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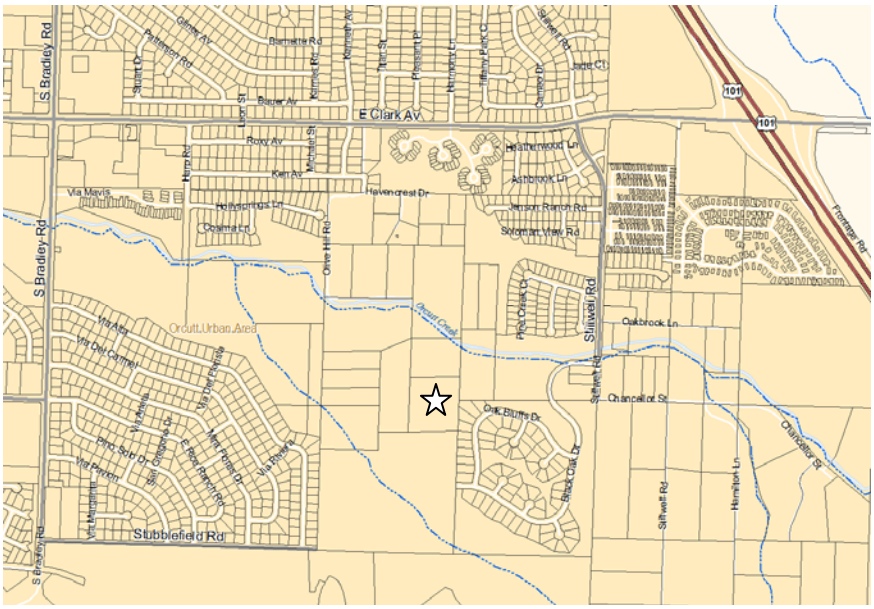
Proposed Final Mitigated Negative Declaration, 17NGD-00000-00009

Halsell Rezone and Tract Map

15RZN-00000-00004 and 15TRM-00000-00004 (TRM14,819)
September 21, 2017



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1.0 REQUEST/PROJECT DESCRIPTION

The proposed project is a request by David Swenk of Urban Planning Concepts, agent for the owners, James and Kelli Halsell and Joe and Candace Halsell, for approval of the following:

1. **Case no. 15RZN-00000-00011: A rezone from 2-E-1 to 1-E-1 consistent with the provisions of Orcutt Community Plan Policy KSB-1.**

2. **Case no. 15TRM-00000-00004 (TM 14,819): A Tentative Tract Map in compliance with County Code Chapter 21 to subdivide the 5.74 gross/5.48 net-acre lot into 5 lots of 1.41 acres gross/1.36 acres net (Lot 1), 1.11 acres gross/1.10 acres net (Lot 2), 1.03 acres gross/1.00 acre net (Lot 3), 1.10 acres gross/1.02 acres net (Lot 4), and 1.09 acres gross/1.00 acre net (Lot 5) on property zoned 1-E-1.**

Grading and Drainage: Grading for the proposed private access driveway and storm water retention basin would be approximately 9,310 cubic yards of cut and 988 cubic yards of fill. Storm water run-off from the access driveway and turnaround would be collected by a bioretention system and conveyed by a storm drain to a retention basin at the north side of Lots 1 and 2. Storm water runoff from the five proposed lots would be conveyed overland to the retention basin.

Access: The five single family lots would be accessed from a new 36-foot-wide extension of a private drive (Claret Lane) that would connect to Black Oak Drive via a private access easement across APN 101-400-007 and terminate in a cul-de-sac from which individual driveways would access the five lots. The private drive would have a four foot wide decomposed granite path within a ten foot wide easement on each side. The portion of the private drive located within the subdivision would be maintained via a recorded road maintenance agreement encumbering the owner of each parcel.

Utilities and Service: Water would be provided by Golden State Water Company via the purchase of 2.8 acre-feet of supplemental water from the City of Santa Maria. Waste disposal would be provided by Laguna Sanitation via proposed new sewer lines. Electrical service would be provided by PG&E, gas service by SOCAL Gas, telephone by Verizon, and digital services by Comcast.

2.0 PROJECT LOCATION

The subject parcel is located approximately 0.5 miles south of East Clark Avenue, between U.S. Highway 101 and State Route 135, at the southern terminus of Deer Hollow Lane, Orcutt, and is identified as Assessor's Parcel Number 103-200-065, 4th Supervisorial District.

2.1 Site Information	
Comprehensive Plan Designation	Urban, RES-1.0, Orcutt Community Plan Area
Zoning District, Ordinance	Land Use & Development Code, 2-E-1, 2-acre minimum lot size, Orcutt Community Plan Key Site B
Site Size	5.74 (gross) / 5.48 (net) acres
Present Use & Development	Vacant / Undeveloped
Surrounding Uses/Zoning	North: Residential Development, 2-E-1

	South:	Planned Residential Development, PRD
	East:	Residential Development, 2-E-1, PRD
	West:	Residential Development, 1-E-1
Access	New private cul-de-sac (Claret Drive) accessed from Black Oak Drive (to be extended through Vintage Ranch) via Stillwell Road	
Public Services	Water Supply	Golden State Water Company
	Sewage:	Laguna Sanitation via proposed new sewer lines
	Fire:	Santa Barbara County Fire Station no. 22, 1596 Tiffany Park Court
	Police:	Santa Barbara County Sheriff
	Other:	Orcutt and Santa Maria Union School Districts

3.0 ENVIRONMENTAL SETTING

3.1 PHYSICAL SETTING

Slope/Topography: The subject parcel slopes gently from approximately 570 feet above mean sea level (msl) in the southeast corner, to approximately 550 feet above msl in the northwest corner, towards a steep gulley in the northwest corner of proposed Parcel 1. The approximately 5.74-acre lot has an average slope of 8.5 percent. The proposed parcels' slopes are as follows: Lot 1, 17.9 percent; Lot 2, 6.7 percent; Lot 3, 6.3 percent; Lot 4, 3.6 percent; and Lot 5, 4.6 percent.

Fauna: A biological resources assessment was conducted for the proposed project by Rincon Consultants Inc. in January of 2016 (Weichert and Boggs, February 23, 2016). An addendum to the February 2016 study was submitted to address subsequent revisions to the project plans to include construction of a storm water retention basin (Boudreau, Weichert, and Boggs, October 19, 2016). These reports are included as Attachment 4 of this MND. The results of the database and literature review performed for the study indicated that six special status animal species have the potential to occur based on the presence of suitable habitat on or adjacent to the project site, including the California tiger salamander (CTS), western red bat, Townsend's big-eared bat, pallid bat, silvery legless lizard, and Blainville's (coast) horned lizard. In addition, trees and shrubs are present within the project area that could provide suitable habitat for nesting birds, such as the western scrub jay, and monarch butterflies. Red-tailed hawk, red-shouldered hawk, and white-tailed kite were observed perching and foraging on the site during the biological survey. No mammals or animal burrows were observed, which was attributed to the parcel's history of grazing and disking.

Flora: Based on the biological resources assessment performed for the proposed project, the project area is covered with disturbed grassland with evidence of grazing and disking present throughout most of the site. While the Orcutt Community Plan and aerial imagery from 2002 document coastal scrub habitat covering most of the parcel, historical photographs indicate that the parcel was mostly cleared of coastal scrub by 2003. The area is now covered with disturbed non-native annual grassland and groves of nonnative trees. The 2016 biological resources assessment identified four vegetation communities within the subject parcel: non-native annual grassland, eucalyptus grove, non-native tree grove, and ruderal. No special status plant species were identified during the surveys. Scattered trees are present within the project area and consist primarily of eight coast live oaks, eucalyptus (both individually and in groves), and individual Monterey pine trees.

Archaeological Sites: Based on the results of a Phase 1 Survey conducted by Dudek, Inc. (Stone and McDaniel, February 25, 2016), there are no archaeological sites within the project area.

Soils: Soils on the subject parcel consist of Garey Sandy Loam (GaC2) and Marina Sand (MaE3). The parcel does not contain prime soil or important farmland.

Surface Water Bodies: There are no surface water bodies on the subject parcel. Two tributaries of Orcutt Creek are located approximately 275 feet northeast, and 800 feet southwest, of the parcel boundaries. The head of a large gully is present in the northwest corner of the parcel. The gully is an erosional feature with steep walls of crumbling soil, debris, and fallen vegetation. At the time of the biological survey, the gully did not contain standing water, hydrophytic vegetation, or features consistent with a bed or bank, and therefore was not analyzed as a jurisdictional feature.

Surrounding Land Uses: The project site is located in a semi-rural area of southeast Orcutt, surrounded by low-density residential development to the north and west. The Mesa Verde and Vintage Ranch residential subdivision projects are located to the east and south, respectively. Vintage Ranch is approved but not yet constructed.

Existing Structures: The subject parcel is undeveloped.

3.2 ENVIRONMENTAL BASELINE

The environmental baseline from which the project's impacts are measured consists of the physical environmental conditions in the vicinity of the project, as described above.

In addition, development of the project site was generally reviewed under CEQA as part of the Orcutt Community Plan (OCP) Environmental Impact Report (EIR) 95-EIR-01 (certified 7/22/97) which is incorporated herein by reference. The Orcutt Community Plan was prepared to provide guidance for anticipated growth in Orcutt and to address the deficiencies of existing development patterns. As part of the planning process, an Environmental Impact Report (EIR) was prepared to provide full disclosure of the significant effects on the environment of the proposed Orcutt Community Plan Update (Volume I). The EIR also provided for consideration of plan alternatives that could substantially reduce the significant environmental effects of the proposed plan and identified mitigation measures which could reduce or avoid the significant environmental effects of the proposed plan. While the OCP EIR (Volume II) included specific review of certain "Key Sites" and their potential future development, Key Site B was not subject to this focused analysis. However, based on the analysis in the OCP EIR, the Orcutt Community Plan contains development standards for each Key Site, including Key Site B. Key Site B's development standards will be discussed further in the appropriate sections as they relate to environmental issues. The OCP and OCP EIR may be found online at http://longrange.sbcountyplanning.org/planareas/orcutt/orcutt.php. Copies are also available at Planning & Development, 640 W. Foster Road, Suite C, Santa Maria, 93436.

The proposed project would take access through, and connect to a sewer lift station within, the Vintage Ranch subdivision project (Case nos. 15DVP-00000-00002 and 15TRM-00000-00002, approved by the Planning Commission on January 11, 2017), which is located immediately to the south of the project site. As of the date of this ND, neither the road nor the lift station on the Vintage Ranch property have been constructed. The Addendum to the OCP EIR that was prepared for the Vintage Ranch project, which analyzed the impacts of the road and lift station, is incorporated herein by reference.

4.0 POTENTIALLY SIGNIFICANT EFFECTS CHECKLIST

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

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

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

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

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

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

4.1 AESTHETICS/VISUAL RESOURCES

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

Existing Setting: The project site is located in the urban area of Orcutt, approximately 2,410 feet south of Clark Avenue and 4,655 feet west of U.S. Highway 101, approximately 1,350 feet west of the current terminus of Stillwell Road at Chancellor Street. It is bounded by the Mesa Verde and Vintage Ranch residential subdivision projects to the east and south. The Mesa Verde subdivision is located adjacent to the southeast property line. Four- to five-acre parcels developed with single family residences surround the site to the west, north, and northeast. Views of this site are limited to the immediate neighboring properties. The northwest corner of the site is adjacent to a portion of the Orcutt Open Space Overlay located on private property.

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

Impact Discussion:

(a) Future development on the subject parcel would not be visible from public roads or other public viewing places, and thus would not obstruct any scenic vista or view open to the public, or create an aesthetically offensive site open to public view. Impacts would be less than significant.

(b, c) The proposed project would rezone the approximately five-acre property from 2-E-1 to 1-E-1, allowing the creation of four net new lots, for a total of five, approximately 1-acre parcels; a new driveway and storm water retention basin would also be installed to serve future development. This rezone was anticipated and recommended in the Orcutt Community Plan and represents the density analyzed in the Orcutt Community Plan EIR (OCP EIR) (95-EIR-1) for this site. The site is surrounded by existing or planned residential development of varying densities, and the project would be consistent with the residential character of the area as envisioned in the OCP. However, future residential development would alter the existing character of

the site, as it is currently vacant, and located adjacent to a designated open space overlay area. Specifically, increased night lighting could affect adjoining open space and residential areas. Visual impacts could also occur from unmaintained storm water basins. These impacts were identified in the OCP EIR as VIS-2 and VIS-3, respectively. In order to address these impacts, OCP EIR Mitigation Measure VIS-2 requires shielding of exterior lighting for development adjacent to the Open Space Overlay, with light directed away from the open space areas. OCP EIR Mitigation measure VIS-2.1 requires all outdoor lighting in Orcutt to be designed and placed in a manner that minimizes impacts on neighboring properties and the community in general. These requirements have been updated as a standard condition since the adoption of the OCP and the updated measure is included below as **Mitigation Measure 1.** OCP EIR mitigation measure VIS-3 (**Mitigation Measure 2**, below) provides direction for fencing and landscaping of public and private storm water basins, and requires that maintenance be determined through implementation of a Landscape-Open Space Maintenance District. The proposed project includes an onsite storm water retention basin on portions of proposed Parcels 1 and 2. As an Orcutt Landscape-Open Space Maintenance District has not been formed, the measure is revised below to require the recordation of Codes, Covenants and Restrictions (CC&Rs) which provide for shared maintenance responsibilities of the onsite basin by all owners (**Mitigation Measure 3**). Implementation of these updated, standard measures would ensure consistency with the OCP EIR policies adopted to mitigate visual resource impacts in these areas.

(d) Future build-out of the proposed lots with residential development of a size or style incompatible with the surrounding neighborhood and with the low-density nature of existing development could result in the construction of visually incompatible structures. **Mitigation Measure 4**, which requires building designs to be compatible with the surrounding neighborhood, natural building materials and colors compatible with surrounding terrain, and Board of Architectural Review of plans for development, including landscaping, would reduce this impact to less than significant.

Cumulative Impacts:

The implementation of the project is not anticipated to result in any substantial change in the aesthetic character of the area since mitigation measures would ensure that future development of the lots would be visually compatible with the surrounding neighborhood and because as discussed in (a) above, public views of the project site would be limited. Additionally, consistent with the new 1-E-1 zoning of the property, the proposed project would create four net new lots of over one acre each. The Orcutt Community Plan EIR (p. 5.15-7 to 5.15-14) analyzed the impacts of buildout of the community planning area on the aesthetics and visual resources of the area. The EIR found that the impacts of buildout on aesthetics would be significant and unavoidable, and a Statement of Overriding Consideration was adopted. Specifically, the expansion of the existing urban area would result in the loss of existing urban perimeters, alteration of overall community character, loss of regional open space, and loss of traditional community boundaries, creating significant and unavoidable cumulative regional open space/aesthetic impacts. The cumulative impacts associated with the development of the community were adequately addressed in the Community Plan EIR. With incorporation of the mitigation measures identified below, this five-lot subdivision would not result in a cumulatively considerable contribution to visual resources impacts resulting from Plan buildout.

Mitigation and Residual Impact:

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

1. **Aest-10 Lighting.** The Owner/Applicant shall ensure any exterior night lighting installed on the project site is of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. All exterior lighting shall be directed away from designated open space areas. The Owner/Applicant shall install timers or otherwise ensure lights are dimmed after 10 p.m. **PLAN REQUIREMENTS:** The Owner/Applicant shall depict all exterior lighting on building plans. Building plans shall show locations and height of all exterior lighting fixtures with arrows showing the direction of light being cast by each fixture. **TIMING:** Lighting shall be installed in

compliance with this measure prior to Final Building Inspection Clearance. **MONITORING:** P&D and/or BAR shall review project building plans for compliance with this measure prior to approval of a Zoning Clearance for structures. P&D Permit Compliance staff shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the project plans.

2. **Aest-Sp1 Storm Water Retention Basin.** The use of perimeter fencing shall be avoided to the maximum extent feasible. Where required, perimeter fencing shall be of a decorative nature. Any perimeter landscaping shall consist of low-maintenance trees and shrubs, as well as turf, etc. Maintenance shall be determined through recordation of CC&Rs signed by all property owners. **PLAN REQUIREMENTS:** The Owner/Applicant shall depict all basin fencing (if any) and landscaping on building plans, including details of plant type, size, and irrigation, if any. **TIMING:** Fencing and landscaping shall be installed in compliance with this measure prior to Final Building Inspection Clearance. **MONITORING:** P&D shall review project building plans for compliance with this measure prior to approval of a Zoning Clearance for structures. P&D Permit Compliance staff shall inspect structures upon completion to ensure that fencing, if any, and landscaping have been installed consistent with their depiction on the project plans.

3. **Map-07 CCR Maintenance.** The Applicant shall record Codes Covenants and Restrictions (CC&Rs) or other satisfactory legal instrument to provide for shared maintenance responsibilities by all owners for the:

   a. Storm water retention basin and appurtenant landscaping, fencing and access;

   b. Storm Water Quality Management Plan components; and

   c. Common parking areas and/or access ways.

   PLAN REQUIREMENTS AND TIMING: The CC&R or other legal instrument language is subject to approval of Flood Control, P&D and County Counsel. In addition, prior to map recordation, the Owner/Applicant shall record a buyer notification that reads as follows: "IMPORTANT: BUYER NOTIFICATION: County approval shall be obtained for amendments to any CC&R or other legal agreement provision related to items listed in this Mitigation Measure. All owners shall maintain property in compliance with all conditions of approval for the project." **MONITORING:** Prior to issuance of Zoning Clearance for initial tract improvements, the applicant/owner shall submit approved CC&R or other legal agreement document. With the incorporation of these measures, residual impacts would be less than significant.

4. **Aest-04 BAR Required**. The Owner/Applicant shall obtain Board of Architectural Review (BAR) approval for project design. All project elements (e.g., design, scale, character, colors, materials and landscaping) shall be compatible with vicinity development. Natural building materials and colors compatible with surrounding terrain (earth-tones and non-reflective paints) shall be used on exterior surfaces of all structures, including fences. **TIMING**: The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain Final BAR approval prior to issuance of Zoning Clearances for development of individual lots. Grading plans, if required, shall be submitted to P&D concurrent with or prior to BAR plan filing. **MONITORING**: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that the project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.

4.2 AGRICULTURAL RESOURCES

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

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

The project site does not contain a combination of acreage and/or soils which render the site an important agricultural resource. The site does not adjoin and/or will not impact any neighboring agricultural operations.

Mitigation and Residual Impact: No impacts are identified. No mitigations are necessary.

Cumulative Impacts:

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

4.3a AIR QUALITY

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
a. The violation of any ambient air quality standard, a substantial contribution to an existing or projected air quality violation, or exposure of sensitive receptors to substantial pollutant concentrations (emissions from direct, indirect, mobile and stationary sources)?			x		
b. The creation of objectionable smoke, ash or odors?			x		
c. Extensive dust generation?		x			

County Environmental Threshold:

Chapter 5 of the Santa Barbara County Environmental Thresholds and Guidelines Manual (as revised in July 2015) addresses the subject of air quality. The thresholds provide that a proposed project will not have a significant impact on air quality if operation of the project will:

- emit (from all project sources, mobile and stationary), less than the daily trigger for offsets for any pollutant (currently 55 pounds per day for NOx and ROC, and 80 pounds per day for PM_{10});
- emit less than 25 pounds per day of oxides of nitrogen (NOx) or reactive organic compounds (ROC) from motor vehicle trips only;
- not cause or contribute to a violation of any California or National Ambient Air Quality Standard (except ozone);
- not exceed the APCD health risk public notification thresholds adopted by the APCD Board; and
- be consistent with the adopted federal and state Air Quality Plans.

No thresholds have been established for short-term impacts associated with construction activities. However, the County's Grading Ordinance requires standard dust control conditions for all projects involving grading activities. Long-term/operational emissions thresholds have been established to address mobile emissions (i.e., motor vehicle emissions) and stationary source emissions (i.e., stationary boilers, engines, and chemical or industrial processing operations that release pollutants).

Impact Discussion:

(a-c) Potential Air Quality Impacts

Short-Term Construction Impacts. The proposed project would create four net new residential lots with average slopes ranging from 3.6 to 17.9 percent. The project includes a new storm water retention basin and associated subsurface drainage features, and future construction activities associated with new residential development would also require grading for a new access cul-de-sac, driveways, and foundations. With the implementation of standard dust control measures that are required for all new development in the County **(Mitigation Measure no. 5)**, earth moving operations at the project site would not have the potential to result in significant project-specific short-term emissions of fugitive dust and $PM_{10,}$

Emissions of ozone precursors (NO_x and ROC) during project construction would result primarily from the on-site use of heavy earthmoving equipment. Due to the limited period of time that grading activities would occur on the project site, construction-related emissions of NO_x and ROC would not be significant on a project-specific or cumulative basis. However, due to the non-attainment status of the air basin for ozone, the project should implement measures recommended by the APCD to reduce construction-related emissions of ozone precursors to the extent feasible. Compliance with these measures is routinely required for all new development in the County.

Long-Term Operation Emissions. Long-term emissions are typically estimated using the CalEEMod computer model program. However, the proposed project, which would create the potential for four net new residential units, is below threshold levels for significant air quality impacts, pursuant to the screening table maintained by the Santa Barbara County APCD. Therefore, the proposed project would not have a potentially significant long-term impact on air quality.

Cumulative Impacts:

The County's Environmental Thresholds were developed, in part, to define the point at which a project's contribution to a regionally significant impact constitutes a significant effect at the project level. In this instance, the project has been found not to exceed the significance criteria for air quality. Therefore, the project's contribution to regionally significant air pollutant emissions is not cumulatively considerable, and its cumulative effect is less than significant (Class III).

Mitigation and Residual Impact:

Implementation of standard conditions placed on future grading plans as implemented through Chapter 14 (Grading Ordinance) of the County Code, along with standard APCD conditions, as well as **Mitigation Measure 5**, below, would reduce potential short-term dust impacts to a less than significant level. The project would not result in significant project-specific long-term air quality impacts.

5. **Air-01 Dust Control**. The Owner/Applicant shall comply with the following dust control components at all times including weekends and holidays:

   Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site.

   a. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease.
   b. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site.

c. Wet down the construction area after work is completed for the day and whenever wind exceeds 15 mph.
d. When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays.
e. Order increased watering as necessary to prevent transport of dust off-site.
f. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed.
g. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately: (i) Seed and water to re-vegetate graded areas; and/or (ii) Spread soil binders; and/or; (iii) Employ any other method(s) deemed appropriate by P&D or APCD.

PLAN REQUIREMENTS: These dust control requirements shall be noted on all grading and building plans. **PRE-CONSTRUCTION REQUIREMENTS**: The contractor or builder shall provide P&D monitoring staff and APCD with the name and contact information for an assigned onsite dust control monitor(s) who has the responsibility to:

a. Assure all dust control requirements are complied with including those covering weekends and holidays.
b. Order increased watering as necessary to prevent transport of dust offsite.
c. Attend the pre-construction meeting.

TIMING: The dust monitor shall be designated prior to issuance of first Grading Permit. The dust control components apply from the beginning of any grading or construction throughout all development activities until Final Building Inspection Clearance is issued. **MONITORING**: P&D processing planner shall ensure measures are on plans. P&D grading and building inspectors shall spot check; Grading and Building shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

4.3b AIR QUALITY - GREENHOUSE GAS EMISSIONS

Greenhouse Gas Emissions - Will the project:	**Poten. Signif.**	**Less than Signif. with Mitigation**	**Less Than Signif.**	**No Impact**	**Reviewed Under Previous Document**
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			x		
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			x		

Existing Setting: Greenhouse gases include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulphur hexafluoride (SF_6), and nitrogen trifluoride (NF_3). The largest source of greenhouse gas emissions from human activities in the United States is from fossil fuel combustion for electricity, heat, and transportation. Specifically, the *Inventory of U.S. Greenhouse Gasses and Sinks* (U.S. Environmental Protection Agency, 2013) states that the primary sources of greenhouse gas emissions in 2013 included electricity production (31%), transportation (27%), industry (21%), commercial and residential (12%), and agriculture (9%). This release of gases creates a blanket around the earth that allows light to pass through but traps heat at the surface, preventing its escape into space. While this is a naturally occurring process known as "the greenhouse effect," there is strong evidence to support that human activities have accelerated the generation of greenhouse gases beyond natural levels. The overabundance of greenhouse gases in the atmosphere has led to a warming of the earth and has the potential to severely impact the earth's climate system. For instance, Santa Barbara County is projected to experience an increase in the number of wildfires, land vulnerable to 100-year flood events, and temperature increases, even under a low-emissions scenario (California Energy Commission, 2015).

Climate change results from greenhouse gas emissions "…*generated globally over many decades by a vast number of different sources*" rather than from greenhouse gas emissions generated by any one project (County of Santa Barbara Planning and Development, 2008). As defined in CEQA Guidelines Section 15355 and discussed in Section 15130, "…a cumulative impact consists of an impact which is created as a result of the combination of the [proposed] project…evaluated…together with other projects causing related impacts." Therefore, by definition, climate change under CEQA is a cumulative impact.

The County of Santa Barbara's *Final Environmental Impact Report for the Energy and Climate Action Plan* (EIR) (PMC, 2015) contains a detailed description of the proposed project's existing regional setting as it pertains to greenhouse gas emissions.

Environmental Threshold: CEQA Guidelines Section 15183.5(a) states,

> Lead agencies may analyze and mitigate the significant effects of greenhouse gas emissions at a programmatic level, such as in…a separate plan to reduce greenhouse gas emissions. Later project-specific environmental documents may tier from…that existing programmatic review…a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the requirements in a previously adopted plan…

In May 2015, the County of Santa Barbara Board of Supervisors adopted the *Energy and Climate Action Plan* (ECAP) (County of Santa Barbara Long Range Planning Division, 2015) and certified the accompanying EIR (SCH# 20144021021) (PMC, 2015). The ECAP includes a greenhouse gas emissions forecast for unincorporated Santa Barbara County to 2035 and otherwise meets the criteria in CEQA Guidelines Section 15183.5(b) for a "plan to reduce greenhouse gas emissions." The ECAP commits the County to reduce community-wide greenhouse gas emissions by 15 percent below 2007 levels by 2020 consistent with the California Global Warming Solutions Act of 2006 (AB 32) and the related *Climate Change Scoping Plan* (California Air Resources Board, 2008). The ECAP concludes that the County can meet this emission reduction target by implementing 53 existing and new County projects, policies, and programs ("emission reduction measures"), such as an energy checklist for residential building permits (BE 2), energy efficiency education and outreach programs (BE 4), and additional opportunities to recycle cardboard, glass, paper, and plastic products (WR 2). As a result, specific projects included in the ECAP's emission forecast are not currently required to incorporate emission reduction measures listed in the ECAP or any other mitigation measures to reduce greenhouse gas emissions. Concurrent with the ECAP, the Board of Supervisors also adopted an amendment to the Energy Element of the Comprehensive Plan that requires the County to monitor progress meeting the emission reduction target and, as necessary, update the ECAP.

The growth estimates used in the ECAP's greenhouse gas emissions forecast were based on the *Santa Barbara County Regional Growth Forecast 2005-2040* (Santa Barbara County Association of Governments, 2007) and the 2010 U.S. Census. The growth estimates were based on factors such as population projections, vehicle trends, and planned land uses. The sources of greenhouse gas emissions included various sectors, such as transportation, residential energy, commercial energy, off-road, solid waste, agriculture, water and wastewater, industrial energy, and aircraft. As a result, most residential and commercial projects that are consistent with the County's zoning (in 2007) were included in the forecast. However, certain projects were not included in the emissions forecast, such as stationary source projects (e.g., large boilers, gas stations, auto body shops, dry cleaners, oil and gas production facilities, and water treatment facilities), Comprehensive Plan amendments, and community plans that exceed the County's projected population and job growth.

A proposed project that was included in the ECAP's emissions forecast may tier from the ECAP's EIR for its CEQA analysis of greenhouse gas emissions. A project that tiers from the ECAP's EIR is considered to be in

compliance with the requirements in the ECAP and, therefore, its incremental contribution to a cumulative effect is not cumulatively considerable (Class III).

Impact Discussion:

The proposed project would result in four net new residential lots. This incremental increase in allowable residential development is still within the range that was analyzed for overall buildout of the Orcutt Community Plan area. Thus, this type of individual project's expected GHG emissions were included in the ECAP's forecasted 2020 emissions As such, its impacts are mitigated by the 53 emission reduction measures specified in the ECAP. Therefore, the impact of this individual project is considered less than significant, and no mitigation measures are required.

While climate change impacts cannot result from a particular project's greenhouse gas emissions, the project's incremental contribution of greenhouse gas emissions combined with all other sources of greenhouse gases may have a significant impact on global climate change. For this reason, a project's contribution to greenhouse gas emissions is analyzed below under "Cumulative Impacts."

Cumulative Impacts: The ECAP quantifies and forecasts greenhouse gas emissions for certain non-stationary sectors within unincorporated Santa Barbara County through 2020. As discussed under "Impact Discussion" above, the proposed project was included in the ECAP's greenhouse gas emissions forecast. As a result, the project will tier from the ECAP's certified EIR for its cumulative impact analysis of greenhouse gas emissions. The EIR contains a programmatic analysis of greenhouse gas emissions for unincorporated Santa Barbara County.

The ECAP contains 53 County and community-wide programmatic emission reduction measures to achieve the 15 percent greenhouse gas emissions reduction target by 2020. The County recently created the Energy and Sustainability Initiatives Division and is taking other steps to implement and monitor the effectiveness of these measures throughout the unincorporated county. The ECAP does not require the proposed project to incorporate any project-specific emission reduction measures or any mitigation measures to reduce greenhouse gas emissions. Therefore, the project complies with the requirements of the ECAP and, as provided in CEQA Guidelines 15183.5(b), its incremental contribution to the cumulative effect is not cumulatively considerable and would not have a significant impact on the environment (Class III).

Mitigation and Residual Impact: Since the proposed project would not have a significant impact on the environment, no additional mitigation is necessary. Therefore, residual impacts would be less than significant.

References:

California Air Resources Board, *Climate Change Scoping Plan*, December 2008.

California Energy Commission, http://cal-adapt.org/tools/factsheet/, as accessed on August 31, 2015.

County of Santa Barbara Long Range Planning Division, *Energy and Climate Action Plan*, May 2015.

County of Santa Barbara Long Range Planning Division, *Planner's Step-by-Step Guide for Evaluating Greenhouse Gas Emissions*, July 2015.

County of Santa Barbara Planning and Development, *Environmental Thresholds and Guidelines Manual*, October 2008 (Revised July 2015).

PMC, *Final Environmental Impact Report for the Energy and Climate Action Plan*, May 2015.

Santa Barbara County Association of Governments, *Santa Barbara County Regional Growth Forecast 2005-2040*, August 2007.

U.S. Environmental Protection Agency, *Inventory of U.S. Greenhouse Gasses and Sinks: 1990-2011*, April 2013.

4.4 BIOLOGICAL RESOURCES

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

Existing Plant and Animal Communities/Conditions:

Background and Methods:

Santa Barbara County has a wide diversity of habitat types, including chaparral, oak woodlands, wetlands and beach dunes. These are complex ecosystems and many factors are involved in assessing the value of the resources and the significance of project impacts. For this project, a biological resources assessment was conducted for the proposed project by Rincon Consultants Inc. in January of 2016 (Weichert and Boggs, February 23, 2016). An addendum to the February 2016 study was submitted to address subsequent revisions to the project plans to include construction of a storm water retention basin (Boudreau, Weichert, and Boggs, October 19, 2016). Additional information about the ranges, habitat preferences, and observed habits of three rare plant species with the potential to occur in the area was provided in an email from Kyle Weichert (Rincon Consultants) on August 28, 2017. The following analysis is based on this information.

Flora: Vegetation on the 5.74-acre site, which has been subject to extensive prior grading and disking, is dominated by disturbed non-native annual grassland and groves of non-native trees. The 2016 biological resources assessment identified four vegetation communities within the subject parcel: non-native annual grassland, eucalyptus grove, non-native tree grove, and ruderal. Scattered trees are present within the project area and consist primarily of eight coast live oaks, eucalyptus (both individually and in groves), and individual Monterey pine trees. No special status plant species were identified during the surveys. However, the results of the biological resources assessment indicate that three special status plants have the potential to occur in the area: Cambria morning glory, paniculate tarplant, and California spineflower.

Fauna: Based on the results of the biological resources assessment, the following special status animal species have the potential to occur in the area: California tiger salamander (CTS), Western red bat, Townsend's big-eared bat, Pallid bat, Silvery legless lizard, and Blainville's (coast) horned lizard. Regarding CTS, the report notes that no suitable aquatic or upland breeding habitat is present, and the site is assessed as having an extremely low potential for transient occurrence. In addition, trees and shrubs are present within the project area that could provide suitable habitat for nesting birds, such as the western scrub jay, and monarch butterflies. Red-tailed hawk, red-shouldered hawk, and white-tailed kite were observed perching and foraging on the site during the biological survey. The October 2016 addendum concluded that overwintering monarch butterflies would be unlikely to occur or be impacted by project-related construction.

Thresholds:
Santa Barbara County's Environmental Thresholds and Guidelines Manual (2008) includes guidelines for the assessment of biological resource impacts. The following thresholds are applicable to this project:

Individual Native Trees: Project created impacts may be considered significant due to the loss of 10% or more of the trees of biological value on a project site.

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

Impact Discussion:

(a-c, e) Although the OCP and aerial imagery from 2002 document coastal scrub habitat covering most of the parcel, historical photographs show the site as largely cleared of coastal scrub by 2003, and only a few individual sage plants exist on site today. Impacts to vegetation, including special status plants, were previously considered in the OCP EIR, including impacts BIO-30.l, Elimination of Rare Plants, and KSB-BIO-1, Loss of Vegetation and Habitat. OCP EIR Mitigation Measure BIO-29 requires preparation and implementation of a mitigation plan for any project which eliminates rare plants. The biological survey report for the proposed project indicates that three special status plant species have the potential to occur in the study area (Cambria morning glory, paniculate tarplant, and California spineflower.) The report also states that the site contains only marginally suitable habitat for these species and they are unlikely to occur at due to its highly disturbed condition.~~, and none~~ None of these species were identified on site at the time of the survey.

Cambria morning-glory (*Calystegia subacaulis* subsp. *episcopalis*) is an annual herb that is native and endemic to California. The general range of the subspecies extends from southwestern San Luis Obispo County south to western Santa Barbara County. It occurs at elevations between 0 and 500 meters above mean sea level. This subspecies usually occurs in clay substrates within chaparral, cismontane woodland, coastal prairie, and valley and foothill woodland. The nearest Cambria morning glory occurrence is greater than 3.5 miles from the site. Cambria morning-glory is typically common to abundant where it occurs but does not usually comprise the dominant species within the habitat type. It also tends to have a locally patchy distribution occurring only where soil conditions are suitable. Marginally suitable soil and

grassland habitat is present onsite. However, due to the current land use and level of disturbance, and the predominance of sandy soils, the potential for Cambria morning-glory to occur on site is low. If it occurred onsite, it would likely be confined to patches where soils contained suitable clay components.

Paniculate tarplant (*Deinandra paniculata*) is an annual herb that is native to California. The general range of the species extends from the Morro Bay region of San Luis Obispo County south to central San Diego County. The core population occurs in eastern Riverside County, southern Orange County, and northwest San Diego County. Another widely documented population occurs in the Vandenberg Village and Mission Hills area of Santa Barbara County. It occurs at elevations between 0 and 1,320 meters above mean sea level. This species is typically found in sandy soils in vernally mesic areas in grassland, open chaparral and woodland, and disturbed habitats. This species has not been documented within five miles of the site. Suitable soils are present within the site; however, grassland habitat present onsite is marginal for this species, as vernally mesic areas are not present. As such, the potential for paniculate tarplant to occur onsite is low. If it occurred onsite, it would like be confined to areas within the grassland that contain the most mesic conditions.

California spineflower (*Mucronea californica*) is an annual herb that is native and endemic to California. The general range of the species extends from northern Monterey County and central San Benito County south to southwestern San Diego County. It occurs at elevations between 0 and 1,400 meters above mean sea level. This species occurs on sandy soils within chaparral, cismontane woodland, coastal dunes, coastal scrub, and valley and foothill grassland habitats, and has been documented on Key Site 7 (Vintage Ranch) to the south of the subject parcel. This species is typically found in low to moderately dense patches in sandy opening between shrubs in chaparral and coastal scrub habitat and does not typically grow in large monotypic swaths. Marginally suitable sandy soil is present onsite, but chaparral and coastal scrub habitat is not currently present onsite; however, aerial imagery suggests that coastal scrub habitat was present onsite in 2002 and removed sometime during 2003. Current land use includes mowing and disking multiple times annually. Because the site is continuously disturbed by mowing and disking, and contains only marginally suitable soils, the potential for California spineflower to occur onsite is low.

However, given the range of these species, and the fact that it may be several years before development occurs on the site, the potential remains, though remote, for these species to propagate the site. Therefore, **Mitigation Measure 6** requires appropriately timed preconstruction floristic surveys for special status plants to assess impacts, if any, and **Mitigation Measure 7,** preparation of a mitigation plan, if required.

At the time of the biological survey, the subject parcel contained eight coast live oak trees, some of which are mature, healthy specimen trees. As identified in OCP EIR (impact BIO-31), removal of oak trees due to site development would be potentially significant due to the wildlife habitat value that even a single oak tree in an urban environment provides for insects, reptiles, birds, and small mammals. Construction of the onsite storm water retention basin would require removal of one coast live oak tree. **Mitigation Measure 8** requires protection of onsite oaks to the greatest extent feasible, and replacement in accordance with County standards if they are removed or damaged as a result of future construction. With these measures, the project would not cause a loss or disturbance to a unique, rare, or threatened plant community, or a reduction in the numbers or restriction in the range of any unique, rare, or threatened species of plant, or cause a reduction in the extent, diversity, or quality of native vegetation.

(d, h) The subject parcel contains individual and stands of mature eucalyptus of habitat value that are used by songbirds and raptors for nesting and roosting. Construction of the access drive cul-de-sac and onsite retention basin would require removal of three individual eucalyptus trees. Construction during the nesting season could adversely impact these birds. This impact would be mitigated by **Mitigation Measure 9**, requiring construction to occur outside of the nesting season, or if this is not feasible, the performance of pre-construction nesting bird surveys and appropriate fencing and avoidance of trees with nests.

(f) The subject parcel has been subject to disking and vegetation removal for many years, and does not currently contain substantial habitat value. As such, the introduction of human habitation would not have a significant impact in terms of changing or hampering the existing habitat.

(g) According to the Biological Resources Assessment prepared for the project (Biological Resources Assessment Letter Report, Rincon Consultants, February 2016), the project is within the potential range of the California Tiger Salamander. CTS was not detected in the study area during the reconnaissance survey. The subject parcel is not located within the species dispersal distance (1.24 miles) of known breeding ponds. The closest known breeding pond, ORCU-3, is located approximately 1.6 miles southeast of the project site (USFWS, 2010). The project is within the dispersal distance of one potential breeding pond, ORCU-2, which is approximately 1.0 mile southeast of the project site (USFWS 2010). The project area does not contain aquatic features, and therefore, no suitable breeding or aquatic habitat for CTS is present. Furthermore, the project area has been disturbed by periodic tilling and grazing and as a result, no animal burrows were detected. The biological report states that, as such, the onsite upland habitat within the project area is low quality and generally unsuitable for CTS as refuge during the non-breeding season. Considering that the site is located within the dispersal distance of a potential breeding pond (ORCU-2) and other potentially suitable aquatic habitat with no major barriers to movement between these habitat features and the project area, CTS would only be expected to occur transiently when dispersing between aquatic habitat and suitable upland refuge sites. However, ORCU-2 has several major impediments to future dispersal through the study area due to development of properties within potential dispersal routes. Specifically, the built-out Mesa Verde subdivision is located between the project site and the closest breeding ponds. Based on the condition of the site compared to upland habitats that are of much higher quality on adjacent properties, the probability of CTS occurring transiently within the BSA is extremely low and therefore the potential for the project to impact CTS is also low. As a result, the potential for take of California tiger salamander during construction of residences, roads, or other infrastructure is considered extremely low and no mitigation is required. However, the project is conditioned to require the permittee to obtain all necessary approvals from the California Department of Fish and Wildlife, the U.S. Fish and Wildlife Service, and/or National Marine Fisheries Service, including an Incidental Take Permit and/or Habitat Conservation Plan for the California Tiger Salamander, if required, prior to Zoning Clearance issuance for individual lot development. Additionally, while eucalyptus trees are present on the parcel, the October 2016 addendum stated that overwintering monarch butterflies would be unlikely to occur or be impacted by project-related construction. Therefore, the proposed project would not cause 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.

(i) The project area does not contain significant wildlife habitat, with the exception of native oaks, and eucalyptus trees used for roosting and nesting. Additionally, after the site is developed, the OCP-designated open space in the vicinity would continue to provide suitable habitat to support resident wildlife species. Impacts to nesting birds are addressed by **Mitigation Measure 9**, above. Future residential development could generate pollutants that could cause impacts to downstream water bodies or habitat. **Mitigation Measure 10** requires that the parking areas and associated driveways be designed to minimize degradation of storm water quality. Impacts would be less than significant with mitigation.

(j) The proposed project is surrounded by residential development with the exception of one small area of designated open space located adjacent to the site's northern property line. This open space area is part of the larger, interconnected OCP-designated open space within Key Site B, which provides protected corridors for wildlife movement. Thus, future development on this site would not be expected to introduce barriers to the movement of any resident or migratory fish or wildlife species. Impacts would be less than significant.

(k) Night lighting associated with future development could hinder the normal activities of wildlife, particularly as the parcel is adjacent to designated open space. This impact would be less than significant with implementation of **Mitigation Measure 1** in Aesthetic/Visual Resources, above, requiring exterior lighting to be downward facing and shielded.

Cumulative Impacts:

The Orcutt Community Plan EIR (p. 5.2-1 to 5.2-35) analyzed the impacts of community plan buildout on the area's biological resources. The EIR found that the impacts of buildout on biological resources would be significant and unavoidable, and a Statement of Overriding Consideration was adopted. Specifically, impacts

on biological resources from buildout include direct removal of open space containing habitat areas; additionally, the remaining open lands could experience a significant reduction in their ability to support what remains of native plant and animal populations. OCP EIR Mitigation Measure BIO-17a (Unified Open Space Overlay) was adopted, in part, to address these impacts. Additionally, OCP EIR Mitigation Measure BIO-21 directs the County to increase land use densities within the urban limit line in order to protect the maximum contiguous open space. The cumulative impacts associated with the development of the community were adequately addressed in the Community Plan EIR. With incorporation of the mitigation measures identified below, this five-lot subdivision would not result in a cumulatively considerable contribution to biological resources impacts resulting from Plan buildout.

Mitigation and Residual Impact:

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

6. **Bio-Sp1 Special Status Plant Surveys.** Prior to any vegetation removal, grubbing, or construction activities associated with initial infrastructure improvements and individual lot development, seasonally timed special status plant surveys shall be conducted by a County-approved biologist in any building areas during each species' flowering period occurring immediately prior to initial ground disturbance. The purpose of the surveys is to document the number, if any, of sensitive plants within construction areas so that mitigation can be accomplished. **PLAN REQUIREMENTS AND TIMING:** The Applicant shall hire a County-qualified biologist to conduct the surveys, which shall be seasonally timed to coincide with the bloom periods for the following species: Cambria morning glory, paniculate tarplant, and California spineflower. All special status plant species identified on site shall be mapped onto a site-specific aerial photograph. Surveys shall be conducted in accordance with the most current protocols established by the CDFW, USFWS, and the local jurisdictions, if said protocols exist. A copy of the survey report and a plan for any recommended avoidance and/or mitigation measures to take to protect sensitive species identified shall be submitted to Planning and Development for review and approval prior to Zoning Clearance issuance. Any protection measures shall be maintained in good condition throughout grading and construction. **MONITORING:** Compliance monitoring staff shall confirm that the surveys have taken place and any protection measures are installed prior to the pre-construction meeting. Compliance monitoring staff shall ensure through periodic site inspections that any protection measures are maintained in good condition throughout grading and construction.

7. **Bio-Sp2 Mitigation Plan (OCP EIR Mitigation BIO-29).** A mitigation plan shall be required of any project which eliminates rare plants. Mitigation should strive for avoidance first, followed by preservation, restoration, and finally recreation. The mitigation plan shall identify the number or acreage of individuals impacted, include replacement ratios, performance criteria, monitoring and performance bonds. The State Department of Fish & Game should be consulted prior to development of the mitigation plan. **PLAN REQUIREMENTS AND TIMING:** If required, a mitigation plan shall be submitted for P&D review and approval prior to approval of Zoning Clearances. The mitigation shall be completed and a report submitted to P&D prior Grading Permit issuance.

8. **Bio-Sp3 Oak Tree Protection (OCP EIR Mitigation BIO-26)** Oak trees shall be protected to the maximum extent feasible. All land use development applications shall be processed in such a manner as to avoid damage to oak trees. Measures taken to preserve oak trees should include modification of project design. The area protected from grading, paving and other disturbances should include the area 6 feet outside of the dripline. Where oak trees are killed, they shall be replaced in a manner consistent with County standards. All grading, trenching, ground disturbance, construction activities and structural development shall occur beyond six feet of the dripline of all native oak trees.

a. Prior to the approval of a Zoning Clearance for grading or construction, all native oak trees shall be fenced at least six feet beyond the dripline. Fencing shall be at least three feet in height of

chain link or other material acceptable to P&D and shall be staked every six feet. The Owner/Applicant shall place signs stating "tree protection area" at 15 foot intervals on the fence. Fencing and signs shall remain in place throughout all grading and construction activities.

b. No tree removal or damage is authorized by this permit. However, any unanticipated damage to trees or sensitive habitats from construction activities shall be mitigated in a manner approved by P&D. This mitigation shall include but is not limited to posting of a performance security, tree replacement up to a 10:1 ~~(15:1 for Valley or Blue Oaks)~~ ratio and hiring of an outside consulting biologist or arborist to assess damage and recommend mitigation. If it becomes necessary to remove a tree not planned for removal, if feasible, the tree shall be boxed and replanted. The required mitigation shall be done under the direction of P&D prior to any further work occurring onsite. Any performance securities required for installation and maintenance of replacement trees will be released by P&D after its inspection and confirmation of such installation and maintenance.

c. To help ensure the long term survival of native oak trees, no permanent irrigation systems are permitted within six feet of the dripline of native oak trees. Any landscaping must be of compatible species requiring minimal irrigation. Drainage plans shall be designed so that tree trunk areas are properly drained to avoid ponding.

PLAN REQUIREMENTS: Fencing shall be graphically depicted on project plans. **TIMING**: This condition shall be printed on project plans submitted for Zoning Clearance and installed prior to Grading or Building Permit issuance. **MONITORING**: P&D shall review plans and confirm fence installation prior to issuance of grading permit. Grading and Building staff shall conduct site inspections to ensure compliance during grading and construction.

9. Bio-2a Raptor, Special Status Species, and Nesting Bird Protection. To avoid disturbance of nesting and special status birds including raptorial species protected by the MBTA and Sections 3503, 3503.5, and 3513 of the California Fish and Game Code, proposed Project activities, including, but not limited to, vegetation removal, ground disturbance, and construction shall occur outside of the bird breeding season (February 1 through August 15). If these activities must begin within the breeding season, then pre-construction surveys shall be conducted.

PLAN REQUIREMENTS AND TIMING: Nesting bird surveys shall be conducted no more than one week prior to any construction activities that occur between February 1 through August 15. The nesting bird pre-construction survey shall be conducted within the disturbance footprint and a 500-foot buffer as allowable without trespassing on private lands. The survey shall be conducted by a County-qualified biologist familiar with the identification of raptors and special status species known to occur in Santa Barbara County using typical methods. If nests are found, a buffer ranging in size from 100 for nesting passerine species to 500 feet for nesting raptors shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within this buffer until the County-qualified biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Nesting bird surveys are not required for construction activities occurring between August 16 and February 1.

MONITORING: Planning and Development compliance monitoring staff shall ensure compliance prior to and throughout construction.

10. Bio-10 Storm Water BMPs. To minimize pollutants impacting downstream water bodies or habitat, the private driveway and cul-de-sac shall be designed to minimize degradation of storm water quality. Best Management Practices (BMPs) such as landscaped areas for infiltration (vegetated filter strips, bioswales, or bioretention areas), designed in accordance with the

California Stormwater BMP Handbook for New Development and Redevelopment (California Stormwater Quality Association) or other approved method shall be installed to intercept and remove pollutants prior to discharging to the storm drain system. The BMPs selected shall be maintained in working order. The landowner is responsible for the maintenance and operation of all improvements and shall maintain annual maintenance records. A maintenance program shall be specified in an inspection and maintenance plan and include maintenance inspections at least once a year. Long term maintenance shall be the responsibility of the HOA. A maintenance program shall be specified in the CC&Rs or other suitable mechanism. The plans and a copy of the long-term maintenance program shall be submitted to P&D and Public Works, Water Resources Division staff, for review prior to approval of Zoning Clearance or Land Use Permit for initial tract improvements (i.e. the private access drive, cul-de-sac, drainage improvements and storm water retention basin). BMP maintenance is required for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once a year and retain proof of inspections. **PLAN REQUIREMENTS**: The BMPs shall be described and detailed on the site, grading and drainage and landscape plans, and depicted graphically. The location and type of BMP shall be shown on the site, building and grading plans. **TIMING**: The plans and maintenance program shall be submitted to P&D for approval prior to Zoning Clearance or Land Use Permit for initial site improvements. **MONITORING:** P&D compliance monitoring staff shall site inspect for installation prior to Final Building Inspection Clearance. The HOA shall make annual maintenance records available for review by P&D upon request.

With the incorporation of these measures, residual impacts would be less than significant.

4.5 CULTURAL RESOURCES

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

Existing Setting:

For at least the past 10,000 years, the area that is now Santa Barbara County has been inhabited by Chumash Indians and their ancestors. Based on the results of a Phase 1 Survey conducted by Dudek, Inc. (Stone and McDaniel, February 25, 2016), there are no archaeological sites within or adjacent to the project area.

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

Impact Discussion:

(a-g) The potential for undiscovered cultural resources to exist onsite is low. In order to comply with cultural resource policies, future development would be conditioned with a standard archaeological discovery clause which requires that any previously unidentified cultural resources discovered during site development are treated in accordance with the County's Cultural Resources Guidelines. Impacts would be less than significant.

(h) On December 2, 2016 a formal notice of application completeness for the proposed project was sent to Julie Tumamait-Stenslie, Chair, Barbareno/Ventureno Band of Mission Indians. The notice provided notification of the opportunity to consult pursuant to Public Resources Code (PRC) Section 21080.3.1and in accordance with the provisions of Assembly Bill (AB) 52. The notice included a description of the proposed project and a copy of the Phase 1 study. No response to the offer of AB 52 consultation was received and no tribal cultural resources were identified on the subject parcel. The project would not result in impacts to tribal cultural resources.

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

Mitigation and Residual Impact:

No mitigation is required. Residual impacts would be less than significant.

4.6 ENERGY

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

Impact Discussion: The County has not identified significance thresholds for electrical and/or natural gas service impacts (Thresholds and Guidelines Manual). Private electrical and natural gas utility companies provide service to customers in Central and Southern California, including the unincorporated areas of Santa Barbara County. The proposed project consists of the creation of four net new residential lots, which, when built out, would incrementally contribute to cumulative energy demand impacts. The scale of the project is not large enough to significantly affect

energy demand or require the development of new energy sources. Existing energy sources would have sufficient capacity to serve the project. Impacts would be less than significant.

Cumulative Impacts:

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

Mitigation and Residual Impact:

No mitigation is required. Residual impacts would be less than significant.

4.7 FIRE PROTECTION

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
a. Introduction of development into an existing high fire hazard area?			x		
b. Project-caused high fire hazard?			x		
c. Introduction of development into an area without adequate water pressure, fire hydrants or adequate access for firefighting?			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		

County Standards

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

- The emergency response thresholds include Fire Department staff standards of one on-duty firefighter per 4000 persons (generally 1 engine company per 12,000 people, assuming three firefighters/station). The emergency response time standard is approximately 5-6 minutes.
- Water supply thresholds include a requirement for 750 gpm at 20 psi for all single family dwellings.
- The ability of the County's engine companies to extinguish fires (based on maximum flow rates through hand held line) meets state and national standards assuming a 5,000 square foot structure. Therefore, in any portion of the Fire Department's response area, all structures over 5,000 square feet are an unprotected risk (a significant impact) and therefore should have internal fire sprinklers.
- Access road standards include a minimum width (depending on number of units served and whether parking would be allowed on either side of the road), with some narrowing allowed for driveways. Cul-de-sac diameters, turning radii and road grade must meet minimum Fire Department standards based on project type.
- Two means of egress may be needed and access must not be impeded by fire, flood, or earthquake. A potentially significant impact could occur in the event any of these standards is not adequately met.

Impact Discussion:

(a-c, e) Less than significant impact. The proposed project would create four net new residential lots within a designated high fire hazard area. Introduction of new residential development into a High Fire Hazard Area could result in a significant fire hazard. However, adherence to County Fire Department requirements would ensure that impacts are less than significant. Fire response services for the site would

be provided by Santa Barbara County Fire Station 22 (located at 1600 Tiffany Park Court, Orcutt). Fire response time from this fire station would be approximately 5 minutes (personal communication with Fire Station 22 personnel). Santa Barbara County Fire Department requirements for residential development within a High Fire Hazard Area are applicable to this property. These standards include requirements for proposed access ways to meet fire department standards, installation of fire hydrants, and the incorporation of sprinkler systems into all new structures. Compliance with the Fire Department's standard requirements for residential development would ensure that all conditions regarding High Fire areas would be met, and that impacts would be less than significant.

(d) Less than significant impact. The project would not affect fire prevention techniques such as controlled burns or backfires.

Cumulative Impacts:
Since the project would not create significant fire hazards, it would not have a cumulatively considerable effect on fire safety within the County.

Mitigation and Residual Impact:

No mitigation is required. Residual impacts would be less than significant.

4.8 GEOLOGIC PROCESSES

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

Threshold

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

1. The project site or any part of the project is located on land having substantial geologic constraints, as determined by P&D or PWD. Areas constrained by geology include parcels located near active or potentially active faults and property underlain by rock types associated with compressible/collapsible soils or susceptible to landslides or severe erosion. "Special Problems" areas designated by the Board of Supervisors have been established based on geologic constraints, flood hazards and other physical limitations to development.

2. The project results in potentially hazardous geologic conditions such as the construction of cut slopes exceeding a grade of 1.5 horizontal to 1 vertical.

3. The project proposes construction of a cut slope over 15 feet in height as measured from the lowest finished grade.

4. The project is located on slopes exceeding 20% grade.

Impact Discussion:

(a) Potential to Result in Geologic Hazards. The County Comprehensive Plan Seismic Safety and Safety Element (amended February 2015) states that the project area has an overall geologic problem index rating of 1 (low), with a seismic safety rating of 2 (moderate). Liquefaction potential in the area has been determined to be low. Any potential for expansive soils would be addressed by the use of non-expansive engineered fill for future development. The OCP EIR identified the potential for development in the Orcutt Community Plan area to be subject to potentially significant seismic hazards through earth shaking and subsequent damage to structures (OCP EIR impact GEO-3). OCP EIR Mitigation Measure GEO-10 requires a site specific geologic and soils investigation for development, and implementation of any resulting recommendations. This requirement is included as **Mitigation Measure 11,** below. Together with existing building regulations, which require submittal of soils reports, grading and erosion control plans, and compliance with the most recent Uniform Building Code, this measure would reduce the potential for exposure to or production of unstable earth conditions to a less than significant level.

(b, c and i) Potential for Grading-Related Impacts. The proposed project includes grading for construction of a new private access drive, storm water retention basin, and related drainage features. Additionally, future residential development would require grading for building sites, access, and utilities. As shown on preliminary grading plans, the site is gently sloping with an overall slope of approximately eight percent, and grading for access and storm water retention has been minimized to the maximum extent feasible. The individual proposed parcels do not contain slopes of greater than 20 percent, with the exception of proposed Parcel 1, which contains a steep erosional gully in its northwestern corner where construction could not occur. Future development of the site would not result in exposure to or production of permanent changes in topography, such as bluff retreat or sea level rise. However, grading for the proposed private access driveway and storm water retention basin would be approximately 9,310 cubic yards of cut and 988 cubic yards of fill, with a remainder of approximately 8,322 cubic yards. While some of this may be used for future building pads, the project would still generate excess material. This impact would be mitigated by a measure requiring that the excess material be removed in a timely fashion to an approved receptor site **(Mitigation Measure 14).** Impacts would be less than significant with mitigation.

(e, f) Potential Erosion and Sedimentation Impacts. Grading operations that would occur on the project site associated with construction of the private access drive, retention basin and associated drainage improvements, building pads, and future residential development would remove vegetative cover and disturb the ground surface, thereby increasing the potential for erosion and sedimentation impacts. Deposition, erosion, or siltation from the project site could affect the channel of local watercourses if soils are exposed for an extended time or if the site is

graded during the rainy season. **Mitigation Measure 12** requires submittal of grading and erosion and sediment control plans using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems, and keep contaminants and sediments onsite during construction. In addition, OCP EIR Mitigation Measure GEO-6 requires Board of Architectural Review of landscape plans for all development in areas of sandy soils to ensure revegetation of graded areas. The project area is underlain by sandy soils, and this measure is included above in Section 4.1 (Aesthetic/Visual Impacts) as **Mitigation Measure 4**. Finally, **Mitigation Measure 13** requires revegetation of exposed soils immediately after construction. Impacts would be less than significant with mitigation.

(d, g, h, j, k, l) Other Potential Geological Hazards. There are no unique geological features located on the project site, and the project would not result in the use of septic systems. The project would not involve mining, excessive spoils, tailings, or overburden, the excessive loss of topsoil, or construction-related vibrations. Impacts would be less than significant.

(l) Excessive spoils, tailings or over-burden.

Cumulative Impacts: Since the project would not result in significant geologic impacts with the mitigation measures identified above, and impacts would be localized, it would not have a cumulatively considerable effect on geologic hazards within the County.

Mitigation and Residual Impact:

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

11. **Geo-01b Soils Engineering Study**. The Owner/Applicant shall submit a soils engineering study addressing structure sites and access road(s) to determine structural design criteria. **PLAN REQUIREMENTS**: The Owner/Applicant shall submit the study for P&D and Public Works review and approval. Elements of the approved study shall be reflected on grading and building plans as required. **TIMING:** The Owner/Applicant shall submit the study prior to each Land Use Permit approval or Zoning Clearance issuance for grading or development. **MONITORING**: P&D permit processing planner shall review the study. The Owner/Applicant shall demonstrate that the submitted plans conform to required study components. Grading and building inspectors shall ensure compliance in the field.

12. **Erosion and Sediment Control Plan**. Where required by the latest edition of the California Green Code and/or Chapter 14 of the Santa Barbara County Code, a Storm Water Pollution Prevention Plan (SWPPP), Storm Water Management Plan (SWMP) and/or an Erosion and Sediment Control Plan (ESCP) shall be implemented as part of the project. Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until re-graded areas have been stabilized by structures, long-term erosion control measures or permanent landscaping. The Owner/Applicant shall submit the SWPPP, SWMP or ESCP) using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The SWPPP or ESCP shall be a part of the Grading Plan submittal and will be reviewed for its technical merits by P&D. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (http://sbcountyplanning.org/building/grading.cfm) refer to Erosion and Sediment Control Plan Requirements; and in the California Green Code for SWPPP (projects < 1 acre) and/or SWMP requirements. **PLAN REQUIREMENTS**: The grading and SWPPP, SWMP and/or ESCP shall be submitted for review and approved by P&D prior to approval of land use clearances. The plan shall be designed to address erosion, sediment and pollution control during all phases of development of the site until all disturbed areas are permanently stabilized. **TIMING**: The

SWPPP requirements shall be implemented prior to the commencement of grading and throughout the year. The ESCP/SWMP requirements shall be implemented between November 1st and April 15th of each year, except pollution control measures shall be implemented year-round. **MONITORING**: P&D staff shall perform site inspections throughout the construction phase.

13. **WatConv-03 Erosion and Sediment Control Revegetation**. The Owner/Applicant shall re-vegetate graded areas upon completion of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Use hydroseed, straw blankets, other geotextile binding fabrics or other P&D approved methods as necessary to hold slope soils until vegetation is established. P&D may require the re-seeding of surfaces graded for the placement of structures if construction does not commence within 30 days of grading. **PLAN REQUIREMENTS:** Include this measure as a note on all grading and building plans. **TIMING:** The Owner/Applicant shall re-vegetate graded areas within 30 days of completion of grading. **MONITORING:** The Owner/Applicant shall demonstrate compliance to grading and building inspectors in the field.

14. **Geo-Sp1 Grading Receptor Site**. The Owner/Applicant shall remove excess graded material from the site to an appropriate receptor site within 30 days of completion of grading. **PLAN REQUIREMENTS AND TIMING:** The receptor site shall be identified prior to approval of Land Use Permit or issuance of Zoning Clearance for initial site improvements. The measure shall be included a note on all grading and building plans. The Owner/Applicant shall remove excess graded material from the site within 30 days of completion of grading. **MONITORING:** The Owner/Applicant shall demonstrate compliance to grading and building inspectors in the field.

With the incorporation of these measures, residual impacts would be less than significant.

4.9 HAZARDOUS MATERIALS/RISK OF UPSET

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

Impact Discussion:

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

Mitigation and Residual Impact: No impacts are identified. No mitigations are necessary.

4.10 HISTORIC RESOURCES

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

Impact Discussion: No structures or formal landscape features currently exist on the project site. As a result, no impacts to historic resources are anticipated.

Mitigation and Residual Impact: No impacts are identified. No mitigation measures are necessary.

4.11 LAND USE

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
a. Structures and/or land use incompatible with existing land use?			x		
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?		x			
c. The induction of substantial growth or concentration of population?			x		
d. The extension of sewer trunk lines or access roads with capacity to serve new development beyond this proposed project?			x		
e. Loss of existing affordable dwellings through demolition, conversion or removal?				x	
f. Displacement of substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				x	
g. Displacement of substantial numbers of people, necessitating the construction of replacement housing elsewhere?				x	
h. The loss of a substantial amount of open space?			x		

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
i. An economic or social effect that would result in a physical change? (i.e. Closure of a freeway ramp results in isolation of an area, businesses located in the vicinity close, neighborhood degenerates, and buildings deteriorate. Or, if construction of new freeway divides an existing community, the construction would be the physical change, but the economic/social effect on the community would be the basis for determining that the physical change would be significant.)			x		
j. Conflicts with adopted airport safety zones?				x	

Existing Setting:
The project site, identified as the southeastern portion of Orcutt Community Key Site B, is a vacant lot located in a semi-rural area of southeast Orcutt, surrounded by low-density residential development to the north and west. The Mesa Verde and Vintage Ranch residential subdivision projects are located to the east and south, respectively. Vintage Ranch is approved but not yet constructed. The subject parcel is currently zoned 2-E-1. Orcutt Community Plan Policy KSB-1 directs the County to consider rezoning this parcel to 1-E-1 if access to all new development on the parcel is provided from the south (on Key Site 7, which is the site of the approved Vintage Ranch subdivision). Development Standard KSB-4 requires that "If feasible, access to the southern portion of the site shall be coordinated with/provided through Key Site 7."

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

Impact Discussion:

(a, c) The proposed project would result in the subject parcel being re-zoned from 2-E-1 to 1-E-1, and the creation of four net new residential lots, consistent with the zoning and land use proposed for the lot in the OCP. Further, the creation of four net new residential lots and associated residential development would be compatible with the surrounding residential land uses. As a result, the proposed project would not result in structures and/or land use incompatible with existing land use, or induce substantial population growth or concentration of population. Impacts would be less than significant.

(b) Future development on the new lots would be required to be consistent with all of the applicable policies and development standards of the Comprehensive Plan, including those of the Orcutt Community Plan, many of which were adopted for the purpose of avoiding or mitigating an environmental effect. These mitigation measures are included in the appropriate sections of this document. Impacts would be less than significant with mitigation.

(d) The proposed project would not require the extension of sewer trunk lines or access roads with the capacity to serve new development beyond this proposed project.

(e, f, g) The proposed project would not involve demolition, conversion, or removal of affordable dwellings; displace existing housing; or displace people.

(h) The proposed project site is undeveloped, but is not designated as open space in the OCP. Therefore, the project would not result in the loss of a substantial amount of open space.

(i) The propose project would not cause an economic or social effect that would result in a physical change.

(j) The proposed project would not conflict with adopted airport safety zones.

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

Mitigation and Residual Impact:

With incorporation of mitigation measures identified in sections 4.1 (Aesthetic Resources), 4.3a (Air Quality), 4.4 (Biological Resources), 4.8 (Geologic Processes), 4.12 (Noise), 4.13 (Public Facilities), and 4.16 (Water Resources and Flooding), residual land use impacts would be less than significant.

4.12 NOISE

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

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

The proposed project site is located outside of 65 dB(A) noise contours for roadways, public facilities, airport approach and take-off zones. Surrounding noise-sensitive uses consist of residential development.

Impact Discussion:

(a, c) The proposed project consists of the creation of four net new residential lots. Long-term noise generated onsite from future residential development would not: 1) exceed County thresholds, or 2) substantially increase ambient noise levels in adjoining areas. Noise sensitive uses on the proposed project site would not be exposed to or impacted by off-site noise levels exceeding County thresholds. Impacts would be less than significant.

(b) Future infrastructure improvements and residential development on the new lots could result in construction activities generating short-term noise impacts exceeding County thresholds. Impacts would be less than significant with incorporation of **Mitigation Measure 15,** which would limit the hours of noise-generating construction.

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

Mitigation and Residual Impact: The following mitigation measure would reduce the project's noise effects to a less than significant level:

15. **Noise-02 Construction Hours**. The Owner /Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 7:00 a.m. and 4:00 p.m. Monday through Friday. No construction shall occur on weekends or State holidays. Non-noise generating interior construction activities such as plumbing, electrical, drywall and painting (which does not include the use of compressors, tile saws, or other noise-generating equipment) are not subject to these restrictions. Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein. **PLAN REQUIREMENTS:** The Owner/Applicant shall provide and post a sign stating these restrictions at all construction site entries. **TIMING**: Signs shall be posted prior to commencement of construction and maintained throughout construction. **MONITORING**: The Owner/Applicant shall demonstrate that required signs are posted prior to grading/building permit issuance and pre-construction meeting. Building inspectors and permit compliance staff shall spot check and respond to complaints.

With the incorporation of these measures, residual impacts would be less than significant.

4.13 PUBLIC FACILITIES

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

Thresholds

(Schools)A significant level of school impacts is generally considered to occur when a project would generate sufficient students to require an additional classroom.

(Solid Waste) A project is considered to result in significant impacts to landfill capacity if it would generate 196 tons per year of solid waste. This volume represents 5% of the expected average annual increase in waste generation, and is therefore considered a significant portion of the remaining landfill capacity. In addition, construction and demolition waste from remodels and rebuilds is considered significant if it exceeds 350 tons. A project which generates 40 tons per year of solid waste is considered to have an adverse effect on solid waste generation, and mitigation via a Solid Waste Management Plan is recommended.

Impact Discussion:

(a) Police and Health Care. The project would not result in significant impacts to public services. The proposed project would result in the increase of four net new homes within the area. This level of new development would not have a significant impact on existing police protection or health care services. Existing service levels would be sufficient to serve the proposed project. Impacts would be less than significant.

(b) Student Generation and School Capacity. The project would not generate the number of students (approximately 20) that would require an additional classroom. School fees would be paid as required by State Law. Impacts would be less than significant.

(c) Solid Waste. The proposed project, which would create the potential for four net new residential units, would be expected to generate 11.44 tons/year of operational solid waste (3.01 people/unit x 4 net new units x 0.95 tons/year = 11.44 tons/year/project). Future residential construction that could result from creation of four net new lots would be expected to generate approximately 90 tons of solid waste (assuming four homes of approximately 3,000 square feet / home x 15 pounds of waste / square foot =180,000 lbs / 2,000 lbs/ton = 90 tons of solid waste). This amount is below the threshold for a significant impact to landfill capacity. However, it is above the 40-ton threshold for recommended mitigation via a Solid Waste Management Plan. **Mitigation Measure 16**, which requires implementation of a Solid Waste Management Plan during future residential construction, would reduce this impact to less than significant and ensure consistency with County policy.

(d) Sewer System. Future residences on the new lots would be served by the Laguna Sanitary District. The owner/applicant would install new sewer lines to connect the site to a lift station in the Vintage Ranch subdivision. The project would not cause the need for additional new or altered sewer system facilities as it is already in the service district, and the District has adequate capacity to serve the project. Impacts would be less than significant.

(e) Storm water. The proposed project would create new impervious surfaces that could result in greater surface runoff from the site since there would be less open ground capable of absorbing rainwater. This increased surface runoff would be accommodated within a new Flood Control - approved retention basin located in the northeast corner of proposed Parcel 1 and the northwest corner of proposed Parcel 2. No additional drainages or water quality control facilities would be necessary to serve the project. Impacts would be less than significant.

Cumulative Impacts:

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

Mitigation and Residual Impact:

With compliance with Flood Control and Project Clean Water standard conditions, and the mitigation measure below, residual impacts would be less than significant.

16. **SolidW-01 Solid Waste-SRSWMP.** The Owner/Applicant/Permittee shall develop and implement a Source Reduction and Solid Waste Management Plan (SRSWMP) describing proposals to reduce the amount of waste generated during construction and throughout the life of the project and enumerating the estimated reduction in solid waste disposed at each phase of project development and operation. **PLAN REQUIREMENTS:** The plan shall include but not limited to:

    a. Construction Source Reduction:

i. A description of how fill will be used on the construction site, instead of landfilling,
ii. A program to purchase materials that have recycled content for project construction.

b. Construction Solid Waste Reduction:
   i. Recycling and composting programs including separating excess construction materials onsite for reuse/recycling or proper disposal (e.g., concrete, asphalt, wood, brush). Provide separate onsite bins as needed for recycling.

c. Operation Solid Waste Reduction Examples:
   i. Implement a new or participate in an existing curbside recycling program (may require establishment of private pick-up depending on availability of County sponsored programs) to serve the new development. If P&D determines that a curbside recycling program cannot be implemented, and an alternative program such as the anticipated wet/dry collection is not on line, then it will be the responsibility of the HOA to contract with the Community Environmental Council or some other recycling service acceptable to P&D to implement a project-wide recycling program.
   ii. Implement a backyard composting yard waste reduction program.

TIMING: The Owner/Applicant shall (1) submit a SRSWMP to P&D permit processing staff for review and approval prior to ZCI issuance. Program components shall be implemented prior to Final Building Clearance and maintained throughout the life of the project. **MONITORING**: During operation, the Owner/Applicant/Permittee shall demonstrate to P&D compliance staff as required that solid waste management components are established and implemented. The Owner/Applicant shall demonstrate to P&D compliance staff that all required, applicable components of the approved SRSWMP are in place as required prior to issuance of Building Permit and/or Final Building Clearance.

4.14 RECREATION

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
a. Conflict with established recreational uses of the area?			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		

Impact Discussion:

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

Impact Discussion:

(a, b) The proposed project site is located within the Orcutt Community Plan area, adjacent to adopted open space that is located on private land. It is not located on or near any established public recreational uses, including biking, equestrian or hiking trails. Impacts would be less than significant.

(c) The proposed project would result in the development of four net new residential lots. The population increase associated with project implementation would result in less than significant adverse impacts on the quality and quantity of existing recreational opportunities, both in the project vicinity and County-wide.

Cumulative Impacts:

Since the project would not affect recreational resources, it would not have a cumulatively considerable effect on recreational resources within the County.

Mitigation and Residual Impact: Payment of Quimby fees for new residential development will mitigate the project's contribution to the regional demand for parks and recreational facilities. Residual impacts would be less than significant.

4.15 TRANSPORTATION/CIRCULATION

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

Setting/Thresholds:

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

a. The addition of project traffic to an intersection increases the volume to capacity (V/C) ratio by the value provided below, or sends at least 15, 10 or 5 trips to an intersection operating at LOS D, E or F.

LEVEL OF SERVICE (including project)	**INCREASE IN VOLUME/CAPACITY GREATER THAN**
A	**0.20**
B	**0.15**
C	**0.10**
	Or the addition of:
D	**15 trips**
E	**10 trips**
F	**5 trips**

b. Project access to a major road or arterial road would require a driveway that would create an unsafe situation, or would require a new traffic signal or major revisions to an existing traffic signal.

c. Project adds traffic to a roadway that has design features (e.g., narrow width, road side ditches, sharp curves, poor sight distance, inadequate pavement structure) or receives use which would be incompatible with substantial increases in traffic (e.g. rural roads with use by farm equipment, livestock, horseback riding, or residential roads with heavy pedestrian or recreational use, etc.) that will become potential safety problems with the addition of project or cumulative traffic. Exceeding the roadway capacity designated in the Circulation Element may indicate the potential for the occurrence of the above impacts.

d. Project traffic would utilize a substantial portion of an intersection(s) capacity where the intersection is currently operating at acceptable levels of service (A-C) but with cumulative traffic would degrade to or approach LOS D (V/C 0.81) or lower. Substantial is defined as a minimum change of 0.03 for intersections which would operate from 0.80 to 0.85 and a change of 0.02 for intersections which would operate from 0.86 to 0.90, and 0.01 for intersections operating at anything lower.

Impact Discussion:

a. Potential Impacts to the Street System. The project is located approximately 0.5 miles southwest of the intersection of Clark Avenue and Stillwell Road. Bradley Road is located approximately 0.6 miles to the west. The five single family lots would be accessed from a new 36-foot-wide extension of a private drive (Claret Lane) that would connect to Black Oak Drive via a private access easement across APN 101-400-007 (Vintage Ranch). As the standard trip generation rates associated with a single-family residence is 10 Average Daily Trips (ADT) and 1 Peak Hour Trip (PHT), the proposed project would generate 40 new ADTs and four new PHTs. All of the roadways and intersections in the southern Orcutt area operate at acceptable levels of service. According to the OCP EIR, existing traffic levels are 17,600 ADT on Clark Ave., 1,200 ADT on Stillwell Rd., 8,450 ADT on Bradley Rd., and 1,100 on Stubblefield Rd. In this case, project traffic would not impact a street or intersection that is operating at a LOS D, E, or F, and the project would constitute a negligible fraction of the capacity of area roadways and intersections. Impacts would be less than significant.

b. Need for New Roads or Road Maintenance. Traffic that would be generated by the project would not result in significant impacts to public streets that would require new roads or a significant amount of increased roadway maintenance. The proposed project would not cause the need for private or public road maintenance.

c. Parking. Future residential development on each new lot would be required to provide all required parking spaces on-site, and out of the road right-of-way.

d, e. Transit. The proposed project would not result in significant transit- or transportation-related impacts.

f, g. Traffic Hazards and Emergency Access. The project would not create a traffic hazard for motorists, pedestrians, bicyclists, or transit users, or affect emergency access. The additional traffic caused by the project would not result in significant traffic safety impacts.

h. Congestion Management Plan. Roadways and intersections in the project area operate at acceptable levels of service and are not subject to Congestion Management Plan requirements.

Cumulative Impacts:

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

Mitigation and Residual Impact: No impacts are identified. No mitigation measures are necessary.

4.16 WATER RESOURCES/FLOODING

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

Water Resources Thresholds

A project is determined to have a significant effect on water resources if it would exceed established threshold values which have been set for each overdrafted groundwater basin. These values were determined based on an estimation of a basin's remaining life of available water storage. If the project's net new consumptive water use [total consumptive demand adjusted for recharge less discontinued historic use] exceeds the threshold adopted for the basin, the project's impacts on water resources are considered significant.

A project is also deemed to have a significant effect on water resources if a net increase in pumpage from a well would substantially affect production or quality from a nearby well.

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

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

Impact Discussion

(a) The proposed project does not include any components that would cause changes in currents or the course of marine fresh water, since there are no water bodies within or adjacent to the project site.

(b, c, d, l) The project site is currently undeveloped. Future residential development on the new lots created by the project (i.e. newly constructed impermeable surfaces from structures, driveways, patios, etc.) could adversely affect surface water quality by increasing the volume and decreasing the quality of storm water runoff. Residential development could involve the use of fertilizers, pesticides, and household cleaners and chemicals. Runoff from impervious surfaces and landscaped areas has the potential to transport oil, grease,

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

and landscaping-related pollutants to surface water or groundwater. Construction activities such as grading could also potentially create temporary runoff and erosion problems. The storm water run-off from the proposed access driveway and turnaround would be collected by a bioretention system and conveyed by a storm drain to a Flood Control-approved retention basin at the north side of proposed Parcels 1 and 2. Storm water runoff from the five proposed lots would be conveyed overland to the basin (**Mitigation Measure 17**). Long-term maintenance requirements for the basin would be specified in homeowner's association CC&Rs (**Mitigation Measure 3)** in Section 4.1, Aesthetic Resources, above. **Mitigation Measures 18** (Sedimentation and Contamination Containment) and **19** (Equipment Washout – Construction) would address the discharge of construction-generated sediment and pollutants. Additionally, **Mitigation Measure 10** (Storm water BMPs, Section 4.4, Biological Resources), and **Mitigation Measures 12 and 13** (Erosion and Sediment Control Plan and Erosion and Sediment Control Revegetation, Section 4.8 of this document, Geologic Processes) incorporated herein by reference**,** require implementation of measures to reduce potentially significant impacts from erosion and sedimentation during site preparation activities and from storm water runoff. Flood Control District staff reviewed the preliminary drainage and storm water plans and determined that the preliminary grading and drainage plans can comply with applicable flood control requirements, subject to final review and approval. Preparation of final drainage and storm water plans, which satisfactorily incorporate standard Flood Control condition letter requirements, in addition to implementation of mitigation measures identified above, would reduce the potential for significant drainage and water quality impacts.

(e, f) The project site is not located within the 100-year flood zone or floodway. The property is not located in a coastal area. Therefore, the project would not result in a significant impact associated with exposure of people or property to water related hazards such as flooding (placement of project in 100-year flood plain), accelerated runoff or tsunamis, sea level rise, or seawater intrusion.

(g, h, i, j, k) The project would be supplied water by the Golden State Water Company (GSW). GSW's water is obtained from the Santa Maria groundwater basin, which is not currently in overdraft. The project's gross water use is estimated at one acre-foot/year (AFY) per net new lot, or 4 AFY. This number was determined in conjunction with Golden State Water District by analyzing water use for residentially zoned one-acre parcels with similar soil types in the south Orcutt Community Plan area. Factoring in the consumptive use factor (0.7) to address recharge to the basin, the project would increase consumptive use by approximately 2.8 AFY. Increased groundwater pumpage of 2.8 AFY would not significantly alter the rate of flow of groundwater or substantially degrade the quality of groundwater in the Santa Maria groundwater basin, or increase the potential for salt water intrusion. Further, this estimated 2.8 AFY increase would not substantially reduce the amount of water otherwise available for public water supplies. Impacts would be less than significant.

Cumulative Impacts:

With implementation of the mitigation measures identified below, along with compliance with standard regulatory requirements, the project's contribution to the regionally significant issues of water supplies and water quality is not considerable, and is less than significant.

Mitigation and Residual Impact:

The following mitigation measures, in addition to Mitigation Measures 3 (Aesthetic Resources), 10 (Biological Resources), 12, and 13 (Geologic Processes), and compliance with the standard regulatory requirements of the Flood Control District (letter dated May 4, 2016) and Project Clean Water (letter dated March 24, 2016) would reduce the project's water resource impacts to a less than significant level:

17. **WatConv-06 Retention Basin**. The Owner/Applicant shall provide a retention basin designed to retain, infiltrate and/or recharge all runoff water onsite. **PLAN REQUIREMENTS**: The Owner/Applicant shall include the retention basin in the Stormwater Control and Grading Plans. The location and design parameters of the retention basin shall be submitted to P&D and Flood Control for review and approval. Installation and maintenance for five years shall be ensured

through a performance security provided by the Owner/Applicant. Long term maintenance requirements shall be specified in HOMEOWNER ASSOCIATION CC&RS, or other legal agreement, approved by County Counsel. **TIMING**: Retention and/or recharge basins shall be installed (landscaped and irrigated subject to P&D and Flood Control District approval) prior to Final Building Inspection Clearance. **MONITORING**: County Flood Control and grading inspectors shall oversee installation. The Owner/Applicant shall demonstrate to P&D compliance monitoring staff and Building and Safety grading inspector(s) that all required components of the approved Stormwater Control Plan are in place as required. The installation security shall be released upon satisfactory installation of all items in approved plans.

18. **WatConv-01 Sediment and Contamination Containment**. The Owner/Applicant shall prevent water contamination during construction by implementing the following construction site measures:

    All entrances/exits to the construction site shall be stabilized using methods designed to reduce transport of sediment off site. Stabilizing measures may include but are not limited to use of gravel pads, steel rumble plates, temporary paving, etc. Any sediment or other materials tracked off site shall be removed the same day as they are tracked using dry cleaning methods. Entrances/exits shall be maintained until graded areas have been stabilized by structures, long-term erosion control measures or landscaping.

    a. Apply concrete, asphalt, and seal coat only during dry weather.
    b. Cover storm drains and manholes within the construction area when paving or applying seal coat, slurry, fog seal, etc.
    c. Store, handle and dispose of construction materials and waste such as paint, mortar, concrete slurry, fuels, etc. in a manner which minimizes the potential for storm water contamination.

    PLAN REQUIREMENTS: The Owner/Applicant shall ensure all above construction site measures are printed as notes on plans. **TIMING**: Stabilizing measures shall be in place prior to commencement of construction. Other measures shall be in place throughout construction. **MONITORING**: The Owner/Applicant shall demonstrate compliance with these measures to P&D compliance monitoring staff as requested during construction.

19. **WatConv-05 Equipment Washout-Construction.** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site regularly. The area shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all Zoning Clearance, Grading, and Building plans. **TIMING:** The Owner/Applicant shall install the area prior to commencement of construction. **MONITORING**: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction. e.g., compliance with oak tree protection measures

With the incorporation of these measures, residual impacts would be less than significant.

5.0 INFORMATION SOURCES

5.1 County Departments Consulted

Police, Fire, Public Works, Flood Control, Parks, Environmental Health, Special Districts, Regional Programs, Other : _____

5.2 Comprehensive Plan

x	Seismic Safety/Safety Element	____	Conservation Element
____	Open Space Element	x	Noise Element
____	Coastal Plan and Maps		Circulation Element

_____ ERME

5.3 Other Sources

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

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

Class I Impacts: None

Class II Impacts: Aesthetic/Visual Resources, Air Quality, Biological Resources, Geologic Processes, Land Use, Noise, Public Facilities, and Water Resources / Flooding.

Cumulative Impacts: As discussed in this initial study, the project would not result in impacts related to Agricultural Resources, Cultural Resources, Energy, Fire Protection, Hazardous Materials, Historic Resources, Recreation, or Transportation, so no cumulative impacts would result. Project-specific impacts to Aesthetic/Visual Resources, Air Quality, Biological Resources, Geologic Processes, Land Use, Noise, and Water Resources / Flooding would be mitigated to levels below significance, so no cumulative impacts would result.

7.0 MANDATORY FINDINGS OF SIGNIFICANCE

Will the proposal result in:	**Poten. Signif.**	**Less than Signif. with Mitigation**	**Less Than Signif.**	**No Impact**	**Reviewed Under Previous Document**
1. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, contribute significantly to greenhouse gas emissions or significantly increase energy consumption, or eliminate important examples of the major periods of California history or prehistory?		x			
2. Does the project have the potential to achieve short-term to the disadvantage of long-term environmental goals?				x	

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

1) As discussed in Sections 4.1, 4.3, 4.4, 4.8, 4.12, and 4.16 of this document, the proposed project has the potential to substantially degrade the quality of the environment. However, mitigation measures proposed in these sections would reduce project impacts to levels of less than significance. With incorporation of the Mitigation Measures identified in this initial study into the project description, the project would not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, contribute significantly to greenhouse gas emissions or significantly increase energy consumption, or eliminate important examples of the major periods of California history or prehistory.

2) The project consists of a rezone of an approximately 5-acre parcel from 2-E-1 to 1-E-1, as envisioned in the Orcutt Community Plan, and the division of the single parcel into five legal lots that could be developed with residences in the future. The project does not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals.

3) As discussed throughout this document, the proposed project would not result in any impacts which are cumulatively considerable.

4) As discussed in this initial study, with implementation of identified required mitigation measures, the project would not result in any substantial adverse impacts on human beings, either directly or indirectly.

5) There are no disagreements supported by facts, reasonable assumptions predicated upon facts and/or expert opinions supported by facts over the significance of an effect which would warrant investigation in an EIR associated with the proposed project. The biological resources reports were reviewed by County staff and found to be adequate for the project. The scope and report for the extended phase 1 cultural resources study was coordinated with and reviewed by the County's archeological specialist, and found to meet the County's guidelines for preparation of a cultural resources report and is therefore adequate for the project. No other special studies were prepared for the project and no disagreement by experts was found.

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

Initial review indicates that the proposed project is consistent with the following applicable subdivision, zoning, and Comprehensive Plan requirements.

Comprehensive Plan: Land Use Designation (and Zoning Designation) – 2-E-1 / 1-E-1, Land Use Development Policies 4&5**,** Hillside and Watershed Protection Policies 1, 2, 6, 7, and Visual Resources/Aesthetics Policies 3 & 5.

Orcutt Community Plan Policy KSB-1: *Key Site B is designated Res 1.0 and zoned 1-E-1 on APNs 103-200-20, -56, 79, -80, -84, -85, -88, -89, -90 and -91; Res. 1.0 and zoned 2-E-1 on APNs 103-200-56, -57, -58, -59, -60, -64, -65, and -74; and designated Res. 0.3 and zoned 3-E-1 on APNs 103-200-48, -52, -55, -86, and -87. The County shall consider redesignating/rezoning parcel 103-200-65 to Res. 1/1-E-1 if access to all new development on this parcel is provided from the south (on Key Site 7). Any proposed development on Key Site B shall comply with the following development standards.*

DevStd KSB-4:*If feasible, access to the southern portion of this site shall be coordinated with/provided through Key Site 7.*

9.0 RECOMMENDATION BY P&D STAFF

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

____ Finds that the proposed project WILL NOT have a significant effect on the environment and, therefore, recommends that a Negative Declaration (ND) be prepared.

__x__ Finds that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures incorporated into the REVISED PROJECT DESCRIPTION would successfully mitigate the potentially significant impacts. Staff recommends the preparation of an ND. The ND finding is based on the assumption that mitigation measures will be acceptable to the applicant; if not acceptable a revised Initial Study finding for the preparation of an EIR may result.

____ Finds that the proposed project MAY have a significant effect on the environment, and recommends that an EIR be prepared.

____ Finds that from existing documents (previous EIRs, etc.) that a subsequent document (containing updated and site-specific information, etc.) pursuant to CEQA Sections 15162/15163/15164 should be prepared.

Potentially significant unavoidable adverse impact areas:

____ With Public Hearing x Without Public Hearing

PREVIOUS DOCUMENT:

PROJECT EVALUATOR: Joyce Gerber, Senior Planner **DATE:** June 12, 2017

10.0 DETERMINATION BY ENVIRONMENTAL HEARING OFFICER

__X__ I agree with staff conclusions. Preparation of the appropriate document may proceed.

____ I DO NOT agree with staff conclusions. The following actions will be taken:

____ I require consultation and further information prior to making my determination.

SIGNATURE: _____ **INITIAL STUDY DATE**: July 3, 2017

SIGNATURE: _____ **NEGATIVE DECLARATION DATE**: July 3, 2017

SIGNATURE: _____ **REVISION DATE**:

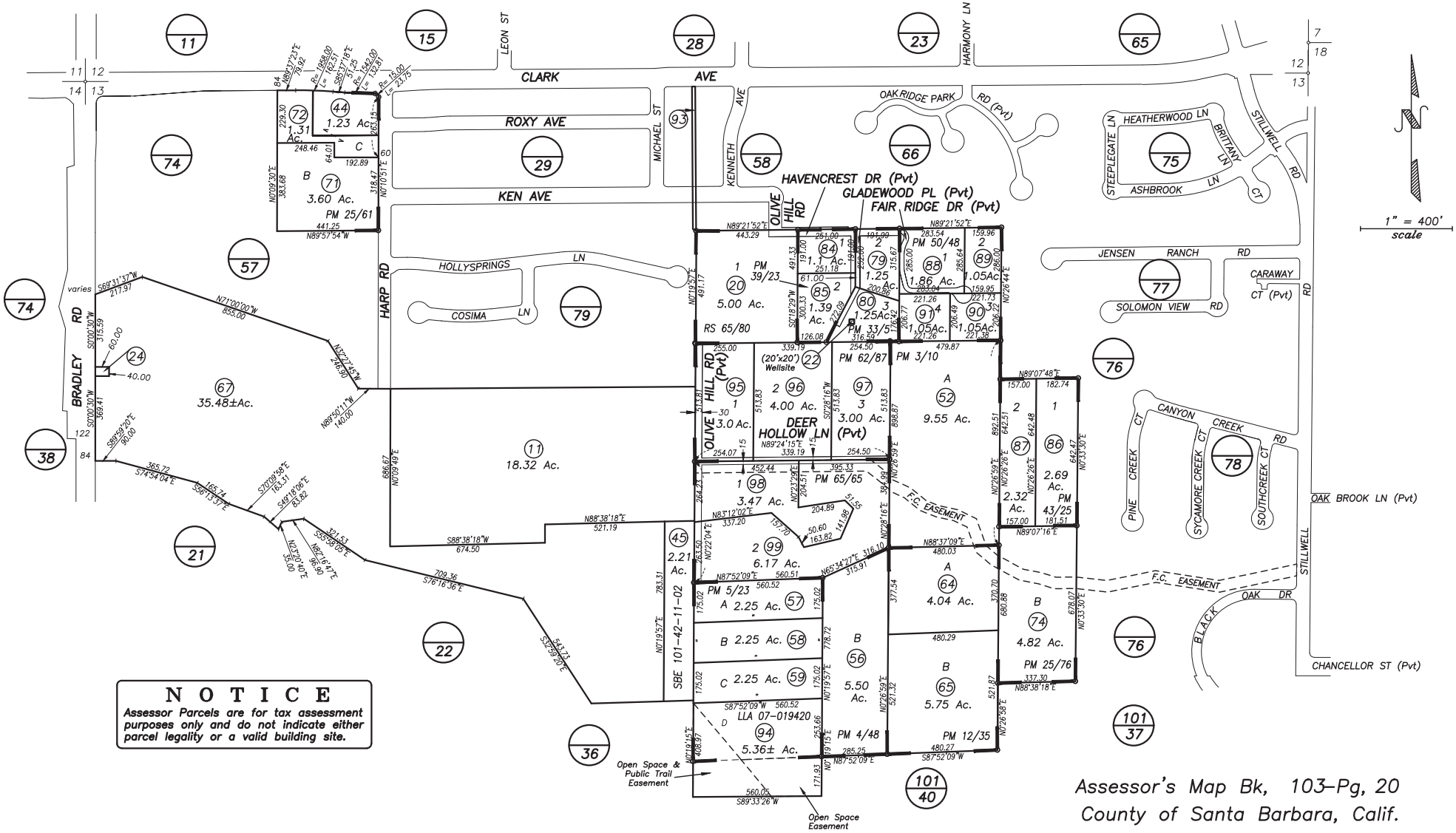
SIGNATURE: _____ **FINAL NEGATIVE DECLARATION DATE:** September 21, 2017

11.0 ATTACHMENTS

1. APN Map
2. Tract Map
3. Preliminary Grading Plans
4. Biology Reports: Biological Resources Assessment (Weichert and Boggs, February 23, 2016) Biological Resources Assessment Addendum (Boudreau, Weichert, and Boggs, October 19, 2016)
5. Comment Letter from California Department of Fish and Wildlife

POR. N/2 SEC 13 T9N R34W SBB&M

103–20

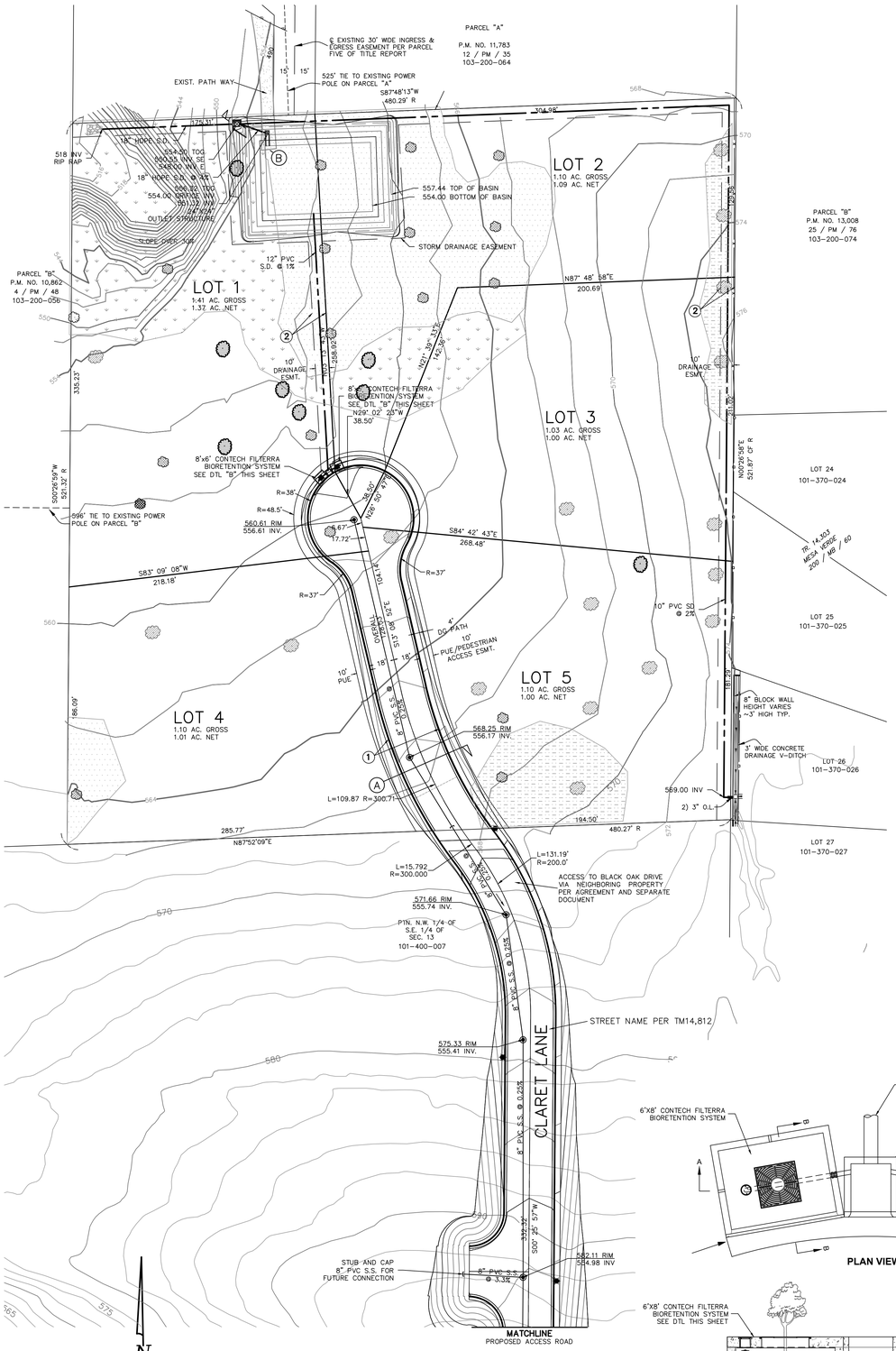


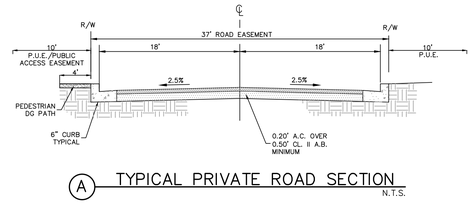
NOTICE

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

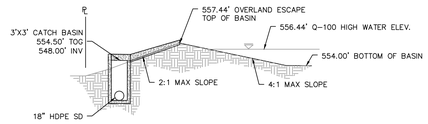
Assessor's Map Bk, 103–Pg, 20
County of Santa Barbara, Calif.

LD/17 55 into 98 & 99





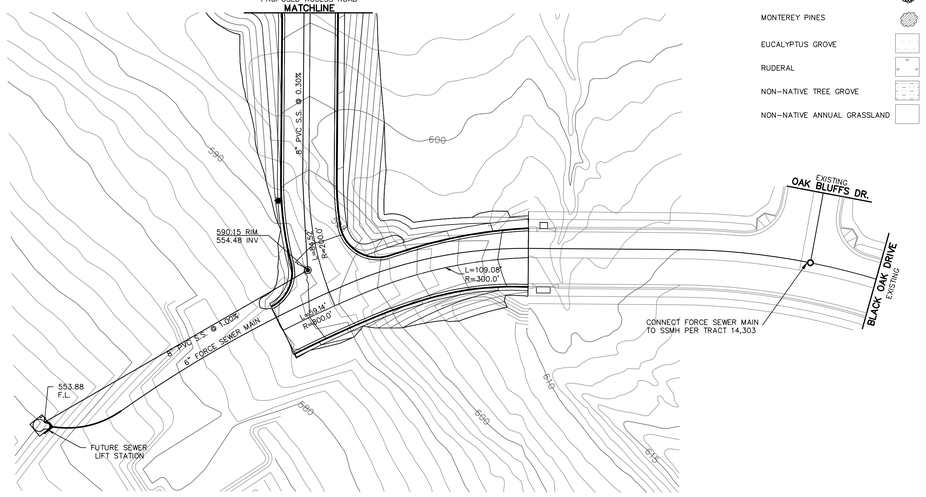
A TYPICAL PRIVATE ROAD SECTION
N.T.S.

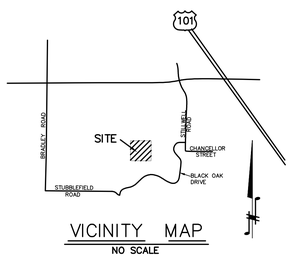


B OVERLAND ESCAPE SECTION
N.T.S.

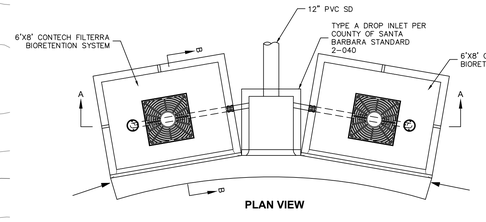
VEGETATION LEGEND

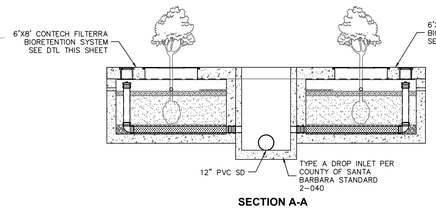
- COAST LIVE OAK
- EUCALYPTUS
- MONTEREY PINES
- EUCALYPTUS GROVE
- RUDERAL
- NON-NATIVE TREE GROVE
- NON-NATIVE ANNUAL GRASSLAND





VICINITY MAP
NO SCALE





B WATER TREATMENT INLET
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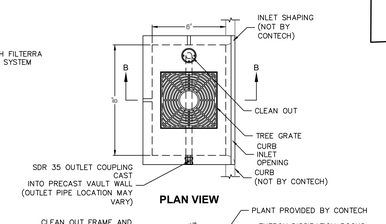
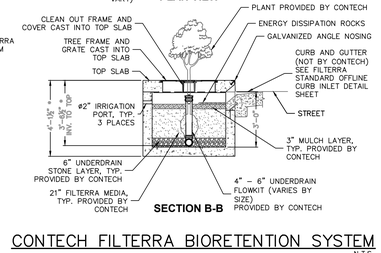
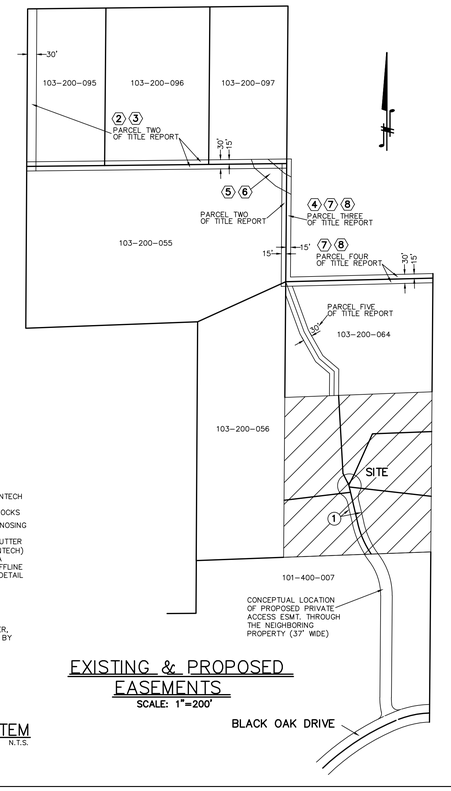




CONTECH FILTERRA BIORETENTION SYSTEM
N.T.S.



EXISTING & PROPOSED EASEMENTS
SCALE: 1"=200'

PROJECT INFORMATION

ASSESSOR'S PARCEL NO.: 103-200-065
NUMBER OF PARCELS: 5
AREA: 5.74 ACRES
ZONING: 2-E-1 (EXISTING) 1-E-1 (PROPOSED REZONE DESIGNATION)
GENERAL PLAN: RESIDENTAL
ADDRESS: NONE (VACANT LAND)

AVERAGE SLOPE DATA

ORIGINAL PARCEL: 8.5 %

PROPOSED

LOT 1: 17.9%
LOT 2: 6.7%
LOT 3: 6.3%
LOT 4: 3.6%
LOT 5: 4.6%

OWNER'S CERTIFICATE

WE HEREBY CONSENT TO THE DIVISION OF REAL PROPERTY SHOWN ON THIS MAP, AND CERTIFY THAT WE ARE THE LEGAL OWNERS AND THAT THE INFORMATION HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

NAME: JOSEPH HALSELL
NAME: CANDACE HALSELL
NAME: JAMES HALSELL
NAME: KELLI HALSELL

OWNERS ADDRESS: 3130 SKYWAY DRIVE
SANTA MARIA, CA 93455
805-928-8948

UTILITIES

WATER: GOLDEN STATE WATER
SEWER: LAGUNA SANITATION DIST.
ELECTRICITY: PACIFIC GAS & ELECTRIC
GAS: SO. CALIF. GAS COMPANY
TELEPHONE: VERIZON
CABLE TV: COMCAST CABLE

VERTICAL DATUM

ELEVATIONS SHOWN HEREON ARE BASED ON THE NAVD88 DATUM.

LEGEND

PROJECT BOUNDARY
CENTERLINE
EXIST. CONTOURS 500

R P.M. 12 – 35
CF CALCULATED FROM
LO LIVE OAK
EU EUCALYPTUS
PI PINE
TOY TOYON
O.L. OUTLET HOLE IN WALL
6' STOCKADE FENCE
4' BARBED WIRE FENCE
MASONRY BLOCK WALL
STREET LIGHT

FLOOD PLAIN INFORMATION:

THE SUBJECT PROPERTY IS LOCATED WITHIN ZONE X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 060331 0456 F AND 060331 0460 F DATED SEPT., 30 ,2005 AND CLASSIFIED AS FOLLOWS:

ZONE X: AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

EXISTING EASEMENTS

PER FIDELITY NATIONAL TITLE COMPANY REPORT NO. 14-405301575-B-DWL ISSUED SEPTEMBER 22, 2015

(1) PIPELINES, DITCHES, TELEPHONE LINES AND ROADS PER 171-DEEDS-39 (DATED 11-08-1918) CANNOT BE LOCATED FROM THE RECORD.

(2) 30' WIDE PRIVATE ROAD EASEMENT PER R.S. 82-25 (DATED 10-27-1966).

(3) 30' WIDE PRIVATE ROAD EASEMENT PER P.M. 2-1 (DATED 11-21-1966).

(4) 15' WIDE INGRESS, EGRESS, AND PUBLIC UTILITY EASEMENT PER 2174-OR-730 (DATED 12-08-1966).

(5) PRIVATE ROAD EASEMENT 2189-OR-159 (DATED 05-01-1967).

(6) PUBLIC FLOOD CONTROL EASEMENT PER 2196-OR-504 (DATED 07-07-1967).

(7) INGRESS, EGRESS, AND PUBLIC UTILITY EASEMENT PER PER 2212-OR-245 (DATED 11-20-1967).

(8) INGRESS, EGRESS, AND PUBLIC UTILITY EASEMENT PER PER 2212-OR-247 (DATED 11-20-1967).

PROPOSED EASEMENTS

(1) 37' WIDE PRIVATE ACCESS & UTILITY EASEMENT

(2) STORM DRAIN EASEMENT

SURVEYORS STATEMENT

I HEREBY STATE THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION UNDER THE PROVISIONS OF SECTION 8726 OF THE PROFESSIONAL LAND SURVEYORS ACT.

KENNY L. FARGEN L.S. 4597 DATE

TENTATIVE TRACT MAP TRACT MAP NO. 14,819

A PROPOSED DIVISION OF PARCEL "B" OF PARCEL MAP NO. 11,783, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, PER MAP FILED IN BOOK 12, PAGE 35 OF PARCEL MAPS, RECORDS OF SAID COUNTY.

05/16/17

TM 14,819 | CASE NUMBER: 15TRM-00000-00004

LICENSED LAND SURVEYOR KENNY L. FARGEN EXP. 9-30-13 L.S. 4597 STATE OF CALIFORNIA

Fargen Surveys, Inc. Santa Maria
2624 AIRPARK DRIVE
SANTA MARIA, CA 93455
PHONE: 805-934-5727
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DATE: FEB., 2016

120021.DWG

JOB: 12002 | SHEET 1 OF 1

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February 23, 2016
Rincon Project No. 15-02277

Joe Halsell
President/CEO
Halsell Builders
3130 Skyway Drive, Ste. 601
Santa Maria, CA 93455
Via email: joehalsell@halsellbuilders.com

Subject: **Biological Resources Assessment Letter Report for Development of APN 103-200-065 in Orcutt, Santa Barbara County, California**

Dear Mr. Halsell:

Rincon Consultants, Inc. (Rincon) is pleased to submit this Biological Resources Assessment letter report for Assessor's Parcel Number (APN) 103-200-065 in the town of Orcutt, in Santa Barbara County (County), California, hereinafter referred to as the "Biological Study Area (BSA)." The purpose of this report is to document the existing conditions within the BSA and to evaluate the potential for project related impacts to biological resources during implementation of the proposed project.

PROJECT LOCATION AND DESCRIPTION

The approximately 5.75-acre BSA consists of APN 103-200-065 located at Deer Hollow Lane in the town of Orcutt, in Santa Barbara County, California (Figure 1). The BSA is located in the *Orcutt, California* United States Geological Survey (USGS) 7.5-minute topographic quadrangle. The approximate center of the project is located at Latitude: 34.85760° and Longitude: -120.40643°. Specifically, the BSA is located on the southeastern edge of Orcutt about 0.5 mile south of East Clark Avenue, between US Highway 101 and California State Route 135.

It is our understanding the proposed project consists of subdividing the parcel, currently zoned 2-E-1 Single Family Residential (SFR), 2-acre minimum lot size, into five separate lots to be rezoned to 1-E-1 SFR, 1-acre minimum lot size for future development. The proposed project also includes a paved access road and cul-de-sac originating from Black Oak Drive to the south via the neighboring property (Figure 2). The portion of the project located on the neighboring property is not analyzed in this report.

METHODOLOGY

Previous CEQA Review and Guidelines for Determining CEQA Significance

The Orcutt Community Plan (OCP) updates the 1980 Santa Barbara County Comprehensive Plan for the unincorporated town of Orcutt. Prior to the adoption of the OCP, the County of Santa Barbara prepared, considered, and certified the Orcutt Community Plan Environmental Impact Report (OCP FEIR). The BSA was considered in the OCP FEIR as a part of Key Site B (County of

Santa Barbara 1995). The OCP EIR was updated and adopted in 2009 but did not contain any specific updates regarding Key Site B.

Guidelines for evaluation of biological impacts and significance thresholds for projects in Santa Barbara County typically follow the County of Santa Barbara *Environmental Thresholds and Guidelines Manual* (2008) and the Santa Barbara County *A Planner's Guide to Conditions of Approval and Mitigation Measures* (2005a). Threshold criteria, as defined by the CEQA Guidelines Appendix G Initial Study Checklist, were also used to evaluate potential environmental effects. The analysis in this report is based on the comparison of current or baseline biological conditions with previously reported biological conditions in the OCP FEIR, and impacts to current biological resources with those that were previously assessed, in general accordance with the following CEQA standards for projects that could:

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; or*
4. *Substantially diminish habitat for fish, wildlife, or plants.*

This report also provides updated analysis for species that have had regulatory status changes subsequent to the OCP FEIR and provides updated analysis of impacts based on current habitat conditions subsequent to the OCP FEIR update. Environmental impact analysis and mitigation includes federal and state biological resource regulations (e.g., the federal and state Endangered Species Acts, Clean Water Act Sections 401 and 404, Bald and Golden Eagle Protection Act, Migratory Bird Treaty Act, and California Fish and Game Code Section 1600 et seq.).

Notable changes in species regulatory status since publication of the OCP FEIR include listing of California tiger salamander (*Ambystoma californiense*) as threatened under California Endangered Species Act (listed in 2010), as well as revisions to taxonomy and understanding of the distribution of some plants treated as locally rare in the OCP.

Field Surveys

A field reconnaissance survey was conducted by Rincon Associate Biologist Kyle Weichert on January 8, 2016 to document the existing site conditions and to evaluate the potential for presence of sensitive biological resources including sensitive plant and animal species, sensitive plant communities, potentially jurisdictional waters of the U.S. and wetlands, and habitat for federally and state protected nesting birds. Weather conditions during the survey included an average temperature of 55 degrees Fahrenheit, with winds of three to five miles per hour, and approximately twenty percent cloud cover. Mr. Weichert surveyed the entire BSA on foot along intuitively controlled transects and recorded all biological resources encountered on site.

During the survey, an inventory of all plant and animal species observed was compiled and an evaluation of potentially jurisdictional aquatic features was conducted. Plant species nomenclature and taxonomy followed The Jepson Manual: Vascular Plants of California, Second Edition (Baldwin et al., 2012). All plant species encountered were noted and identified to the lowest possible taxonomic level. The vegetation classification systems used for this analysis are

based on A Manual of California Vegetation, Second Edition (Sawyer et al., 2009) and Preliminary Descriptions of the Terrestrial Communities of California (Holland, 1986), but have been modified as needed to accurately describe the existing habitats observed on site. These vegetation communities were mapped onto aerial imagery depicting the BSA and then later digitized using ArcGIS® (ESRI, 2013).

The habitat requirements for each regionally occurring special status species were assessed and compared to the type and quality of the habitats observed within the project site during the field survey. Several sensitive species were eliminated from consideration as potential to occur within the BSA due to lack of suitable habitat, lack of suitable soils/substrate, and/or known regional distribution. The relative density of fossorial mammal burrows and soil characteristics throughout the site were also noted.

Literature Review

Queries of the U.S. Fish and Wildlife Service (USFWS) Information, Planning, and Conservation System (IPaC; 2016a), California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB; 2016), and the California Native Plant Society (CNPS) Online Inventory of Rare and Endangered Plants (2016) were conducted to obtain comprehensive information regarding state and federally listed species as well as other special status species considered to have potential to occur within the *Orcutt*, California USGS 7.5-minute topographic quadrangle and the adjacent eight quadrangles (*Guadalupe, Santa Maria, Twitchell Dam, Casmalia, Sisquoc, Surf, Lompoc,* and *Los Alamos*).

In addition, the following resources were also reviewed for information about the BSA:

- Aerial photographs of the BSA and vicinity;
- *Orcutt, California* USGS 7.5-minute topographic quadrangle;
- USFWS Critical Habitat Portal (2016b); and
- USFWS National Wetland Inventory (NWI) Mapper (U.S. Fish and Wildlife Service, 2016c).

Based on the results of the literature review, reconnaissance survey, and species known to occur regionally, Rincon biologists assessed the potential for the proposed project to impact special status species. Definitive surveys to confirm the presence or absence of special status species were not performed and are not included within this analysis. Definitive surveys for special status plant and wildlife species generally require specific survey protocols, extensive field survey time, and are conducted only at specific time periods of the year. The findings and opinions conveyed in this report are based exclusively on this methodology.

EXISTING SITE CONDITIONS

The project site is located in the foothills of the Coast Ranges in coastal Santa Barbara County, California. The climate here is moderate and typifies Mediterranean coastal climate throughout the year. The BSA is within the South Coast Ranges (SCoR) geographic subregion of California. The SCoR subregion is a component of the larger Central Western California geographic region, which occurs within the even larger California Floristic Province (Baldwin et al., 2012). Within this subregion, the project site occurs within the Outer South Coast Range (SCoRO) district. Topography within the BSA is relatively flat and varies from approximately 570 feet above mean

sea level (msl) to 550 feet above msl. The only exception is a gully that drops abruptly to about 530 feet above msl and runs northwest outside the BSA.

The BSA consists primarily of disturbed grassland with evidence of grazing and disking present throughout most of the site. Large piles of refuse, brush, and soil are present in scattered locations throughout the BSA. The head of a large gully is present in the northwest corner of the BSA. The gully is an erosion feature with steep walls of crumbling soil, debris, and fallen vegetation (Photo 1). This feature did not contain standing water, hydrophytic vegetation, or features consistent with a bed or bank at time of the reconnaissance survey, and therefore, was not analyzed as a jurisdictional feature.

The OCP and aerial imagery from 2002 documents coastal scrub habitat covered the majority of the BSA, but historical photos show the site as being mostly cleared of costal scrub by 2003. This area is now occupied by disturbed non-native annual grassland and groves of non-native trees. Coastal scrub habitat is still present directly adjacent to the south of the BSA and is located within the approved Vintage Ranch subdivision.

Vegetation

Four vegetation communities were identified within the BSA: non-native annual grassland, eucalyptus grove, non-native tree grove, and ruderal. A map that illustrates the vegetation communities is presented as Figure 3.

Non-native annual grassland is present in approximately 4.6 acres of the BSA. This vegetation community is dominated by non-native annual grasses such as bromes (*Bromus* spp.), smilo grass (*Stipa miliacea*), and Bermuda grass (*Cynodon dactylon*). Ruderal forbs such as filarees (*Erodium cicutarium* and *E. botrys*) are also abundant throughout this vegetation type. Additionally, this area contains scattered coast live oak (*Quercus agrifolia*), planted Monterey pine (*Pinus radiata*), and red ironbark (*Eucalyptus sideroxylon*) trees that do not occur at a sufficient density and areal abundance to constitute a grove or woodland (Photo 2). This area appears to have been disked or dragged within recent years (Photo 3). Some trees in the grassland appeared diseased or affected by drought. A Monterey pine near the center of the BSA had fallen over and likely fell during a recent storm event. The non-native grassland habitat type within the BSA, as described by Holland (1986), corresponds most closely with the Annual Brome Grasslands described in MCV2 (Sawyer et al. 2009).

Eucalyptus grove is present in two patches within approximately 0.24 acres of the BSA that consist of monotypic stands of red ironbark. The patch in the southwestern corner of the BSA has an understory of dense leaf litter with occasional small shrubs including California sagebrush (*Artemisia californica*) and coyote brush (*Baccharis pilularis*). The patch near the center of the BSA has a sparse understory dominated by ruderal and ornamental forbs and bare ground, and contains scattered rubbish and piles of brush (Photo 4). Eucalyptus grove habitat type within the study area is not described by Holland (1986) but corresponds with the Eucalyptus groves Semi-Natural Woodland Stands (*Eucalyptus [globulus, camaldulensis]* Semi-Natural Stands) described in MCV2 (Sawyer et al. 2009).

Non-native tree grove is present in two patches within approximately 0.25 acres of the BSA. These patches have canopies that consist primarily of planted Monterey pine trees with occasional red ironbark trees and are distributed in clumps or lines. This vegetation type does

not correspond well with described vegetation by Holland (1986) and in the MCV2 (Sawyer et al. 2009)

Ruderal habitat is present within approximately 0.69 acres of the BSA. This vegetation type is dominated by ruderal forbs and annual grasses. This area includes the parcel access road and vehicle parking area, adjacent brush piles, and the large gully in the northwestern corner of the BSA. The access road and parking areas consist primarily of bare ground. The areas surrounding the gully contain patches of non-native vegetation such as poison hemlock (*Conium maculatum*) and tree tobacco (*Nicotiana glauca*) mixed with scattered native shrubs, such as coyote brush. Immediately east of the gully, a patch of disturbed ground appears to have been cleared of vegetation with heavy equipment pushing soil and debris into the gully (Photo 5). This vegetation type does not correspond well with described vegetation by Holland (1986) and in the MCV2 (Sawyer et al. 2009).

General Wildlife

Wildlife activity was moderate during the reconnaissance survey. Several species of songbird were observed foraging in the trees within the BSA. Raptors species red-tailed hawk (*Buteo jamaicensis*), red-shouldered hawk (*Buteo lineatus*), and white-tailed kite (*Elanus leucurus*) were observed perching and foraging in the tall trees within the BSA. The trees provide potential nesting habitat for songbirds and raptors. Western fence lizards were common on the brush and wood piles throughout the BSA.

Mammal activity was absent during the reconnaissance survey. The trees within the BSA provide habitat for arboreal mammals such as western gray squirrel (*Sciurus griseus*) and provide roosting habitat for bats. Animal burrows were conspicuously absent from the BSA, possibly due to the site's history of grazing and disking.

SENSITIVE RESOURCES WITH POTENTIAL TO OCCUR

Special Status Plant Species

Based on the database and literature review, 64 special status plant species are known to or have the potential to occur within the *Orcutt, California* USGS and surrounding eight USGS topographic quadrangles. Of these, three special status plant species may occur on site based on the presence of suitable habitat:

- Cambria morning-glory (*Calystegia subacaulis* subsp. *episcopalis*; California Rare Plant Rank [CRPR] 4.2)
- Paniculate tarplant (*Deinandra paniculata*; CRPR 4.2)
- California spineflower (*Mucronea californica*; CRPR 4.2)

No special status plant species were detected during the reconnaissance surveys. The non-native annual grassland in the BSA provides marginally suitable habitat for these species, however they would be unlikely to occur based on the highly disturbed condition of the BSA.

The remaining special status plant species were determined not to have potential for occurrence in the BSA based on the habitat requirements, known occurrences in the vicinity of the BSA and suitable habitat found within the BSA and are not listed or discussed further in this report.

Special Status Animal Species

Based on the database and literature review, 29 special status animal species were identified within the *Orcutt, California* USGS and surrounding eight USGS topographic quadrangles. Of these, six special status animal species were determined to have potential to occur based on the presence of suitable habitat on or adjacent to the project site. These species include:

- California tiger salamander (CTS; *Ambystoma californiense*) Santa Barbara County DPS, federally Endangered and state Threatened: CTS is a lowland species found primarily in grasslands and low foothill and oak woodland habitats (Trenham and Shaffer 2005). CTS breed in long-lasting rain pools (e.g., seasonal ponds, vernal pools, slow-moving streams) that are often turbid, and occasionally in permanent ponds lacking fish predators. During the non-breeding season, adults occur in upland habitats and occupy ground squirrel or pocket gopher burrows. They migrate nocturnally to aquatic sites to breed during relatively warm winter or spring rain events. Adults and juveniles emigrate at night from the drying pools to upland refuge sites, such as rodent burrows and cracks in the soil. The BSA is located within the potential range of CTS in Santa Barbara County based upon the USFWS map of CTS range and breeding ponds (2010) and the *Draft Recovery Plan for the Santa Barbara County Distinct Population Segment of the California Tiger Salamander* (*Ambystoma californiense*) (USFWS 2015). The BSA does not occur within one of the metapopulations as depicted in Appendix A of the recovery plan, but is just north of the West Los Alamos/Careaga Metapopulation Area (USFWS 2015). The BSA is not located within federally designated Critical Habitat for CTS.

  The BSA is not located within the species dispersal distance (1.24 miles) of known breeding ponds. The closest known breeding pond, ORCU-3, is located approximately 1.6 miles southeast of the BSA (USFWS, 2010). The BSA is within the dispersal distance of one potential breeding pond, ORCU-2, which is approximately 1.0 mile southeast of the BSA (USFWS 2010). Other aquatic habitat within the dispersal distance of CTS, but not included in the above references, includes a basin approximately 0.6 miles northwest of the BSA. The basin is known to contain water based on examination of aerial imagery; however, the exact hydroperiod could not be determined. To date, no CTS protocol surveys have been conducted at the basin.

  The BSA does not contain aquatic features, and therefore, no suitable breeding or aquatic habitat for CTS is present. Furthermore, the BSA has been disturbed by periodic tilling and grazing and as a result, animal burrows were not detected in the BSA. As such, the onsite upland habitat within the BSA is low quality and generally unsuitable for CTS as refuge during the non-breeding season. Considering the BSA is located within the dispersal distance of a potential breeding pond (ORCU-2) and other potentially suitable aquatic habitat with no major barriers to movement between these features and the BSA, CTS would only be expected to occur transiently when dispersing between aquatic habitat and suitable upland refuge sites. However, ORCU-2 has several major impediments to future dispersal through the BSA due to development of properties within potential dispersal routes. Based on the condition of the site compared to upland habitats that are of much higher quality on adjacent properties, the probability of CTS occurring transiently within the BSA is extremely low and therefore the potential for impact to CTS is also low. CTS was not detected in the BSA during the reconnaissance survey.

- Western red bat (*Lasiurus blossevillii*) – state Species of Special Concern: Western red bats have been documented within the nine-quad search area surrounding the BSA as well as within five miles of the BSA. The closest occurrence documented by the CNDDB occurs approximately 6.6 miles southwest of the BSA near Vandenberg Airforce Base (CNDDB #35). This species roosts solitarily most often in the foliage of trees or shrubs (Bolster, 2005) and prefers habitat edges and mosaics for foraging. Western red bats are highly migratory and their winter range includes western lowlands and coastal regions south of San Francisco Bay in which they travel to during autumn (September-October) and leave during spring (March-May). The tree groves in the BSA contain red ironbark, coast live oak, and Monterey pine trees that provide suitable roosting habitat. Western red bat was not detected in the BSA during the reconnaissance survey. The remaining BSA provides suitable foraging habitat for bats. Based on the habitat requirements, known occurrences in the vicinity of the BSA, and suitable habitat found within the BSA, this species has potential to occur.

- Townsend's big-eared bat (*Corynorhinus townsendii*) – Candidate for state Threatened and state Species of Special Concern: Townsend's big-eared bats have been documented within the nine-quad search area including and surrounding the BSA. This species typically roosts in caves, crevices and mines, but is also known to inhabit tree cavities and abandoned buildings. Colonies can range from a single individual to several hundred. The closest occurrence of this species is approximately six miles southwest of the BSA near the junction of Highway 1 and California State Route 135, where the species was detected electronically while foraging (CNDDB #524). Suitable roosting habitat is not present in the BSA; however, marginal roosting habitat is present in dead tree snags visible in the coastal scrub approximately fifteen feet south of the BSA. Additionally, the BSA contains suitable foraging habitat for Townsend's big-eared bat. Based on the habitat requirements, known occurrences in the vicinity if the BSA and suitable habitat found within the BSA, this species has the potential to occur. Townsend's big-eared bat was not detected in the BSA during the reconnaissance survey.

- Pallid bat (*Antrozous pallidus*) – state Species of Special Concern: Pallid bat occupies a variety of habitats including forests, shrublands, deserts, and grasslands and are most common in rocky, dry, and open habitats. Pallid bats roost in a variety of habitats including rocky outcrops, cliffs, caves, mines, and trees. Roosting pallid bats have been documented within the nine-quad search area including and surrounding the BSA. The closest reported occurrence is from approximately 7.4 miles northeast of the project at the Garey Bridge, where Santa Maria Mesa Road crosses the Sisquoc River (CNDDB #12). Suitable roosting habitat is present in the tree groves containing red ironbark, coast live oak, and Monterey pines as well as in dead tree snags visible in the coastal scrub south of the BSA. The remaining BSA provides suitable foraging habitat. Based on the habitat requirements, known occurrences in the vicinity if the BSA and suitable habitat found within the BSA, this species has the potential to occur. Pallid bat was not detected in the BSA during the reconnaissance survey.

- Silvery legless lizard (*Anniella pulchra pulchra*) [=California legless lizard (*Anniella pulchra*)] – state Species of Special Concern: Papenfuss and Parham in 2013, based on DNA evidence, proposed the division of the previously recognized single species of legless lizard (consisting of two subspecies) into five distinct species. As such, legless lizards that may occur within or in the vicinity of the BSA would now likely be classified as the California legless lizard (*Anniella pulchra*) (synonymous to silvery legless lizard [*Anniella pulchra pulchra*]). Silvery legless lizards have been documented within the nine-quad search area including the BSA, as well as within five miles of the BSA. The silvery legless lizard is especially common in coastal dune, valley-foothill, chaparral, and coastal scrub types. Within these habitat types, areas with sandy or loose organic soils or where high amounts of leaf litter are favorable. The BSA contains suitable soils for this species; however, somewhat sparse leaf litter under shrubs and oaks provides only marginal habitat. As such, the silvery legless lizard has low potential to occur in the BSA. The silvery legless lizard was not detected in the BSA during the reconnaissance survey.

- Blainville's (coast) horned lizard (*Phrynosoma blainvillii*) – state Species of Special Concern: Blainville's (coast) horned lizards have been documented within the nine-quad search area surrounding the BSA, as well as within five miles of the BSA. Blainville's horned lizard can be found in grasslands, coniferous forests, woodlands, and chaparral, containing open areas and patches of loose soil. Horned lizard diets are specialized and almost exclusively consist of native ants (>94% by prey item [Suarez et al. 2000]). Due to the disturbed condition of the BSA, Blainville's horned lizard would be unlikely to occur. However, potentially suitable habitat is present in the coastal scrub adjacent to the BSA and transient individuals could occur. Blainville's horned lizard was not observed in the BSA during the reconnaissance survey.

The remaining special status animal species were determined not to have potential for occurrence in the BSA based on the habitat requirements, known occurrences in the vicinity of the BSA and suitable habitat found within the BSA and are not listed or discussed further in this report.

In addition, trees and shrub are present within the BSA which may provide suitable habitat for nesting birds. Several species of birds common to the area, that typically nest in the habitats found within the BSA, such as western scrub jay (*Aphelocoma californica*), were detected during the reconnaissance survey.

Resources Protected by Local Policies and Ordinances

In 1998 County's Board of Supervisors initiated a collaborative public process to develop recommendations for oak tree protection. In July 2001 the County adopted the Oak Tree Protection and Regeneration Program. An outcome of this program was the Santa Barbara County Comprehensive Plan Conservation Element Oak Tree Protection in the Inland Rural Areas of Santa Barbara County as adopted in 2003, and republished in 2009. This document outlined protection goals, development standards, policies and implementing actions to promote the conservation, protection, and regeneration of native oak populations and oak woodlands.

- Oak Tree Protection Policy 1 states that "native oak trees, native oak woodlands and native oak savannas shall be protected to the maximum extent feasible in the County's rural and/or agricultural lands. Regeneration of oak trees shall be encouraged."

- Development Standard 1 (Protection of all species of mature oak trees) states that "development shall avoid removal of or damage to mature oak trees, to the maximum extent feasible." Mature oak trees are defined as live oak trees six inches or greater in diameter at breast height (DBH). "Native oak trees that cannot be avoided shall be replanted on site or on a receiver site known to be capable of supporting the particular oak tree species. Replanting shall conform to the County's *Standard Conditions and Mitigation Measures*."
- The Orcutt Community Plan describes mature oaks as those trees that are 5 inches DBH or greater.
- The Orcutt Community Plan also describes oak trees greater than six feet in height as "established" oaks, and states that these trees should be considered during project impact analysis.

Scattered native trees are present within the BSA and consist primarily of coast live oak trees. The Tentative Tract Map (Fargen Surveys, Inc., 2015) and Preliminary Grading Plan (Bethel Engineering, 2015) indicate that implementation of the project would require the removal of two mature coast live oak trees; however, during the 2016 reconnaissance survey as well as an aerial comparison of previous tree maps with current conditions, it was determined that some of the previously inventoried mature trees are no longer present. One large oak had recently uprooted and fallen over, likely during a recent storm event.

IMPACT ANALYSIS AND RECOMMENDATIONS

Impacts to Special Status Plants

As discussed previously, three special status plant species have potential to occur in the BSA based on the known ranges, habitat preferences, species occurrence records from the CNDDB, and species occurrence records from other sites in the vicinity of the BSA: Cambria morning-glory, paniculate tarplant, and California spineflower. All three are CRPR 4.2 species and were not observed during the reconnaissance surveys. To date, appropriately timed floristic surveys have not been completed on the property and direct impacts to these species are unknown. Impacts to vegetation, including special status plants were previously considered in the OCP, including Impact KSB-BIO-1, Loss of Vegetation and Habitat.

The OCP FEIR previously required Mitigation BIO-29, the preparation of implementation of a mitigation plan for any project which eliminates rare plants. Impacts to special status plant species due to implementation of the proposed project could be further avoided and/or minimized with the following measure incorporated.

1. **Special Status Plant Surveys**. Prior to any vegetation removal, grubbing, or construction activities, seasonally timed special status plant surveys shall be conducted by a County-approved biologist in any building areas no more than two years before initial ground disturbance. The purpose of the surveys is to document the number, if any, of sensitive plants within construction areas so that mitigation can be accomplished. The surveys shall coincide with the bloom periods for each species listed above and all special status plant species identified on-site shall be mapped onto a site-specific aerial photograph. Surveys shall be conducted in accordance with the most current protocols established by the CDFW, USFWS, and the local jurisdictions, if said protocols exist.

Impacts to Special Status Animals

As discussed previously, six special status animal species have potential to occur within the BSA based upon known ranges, habitat preferences, species occurrence records from the CNDDB, and species occurrence records from other sites in the vicinity of the BSA.

As stated above, CTS would be very unlikely to occur in the BSA, but may occur transiently, utilizing the site while dispersing between aquatic habitat and suitable upland refuge sites. As such, impacts to CTS from construction, albeit a low probability would only occur if individuals were present during above ground dispersal from one area to another. The greatest likelihood of this occurring would be associated with activities conducted during the rainy season. No impacts to CTS critical habitat would occur as the BSA is not within a designated critical habitat area. Impacts are very unlikely and no avoidance measures are recommended.

No evidence of western red bat or pallid bat was observed in the BSA; however, trees suitable for roosting as well as foraging habitat is present in the BSA. Additionally, no evidence of foraging Townsend's big-eared bat was observed in the BSA and suitable roosting habitat is not present in BSA. Direct impacts to roosting bats could occur if roosts are present in trees during removal. The project is not expected to result in significant indirect impacts due to large quantities of suitable foraging habitat in the vicinity of the BSA.

No evidence of Blainville's horned lizard was observed in the BSA. Suitable burrow habitat is not present in the BSA; however, suitable habitat is present on adjacent properties and foraging or dispersing individuals could occur transiently. Silvery legless lizard was not detected in the BSA but marginally suitable habitat is present. Impacts to Blainville's horned lizard and silvery legless lizard could occur during initial ground disturbing activities if present within the proposed disturbance area.

These impacts were previously considered in the OCP, including Impact KSB-BIO-2 Impacts to Wildlife. Based on the site-specific conditions and resources found in the BSA additional, no specific measures required by the OCP or the OCP FEIR apply. However, project related impacts toBlainville's horned lizard, silvery legless lizard, western red bats, and pallid bats due to implementation of the proposed project could be avoided and/or minimized with the following measures incorporated.

2. **Blainville's Horned Lizard, Silvery Legless Lizard, Avoidance and Minimization Measures.** The following measures are designed to reduce the potential for impacts to the species.

    a. Immediately prior to initiation of ground disturbing activities and vegetation removal, a County-approved biologist shall conduct a pre-activity clearance survey. Any individuals captured by these efforts shall be relocated to designated open space areas onsite or at County-approved off-site locations. Captured animals shall be placed into containers with sand or moist paper towels and released to the closest suitable habitat within three hours.

3. **Western Red Bat and Pallid Bat Avoidance and Minimization Measures.** The following measure is designed to reduce the potential for impacts to the species.

    a. For construction activities occurring at a time when western red bats and pallid bats may occupy their winter range (September–May) surveys for roosting western red bats shall be conducted by a qualified biologist within 14 days prior to tree removal activities. The surveys shall include the entire area of disturbance area and focus on the trees located in the impact area. If active roosts are located, all construction work shall be conducted outside a buffer zone from the roost to be determined by the qualified biologist. The buffer area(s) shall be closed to all construction personnel and equipment until May 1.

Nesting Birds

Suitable nesting habitat is present in the majority of the BSA. The eucalyptus and non-native tree groves provide nesting habitat for both song birds and raptors. Direct impacts to nesting birds could occur if nests are present in trees that are being removed. Indirect impacts to nesting bird species could occur if they are present in the immediate vicinity of areas of disturbance at the time of construction. These impacts were previously considered in the OCP, including Impact KSB-BIO-1 Loss of Vegetation and Habitat and Impact KSB-BIO-2 Impacts to Wildlife.

The OCP FEIR previously required Mitigation BIO-27, protection of eucalyptus woodland used for roosting, nesting, and perching by birds where feasible and replacement of any removed eucalyptus trees with native trees. Impacts to nesting birds due to implementation of the proposed project could be further avoided with the following measures incorporated.

4. **Nesting Bird Avoidance and Minimization Measures.** The following measure is designed to reduce the potential for impacts to the species.

    a. Preconstruction Surveys for Nesting Birds. For construction activities occurring during the nesting season (generally February 1 to September 15), surveys for nesting birds covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a qualified biologist no more than 14 days prior to vegetation removal. The surveys shall include the entire area of disturbance area plus a 500-foot buffer around the site where feasible. If active nests are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer shall be a minimum of 50 feet for non-raptor bird species and 300 feet for raptor species. Larger buffers may be required depending upon the status of the nest and the type of construction activities occurring in the vicinity of the nest. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer.

Impacts to Oak Trees

Based on the Tentative Tract Map (Fargen Surveys, Inc., 2015) and Preliminary Grading Plans (Bethel Engineering, 2015) two mature oak trees are proposed for removal. However, during the 2016 review of existing site conditions as well as an aerial comparison of previous tree maps

with current conditions, it was determined that some of the previously inventoried mature and established trees are no longer present. Potentially diseased and/or senescent pine trees were observed in the BSA during the reconnaissance survey. The observed poor condition of many trees in the BSA, as well as years of drought followed by recent storm events, are possibly responsible for the losses. Direct impacts to oaks would occur during implementation of this project. These impacts were previously considered in the OCP, including Impact KSB-BIO-1 Loss of Vegetation and Habitat.

The OCP FEIR previously required Mitigation BIO-26, protection of oak trees where feasible and where oak trees are removed, they shall be replaced in a manner consistent with the County standards. Impacts to oak tree due to implementation of the proposed project could be avoided and mitigated with the following measures incorporated.

5. **Native Tree Protection**. Native trees should be avoided to the maximum extent feasible. Prior to the onset of construction activities highly visible orange construction fencing shall be installed around existing stands and individuals at a buffer/extent radius of six feet beyond the canopy dripline, wherever feasible, or otherwise marked in the field to protect them from harm during implementation of the proposed project.

6. **Tree Protection Plan.** The County's Standard Conditions and Mitigation Measures requires a Tree Protection Plan as part of the Site Plan describing the trees to be trimmed and/or removed, the trees to be preserved, and the trees that will be boxed and replanted. A Tree Protection Plan will be prepared and submitted to the County by the applicant prior to any work around coast live oaks on the property. The plan shall include, but would not be limited to, an updated inventory of trees within the construction site, setbacks from trees and protective fencing, restrictions regarding grading and paving near trees, as well as direction regarding pruning and digging within root zone of trees. Trees removed by the proposed project shall be replaced at a ratio of 10:1 (trees planted: tree impacted).

REFERENCES

Baldwin, B.G., D.H. Goldman, D.J. Keil, R. Patterson, T.J. Rosatti, and D.H. Wilken, editors. 2012. *The Jepson Manual: Vascular Plants of California, second edition.* University of California Press, Berkeley, CA.

Bethel Engineering. 2015a. Preliminary Grading Plan for A.P.N. 103-200-065. July 20.

Bethel Engineering. 2005b. Preliminary Grading Plan for Vintage Ranch. September 3.

California Department of Fish and Wildlife. 2016. California Natural Diversity Database (CNDDB), Rarefind 5 (online). Commercial Version.

California Native Plant Society. 2016. Inventory of Rare and Endangered Plants. Online Edition, v8-02. Available at www.rareplants.cnps.org.

Google. 2015. Google Earth Pro. Available at: http://earth.google.com/

Fargen Surveys, Inc. 2015. Draft Tentative Tract Map. July.

Holland, Robert F. 1986. *Preliminary Descriptions of the Terrestrial Natural Communities of California.* California Department of Fish and Wildlife, Nongame Heritage Program. 156 pgs.

Loredo, I., D. Van Vuren, M. L. Morrison. 1996. Habitat Use and Migration Behavior of the California Tiger Salamander. Journal of Herpetology, 30: 282-285.

Papenfuss, T. J., & Parham, J. F. 2013. *Four New Species of California Legless Lizards (Anniella).* Breviora, 1-17.

Santa Barbara, County of. *Orcutt Community Plan Update, Final Environmental Impact Report,* 1995. Planning and Development Department.

Santa Barbara, County of. 2005a. *Orcutt Community Plan.* As Amended through October 2004. Printed March 2005.

Santa Barbara, County of. 2008. *Environmental Thresholds and Guidelines Manual.* October. Santa Barbara.

Santa Barbara, County of. 2011. *County of Santa Barbara Planning and Development, A Planner's Guide to Conditions of Approval and Mitigation Measures.* Available at: http://sbcountyplanning.org/.

Sawyer, J. O., T. Keeler-Wolf, and J.M. Evens. 2009. *A Manual of California Vegetation, Second Edition.* California Native Plant Society, Sacramento, California.

Suarez, A. V., Richmond, J. Q., & Case, T. J. 2000. *Prey selection in horned lizards following the invasion of Argentine ants in southern California.* Ecological Applications, 10(3): 711-725.

Trenham, P. C. 2001. Terrestrial Habitat Use by Adult California Tiger Salamanders. Journal of Herpetology, 35: 343-346.

Trenham, P. C., H. B. Shaffer. 2005. Amphibian upland habitat use and its consequences for population viability. Ecological Applications, 15: 1158-1168.

United States Fish and Wildlife Service. 2010. *California Tiger Salamander Habitat Map.*

United States Fish and Wildlife Service. 2015. *Draft Recovery Plan for the Santa Barbara County Distinct Population Segment of the California Tiger Salamander (Ambystoma californiense).* April 24.

United States Fish and Wildlife Service. 2016a. Critical Habitat Portal. Available at: http://criticalhabitat.fws.gov

United States Fish and Wildlife Service. 2016b. Information, Planning, and Conservation System. Available at: http://ecos.fws.gov/ipac/

United States Fish and Wildlife Service. 2016c. National Wetland Inventory. Available at: http://www.fws.gov/wetlands/Data/Mapper.html

Thank you for the opportunity to support your environmental analysis needs for this important project. Please contact us if you have any questions.

Sincerely,
RINCON CONSULTANTS, INC.

Kyle Weichert, MS
Associate Biologist

Colby J. Boggs, MS
Principal/Senior Ecologist

Attachments: *Site Photographs*
Figure 1 – Project Location
Figure 2 – Proposed Project and Tree Inventory
Figure 3 – Natural Communities

Site Photographs

Photo 1. View south of the gully in the northwest corner of the BSA.

Photo 2. View northwest of the non-native annual grassland from the southeast corner of the BSA.

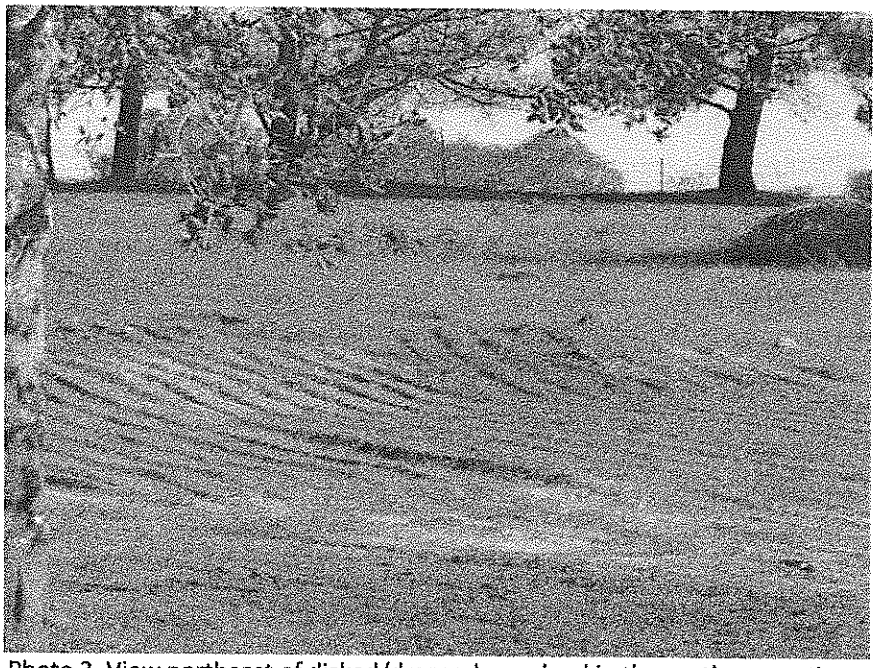
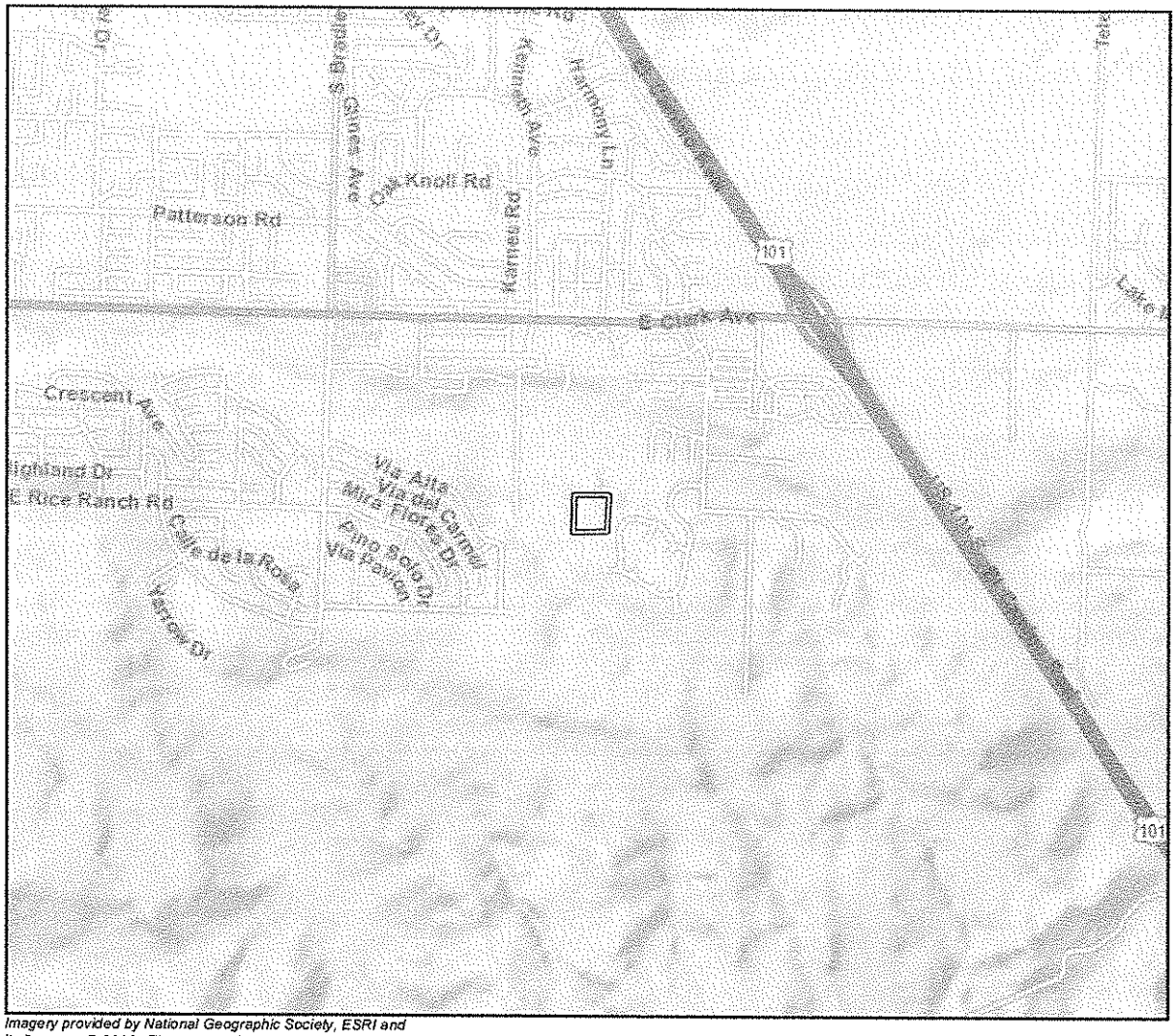


Photo 3. View northeast of disked/dragged grassland in the northern portion of the BSA.

Photo 4. View southeast of the eucalyptus grove in the northern portion of the BSA.

Photo 5. View north of the disturbed ruderal habitat in the northwest corner of the BSA with debris and soil sliding into the gully.



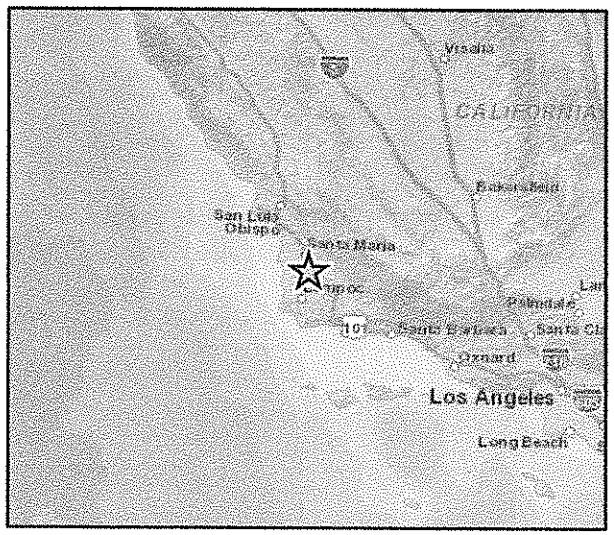
Imagery provided by National Geographic Society, ESRI and its licensors © 2016. The topographic representation depicted in this map may not portray all of the features currently found in the vicinity today and/or features depicted in this map may have changed since the original topographic map was assembled.

Project Location

N

0 1,250 2,500

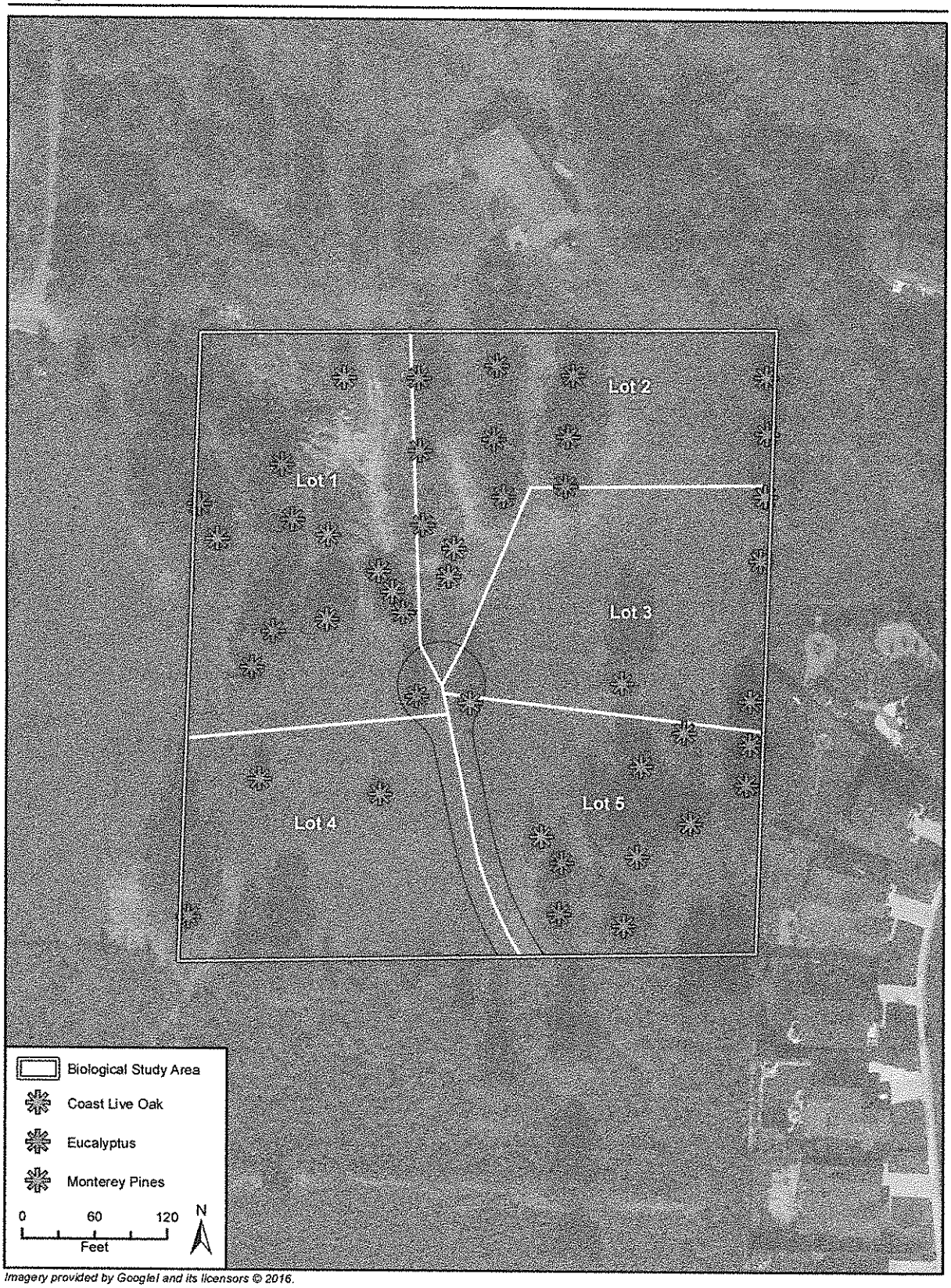
Feet



Project Location

Figure 1

Halsell Builders, Inc.



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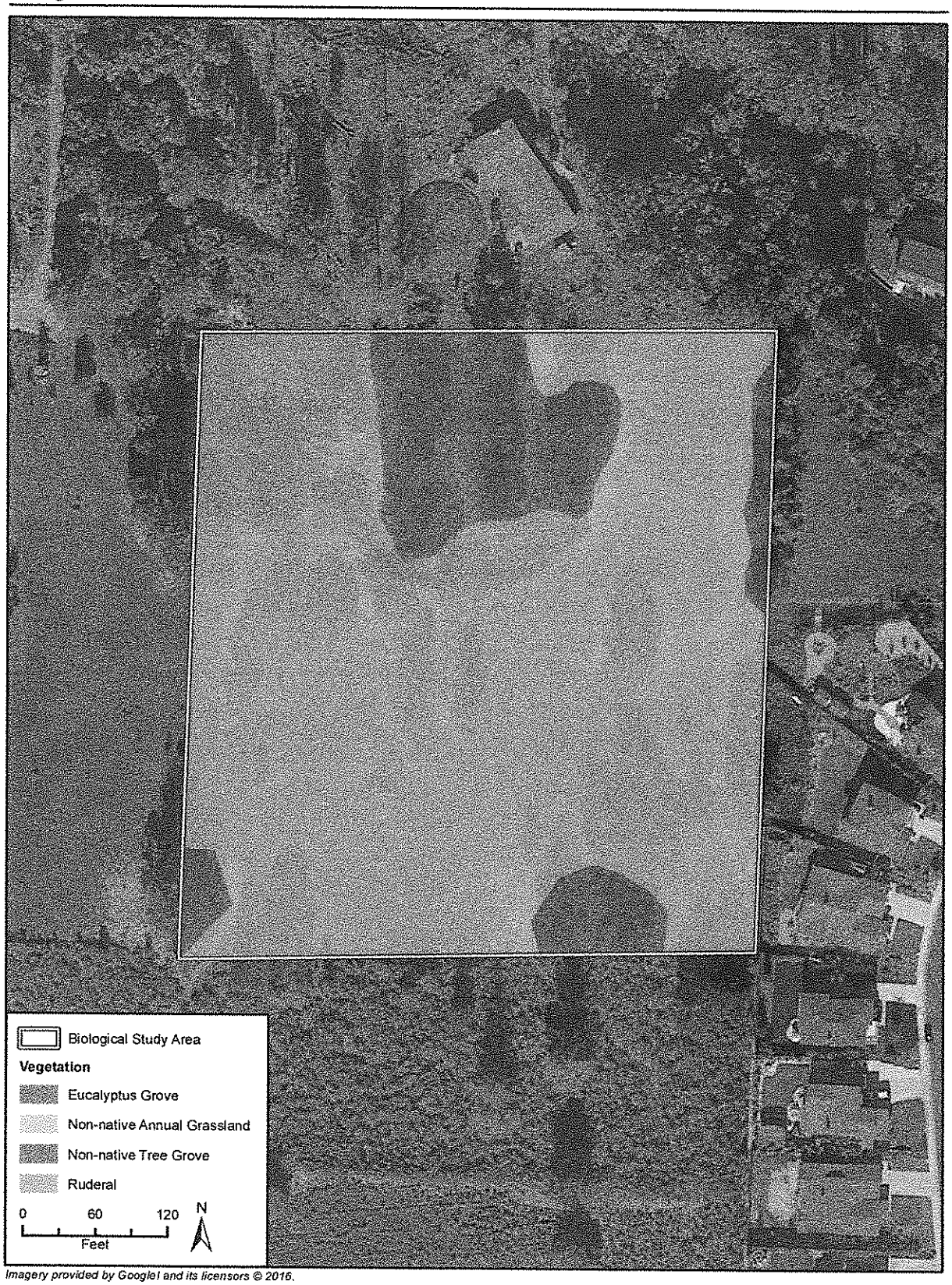
Proposed Project and Tree Inventory

Figure 2



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Vegetation Types

Figure 3

Halsell Builders, Inc.

Rincon Consultants, Inc.
1530 Monterey Street, Suite D
San Luis Obispo, California 93401

805 547 0900
FAX 547 0901

info@rinconconsultants.com
www.rinconconsultants.com

October 19, 2016
Project No. 15-02277

Joe Halsell,
President/CEO
Halsell Builders
3130 Skyway Drive, Ste. 601
Santa Maria, CA 93455
Via email: joehalsell@halsellbuilders.com

RE: Addendum to the Biological Resources Assessment for the Development of APN 103-200-065 – Key Site B, Santa Barbara County, California

Dear Mr. Halsell:

Rincon Consultants, Inc. (Rincon) is pleased to provide additional biological services for the proposed development of Assessor's Parcel Number (APN) 103-200-065, referred to as Key Site B (Project), in Santa Barbara County, California. This report serves as an addendum to our February 2016 Biological Resources Assessment (BRA) report prepared for the project. We understand that revisions have been made to the project plans in the time since the BRA was prepared. This report includes a review of the current project plans and an assessment of both direct and indirect potential impacts to on-site biological resources due to the plan revisions.

We note that the scale of the project has been expanded from the original project description on which the February 2016 BRA was based. It is our understanding that the project has been expanded to include a 0.23-acre stormwater basin. As a result of this expansion in project scale, potential impacts to biological resources would increase.

IMPACT ANALYSIS AND RECOMMENDATIONS

The project expansion will increase potential impacts due to the required ground and vegetation disturbance, as well as additional tree removal. The proposed expansion will impact approximately 0.17 acre of eucalyptus grove and 0.06 acre of ruderal vegetation types. The expansion will also require removal of seven trees including: three coast live oak (*Quercus agrifolia*) trees with a diameter at breast height of greater than eight inches, three blue gum eucalyptus (*Eucalyptus globulus*) trees, and one California bay laurel (*Umbellularia californica*) tree.

In addition to the special status species previously listed in the February 2016 BRA, the revised project area contains potentially suitable habitat for the California overwintering population of monarch butterfly (*Danaus plexippus*). Overwintering

populations of monarch butterfly are considered Special Animals. "Special Animals" is a broad term used to refer to all the animal taxa tracked by the California Department of Fish and Wildlife's California Natural Diversity Database (CNDDB), regardless of their legal or protection status. Monarch butterflies are not protected by the federal or state Endangered Species Act or any applicable local regulation. The eucalyptus grove present in the project area is marginally suitable for overwintering monarch butterflies, as the canopy of this grove is somewhat open and unprotected from wind. Monarchs are not known to overwinter in these trees and have not been recorded in the CNDDB as occurring onsite. As such, overwintering monarch butterflies would be unlikely to occur or be impacted by project-related construction. No additional measures are recommended beyond those already included in the February 2016 BRA.

If you have any questions regarding this study or if we can provide you with other environmental consulting services, please feel free to contact us.

Sincerely,

RINCON CONSULTANTS, INC.

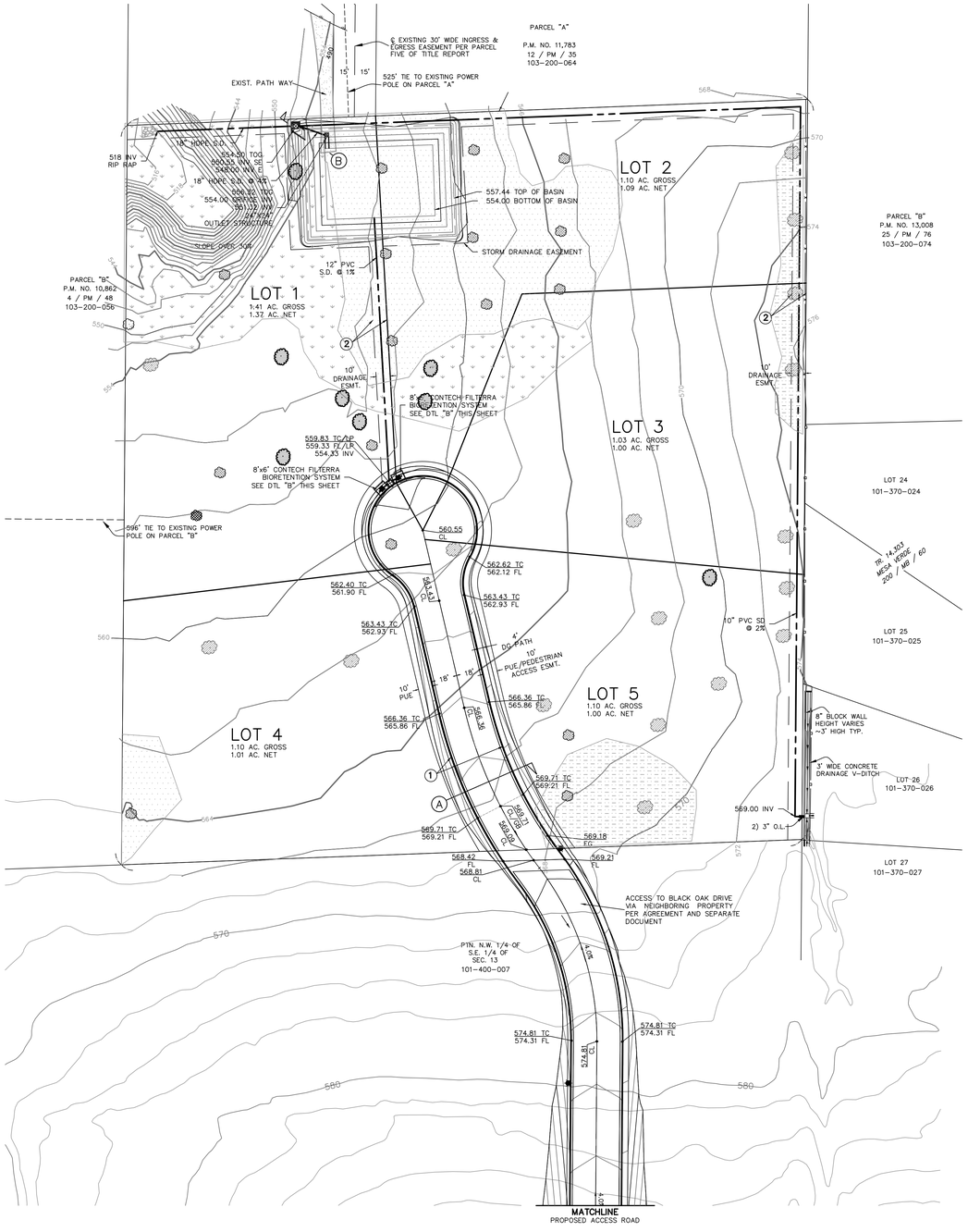
Michelle Boudreau, BS
Associate Biologist/Botanist

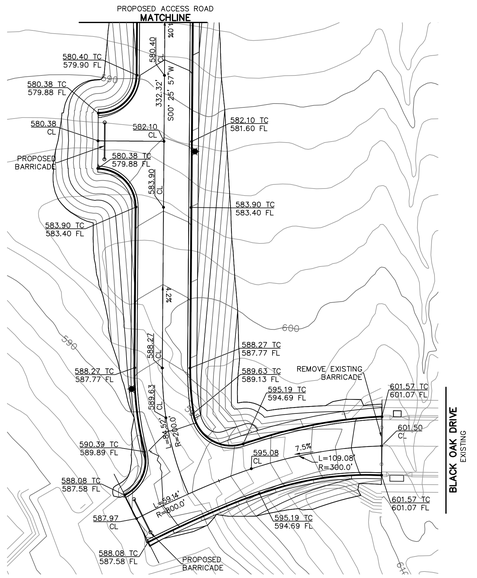
Kyle Weichert
Associate Biologist

Colby J. Boggs, MS
Principal/Senior Ecologist

A.P.N. 103-200-065

PRELIMINARY GRADING PLAN





VEGETATION LEGEND

- COAST LIVE OAK
- EUCALYPTUS
- MONTEREY PINES
- EUCALYPTUS GROVE
- RUDERAL
- NON-NATIVE TREE GROVE
- NON-NATIVE ANNUAL GRASSLAND

LEGEND

- FUTURE CONST.
- PROJECT BOUNDARY
- CENTERLINE
- PROPERTY LINE
- CURB LINE
- EXIST. CURB LINE
- EASEMENT LINE
- STORM DRAIN
- EXIST STORM DRAIN
- STREET LIGHT CONDUIT
- EXIST. ST. LT. CONDUIT
- E.P./LIP OF GUTTER
- WOOD FENCE
- WALL W/ WOOD INSERTS
- VIEW FENCE
- MASONRY WALL
- 2:1 SLOPE
- 4:1 SLOPE
- EXIST. CONTOURS
- PROPOSED CONTOURS

STORM DRAIN MANHOLE
EXIST. S.D. MANHOLE
STREET LIGHT
FINISHED PAD ELEV. 200.00 F.P.

ABBREVIATIONS

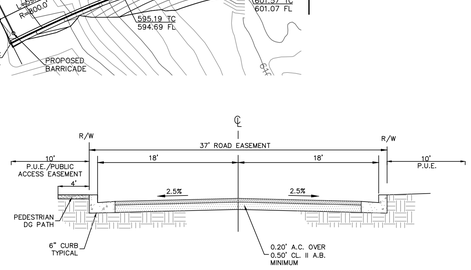
TOP OF CURB	T.C.	TOP OF WALL	T.O.W.
FLOW LINE	F.L.	TOP OF FOOTING	T.O.F.
EDGE OF PAVEMENT	E.P.	GRADE BREAK	G.B.
ASPHALT CONCRETE	A.C.		
HIGH POINT	H.P.		
LOW POINT	L.P.		
FINISHED GRADE	F.G.		
BACK OF WALK	B.W.		

EARTHWORK QUANTITIES

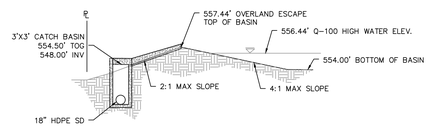
CUT: 8,750 C.Y. (RAW)

FILL: 828 C.Y. (RAW)

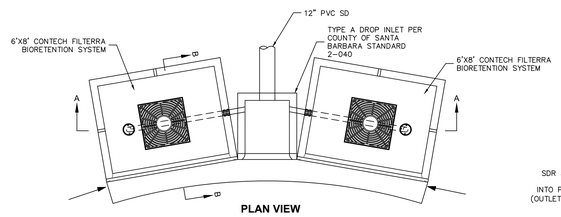
NOTE: THESE NUMBERS DO NOT REFLECT OVER-EXCAVATION OF PAD AREAS. (EARTHWORK TO BALANCE ON-SITE)



A TYPICAL PRIVATE ROAD SECTION
N.T.S.



B OVERLAND ESCAPE SECTION
N.T.S.



B WATER TREATMENT INLET
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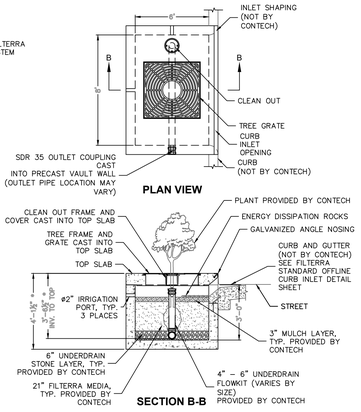
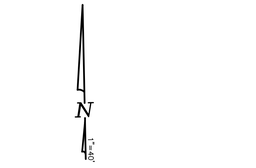


CONTECH FILTERRA BIORETENTION SYSTEM
N.T.S.

05/16/17



GRAPHIC SCALE

40 0 20 40 80 160

(IN FEET)
1 inch = 40 ft.

BETHEL engineering
2624 Airpark Dr., Santa Maria, California 93455 (805) 934-5767

REGISTERED PROFESSIONAL ENGINEER RUSSELL J. GARRISON No. 59987 CIVIL ENGINEER STATE OF CALIFORNIA

FOR REVIEW ONLY

DESIGNED BY: A.G.
CHECKED BY: R.J.G.

REVISIONS

DATE	DESCRIPTION

PRELIMINARY GRADING PLAN FOR A.P.N. 103-200-065
SANTA BARBARA COUNTY , CALIFORNIA

RUSSELL J. GARRISON R.C.E. 59987 DATE

SCALE: AS SHOWN

THE UNDERSIGNED CIVIL ENGINEER CERTIFIES THIS GRADING WORK WILL BE SUPERVISED IN ACCORDANCE WITH SANTA BARBARA CO. ORDINANCE NO. 4477

APPROVED:

DATE _____ BY _____
S.B. CO. DIRECTOR OF PUBLIC WORKS

SHEET 1 OF 1

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Edmund G. Brown Jr.
Governor

Ken Alex
Director

August 10, 2017

Joyce Gerber
Santa Barbara County
123 E. Anapamu Street
Santa Barbara, CA 93101

Subject: Halsell Tract Map and Rezone
SCH#: 2017071013

Dear Joyce Gerber:

The enclosed comment (s) on your Negative Declaration was (were) received by the State Clearinghouse after the end of the state review period, which closed on August 4, 2017. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2017071013) when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

late 8/10/17 E

August 9, 2017

Joyce Gerber, Senior Planner
Santa Barbara County Planning and Development Department
123 East Anapamu Street
Santa Barbara, CA 93101
jgerber@co.santa-barbara.ca.us

RE: Halsell Tract Map and Rezone (Project)
MITIGATED NEGATIVE DECLARATION (MND), SCH #2017071013

Dear Ms. Gerber:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt an MND from the County of Santa Barbara (County) for the Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.1

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources, and holds those resources in trust by statute for all the people of the state. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

---

1 CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

PROJECT DESCRIPTION SUMMARY

Proponent: Joseph Halsell

Objective: The objective of the Project is to divide an undeveloped parcel of approximately 5.74 acres into 5 parcels of approximately 1 acre each. The Project includes grading for a 36-foot-wide private access driveway and storm water retention basin. Future development on the five proposed lots include single-family dwellings.

Location: The Project site is located at the southern terminus of Deer Hollow Lane, in the Community of Orcutt, Santa Barbara County, Latitude 34.857163° Longitude120.407456°. Surrounding land uses include residential development to the east, and open space to the north, south, and west.

Timeframe: Unspecified

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

CEQA requires a lead agency to consider the whole of an action when analyzing a project's environmental impacts (CEQA Guidelines §15003(h), §15378). Future residential development on the Project site was not specified in the MND. CDFW requests the precise location, configuration and size of each of the five proposed building sites and associated infrastructure. Without this specificity, CDFW is not able to adequately assess the totality of impacts to biological resources resulting from the Project, and cannot fully evaluate the effectiveness of the proposed mitigation measures. CDFW therefore recommends a detailed description of proposed residential development, with an analysis of the potential for impacts to biological resources, and associated measures to mitigate impacts, be presented in a revised and re-circulated CEQA document.

I. Environmental Setting and Related Impact Shortcoming

COMMENT #1

Page 14

Issue: There is potential from the Project for take of California tiger salamander (*Ambystoma californiense*). The California tiger salamander is listed as endangered in Santa Barbara County (County) by the U.S. Fish and Wildlife Service (Service), and as threatened pursuant to CESA (Fish and Game Code § 2050 et seq.) (See Cal. Code Regs., tit. 14, § 670.5, subd. (b)(3)(G)). Adult California tiger salamanders are known to breed in ponded water in the northern part of

the County. Adult and juvenile California tiger salamanders are known to migrate and occupy small mammal burrows in upland habitat up to 1.3 miles from a breeding pond (Orloff, 2007)2.

The Project site is approximately 1.0 mile northwest of potential California tiger salamander breeding pond ORCU-2 (Santa Barbara County DPS California Tiger Salamander Pond Habitat Map, July, 2010). There is potential, therefore, for California tiger salamander to have migrated from ORCU-2 to the Project site. The draft MND does not discuss the potential for take of California tiger salamander.

Specific impact: Crushing or entombment of California tiger salamander (from collapsing or excavating burrows containing salamanders).

Why impact would occur: From the use of heavy equipment for grading during construction of roads or residences and other infrastructure.

Recommended Potentially Feasible Mitigation Measure to reduce impacts to less than significant: CDFW and the Service have developed a survey protocol to be used to detect California tiger salamander in aquatic and upland habitat with the potential to support salamanders (Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander, http://www.dfg.ca.gov/wildlife/nongame/docs/CTSFinalGuide10-03.pdf). To satisfy CDFW that the Project may proceed with minimum likelihood of take of California tiger salamander, protocol survey results must produce a Negative Finding.

If California tiger salamander is discovered on the Project site, an Incidental Take Permit (ITP) from the Department may be required if the Project, Project construction, or any Project-related activity during the life of the Project will result in "take" of CTS as defined by the Fish and Game Code (Fish & G. Code, §§86, 2080, 2081(b)(c)).

Revisions to the Fish and Game Code, effective January 1998, require CDFW to issue a separate CEQA document for the issuance of a CESA permit, unless the Project CEQA document addresses all Project impacts to the listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a CESA permit. It is imperative with these potential permitting obligations that the MND or subsequent CEQA documents include a thorough and robust analysis of the potentially significant impacts to CTS and their habitat, which may occur as a result of the proposed Project. For any such potentially significant impacts, the County should also analyze and describe specific, potentially feasible mitigation measures to avoid or substantially lessen any such impacts as required by CEQA and, if an ITP is necessary, as required by the relevant permitting criteria prescribed by Fish and Game Code section 2081, subdivisions (b) and (c). The failure to include this analysis in the MND or subsequent CEQA documents could preclude CDFW from relying on the County's analysis to issue an ITP without CDFW first conducting its own, separate lead agency subsequent or supplemental analysis for the project (See, e.g., Cal. Code Regs., tit. 14, § 15096(f); Pub.Resources Code, § 21166).

---

2 Orloff, S. 2007. Migratory movements of California tiger salamander in upland habitat – a five-year study (Pittsburg, California). Ibis Environmental, Inc., prepared for Bailey Estates LLC, May 2007. 47 pp. and appendices.

COMMENT #2

Page 12

Issue: Habitat types with the potential to experience direct or indirect Project impacts may include central coastal scrub, nonnative annual grassland, coast live oak forest/woodlands, and valley oak savannas. No accurate map of the Project site was included in the MND. It was therefore not possible for CDFW to determine if or to what extent habitats would be affected.

The MND does not include recent information on plant species contained within the Project site. Mitigation measures in the MND include conducting surveys for sensitive flora prior to specific Project activities. CDFW does not agree that results of surveys qualify as a mitigation measure, but rather are baseline information, which should be included and analyzed in a revised and re-circulated MND. Plant surveys should follow the Department's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (see http://www.dfg.ca.gov/habcon/plant/).

Specific impact: Direct and indirect losses to the habitats listed above may occur as a result of Project construction and occupancy of residences. The Project site is within Key Site B, as identified in the Orcutt Community Plan (OCP) EIR; certified by the County in 1997. Habitat mapped in the OCP EIR for the Project site was almost entirely Significant Habitat Coastal Scrub. Sensitive habitats could be indirectly affected by a variety of adverse edge effects associated with the Project. An increase in noise, artificial light, human activity, vehicle traffic, domestic pets, weed invasion, chemical drift, and other adverse edge effects could result from the Project. Adverse edge effects can extend for many hundreds of feet beyond the development footprint. In addition, the configuration of driveways and building sites within the larger Project site landscape will result in fragmentation of habitats and altering wildlife habitat functions and values. These changes diminish the ability of existing natural habitat to support wildlife, and typically lead to a reduction in the carrying capacity of the habitats, resulting in the potential decline of local populations of certain native plant and wildlife species. Introduction of irrigated landscaping, ground disturbance, and creation of impervious surfaces associated with development may also lead to invasion of non-native Argentine ants, which can have a cascading, negative effect of a variety of species associated with these habitat types (Suarez, et al. 1998; CBI, 2000)3·4.

Additional foreseeable impacts not adequately addressed in the MND include the alteration of historic fire regimes necessary to sustain certain key elements of the coastal scrub ecosystem. Certain coastal scrub species require stand-replacing, occasional wildfires to regenerate and

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3 Suarez, A.V., D.T. Bolger, and T.J. Case. 1998. Effects of fragmentation and invasion on native ant communities in coastal southern California. Ecology 79(6):2,041 2,056.

4 Conservation Biology Institute, 2000. Review of potential edge effects on the San Fernando Valley spineflower (Chorizanthe parryi var. fernandina). Prepared for the Ahmanson Land Company. 43 pp.

maintain stand health and vigor. The ability of scrub species to regenerate may be threatened by efforts to prevent wildfires to protect estates should the area become developed.

Why impact would occur: From the use of heavy equipment for grading during construction of roads or residences and other infrastructure.

Recommended Potentially Feasible Mitigation Measure to reduce impacts to less than significant: The open spaces surrounding each of the 5 proposed building sites should be placed into a Private Conservation Areas (PCAs) to be protected from future development in perpetuity. The PCAs should be accompanied by conservation easements recorded with the County. Fences should not be allowed other than immediately surrounding the building sites and PCAs should be managed to maximize their wildlife and native plant community values.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNNDB field survey form can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDB_FieldSurveyForm.pdf. The completed form can be mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the MND to assist the County in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Mr. Martin Potter, Senior Environmental Scientist (Specialist) at (805) 640-3677 or Martin.Potter@Wildlife.ca.gov.

Sincerely,

Betty J Courtney

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South Coast Region

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