration, precluding potential clustering of the primary single family dwelling for each of parcel (See Attachments 3 and 4 for changes in parcel configuration). In both the existing and proposed scenarios, the potential adverse impacts to Historic Resources would remain essentially the same; future development could be clustered along shared property lines, or distributed across the property at maximum intervals. Cumulative impacts would be **less than significant**.

4.11 Land Use

Will the proposal result in:	Potentially Significant	Less than Significant with Mitigation	Less than Signif.	No Impact	Reviewed Under Previous Document
a. Structures and/or land use incompatible with existing land use?				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 of mitigating an environmental effect?				X	
c. The induction of substantial growth or concentration of population?				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	

Will the proposal result in:	Potentially Significant	Less than Significant with Mitigation	Less than Signif.	No Impact	Reviewed Under Previous Document
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?				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	

Setting:

Physical:

Land use consists of residential development (one single family dwelling) and commercial agricultural operations.

Regulatory:

The subject parcels are located in the 1-E-1(Residential 1 acre minimum parcel size) and CN (Neighborhood Commercial) zone districts, and have a Comprehensive Plan designation of RES.1.0 (Single family, maximum dwelling units 1 per acre) and CN. The property is governed by the regulations of the County Comprehensive Plan and the Article III Zoning Ordinance.

Impact Discussion:

(a, b) The proposed project would continue to allow residential and agricultural use of the property as specified in the Comprehensive Plan and zoning ordinance. The subject Assessor Parcel (APN 135-240-001) is comprised of individual “farm lots.” The three lots involved in the subject lot line adjustment have each received Certificates of Compliance from the Surveyor’s Office (05-CC-113, 05-CC-114, and 05-CC-115).

The proposed lot line adjustment would rectify the current configuration in which existing lot lines bisect structures, so that structural development that is now located on multiple lots would be contained within single lots, and the Neighborhood Commercial (CN) zoning now located on multiple lots would also be contained within one lot. The proposed lot line adjustment would create conforming lots with appropriate setbacks for all structures. The historic Montanaro Residence would be preserved on Proposed Adjusted Parcel 1, and the remaining structures, also of historic value located within the CN zoning area would be preserved on a Proposed Adjusted Parcel 3. The potential uses and development of the project site would be consistent with the surrounding area.

(c) The proposed project would not create the potential for any additional single-family residences to be developed on any reconfigured parcel. This development would be consistent

with the surrounding population density of the area and would not be considered to be substantial growth.

(d) The proposed reconfigured parcels would be served by individual private septic systems and would be accessed via a proposed driveway that will provide access to only the proposed parcels.

(e-g) The project site is currently developed; therefore the proposed project would not result in the loss of existing affordable housing or the displacement of dwellings or people. On the contrary, the proposed project would create opportunities to place new dwellings and house additional people.

(h) The proposed project would not increase the development potential of this parcel. The project site has been historically developed; the project site is not dedicated open space and is privately owned.

(i) The proposed project would not have a detrimental economic or social effect, but would create an opportunity for economic and social improvements for the current and future property owners.

(j) The project site is not located within an adopted airport safety zone.

Impacts would be less than significant.

Mitigation and Residual Impact: No potential significant impacts to land use would result from the project, therefore no mitigation is required, **residual impacts would be less than significant.**

Cumulative Impact: The subject Lot Line Adjustment is separated from the parcels associated with 06LLA-00000-00016 by two intervening parcels, both of which are currently vacant. In total, the portions of the "Montanaro property" involved in the two separate proposed projects is comprised of nine legal parcels, each of which could be developed under existing zoning requirements. The proposed Lot Line Adjustments would reconfigure lot lines between seven of these parcels with no resultant increase in future development potential. While the number of residences which could be developed would not increase, the Lot Line Adjustment would reconfigure the four parcels in a manner which results in four parcels of equal size and configuration, precluding potential clustering of the primary single family dwelling for each of parcel (See Attachments 3 and 4 for changes in parcel configuration). In both the existing and proposed scenarios, the potential adverse impacts to Land Use would remain essentially the same; future development could be clustered along shared property lines, or distributed across the property at maximum intervals. Cumulative impacts would be **less than significant.**

4.12 Noise

Will the proposal result in:	Potentially Significant	Less than Significant 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				X	

Will the proposal result in:	Potentially Significant	Less than Significant with Mitigation	Less than Signif.	No Impact	Reviewed Under Previous Document
exceeding County thresholds?					
c. Project-generated substantial increase in the ambient noise levels for adjoining areas (either day or night)?				X	

Setting:

Physical:

The subject parcels are located in an inner rural area well beyond any noise generators that exceed the 65-dBA threshold for noise exposure.

Regulatory:

The County Noise Element includes residential uses within its categories of noise-sensitive land uses. County thresholds indicate that significant impacts can occur when (a) short-term construction noise would occur within 1600 feet of residential receptors; (b) noise sensitive uses would be exposed to exterior noise levels of 65 dBA CNEL or greater; (c) the proposed development would generate long-term noise levels in excess of 65 dBA CNEL and affect sensitive receptors; or (d) ambient noise levels of a noise sensitive receptor area would be substantially increased. No significant impacts would result.

Impact Discussion:

(a, b, c) The project site is located in a low-density inner rural area that contains topographic variations, low traffic levels, and agricultural activity. The ambient noise level in the area is low, and the proposed project would not create the opportunity for long-term exposure to increased noise in excess of the ambient noises typically found in low-density residential and agricultural areas. The Santa Barbara County Environmental Thresholds Manual states the maximum outdoor noise level compatible with residential and other noise-sensitive land uses is 60-65 dBA. The Manual also states that noise from grading and construction activity proposed within 1600 feet of sensitive receptors such as residential development would generally result in a potentially significant impact.

Cumulative Impact: The subject Lot Line Adjustment is separated from the parcels associated with 06LLA-00000-00016 by two intervening parcels, both of which are currently vacant. In total, the "Montanaro property" is comprised of nine legal parcels, each of which could be developed under existing zoning requirements. The proposed Lot Line Adjustments would reconfigure lot lines between seven of these parcels with no resultant increase in future development potential. While the number of residences which could be developed would not increase, the Lot Line Adjustment would reconfigure the four parcels in a manner which results in four parcels of equal size and configuration, precluding potential clustering of the primary single family dwelling for each of parcel (See Attachments 3 and 4 for changes in parcel configuration). In both the existing and proposed scenarios, the potential adverse impacts to Noise Resources would remain essentially the same; future development could be clustered along shared property lines, or distributed across the property at maximum intervals. Cumulative impacts would be **less than significant**.

Public Facilities

Will the proposal result in:	Potentially Significant	Less than Significant 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	

Setting:

Physical:

The subject parcels are currently developed with one single family dwelling and accessory structures for a commercial agricultural facility.

Regulatory:

The County’s Comprehensive Plan, Land Use Element, Land Use Development Policy 4 states: “Prior to the issuance of a use 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...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.”

Impact Discussion:

(a, b, c, d, e.) The lot line adjustment would not allow any additional development; therefore impacts would be **less than significant**.

Cumulative Impact: The subject Lot Line Adjustment is separated from the parcels associated with 06LLA-00000-00016 by two intervening parcels, both of which are currently vacant. In total, the portions of the "Montanaro property" involved in the two separate proposed projects is comprised of nine legal parcels, each of which could be developed under existing zoning requirements. The proposed Lot Line Adjustments would reconfigure lot lines between seven of these parcels with no resultant increase in future development potential. While the number of residences which could be developed would not increase, the Lot Line Adjustment would reconfigure the four parcels in a manner which results in four parcels of equal size and configuration, precluding potential clustering of the primary single family dwelling for each of parcel (See Attachments 3 and 4 for changes in parcel configuration). In both the existing and proposed scenarios, the potential adverse impacts to Public Facilities would remain essentially the same; future development could be

clustered along shared property lines, or distributed across the property at maximum intervals. Cumulative impacts would be **less than significant**.

4.13 Recreation

Will the proposal result in:	Potentially Significant	Less than Significant with Mitigation	Less than Signif.	No Impact	Reviewed Under Previous Document
a. Conflict with established recreational uses of the area?				X	
b. Conflict with biking, equestrian and hiking trails?				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)?				X	

Setting:

Physical:

The Project sites are not used for public recreational activity.

Regulatory:

The County's Comprehensive Plan, Land Use Element, Parks/Recreation Policies state, in part: "Opportunities for hiking and equestrian trails should be preserved, improved, and expanded wherever compatible with surrounding uses."

Impact Discussion:

(a,b,c) The project site has not been used for established recreational uses, and the proposed project would involve continued use of established driveway entrances from Grand Avenue, which would not inhibit use or have a substantial impact on the quality of the existing on-road trails in the area.

No potential significant impacts to recreation would result from the project would result, no mitigation is required. **Impacts would be less than significant.**

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

Cumulative Impact: The subject Lot Line Adjustment is separated from the parcels associated with 06LLA-00000-00016 by two intervening parcels, both of which are currently vacant. In total, the portions of the "Montanaro property" involved in the two separate proposed projects is comprised of nine legal parcels, each of which could be developed under existing zoning requirements. The proposed Lot Line Adjustments would reconfigure lot lines between seven of these parcels with no resultant increase in future development potential. While the number of residences which could be developed would not increase, the Lot Line Adjustment would reconfigure the four parcels in a manner which results in four parcels of equal size and configuration, precluding potential clustering of the primary single family dwelling for each of parcel (See Attachments 3 and 4 for changes in parcel configuration). In both the existing and proposed scenarios, the potential adverse

impacts to Recreation Resources would remain essentially the same; future development could be clustered along shared property lines, or distributed across the property at maximum intervals. Cumulative impacts would be **less than significant**.

4.15 Transportation/Circulation

Will the proposal result in:	Potentially Significant	Less than Significant 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		

Setting:

Physical:

The project area is located directly adjacent to the township of Los Olivos, west of Grand Avenue and east of Santa Barbara Avenue on Alamo Pintado Road.

Regulatory:

Adherence to the Public Works Roads Division’s general standards governs all project proposals within the County. In addition, the County’s Thresholds of Significance for Traffic Impacts, in the County Environmental Thresholds and Guidelines Manual provides guidance and procedures for analyzing potential traffic impacts of a project. CEQA Guidelines, Appendix G states that a project will ordinarily have a significant effect on the environment if it will “cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system.” The County’s threshold criteria assume that an increase in traffic that creates a need for road improvements is “substantial in relation to the existing traffic load and capacity of the street system.”

Impact Discussion:

(a-h,) The proposed project would not create additional development potential for any of the involved parcels.

Cumulative Impact: The subject Lot Line Adjustment is separated from the parcels associated with 06LLA-00000-00016 by two intervening parcels, both of which are currently vacant. In total, the portions of the "Montanaro property" involved in the two separate proposed projects is comprised of nine legal parcels, each of which could be developed under existing zoning requirements. The proposed Lot Line Adjustments would reconfigure lot lines between seven of these parcels with no resultant increase in future development potential. While the number of residences which could be developed would not increase, the Lot Line Adjustment would reconfigure the four parcels in a manner which results in four parcels of equal size and configuration, precluding potential clustering of the primary single family dwelling for each of parcel (See Attachments 3 and 4 for changes in parcel configuration). In both the existing and proposed scenarios, the potential adverse impacts to Transportation/Circulation Resources would remain essentially the same; future development could be clustered along shared property lines, or distributed across the property at maximum intervals. Cumulative impacts would be **less than significant**.

4.16 Water Resources/Flooding

Will the proposal result in:	Potentially Significant	Less than Significant 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 into surface waters, 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?			X		
g. Alteration of the direction or rate of flow of groundwater?			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?			X		
i. Overdraft or overcommitment of any groundwater basin? Or, a significant increase in the existing overdraft or overcommitment of any groundwater basin?			X		

Will the proposal result in:	Potentially Significant	Less than Significant with Mitigation	Less than Signif.	No Impact	Reviewed Under Previous Document
j. The substantial degradation of groundwater quality including saltwater intrusion?			X		
k. Substantial reduction in the amount of water otherwise available for public water supplies?			X		

Setting:

Physical:

The property drains into Alamo Pintado Creek, a 2nd Order tributary to the Santa Ynez River. The subject property is also located in the center of the Santa Ynez Uplands Groundwater Basin.

Regulatory:

The Santa Barbara County Code, Chapter 14 Grading Ordinance (June 2003) is the governing document adopted by the Board of Supervisors, which contains the minimum standards and procedures necessary to protect and preserve life, limb, health, property, and public welfare. It also addresses compliance with the National Pollutant Discharge Elimination System Phase II storm water regulations and sets forth local storm water requirements for the disturbance of less than 1 acre, to avoid pollution of water courses with sediments or other pollutants generated on or caused by surface runoff on or across the construction site.

In addition, regulations regarding wastewater treatment are governed by regulations inclusive of the Regional Water Quality Control Board's Basin Plan Prohibitions, the California Plumbing Code, the County Code Septic System Ordinance (Article II of Chapter 29, 29-6 through 29-14), and Administrative Practices of Environmental Health Services.

Impact Discussion:

(a,b,c,d,e,l) The proposed project does not involve any proposed development. This would not affect currents, or the course or direction of water movements, percolation rates or the amount of surface water in any given water body.

(f,g,h,i,j,k) The proposed lot line adjustment would not result in an increased flood hazard to the future property owners or adjacent properties, and would not alter the direction or rate of flow of groundwater. The potential development of four one additional residences would require approximately 3.92 acre-feet per year (AFY), which is well below the County threshold of 61 AFY. **Impacts would be less than significant.**

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

Cumulative Impact: The subject Lot Line Adjustment is separated from the parcels associated with 06LLA-00000-00016 by two intervening parcels, both of which are currently vacant. In total, the portions of the "Montanaro property" involved in the two separate proposed projects is comprised of nine legal parcels, each of which could be developed under existing zoning requirements. The proposed Lot Line Adjustments would reconfigure lot lines between seven of these parcels with no resultant increase in future development potential. While the number of residences which could be developed would not

increase, the Lot Line Adjustment would reconfigure the four parcels in a manner which results in four parcels of equal size and configuration, precluding potential clustering of the primary single family dwelling for each of parcel (See Attachments 3 and 4 for changes in parcel configuration). In both the existing and proposed scenarios, the potential adverse impacts to Water Resources/Flooding would remain essentially the same; future development could be clustered along shared property lines, or distributed across the property at maximum intervals. Cumulative impacts would be **less than significant**.

5.0 Information Sources

5.1 County Departments Consulted:

Parks, Fire, County Surveyor, Air Pollution Control District, Environmental Health Services Division, Flood Control Division, Transportation Division, Building and Safety Division

5.2 Comprehensive Plan:

	Seismic Safety/Safety Element	X	Conservation Element
X	Open Space Element	X	Noise Element
X	Air Quality Element	X	Circulation Element
X	ERME	X	Land Use Element
X	Agricultural Element	X	Draft Santa Ynez Community Plan
X	Energy Element	X	Housing Element

5.3 Other Sources:

X	Field work	X	Ag Preserve maps and Uniform Rules
X	Project plans	X	Important Farmlands map
X	Grading plans	X	Topographical maps
X	Biological surveys	X	Flood Control maps
X	Biological resource maps	X	Zoning maps
X	Archaeological maps	X	Published geological map/reports
X	Soils Survey of the Northern Santa Barbara Area	X	Misc. planning files, maps, reports
X	2001 Clean Air Plan & 2004 updates	X	Calculations
X	Environmental Thresholds & Guidelines Manual	X	Other technical references (reports, survey, etc.)
X	Traffic studies by Santa Barbara County Public Works Transportation Division	X	Institute of Transportation Engineers, 6 th Edition Trip Generation

6.0 Project Specific (Short- And Long-Term) and Cumulative Impact The following are project-specific impacts which are potentially significant but can be mitigated to *less than significant* levels (Class II):

- **Aesthetics/Visual Resources:** Long-term potentially significant adverse impacts associated with glare or night lighting.

- **Air Quality:** Short-term potentially significant adverse impacts associated with construction-related dust generation.
- **Cultural Resources:** Short- and long-term potentially significant adverse impacts associated with disturbances of archaeological resources.
- **Geologic Processes:** Short and long-term potentially significant adverse impacts associated with disruption of the soils, increased erosion, septic system placement, grading on steep slopes, and removal of topsoil.
- **Noise:** Short-term potentially significant adverse impacts associated with construction of the project site.

7.0 Mandatory Findings of Significance

Will the proposal result in:	Potentially Significant	Less than Significant 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, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X		
2. Does the project have the potential to achieve short-term to the disadvantage of long-term environmental goals?			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	

As proposed, the project does not have the potential to substantially degrade the quality of the environment or reduce the habitat of a fish or wildlife species. Additionally, the proposed project does not create impacts that are individually limited but cumulatively considerable. The project has the potential to create adverse environmental effects in the following issue areas: visual resources (night lighting), cultural resources, biological resources, and hazardous materials/risk of upset. However, adherence to the identified mitigation measures reduces the

environmental effects to levels that are considered less than significant. Residual impacts in these issue areas are less than significant.

8.0 Project Alternatives: Not applicable

9.0 Initial Review of Project Consistency with Applicable Subdivision, Zoning and Comprehensive Plan Requirements

The project will be subject to all applicable requirements and policies under the Article III Inland Zoning Ordinance and the County's Comprehensive Plan. This analysis will be provided in the forthcoming Staff Report.

LUDP #4;

Hillside & Watershed Protection Policy #1, 2, 3, 5, 6, 7, 8;

Agricultural Element Policy # I.D, I.G, II.C, II.D;

Historical and Archaeological Policy # 2, 3, and 5;

Visual Resources Policy #2;

ERME;

Safety Element.

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.

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: None

With Public Hearing Without Public Hearing

PREVIOUS DOCUMENT: N/A

PROJECT EVALUATOR: Shelly Ingram DATE: November 28, 2006

11.0 DETERMINATION BY ENVIRONMENTAL HEARING OFFICER

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: *John Ktm*

Initial Study Date: 11.28.06

Signature: *John Ktm*

Negative Declaration: 11.30.06

Signature: _____

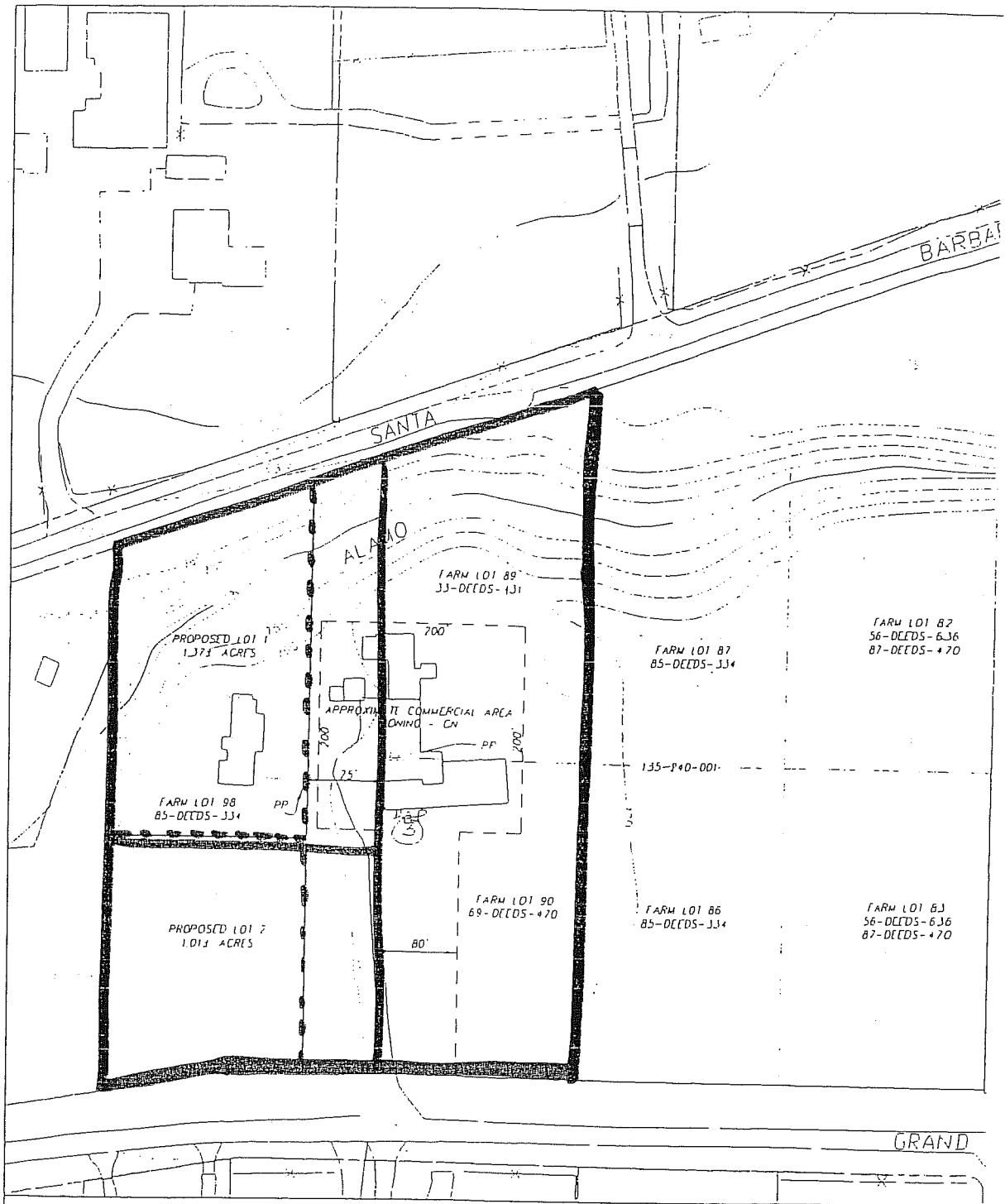
Revision Date: _____

Signature: *John Ktm*

Final Negative Declaration
Date: 3.26.07

12.0 ATTACHMENTS

1. Proposed Parcel Map
2. Zoning Map
3. Existing parcels projects 05LLA-00000-00015 and 05LLA-00000-00016
4. Proposed parcels projects 05LLA-00000-00015 and 05LLA-00000-00016
5. Comment Letters and Responses



MNS ENGINEERING - SURVEYING - LAND DEVELOPMENT ENGINEERING
 QUALITY INFRASTRUCTURE SERVICES

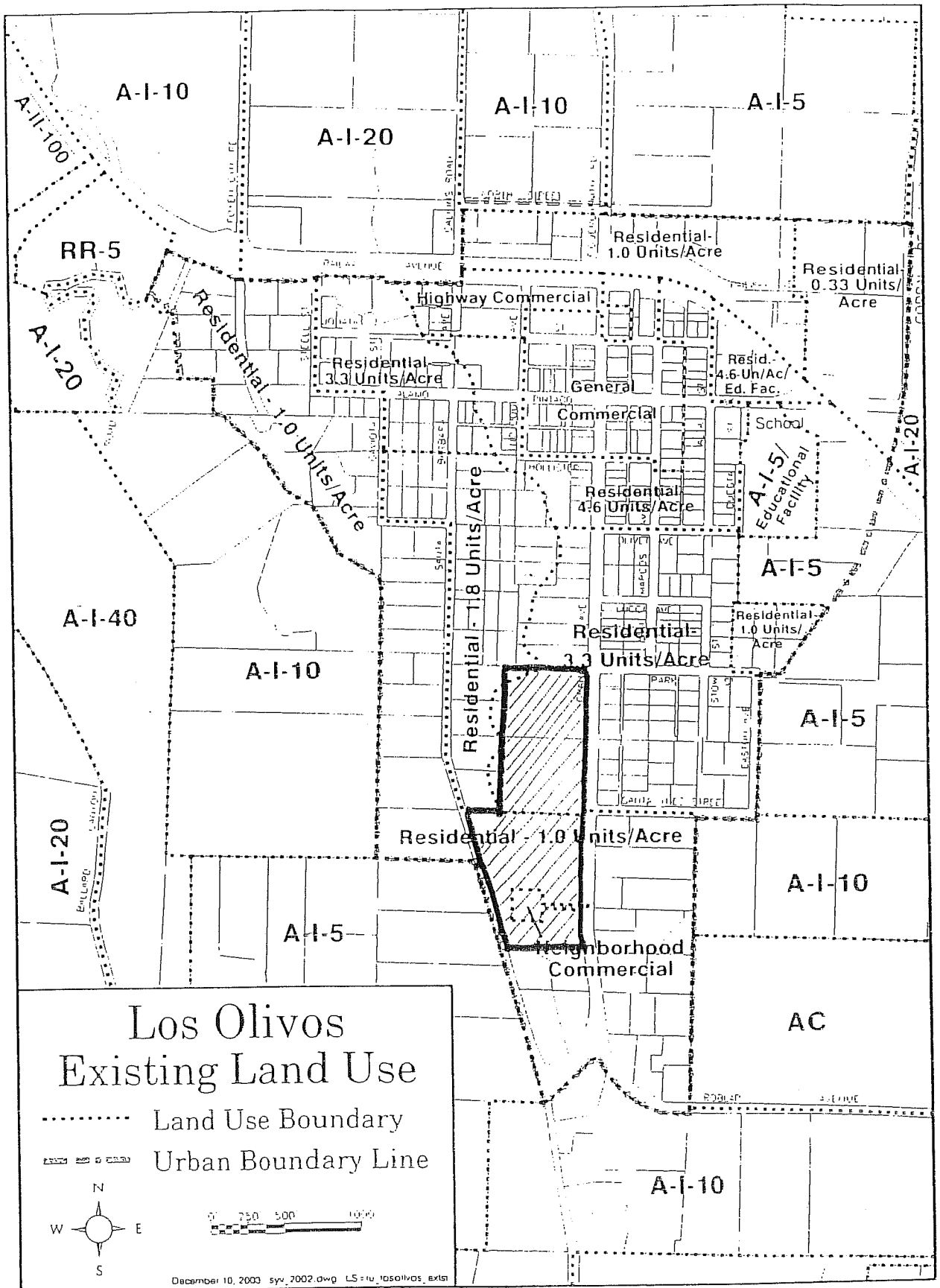
101 INDUSTRIAL PARK DRIVE • BURLINGTON, CA 92407
 TELEPHONE (909) 486-2200 FAX (909) 486-5418

17471_230 - 17471_514_MBE-P-C - 10/20 - 615 - 1-20



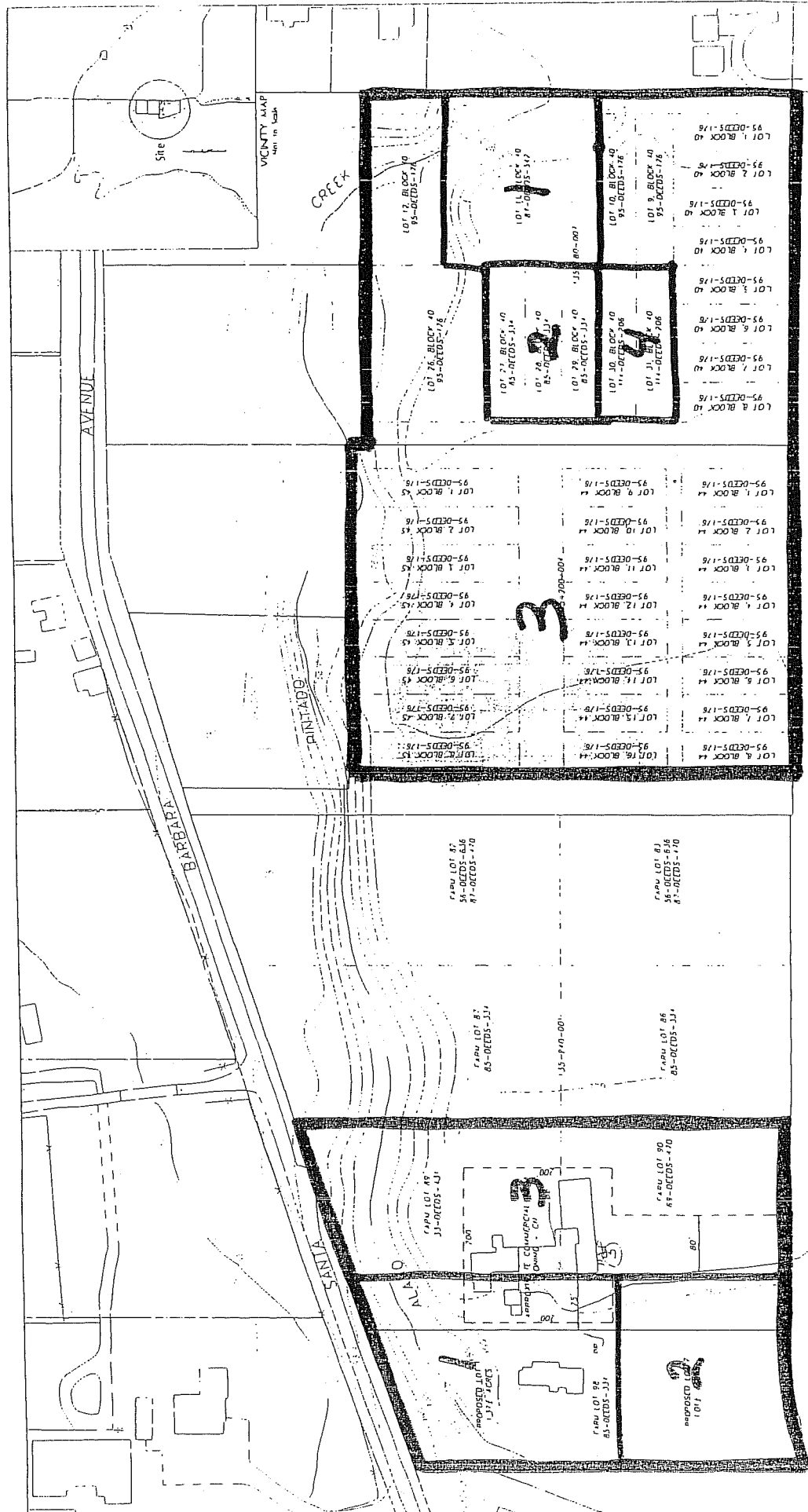
GRAPHIC SCALE

1" = 100 FT
 1" MARK = 20 FT



ATTACHMENT 3

Existing Parcel Map - Entire Montanaro

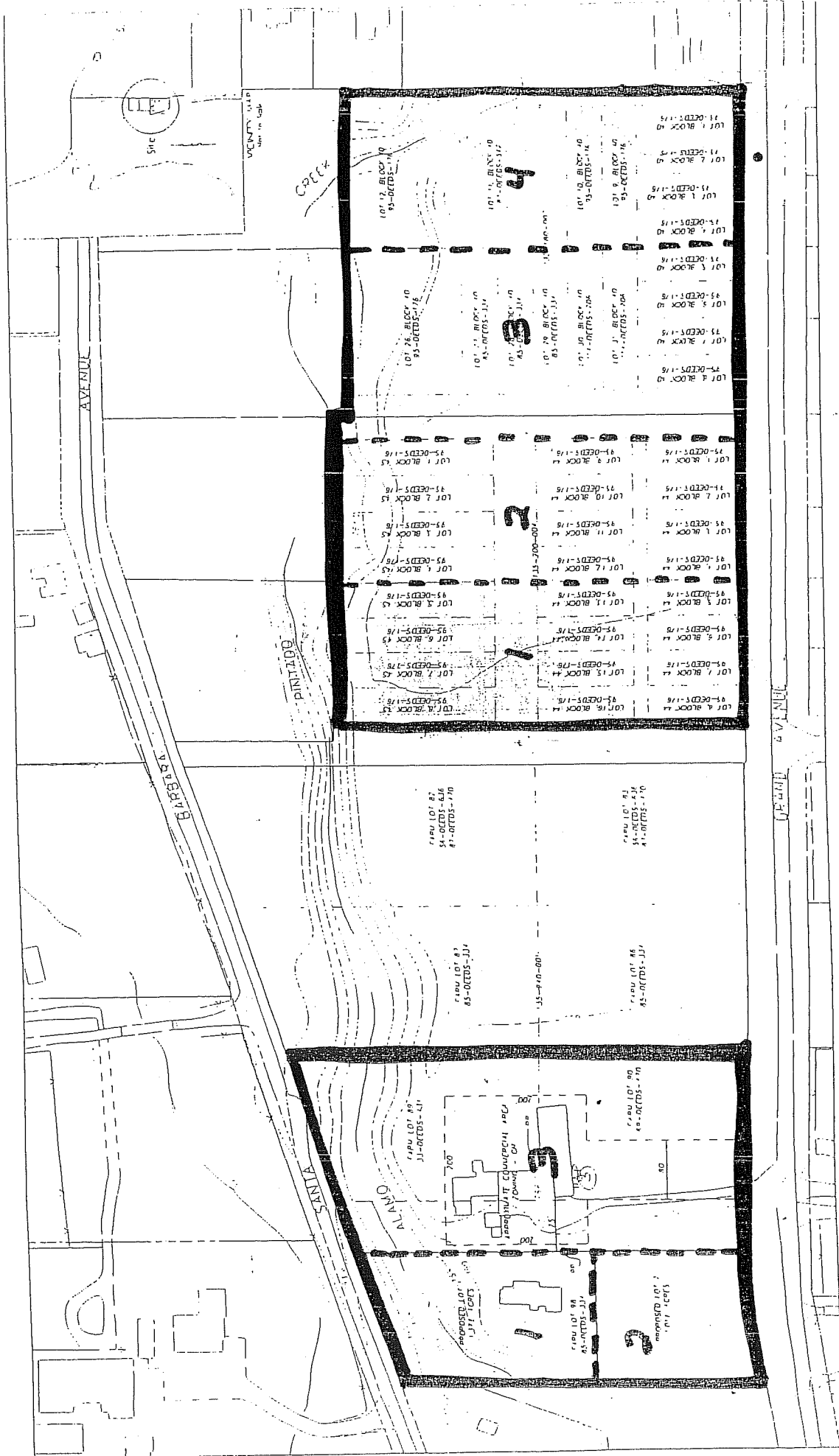


SITE MAP
 APN 135-240-001,
 135-200-004 & 135-180-007
 Los Olivos, CA.

BOUNDARY DISCLAIMER:
 THE APPLICANT HAS DETERMINED THAT THE INFORMATION CONTAINED HEREIN IS ACCURATE AND COMPLETE TO THE BEST OF HIS KNOWLEDGE AND BELIEF. THE APPLICANT MAKES NO WARRANTY, EXPRESS OR IMPLIED, AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION CONTAINED HEREIN. THE APPLICANT ACCEPTS NO LIABILITY FOR ANY ERRORS OR OMISSIONS, INCLUDING THOSE CAUSED BY NEIGHBORING PARCELS OR RECORDING ERRORS.

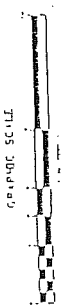


ATTACHMENT 4
Proposed Parcel Map - Entire Montanaro



SITE MAP
APN 135-240-001
135-200-004 & 135-180-007
Los Olivos, CA
October 2004

BOOKEND LOTS (BLOCKS 1 & 12)
The site is bounded by the following streets: Avenida, Barro, Pintado, and Alamo. The site is divided into 12 blocks, numbered 1 through 12. The map shows the layout of the site, including the location of the creek and the proposed parcel map. The map is a site map for the entire Montanaro area, showing the proposed parcel map and the location of the site within the area.



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Santa Ynez Band of Chumash Indians

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BUSINESS COMMITTEE
Vincent Armenta, *Chairman*
Richard Gomez, *Vice Chairman*
Kenneth Kahn, *Secretary/Treasurer*
David Dominguez, *Committee Member*
Gary Pace, *Committee Member*

December 26, 2006

Santa Barbara County Zoning Administrator
County Engineering Building
Planning Commission Room 17
123 East Anapamu Street
Santa Barbara, CA 93101

RE: Draft Initial Study/Negative Declaration 06NGD-00000-00029
Herthel-Montanaro Lot Line Adjustment: 05LLA-00000-00015
December 1, 2006

To the Honorable Zoning Administrator:

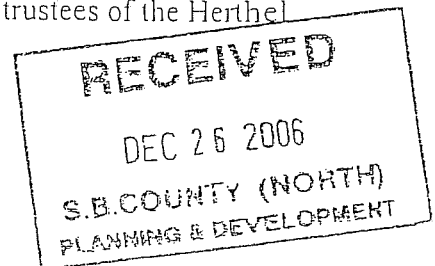
The Santa Ynez Band of Chumash Indians respectfully objects to the above Draft Initial Study/Negative Declaration as follows:

Subdivision Violation for the 2 projects:

Before starting the Lot Line Adjustment (LLA) for the Southern part of the Montanaro Farm ("Farm"), the Herthels started a LLA for the Northern portion of the Farm. The Northern Farm (05LLA-16) is separated by two lots from the Southern Farm (05LLA-15). The report repeated states that 05LLA-16 is "separate and distinct" from 05LLA-15 because of the 2 lot separation. This completely ignores the purchase of all 4 lots simultaneously as a single property by a single buyer who then started subdividing the Northern Farm and Southern Farm simultaneously.

On August 4, 2003, and recorded as document 2003-0111846 on August 18, 2003, Janice Yates as the Trustee of the Arthur Montanaro Trust conveyed all of the lands in 05LLA-16, 05LLA-15 and all of the parcels in between to Douglas J. Herthel and Susan J. Herthel as trustees of the Herthel Revocable Living Trust dated March 1, 1988. (Exhibit A). The Arthur Montanaro Trust also took back a deed of trust on the same property that same day. (Exhibit B).

Just prior to filing the 05LLA-16 lot line adjustment, the Herthel Revocable Living Trust conveyed those parcels to a new limited liability company, LOS OLIVOS CAMP, LLC. The new LLC was established by Douglas and Susan Herthel, the trustees of the Herthel Revocable Living Trust. (Exhibits C & D).



These are all the same people. 05LLA-16 is a proposed 4 parcel lot line adjustment. 05LLA-15 is another proposed 4 parcel lot line adjustment. The same "people" own all of the property between 05LLA-16 and 05LLA-15 which they purchased at the same time.

Is the Subdivision Act so easily circumvented?

Failure to consider cumulative impacts

Page 6, MONITORING, Cumulative Impact, states that "In total, the "Montanaro Property" is comprised of nine legal parcels, each of which could be developed under existing zoning requirements." However, the cumulative impact analysis only covers the Northern Farm (05LLA-16) and the Southern Farm (05LLA-15). What about the other 7 developable parcels in between? What about neighboring parcels in and surrounding Los Olivos?? This is quite a narrow view of cumulative impact.

Exiting and Historic Land Use: The Study completely ignores the historic nature of the Montanaro Farm and the Old Store and Meat Market. Instead the Report states: "Parcels 1 and 3 contain considerable development in the form of residences or agricultural buildings affording them a score of 2 points [out of 10]." Certainly that is understatement. The Report needs to include the research on the Montanaro Store and Meat Market which states that the structure is eligible for consideration for inclusion on the National Register of Historic Places. See Julia Costello 1981 -Los Olivos Market: Initial Impact Assessment of Montanaro property, historical overview of farming operation, buildings, setting, meat cooler on creek.

Page 17: Setting: Physical: The Report recognizes that "a known cultural site is located on a parcel within ¼ mile of the proposed project site." Again, this is understatement. A known cemetery is located within a ¼ mile of the project site meaning that a village has to be nearby (the village supplies the dead people which the villagers would prefer just outside of town). In addition, documentation has been provided that Alamo Pintado Creek which is the western boundary of the Farm was a trail for trade and travel from the large Chumash village of *Soxtokmu* just north of Los Olivos and the Coastal Chumash villages. Therefore, the entire Farm is more than likely rich in unexplored artifacts, and the buildings and unfarmed open space on the Southern Farm (05LLA-16) is definitely covered in cultural resources.

Page 17: Setting: Regulatory: The Report recognizes that a cultural resource survey needs to be done not only when a known cultural site is located on the property but also when "there is a high potential for ... presence" of cultural resources:

"The County's Cultural Resources Guidelines, in the Environmental Thresholds and Guidelines Manual provides, in part, for the following:

As part of the environmental review process, archeological site maps are reviewed to determine if a recorded cultural resource is located within the project site or whether there us a high potential for its presence onsite based on recorded site distribution patterns or historical accounts. If this determination is positive and the project site is not developed, a Phase I archaeological investigation including a systematic inspection of the ground surface is carried out by Planning and Development staff or a County approved professional Archaeologist, and sub-surface testing to define the presence of archaeological artifacts or site boundaries when vegetation obscures ground visibility." (Emphasis added.)

This is not a "surprise find" per CEQA Appendix K as cited on Page 18 of the report. It would more surprising NOT to find cultural resources on the same creek as the cemetery less than ¼ mile away. The entire Farm is an integral part of Chumash heritage and deserves a complete cultural resource survey under the careful supervision of Chumash Native Monitors. Regrading the Southern Farm with a realigned road and new septic with the hollow promise that "Construction shall cease in the area of the find but may continue on other parts of the building site" is a license to bury and destroy Chumash history one more time.

The Contradiction of No Increase in Development and Reconfiguring the Lot Lines to Create Development Parcels

05LLA-16 currently at best is configured as two developable lots: the internal line of lots and the surrounding "u" of lots. Reconfiguring the lot lines to create 4 equal lots means that the you have doubled the amount of actually developable lots. (Exhibit E).

05LLA-15 currently at best is configured at two developable lots: the combined farm house store and barn and the remaining undeveloped commercial corner. Reconfiguring the lot lines creates created at least 4 saleable lots: the farmhouse, the store, the barn and the reconfigured commercial corner. The owner makes no representations as to maintaining the integrity of any of the historic store, barn or farmhouse. (Exhibit F).

Arguing that there is no increase in development is disingenuous at best.

Sincerely,



Vincent P. Armenta,
Tribal Chairman