

SANTA BARBARA COUNTY PLANNING COMMISSION
Coastal Zone Staff Report for the
Beach Club Lot Split, Gabion Wall and Grading, and
New Single Family Residence Project

Hearing Date: December 4, 2013
Staff Report Date: November 15, 2013
Case Nos.: 12TPM-00000-00006,
11CDH-00000-00006 &
11CDH-00000-00054
Environmental Document: 13-ND-12

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The project site is identified as Assessor Parcel Number 005-260-018, located approximately 2,250 feet east-southeast of the Padaro Lane/U.S. Highway 101 interchange, at 2825 Padaro Lane, in the Summerland area, First Supervisorial District.

Applications Complete: November 16, 2011 (11CDH-6), April 27, 2012 (11CDH-54) and June 18, 2012 (12TPM-00000-00006)

Processing Deadline: 60 days from adoption of ND

1.0 REQUEST

Hearing on the request of Ginger Andersen, agent for the Beach Club Family Trust, owner, to consider the following:

- a. Case No. 12TPM-00000-00006, [application filed on July 19, 2012] for approval of a Tentative Parcel Map in compliance with County Code Chapter 21 to divide 10.25 acres into two lots of 3.02 and 7.23 acres, on property zoned 3-E-1;
- b. Case No. 11CDH-00000-00006 [application filed on February 9, 2011] for a Coastal Development Permit with hearing in compliance with Section 35-169 of the Article II Coastal Zoning Ordinance, on property zoned 3-E-1, to allow (1) as-built grading, (2) modifications to the biological resources restoration plan titled "Habitat Restoration and Revegetation Plan for 2825 Padaro Lane (APN 005-260-009), Summerland, Santa Barbara County, California" dated April 9, 2009 (Plan) that was previously approved under Case no. 08CDH-00000-00014, (3) removal of the single family dwelling, (4) removal of the accessory structure, (5) removal of a retaining wall, (6) removal of the play structure, (7) abandonment of an existing well, (8) grading for sensitive resource capping, and (9) installation of a split-rail safety fence; and
- c. Case No. 11CDH-00000-00054 [application filed on November 30, 2011] for a Coastal Development Permit with hearing in compliance with Section 35-169 of the Article II Coastal Zoning Ordinance, on property zoned 3-E-1, to allow construction of a new single family residence and associated fencing and landscaping;

and to adopt the Mitigated Negative Declaration (13 -ND- 12) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of this project, significant but mitigable effects on the environment are anticipated in the following categories:

Aesthetic/Visual Resources, Air Quality, Biological Resources, Cultural Resources, Fire Protection, Geologic Resources, Noise and Water Resources.

The ND and all documents may be reviewed at the Planning and Development Department, 123 E. Anapamu St., Santa Barbara (or 624 W. Foster Rd., Santa Maria). The ND is also available for review at the Central Branch of the City of Santa Barbara Library, 40 E. Anapamu St., Santa Barbara.

The application involves AP No. 005-260-018, located at 2825 Padaro Lane in the Summerland area, First Supervisorial District.

2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below and conditionally approve Case Nos. 12TPM-00000-00006, 11CDH-00000-00006, and 11CDH-00000-00054 marked "Officially Accepted, County of Santa Barbara (December 4, 2013) County Planning Commission Attachment 1", based upon the project's consistency with the Comprehensive Plan, including the Coastal Land Use Plan and the Summerland Community Plan, and based on the ability to make the required findings.

Your Commission's motion should include the following:

1. Make the required findings for approval of the project specified in Attachment A of this staff report, including CEQA findings;
2. Adopt the Mitigated Negative Declaration 13NGD-00000-00012, included as Attachment C of this staff report, and adopt the mitigation monitoring program contained in the Conditions of Approval;
3. Approve case no. 12TPM-00000-00006 subject to the conditions included as Attachment B.1;
4. Approve case no. 11CDH-00000-00006 subject to the conditions included as Attachment B.2; and
5. Approve case no. 11CDH-00000-00054 subject to the conditions included as Attachment B.3.

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

3.0 JURISDICTION

This project is being considered by the County Planning Commission based on the following.

Section 21-6(a) of Chapter 21 of the Santa Barbara County Code (Subdivision Regulations) states that the Planning Commission shall be the decision-maker for Tentative Parcel Maps that are not exempt from environmental review.

Section 35-169.4 (2) of Article II identifies the Zoning Administrator as the decision-maker for development that is appealable to the Coastal Commission in compliance with Section 35-182 (Appeals) and that is not processed in conjunction with a Conditional Use Permit or Development Plan.

Sec. 35-144B of Article II and Section 21-6.c of the Subdivision Regulations state that all applications relating to the same development project shall be under the jurisdiction of the decision-maker with the highest jurisdiction.

4.0 ISSUE SUMMARY

The subject parcel, located at the mouth of Toro Canyon Creek, contains sensitive cultural and biological resources. Specifically, prehistoric archaeological site CA-SBA-1566 covers much of the parcel. Also, the banks and associated riparian area adjacent to Toro Canyon Creek are identified as Environmentally Sensitive Habitat (ESH). A habitat restoration plan was previously approved for this area and is partially completed. Following the filing of a complaint regarding unpermitted grading within the creek setback and archaeological site, a zoning violation case was opened in 2011.

The proposed project consists of (1) a two-way lot split (12TPM-00000-00006); (2) legalization of work conducted without the benefit of a permit, as-built and proposed modifications to the previously approved habitat restoration plan, and removal of existing structures (11CDH-00000-00006); and (3) construction of a new residence (11CDH-00000-00054).

The unpermitted work consisted of grading, construction of a gabion wall, and other deviations from the approved restoration plan. A study was conducted to assess the impacts to the archaeological site from this work. Although installation of the gabion wall did not impact intact, significant portions of the resource, other unpermitted grading did impact significant site deposits. Rather than require additional excavation to mitigate significant impacts to cultural resources, a mitigation measure has been applied to the requested permits that would require completion of analysis and artifact curation tasks for an archaeological excavation conducted on the property in 2007, as well for as recently excavated materials.

An additional mitigation measure would require the applicant to finalize an addendum to the approved habitat restoration and revegetation plan to reflect as-built conditions and guide future work. As part of the revised restoration plan, the applicant is requesting legalization of as-built slope stabilization features located along the east-facing slope above Toro Canyon Creek. These features would effectively prevent loose, unconsolidated soils from eroding into the creek and also would prevent erosion of the archaeological site during episodic winter storm events.

Approval of permit no. 11CDH-00000-00006 would require mitigation of the impacts to cultural resources, allow implementation of the revised restoration plan, permit removal of buildings located in the 100 ft riparian setback, and require capping and revegetation of the significant cultural resource. Approval and issuance of this permit would resolve the outstanding zoning violation and is a requirement for issuance of any other permit on the subject parcel, including recordation of the Tentative Parcel Map.

The two new lots resulting from the subdivision would each have a building envelope consistent with all applicable setbacks (i.e. 71 ft total slope stability and sea bluff retreat setbacks, 100 ft buffer from riparian edge of canopy, and standard yard setbacks for the zone district). A separate development exclusion area would protect the significant, capped portion of the archaeological site.

The residence proposed for the westernmost of the two new lots was originally located 31 ft inland from the edge of the sea cliff. In addition, a portion of the residence was cantilevered such that it extended more than 10 ft seaward of the 31 ft. Subsequent review determined that the appropriate setback from the top of bluff includes a 40 ft slope stability setback and an additional 31 ft 75-year sea bluff retreat setback, calculated according to established Coastal Commission guidelines. The currently proposed house is set back 73 ft from the sea cliff and the cantilevered feature has been removed. The project plans have been revised to reflect this change. The structure is located as far as possible from Padaro Lane, a public street, and is limited to an average height of 16 ft in compliance with Summerland Community Plan policies for rural properties. It is sited to allow continued filtered public blue water views from Padaro Lane through the existing myoporum hedge. The sea cliff is approximately 80 ft high at this point and the house would not be visible from the beach below.

The Summerland Community Plan shows a “possible future trail” on the subject property from Padaro Lane to the ocean, within the ESH and Toro Canyon Creek corridor. However, public beach access currently exists approximately ¼ mile to the west at the Loon Point beach access path; an additional vertical public easement to the beach from Padaro Lane is located approximately 1 mile to the east of Toro Canyon Creek. The “possible future trail” is located within a riparian corridor that is being thoroughly restored¹ and is immediately adjacent to (and possibly within) a significant cultural resource. The trail has not received significant use in approximately 15-20 years based on statements from one Native American representative and one local trails advocate. The addition of one new lot and one single-family dwelling would not impact any existing trails or recreational facilities or create the demand for an additional public trail. As a result, the Santa Barbara County Community Service Department, Parks Division is not requesting that the applicant dedicate a public access easement as a condition of the project.

5.0 PROJECT INFORMATION

5.1 Site Information

Site Information	
Comprehensive Plan Designation	Coastal, Summerland Community Plan Area, Rural Area, Padaro Lane Existing Developed Rural Neighborhood (EDRN), Residential-0.33 (0.33 units per acre or 1 unit per three acres), Summerland Community Plan , SUM Overlay
Zone	Article II Coastal Zoning Ordinance, Residential 3-E-1, 3-acre minimum lot size, Environmentally Sensitive Habitat Overlay, Design Control Overlay, Flood Hazard Overlay (along eastern property line and south of beach bluff), Coastal Commission Appeals Jurisdiction

¹ The partially completed restoration is the result of a resolution of an appeal by the Coastal Commission of a previous project on the subject parcel.

Site Information	
Site Size	10.25 acres
Present Use & Development	Residence w/ accessory structure, two private wells with well house enclosure and water storage tank, trailer, play structure and unpermitted gabion wall.
Surrounding Uses/Zoning	North: Padaro Lane; Agriculture, Toro Canyon, TCP Overlay, AG-1-20 South: Pacific Ocean East: Toro Canyon Creek, Residential, 3-E-1 West: Residential, Padaro Lane EDRN, 3-E-1
Access	Existing private driveway from Padaro Lane
Public Services	Water Supply: Montecito Water District Sewage: Existing, EHS-approved drywells Fire: Carpinteria-Summerland Fire Protection District Police: Santa Barbara County Sheriff Other: Carpinteria Unified School District

5.2 Setting

The subject property is located between Padaro Lane and Highway 101 to the north and the Pacific Ocean to the south. It is at the eastern boundary of the Summerland Community Plan area. The site's eastern boundary is formed by the Toro Canyon Creek corridor. Much of the site is a broad coastal terrace that varies in elevation from about 50 to 70 feet above sea level and slopes down eastward to the creek.

The approximately 10-acre site is vegetated primarily with introduced grasses that are located in most areas of the site outside of the Toro Canyon Creek corridor. However, the property's eastern boundary is formed by the riparian corridor of Toro Canyon Creek. The entirety of this area is located within either mapped Environmentally Sensitive Habitat (ESH), or the 100 ft ESH buffer proscribed in the Local Coastal Plan. Calvert (1991) identified a Monarch butterfly site in the area of "Loon Point at the mouth of Toro Canyon" (see Monarch discussion in Section 4.4 of the Mitigated ND) but subsequent field studies have shown that the trees within the site do not function as overwintering habitat. A biological resources restoration plan titled "*Habitat Restoration and Revegetation Plan for 2825 Padaro Lane (APN 005-260-009), Summerland, Santa Barbara County, California*" dated April 9, 2009 (Plan), was previously approved for the subject parcel, and addresses the creek corridor. The Plan is partially completed.

Residential estates are located to the east and west of the project along Padaro Lane. Parcels in the surrounding neighborhood vary in size from approximately one acre to more than 10 acres. Homes in the neighborhood vary in size from 1,200 square feet to approximately 10,000 square feet. The Loon Point public beach access trail is located approximately 1,600 feet west of the site. Another beach access easement is located approximately one mile east of the subject lot. A possible future public beach access trail, adopted in the Summerland Community Plan, is located at the eastern boundary of the site.

The site is currently developed with a 1,350 square foot single family dwelling with a deck, and a 1,118 square foot accessory structure, both within the 100 ft setback from the 2006 edge of canopy/riparian creek buffer area. An approximately 300 sq ft trailer is located in the center portion of the property. The trailer straddles the 100-ft setback line from the edge of canopy/riparian creek buffer such that a portion of the structure is within the setback.

5.3 Description

12TPM-00000-00006 (Tentative Parcel Map 14,791)

Tentative Parcel Map 14,791 would subdivide the existing 10.25-acre parcel into two resultant parcels of 3.04 acres (Proposed Parcel A) and 7.21 acres (Proposed Parcel B) in size.

A development exclusion area located primarily on proposed Parcel B, but also extending onto Parcel A, would be placed to avoid impacts to cultural resources. Building envelopes on proposed Parcels A and B would contain all future structural development.

Within the development exclusion area, no structural development or ground disturbance of any kind would occur with the exception of the following:

- Fill material would be placed on top of a geogrid fabric layer to protect significant cultural resources in accordance with the conditions included with the Parcel Map.
- Shallow-rooted landscaping would be placed entirely within the fill on top of the geogrid fabric.
- A protective fence would be installed along the bluff top, with fenceposts placed entirely within the fill soil above the geogrid fabric layer.
- The applicant could retain access to the beach via a small segment of unpaved roadway located in a narrow area between the lower and middle terraces, as shown on the Parcel Map. All other roadways must be located outside of the exclusion area.

Building envelopes on proposed Parcels A and B would contain all future structural development such as residential and accessory structures. These envelopes are outside of the riparian corridor and associated buffer (which is 100 ft from the 2006 canopy of the riparian corridor), ordinance-defined property line setbacks, and the slope stability and bluff retreat setbacks calculated for the proposed project.

Development that could occur outside of the building envelopes would include non-structural development such as patios, hardscape, driveways and septic systems, provided that such items are located outside of the development exclusion area.

Development within the riparian corridor and buffer would be limited to habitat restoration planting as approved in the Habitat Restoration Plan, and maintenance of project elements approved with 11CDH-00000-00006 such as the gabion wall and drainage features.

The property would continue to be served by the Montecito Water District for domestic water and a private well near the Padaro Lane entrance for irrigation of landscaping and restoration plantings. Waste disposal would be provided by either a private EHS-approved drywell type of septic system or, if available, connection to public sewer lines at Padaro Lane. Fire protection would be provided by the Carpinteria-Summerland Fire Protection District. Access to proposed Parcel B would be taken from an existing driveway at the northeast corner of proposed Parcel B. Parcel A would also have frontage on Padaro Lane to allow access and utility connections to be taken directly from Padaro Lane. A drainage acceptance agreement is also proposed on Parcel B for the benefit of Parcel A.

11CDH-00000-00006 (to occur on proposed Parcel B with the exception of items 8 and 9)

This Coastal Development Permit with hearing is a request to allow (1) as-built grading, (2) modifications to the biological resources restoration plan titled "*Habitat Restoration and Revegetation Plan for 2825 Padaro Lane (APN 005-260-009), Summerland, Santa Barbara County, California*" dated April 9, 2009 (Plan) that was previously approved under Case no. 08CDH-00000-00014, (3-6) demolition of existing structures, (7) abandonment of an existing well, (8) grading for sensitive resource capping, and (9) installation of a split-rail safety fence, as follows:

- (1) ***Permit grading that was performed without benefit of permit.*** The requested permit would allow total grading of approximately 341 cubic yards of cut and 3,390 cubic yards of fill, consisting of 66 cubic yards of cut to widen the existing driveway, 275 cubic yards of cut to improve onsite access, and 3,390 cubic yards of fill placed in the area of the previously permitted watchman's trailer. In addition, construction of the gabion wall required approximately 8 cy of cut and fill. This grading was conducted without permits and was not a part of the approved or proposed habitat restoration activities.
- (2) ***Requested changes to the originally approved restoration plan.*** The request includes changes to the *Habitat Restoration and Revegetation Plan for 2825 Padaro Lane (APN 005-260-009), Summerland, Santa Barbara County, California*" dated April 9, 2009 (Plan) that was previously approved under Case no. 08CDH-00000-00014. The intent of the originally approved Plan was to restore Toro Canyon Creek and the creek buffer area within the subject parcel by restoring canopy coverage and native understory consistent with direction given by the California Coastal Commission. Changes to the approved Plan are requested in order to more effectively accommodate on-the-ground conditions that were encountered during Plan implementation. Specific components of the revised Plan are detailed in the proposed Plan Addendum by Hunt & Associates (on file with P&D and available for review) and would consist of the following:
 - a. ***Gabion wall.*** The originally approved Plan required removal of non-native vegetation and planting of native vegetation within the riparian corridor. The proposed changes would modify the plan to legalize construction of a gabion retaining wall along a slope that separates the stream terrace from the site's

“upper landform”. This slope was originally sparsely vegetated with non-native, invasive species and would not otherwise be stable enough to accept plantings because it was formed of loose non-compacted material, construction debris, and trash introduced to the site prior to current ownership. The nearly vertical slope would be stabilized with an approximately 80 ft long, 13 foot high series of stepped, rock-filled cage gabions that would form a retaining wall between the stream terrace level and the upper landform. Soil would be added to the rock-filled cage gabions to further anchor and stabilize the wall and support plantings. The purpose of the wall is to allow implementation of the restoration plan, prevent the steep, unstable slope from eroding into the terrace and lagoon area, and to protect sensitive resources located at the top of, and immediately behind, the slope. The gabion design would allow the restoration plantings to root into the retaining wall and result in a more natural solution as compared to a standard concrete retaining wall. A new split-rail safety fence would be installed along the top row of the gabion wall (fence posts would be installed completely in fill soil). Completion of the gabion wall to meet existing grade would require an additional approximately 8 cubic yards of balanced cut and fill. After completion of the wall, it would be wrapped with and covered in an approximately 8 inch thick cap of soil, and native vegetation would be planted as part of the habitat restoration.

- b. ***Retention of drainage/bioswale and access path to stream terrace.*** The approved Plan called for abandonment, stabilization and re-vegetation (with native plants) of the lower (southern) road to the stream terrace, to achieve a bioswale function. The proposed project would revise the Plan to narrow the road to a walking path to retain private pedestrian access for the purpose of ongoing habitat maintenance of the lower stream terrace while disallowing vehicular access. Drainage would be directed to an existing rock-lined drainage swale along the south side of the access path that would be filled with fill soil and planted with appropriate riparian plants. Boulders would continue from the western terminus of the drainage swale for approximately 25 ft. Removal of existing non-native plants and re-vegetation with native plants would continue to occur per the Plan in order to narrow the access path and control erosion.
- c. ***Boulders for slope stabilization.*** The approved Plan permitted the use of mechanical erosion control measures (e.g., boulder rip-rap) which are to be implemented in consultation with a consulting engineer during non-native plant control and revegetation (p. 28, Section 6.4.3). In accordance with this approval, the proposed project would include placement of 6-inch to 24-inch diameter rocks for slope stabilization, with grading for placement of boulders and tree wells along the western slope of the stream terrace as shown on sheet 3 of the engineering plan set for 11CDH-00000-00006. This work would occur along the streambank and within the 100 ft riparian setback area.
- d. ***Stream terrace plantings.*** The approved Plan called for planting up to four species of native grasses on the northern and southern stream terraces. Currently, three

species already occur there. The proposed project would revise the Plan to remove some of the existing additional plantings of *Carex prigracilis* and intersperse the existing plantings with the three other species that occur in the area to give the restoration more species diversity. All grasses would be allowed to grow and remain in their natural forms (i.e. unmowed).

- e. **Seeding methods.** Tables 5 and 6 of the approved Plan call for hydroseeding of the terraces and coastal bluff with appropriate seed mixes. The proposed project would allow seed mixes to be hand-applied and raked into the soil, which would result in less damage to in-place container plants and avoid the necessity of spraying water on areas prone to erosion. Section 6.4.2 of the approved Plan (see Table 7) also calls for hydroseeding of specific species at the mouth of Toro Canyon Creek. Because two of these species are already present at this location, the proposed project would instead remove non-native vegetation in this dune habitat area, allowing the existing natives to proliferate; and additional appropriate native species would be installed as container plants. These changes would be implemented as illustrated in the proposed Plan Addendum.
- f. **Planting area, planting density and species richness.** The proposed project would permit deviations from the approved Plan which are intended to result in a more diverse assemblage and larger area of food plant species to be planted with the intent of supporting larval and adult monarch butterflies in onsite coastal bluff scrub and riparian scrub. Proposed changes are as follows:
- 8% decrease in coast live oak-sycamore riparian woodland area,
 - 129% increase in southern coastal bluff scrub area,
 - 567 % increase in freshwater marsh area,
 - 33% increase in southern foredune (coastal strand) area,
 - 61 additional native species and 4,555 additional plants planted in habitat restoration area, and
 - Increase in size of restoration area from 3.18 acres to 3.42 acres.
- g. **Convert existing lawn** to the east of the existing power pole by covering it with geofabric and fill soil, and re-planting with native species. Plantings would be placed in fill soils. 12-inch tall tree wells would be constructed above the geofabric around existing trees at the edge of the lawn area to protect from erosion.

All other aspects of the Plan would be implemented as originally approved. Equipment used for construction of the gabion wall would consist of a small excavator, shovels and

cage gabions. Cages would be filled with rock currently stored on-site outside of the ESH. All mechanized work would be conducted from the existing access road at the top of the east-facing slope; workers at the bottom of the slope would rake fugitive soil back into the project area. Irrigation for the restoration areas and landscaping would be provided by the remaining onsite well located at the northeast corner of the property near the existing entry gate.

- (3) **Demolition** of an approximately 1,350 square foot single family dwelling and removal of the attached 1,079 square foot deck (deck supports to be cut off at grade and slab foundation to remain in place).
- (4) **Demolition and removal of** the existing 1,118 square foot detached residential second unit (DRSU) and accessory structure (slab foundation to remain in place).
- (5) **Remove existing 2-4' retaining wall** located within the 100 ft riparian corridor setback, and re-plant northern path to stream terrace maintaining only a pedestrian path for purposes of habitat restoration and maintenance.
- (6) **Removal of an existing play structure** from within the 100 ft setback from edge of canopy/riparian.
- (7) **Removal of an existing water well** and associated vault located in the creek terrace level and within the 100 ft riparian corridor setback in the eastern portion of the property.
- (8) **Resource Capping.** The slab foundations associated with the residence and DRSU would be left in place and all existing utility lines would be abandoned in place. The areas around the slabs, extending down to the proposed split rail fence would be capped with fill soils totaling approximately 2,400 cubic yards on Proposed Parcel B and approximately 415 cubic yards on Proposed Parcel A ranging from 12 to 18 inches deep. The fill soils would be non-reactive, "clean", certified fill soil and placed over a geofabric layer. All landscaping and other ground disturbance within the sensitive area would occur in fill soils only.
- (9) Construction of a new, approximately 250-linear foot split-rail safety fence along the edge of bluff and western top of bank of Toro Canyon Creek (Proposed Parcel B of 12TPM-00000-00006).

11CDH-00000-00054 (to occur entirely on proposed Parcel A with the exception of items 3 and 4)

This Coastal Development Permit with hearing is a request to allow a single family dwelling and grading, as follows:

- (1) Construction of a new single family residence of 5,576 square feet with a 500 square foot basement and a 750 square foot attached garage. The average height of the residence would be less than 16 feet (to occur on proposed Parcel A of 12TPM-00000-00006);
- (2) Construction of approximately 500 linear feet of courtyard retaining walls, between 1 and 4 feet in height, associated with the residence (to occur on proposed Parcel A of 12TPM-00000-00006);
- (3) Landscaping associated with the SFD: proposed landscaping would be selected to discourage foot traffic along the bluff edge. Plants are proposed to be low water, low root-spread varieties. Planting within the resource boundary would be installed only above the proposed geofabric layer to avoid disturbance to resources. A new split-rail fence would also be added along the bluff; within the resource boundary, footings would be located entirely in fill soil (proposed Parcels A and B of 12TPM-00000-00006).
- (4) As built installation of approximately 90 feet of existing, underground 24-inch storm drain to connect to an existing drain well located on the east side of the property (Proposed Parcels A and B of 12TPM-00000-00006).
- (5) Tree removal and relocation. Two existing eucalyptus trees at the western property line of proposed Parcel A would be removed and an existing fig tree would be boxed and relocated onsite to facilitate construction of the residence. Removal of these trees would be mitigated through completion of the restoration plan which calls for planting of 75 additional trees beyond the 131 planted thus far during restoration.

The total amount of grading for the single family dwelling site would be approximately 1,030 cubic yards of cut and 3,055 cubic yards of fill with 2,025 cubic yards of import. The property would continue to be served by the Montecito Water District (for domestic water), private septic systems (or, if available, connection to a public sewer line at Padaro Road) and the Carpinteria-Summerland Fire Protection District. Water for landscaping would be provided by an existing onsite well on proposed Parcel B and a shared water system agreement to benefit proposed Parcel A. Access would be taken via a proposed private drive from Padaro Lane.

5.4 Background Information

The subject property was created by Lot Line Adjustment 07LLA-11, which was approved by the Zoning Administrator on February 27, 2008. At the time, the property contained a legal nonconforming residence and an unpermitted accessory structure functioning as a DRSU, both constructed in the 1940s, as well as multiple smaller unpermitted accessory structures. Conditions on the LLA required abatement of all building and zoning violations prior to recordation.

Prior to the Lot Line Adjustment, the property owner had applied for a permit to remodel and add to the existing legal non-conforming single-family residence, convert an accessory structure to a Detached Residential Second Unit (DRSU), demolish numerous unpermitted structures,

relocate existing storage structures, and validate an existing legal non-conforming residence and second unit (07CDH-00000-00007). An application was also submitted to allow a watchman's trailer on the property (07CUP-00000-00019). Both projects were approved by the Zoning Administrator on June 18, 2007.

On July 19 and July 20, 2007 the Coastal Commission appealed the ZA's decision to approve these projects on the basis that the projects were inconsistent with the County of Santa Barbara's Local Coastal Program (LCP) policies regarding environmentally sensitive habitat areas, specifically monarch butterfly habitat and riparian habitat mapped in the Summerland Community Plan (SCP).

The appeal was resolved by the applicant's agreement to implement a draft habitat restoration plan titled "Habitat Restoration and Revegetation Plan for 2825 Padaro Lane (APN 005-260-009), Summerland, Santa Barbara County, California" dated April 9, 2009, which was intended to comprehensively restore Toro Canyon Creek and its associated riparian habitat.

The original application that was appealed by the Coastal Commission was withdrawn. The project was revised to include the restoration plan and was subsequently approved by the Zoning Administrator on June 29, 2009 (08CDH-00000-00014, 08CUP-00000-00027, 08CDP-00000-00057). The DRSU was legalized with 08CDP-00000-00055, which was issued on August 25, 2009; however this permit has since expired and is no longer valid². The temporary watchman's trailer was ultimately processed under Case Nos. 10CDP-00000-00081, 10CUP-00000-00031, 10CDH-00000-00020 and 10LUP-00000-00501. The Land Use Permit 10LUP-00000-00501 was approved but never issued. It was later discovered that the existing watchman's trailer is actually a recreational vehicle, which cannot be permitted as a temporary structure and may not function as a dwelling but may remain onsite, as any other vehicle, as long as it is appropriately parked.

In accordance with the conditions of 08CDH-00000-00014, the existing building and zoning violations were abated. The restoration plan was implemented, but is not yet complete. The delay in finalizing the restoration plan resulted from a zoning violation filed on January 19, 2011 for unpermitted grading and construction of the gabion wall, which went beyond the work permitted as part of the approved streambed restoration. During investigation of the violation, it was also noted that some of the restoration work was inconsistent with that described in the approved plan, that additional unpermitted grading had occurred during placement of the watchman's trailer, and that grading for the gabion wall and watchman's trailer had occurred within a prehistoric archaeological site.

One of the subject applications, 11CDH-00000-00006, was submitted to resolve this violation (11ZEV-00000-00011). If approved, 11CDH-00000-00006 would allow revisions to the previously approved and partially implemented restoration plan to reflect its current, as-built

² The CDP expired because follow-on construction permits were not acquired, nor was construction lawfully commenced, within two years of permit issuance, as specified in the "Time Limit" section of the CDP.

condition, and include installation of the gabion wall. This permit would also address the unpermitted grading associated with installation of the watchman's trailer.

6.0 PROJECT ANALYSIS

6.1 Environmental Review

A Draft Mitigated Negative Declaration (13NGD-00000-00012) was prepared for the project and circulated for public review from August 9, 2013 through September 9, 2013. Potentially significant but mitigable project-generated impacts were identified in the following issue areas: Aesthetic/Visual Resources, Air Quality, Biological Resources, Cultural Resources, Fire Protection, Geologic Resources, Noise and Water Resources. Mitigation measures of the Proposed Final Mitigated Negative Declaration, as incorporated into the conditions of approval for the proposed project, would reduce any potential impacts to less than significant levels (see Attachment C).

Public comments on the Draft Mitigated Negative Declaration consisted of one telephone call and seven comment letters. The major concerns expressed in the letters are as follows:

- Concerns regarding the adequacy of the blufftop setback and cantilever design of the proposed structure
- Clarification of project description elements including development envelopes, drainage devices, retaining walls and grading quantities
- Concerns about impact of hardscape including gabion wall and slope stabilization boulders on riparian vegetation within the creek setback
- Concern about impacts of gabion wall on the archaeological site
- Concern about decorative nature of restoration plantings
- Public views from beach and Padaro Lane

In response to these comments, changes were made to the document as indicated by strikeout and underline in the proposed Final Negative Declaration. These revisions are summarized below.

As originally designed, the seaward foundation of the proposed residence was located at the 31 ft (75 year) bluff setback consisting of the 31 ft bluff setback and the calculated 40 ft slope stability setback. A portion of the house was cantilevered into the setback. The house and both building envelopes were redesigned so that they are entirely outside of the composite, required 71 ft setback from the bluff top. The house was also redesigned to remove the cantilevered element. The site plans for proposed house the proposed map were revised to reflect these changes.

The project description was also modified to more clearly state what type of development would be allowed outside of the building envelopes and within the riparian setback. The non-

decorative purpose and nature of the plantings was clarified. Also, language was added regarding the utility of placing the slope stabilization boulders and gabion wall within the creek setback to facilitate re-vegetation and prevent further erosion of the archaeological site into the creek. Finally, the descriptions of the vegetation along Padaro Lane and the views of the ocean available to the public from Padaro Lane were revised.

One comment addressed concerns about how removal of the deck and placement of fill within the gabion wall could affect cultural resources. These issues are clarified in the Cultural Resources section of the document.

In addition to the bulleted items above, the California Coastal Commission requested information about possible alternatives to placement of the gabion wall and, north of the wall, boulders placed for slope stabilization. Alternatives analysis is not a requirement for Negative Declarations. However, consideration has been given to this issue, as discussed below.

The slopes at both the northern and southern stabilization areas are largely formed of loose, unconsolidated material including dirt, construction debris, and trash pushed over the banks and subject to erosion during episodic winter storm events. The no-project alternative would not have addressed the problems of erosion into the creek and potential damage to the archaeological site during winter storm events. Installation of a traditional retaining wall was considered; however a traditional wall could not be covered with dirt and revegetated and would have required a large footing, more grading, and potential disturbance to the archaeological site. Grading to lessen the slope angle at the southern location would require between a 2:1 and 1.5:1 slope and cause damage to the significant archaeological deposit, and would be inconsistent with County policies regarding minimization of grading and retention of natural landforms. Moreover, it is unlikely that a traditional retaining wall would have been allowed in this location by any of the other jurisdictional agencies.

The slope at the northern location is not as steep as that at the southern location and placement of individual large anchoring boulders successfully stabilized the slope and allowed revegetation. This was attempted at the southern location but was unsuccessful because of the steepness and unconsolidated nature of the slope. The gabion wall alternative at the southern location was implemented because it minimized the necessity for grading and the area of disturbance. The layers of gabion structure were set back along the existing slope and provided for soil to penetrate into the cracks between rocks. The project proposes to place fill soil over the top of the wall, visually obscuring it and providing an area where plants can become established. The gabion wall was constructed using best management practices and with input from a qualified biologist. It addresses the slope stability issue and is consistent with the intent and goals of the habitat restoration plan.

The public comments are attached to the Proposed Final Mitigated ND, Attachment C.

6.2 Comprehensive Plan Consistency

Land Use	
<p>Coastal Land Use Plan Policy 2-1: <i>In order to obtain approval for a division of land, the applicant shall demonstrate that adequate water is available to serve the newly created parcels except for parcels designated "Not a Building Site" on the recorded final or parcel map.</i></p> <p>Coastal Land Use Plan Policy 2-4: <i>Within designated urban areas, new development other than that for agricultural purposes shall be serviced by the appropriate public sewer and water district or an existing mutual water company, if such service is available.</i></p> <p>Coastal Land Use Plan Policy 2-6: <i>Prior to the issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis and the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development.</i></p> <p>Policy WAT-S-2: <i>Prior to approval of any discretionary project which would result in a net increase in water use, a finding shall be made that the existing water supply available is sufficient to serve existing commitments.</i></p>	<p>Consistent: The proposed project would be served by the Montecito Water District (MWD). One existing water meter is located on the property. As indicated by the letter from Tom Mosby, General Manager, dated August 8, 2012, the Montecito Water District has the capacity to serve the both newly created lots. Condition 24 of the TPM requires the applicant to obtain a Can and Will Serve letter for both new lots prior to map recordation.</p> <p>Water for landscaping associated with the proposed new residence on proposed Parcel A would be provided by an agricultural well located on proposed Parcel B via a new shared water system. An easement for the waterline on proposed Parcel B in favor of proposed Parcel A would be recorded with the TPM. The shared water system would require a Conditional Use Permit to be approved and issued prior to occupancy clearance for the new residence (Condition 23 of 11CDH-00000-00054 for the new residence).</p> <p>Section 713.4 of the Primary Plumbing Code, 2010 Edition, as adopted by the Board of Supervisors (Ord. No. 4822, January 17, 2012), states: <i>"The public sewer shall be permitted to be considered as not being available when such public sewer or any building or any exterior drainage facility connected thereto is located more than two-hundred (200) feet (61 m) from any proposed building or exterior drainage facility on any lot or premises that abuts and is served by such public sewer."</i></p> <p>Currently, public sewer is not located within 200 ft of either new lot. However, on November 4, 2013 the Zoning Administrator approved an application for a public sewer extension along Padaro Lane in the vicinity of the proposed project (Permit Nos. 13CUP-00000-00015 and 13CDP-00000-00049) This extension will likely be available to serve the proposed residential development on Parcel A upon its construction, which is requesting entitlements to build now. Condition 25 of the TPM requires that new development on both lots connect to this public sewer line within six months</p>

	<p>of its availability. If, however, public sewer service is not available within 200 ft of any proposed structure when Building Permits are ready for issuance, then either parcel may be served by existing, EHS-approved private drywell-type septic systems. Drywells on proposed Parcels A and B have been preliminarily reviewed and approved by Environmental Health Services (e-mail from Paul Jenzen, dated August 19, 2013). Final approval of this wastewater system would be required prior to issuance of the Coastal Development Permit for residential development on either proposed Parcel.</p> <p>The potential to develop one new residence, which would generate approximately 10 average daily trips and one peak hour trip, would not cause any inconsistency with the traffic and circulation policies of the Summerland Community Plan. The proposed traffic increase as a result of the project is not large enough to cause the affected roadways and/or intersections to exceed their designated acceptable capacity levels. Therefore, the project is consistent Coastal Plan Policy 2-6 with regard to roadway and intersection capacity. Access for the new lot would be taken via a proposed private driveway from Padaro Lane.</p> <p>The project is served by the Carpinteria-Summerland Fire Protection District (CSFPD) and is located within the five minute response zone. The CSFPD reviewed and approved the proposed access plan as consistent with CSFPD standards and policies (CSFPD letters dated November 1, 2013 and Conditions Letter dated August 15, 2012).</p> <p>The area surrounding the site receives adequate police protection services and such services would also be available to serve future development on proposed Parcels A and B.</p>
<p>Hillside and Watershed Protection</p>	
<p>Coastal Land Use Plan Policy 3-12: <i>Permitted development shall not cause or contribute to flood hazards or lead to expenditure of public funds for flood control work, i.e., dams, stream channelizations, etc.</i></p>	<p>Consistent: The Tentative Parcel map is conditioned to require the reservation of a drainage easement on proposed Parcel B for the benefit of proposed Parcel A. The proposed new home is located on the coastal bluff far above areas subject</p>

<p>Coastal Land Use Plan Policy 3-13: <i>Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.</i></p> <p>Coastal Land Use Plan Policy 3-14: <i>All development shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited for development because of known soils, geologic, flood, erosion, or other hazards shall remain in open space.</i></p> <p>Coastal Land Use Plan Policy 3-15: <i>For necessary grading operations on hillsides, the smallest practical area of land shall be exposed at any one time during development, and the length of exposure shall be kept to the shortest practicable amount of time. The clearing of land should be avoided during the winter rainy season and all measures for removing sediments and stabilizing slopes should be in place before the beginning of the rainy season.</i></p> <p>Coastal Land Use Plan Policy 3-16: <i>Sediment basins shall be installed on the project site in conjunction with the initial grading operations and maintained throughout all development process to remove sediment from runoff waters. All sediment shall be maintained onsite unless removed to an appropriate dumping location.</i></p> <p>Coastal Land Use Plan Policy 3-17: <i>Temporary vegetation, seeding, mulching, or other suitable stabilization method shall be used to protect soils subject to erosion that have been disturbed during grading or development. All cut and fill slopes shall be stabilized immediately with planting of native grasses and shrubs, appropriate nonnative plants, or with accepted landscaping practices.</i></p>	<p>to coastal flooding. The County Flood Control Division has reviewed the project and has no comments or conditions (letter from Mark Leuhrs dated July 21, 2012).</p> <p>Site preparation for the single family dwelling proposed for proposed Parcel A would require approximately 1,030 cubic yards of cut and 3,055 cubic yards of fill with 2,025 cubic yards of import. As originally designed and reviewed in the Negative Declaration, the foundation of the structure was located 71 ft from the edge of bluff (combination of bluff retreat and slope stability setbacks) with an 18 foot cantilevered element. Subsequent review of setback requirements resulted in relocation of the house to 74 ft from the bluff edge with no cantilevered element. Relocation of the house resulted in a decrease in the amount of cut and fill. The building is designed to follow the site's natural contours and minimize grading as much as possible. No appreciable change in topography would result from project implementation.</p> <p>The proposed new single family dwelling located on proposed Parcel A would be cut into the berm on the western side of the property. The finished floor was designed and located to require the minimal fill amount necessary to preserve existing features to the extent feasible.</p> <p>The Tentative Parcel Map has setbacks, development exclusion areas and building envelopes that protect areas of known biological and cultural resource sensitivity that are not suited for development. Specifically, each new lot resulting from the subdivision would have a recorded building envelope consistent with all applicable setbacks, including a setback of 100 ft from the edge of the 2006 riparian canopy, ensuring protection of the designated ESH. Also, a development exclusion envelope located on both new lots would prohibit development on significant portions of the cultural resource after it is capped with sterile fill and revegetated.</p> <p>Condition 20 of the TPM (SWPPP) and Condition 18 of 11CDH-00000-00054 require submittal of</p>
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	<p>proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination system issued by the California Regional Water Quality Control Board prior to issuance of the first Grading Permit on either parcel.</p> <p>Condition 19 of 11CDH-00000-00006 and Condition 22 of 11CDH-00000-00054 require that, 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. The 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. Such plans typically restrict the area exposed at any one time, restrict exposure to the shortest practicable duration and require sediment basins if appropriate.</p> <p>Condition 19 of the TPM requires that for all current and future projects on both resultant parcels, graded areas shall be revegetated within one week of completion of grading, with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential³.</p>
<p>Coastal Land Use Plan Policy 3-18: <i>Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as a result of development. Water runoff shall be retained onsite whenever possible to facilitate groundwater recharge.</i></p> <p>Coastal Land Use Plan Policy 3-19: <i>Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from</i></p>	<p>Consistent:</p> <p><u>12TPM-00000-00006</u>. Condition 8 of the TPM requires designation of construction equipment filling and storage areas that are no larger than 50 x 50 ft and are located at least 100 ft from any storm drain, water body or sensitive biological resource. Condition 9 of the TPM would require the designation on site plans of a materials wash-out area for the all future projects, where such materials could be contained and removed from the site. Containment of these construction-related</p>

³ The fill area over the cultural resource is excluded from this requirement.

development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.

Policy FLD-S-1: *In order to minimize existing community-wide flooding and drainage problems, all new development shall provide adequate drainage.*

Development Standard FLD-S-1.3: *Site specific drainage systems shall be designed in concert with geotechnical requirements to avoid infiltration of surface water which would exacerbate geologic hazards; impervious surfaces should be utilized where necessary to control adverse geologic or drainage conditions, but should be minimized to avoid the generation of substantial new run-off volumes.*

materials would ensure that they are not discharged into Toro Canyon Creek or carried to the ocean.

11CDH-00000-00006. Drainage across the site has historically moved from west (proposed Parcel A) to east (proposed Parcel B) both by sheet flow over vegetated areas that would allow the percolation of stormwater, and through an existing 24-inch, approximately 350 ft long storm drain. Water entering the drain exits at the mouth of an existing bioswale that treats the stormwater that it channels to the creek.

Condition 7 of the TPM requires submittal of a final version of the revised version of the Habitat Restoration Plan, and specifies the information it must contain. Implementation of the revised Habitat Restoration Plan would improve the bioswale's function by adding soil and plantings to further slow the passage of water and reduce the amount of silt carried to the creek.

Implementation of the revised Habitat Restoration Plan would also stabilize the existing slopes above the creek corridor. These slopes are formed of unconsolidated dirt that also contains trash and construction debris pushed over the slope edges during prior ownership of the property. Stabilization of the slopes would be accomplished by placement of boulders and landscaping for erosion control, and installation of a gabion wall, which would also be planted. These features would prevent further erosion of dirt and other debris into the creek and ocean.

The proposed project would remove impervious surfaces on proposed Parcel B through demolition of the house and accessory structure that are located within the 100 ft ESH buffer. This area would be capped with approximately 415 cubic yards of clean fill soil and planted with native vegetation. Clean fill soil could be acquired and stockpiled prior to final placement. Condition 26 of the TPM would require stockpile areas to be approved by P&D and designated on zoning and grading plans.

11CDH-00000-00054. The area disturbed by proposed development on the 3.04-acre Parcel A

	<p>would be less than 1/2 acre. Construction of the proposed house and related features would not appreciably change the natural drainage patterns of the site. The site's natural grade directs storm water to the east, away from the bluff face; thus storm water runoff would not contribute to bluff retreat. The project is designed with roof downspouts and catch basins in the patio areas that to collect and direct water to the storm drain that terminates at the bioswale on proposed Parcel B (see above discussion). Sheet flow would be slowed and filtered on its path from Parcel A to parcel B by landscaping, and would percolate on-site consistent with historic and existing conditions.</p> <p>Construction of the proposed residence would require approximately 1,030 cubic yards of cut and 3,055 cubic yards of fill with 2,025 cubic yards of import. Clean fill soil could be acquired and stockpiled prior to final placement. Condition 26 of the TPM requires stockpile areas for all projects on either new lot to be approved by P&D and designated on zoning and grading plans.</p> <p>Condition 20 of the TPM (SWPPP) and Condition 18 of 11CDH-00000-00054 require submittal of proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination system issued by the California Regional Water Quality Control Board prior to issuance of the first Grading Permit on either parcel.</p>
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Visual/Aesthetic Resources	
<p>Coastal Land Use Plan Policy 4-3: <i>In areas designated as rural on the land use plan maps, the height, scale and design of structures shall be compatible with the character of the surrounding natural environment. Structures shall be subordinate in appearance to natural landforms, shall be designed to follow the natural contours of the landscape, and shall be sited so as not to intrude into the skyline as seen from public viewing places.</i></p> <p>Coastal Act Policy 30251: <i>The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.</i></p> <p>Policy VIS-S-1: <i>Prior to the issuance of a Coastal Development Permit or Land Use permit, all plans for new or altered buildings or structures shall be reviewed by the County BAR.</i></p> <p>Policy VIS-S-7: <i>In the rural areas, all new development shall be designed to minimize visual and aesthetic impacts.</i></p>	<p>Consistent: The proposed project is located in an Existing Developed Rural Neighborhood (EDRN) in a rural portion of the Summerland Community Plan area. It consists of a lot split, demolition of existing residential structures, revisions to a previously approved habitat restoration plan, and the construction of a new single-family residence on proposed Parcel A. Public views into the site from the south are limited to a short stretch of beach below the eastern portion of the property at the mouth of Toro Canyon Creek. Public views into the site and of the ocean from Padaro Lane are substantially filtered by an existing myoporum hedge that lines the southern shoulder of the roadway and partially screens the site from public views.</p> <p>The proposed new structure has been designed to minimize visual and aesthetic impacts, as well as minimize alteration of the existing landform. The structure is a partial two story residence with an average height of less than 16 ft, in compliance with the requirements of the Summerland Overlay District for structures in the Rural area. The structure is setback a minimum of 74 ft from the bluff edge. It conforms and is subordinate in appearance to the berm landform on the western side of the property. It would not be visible from the beach and would not be readily visible to public view from Padaro Lane.</p> <p>The proposed new dwelling has been placed as far as possible from the public street given the setback requirements. Given its siting on the lot, it will allow for partially interrupted, filtered blue water views of the ocean through the myoporum hedge. The project was conceptually reviewed by the County's South Board of Architectural Review (SBAR) on May 18, November 2, and December 7, 2012 and may return to the SBAR for preliminary and final approval. See Attachment F for SBAR minutes.</p> <p>Condition 4 of the TPM, and Condition 4 of 11CDH-54 for the proposed residence, require that materials and colors for all future development be</p>

	<p>compatible with surrounding terrain. Condition 5 of the TPM and CDH would require any exterior night lighting to be of low intensity, low-glare design and be fully hooded to direct light downward. Finally, Condition 3 of both the TPM and CDH requires Preliminary and Final SBAR approval of the structures, exterior finishes and lighting prior to permit issuance.</p>
<p>Biological Resources</p>	
<p>Coastal Land Use Plan Policy 2-11: <i>All development, including agriculture, adjacent to areas designated on the land use plan or resources maps as environmentally sensitive habitat areas, shall be regulated to avoid adverse impacts on habitat resources. Regulatory measures include, but are not limited to, setbacks, buffer zones, grading controls, noise restrictions, maintenance of natural vegetation, and control of runoff.</i></p> <p>Development Standard BIO-S-1.1: <i>The County shall require appropriate protection measures (e.g. fencing) where necessary to protect sensitive biological resources during all construction.</i></p> <p>Coastal Plan Policy 9-36: <i>When sites are graded or developed, areas with significant amounts of native vegetation shall be preserved. All development shall be sited, designed, and constructed to minimize impacts of grading, paving, construction of roads or structures, runoff, and erosion on native vegetation. In particular, grading and paving shall not adversely affect root zone aeration and stability of native trees.</i></p> <p>Coastal Land Use Plan Policy 9-37: <i>The minimum buffer strip for major streams in rural areas, as defined by the land use plan, shall be presumptively 100 feet....Riparian vegetation shall be protected and shall be included in the buffer.</i></p> <p>Coastal Land Use Plan Policy 9-38: <i>No structures shall be located within the stream corridor except: public trails, dams for necessary water supply projects, flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to</i></p>	<p>Consistent: As described in Section 4.4 of the ND, sensitive riparian habitat is located along the entire eastern portion of the subject property. A biological assessment and habitat restoration and revegetation plan were required as a condition of approval of the Lot Line Adjustment that created the subject parcel. Condition 7 of the TPM requires that the applicant finalize and implement the proposed revised Plan. Condition 7 of the TPM also contains requirements for the revised Plan’s contents including removal of non-native species from the creek and protection of the creek area by placement of protective fencing where work would occur within 100 ft of the top of bank.</p> <p>Toro Canyon Creek is a major stream in a rural area. Building envelopes on both proposed parcels would be located beyond the 100 foot setback from the 2006 edge of riparian canopy. No development would be allowed within the riparian buffer/setback except for work that is part of the revised Plan and specifically described and permitted as part of 11CDH-00000-00006. This work includes slope stabilization with boulders and construction of a gabion wall to prevent unconsolidated sediments from eroding into the creek during winter storm events. Additional features allowed within the buffer include a bioswale to receive runoff from proposed Parcel A. The planted bioswale would slow the water’s flow and allow desiltation before it reaches the drainage corridor, further protecting the health of the creek.</p> <p>During implementation of the unpermitted changes to the approved restoration plan, rocks were placed</p>

protect existing development; and other development where the primary function is for the improvement of fish and wildlife habitat. Culverts, fences, pipelines, and bridges (when support structures are located outside the critical habitat) may be permitted when no alternative route/location is feasible. All development shall incorporate the best mitigation measures feasible.

Coastal Act Policy 30231: *The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of wastewater discharges and entrainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface waterflow, encouraging wastewater reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

Coastal Act Policy 30240:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Policy BIO-S-1: *Environmentally Sensitive Habitat areas within the Community Plan Study Area shall be protected, and where appropriate, enhanced.*

Development Standard BIO-S-1.2: *All new development within 100' of an Environmentally Sensitive Habitat, including but not limited to, riparian, oak or willow woodlands, and coastal sage scrub shall be required to provide for setbacks or undeveloped buffer zones (possibly through open space easements) from these habitats. Staff shall*

at the bottom of the bioswale along the western bank of the stream corridor to dissipate water energy. This dissipater is unnecessary to the stream's natural function. Condition 23 of 11CDH-00000-00006 requires elimination of this structure prior to issuance of the CDH.

Other project conditions are also designed to protect sensitive habitat. Condition 8 of the TPM requires designation of construction equipment staging and storage areas within the building envelopes for both parcels and specifies their maximum size. Condition 9 of the TPM requires designation of equipment washout areas for all current and future projects on both parcels. Condition 19 of the TPM requires that for all current and future projects on both resultant parcels, graded areas shall be revegetated within one week of completion of grading, with deep rooted, native, drought-tolerant species.

Conditions 22 and 23 of the TPM require that prior to issuance of a Coastal Development Permit, the applicant shall show on all land use, grading and building plans the location of the development exclusion envelope, building envelopes, and 100 ft from top of 2006 canopy setback. Conditions 8 and 9 of the TPM require designation of storage areas for equipment supplies, vehicles, or placement of fill or refuse, which shall be within the designated building envelope and shall not be permitted within the fenced buffer region.

Condition 6 of the TPM requires the applicant to retain a biologist to inspect the project site for bird and raptor nesting activity prior to construction on either parcel; prohibits construction activity within specified distances from raptor or other bird nests; and prohibits construction within 500 ft of a raptor nest or within 300 ft (or the property line, whichever is closer) of a bird nest.

refer to the Summerland Biological Resources Map for information on the location of native habitats, as well as referring to other available data (i.e., other maps, studies or observations). Installation of landscaping with compatible native species may be required within the buffer zone to offset impacts to sensitive habitats from development and increased human activities onsite. If the project would result in potential disturbance to the habitat, a restoration plan shall be required. When restoration is not feasible onsite, offsite restoration may be considered.

Development Standard BIO-S-1.6: *Where sensitive or valuable biological resources occur within or bordering a project site, a County approved biologist or other experienced individual acceptable to the County may be required to monitor construction within/bordering the resource area as determined necessary by RMD.*

Policy BIO-S-7: *Riparian habitat areas shall be protected from all new development and degraded riparian habitats shall be restored where appropriate.*

Development Standard BIO-S-7.1: *Riparian protection measures shall be based on a project's proximity to riparian habitat and the project's potential to directly or indirectly damage riparian habitat through such activities as grading, brushing, construction, vehicle parking, supply/equipment storage, or the proposed use of the property. Damage could include, but is not limited to, vegetation removal/disturbance, erosion/sedimentation, trenching, and activities which hinder or prevent wildlife access and use of habitat. Prior to issuance of a Coastal Development Permit, the applicant shall include a note on the grading and building plans stating the following riparian habitat protection measures:*

a. A setback as designated in Coastal Plan Policy 9-37 (generally 100' in rural areas, 50' in urban areas) from either side of top-of-bank of Greenwell Creek, precluding all ground disturbance and vegetation removal, shall be indicated on all grading plans; and

<p><i>b. Prior to initiation of any grading or development activities associated with a Coastal Development Permit, a temporary protective fence shall be installed along the outer buffer boundary at the applicant's expense. Storage of equipment, supplies, vehicles, or placement of fill or refuse, shall not be permitted within the fenced buffer region.</i></p> <p><i>Measure 'b' may be modified/deleted in the event that the County finds that this measure is not necessary to protect biological resources (i.e., due to topographical changes or other adequate barriers).</i></p> <p>Development Standard BIO-S-7.2: <i>On-site restoration of any project-disturbed buffer or riparian vegetation within all portions of Greenwell and Toro Canyon Creek shall be mandatory. A riparian revegetation plan, approved by the County, shall be developed by a County approved biologist (or other experienced individual acceptable to the County) and implemented at the applicant's expense. The revegetation plan shall use native species that would normally occur at the site prior to disturbance. The plan shall contain planting methods and locations, site preparation, weed control, and monitoring criteria and schedules.</i></p> <p>Coastal Plan Policy 9-1: <i>Prior to issuance of a development permit, all projects on parcels shown on the land use plan and/or resource maps with a Habitat Area overlay designation or within 250 feet of such designation or projects affecting an environmentally sensitive habitat area shall be found to be in conformity with the applicable habitat protection policies or the land use plan. All development plans, grading plans, etc., shall show the precise location of the habitat(s) potentially affected by the proposed project. Projects which could adversely impact an environmentally sensitive habitat area may be subject to a site inspection by a qualified biologist to be selected jointly by the County and the applicant.</i></p>	
<p>Policy BIO-S-6: <i>To the maximum extent feasible, specimen trees shall be preserved and the planting of new trees shall be required. For the purposes of</i></p>	<p>Consistent: The Toro Canyon Creek corridor contains riparian habitat, oak woodland and individual native and specimen trees. Construction</p>

this policy, specimen trees are defined as those having unusual scenic or aesthetic quality, serving as known raptor nesting or key roosting sites, having important historical value, are unique due to species type or location or have been defined as a significant biological resource in a certified environmental document. Typically, non-native trees of less than 25 inches in diameter at breast height may not qualify as specimens.

Development Standard BIO-S-6.3: *All existing native trees shall be preserved to the maximum extent feasible in new development. If preservation is not possible, a replacement planting program shall be required.*

Development Standard BIO-S-6.4: *Tree protection plans shall be required for all new development where native and specimen trees may be impacted by new development.*

related impacts to specimen trees would be avoided by placement of building envelopes outside of the 100 ft setback from edge of canopy, and limiting the non-structural development that could occur within the setback to resource capping and landscaping, placement of protective bluff top fencing, and Plan-related features approved as part of 06CDH-00000-00006 such as slope stabilization boulders, gabion wall, and bioswale.

Impacts to existing trees within the ESH could occur as a result of continued soil erosion and sedimentation from unstable slopes, and possible changes in drainage patterns and hydrology resulting from site development. Implementation of the revised Plan (Condition 7 of the TPM) would reduce erosion around specimen trees in the ESH by the construction of slope stabilization features. The new residence that would be permitted with 11CDH-00000-00054 is designed to channel development-related runoff through an existing pipe to a bioswale, also preventing continued erosion around trees in the ESH along the creek. A separate tree protection is not required because project elements of the TPM and 11CDH-00000-00054 would protect existing native and specimen trees and prevent impacts from future development.

Two existing eucalyptus trees at the western property line of proposed Parcel A would be removed and an existing fig tree would be boxed and relocated onsite to facilitate construction of the residence. Removal of these trees would be mitigated through completion of the restoration plan, which calls for planting of 75 additional native trees beyond the 131 planted thus far during restoration.

<p>Policy BIO-S-3: <i>Monarch Butterfly roosting habitats shall be preserved and protected.</i></p> <p>Development Standard BIO-S-3.1: <i>Any construction, grading or development within 200 feet of known or historic butterfly roosts shall be prohibited between November 1 and April 1. This requirement may be modified/deleted on a case-by-case basis where either DER or additional information/study with the approval of DER concludes that one or more of these activities would not impact monarchs using the trees.</i></p>	<p>Consistent: The portion of Toro Canyon Creek located within the subject parcel is mapped as Environmentally Sensitive Habitat (ESH) in the Coastal Land Use Plan and on the Summerland Community Plan maps. The ESH was originally mapped as an aggregation site for Monarch butterflies. However, the small grove of eucalyptus trees near the parcel’s southwest corner is not considered in the Summerland Community Plan to be a monarch butterfly roosting site. Additional research conducted between 1982 and 2008 confirms that the site does not support, and has not historically served as, butterfly habitat (Conceptual Habitat Restoration and Revegetation Plan for 2825 Padaro Lane by Hunt & Associates dated 20 July 2009 – on file with P&D and available for review upon request).</p>
<p>Geology</p>	
<p>Policy GEO-S-2: <i>Development restrictions shall be required to decrease the potential for soils or slope hazards.</i></p> <p>Development Standard GEO-S-2.2: <i>The preparation of a geology/soils report shall be required for all new structures in the Community Plan area. The report shall be reviewed by the Special Problems Committee and the County Resource Management Department prior to the issuance of Building Permits.</i></p> <p>Policy GEO-S-3: <i>All new development on ocean bluff-top property shall be carefully designed to minimize erosion and sea cliff retreat and to avoid the need for shoreline protection devices in the future.</i></p> <p>Action GEO-S-3.1: <i>The County shall require all development proposed to be located on ocean bluff top property to perform a site specific analysis, prior to project review and approval, by a registered or certified geologist to determine the extent of the hazards (including bluff retreat) on the project site. Recommendations indicated in the analysis required by RMD shall be implemented.</i></p> <p>Action GEO-S-3.2: <i>All new development proposed</i></p>	<p>Consistent: USGS maps show the Loon Point Fault trending toward the project site approximately 150 feet north of the proposed single-family residence on Proposed Parcel A. A preliminary Geologic Investigation by Adam Simmons, consulting geologist (dated October, 2006) was prepared to analyze the sea cliff retreat rate and slope stability of the on-site coastal bluff. Several Geotechnical Engineering Reports were developed by Earth Systems to analyze potential onsite geologic hazards including seismic impacts, the potential for liquefaction and the location of the Loon Point Fault. Those reports included the following: Geotechnical Engineering Report, Proposed Single Family Dwelling and Barn, April 30, 2012 (Revised September 17, 2012); Addendum to Second Response to County of Santa Barbara Peer Review dated June 19, 2013; Second Response to County of Santa Barbara Peer Review dated May 14, 2013, Fault Rupture Hazard Report dated August 29, 2012; a Fault Rupture Hazard Report, Proposed Single Family Dwelling and Barn, dated August 29, 2012 (Revised September 17, 2012); and a Seismic Refraction Investigation Geophysical Survey, GEOVision Geophysical Services, Inc. dated August 14, 2012. The updated Earth Systems Geotechnical Engineering report also supports the Simmons bluff retreat study with additional</p>

<p><i>for the bluff-top shall minimize or avoid acceleration of seacliff retreat. Actions to minimize retreat shall include, but not be limited to, restricting septic tank use, minimizing irrigation, and utilizing culverts and drainage pipes to convey run-off.</i></p> <p>Action GEO-S-3.3: <i>Where possible, all drainage from bluff-top parcels shall be conveyed to the nearest street. Where such drainage must be conveyed over the face of the bluffs, such drainage lines shall be combined with those of neighboring parcels where possible, and sited and designed to minimize visual disruption of the bluff area.</i></p> <p>Policy GEO-S-4: <i>Excessive grading for the sole purpose of creating or enhancing views shall not be permitted</i></p>	<p>information and conclusions. The bluff retreat reports were peer reviewed by the County’s contract geologist, GeoDynamics and accepted as adequate (June 19, 2013).</p> <p>The building envelopes placed on proposed Parcels A and B are located a minimum of 71 ft from the sea cliff. This distance incorporates the calculated 75 year bluff retreat rate of 31 ft added to a 40 ft slope stability buffer calculated in the Earth Systems report in accordance with Coastal Commission guidelines and accepted in the GeoDynamics peer review.</p> <p>P&D’s Building and Safety Division standard practice as well as project conditions require submittal of soils engineering studies for all new development (Condition 18 of the TPM and Condition 16 of 11CDH-00000-00054 for the new residence). The project site is not within a Special Problems area.</p> <p>The site slopes upward to the north toward Padaro Lane. The parcel historically drains via sheet flow eastward into Toro Canyon Creek. The proposed residence has been designed to channel runoff away from the sea cliff, into an existing buried storm drain and from there into a bioswale near the creek. New native landscaping on the blufftop would be irrigated for a maximum of three years by a drip irrigation system. The development would be served either by existing drywells, or by public sewer service at Padaro Lane if it is available at the time of building permit issuance (Condition 25 of the TPM).</p> <p>The proposed residence on Parcel A has been designed to follow the existing contours and minimize grading as much as possible. The proposed project splits the elevational difference between the bermed landform on the western edge of the property and the top of the bluff that extends eastward from the berm towards Toro creek. This design is intended to minimize the amount of bunkered area on the western portion of the first floor of the proposed SFD.</p>
<p>Cultural Resources</p>	

<p>Coastal Land Use Plan Policy 10-1: <i>All available measures...shall be explored to avoid development on significant historic, prehistoric, archaeological, or other classes of cultural sites.</i></p> <p>Coastal Land Use Plan Policy 10-2: <i>When developments are proposed for parcels where archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible.</i></p> <p>Coastal Act Policy 30244: <i>Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.</i></p> <p>Policy HA-S-1: <i>Significant cultural, archaeological and historical resources in the Summerland area shall be protected and preserved.</i></p> <p>Development Standard HA-S-1.2: <i>Appropriate preservation and restoration/renovation measures shall be implemented to ensure that adverse impacts to significant historical resources are avoided except where they would preclude reasonable development on a parcel.</i></p>	<p>Prehistoric site CA-SBA-1566 is located on much of the subject parcel. This site has been evaluated as significant and eligible for the California Register of Historical Resources (CRHR) because portions of the resource retain sufficient integrity and data qualities to provide information important to understanding prehistory. The site is considered an important and unique resource under CEQA and is of cultural significance to the Native American community.</p> <p>Multiple cultural resource studies have been conducted within the project area. The most recent is a study requested by the County to evaluate the impacts of unpermitted grading and to provide a constraints analysis for future development of the lot (<i>Archaeological Condition Assessment and Effects Testing at CA-SBA-1566, 2825 Padaro Lane, Carpinteria, Santa Barbara County, California</i> by Clayton G. Lebow, dated June 2012). The constraints analysis and impact assessment are based on the results of excavations aimed at determining the location of significant site deposits, as some areas of the site were graded away prior to the current ownership, and some areas lack sufficient integrity and data qualities to provide information important to understanding prehistory.</p> <p>Based on information provided in the 2012 study, a development exclusion envelope was placed over the portion of the site evaluated as significant under CEQA and in accordance with the County's Environmental Thresholds and Guidelines. The development exclusion area is located primarily on proposed Parcel B but extends for a short distance onto proposed Parcel A. The development exclusion envelope would be recorded on the map and is required to be shown on all future building and grading plans (Conditions 7, 8 and 22 of the TPM). The existing dwelling, deck and accessory structure on proposed Parcel B would be removed⁴ and the entire exclusion envelope would be covered with geo fabric, capped with sterile fill and planted with shallow rooted vegetation</p>
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⁴ These structures were moved to the site sometime in the 1940s. An historic resources evaluation letter report was prepared by San Buenaventura Research Associates (dated March 13, 2007) and concluded that the structures do not meet the County's criteria for historical significance.

	<p>(Conditions 11 and 12 of the TPM).</p> <p>In addition to the development exclusion area on each parcel, each new parcel also has a building envelope located outside of all the required setbacks and outside of the significant portions of the archaeological site. Some areas of the building envelopes contain very low density artifacts in disturbed sediments. These deposits do not contribute to the significance of SBA-1566 and development in the building envelopes would not impact significant site deposits. However, because of the presence of disturbed, sparse site materials, archaeological and Native American monitoring is required for all ground disturbing activities for the currently proposed and all future projects on both parcels (Condition 14 of the TPM). A pre-construction workshop is required to inform workers about archaeological issues and requirements (Condition 13 of the TPM), and Condition 15 of the TPM outlines procedures to be followed in the unlikely event intact features such as hearths are discovered during monitoring.</p> <p>The results of the impact assessment for unpermitted grading indicated that installation of the gabion wall did not impact significant portions of SBA-1566. However, significant impacts did occur from unpermitted grading in other locations. Cultural resource policies require that development avoid significant resources if possible, and if they cannot be avoided, that reasonable mitigation is required. In this case, the significant impacts have already occurred and thus cannot be avoided. Mitigation through archaeological excavations at the impact location is not possible because the grading already disturbed the site. Another approach to mitigate the impacts is archaeological (Phase 3) excavation to recover data at or near the impacted area. This approach is not recommended here because the resulting archaeological excavations would impact areas that otherwise would remain intact. Instead, impacts to the significant site deposits from unpermitted grading would be mitigated by a measure (Condition 10 of the TPM) requiring the Owner/Applicant to fund an archaeological study to complete the Phase 2 work begun by Compass</p>
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	<p>Rose Archaeological, Inc. (Romani et al. 2008). Compass Rose recovered a substantial archaeological assemblage from CA-SBA-1566 but sorting was not completed and materials were not analyzed. Applied EarthWorks also recovered materials from significant site deposits and those were not analyzed. Using the cultural materials recovered by Compass Rose and Applied EarthWorks, specific studies would be conducted and a report would be prepared that provides a research design; presents a site chronology; details the results of the analyses; and interprets the data. The materials would be curated and the report would be filed with the Central Coast Information Center at the University of California, Santa Barbara.</p>
<p>Noise</p>	
<p>Noise Element Policy #1: <i>In the planning of land use, 65 dB Day-Night Average Sound Level should be regarded as the maximum exterior noise exposure compatible with noise-sensitive uses unless noise mitigation features are included in project designs.</i></p> <p>Policy N-S-1: <i>Interior noise-sensitive uses (i.e., residential and lodging facilities, educational facilities, public meeting places and others specified in the Noise Element) shall be protected to minimize significant noise impacts.</i></p>	<p>Consistent: The proposed project would have the potential to create short-term construction related noise impacts on neighboring residences. Condition 21 of the TPM, Condition 19 of 11CDH-00000-00054 for the new residence on proposed Parcel A, and Condition 18 of 11CDH-00006 for grading and related work on proposed Parcel B would limit the hours of all future noise-generating construction to between 7:00 a.m. and 4:00 p.m. on weekdays excluding weekends and State holidays. The project would not cause any significant long-term noise impacts to the surrounding area.</p>
<p>Coastal Access & Recreation</p>	
<p>Coastal Land Use Plan Policy 7-2: <i>For all development between the first public road and the ocean granting of an easement to allow vertical access to the mean high tide line shall be mandatory unless:</i></p> <p>(a) <i>Another more suitable public access corridor is available or proposed by the land use plan within a reasonable distance of the site measured along the shoreline, or</i></p> <p>(b) <i>Access at the site would result in unmitigable adverse impacts on areas designated as "Habitat Areas" by the land use plan, or...</i></p>	<p>Consistent: A lateral public beach access easement exists along the sandy beach on the subject parcel near the water's edge. This easement would remain unaffected by project implementation. The Summerland Community Plan shows a "possible future trail" on the subject property from Padaro Lane to the ocean, within the ESH and Toro Canyon Creek corridor. This "possible future trail" is not a legal easement.</p> <p>Public beach access currently exists approximately ¼ mile to the west at the Loon Point beach access path; an additional vertical public easement to the</p>

<p>Policy PRT-S-2: <i>In compliance with applicable legal requirements, all opportunities for public recreational trails within those general corridors adopted by the Board of Supervisors as part of the Parks, Recreation and Trails (PRT) maps of the County Comprehensive Plan (and this Community Plan) shall be protected, preserved and provided for during and upon the approval of any development, subdivision and/or permit requiring any discretionary review or approval.</i></p> <p>Policy PRT-S-5: <i>New development shall not adversely impact existing recreational facilities and uses.</i></p> <p>Action PRT-S-5.1: <i>In approving new development, the County shall make a finding that the development will not adversely impact existing recreational facilities and uses.</i></p>	<p>beach from Padaro Lane is located approximately 1 mile to the east of Toro Canyon Creek. Both of these are located a reasonable distance from the proposed project site and both are more suitable beach access locations than the “possible future trail”. The “possible future trail” is located within a riparian corridor that has been thoroughly restored as resolution of a Coastal Commission appeal of a previous project on the lot. It is also immediately adjacent to (and possibly within) a significant cultural resource. The trail has not received significant use in approximately 15-20 years based on statements from one Native American representative and one local trail advocate. The addition of one new lot and one single-family dwelling would not impact any existing trails or recreational facilities. Consequently, the Santa Barbara Community Services Department, County Parks Division is not requesting that the applicant dedicate a public access easement as part of the project (Errin Briggs personal communication with Claude Garciacelay, County Parks Planner, September 2010; Anne Almy personal communication with Claude Garciacelay, October 23 2013).</p>
<p>Transportation</p>	
<p>Policy CIRC-S-4: <i>A determination of project consistency with the standards and policies of this Community Plan Circulation Section shall constitute a determination of consistency with Local Coastal Plan Policy #2-6 and LUDP #4 with regard to roadway and intersection capacity.</i></p> <p>Policy CIRC-S-5: <i>The County shall strive to permit reasonable development of parcels within the community of Summerland based upon the policies and land use designations adopted in this Community Plan, while maintaining safe roadway and intersections that operate at acceptable levels.</i></p>	<p>Consistent: As discussed in the ND Section 4.15, the lot split portion of the proposed project would result in the construction of one net, new single-family residence and, as such, would add 10 average daily trips and 1 peak hour trip to area roadways, a negligible increase over existing traffic levels. The addition of one PHT to area intersections would not adversely affect operations of intersections. Additionally, the addition of 10 ADT to area roadways would not affect their operation of roadways. All roadways and intersections are operating at acceptable levels and would continue to do so.</p>

Air Quality	
<p>Coastal Act Policy 30253(c): <i>New development shall be consistent with requirements imposed by an air-pollution control district or the State Air Resources Control Board as to each particular development.</i></p> <p>Policy AQ-S-1: <i>The County shall impose appropriate restrictions and control measures upon construction activities associated with each future development project, in order to avoid significant deterioration of air quality.</i></p>	<p>Consistent: Construction-related activities could generate fugitive dust while the development areas are denuded of vegetation. Implementation of conditions provided by the Santa Barbara County Air Pollution Control District (APCD) would minimize impacts to air quality to the maximum extent feasible (Condition 37 of the TPM, Condition 29 of 11CDH-00000-00006 and Condition 32 of 11CDH-00000-00054).</p>

6.3 Zoning: Article II

6.3.1 Compliance with Article II, Coastal Zoning Ordinance

The proposed project would be consistent with all of the requirements of Article II, including Section 35-130, which requires the decision-maker to make the finding that adequate water is available to serve the newly created lot. Adequate domestic water is available as indicated by the Montecito Water District letter August 8, 2012; a can and will serve letter for both lots would be required prior to map recordation.

The proposed residential use is principally permitted within the 3-E-1 zone district. The structures would comply with the Summerland Community Plan policy that restricts the height of structures in rural areas to 16 ft. The proposed development would be located outside of all required setbacks, and parking required to serve the residence would be accommodated in the attached garage.

As discussed under Comprehensive Plan Consistency above (Section 6.2 of this staff report), although mapped as an ESH for Monarch butterflies, the site does not support a butterfly population. Therefore, the proposed project is consistent with ESH Overlay development standards for butterfly ESHs. In addition, as discussed under Section 5.2 above, the riparian ESH buffer of 100 ft from the 2006 edge of canopy has been incorporated into the setbacks for the map. Revisions to the previously approved restoration project within the ESH buffer, subject to approval by P&D, would ensure consistency with the riparian ESH Overlay development standards.

6.3.2 Compliance with Chapter 21 Ordinance Requirements

The proposed project would conform to the rules and regulations of the County’s subdivision regulations as described in the findings (Attachment A).

6.4 Subdivision/Development Review Committee

This project was reviewed by the Subdivision/Development Review Committee on March 3, 2011 and August 2, 2012. The SDRC members have continued to provide input and develop conditions during the subsequent submittal and processing of these applications. All the conditions required by other departments are included as Departmental Condition letters, which are located at the end of Attachments B, C and D of this Staff Report.

6.5 Design Review

The proposed single-family residence to be located on Proposed Parcel A was conceptually reviewed by the South County Board of Architectural Review (SBAR). On December 7, 2012 the SBAR provided positive comments stating; “Mass, bulk and scale are appropriate for the area and the site” (see Attachment F). The project is required to return to the SBAR for final approval after project approval by the decision-maker.

6.6 Mapping Tool Determination

The project site is located in an area containing cultural and biological resources that constrain the amount and location of development on the parcel. Also, the parcel’s location adjacent to the ocean requires and slope stability and bluff retreat setbacks. The proposed development requires implementation of building envelope(s) on both Parcels A and B in order to protect biological and cultural resources and comply with the required setbacks. In addition, the cultural resource is further protected by a development exclusion envelope. Designation of the building and development exclusion envelopes will be subject to recordation with the final map as indicated in Condition no. 22 of the TPM and Attachment H.

6.7 Development Impact Mitigation Fees

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

The developer of a project that is required to pay development impact mitigation fees may appeal to the Board of Supervisors for a reduction, adjustment or waiver of any of those fees based on the absence of a reasonable relationship between the impacts of the proposed project and the fee category for which fees have been assessed. The appeal must be in writing and must state the factual basis on which the particular fee or fees should be reduced, adjusted or waived. The appeal must be submitted to the director(s) of the relevant departments within 15 calendar days following the determination of the fee amount(s). For a discretionary project, the date of determination of fee amounts is the date on which the decision-maker adopts the conditions of approval and approves the project.

Estimated Countywide Quimby and Development Impact Mitigation Fees

Fee Program	Base Fee (per unit or 1,000 sf)	Estimated Fee	Fee due at
Recreation (Parks, Quimby)	\$1,226 per new lot	\$1,226	Map Recordation
Transportation	\$2,047 per new single family dwelling	\$2,047	Final Inspection
Fire (\$0.10/sf.)	6826 sq ft	\$683	Final Inspection

7.0 APPEALS PROCEDURE

The action of the Planning Commission may be appealed to the Board of Supervisors within ten (10) calendar days of said action. For developments which are appealable to the Coastal Commission under Section 35-182.6, no appeal fee will be charged.

The action of the Board of Supervisors may be appealed to the Coastal Commission within ten (10) working days of receipt by the Coastal Commission of the County's notice of final action.

ATTACHMENTS

- A. Findings
- B. Conditions of Approval for 12TPM-00000-00006
- C. Conditions of Approval for 11CDH-00000-00006
- D. Conditions of Approval for 11CDH-00000-00054
- E. ND with Transmittal Letter
- F. BAR Comments and Conceptual Review Checklist
- G. APN Sheet
- H. Tentative Parcel Map (12TPM-00000-00006, TPM 14,791)
- I. Grading plan (11CDH-00000-00006)
- J. Draft Restoration "As-Built" Report and Addendum to Conceptual Habitat Restoration and Revegetation Plan, 2825 Padaro Lane, Summerland. Hunt and Associates, May 25, 2012. (11CDH-00000-00006)
- K. Site Plan, Floor Plans, Elevations (11CDH-00000-00054)

ATTACHMENT A: FINDINGS

Beach Club Tentative Parcel Map (12TPM-00000-00006 / TPM 14,791), Gabion Wall and Grading (11CDH-00000-00006) and New Single Family Dwelling (11CDH-00000-00054)

1.0 CEQA FINDINGS

1.1 CONSIDERATION OF THE NEGATIVE DECLARATION AND FULL DISCLOSURE

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

1.2 FINDING OF NO SIGNIFICANT EFFECT

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

1.3 LOCATION OF DOCUMENTS

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

1.4 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15074(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the reporting and monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 ADMINISTRATIVE FINDINGS

2.1 TENTATIVE PARCEL MAP FINDINGS (Chapter 21). The following, among others, shall be cause for disapproval of a tentative map including tentative parcel maps, but the tentative map may nevertheless be approved in spite of the existence of such conditions where circumstances warrant:

2.1.1 Easements or rights-of-way along or across proposed county streets which are not expressly subordinated to street widening, realignment, or change of grade by an instrument in writing recorded, or capable of being recorded, in the Office of the County Recorder, provided, however, that the Director of Public Works may approve such easements or rights-of-way without such subordinations. Easements or rights-of-way shall not be granted along or across proposed county streets before filing for record of the final

subdivision map by the County Recorder, unless the Director of Public Works shall approve such grants. If the Director of Public Works does not grant such approvals within fourteen days from the date they were requested, they shall be deemed to have been refused. Appeal from refusal of the Director of Public Works to grant such approvals may be made in writing to the Board of Supervisors, which may overrule the Director of Public Works and grant such requested approvals in whole or in part.

This Tentative Parcel Map does not include easements along or across county streets.

2.1.2 Lack of adequate width or improvement of access roads to the property; creation of a landlocked lot or parcel without frontage on a street or other approved ingress and egress from the street;

Proposed Parcel A has frontage on Padaro Lane. Prior to future development of proposed Parcel A, a driveway of adequate width and design to meet Carpinteria-Summerland Fire District development standards will be constructed. An existing driveway from Padaro Lane provides access to proposed Parcel B.

2.1.3 Cuts or fills having such steep slopes or great heights as to be unsafe under the circumstances or unattractive to view;

There is no grading associated with this Tentative Parcel Map. Approval of related permit no. 11CDH-00000-00006 (to occur on both Parcel A and Parcel B of this Tentative Parcel Map) and permit no. 11CDH-00000-00054 (to occur on Parcel A of this Tentative Parcel Map) will not permit slopes or heights that would be either unsafe or unattractive to view.

2.1.4 Grading or construction work on any proposed street or lot. Grading or construction work shall not be commenced prior to recordation of the final or parcel map without specific authority granted by and subject to conditions approved by the Board of Supervisors;

There is no grading associated with this Tentative Parcel Map. However, grading is a part of related permits 11CDH-00000-00006 and 11CDH-00000-00054. Approval of related permit no. 11CDH-00000-00006 will legalize grading conducted on the parent parcel without the benefit of a permit, and will allow fill to be placed over a sensitive cultural resource located on both Parcel A and Parcel B. Permit no. 11CDH-00000-00006 must be issued and implemented prior to map recordation of 12TPM-00000-00006, and prior to issuance of 11CDH-00000-00054 for a single family dwelling, because it resolves the zoning violation on the parent parcel. Permit no. 11CDH-00000-00006 also requires removal of a primary dwelling and a second unit that are located within the ESH buffer on Parcel A. When these structures are removed, there will be no residences on the parent parcel. Therefore, after the zoning violation is abated and existing structures are removed, permit no. 11CDH-00000-00054 for a new single family dwelling would not be dependent on recordation of the Tentative Parcel Map because it would be the only dwelling on the parent parcel.

2.1.5 Potential creation of hazard to life or property from floods, fire, or other catastrophe;

As discussed in Section 6.2 of the staff report, and incorporated herein by reference, the design of the subdivision will not result in any future development being located in areas that would create hazard to life or property.

2.1.6 Nonconformance with the County's Comprehensive Plan or with any alignment of a state highway officially approved or adopted by the state department of transportation;

As discussed in Section 6.2 of the staff report, and incorporated herein by reference, the Tentative Parcel map conforms to the County's Comprehensive Plan, including the Coastal Land Use Plan and the Summerland Community Plan. The project site is not located near any existing or proposed state highway alignment.

2.1.7 Creation of a lot or lots which have a ratio of depth to width in excess of 3 to 1;

The lots created by the map would not have a ratio of depth to width in excess of 3 to 1.

2.1.8 Subdivision designs with lots backing up to watercourses.

The front yards of the parent and proposed parcels face Padaro Lane. The eastern property line of the underlying parcel is formed by Toro Canyon Creek, which is considered a watercourse. A watercourse is generally defined in Article II, Coastal Zoning Ordinance, as *major and minor streams, drainage ways and small lakes, ponds and marshy areas through which streams pass*; but does not include coastal wetlands. Toro Creek will form the eastern boundary of Parcel B. The southern property lines of both new parcels will abut the Pacific Ocean, which is not considered a watercourse. Therefore, the design of the subdivision does not have lots backing up to a watercourse.

2.1.9 A tentative map including tentative parcel map shall not be approved if the decision-maker finds that the map design or improvement of the proposed subdivision is not consistent with this Chapter, the requirements of the State Subdivision Map Act, California Government Code Section 66410 et seq., the County's Comprehensive Plan, the applicable zoning ordinance, or other applicable County regulations.

As discussed in Sections 6.2 and 6.3 of the staff report, and incorporated herein by reference, the design of the subdivision is consistent with the County's General Plan, including the Coastal Land Use Plan and the Summerland Community Plan, and the applicable requirements of the Coastal Zoning Ordinance. As discussed in these Tentative Map Findings, and the Subdivision Map Act Findings below, the tentative parcel map is consistent with Chapter 21 and the findings of the State Subdivision Map Act.

2.2 CHAPTER 21 SUBDIVISION MAP ACT FINDINGS. Findings for all Tentative Maps. In compliance with the Subdivision Map Act, the review authority shall make the following findings.

2.2.1. State Government Code §66473.1. The design of the subdivision for which a

tentative map is required pursuant to §66426 shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

The lots resulting from the land division will be of adequate size (3.04 and 7.21 acres in size) to take advantage of maximum solar exposure. The proposed tentative parcel map is designed with proposed building envelopes located in such a way that future passive or natural heating or cooling opportunities will be available for future development.

- 2.2.2. State Government Code §66473.5. No local agency shall approve a tentative map, or a parcel map for which a tentative map was not required, unless the legislative body finds that the proposed subdivision, together with the provisions for its design and improvement is consistent with the general plan required by Article 5 (commencing with §65300) of Chapter 3 of Division 1 or any specific plan adopted pursuant to Article 8 (commencing with §65450) of Chapter 3 of Division 1.**

As discussed in Section 6.2 of the staff report dated November 15, 2013, and incorporated herein by reference, the proposed subdivision is consistent with the land use density designated for the property in the Coastal Land Use Plan and Summerland Community Plan, and can be found consistent with all applicable policies of these plans.

- 2.2.3. State Government Code §66474. A legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:**

- 2.2.3.1 The proposed map is not consistent with applicable general and specific plans as specified in §65451.**

As discussed in Section 6.2 of the staff report dated November 15, 2013, and incorporated herein by reference, the proposed subdivision is consistent with the Comprehensive Plan and Summerland Community Plan.

- 2.2.3.2 The design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.**

No improvements are proposed with this tentative parcel map. However, as discussed in Section 6.2 of the staff report dated November 15, 2013, and incorporated herein by reference, conditions of approval would ensure that future development on the parcels would occur in compliance with applicable policies of the Comprehensive Plan and Summerland Community Plan. In addition, the design of the proposed subdivision would result in two lots that would be suitable for future residential development in compliance with the applicable Comprehensive Plan and Summerland Community Plan policies.

- 2.2.3.3 The site is not physically suitable for the type of development proposed.**

As discussed in Section 6.2 of the staff report dated November 15, 2013, and incorporated herein by reference, Parcel A will be 3.04 acres in size and contain a 47,579 sq ft building envelope that avoids all applicable setback requirements as well all sensitive cultural and biological resources. Parcel B will be 7.21 acres in size and contain a building envelope of 89,084 sq ft to avoid all applicable setback requirements and sensitive cultural and biological resources. A separate development exclusion area precludes any development in the significant portion of the archaeological site. Future development within the building envelope and an associated access driveway on proposed Parcel A were determined to be geologically feasible as stated in the reports titled Geotechnical Engineering Report, Proposed Single Family Dwelling and Barn, April 30, 2012 (Revised September 17, 2012), Addendum to Second Response to County of Santa Barbara Peer Review dated June 19, 2013, Second Response to County of Santa Barbara Peer Review dated May 14, 2013, Fault Rupture Hazard Report dated August 29, 2012, a Fault Rupture Hazard Report, Proposed Single Family Dwelling and Barn, dated August 29, 2012 (Revised September 17, 2012) and a Seismic Refraction Investigation Geophysical Survey, GEOVision Geophysical Services, Inc. dated August 14, 2012. These reports were peer-reviewed and accepted by the P&D Geologic consultant, GeoDynamics, Inc. (June 19, 2013). Future development proposed for Parcel B will also be required to provide soils engineering studies and comply with the recommendations therein.

2.2.3.4 The site is not physically suited for the proposed density of development.

The site is physically suited for the proposed density of development of the resulting lots. The proposed density (at one residence per 3.0-acre lot) is consistent with the designated density (Residential, 1.0 dwelling unit per 3 acres) of the Coastal Land Use Plan and Summerland Community Plan. As discussed in Section 6.2 of the staff report dated November 15, 2013, and incorporated herein by reference, Parcel A will be 3.04 acres in size and contain a 47,579 sq ft building envelope that would avoid all applicable setback requirements as well as sensitive cultural and biological resources. Parcel B will be 7.21 acres in size and contain a building envelope of 89,084 sq ft to avoid all applicable setback requirements and sensitive cultural and biological resources. A separate development exclusion envelope on both parcels A and B precludes any development in the significant portion of the archaeological site. As such, the site can physically accommodate the proposed density of development.

2.2.3.5 The design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

As summarized in Section 6.1 of the staff report dated November 15, 2013, and discussed in detail in the Proposed Final Mitigated Negative Declaration (13NGD-00000-00012), incorporated herein by reference, any potential impacts that could result from the proposed subdivision and subsequent future development are mitigated to less than significant levels by incorporation of the mitigation measures and monitoring into the

project's conditions of approval. The project would not cause substantial environmental damage or injure fish or wildlife of their habitat.

2.2.3.6 The design of the subdivision or type of improvements is likely to cause serious public health problems.

The design of the subdivision would not cause serious public health problems. As discussed in Section 6.2 of the staff report dated November 15, 2013, and in the Proposed Final Mitigated Negative Declaration (13NGD-00000-00012), incorporated herein by reference, adequate services are available to serve the subdivision and the project would not create any hazardous situations that could lead to public health problems.

2.2.3.7 The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

The Summerland Community Plan identifies a "possible future trail" on the subject property from Padaro Lane to the ocean, within the ESH and Toro Canyon Creek corridor. However, there is no easement in this particular area and no easements for the public at large cross the property. Therefore, the design of the subdivision would not conflict with existing easements.

2.2.4. State Government Code §66474.4. The legislative body of a city or county shall deny approval of a tentative map, or parcel map for which a tentative map was not required, if it finds that either the resulting parcels following a subdivision of that land would be too small to sustain their agricultural use or the subdivision will result in residential development not incidental to the commercial agricultural use of the land, and if the legislative body finds that the land is subject to any of the following:

(a) A contract entered into pursuant to the California Land Conservation Act of 1965 [Chapter 7 (commencing with Section 51200) of Part 1 of Division 1 of Title 5], including an easement entered into pursuant to Section 51256.

(b) An open-space easement entered into pursuant to the Open-Space Easement Act of 1974 [Chapter 6.6 (commencing with Section 51070) of Part 1 of Division 1 of Title 5].

(c) An agricultural conservation easement entered into pursuant to Chapter 4 (commencing with Section 10260) of Division 10.2 of the Public Resources Code.

(d) A conservation easement entered into pursuant to Chapter 4 (commencing with Section 815) of Part 2 of Division 2 of the Civil Code.

The parent parcel is residentially zoned and is not used for agriculture. The land is not subject to (a) a contract entered into pursuant to the California Land Conservation Act of 1965 [Chapter 7 (commencing with Section 51200) of Part 1 of Division 1 of Title 5], including an easement entered into pursuant to Section

51256 (b) an open-space easement entered into pursuant to the Open-Space Easement Act of 1974 [Chapter 6.6 (commencing with Section 51070) of Part 1 of Division 1 of Title 5]; (c) an agricultural conservation easement entered into pursuant to Chapter 4 (commencing with Section 10260) of Division 10.2 of the Public Resources Code; or (d) a conservation easement entered into pursuant to Chapter 4 (commencing with Section 815) of Part 2 of Division 2 of the Civil Code. Therefore, this finding does not apply.

2.2.5. State Government Code §66474.6. The governing body of any local agency shall determine whether discharge of waste from the proposed subdivision into an existing community sewer system would result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with §13000) of the Water Code.

The proposed project would utilize private wastewater disposal (septic systems) only if public sewer service is not available from the Carpinteria Sanitary District. Discharge of waste into the District system would not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board. Therefore, this finding does not apply.

2.3 ARTICLE II COASTAL ZONING ORDINANCE FINDINGS FOR TENTATIVE PARCEL MAPS

2.3.1. In order to obtain approval for a division of land, the subdivider shall demonstrate that adequate water is available to serve the newly created lots except for lots to be designated as "Not A Building Site" on the recorded subdivision or parcel map.

The proposed project would be served by the Montecito Water District (MWD). One existing water meter is located on the property. As indicated by the letter from Tom Mosby, General Manager, dated August 8, 2012, the Montecito Water District has the capacity to serve the both newly created lots. The project has been conditioned to require the applicant to obtain a Can and Will Serve letter for both new lots prior to map recordation.

2.3.2. As a requirement for approval of any proposed land division of agricultural land designated as AG-I or AG-II, the County shall make a finding that the long-term agricultural productivity of the land will not be diminished by the proposed division.

The proposed project is not located on land designated as AG-I or AG-II. Therefore, this finding does not apply.

2.3.3 In addition to the findings that are required for approval of a development project (as development is defined in this Article), as identified in each section of Division 11 - Permit Procedures of Article II, a finding shall also be made that the project meets all applicable policies and development standards included in the Summerland Community Plan.

As discussed in Section 6.2 of the staff report dated November 15, 2013, and incorporated herein by reference, the proposed subdivision is conditioned so that any future development complies with the applicable development standards of

the Coastal Land Use Plan and Summerland Community Plan. Therefore, this finding can be made.

2.4 COASTAL DEVELOPMENT PERMIT FINDINGS FOR 11CDH-00000-00006

2.4.1 In compliance with Section 35-60.5 of the Article II Zoning Ordinance, prior to issuance of a Coastal Development Permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and/or the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development.

As discussed in Sections 6.2 and 6.3 of the staff report dated November 15, 2013, and incorporated herein by reference, adequate services and resources are available to serve the proposed development. The project is for as built grading, modification of the biological resources restoration plan for the Toro Canyon Creek corridor, removal of the single family dwelling and accessory structure, removal of a retaining wall and a play structure, abandonment of an existing well, grading for sensitive resource capping and installation of a split rail safety fence. No new structural or residential development is proposed under this permit. An existing well on the lot will provide water to irrigate restored and replanted areas as needed. The development will be accessed by an existing driveway from Padaro Lane. Other services such as roadways are adequate to serve the proposed development. Therefore, this finding can be made.

2.4.2 Findings required for Coastal Development Permit applications subject to Section 35-169.4.1. In compliance with Section 35-169.5.1 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit subject to Section 35-169.4.1 the review authority shall first make all of the following findings, as applicable:

1. The development conforms:

- (a) To the applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan;**
- (b) With the applicable provisions of this Article or the project falls within the limited exceptions allowed under with Section 35-161 (Nonconforming Use of Land, Buildings and Structures).**

As discussed in Sections 6.2 and 6.3 of the staff report dated November 15, 2013, and incorporated herein by reference, 11CDH-00000-00006 conforms to the applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan, Summerland Community Plan, and the provisions of Article II Coastal Zoning Ordinance. Therefore, this finding can be made.

2. The development is located on a legally created lot.

The subject property was created by Lot Line Adjustment 07LLA-00000-00011, which was approved by the Zoning Administrator on February 27, 2008. Therefore, this finding can be made.

3. The subject property and development on the property is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks and any other applicable provisions of this Article, and any applicable zoning violation enforcement fees and processing fees have been paid. This subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Division 10 (Nonconforming Structures and Uses).

The zoning violations recorded against the subject parcel would be resolved by approval and issuance of 11CDH-00000-00006. With approval, issuance and effectuation of that permit, all applicable zoning violation enforcement fees and processing fees will be paid and the subject property and proposed project will be compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks, parking, height and all other applicable provisions of the Article II Coastal Zoning Ordinance for the 1-E-1 zone district. Therefore, this finding can be made.

2.4.3 Findings required for Coastal Development Permit applications subject to Section 35-169.4.2. In compliance with Section 35-169.5.2 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit subject to Section 35-169.4.2 the review authority shall first make all of the following findings, as applicable:

1. The development will not significantly obstruct public views from any public road or from a public recreation area to, and along the coast.

As discussed in Sections 6.2 and 6.3 of the staff report dated November 15, 2013, and incorporated herein by reference, the development described in 11CDH-00000-00006, as conditioned, will not obstruct public views from any public road or from a public recreation area to, and along the coast. Therefore, this finding can be made.

2. The development is compatible with the established physical scale of the area.

As discussed in Sections 6.2 and 6.3 of the staff report dated November 15, 2013, and incorporated herein by reference, the development described in 11CDH-00000-00006, as conditioned, will be compatible with the established physical scale of the area. Therefore, this finding can be made.

3. The development will comply with the public access and recreation policies of this Article and the Comprehensive Plan including the Coastal Land Use Plan.

As discussed in Sections 6.2 and 6.3 of the staff report dated November 15, 2013, and incorporated herein by reference, the development described in 11CDH-00000-00006, as conditioned, complies with the applicable public access and recreation policies of the of Article II Coastal Zoning Ordinance and the Comprehensive Plan, including the Coastal land Use Plan and Summerland Community Plan. Therefore, this finding can be made.

2.5 COASTAL DEVELOPMENT PERMIT FINDINGS FOR 11CDH-00000-00054

2.5.1 In compliance with Section 35-60.5 of the Article II Zoning Ordinance, prior to issuance of a Coastal Development Permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and/or the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development.

As discussed in Section 6.2 and 6.3 of the staff report dated November 15, 2013, and incorporated herein by reference, adequate services exist to serve the proposed single family dwelling. The project would be served by the Montecito Water District, connection to the public sewer line at Padaro Lane or, if it is not available, an existing, previously approved private drywell-type septic system, and the Carpinteria-Summerland Fire Protection District. Police services are also available to serve the development. Therefore, this finding can be made.

2.5.2 Findings required for Coastal Development Permit applications subject to Section 35-169.4.1. In compliance with Section 35-169.5.1 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit subject to Section 35-169.4.1 the review authority shall first make all of the following findings, as applicable:

1. The development conforms:

- (a) To the applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan;**
- (b) With the applicable provisions of this Article or the project falls within the limited exceptions allowed under with Section 35-161 (Nonconforming Use of Land, Buildings and Structures).**

As discussed in Sections 6.2 and 6.3 of the staff report dated November 15, 2013, and incorporated herein by reference, the development described in 11CDH-00000-00054, as conditioned, conforms to the applicable policies of the Comprehensive Plan, including the Coastal land Use Plan and Summerland Community Plan and the provisions of Article II Coastal Zoning Ordinance. Therefore, this finding can be made.

2. The development is located on a legally created lot.

The subject property was created by Lot Line Adjustment 07LLA-00000-00011, which was approved by the Zoning Administrator on February 27, 2008.

Therefore, this finding can be made.

3. The subject property and development on the property is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks and any other applicable provisions of this Article, and any applicable zoning violation enforcement fees and processing fees have been paid. This subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Division 10 (Nonconforming Structures and Uses).

The zoning violations recorded against the subject parcel would be resolved by approval, issuance, and effectuation of 11CDH-00000-00006. With approval, issuance and effectuation of that permit, all applicable zoning violation enforcement fees and processing fees will be paid and the subject property and proposed project will be compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks, parking, height and all other applicable provisions of the Article II Coastal Zoning Ordinance for the 1-E-1 zone district. Therefore, this finding can be made.

Conditions of approval require approval and issuance of 11CDH-00000-00006 prior to approval of any other permits on Parcel A. With approval and issuance of that permit, the subject property and proposed project are in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks, parking, height and all other applicable provisions of the Article II Coastal Zoning Ordinance for the 1-E-1 zone district. Therefore, this finding can be made.

2.5.3 Findings required for Coastal Development Permit applications subject to Section 35-169.4.2. In compliance with Section 35-169.5.2 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit subject to Section 35-169.4.2 the review authority shall first make all of the following findings, as applicable:

1. The development will not significantly obstruct public views from any public road or from a public recreation area to, and along the coast.

As discussed in Sections 6.2 and 6.3 of the staff report dated November 15, 2013, and incorporated herein by reference, the development described in 11CDH-00000-00054, as conditioned, will not significantly obstruct public views from any public road or from a public recreation area to, and along the coast. Therefore, this finding can be made.

2. The development is compatible with the established physical scale of the area.

As discussed in Sections 6.2 and 6.3 of the staff report dated November 15, 2013, and incorporated herein by reference, the development described in 11CDH-00000-00054, as conditioned, will be compatible with the established physical scale of the area. Therefore, this finding can be made.

3. The development will comply with the public access and recreation policies of this Article and the Comprehensive Plan including the Coastal Land Use Plan.

As discussed in Sections 6.2 and 6.3 of the staff report dated November 15, 2013, and incorporated herein by reference, the development described in 11CDH-00000-00054, as conditioned, complies with the applicable public access and recreation policies of the of Article II Coastal Zoning Ordinance and the Comprehensive Plan, including the Coastal land Use Plan and Summerland Community Plan. Therefore, this finding can be made.

ATTACHMENT B: CONDITIONS OF APPROVAL

Case No. 12TPM-00000-00006, TPM 14,791

- 1. Proj Des-01 Project Description.** This Tentative Parcel Map is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibit “H”, dated December 4, 2013, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

Tentative Parcel Map 14,791 would subdivide the existing 10.25-acre parcel into two resultant parcels of 3.04 acres (Proposed Parcel A) and 7.21 acres (Proposed Parcel B) in size.

A development exclusion area located primarily on proposed Parcel B would be placed to avoid impacts to cultural resources. Building envelopes on proposed Parcels A and B would contain all future structural development.

Within the development exclusion area, no structural development or ground disturbance of any kind would occur with the exception of the following:

- Fill material would be placed on top of a geogrid fabric layer to protect significant cultural resources in accordance with the conditions included with the Parcel Map.**
- Shallow-rooted landscaping would be placed entirely within the fill on top of the geogrid fabric.**
- A protective fence would be installed along the bluff top, with fenceposts placed entirely within the fill soil above the geogrid fabric layer.**
- The applicant could retain access to the beach via a small segment of unpaved roadway located in a narrow area between the lower and middle terraces, as shown on the Parcel Map. All other roadways must be located outside of the exclusion area.**

Building envelopes on proposed Parcels A and B would contain all future structural development such as residential and accessory structures. These envelopes are outside of the riparian corridor and associated buffer (which is 100 ft from the 2006 canopy of the riparian corridor), ordinance-defined property line setbacks, and the slope stability and bluff retreat setbacks calculated for the proposed project.

Development that could occur outside of the building envelopes would include non-structural development such as patios, hardscape, driveways and septic systems, provided that such items are located outside of the development exclusion area.

Development within the riparian corridor and buffer would be limited to habitat restoration planting as approved in the Habitat Restoration Plan, and maintenance of project elements approved with 11CDH-00000-00006 such as the gabion wall and drainage features.

The property would continue to be served by the Montecito Water District for domestic water and a private well near the Padaro Lane entrance for irrigation of landscaping and restoration plantings. Waste disposal would be provided by either a private EHS-approved drywell type of septic system or, if available, connection to public sewer lines at Padaro Lane. Fire protection would be provided by the Carpinteria-Summerland Fire Protection District. Access to proposed Parcel B would be taken from an existing driveway at the northeast corner of proposed Parcel B. Parcel A would also have frontage on Padaro Lane to allow access and utility connections to be taken directly from Padaro Lane. A drainage acceptance agreement is also proposed on Parcel B for the benefit of Parcel A.

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

- 2. Proj Des-02 Project Conformity.** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

MITIGATION MEASURES FROM 13NGD-00000-00012:

- 3. Aest-04 BAR Required.** The Owner/Applicant shall obtain Board of Architectural Review (BAR) approval for all current and future projects on both resultant parcels. All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development and shall conform in all respects to previous SBAR approvals under Case No. 12BAR-00000-00070. **TIMING:** The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of the Coastal Development Permit. 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. Aest-06 Building Materials.** For all current and future projects on both resultant parcels, 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 water tanks and fences, except for residential development otherwise subject to review of the South Board of Architectural Review (SBAR). For residential structures, materials shall be in conformance with those approved by the SBAR. **PLAN REQUIREMENT:** Materials shall be denoted on building plans. **TIMING:** Structures

shall be painted prior to Final Building Inspection Clearance. **MONITORING:** P&D compliance monitoring staff shall inspect prior to Final Building Inspection Clearance.

- 5. Aest-10 Lighting.** For all current and future projects on both resultant parcels, the Owner/Applicant shall ensure any exterior night lighting proposed on either of the resulting parcels 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. The Owner/Applicant shall install timers or otherwise ensure lights are dimmed after 10 p.m. **PLAN REQUIREMENTS:** The Owner/Applicant shall develop a Lighting Plan for SBAR and P&D approval incorporating these requirements and showing 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 a Lighting Plan for compliance with this measure prior to approval of a Land Use Permit or Coastal Development Permit 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 final Lighting Plan.
- 6. Special Condition Bio-01: Nesting Birds.** The applicant shall retain and pay for a P&D approved biologist to inspect and monitor the project site for bird and raptor nesting activity prior to construction on either Parcel. If construction is to take place during the nesting season (March to September), a P&D approved biologist shall conduct a pre-construction bird and raptor nesting inspection not more than one week prior to the proposed beginning of construction activity. If birds or raptors are determined to be nesting on or within the vicinity of the project site, no construction activities, including, but not limited to grading or heavy equipment operation, shall take place within 500 feet of the raptor nest or within 300 feet (or the property line, whichever is closer) of a bird nest. Certain construction activities may be allowed on a case-by-case basis as reviewed and approved by P&D. **Plan Requirements and Timing:** At a minimum of two days prior to the proposed beginning of construction activity, the results of the survey shall be reviewed and approved by P&D. This condition shall be printed on all final construction, grading, and building plans. **Monitoring:** P&D staff shall perform site inspections throughout the construction phase and receive the report from the P&D approved biologist.
- 7. Bio-12 Habitat Restoration.** The Owner/Applicant has submitted a draft Habitat Restoration Plan titled "Restoration As-Built Report and Addendum to Conceptual Habitat Restoration and Revegetation Plan" prepared by Hunt & Associates and dated May 25, 2012. The Owner/Applicant shall submit for P&D approval a final version of the Hunt & Associates Habitat Restoration Plan. The report shall include the following components:

 - a. Project landscaping in areas within Toro Canyon Creek shall be with, but not limited to, native riparian species such as coast live oak, western sycamore and numerous others as

identified in the draft plan. Restoration plantings within and adjacent to the creek shall be planted as identified in the draft Plan.

- b. Species shall be from locally obtained plants and seed stock.
- c. The new plantings shall be irrigated with drip irrigation on a timer, and shall be weaned off of irrigation over a period of two to three years.
- d. When work occurs within 100 feet of the top of bank of Toro Canyon Creek, the creek area shall be fenced with orange construction fencing or similar to protect restoration plantings, staked a minimum of every six feet or as necessary to keep fencing from collapsing. Fencing shall be located as far away from the creek as possible but at least 25 feet from the top of bank unless such placement inhibits the work activity.
- e. All plantings shall be protected from predation by wild and domestic animals and from human interference by the use of staked, chain link fencing and/or gopher fencing as appropriate during the maintenance period. Fencing for plantings in resources areas shall be anchored in fill soils above a geofabric layer only.
- f. Non-native species identified in the Hunt & Associates Plan, shall be removed from the creek, however, removal of native species in the creek shall be prohibited.

PLAN REQUIREMENTS/ TIMING: The Final Plan shall be submitted to P&D for review and final approval prior to issuance of the first Coastal Development Permit (CDP) for any building or project element which requires a CDP. The Owner/Applicant shall post a performance security to ensure installation prior to Final Building Inspection Clearance and maintenance for three (3) years. **MONITORING:** The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all required components of the approved plan(s) are in place as required prior to Final Inspection Clearance and maintained throughout the maintenance period. P&D compliance monitoring staff signature is required to release the installation security upon satisfactory installation of all items in approved plans and maintenance security upon successful implementation of this plan.

- 8. Bio-20 Equipment Storage-Construction.** For all current and future projects on both resultant parcels, the Owner/Applicant shall designate one or more construction equipment filling and storage areas within the designated Building Envelope to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources. The equipment storage area may be located outside the designated Building Envelope with approval from P&D. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all Coastal Development, Building & Grading Permits. **TIMING:** The Owner/Applicant shall install the area prior to commencement of construction. **MONITORING:** P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

9. Bio-20a Equipment Washout-Construction. For all current and future projects on both resultant parcels, the Owner/Applicant shall identify within the designated Building Envelope one or more washout areas 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 these areas and removed from the site as needed. The areas shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources. The equipment washout area may be located outside the designated Building Envelope with approval from P&D. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all Coastal Development Permits. **TIMING:** The Owner/Applicant shall install the area prior to commencement of construction. **MONITORING:** P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

10. Special Condition CulRes-1: Analysis of Existing Collections. The Applicant shall fund an archaeological study to complete the Phase 2 work begun by Compass Rose Archaeological, Inc. (Romani et al. 2008). Archaeological remains collected from intact site deposits by Applied EarthWorks, Inc. during an impact assessment (Lebow 2012) would be included in the Phase 2 completion study. Completing the Phase 2 work shall include:

- Sorting the remaining unsorted screen residues;
- Analysis of lithic debris (debitage, tools, and fire-altered rock);
- Identification of vertebrate faunal remains to the lowest possible taxa;
- Identification of invertebrate faunal remains to the lowest possible taxa
- Analyses of pigment and asphaltum; and
- Documentation of the results.

Using the materials recovered during the Compass Rose and Applied EarthWorks excavations, the Applicant shall also fund special studies typical of a Phase 3 investigation. Specifically, special Phase 3 studies shall include:

- Radiocarbon analysis sufficient to accurately delineate the chronology of site use;
- Identification of all shell beads and placement of the beads in the site chronology;
- Microscopic edge-wear analysis of all flaked stone tools;
- Archaeobotanical analysis of macrobotanical remains from flotation completed by Compass Rose;
- Geological sourcing and hydration rim measurement of obsidian specimens (if recovered); and

- Preparation of a Phase-3 level report. The report shall be synthetic by including both the Phase 2 and Phase 3 work. It shall provide a research design; present a site chronology; detail the results of the Phase 2 and Phase 3 technical analyses; and interpret the results. Interpretations shall consider the site in the context of data from a nearby site or sites. The report shall include an updated site form and shall be filed with the Central Coast Information Center at the University of California, Santa Barbara.

The Applicant shall fund curation, in perpetuity, of the cultural materials collected from the site.

Plan Requirements: The Owner/Applicant shall submit a work plan and timeline to the County for review and approval. After completion of the work, the Owner/Applicant shall submit the required archaeological studies for P&D review and approval. **Timing:** The work plan shall be submitted to the County prior to issuance of Coastal Development Permit for 11CDH-00000-00006. P&D planning staff shall approve the work plan prior to issuance of the Coastal Development Permit. The final report shall be submitted to P&D and shall be consistent with the approved proposal and timeline. Prior to issuance of 11CDH-00000-00006, the Owner/Applicant shall post a performance security prior to issuance of the Coastal Development Permit in the amount necessary to complete the analysis and prepare the report. **Monitoring:** P&D planning staff shall review and approve a draft study report prior to submittal of final report. The Owner/Applicant shall submit to P&D compliance monitoring staff the final report consistent with the approved proposal and timeline. The performance security shall be released upon satisfactory completion of the final report.

11. Special Condition CulRes-02: Structural Demolition & Retention of Foundations in Place. In order to avoid disturbing the surrounding deposit, all structural foundations shall remain in place. All machinery used for structural demolition shall remain on the existing gravel road. Demolition shall be accomplished using an excavator with a thumb to remove pieces of the structure and put them directly into a haul away truck also parked on gravel road. Demolition may also be accomplished by use of hand tools. In the event that any portion of the existing residence cannot be reached by equipment parked on the road, the fill required in Special Condition CulRes-3 shall be spread in front of the excavator and, when geofabric and fill are in place per that condition, the excavator may park on it to reach those portions of the house than cannot be reached from the road. Debris shall not be piled on the ground but shall instead be placed directly into a haul-away vehicle. All structural foundations shall be left in place. The work shall proceed according to a demolition plan prepared by a qualified archaeologist and approved by P&D. The demolition plan shall include both text and a large-scale figure suitable for guiding work in the field. All work related to structural demolition shall be guided by the archaeologist and monitored by an archaeologist and a Native American observer. **Plan Requirements and Timing:** The Owner/Applicant shall print this condition on all grading and building plans. Prior to issuance of the Coastal Development Permit the Owner/Applicant shall submit to P&D for review and approval, a contract or Letter of Commitment between the Owner/Applicant and the archaeologist consisting of a project

description and scope of work (demolition plan), and once approved, shall execute the contract. The work shall be implemented after issuance of 11CDH-00000-00006 but prior to map recordation for 12TPM-00000-00006 and prior to issuance of 11CDH-00000-00054.

Monitoring: The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American observer and P&D grading inspectors shall spot check field work.

12. Special Condition CulRes-03: Cap Significant Site Areas. After demolition of the house and accessory structure, a layer of geotextile fabric and at least 18 inches of chemically inert fill shall be placed over the significant portions of the archaeological site identified in Lebow (2012, p. 54, Figure 4-2) and as shown on the grading plans associated with 11CDH-00000-00054 and 11CDH-00000-00006. The exception to this requirement is the northernmost lobe of the site identified as significant by Lebow (2012:54), which is located on both sides of the existing driveway. In that location, no fill is required because site deposits are already overlain by approximately 2.6 ft of fill. The work shall proceed according to a capping plan prepared with the assistance of a qualified archaeologist and approved by P&D. The capping plan shall include both text and a large-scale figure suitable for guiding work in the field. All work related to capping shall be guided by the archaeologist and monitored by an archaeologist and a Native American observer. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. The Owner/Applicant shall print this condition on all grading and building plans. Prior to issuance of the Coastal Development Permit for 11CDH-00000-00006, the Owner/Applicant shall submit to P&D for review and approval a contract or Letter of Commitment between the Owner/Applicant and a County-approved archaeologist consisting of a project description (fill plan) and scope of work and once approved by P&D, shall execute the contract. The fill plan shall be implemented after issuance of 11CDH-00000-00006 but prior to map recordation for 12TPM-00000-00006 and prior to issuance of 11CDH-00000-00054. Implementation of the fill plan shall be supervised by an archaeologist and monitored by a Native American observer. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the archaeologist and Native American monitor prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm that placement of fill conforms to the approved fill plan, and P&D grading inspectors shall spot check field work.

13. Special Condition CulRes-04: Pre-Construction Workshop. A pre-construction workshop shall be conducted to inform construction personnel about the archaeological issues on site. Prior to any and all ground disturbing activities, including but not limited to structural demolition and placement of geofabric and fill, a short pre-construction workshop shall be conducted by a qualified archaeologist and a local Native American (Chumash) observer. Attendees shall include all construction supervisors, other personnel and equipment operators. New operators or supervisors shall receive the briefing by the

archaeologist and Native American observer prior to commencing work. The workshop shall:

- a. Inform all workers of the cultural resource related conditions on the project, provide copies of conditions, and ensure that are understood.
- b. Review the types of archaeological artifacts that may be found during construction and on the ground surface in the vicinity of the proposed project;
- c. Provide examples of common artifacts to examine; and
- d. Discuss prohibited activities, including unauthorized collection of artifacts and associated penalties.

A sign-in sheet shall be provided to document dates and names of persons attending. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be shown on all grading and building plans. **Monitoring:** P&D compliance monitoring staff shall confirm attendance. The Owner/Applicant shall include attendance sheets in the final monitoring report.

14. Special Condition CulRes-05: Cultural Resources Monitor. For all current and future projects on both resultant parcels, the Owner/Applicant shall have all earth disturbances including scarification and placement of fill monitored by a P&D qualified archaeologist and a Native American observer in compliance with the provisions of the County Cultural Resource Guidelines. The Native American observer shall maintain a daily field log and share this information with interested Chumash individuals and tribal members on a weekly basis. In the event that human remains are discovered on site, and the Most Likely Descendent (MLD) appointed by the Native American Heritage Commission is the acting monitor, then a new monitor shall be retained so that the monitor is not the same individual as the MLD. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be shown on all building and grading plans. Prior to issuance of any Coastal Development Permit, the Owner/Applicant shall submit for P&D review and approval, a contract or Letter of Commitment between the Owner/Applicant and the archaeologist consisting of a project description and scope of work, and once approved, shall execute the contract. Prior to final building clearance issuance, a monitoring report shall be submitted to P&D. The report shall be written by the monitoring archaeologist and shall include the Native American observer's field log. The report shall also be submitted to the Central Coast Information Center at the University of California, Santa Barbara (CCIC). **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American observer and P&D grading inspectors shall spot check fieldwork.

15. Special Condition CulRes-06: Discovery of Features, Diagnostic Artifacts or Human Remains. In the event that archaeological features such as hearths or burials are encountered, P&D shall be notified and work shall be stopped immediately. If human

remains are encountered, then the County Coroner shall be immediately notified pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and such remains shall be treated in accordance with California Public Resources Code 5097.98. Intact features other than human remains shall be treated in accordance with County Cultural Resources Guidelines. Diagnostic artifacts shall be documented, collected and curated. Human remains shall be returned to the Most Likely Descendent (MLD) and may, at the discretion of the MLD, be re-buried in an area of the site that will not experience any further disturbance. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be printed on all grading and building plans. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American consultant and P&D grading inspectors shall spot check fieldwork. Prior to final building clearance issuance, the applicant shall demonstrate that any collected artifacts have been appropriately documented and curated with the remainder of the collection from the site.

16. Special Condition CulRes-07: Compliance with plans. For all current and future projects on both resultant parcels, all development, including utilities and accessways, shall occur outside of the area mapped in Lebow 2012 (p.54) as significant. Habitat restoration and landscaping may occur within significant site areas only if it is located entirely in fill above the geofabric described in Special Condition CulRes-3. The exception to this requirement is the northernmost lobe of the site identified as significant by Lebow (2012:54), which is located on both sides of the existing driveway. In that location, no fill is required because site deposits are already overlain by approximately 2.6 ft of fill. All excavation for placement of plants must be located within the fill and above the geofabric (where present). Construction of the split-rail safety fence shall also occur entirely above the geofabric and within the fill. If any trees within the significant site area are proposed for removal, either as part of this project or any future projects, they shall be cut off above the level of the geofabric; they shall not be dug out and the roots shall be left in place. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be printed on all grading and building plans. Prior to issuance of any CDPs, P&D shall confirm that plans show that any development is occurring solely outside of the significant portion of the site, and shall confirm that the locations and depths of the landscaping and split rail safety fence are above geofabric and in fill. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite archaeological monitor(s) prior to grading/building permit issuance and pre-construction meeting. Prior to the start of any ground disturbing activity and periodically thereafter, P&D compliance monitoring staff shall confirm with the archaeologist that all work is occurring outside of the mapped boundaries of the significant portion of the site or otherwise complies with requirements to be located within fill.

17. Special Condition CulRes-08: Development Exclusion Area. In order to protect on site cultural resources, the area mapped in Lebow 2012 (p.54, Figure 4-2) as significant shall be excluded from all future development with the exception of the following:

- Fill material would be placed on top of a geogrid fabric layer to protect significant cultural resources in accordance with the conditions included with the Parcel Map.
- Shallow-rooted landscaping would be placed entirely within the fill on top of the geogrid fabric.
- A protective fence would be installed along the bluff top, with fenceposts placed entirely in the fill soil above the geogrid fabric layer.
- The applicant could retain access to the beach via a small segment of unpaved roadway located in the narrow area between the lower and middle terraces. All other roadways must be located outside of the exclusion area.

Plan Requirements and Timing: This condition applies to 11CDH-00000-00006, 11CDH-00000-00054, and shall be recorded graphically with 12TPM-00000-00006. The area designated in Lebow 2012 (p. 54, Figure 4-2) as significant archaeological site shall be mapped graphically on a separate informational sheet and designated as “Development Exclusion Area”. This sheet shall be recorded with the final map. **Monitoring:** P&D shall ensure that this condition is met prior to map recordation.

18. Special Geologic Protection Measures. For all current and future projects on both resultant parcels, all construction techniques and onsite development shall conform to the recommendations contained in the relevant Geotechnical Engineering Reports prepared by Earth Systems. **PLAN REQUIREMENTS:** For proposed development on both newly created parcels, the Owner/Applicant shall submit a soils engineering study addressing structure locations and access road(s) to determine structural design criteria. 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 approval of Coastal Development Permits. **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.

19. WatConv-03: Erosion and Sediment Control Revegetation. For all current and future projects on both resultant parcels, the Owner/Applicant shall revegetate 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 reseeded 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

one week of work stoppage or completion of work. **MONITORING:** The Owner/Applicant shall demonstrate compliance to grading and building inspectors in the field.

- 20. WatConv-07: SWPPP.** The Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board. **TIMING:** Prior to issuance of the first Grading Permit on the resultant parcels, the Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to P&D. The Owner/Applicant shall keep a copy of the SWPPP on the project site during grading and construction activities. **MONITORING:** P&D compliance monitoring staff shall site inspect during construction for compliance with the SWPPP.
- 21. Noise-02:** Construction activity for site preparation and for future development shall be limited to the hours between 7:00 a.m. and 4:00 p.m., Monday through Friday. No construction shall occur on State holidays (e.g., Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions. **Plan Requirements:** Three signs stating these restrictions shall be provided by the applicant and posted on site. **Timing:** Signs shall be in place prior to beginning of and throughout grading and construction activities. Violations may result in suspension of permits. **MONITORING:** Building Inspectors and Permit Compliance shall spot check and respond to complaints.

PROJECT SPECIFIC CONDITIONS

- 22. Special Condition DevEnv-04 - Exclusion Area for Maps.** The Planning Commission has determined an exclusion envelope is necessary to identify areas onsite that are excluded from all uses and development. Exclusion envelopes shall be identified for those areas shown on Exhibit H, dated November 15, 2013 to avoid impacts to significant cultural resources. No development of any kind, including grading, stockpiling, access ways, development, vegetation removal, construction equipment operation or storage shall occur in the identified exclusion area(s) with the exception of the following activities:
- Fill material shall be placed on top of a geogrid fabric layer to protect significant cultural resources in accordance with the conditions included with the Parcel Map.
 - Shallow-rooted landscaping shall be placed entirely within the fill on top of the geogrid fabric.

- A protective fence may be installed along the bluff top, with fenceposts placed entirely within the fill soil above the geogrid fabric layer.
- The applicant may retain access to the beach via a small segment of unpaved roadway located in the narrow area between the lower and middle terraces, as shown on the Parcel Map. All other paved or unpaved driveways and access routes must be located outside of the exclusion area.

Plan Requirements: The exclusion area shall be recorded concurrently with and cross-referenced on the map. The exclusion area shall also be described by metes and bounds and shown on all plans submitted for Coastal Development Permits, Zoning Clearances, Grading Permits and Building Permits. **Timing:** This condition shall be recorded with the final map. **MONITORING:** During plan check of any permit on Parcel A or Parcel B, the P&D permit processing planner shall confirm that no development would occur within the development exclusion envelope with the exception of activities explicitly permitted by permit no. 11CDH-00000-00006.

23. Special Condition DevEnv-01 Building Envelopes. All structural development on both newly created lots shall be limited to the building envelopes designated on Exhibit H, dated December 4, 2013. The building envelopes identify the location of proposed structures, construction storage and staging while allowing other uses such as grading, stockpiling, utilities, paving, etc. to occur outside the building envelope, subject to applicable permits. **PLAN REQUIREMENTS:** The building envelopes shall be described by metes and bounds and with this condition shall be recorded with the final map on the deed. The building envelopes shall also be recorded with and cross-referenced on the map. Finally, the building envelopes shall be depicted on all plans submitted for Coastal Development Permits or Zoning Clearances, and Building Permits. **TIMING:** The building envelopes shall be staked in the field prior to approval of any Coastal Development Permit. **MONITORING:** During plan check, the P&D permit processing planner shall confirm that all structural development is confined to the approved building envelope. Staking shall be verified by compliance monitoring staff at the preconstruction meeting or prior to building permit approval. P&D building inspectors and compliance monitoring staff shall ensure that structural development is confined to the building envelopes and that staking remains in place during construction.

24. Can and Will Serve Letters. Prior to map recordation, the owner/applicant shall obtain can and will serve letters from the Montecito Water District for both lots created by 12TPM-00000-00006.

25. Public Sewer Connection. Within six months of the time of availability of public sewer service from the Carpinteria Sanitary District, the applicant shall connect to District services and shall abandon the private septic system, subject to EHS permit requirements.

26. Special Condition GRD-1 Location of Stockpile Areas. All stockpiles shall be located within designated building envelopes. **TIMING:** Stockpile locations shall be

graphically depicted on all land use and grading permits. **MONITORING:** P&D processing planner shall ensure stockpile locations are within building envelopes. P&D grading and building inspectors shall spot check; Grading and Building shall ensure compliance onsite.

TENTATIVE PARCEL MAP CONDITIONS

- 27. Map-01 Maps-Info.** Prior to recordation of the map and subject to P&D approval as to form and content, the Owner/Applicant shall include all of the mitigation measures, conditions, agreements and specific plans associated with or required by this project approval on a separate informational sheet(s) to be recorded with the map. All applicable conditions and mitigation measures of the project shall be printed on grading and/or building plans and shall be graphically illustrated where feasible.
- 28. Map-01a Maps-Future Lots.** Any lot created by the recordation of this map is subject to the conditions of this map during any future grading or construction activities and during any subsequent development on any lot created by the recordation of this map, each set of plans accompanying any permit for development shall contain the conditions of this map.
- 29. Map-04 TPM, TM, LLA Submittals.** Prior to recordation of the map, the Owner/Applicant shall submit a map prepared by a licensed land surveyor or Registered Civil Engineer to the County Surveyor. The Map shall conform to all approved exhibits, the project description and conditions of approval as well as all applicable Chapter 21-Land Division requirements, as well as applicable project components required as part of recorded project conditions.
- 30. Map-08 Water and Sewer Connections.** If, prior to the Board action to approve the recording of the Final Map, the water or sewer entities in which the proposed subdivision is located declares its inability to permit new water or sewer connections and has so notified the County or is operating under a connection ban by the California Water Quality Control Board Central Coast Region, the subdivider shall submit to the County Surveyor an "exemption letter" from the appropriate water or sewer entity stating that the lots in the subdivision have been granted or qualify for an exemption from the entity's or Water Board's prohibition on new service connections, subject to the rules, regulations, resolutions, and ordinances of the entity under which the exemption was granted, or letters from the County Health Department and P&D Building & Safety stating that the lots in the subdivision will be served by an approved potable source of water and an approved private sewage disposal system.
- 31. Map-09 Drainage Easement.** The Owner/Applicant shall enter into and record an agreement in a form acceptable to and approved by the County Counsel and the Planning and Development to reserve a drainage easement over Lot B in favor of Lot A at the time

of conveyance of either parcel. This agreement is to be recorded with the appropriate instruments as determined by the County Surveyor.

32. Map-10 Public Utility Easements. Prior to recordation, public utility easements shall be provided in the locations and widths required by the serving utilities. The subdivider shall submit to the County Surveyor a set of prints of the map accompanied by a letter from each utility, water and sewer district serving the property stating that the easements shown thereon are acceptable.

33. Map-11 Electrical Utilities. Electrical utilities shall be installed underground.

COUNTY RULES AND REGULATIONS

34. Special Condition Rules-04 Additional Approvals Required. Approval of this Tentative Parcel Map is subject to the Planning Commission approving permit no. 11CDH-00000-000016, which resolves an active zoning violation on the subject parcel.

35. Rules-23 Processing Fees Required. Prior to map recordation, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions and applicable law in effect when paid.

36. DIMF-24e DIMF Fees-Parks (Quimby Fee). In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Parks Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. The total Parks DIMF amount is currently estimated to be \$1,226.00 per lot. This is based on a project type of a single-family dwelling. **TIMING:** Parks DIMFs shall be paid to the County Parks Department prior to map recordation.

37. Rules-29 Other Dept Conditions. Compliance with Departmental/Division letters required as follows:

- a) Air Pollution Control District dated August 3, 2012
- b) Environmental Health Services Division dated March 28, 2013
- c) Carpinteria-Summerland Fire Protection District dated August 15, 2012
- d) Parks Department dated November 15, 2013

38. Rules-30 Plans Requirements. The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.

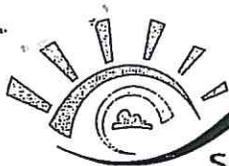
39. Rules-31 Mitigation Monitoring Required. The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which

must be monitored after the project is built and occupied. A separate Permit Compliance case shall be opened for monitoring of new construction on each lot and for utility/service improvements. To accomplish this, the Owner/Applicant shall:

- a) Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;
- b) Pay fees prior to CDP approval for on-site utility improvements, grading and new construction, as authorized by ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute;
- c) Note the following on each page of grading and building plans “This project is subject to Mitigation Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, conditions of approval, and mitigation measures from Negative Declaration 13NGD-00000-00012”;
- d) Contact P&D compliance staff at least two weeks prior to commencement of construction activities for on-site utility improvements and for new construction on each lot to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.

40. Rules-33 Indemnity and Separation. The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

41. Rules-36 Map/LLA Expiration. This map shall expire three years after approval by the final county review authority unless otherwise provided in the Subdivision Map Act and Chapter 21 of the Santa Barbara County Code.



Santa Barbara County
Air Pollution Control District

August 3, 2012

Errin Briggs
Santa Barbara County
Planning and Development
123 E. Anapamu Street
Santa Barbara, CA 93101

RECEIVED

AUG 08 2012

S.B. COUNTY
PLANNING & DEVELOPMENT

Re: **APCD Comments on Beach Club Drive Family Trust Parcel Map, 12TPM-00000-00006**

Dear Mr. Briggs:

The Air Pollution Control District (APCD) has reviewed the referenced case, which consists of dividing the subject 10-acre parcel into a 3-acre parcel and a 7-acre parcel. Each proposed lot will have designated building envelopes. An existing single family dwelling and detached second residential unit would be removed by separate permit. A 1,250 square foot residence and a 7,649 square foot horse barn are proposed by separate permit. The subject property is zoned 3-E-1 and identified in the Assessor Parcel Map Book as APN 005-260-018. The property is located at 3282 Padaro Lane in the unincorporated Carpinteria area.

Air Pollution Control District staff offers the following suggested conditions:

1. Dust and Odor Control Measures (**Attachment A**) are recommended during operations of the facility. The name and telephone number of an on-site contact person must be provided to the APCD prior to issuance of land use clearance.
2. Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of ozone precursors and fine particulate emissions from diesel exhaust.
3. All portable diesel-fired construction engines rated at 50 brake-horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to operation. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.
4. The applicant is required to complete and submit an Asbestos Demolition/Renovation Notification (APCD Form ENF-28 which can be downloaded at www.sbapcd.org/eng/dl/dl08.htm) for each regulated structure to be demolished or renovated. Demolition notifications are required regardless of whether asbestos is present or not. The completed notification should be presented or mailed to the APCD with a minimum of 10 working days advance notice prior to disturbing asbestos in a renovation or starting work on a demolition. For additional information regarding asbestos notification requirements, please visit our website at www.sbapcd.org/biz/asbestos.htm or contact APCD's Engineering and Compliance Division at (805) 961-8800.

5. At a minimum, prior to occupancy any feasible greenhouse gas reduction measures from the following sector-based list should be applied to the project:
 - Energy use (energy efficiency, low carbon fuels, renewable energy)
 - Transportation (reduce vehicle miles traveled, compact and transit-oriented development, pedestrian- and bicycle-friendly communities)
 - Water conservation (improved practices and equipment, landscaping)
 - Waste reduction (material re-use/recycling, composting, waste diversion, waste minimization)
 - Architectural features (green building practices, cool roofs)
6. Asphalt paving activities shall comply with APCD Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8893 or via email at edg@sbcapcd.org.

Sincerely,



Eric Gage,
Air Quality Specialist
Technology and Environmental Assessment Division

Attachments: Fugitive Dust Control Measures
Diesel Particulate and NO_x Emission Measures

cc: Ginger Andersen
Project File
TEA Chron File



ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Proper implementation of these measures is assumed to fully mitigate fugitive dust emissions.

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

Plan Requirements: All requirements shall be shown on grading and building plans and as a note on a separate information sheet to be recorded with map. **Timing:** Requirements shall be shown on plans or maps prior to land use clearance or map recordation. Condition shall be adhered to throughout all grading and construction periods.

MONITORING: Lead Agency shall ensure measures are on project plans and maps to be recorded. Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.



ATTACHMENT B
DIESEL PARTICULATE AND NO_x EMISSION MEASURES

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is an updated list of regulatory requirements and control strategies that should be implemented to the maximum extent feasible.

The following measures are required by state law:

- All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.

The following measures are recommended:

- Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

Plan Requirements: Measures shall be shown on grading and building plans. **Timing:** Measures shall be adhered to throughout grading, hauling and construction activities.

MONITORING: Lead Agency staff shall perform periodic site inspections to ensure compliance with approved plans. APCD inspectors shall respond to nuisance complaints.

Santa Barbara County
PUBLIC Health
DEPARTMENT

Environmental Health Services

2125 S. Centerpointe Pkwy., #333 ♦ Santa Maria, CA 93455-1340
805/346-8460 ♦ FAX 805/346-8485

TO: Errin Briggs, Planner
Planning & Development Department
Development Review Division

FROM: Paul E. Jenzen
Environmental Health Services

DATE: March 28, 2013

SUBJECT: Case No. : 12TPM-00000-00006, 11CDH-00000-00054, 11CDH-00000-000006 in the
Summerland Area

Applicant: 3282 Beach Club Family Trust
c/o Tim Hocter
3705 Telegraph Road
Ventura, CA. 93003

Assessor's Parcel No. 005-260-018, zoned 3-E-1, located at 2825
Padaro Lane.

12TPM-00000-00006 (TPM 14,791) represents a request to subdivide the existing 10.25-acre parcel into two resultant parcels of 3.02 acres (Proposed Parcel A) and 7.23 acres (Proposed Parcel B) in size.

11CDH-00000-00054 is a request to construct a new single family residence of 5,126 square feet with a 500 sf basement and a 750 sf attached garage.

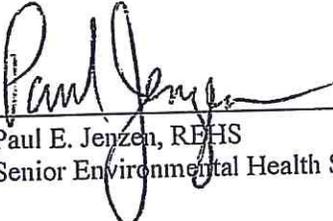
11CDH-00000-00006 is a request to abandon an existing water well and items not regulated by Environmental Health Services.

Domestic water supply is proposed to be provided by the Montecito Water District. Since the project represents an increase in demand on the public water supply, the Montecito Water District will need to review the project and agree in writing to serve the new lot.

Sewage disposal is proposed to be provided by a private onsite wastewater treatment system. The applicant has provided to Environmental Health Services a wastewater engineering study completed by Earth Systems and dated November 14, 2012 that indicates that an onsite wastewater treatment system could be constructed to serve the project.

Providing the Planning Commission grants approval of the applicant's request, Environmental Health Services recommends the following be included as Conditions of Approval:

1. Prior to Recordation, Environmental Health Services shall receive and approve written notice from the Montecito Water District indicating that said district can and will provide domestic water service upon demand and without exception.
2. Prior to Recordation, the applicant shall submit a copy of the final map to Environmental Health Services.
3. Prior to Issuance of a Coastal Development Permit for the new single family residence, the applicant shall obtain an onsite wastewater treatment system permit from Environmental Health Services.
4. Prior to Issuance of a Coastal Development Permit for the abandonment of the water well, the applicant shall obtain a well destruction permit from Environmental Health Services.



Paul E. Jenzen, REHS
Senior Environmental Health Specialist

cc: Applicant
Agent, Ginger Anderson, Penfield & Smith
Montecito Water District
Office of the County Surveyor
Phillip Oates, Planning & Development Building Div., Santa Barbara
Willie Brummett, Environmental Health Services

LU-5168



Wren 12.

CARPINTERIA~SUMMERLAND FIRE PROTECTION DISTRICT

August 15, 2012

Ms. Petra Leyva
Planning and Development
County of Santa Barbara
123 East Anapamu Street
Santa Barbara, CA 93101

RECEIVED

AUG 17 2012

S.B. COUNTY
PLANNING & DEVELOPMENT

Re: Project 12TPM-00000-00006 / proposed subdivision
APN 005-260-018 / 2825 Padaro Lane

Subject: Letter of Conditions

Dear Petra Leyva:

The following items are necessary for fire protection:

1. Access to all structures shall conform to the requirements for private roads and driveways set forth in the Santa Barbara County Private Roads & Driveway Standards, Section 8.
 - a. Proposed easement across parcel A from existing access at Padaro Lane appears to be sufficient.
 - b. Driveway turning radius must accommodate a fire apparatus.
2. When access ways are gated, a Fire District approved key box shall be installed in an accessible location. Prior to installation, the Fire District shall approve the location and type. The gate must swing in the direction of entrance travel.
3. Public fire hydrants supplying the required fire flow within the required driving distance from any proposed structures shall be provided. Both the Fire District and the Montecito Water District shall approve the type of hydrant and the exact location. Site plan shall include the location of the nearest fire hydrant. If a new fire hydrant is required, the new fire hydrant(s) shall be installed and in-service prior to any construction.

"Pride in Service"

Letter of Conditions/ Approval
12TPM-00000-00006
August 15, 2012

4. Application for a new address shall be submitted to the Fire District after map recordation.
5. Visible street address numbers must be visible from the public street. Numbers must be posted at the driveway and on the building. Numbers shall be a minimum 4 inches high on a contrasting background.
6. Per Carpinteria-Summerland Fire District Ordinance No. 2003-01 pertaining to fees and service charges, a service charge of \$405.00 is assessed on plans reviews.
7. A review of our files at the Fire District reveals that an invoice charge related to the processing of Permit 07LLA-00000-00011, the splitting of APN 005-260-009 filed in 2008, has not been paid. The service fee of Three Hundred Eighty (\$380.00) is due and payable to the Fire District. (a copy of clearance letter and invoice attached).
8. Any future changes, including further division, intensification of use, or increase in hazard classification, may require additional conditions in order to comply with applicable fire district development standards.

If you need additional information on Fire District conditions, please contact me at 566-2451.

Sincerely,



Ed Foster
Fire Marshal
Fire Prevention Bureau

Encl: Invoice #2012-0111
~~Fire District Letter dated 3/28/2008~~
~~Invoice #08-0140~~

Cc: Ginger Anderson,
Penfield & Smith



November 15, 2013

TO: Joyce Gerber, Planner
Planning & Development

FROM: Claude Garciacelay, Park Planner 

RE: 12TPM-0026 / TPM 14,791
APN 005-260-009

Herman D. Parker
Community Services Director
(805) 568-2467

Kerry Bierman
Chief Financial Officer
(805) 568-3408

Paddy Langlands
Deputy Director
Parks Division
(805) 568-2461

Dinah Lockhart
Deputy Director
Housing and Community
Development Division
(805) 568-3520

Ginny Brush
Executive Director
Arts Commission
(805) 568-3990

Community Services
Administration
105 E Anapamu Street, 4th Floor
Santa Barbara, CA 93101
Tel: (805) 568-2467
Fax: (805) 568-3414

Park Administration
610 Mission Canyon Road
Santa Barbara, CA 93105
Tel: (805) 568-2461
Fax: (805) 568-2459

Housing and Community
Development Administration
105 E Anapamu Street, Room 105
Santa Barbara, CA 93101
Tel: (805) 568-3520
Fax: (805) 568-2289

Arts Commission
Administration
1100 Anacapa Street
3rd Floor Rotunda Tower
Santa Barbara, CA 93101
Tel: (805) 568-3990
Fax: (805) 568-3991

County Parks recommends the following condition(s) to the approval of the above referenced project:

1) Pursuant to the provisions of Santa Barbara County Ordinance 4317 (Quimby Ordinance) and the appurtenant fee resolution for the recreational demand area, the applicant will be required to pay a fee for each generated lot or dwelling unit. The purpose of the fee is to provide park and recreational facilities within the recreational demand area. A protest of mitigation fees imposed may be filed pursuant to Government Code Section 66020(a). The protest shall be filed at the time of approval or conditional approval of the development or within 90 days after the date of the imposition of the fees, dedications, reservations, or other exactions to be imposed on a development project. The Applicant is hereby notified that the 90-day approval period in which the Applicant may protest has begun.

Based on the current fee schedule, the total fee for the proposed project would be \$1,226 (\$1,226 x 1 new lot(s)/dwelling unit(s)). Fees are due prior to recordation of final map. The actual fee shall be based on the fee schedule in effect when payment is made and, fee schedules are subject to adjustment on an annual basis. Please phone this office prior to payment to verify the final fee required. This office will not accept or process a payment prior to project approval by the decision maker.

Fees are payable to the COUNTY OF SANTA BARBARA, and may be paid in person or mailed to: Santa Barbara County Parks Administration, Rocky Nook Park, 610 Mission Canyon Road, Santa Barbara, CA 93105; or in the North County (by appointment) at Waller Park, 300 Goodwin Road, Santa Maria, CA 93455.

C: County Surveyor
Agent

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



November 5, 2013

TO: Joyce Gerber, Planner
Development Review

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

SUBJECT: **Conditions of Approval (1 page)**
Beach Club Drive Family Trust Parcel Map
12TPM-00000-00006; TPM 14,971
11CDH-00000-00006, 11CDH-00000-00054
APN: 005-260-018/ Caprinteria

Traffic Mitigation Fees

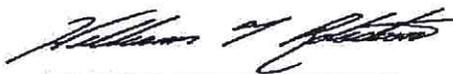
1. Pursuant to Ordinance No. 4270 regarding Transportation Impact Fees, the applicant will be required to pay a fee for each new peak hour trip (PHT), for the purpose of funding transportation facilities within the Unincorporated Carpinteria Planning Area of the County.

Based on the current fee schedule, the total estimated fee for the proposed project is \$2,047 (1 new developable residential lots x \$2,047/lot). The Transportation Impact Mitigation Fee Program is designed to collect fees from any project that generates more than one additional peak hour trip. Fees are due prior to map recordation and shall be based on the fee schedule in effect when paid. This office will not accept payment or process a check received prior to project approval.

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

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

Sincerely,

 11/05/2013

William T. Robertson

Date

cc: 12TPM-00000-00006, TPM 14,971
Chris Sneddon, Transportation Manager, County of Santa Barbara, Public Works Department
G:\Transportation\Traffic\Transportation Planning\Development Review\Carpinteria\Beach Club Drive Family Trust Parcel Map 12TPM-Cond.doc



COUNTY OF SANTA BARBARA

Planning and Development

COASTAL DEVELOPMENT PERMIT

Case No.: 11CDH-00000-00006

Project Name: Beach Club Gabion Wall and Grading

Project Address: 2825 Padaro Lane

Assessor's Parcel No.: 005-260-018

Applicant Name: Beach Club Family Trust

The Planning Commission hereby approves this Coastal Development Permit for the development described below, based upon the required findings and subject to the attached terms and conditions.

Associated Case Number(s): 12TPM-00000-00006, 11CDH-00000-00054

Project Description Summary: The request is for (1) as-built grading, (2) modifications to the biological resources restoration plan titled "Habitat Restoration and Revegetation Plan for 2825 Padaro Lane (APN 005-260-009), Summerland, Santa Barbara County, California" dated April 9, 2009 (Plan) that was previously approved under Case no. 08CDH-00000-00014, (3) removal of the single family dwelling, (4) removal of the accessory structure, (5) removal of a retaining wall, (6) removal of the play structure, (7) abandonment of an existing well, (8) grading for sensitive resource capping, and (9) installation of a split-rail safety fence.

Project Specific Conditions: See Attachment A.

Permit Compliance Case: Yes No

Permit Compliance Case No.: _____

Appeals: The approval of this Coastal Development Permit may be appealed to the Board of Supervisors by the applicant or an aggrieved person. The written appeal and accompanying fee must be filed with the Planning and Development Department at either 123 East Anapamu Street, Santa Barbara, or 624 West Foster Road, Suite C, Santa Maria, or the Clerk of the Board of Supervisors at 105 Anacapa Street, Santa Barbara, 93101, by 5:00 p.m. on or before December 16, 2013.

The final action by the County on this Coastal Development Permit may be appealed to the California Coastal Commission after the appellant has exhausted all local appeals. Therefore a fee is not required to file an appeal of this Coastal Development Permit.

Terms of Permit Issuance:

1. **Work Prohibited Prior to Permit Issuance.** No work, development, or use intended to be authorized pursuant to this approval shall commence prior to issuance of this Coastal Development Permit and/or any other required permit (e.g., Building Permit). **Warning! This is not a Building/Grading Permit.**
2. **Date of Permit Issuance.** This Permit shall be deemed effective and issued on December 16, 2013 above, provided an appeal of this approval has not been filed.
3. **Time Limit.** The approval of this Coastal Development Permit shall be valid for one year from the date of approval. Failure to obtain a required construction, demolition, or grading permit and to lawfully commence development within two years of permit issuance shall render this Coastal Development Permit null and void.

ATTACHMENT A: PROJECT SPECIFIC CONDITIONS

- 1. Proj Des-01 Project Description.** This Coastal Development Permit with Hearing is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibit "I-J", dated December 4, 2013, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The project consists of (1) as-built grading, (2) modifications to the biological resources restoration plan titled "*Habitat Restoration and Revegetation Plan for 2825 Padaro Lane (APN 005-260-009), Summerland, Santa Barbara County, California*" dated April 9, 2009 (Plan) that was previously approved under Case no. 08CDH-00000-00014, (3-6) demolition of existing structures, (7) abandonment of an existing well, (8) grading for sensitive resource capping, and (9) installation of a split-rail safety fence, as follows:

- (1) *Permit grading that was performed without benefit of permit.*** The requested permit would allow total grading of approximately 341 cubic yards of cut and 3,390 cubic yards of fill, consisting of 66 cubic yards of cut to widen the existing driveway, 275 cubic yards of cut to improve onsite access and 3,390 cubic yards of fill placed in the area of the previously permitted watchman's trailer. In addition, construction of the gabion wall required approximately 8 cy of cut and fill. This grading was conducted without permits and was not a part of the approved or proposed habitat restoration activities.
- (2) *Requested changes to the originally approved restoration plan.*** The request includes changes to the *Habitat Restoration and Revegetation Plan for 2825 Padaro Lane (APN 005-260-009), Summerland, Santa Barbara County, California*" dated April 9, 2009 (Plan) that was previously approved under Case no. 08CDH-00000-00014. The intent of the originally approved Plan was to restore Toro Canyon Creek and the creek buffer area within the subject parcel by restoring canopy coverage and native understory consistent with direction given by the California Coastal Commission. Changes to the approved Plan are requested in order to more effectively accommodate on-the-ground conditions that were encountered during Plan implementation. Specific components of the revised Plan are detailed in the proposed Plan Addendum by Hunt & Associates (on file with P&D and available for review) and would consist of the following:
 - a. *Gabion wall.*** The originally approved Plan required removal of non-native vegetation and planting of native vegetation within the riparian corridor. The proposed changes would modify the plan to legalize construction of a gabion retaining wall along a slope that separates the stream terrace from the site's "upper landform". This slope was originally sparsely vegetated with non-native, invasive species and would not otherwise be stable enough to accept plantings because it was formed of loose non-compacted material, construction debris and trash introduced to the site prior to current ownership. The nearly vertical slope would be stabilized with an approximately 80 ft long, 13 foot high series of stepped, rock-filled cage gabions that would form a retaining wall between the stream terrace level and the upper landform. Soil would be added to the rock-filled cage gabions to further anchor and stabilize the wall and support plantings. The purpose of the

wall is to allow implementation of the restoration plan, prevent the steep, unstable slope from eroding into the terrace and lagoon area, and to protect sensitive resources located at the top of, and immediately behind, the slope. The gabion design would allow the restoration plantings to root into the retaining wall and result in a more natural solution as compared to a standard concrete retaining wall. A new split-rail safety fence would be installed along the top row of the gabion wall (fence posts would be installed completely in fill soil). Completion of the gabion wall to meet existing grade would require an additional approximately 8 cubic yards of balanced cut and fill. After completion of the wall, it would be wrapped with and covered in an approximately 8 inch thick cap of soil, and native vegetation would be planted as part of the habitat restoration.

- b. *Retention of drainage/bioswale and access path to stream terrace.*** The approved Plan called for abandonment, stabilization and re-vegetation (with native plants) of the lower (southern) road to the stream terrace, to achieve a bioswale function. The proposed project would revise the Plan to narrow the road to a walking path to retain private pedestrian access for the purpose of ongoing habitat maintenance of the lower stream terrace while disallowing vehicular access. Drainage would be directed to an existing rock-lined drainage swale along the south side of the access path that would be filled with fill soil and planted with appropriate riparian plants. Boulders would continue from the western terminus of the drainage swale for approximately 25 ft. Removal of existing non-native plants and re-vegetation with native plants would continue to occur per the Plan in order to narrow the access path and control erosion.
- c. *Boulders for slope stabilization.*** The approved Plan permitted the use of mechanical erosion control measures (e.g., boulder rip-rap) which are to be implemented in consultation with a consulting engineer during non-native plant control and revegetation (p. 28, Section 6.4.3). In accordance with this approval, the proposed project would include placement of 6-inch to 24-inch diameter rocks for slope stabilization, with grading for placement of boulders and tree wells along the western slope of the stream terrace as shown on sheet 3 of the engineering plan set for 11CDH-00000-00006. This work would occur along the streambank and within the 100 ft riparian setback area.
- d. *Stream terrace plantings.*** The approved Plan called for planting up to four species of native grasses on the northern and southern stream terraces. Currently, three species already occur there. The proposed project would revise the Plan to remove some of the existing additional plantings of *Carex praeacilis* and intersperse the existing plantings with the three other species that occur in the area to give the restoration more species diversity. All grasses would be allowed to grow and remain in their natural forms (i.e. unmowed).
- e. *Seeding methods.*** Tables 5 and 6 of the approved Plan call for hydroseeding of the terraces and coastal bluff with appropriate seed mixes. The proposed project would allow seed mixes to be hand-applied and raked into the soil, which would result in less damage to in-place container plants and avoid the necessity of

spraying water on areas prone to erosion. Section 6.4.2 of the approved Plan (see Table 7) also calls for hydroseeding of specific species at the mouth of Toro Canyon Creek. Because two of these species are already present at this location, the proposed project would instead remove non-native vegetation in this dune habitat area, allowing the existing natives to proliferate; and additional appropriate native species would be installed as container plants. These changes would be implemented as illustrated in the proposed Plan Addendum.

- f. ***Planting area, planting density and species richness.*** The proposed project would permit deviations from the approved Plan which are intended to result in a more diverse assemblage and larger area of food plant species to be planted with the intent of supporting larval and adult monarch butterflies in onsite coastal bluff scrub and riparian scrub. Proposed changes are as follows:
- 8% decrease in coast live oak-sycamore riparian woodland area,
 - 129% increase in southern coastal bluff scrub area,
 - 567 % increase in freshwater marsh area,
 - 33% increase in southern foredune (coastal strand) area,
 - 61 additional native species and 4,555 additional plants planted in habitat restoration area, and
 - Increase in size of restoration area from 3.18 acres to 3.42 acres.
- g. ***Convert existing lawn*** to the east of the existing power pole by covering it with geofabric and fill soil, and re-planting with native species. Plantings would be placed in fill soils. 12-inch tall tree wells would be constructed above the geofabric around existing trees at the edge of the lawn area to protect from erosion.

All other aspects of the Plan would be implemented as originally approved. Equipment used for construction of the gabion wall would consist of a small excavator, shovels and cage gabions. Cages would be filled with rock currently stored on-site outside of the ESH. All mechanized work would be conducted from the existing access road at the top of the east-facing slope; workers at the bottom of the slope would rake fugitive soil back into the project area. Irrigation for the restoration areas and landscaping would be provided by the remaining onsite well located at the northeast corner of the property near the existing entry gate.

- (3) **Demolition** of an approximately 1,350 square foot single family dwelling and removal of the attached 1,079 square foot deck (deck supports to be cut off at grade and slab foundation to remain in place).
- (4) **Demolition and removal** of the existing 1,118 square foot detached residential second unit (DRSU) and accessory structure (slab foundation to remain in place).

- (5) **Remove existing 2-4' retaining wall** located within the 100 ft riparian corridor setback, and re-plant northern path to stream terrace maintaining only a pedestrian path for purposes of habitat restoration and maintenance.
- (6) **Removal of an existing play structure** from within the 100 ft setback from edge of canopy/riparian.
- (7) **Removal of an existing water well** and associated vault located in the creek terrace level and within the 100 ft riparian corridor setback in the eastern portion of the property.
- (8) **Resource Capping.** The slab foundations associated with the residence and DRSU would be left in place and all existing utility lines would be abandoned in place. The areas around the slabs, extending down to the proposed split rail fence would be capped with fill soils totaling approximately 2,400 cubic yards on Proposed Parcel B and approximately 415 cubic yards on Proposed Parcel A ranging from 12 to 18 inches deep. The fill soils would be non-reactive, "clean", certified fill soil and placed over a geofabric layer. All landscaping and other ground disturbance within the sensitive area would occur in fill soils only.
- (9) Construction of a new, approximately 250-linear foot split-rail safety fence along the edge of bluff and western top of bank of Toro Canyon Creek (Proposed Parcel B of 12TPM-00000-00006).

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

2. **Proj Des-02 Project Conformity.** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

MITIGATION MEASURES FROM 13NGD-00000-00012:

3. **Special Condition Bio-01: Nesting Birds.** The applicant shall retain and pay for a P&D approved biologist to inspect and monitor the project site for bird and raptor nesting activity prior to construction on either Parcel. If construction is to take place during the nesting season (March to September), a P&D approved biologist shall conduct a pre-construction bird and raptor nesting inspection not more than one week prior to the proposed beginning of construction activity. If birds or raptors are determined to be nesting on or within the vicinity of the project site, no construction activities, including, but not limited to grading or heavy equipment operation, shall take place within 500 feet of the raptor nest or within 300 feet (or the property line, whichever is closer) of

a bird nest. Certain construction activities may be allowed on a case-by-case basis as reviewed and approved by P&D. **Plan Requirements and Timing:** At a minimum of two days prior to the proposed beginning of construction activity, the results of the survey shall be reviewed and approved by P&D. This condition shall be printed on all final construction, grading, and building plans.

Monitoring: P&D staff shall perform site inspections throughout the construction phase and receive the report from the P&D approved biologist.

4. Bio-12 Habitat Restoration. The Owner/Applicant has submitted a draft Habitat Restoration Plan titled "Restoration As-Built Report and Addendum to Conceptual Habitat Restoration and Revegetation Plan" prepared by Hunt & Associates and dated May 25, 2012. The Owner/Applicant shall submit for P&D approval a final version of the Hunt & Associates Habitat Restoration Plan. The report shall include the following components:

1. Project landscaping in areas within Toro Canyon Creek shall be with, but not limited to, native riparian species such as coast live oak, western sycamore and numerous others as identified in the draft plan. Restoration plantings within and adjacent to the creek shall be planted as identified in the draft Plan.
2. Species shall be from locally obtained plants and seed stock.
3. The new plantings shall be irrigated with drip irrigation on a timer, and shall be weaned off of irrigation over a period of two to three years.
4. When work occurs within 100 feet of the top of bank of Toro Canyon Creek, the creek area shall be fenced with orange construction fencing or similar to protect restoration plantings, staked a minimum of every six feet or as necessary to keep fencing from collapsing. Fencing shall be located as far away from the creek as possible but at least 25 feet from the top of bank unless such placement inhibits the work activity.
5. All plantings shall be protected from predation by wild and domestic animals and from human interference by the use of staked, chain link fencing and/or gopher fencing as appropriate during the maintenance period. Fencing for plantings in resources areas shall be anchored in fill soils above a geofabric layer only.
6. Non-native species identified in the Hunt & Associates Plan, shall be removed from the creek, however, removal of native species in the creek shall be prohibited.

PLAN REQUIREMENTS/ TIMING: The Final Plan shall be submitted to P&D for review and final approval prior to issuance of the first Coastal Development Permit (CDP) for any building or project element that requires a CDP. The Owner/Applicant shall post a performance security to ensure installation prior to Final Building Inspection Clearance and maintenance for three (3) years. **MONITORING:** The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all required components of the approved plan(s) are in place as required prior to Final Inspection Clearance and maintained throughout the maintenance period. P&D compliance monitoring staff signature is required to release the installation security upon satisfactory installation of all items in approved plans and maintenance security upon successful implementation of this plan.

5. Bio-20 Equipment Storage-Construction. For all current and future projects on both resultant parcels, the Owner/Applicant shall designate one or more construction equipment filling and storage areas within the designated Building Envelope to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage

ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources. The equipment storage area may be located outside the designated Building Envelope with approval from P&D. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all Coastal Development, Building & Grading Permits. **TIMING:** The Owner/Applicant shall install the area prior to commencement of construction. **MONITORING:** P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

- 6. Bio-20a Equipment Washout-Construction.** For all current and future projects on both resultant parcels, the Owner/Applicant shall identify within the designated Building Envelope one or more washout areas 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 these areas and removed from the site as needed. The areas shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources. The equipment washout area may be located outside the designated Building Envelope with approval from P&D. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all Coastal Development Permits. **TIMING:** The Owner/Applicant shall install the area prior to commencement of construction. **MONITORING:** P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.
- 7. Special Condition CulRes-1: Analysis of Existing Collections.** The Applicant shall fund an archaeological study to complete the Phase 2 work begun by Compass Rose Archaeological, Inc. (Romani et al. 2008). Archaeological remains collected from intact site deposits by Applied EarthWorks, Inc. during an impact assessment (Lebow 2012) would be included in the Phase 2 completion study. Completing the Phase 2 work shall include:
- Sorting the remaining unsorted screen residues;
 - Analysis of lithic debris (debitage, tools, and fire-altered rock);
 - Identification of vertebrate faunal remains to the lowest possible taxa;
 - Identification of invertebrate faunal remains to the lowest possible taxa
 - Analyses of pigment and asphaltum; and
 - Documentation of the results.

Using the materials recovered during the Compass Rose and Applied EarthWorks excavations, the Applicant shall also fund special studies typical of a Phase 3 investigation. Specifically, special Phase 3 studies shall include:

- Radiocarbon analysis sufficient to accurately delineate the chronology of site use;
- Identification of all shell beads and placement of the beads in the site chronology;
- Microscopic edge-wear analysis of all flaked stone tools;

- Archaeobotanical analysis of macrobotanical remains from flotation completed by Compass Rose;
- Geological sourcing and hydration rim measurement of obsidian specimens (if recovered); and
- Preparation of a Phase-3 level report. The report shall be synthetic by including both the Phase 2 and Phase 3 work. It shall provide a research design; present a site chronology; detail the results of the Phase 2 and Phase 3 technical analyses; and interpret the results. Interpretations shall consider the site in the context of data from a nearby site or sites. The report shall include an updated site form and shall be filed with the Central Coast Information Center at the University of California, Santa Barbara.

The Applicant shall fund curation, in perpetuity, of the cultural materials collected from the site.

Plan Requirements: The Owner/Applicant shall submit a work plan and timeline to the County for review and approval. After completion of the work, the Owner/Applicant shall submit the required archaeological studies for P&D review and approval. **Timing:** The work plan shall be submitted to the County prior to issuance of Coastal Development Permit for 11CDH-00000-00006. P&D planning staff shall approve the work plan prior to issuance of the Coastal Development Permit. The final report shall be submitted to P&D and shall be consistent with the approved proposal and timeline. Prior to issuance of 11CDH-00000-00006, the Owner/Applicant shall post a performance security prior to issuance of the Coastal Development Permit in the amount necessary to complete the analysis and prepare the report. **Monitoring:** P&D planning staff shall review and approve a draft study report prior to submittal of final report. The Owner/Applicant shall submit to P&D compliance monitoring staff the final report consistent with the approved proposal and timeline. The performance security shall be released upon satisfactory completion of the final report.

8. Special Condition CulRes-02: Structural Demolition & Retention of Foundations in Place.

In order to avoid disturbing the surrounding deposit, all structural foundations shall remain in place. All machinery used for structural demolition shall remain on the existing gravel road. Demolition shall be accomplished using an excavator with a thumb to remove pieces of the structure and put them directly into a haul away truck also parked on gravel road. Demolition may also be accomplished by use of hand tools. In the event that any portion of the existing residence cannot be reached by equipment parked on the road, the fill required in Special Condition CulRes-3 shall be spread in front of the excavator and, when geofabric and fill are in place per that condition, the excavator may park on it to reach those portions of the house than cannot be reached from the road. Debris shall not be piled on the ground but shall instead be placed directly into a haul-away vehicle. All structural foundations shall be left in place. The work shall proceed according to a demolition plan prepared by a qualified archaeologist and approved by P&D. The demolition plan shall include both text and a large-scale figure suitable for guiding work in the field. All work related to structural demolition shall be guided by the archaeologist and monitored by an archaeologist and a Native American observer. **Plan Requirements and Timing:** The Owner/Applicant shall print this condition on all grading and building plans. Prior to issuance of the Coastal Development Permit the Owner/Applicant shall submit to P&D for review and approval, a contract or Letter of Commitment between the Owner/Applicant and the archaeologist consisting of a project description and scope of work (demolition plan), and once approved, shall execute the contract. The work shall be implemented after issuance of 11CDH-00000-00006 but prior to map

recordation for 12TPM-00000-00006 and prior to issuance of 11CDH-00000-00054. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American observer and P&D grading inspectors shall spot check field work.

9. Special Condition CulRes-03: Cap Significant Site Areas. After demolition of the house and accessory structure, a layer of geotextile fabric and at least 18 inches of chemically inert fill shall be placed over the significant portions of the archaeological site identified in Lebow (2012, p. 54, Figure 4-2) and as shown on the grading plans associated with 11CDH-00000-00054 and 11CDH-00000-00006. The exception to this requirement is the northernmost lobe of the site identified as significant by Lebow (2012:54), which is located on both sides of the existing driveway. In that location, no fill is required because site deposits are already overlain by approximately 2.6 ft of fill. The work shall proceed according to a capping plan prepared with the assistance of a qualified archaeologist and approved by P&D. The capping plan shall include both text and a large-scale figure suitable for guiding work in the field. All work related to capping shall be guided by the archaeologist and monitored by an archaeologist and a Native American observer. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. The Owner/Applicant shall print this condition on all grading and building plans. Prior to issuance of the Coastal Development Permit for 11CDH-00000-00006, the Owner/Applicant shall submit to P&D for review and approval a contract or Letter of Commitment between the Owner/Applicant and a County-approved archaeologist consisting of a project description (fill plan) and scope of work and once approved by P&D, shall execute the contract. The fill plan shall be implemented after issuance of 11CDH-00000-00006 but prior to map recordation for 12TPM-00000-00006 and prior to issuance of 11CDH-00000-00054. Implementation of the fill plan shall be supervised by an archaeologist and monitored by a Native American observer. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the archaeologist and Native American monitor prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm that placement of fill conforms to the approved fill plan, and P&D grading inspectors shall spot check field work.

10. Special Condition CulRes-04: Pre-Construction Workshop. A pre-construction workshop shall be conducted to inform construction personnel about the archaeological issues on site. Prior to any and all ground disturbing activities, including but not limited to structural demolition and placement of geofabric and fill, a short pre-construction workshop shall be conducted by a qualified archaeologist and a local Native American (Chumash) observer. Attendees shall include all construction supervisors, other personnel and equipment operators. New operators or supervisors shall receive the briefing by the archaeologist and Native American observer prior to commencing work. The workshop shall:

- a. Inform all workers of the cultural resource related conditions on the project, provide copies of conditions, and ensure that are understood.
- b. Review the types of archaeological artifacts that may be found during construction and on the ground surface in the vicinity of the proposed project;
- c. Provide examples of common artifacts to examine; and

- d. Discuss prohibited activities, including unauthorized collection of artifacts and associated penalties.

A sign-in sheet shall be provided to document dates and names of persons attending. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be shown on all grading and building plans. **Monitoring:** P&D compliance monitoring staff shall confirm attendance. The Owner/Applicant shall include attendance sheets in the final monitoring report.

- 11. Special Condition CulRes-05: Cultural Resources Monitor.** For all current and future projects on both resultant parcels, the Owner/Applicant shall have all earth disturbances including scarification and placement of fill monitored by a P&D qualified archaeologist and a Native American observer in compliance with the provisions of the County Cultural Resource Guidelines. The Native American observer shall maintain a daily field log and share this information with interested Chumash individuals and tribal members on a weekly basis. In the event that human remains are discovered on site, and the Most Likely Descendent (MLD) appointed by the Native American Heritage Commission is the acting monitor, then a new monitor shall be retained so that the monitor is not the same individual as the MLD. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be shown on all building and grading plans. Prior to issuance of any Coastal Development Permit, the Owner/Applicant shall submit for P&D review and approval, a contract or Letter of Commitment between the Owner/Applicant and the archaeologist consisting of a project description and scope of work, and once approved, shall execute the contract. Prior to final building clearance issuance, a monitoring report shall be submitted to P&D. The report shall be written by the monitoring archaeologist and shall include the Native American observer's field log. The report shall also be submitted to the Central Coast Information Center at the University of California, Santa Barbara (CCIC). **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American observer and P&D grading inspectors shall spot check fieldwork.

- 12. Special Condition CulRes-06: Discovery of Features, Diagnostic Artifacts or Human Remains.** In the event that archaeological features such as hearths or burials are encountered, P&D shall be notified and work shall be stopped immediately. If human remains are encountered, then the County Coroner shall be immediately notified pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and such remains shall be treated in accordance with California Public Resources Code 5097.98. Intact features other than human remains shall be treated in accordance with County Cultural Resources Guidelines. Diagnostic artifacts shall be documented, collected and curated. Human remains shall be returned to the Most Likely Descendent (MLD) and may, at the discretion of the MLD, be re-buried in an area of the site that will not experience any further disturbance. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be printed on all grading and building plans. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American consultant and P&D grading inspectors shall spot

check fieldwork. Prior to final building clearance issuance, the applicant shall demonstrate that any collected artifacts have been appropriately documented and curated with the remainder of the collection from the site.

13. Special Condition CulRes-07: Compliance with plans. For all current and future projects on both resultant parcels, all development, including utilities and accessways, shall occur outside of the area mapped in Lebow 2012 (p.54) as significant. Habitat restoration and landscaping may occur within significant site areas only if it is located entirely in fill above the geofabric described in Special Condition CulRes-3. The exception to this requirement is the northernmost lobe of the site identified as significant by Lebow (2012:54), which is located on both sides of the existing driveway. In that location, no fill is required because site deposits are already overlain by approximately 2.6 ft of fill. All excavation for placement of plants must be located within the fill and above the geofabric (where present). Construction of the split-rail safety fence shall also occur entirely above the geofabric and within the fill. If any trees within the significant site area are proposed for removal, either as part of this project or any future projects, they shall be cut off above the level of the geofabric; they shall not be dug out and the roots shall be left in place. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be printed on all grading and building plans. Prior to issuance of any CDPs, P&D shall confirm that plans show that any development is occurring solely outside of the significant portion of the site, and shall confirm that the locations and depths of the landscaping and split rail safety fence are above geofabric and in fill. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite archaeological monitor(s) prior to grading/building permit issuance and pre-construction meeting. Prior to the start of any ground disturbing activity and periodically thereafter, P&D compliance monitoring staff shall confirm with the archaeologist that all work is occurring outside of the mapped boundaries of the significant portion of the site or otherwise complies with requirements to be located within fill.

14. Special Condition CulRes-08: Development Exclusion Area. In order to protect on site cultural resources, the area mapped in Lebow 2012 (p.54, Figure 4-2) as significant shall be excluded from all future development with the exception of the following:

- Fill material would be placed on top of a geogrid fabric layer to protect significant cultural resources in accordance with the conditions included with the Parcel Map.
- Shallow-rooted landscaping would be placed entirely within the fill on top of the geogrid fabric.
- A protective fence would be installed along the bluff top, with fenceposts placed entirely in the fill soil above the geogrid fabric layer.
- The applicant could retain access to the beach via a small segment of unpaved roadway located in the narrow area between the lower and middle terraces. All other roadways must be located outside of the exclusion area.

Plan Requirements and Timing: This condition applies to 11CDH-00000-00006, 11CDH-00000-00054, and shall be recorded graphically with 12TPM-00000-00006. The area designated in Lebow 2012 (p. 54, Figure 4-2) as significant archaeological site shall be mapped graphically on a separate informational sheet and designated as "Development Exclusion Area". This sheet shall be recorded

with the final map. **Monitoring:** P&D shall ensure that this condition is met prior to map recordation.

- 15. Special Geologic Protection Measures.** For all current and future projects on both resultant parcels, all construction techniques and onsite development shall conform to the recommendations contained in the relevant Geotechnical Engineering Reports prepared by Earth Systems. **PLAN REQUIREMENTS:** For proposed development on both newly created parcels, the Owner/Applicant shall submit a soils engineering study addressing structure locations and access road(s) to determine structural design criteria. 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 approval of Coastal Development Permits. **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.
- 16. WatConv-03: Erosion and Sediment Control Revegetation.** For all current and future projects on both resultant parcels, the Owner/Applicant shall revegetate 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 reseeded 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 one week of work stoppage or completion of work. **MONITORING:** The Owner/Applicant shall demonstrate compliance to grading and building inspectors in the field.
- 17. WatConv-07: SWPPP.** The Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board. **TIMING:** Prior to issuance of the first Grading Permit on the resultant parcels, the Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to P&D. The Owner/Applicant shall keep a copy of the SWPPP on the project site during grading and construction activities. **MONITORING:** P&D compliance monitoring staff shall site inspect during construction for compliance with the SWPPP.
- 18. Noise-02:** Construction activity for site preparation and for future development shall be limited to the hours between 7:00 a.m. and 4:00 p.m., Monday through Friday. No construction shall occur on State holidays (e.g., Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions. **Plan Requirements:** Three signs stating these restrictions shall be provided by the applicant and posted on site. **Timing:** Signs shall be in place prior to beginning of and throughout grading and construction activities. Violations may result in suspension of permits. **MONITORING:** Building Inspectors and Permit Compliance shall spot check and respond to complaints.

COASTAL DEVELOPMENT PERMIT CONDITIONS

- 19. 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.
- 20. Special Condition GRD-1 Location of Stockpile Areas.** All stockpiles shall be located within designated building envelopes. **TIMING:** Stockpile locations shall be graphically depicted on all land use and grading permits. **MONITORING:** P&D processing planner shall ensure stockpile locations are within building envelopes. P&D grading and building inspectors shall spot check; Grading and Building shall ensure compliance onsite.
- 21. Bio-08 Fish and Wildlife.** No alteration to stream channels or banks shall be permitted (no Coastal Development Permit shall be issued) until the Owner/Applicant demonstrates receipt of all authorizations from the California Department of Fish and Wildlife and/or federal agencies for any planned alteration to stream channels or banks in accordance with the provisions and requirements of this permit.
- 22. Bio-22 Fish and Wildlife Fees.** The Owner/Applicant shall provide Planning and Development with a check payable to the "County of Santa Barbara" within 10 days of project approval as required by California Fish and Wildlife Code Section 711.4 for that Department's review of the Mitigated Negative Declaration associated with the project.
- 23. Special Condition BIO-1 Removal of Rocks in Stream Corridor.** Prior to issuance of 11CDH-00000-00006, rocks lining the western creek corridor at the bottom of the bioswale shall be removed.

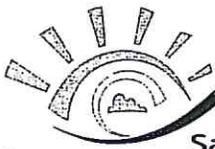
COUNTY RULES AND REGULATIONS

- 24. Rules-02 Effective Date-Appealable to CCC.** This Coastal Development Permit shall become effective upon the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the review authority on the appeal, including action by the California Coastal Commission if the planning permit is appealed to the Coastal Commission. [ARTICLE II § 35-169].
- 25. Rules-05 Acceptance of Conditions.** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.
- 26. Rules-10 CDP Expiration-No CUP or DVP.** The approval or conditional approval of a Coastal Development Permit shall be valid for one year from the date of action by the County Planning Commission. Prior to the expiration of the approval, the review authority who approved the Coastal Development Permit may extend the approval one time for one year if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made. A Coastal Development Permit shall expire two years from the date of issuance if the use, building or structure for which the permit was issued has not been established or commenced in conformance with the effective permit. Prior to the expiration of such two-year period the Director may extend such period one time for one year for good cause shown, provided that the findings for approval required in compliance with Section 35-169.5, as applicable, can still be made.
- 27. Rules-20 Revisions to Related Plans.** The Owner/Applicant shall request a revision for any proposed changes to approved Coastal Development Permit plans. Substantial conformity shall be determined by the Director of P&D.
- 28. Rules-23 Processing Fees Required.** Prior to issuance of the Coastal Development Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County resolutions and ordinances and applicable law in effect when paid.
- 29. Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters required as follows:
- a) Air Pollution Control District dated March 1, 2011
 - b) Environmental Health Services Division dated March 28, 2013
- 30. Rules-30 Plans Requirements.** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.
- 31. Rules-31 Mitigation Monitoring Required.** The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. A separate Permit Compliance case shall be

opened for monitoring of new construction on each lot and for utility/service improvements. To accomplish this, the Owner/Applicant shall:

- a) Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;
- b) Pay fees prior to CDP approval for on-site utility improvements, grading and new construction, as authorized by ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute;
- c) Note the following on each page of grading and building plans "This project is subject to Mitigation Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, conditions of approval, and mitigation measures from Negative Declaration 13NGD-00000-00012";
- d) Contact P&D compliance staff at least two weeks prior to commencement of construction activities for on-site utility improvements and for new construction on each lot to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.

32. Rules-33 Indemnity and Separation. The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.



Santa Barbara County
Air Pollution Control District

March 1, 2011

Joyce Gerber
Santa Barbara County
Planning and Development
624 W. Foster Road
Santa Maria, CA 93455

Re: APCD Comments on Beach Club Family Trust As-Built Retaining Wall, 11CDH-00000-00006

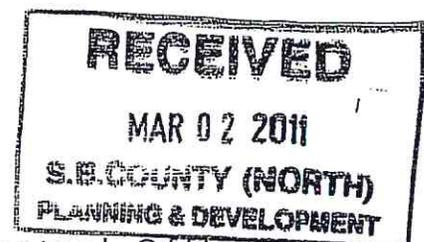
Dear Ms. Gerber:

The Air Pollution Control District (APCD) has reviewed the referenced case, which consists of permitting an as-built gabion retaining wall and associated site grading. The wall is approximately fifty feet long and twelve feet high and the associated as-built grading was approximately 1,840 cubic yards of cut and 4,560 cubic yards of fill. Also proposed, one foot of height is proposed to be added to the top of the wall. A second retaining wall of 165 linear feet, ranging from three feet to six feet is proposed, requiring approximately 109 cubic yards of additional fill. The subject property, a 10.2-acre parcel zoned 3-E-1 and identified in the Assessor Parcel Map Book as APN 005-260-018, is located at 2825 Padaro Lane in the unincorporated Carpinteria area.

Air Pollution Control District staff offers the following suggested conditions:

1. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to issuance of land use clearance.
2. APCD Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities*, became effective on July 21, 2010 and establishes new limits on the generation of visible fugitive dust emissions at demolition and construction sites. The rule includes measures for minimizing fugitive dust from on-site activities and from trucks moving on- and off-site. The text of the rule can be viewed on the APCD website at www.sbcpd.org/rules/download/rule345.pdf.
3. Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of ozone precursors and fine particulate emissions from diesel exhaust.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8893 or via email at edg@sbcpd.org.



Terence E. Dressler • Air Pollution Control Officer

Sincerely,



Eric Gage,
Air Quality Specialist
Technology and Environmental Assessment Division

Attachments: Fugitive Dust Control Measures
Diesel Particulate and NO_x Emission Measures

cc: Mark Wryan
Project File
TEA Chron File



ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Proper implementation of these measures is assumed to fully mitigate fugitive dust emissions.

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

Plan Requirements: All requirements shall be shown on grading and building plans and as a note on a separate information sheet to be recorded with map. **Timing:** Requirements shall be shown on plans or maps prior to land use clearance or map recordation. Condition shall be adhered to throughout all grading and construction periods.

MONITORING: Lead Agency shall ensure measures are on project plans and maps to be recorded. Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.



ATTACHMENT B
DIESEL PARTICULATE AND NO_x EMISSION MEASURES

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is an updated list of regulatory requirements and control strategies that should be implemented to the maximum extent feasible.

The following measures are required by state law:

- All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.

The following measures are recommended:

- Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

Plan Requirements: Measures shall be shown on grading and building plans. **Timing:** Measures shall be adhered to throughout grading, hauling and construction activities.

MONITORING: Lead Agency staff shall perform periodic site inspections to ensure compliance with approved plans. APCD inspectors shall respond to nuisance complaints.

Santa Barbara County
PUBLIC Health
DEPARTMENT

Environmental Health Services

2125 S. Centerpointe Pkwy., #333 • Santa Maria, CA 93455-1340
805/346-8460 • FAX 805/346-8485

TO: Errin Briggs, Planner
Planning & Development Department
Development Review Division

FROM: Paul E. Jenzen
Environmental Health Services

DATE: March 28, 2013

SUBJECT: Case No. : 12TPM-00000-00006, 11CDH-00000-00054, 11CDH-00000-000006 in the
Summerland Area

Applicant: 3282 Beach Club Family Trust
c/o Tim Hoctor
3705 Telegraph Road
Ventura, CA. 93003

Assessor's Parcel No. 005-260-018, zoned 3-E-1, located at 2825
Padaro Lane.

12TPM-00000-00006 (TPM 14,791) represents a request to subdivide the existing 10.25-acre parcel into two resultant parcels of 3.02 acres (Proposed Parcel A) and 7.23 acres (Proposed Parcel B) in size.

11CDH-00000-00054 is a request to construct a new single family residence of 5,126 square feet with a 500 sf basement and a 750 sf attached garage.

11CDH-00000-00006 is a request to abandon an existing water well and items not regulated by Environmental Health Services.

Domestic water supply is proposed to be provided by the Montecito Water District. Since the project represents an increase in demand on the public water supply, the Montecito Water District will need to review the project and agree in writing to serve the new lot.

Sewage disposal is proposed to be provided by a private onsite wastewater treatment system. The applicant has provided to Environmental Health Services a wastewater engineering study completed by Earth Systems and dated November 14, 2012 that indicates that an onsite wastewater treatment system could be constructed to serve the project.

Providing the Planning Commission grants approval of the applicant's request, Environmental Health Services recommends the following be included as Conditions of Approval:

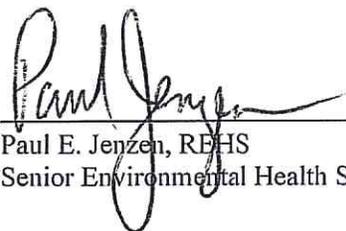
Planning and Development Department

Case Numbers 12TPM-00000-00006, 11CDH-00000-00006, 11CDH-00000-00054

March 28, 2013

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1. Prior to Recordation, Environmental Health Services shall receive and approve written notice from the Montecito Water District indicating that said district can and will provide domestic water service upon demand and without exception.
2. Prior to Recordation, the applicant shall submit a copy of the final map to Environmental Health Services.
3. Prior to Issuance of a Coastal Development Permit for the new single family residence, the applicant shall obtain an onsite wastewater treatment system permit from Environmental Health Services.
4. Prior to Issuance of a Coastal Development Permit for the abandonment of the water well, the applicant shall obtain a well destruction permit from Environmental Health Services.



Paul E. Jenzen, REHS
Senior Environmental Health Specialist

cc: Applicant
Agent, Ginger Anderson, Penfield & Smith
Montecito Water District
Office of the County Surveyor
Phillip Oates, Planning & Development Building Div., Santa Barbara
Willie Brummett, Environmental Health Services

LU-5168



COUNTY OF SANTA BARBARA

Planning and Development

COASTAL DEVELOPMENT PERMIT

Case No.: 11CDH-00000-00054

Project Name: Beach Club Gabion Wall and Grading

Project Address: 2825 Padaro Lane

Assessor's Parcel No.: 005-260-018

Applicant Name: Beach Club Family Trust

The Planning Commission hereby approves this Coastal Development Permit for the development described below, based upon the required findings and subject to the attached terms and conditions.

Associated Case Number(s): 12TPM-00000-00006, 11CDH-00000-00006

Project Description Summary:

Project Specific Conditions: See Attachment A.

Permit Compliance Case: Yes No

Permit Compliance Case No.: _____

Appeals: The approval of this Coastal Development Permit may be appealed to the Board of Supervisors by the applicant or an aggrieved person. The written appeal and accompanying fee must be filed with the Planning and Development Department at either 123 East Anapamu Street, Santa Barbara, or 624 West Foster Road, Suite C, Santa Maria, or the Clerk of the Board of Supervisors at 105 Anacapa Street, Santa Barbara, 93101, by 5:00 p.m. on or before December 16, 2013.

The final action by the County on this Coastal Development Permit may be appealed to the California Coastal Commission after the appellant has exhausted all local appeals. Therefore a fee is not required to file an appeal of this Coastal Development Permit.

Terms of Permit Issuance:

1. **Work Prohibited Prior to Permit Issuance.** No work, development, or use intended to be authorized pursuant to this approval shall commence prior to issuance of this Coastal Development Permit and/or any other required permit (e.g., Building Permit). **Warning! This is not a Building/Grading Permit.**
2. **Date of Permit Issuance.** This Permit shall be deemed effective and issued on December 16, 2013 above, provided an appeal of this approval has not been filed.
3. **Time Limit.** The approval of this Coastal Development Permit shall be valid for one year from the date of approval. Failure to obtain a required construction, demolition, or grading permit and to lawfully commence development within two years of permit issuance shall render this Coastal Development Permit null and void.

NOTE: Approval and issuance of a Coastal Development Permit for this project does not allow construction or use outside of the project description, terms or conditions; nor shall it be construed to be an approval of a violation of any provision of any County Policy, Ordinance or other governmental regulation.

ATTACHMENT A: PROJECT SPECIFIC CONDITIONS

- 1. Proj Des-01 Project Description.** This Coastal Development Permit with Hearing is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibit "K", dated December 4, 2013, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

This Coastal Development Permit with hearing is a request to allow a single family dwelling and grading, as follows:

- (1) Construction of a new single family residence of 5,576 square feet with a 500 square foot basement and a 750 square foot attached garage. The average height of the residence would be less than 16 feet (Proposed Parcel A of 12TPM-00000-00006);**
- (2) Construction of approximately 500 linear feet of courtyard retaining walls, between 1 and 4 feet in height, associated with the residence (Proposed Parcel A of 12TPM-00000-00006);**
- (3) Landscaping associated with the SFD: proposed landscaping would be selected to discourage foot traffic along the bluff edge. Plants are proposed to be low water, low root-spread varieties. Planting within the resource boundary would be installed above the proposed geofabric layer only to avoid disturbance to resources. A new split-rail fence would also be added along the bluff; within the resource boundary, footings would be located entirely in fill soil (proposed Parcels A and B of 12TPM-00000-00006).**
- (4) Installation of approximately 90 feet of existing, underground 24-inch storm drain to connect to an existing drain well located on the east side of the property. (Proposed Parcels A & B of 12TPM-00000-00006);**
- (5) Tree removal and relocation. Two existing eucalyptus trees at the western property line of proposed Parcel A would be removed and an existing fig tree would be boxed and relocated onsite to facilitate construction of the residence. Removal of these trees would be mitigated through completion of the restoration plan which calls for planting of 75 additional trees beyond the 131 planted thus far during restoration.**

The total amount of grading for the single family dwelling site would be approximately 1,030 cubic yards of cut and 3,055 cubic yards of fill with 2,025 cubic yards of import. The property would continue to be served by the Montecito Water District (for domestic water), private septic systems (or, if available, connection to a public sewer line at Padaro Road) and the Carpinteria-Summerland Fire Protection District. Water for landscaping would be provided by an onsite well on proposed Parcel B and a shared water system agreement to benefit proposed Parcel A. . Access would be taken via a private drive from Padaro Lane

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

- 2. Proj Des-02 Project Conformity.** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

MITIGATION MEASURES FROM 13NGD-00000-00012:

- 3. Aest-04 BAR Required.** The Owner/Applicant shall obtain Board of Architectural Review (BAR) approval for all current and future projects on both resultant parcels. All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development and shall conform in all respects to previous SBAR approvals under Case No. 12BAR-00000-00070. **TIMING:** The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of the Coastal Development Permit. 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. Aest-06 Building Materials.** For all current and future projects on both resultant parcels, 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 water tanks and fences, except for residential development otherwise subject to review of the South Board of Architectural Review (SBAR). For residential structures, materials shall be in conformance with those approved by the SBAR. **PLAN REQUIREMENT:** Materials shall be denoted on building plans. **TIMING:** Structures shall be painted prior to Final Building Inspection Clearance. **MONITORING:** P&D compliance monitoring staff shall inspect prior to Final Building Inspection Clearance.
- 5. Aest-10 Lighting.** For all current and future projects on both resultant parcels, the Owner/Applicant shall ensure any exterior night lighting proposed on either of the resulting parcels 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. The Owner/Applicant shall install timers or otherwise ensure lights are dimmed after 10 p.m. **PLAN REQUIREMENTS:** The Owner/Applicant shall develop a Lighting Plan for SBAR and P&D approval incorporating these requirements and showing 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 a Lighting Plan for compliance with this measure prior to approval of a Land Use Permit or Coastal Development Permit 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 final Lighting Plan.

- 6. Special Condition Bio-01: Nesting Birds.** The applicant shall retain and pay for a P&D approved biologist to inspect and monitor the project site for bird and raptor nesting activity prior to construction on either Parcel. If construction is to take place during the nesting season (March to September), a P&D approved biologist shall conduct a pre-construction bird and raptor nesting inspection not more than one week prior to the proposed beginning of construction activity. If birds or raptors are determined to be nesting on or within the vicinity of the project site, no construction activities, including, but not limited to grading or heavy equipment operation, shall take place within 500 feet of the raptor nest or within 300 feet (or the property line, whichever is closer) of a bird nest. Certain construction activities may be allowed on a case-by-case basis as reviewed and approved by P&D. **Plan Requirements and Timing:** At a minimum of two days prior to the proposed beginning of construction activity, the results of the survey shall be reviewed and approved by P&D. This condition shall be printed on all final construction, grading, and building plans. **Monitoring:** P&D staff shall perform site inspections throughout the construction phase and receive the report from the P&D approved biologist.
- 7. Bio-20 Equipment Storage-Construction.** For all current and future projects on both resultant parcels, the Owner/Applicant shall designate one or more construction equipment filling and storage areas within the designated Building Envelope to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources. The equipment storage area may be located outside the designated Building Envelope with approval from P&D. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all Coastal Development, Building & Grading Permits. **TIMING:** The Owner/Applicant shall install the area prior to commencement of construction. **MONITORING:** P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.
- 8. Bio-20a Equipment Washout-Construction.** For all current and future projects on both resultant parcels, the Owner/Applicant shall identify within the designated Building Envelope one or more washout areas 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 these areas and removed from the site as needed. The areas shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources. The equipment washout area may be located outside the designated Building Envelope with approval from P&D. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all Coastal Development Permits. **TIMING:** The Owner/Applicant shall install the area prior to commencement of construction. **MONITORING:** P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

9. Special Condition CulRes-02: Structural Demolition & Retention of Foundations in Place.

In order to avoid disturbing the surrounding deposit, all structural foundations shall remain in place. All machinery used for structural demolition shall remain on the existing gravel road. Demolition shall be accomplished using an excavator with a thumb to remove pieces of the structure and put them directly into a haul away truck also parked on gravel road. Demolition may also be accomplished by use of hand tools. In the event that any portion of the existing residence cannot be reached by equipment parked on the road, the fill required in Special Condition CulRes-3 shall be spread in front of the excavator and, when geofabric and fill are in place per that condition, the excavator may park on it to reach those portions of the house than cannot be reached from the road. Debris shall not be piled on the ground but shall instead be placed directly into a haul-away vehicle. All structural foundations shall be left in place. The work shall proceed according to a demolition plan prepared by a qualified archaeologist and approved by P&D. The demolition plan shall include both text and a large-scale figure suitable for guiding work in the field. All work related to structural demolition shall be guided by the archaeologist and monitored by an archaeologist and a Native American observer. **Plan Requirements and Timing:** The Owner/Applicant shall print this condition on all grading and building plans. Prior to issuance of the Coastal Development Permit the Owner/Applicant shall submit to P&D for review and approval, a contract or Letter of Commitment between the Owner/Applicant and the archaeologist consisting of a project description and scope of work (demolition plan), and once approved, shall execute the contract. The work shall be implemented after issuance of 11CDH-00000-00006 but prior to map recordation for 12TPM-00000-00006 and prior to issuance of 11CDH-00000-00054. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American observer and P&D grading inspectors shall spot check field work.

10. Special Condition CulRes-03: Cap Significant Site Areas. After demolition of the house and accessory structure, a layer of geotextile fabric and at least 18 inches of chemically inert fill shall be placed over the significant portions of the archaeological site identified in Lebow (2012, p. 54, Figure 4-2) and as shown on the grading plans associated with 11CDH-00000-00054 and 11CDH-00000-00006. The exception to this requirement is the northernmost lobe of the site identified as significant by Lebow (2012:54), which is located on both sides of the existing driveway. In that location, no fill is required because site deposits are already overlain by approximately 2.6 ft of fill. The work shall proceed according to a capping plan prepared with the assistance of a qualified archaeologist and approved by P&D. The capping plan shall include both text and a large-scale figure suitable for guiding work in the field. All work related to capping shall be guided by the archaeologist and monitored by an archaeologist and a Native American observer. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. The Owner/Applicant shall print this condition on all grading and building plans. Prior to issuance of the Coastal Development Permit for 11CDH-00000-00006, the Owner/Applicant shall submit to P&D for review and approval a contract or Letter of Commitment between the Owner/Applicant and a County-approved archaeologist consisting of a project description (fill plan) and scope of work and once approved by P&D, shall execute the contract. The fill plan shall be implemented after issuance of 11CDH-00000-00006 but prior to map recordation for 12TPM-00000-00006 and prior to issuance of 11CDH-00000-00054. Implementation of the fill plan shall be supervised by an archaeologist and monitored by a Native American observer. **Monitoring:**

The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the archaeologist and Native American monitor prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm that placement of fill conforms to the approved fill plan, and P&D grading inspectors shall spot check field work.

11. Special Condition CulRes-04: Pre-Construction Workshop. A pre-construction workshop shall be conducted to inform construction personnel about the archaeological issues on site. Prior to any and all ground disturbing activities, including but not limited to structural demolition and placement of geofabric and fill, a short pre-construction workshop shall be conducted by a qualified archaeologist and a local Native American (Chumash) observer. Attendees shall include all construction supervisors, other personnel and equipment operators. New operators or supervisors shall receive the briefing by the archaeologist and Native American observer prior to commencing work. The workshop shall:

- a) Inform all workers of the cultural resource related conditions on the project, provide copies of conditions, and ensure that are understood.
- b) Review the types of archaeological artifacts that may be found during construction and on the ground surface in the vicinity of the proposed project;
- c) Provide examples of common artifacts to examine; and
- d) Discuss prohibited activities, including unauthorized collection of artifacts and associated penalties.

A sign-in sheet shall be provided to document dates and names of persons attending. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be shown on all grading and building plans. **Monitoring:** P&D compliance monitoring staff shall confirm attendance. The Owner/Applicant shall include attendance sheets in the final monitoring report.

12. Special Condition CulRes-05: Cultural Resources Monitor. For all current and future projects on both resultant parcels, the Owner/Applicant shall have all earth disturbances including scarification and placement of fill monitored by a P&D qualified archaeologist and a Native American observer in compliance with the provisions of the County Cultural Resource Guidelines. The Native American observer shall maintain a daily field log and share this information with interested Chumash individuals and tribal members on a weekly basis. In the event that human remains are discovered on site, and the Most Likely Descendent (MLD) appointed by the Native American Heritage Commission is the acting monitor, then a new monitor shall be retained so that the monitor is not the same individual as the MLD. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be shown on all building and grading plans. Prior to issuance of any Coastal Development Permit, the Owner/Applicant shall submit for P&D review and approval, a contract or Letter of Commitment between the Owner/Applicant and the archaeologist consisting of a project description and scope of work, and once approved, shall execute the contract. Prior to final building clearance issuance, a monitoring report shall be submitted to P&D. The report shall be written by the monitoring archaeologist and shall include the Native American observer's field log. The report shall also be submitted to the Central Coast Information Center at the University of California, Santa Barbara (CCIC). **Monitoring:** The Owner/Applicant shall provide P&D

compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American observer and P&D grading inspectors shall spot check fieldwork.

13. Special Condition CulRes-06: Discovery of Features, Diagnostic Artifacts or Human Remains.

In the event that archaeological features such as hearths or burials are encountered, P&D shall be notified and work shall be stopped immediately. If human remains are encountered, then the County Coroner shall be immediately notified pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and such remains shall be treated in accordance with California Public Resources Code 5097.98. Intact features other than human remains shall be treated in accordance with County Cultural Resources Guidelines. Diagnostic artifacts shall be documented, collected and curated. Human remains shall be returned to the Most Likely Descendent (MLD) and may, at the discretion of the MLD, be re-buried in an area of the site that will not experience any further disturbance. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be printed on all grading and building plans. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American consultant and P&D grading inspectors shall spot check fieldwork. Prior to final building clearance issuance, the applicant shall demonstrate that any collected artifacts have been appropriately documented and curated with the remainder of the collection from the site.

14. Special Condition CulRes-07: Compliance with Plans. For all current and future projects on both resultant parcels, all development, including utilities and accessways, shall occur outside of the area mapped in Lebow 2012 (p.54) as significant. Habitat restoration and landscaping may occur within significant site areas only if it is located entirely in fill above the geofabric described in Special Condition CulRes-3. The exception to this requirement is the northernmost lobe of the site identified as significant by Lebow (2012:54), which is located on both sides of the existing driveway. In that location, no fill is required because site deposits are already overlain by approximately 2.6 ft of fill. All excavation for placement of plants must be located within the fill and above the geofabric (where present). Construction of the split-rail safety fence shall also occur entirely above the geofabric and within the fill. If any trees within the significant site area are proposed for removal, either as part of this project or any future projects, they shall be cut off above the level of the geofabric; they shall not be dug out and the roots shall be left in place. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be printed on all grading and building plans. Prior to issuance of any CDPs, P&D shall confirm that plans show that any development is occurring solely outside of the significant portion of the site, and shall confirm that the locations and depths of the landscaping and split rail safety fence are above geofabric and in fill. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite archaeological monitor(s) prior to grading/building permit issuance and pre-construction meeting. Prior to the start of any ground disturbing activity and periodically thereafter, P&D compliance monitoring staff shall confirm with the archaeologist that all

work is occurring outside of the mapped boundaries of the significant portion of the site or otherwise complies with requirements to be located within fill.

15. Special Condition CulRes-08: Development Exclusion Area. In order to protect on site cultural resources, the area mapped in Lebow 2012 (p.54, Figure 4-2) as significant shall be excluded from all future development with the exception of the following:

- Fill material would be placed on top of a geogrid fabric layer to protect significant cultural resources in accordance with the conditions included with the Parcel Map.
- Shallow-rooted landscaping would be placed entirely within the fill on top of the geogrid fabric.
- A protective fence would be installed along the bluff top, with fenceposts placed entirely in the fill soil above the geogrid fabric layer.
- The applicant could retain access to the beach via a small segment of unpaved roadway located in the narrow area between the lower and middle terraces. All other roadways must be located outside of the exclusion area.

Plan Requirements and Timing: This condition applies to 11CDH-00000-00006, 11CDH-00000-00054, and shall be recorded graphically with 12TPM-00000-00006. The area designated in Lebow 2012 (p. 54, Figure 4-2) as significant archaeological site shall be mapped graphically on a separate informational sheet and designated as "Development Exclusion Area". This sheet shall be recorded with the final map. **Monitoring:** P&D shall ensure that this condition is met prior to map recordation.

16. Special Geologic Protection Measures. For all current and future projects on both resultant parcels, all construction techniques and onsite development shall conform to the recommendations contained in the relevant Geotechnical Engineering Reports prepared by Earth Systems. **PLAN REQUIREMENTS:** For proposed development on both newly created parcels, the Owner/Applicant shall submit a soils engineering study addressing structure locations and access road(s) to determine structural design criteria. 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 approval of Coastal Development Permits. **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.

17. WatConv-03: Erosion and Sediment Control Revegetation. For all current and future projects on both resultant parcels, the Owner/Applicant shall revegetate 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 reseeded 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 one week of work stoppage or completion of work. **MONITORING:** The Owner/Applicant shall demonstrate compliance to grading and building inspectors in the field.

- 18. WatConv-07: SWPPP.** The Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board. **TIMING:** Prior to issuance of the first Grading Permit on the resultant parcels, the Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to P&D. The Owner/Applicant shall keep a copy of the SWPPP on the project site during grading and construction activities. **MONITORING:** P&D compliance monitoring staff shall site inspect during construction for compliance with the SWPPP.
- 19. Noise-02:** Construction activity for site preparation and for future development shall be limited to the hours between 7:00 a.m. and 4:00 p.m., Monday through Friday. No construction shall occur on State holidays (e.g., Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions. **Plan Requirements:** Three signs stating these restrictions shall be provided by the applicant and posted on site. **Timing:** Signs shall be in place prior to beginning of and throughout grading and construction activities. Violations may result in suspension of permits. **MONITORING:** Building Inspectors and Permit Compliance shall spot check and respond to complaints.

COASTAL DEVELOPMENT PERMIT CONDITIONS

- 20. Special Condition DevEnv-01 Building Envelopes.** All structural development on both newly created lots shall be limited to the building envelopes designated on Exhibit H, dated December 4, 2013. The building envelopes identify the location of proposed structures, construction storage and staging while allowing other uses such as grading, stockpiling, utilities, paving, etc. to occur outside the building envelope, subject to applicable permits. **PLAN REQUIREMENTS:** The building envelopes shall be described by metes and bounds and with this condition shall be recorded with the final map on the deed. The building envelopes shall also be recorded with and cross-referenced on the map. Finally, the building envelopes shall be depicted on all plans submitted for Coastal Development Permits or Zoning Clearances, and Building Permits. **TIMING:** The building envelopes shall be staked in the field prior to approval of any Coastal Development Permit. **MONITORING:** During plan check, the P&D permit processing planner shall confirm that all structural development is confined to the approved building envelope. Staking shall be verified by compliance monitoring staff at the preconstruction meeting or prior to building permit approval. P&D building inspectors and compliance monitoring staff shall ensure that structural development is confined to the building envelopes and that staking remains in place during construction.
- 21. Special Condition GRD-1 Location of Stockpile Areas.** All stockpiles shall be located within designated building envelopes. **TIMING:** Stockpile locations shall be graphically depicted on all land use and grading permits. **MONITORING:** P&D processing planner shall ensure stockpile locations are located within building envelopes. P&D grading and building inspectors shall spot check; Grading and Building shall ensure compliance onsite.

- 22. 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.
- 23. Shared Water for Landscaping.** Prior to occupancy clearance, the applicant shall submit an application and receive entitlement for a Minor Conditional Use Permit to allow a shared water system for the agricultural water well on Parcel B, to serve irrigation purposes on Parcel A.
- 24. Public Sewer Connection.** Within six months of the time of availability of public sewer service from the Carpinteria Sanitary District, the applicant shall connect to District services and shall abandon the private septic system, subject to EHS permit requirements.

COUNTY RULES AND REGULATIONS

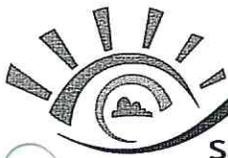
- 25. Rules-02 Effective Date-Appealable to CCC.** This Coastal Development Permit shall become effective upon the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the review authority on the appeal, including action by the California Coastal Commission if the planning permit is appealed to the Coastal Commission. [ARTICLE II § 35-169].
- 26. Special Condition Rules-04 Additional Approvals Required.** Approval of this Coastal Development Permit is subject to the Planning Commission approving permit no. 11CDH-00000-000016, which resolves an active zoning violation on the subject parcel.

- 27. Rules-05 Acceptance of Conditions.** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.
- 28. Rules-10 CDP Expiration-No CUP or DVP.** The approval or conditional approval of a Coastal Development Permit shall be valid for one year from the date of action by the County Planning Commission. Prior to the expiration of the approval, the review authority who approved the Coastal Development Permit may extend the approval one time for one year if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made. A Coastal Development Permit shall expire two years from the date of issuance if the use, building or structure for which the permit was issued has not been established or commenced in conformance with the effective permit. Prior to the expiration of such two year period the Director may extend such period one time for one year for good cause shown, provided that the findings for approval required in compliance with Section 35-169.5, as applicable, can still be made.
- 29. Rules-20 Revisions to Related Plans.** The Owner/Applicant shall request a revision for any proposed changes to approved Coastal Development Permit plans. Substantial conformity shall be determined by the Director of P&D.
- 30. Rules-23 Processing Fees Required.** Prior to issuance of the Coastal Development Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions and applicable law in effect when paid.
- 31. DIMF-24g DIMF Fees-Transportation.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for transportation. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. The total DIMF amount for Transportation is currently estimated to be \$2,047.00. This is based on a project type of one single family dwelling.
TIMING: Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division prior to final building inspection.
- 32. Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters required as follows:
- a) Air Pollution Control District dated May 17, 2012
 - b) Environmental Health Services Division dated March 28, 2013
 - c) Carpinteria-Summerland Fire Protection District dated November 1, 2013
 - d) Parks Department dated November 15, 2013
 - e) Transportation Division dated November 5, 2013
- 33. Rules-30 Plans Requirements.** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.

34. Rules-31 Mitigation Monitoring Required. The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. A separate Permit Compliance case shall be opened for monitoring of new construction on each lot and for utility/service improvements. To accomplish this, the Owner/Applicant shall:

- a) Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;
- b) Pay fees prior to CDP approval for on-site utility improvements, grading and new construction, as authorized by ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute;
- c) Note the following on each page of grading and building plans “This project is subject to Mitigation Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, conditions of approval, and mitigation measures from Negative Declaration 13NGD-00000-00012”;
- d) Contact P&D compliance staff at least two weeks prior to commencement of construction activities for on-site utility improvements and for new construction on each lot to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.

35. Rules-33 Indemnity and Separation. The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.



Santa Barbara County
Air Pollution Control District

May 17, 2012

Joyce Gerber
Santa Barbara County
Planning and Development
624 W. Foster Road
Santa Maria, CA 93455

Re: **APCD Comments on Beach Club Family Trust New SFD, 11CDH-00000-00054**

Dear Ms. Gerber:

The Air Pollution Control District (APCD) has reviewed the revised project, which consists of two phases. The first phase includes demolition of an existing 1,079 square foot single-family dwelling and a second residential unit of 1,369 square feet. A new single-family residence of 1,460 square feet with decks will be constructed. Also proposed are a 520 linear foot retaining wall, and other fencing, decorative walls, storm and storm drain improvements. Grading for the entire project will be conducted in Phase 1 and will consist of 3,306 cubic yards of cut and 3,306 cubic yards of fill balanced on-site. Phase 2 consists of construction of a 5,992 square foot horse barn and greenhouse, with an office and a 1,653 square foot basement. The subject property, a 10.2-acre parcel zoned 3-E-1 and identified in the Assessor Parcel Map Book as APN 005-260-018, is located at 2825 Padaro Lane in the unincorporated Carpinteria area.

Air Pollution Control District staff offers the following suggested conditions:

1. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to issuance of land use clearance.
2. APCD Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities* establishes limits on the generation of visible fugitive dust emissions at demolition and construction sites. The rule includes measures for minimizing fugitive dust from on-site activities and from trucks moving on- and off-site. The text of the rule can be viewed on the APCD website at www.sbcapcd.org/rules/download/rule345.pdf.
3. Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of ozone precursors and fine particulate emissions from diesel exhaust.
4. All portable diesel-fired construction engines rated at 50 brake-horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to operation. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.
5. Advisory: The applicant should determine whether any structure(s) proposed for demolition or renovation contains asbestos that is friable or has the potential to become friable during

May 17, 2012

Page 2

demolition or disposal. If any structure does contain friable asbestos, the asbestos should be removed by a contractor that is state certified for asbestos removal. For additional information regarding asbestos in construction, please refer to APCD's website at www.sbcapcd.org/biz/asbestos.htm.

6. At a minimum, prior to occupancy any feasible greenhouse gas reduction measures from the following sector-based list should be applied to the project:
 - Energy use (energy efficiency, low carbon fuels, renewable energy)
 - Transportation (reduce vehicle miles traveled, compact and transit-oriented development, pedestrian- and bicycle-friendly communities)
 - Water conservation (improved practices and equipment, landscaping)
 - Waste reduction (material re-use/recycling, composting, waste diversion, waste minimization)
 - Architectural features (green building practices, cool roofs)

7. Asphalt paving activities shall comply with APCD Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8893 or via email at edg@sbcapcd.org.

Sincerely,



Eric Gage,
Air Quality Specialist
Technology and Environmental Assessment Division

Attachments: Fugitive Dust Control Measures
Diesel Particulate and NO_x Emission Measures

cc: Mark Wryan
Project File
TEA Chron File



ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Proper implementation of these measures is assumed to fully mitigate fugitive dust emissions.

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

Plan Requirements: All requirements shall be shown on grading and building plans and as a note on a separate information sheet to be recorded with map. **Timing:** Requirements shall be shown on plans or maps prior to land use clearance or map recordation. Condition shall be adhered to throughout all grading and construction periods.

MONITORING: Lead Agency shall ensure measures are on project plans and maps to be recorded. Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.



ATTACHMENT B
DIESEL PARTICULATE AND NO_x EMISSION MEASURES

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is an updated list of regulatory requirements and control strategies that should be implemented to the maximum extent feasible.

The following measures are required by state law:

- All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.

The following measures are recommended:

- Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

Plan Requirements: Measures shall be shown on grading and building plans. **Timing:** Measures shall be adhered to throughout grading, hauling and construction activities.

MONITORING: Lead Agency staff shall perform periodic site inspections to ensure compliance with approved plans. APCD inspectors shall respond to nuisance complaints.

Santa Barbara County
PUBLIC Health
DEPARTMENT

Environmental Health Services

2125 S. Centerpointe Pkwy., #333 ♦ Santa Maria, CA 93455-1340
805/346-8460 ♦ FAX 805/346-8485

TO: Errin Briggs, Planner
Planning & Development Department
Development Review Division

FROM: Paul E. Jenzen
Environmental Health Services

DATE: March 28, 2013

SUBJECT: Case No. : 12TPM-00000-00006, 11CDH-00000-00054, 11CDH-00000-000006 in the
Summerland Area

Applicant: 3282 Beach Club Family Trust
c/o Tim Hoctor
3705 Telegraph Road
Ventura, CA. 93003

Assessor's Parcel No. 005-260-018, zoned 3-E-1, located at 2825
Padaro Lane.

12TPM-00000-00006 (TPM 14,791) represents a request to subdivide the existing 10.25-acre parcel into two resultant parcels of 3.02 acres (Proposed Parcel A) and 7.23 acres (Proposed Parcel B) in size.

11CDH-00000-00054 is a request to construct a new single family residence of 5,126 square feet with a 500 sf basement and a 750 sf attached garage.

11CDH-00000-00006 is a request to abandon an existing water well and items not regulated by Environmental Health Services.

Domestic water supply is proposed to be provided by the Montecito Water District. Since the project represents an increase in demand on the public water supply, the Montecito Water District will need to review the project and agree in writing to serve the new lot.

Sewage disposal is proposed to be provided by a private onsite wastewater treatment system. The applicant has provided to Environmental Health Services a wastewater engineering study completed by Earth Systems and dated November 14, 2012 that indicates that an onsite wastewater treatment system could be constructed to serve the project.

Providing the Planning Commission grants approval of the applicant's request, Environmental Health Services recommends the following be included as Conditions of Approval:

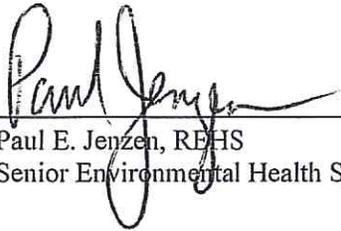
Planning and Development Department

Case Numbers 12TPM-00000-00006, 11CDH-00000-00006, 11CDH-00000-00054

March 28, 2013

Page 2 of 2

1. Prior to Recordation, Environmental Health Services shall receive and approve written notice from the Montecito Water District indicating that said district can and will provide domestic water service upon demand and without exception.
2. Prior to Recordation, the applicant shall submit a copy of the final map to Environmental Health Services.
3. Prior to Issuance of a Coastal Development Permit for the new single family residence, the applicant shall obtain an onsite wastewater treatment system permit from Environmental Health Services.
4. Prior to Issuance of a Coastal Development Permit for the abandonment of the water well, the applicant shall obtain a well destruction permit from Environmental Health Services.



Paul E. Jenzen, REHS
Senior Environmental Health Specialist

cc: Applicant
Agent, Ginger Anderson, Penfield & Smith
Montecito Water District
Office of the County Surveyor
Phillip Oates, Planning & Development Building Div., Santa Barbara
Willie Brummett, Environmental Health Services

LU-5168



CARPINTERIA~SUMMERLAND FIRE PROTECTION DISTRICT

November 1, 2013

Ms. Petra Leyva
Planning and Development
County of Santa Barbara
123 East Anapamu Street
Santa Barbara, CA 93101

Re: 11CDH-00000-00054 / Single Family Dwelling
APN: 005-260-018 / 2825 Padaro Lane

Dear Ms. Leyva:

The following items are necessary for fire protection:

1. Access ways shall be extended to within 150 feet of all portions of the exterior walls of the first story of any building. Distance shall be measured by an approved route around the exterior of the building.
2. Access to all structures shall conform to the requirements for private roads and driveways set forth in the Santa Barbara County Private Roads & Driveway Standards, Section 8 and the Carpinteria-Summerland Fire District Standard #1.
3. Driveways in excess of one hundred fifty (150') feet must be provided with an approved area for turning around fire apparatus. Either a hammerhead or circular turnaround shall be provided at an approved distance from the structure.
4. When access ways are gated, a Fire District approved key box shall be installed in an accessible location. Prior to installation, the Fire District shall approve the location and type. The minimum clear width of gate opening shall be at least 2 feet wider than the road served. The gate shall be at least 30 feet off of the public or private access roadway.
5. Visible street address numbers must be posted at the driveway and on the building. Numbers shall be a minimum 4 inches high on a contrasting background. An application for new addressing and a site plan showing structures and indicating the current addresses for existing buildings on Parcel B is required.

"Pride in Service"

6. All new buildings/ structures shall be protected by an approved automatic fire sprinkler system. Prior to installation, plans for the proposed fire sprinkler system shall be designed by a qualified person and submitted to the prevention bureau for approval.
7. Per 2010 California Building Code and 2010 California Fire Code, smoke detectors and carbon monoxide alarms must be installed in all residences.
8. Public fire hydrants supplying the required fire flow within the required driving distance from the structures shall be provided. The existing dry-barrel fire hydrant located within the required driving distance does not meet the current minimum standard. A wet barrel fire hydrant providing one 4-inch and one 2-1/2 inch outlet is required. The installation shall be coordinated with the Montecito Water District. The new fire hydrant shall be installed and in-service prior to any construction using combustible material.
9. Per Carpinteria-Summerland Fire District Ordinance No. 2003-01 pertaining to fees and service charges, a fee is assessed on review of lot line adjustments, lot splits, and development reviews.
10. Pursuant to Santa Barbara County Ordinance No. 4566, prior to issuance of a "Certificate of Occupancy", the Carpinteria-Summerland Fire Protection District mitigation fee must be paid.
11. Any future changes, including further division, intensification of use, or increase in hazard classification, may require additional conditions in order to comply with applicable fire district development standards.

If you need additional information on Fire District conditions, please contact me at 566-2451.

Sincerely,



Ed Foster
Fire Marshal
Fire Prevention Bureau

Cc: Penfield & Smith
Property Owner
Architect



November 15, 2013

Herman D. Parker
Community Services Director
(805) 568-2467

Kerry Bierman
Chief Financial Officer
(805) 568-3408

Paddy Langlands
Deputy Director
Parks Division
(805) 568-2461

Dinah Lockhart
Deputy Director
Housing and Community
Development Division
(805) 568-3520

Ginny Brush
Executive Director
Arts Commission
(805) 568-3990

**Community Services
Administration**
105 E Anapamu Street, 4th Floor
Santa Barbara, CA 93101
Tel: (805) 568-2467
Fax: (805) 568-3414

Park Administration
610 Mission Canyon Road
Santa Barbara, CA 93105
Tel: (805) 568-2461
Fax: (805) 568-2459

**Housing and Community
Development Administration**
105 E Anapamu Street, Room 105
Santa Barbara, CA 93101
Tel: (805) 568-3520
Fax: (805) 568-2289

**Arts Commission
Administration**
1100 Anacapa Street
3rd Floor Rotunda Tower
Santa Barbara, CA 93101
Tel: (805) 568-3990
Fax: (805) 568-3991

TO: Joyce Gerber, Planner
Planning & Development

FROM: Claude Garciacelay, Park Planner 

RE: **12TPM-0026 / TPM 14,791**
APN 005-260-009

County Parks recommends the following condition(s) to the approval of the above referenced project:

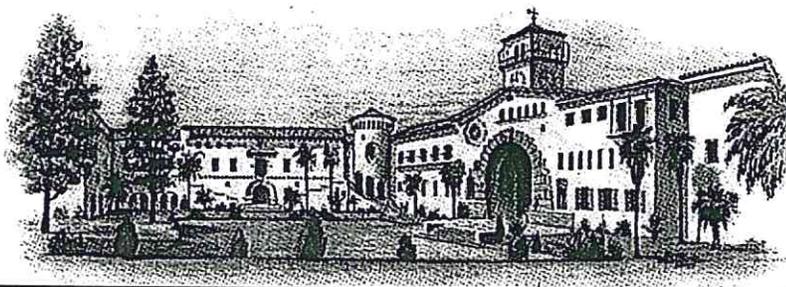
1) Pursuant to the provisions of Santa Barbara County Ordinance 4317 (Quimby Ordinance) and the appurtenant fee resolution for the recreational demand area, the applicant will be required to pay a fee for each generated lot or dwelling unit. The purpose of the fee is to provide park and recreational facilities within the recreational demand area. A protest of mitigation fees imposed may be filed pursuant to Government Code Section 66020(a). The protest shall be filed at the time of approval or conditional approval of the development or within 90 days after the date of the imposition of the fees, dedications, reservations, or other exactions to be imposed on a development project. The Applicant is hereby notified that the 90-day approval period in which the Applicant may protest has begun.

Based on the current fee schedule, the total fee for the proposed project would be **\$1,226** (\$1,226 x 1 new lot(s)/dwelling unit(s)). Fees are due prior to recording of final map. The actual fee shall be based on the fee schedule in effect when payment is made and, fee schedules are subject to adjustment on an annual basis. Please phone this office prior to payment to verify the final fee required. This office will not accept or process a payment prior to project approval by the decision maker.

Fees are payable to the COUNTY OF SANTA BARBARA, and may be paid in person or mailed to: Santa Barbara County Parks Administration, Rocky Nook Park, 610 Mission Canyon Road, Santa Barbara, CA 93105; or in the North County (by appointment) at Waller Park, 300 Goodwin Road, Santa Maria, CA 93455.

C: County Surveyor
Agent

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



November 5, 2013

TO: Joyce Gerber, Planner
Development Review

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

SUBJECT: Conditions of Approval (1 page)
Beach Club Drive Family Trust Parcel Map
12TPM-00000-00006; TPM 14,971
11CDH-00000-00006, 11CDH-00000-00054
APN: 005-260-018/ Carpinteria

Traffic Mitigation Fees

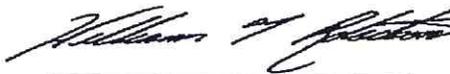
1. Pursuant to Ordinance No. 4270 regarding Transportation Impact Fees, the applicant will be required to pay a fee for each new peak hour trip (PHT), for the purpose of funding transportation facilities within the Unincorporated Carpinteria Planning Area of the County.

Based on the current fee schedule, the total estimated fee for the proposed project is \$2,047 (1 new developable residential lots x \$2,047/lot). The Transportation Impact Mitigation Fee Program is designed to collect fees from any project that generates more than one additional peak hour trip. Fees are due prior to map recordation and shall be based on the fee schedule in effect when paid. This office will not accept payment or process a check received prior to project approval.

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

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

Sincerely,

 11/05/2013

William T. Robertson

Date

cc: 12TPM-00000-00006, TPM 14,971
Chris Sneddon, Transportation Manager, County of Santa Barbara, Public Works Department
G:\Transportation\Traffic\Transportation Planning\Development Review\Carpinteria\Beach Club Drive Family Trust Parcel Map 12TPM-Cond.doc

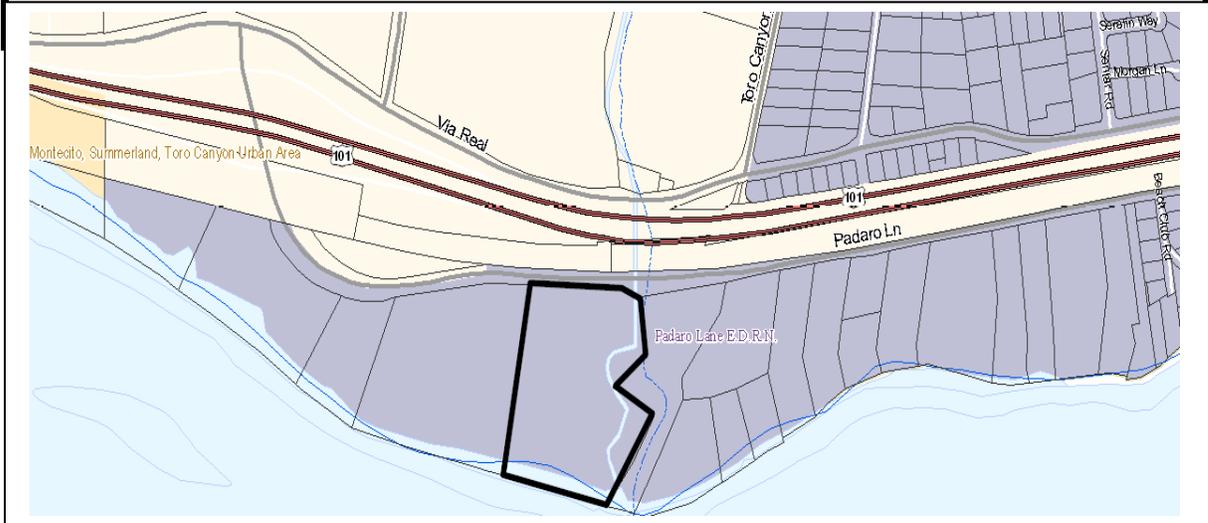


**Draft Proposed Final Mitigated Negative Declaration
13NGD-00000-00012**

**Beach Club Drive Family Trust Lot Split, New Residence and
Gabion Wall**

**Case Nos. 12TPM-00000-00006, 11CDH-00000-00006, 11CDH-
00000-00054**

November 15, 2013



Owner/Applicant

Beach Club Family Trust
c/o Tim Hocter
3705 Telegraph Road
Ventura, CA 93003
(805) 701-6566

Agent

Ginger Andersen
Penfield and Smith
111 East Victoria Street
Santa Barbara, CA 93101
(805) 963-9532

Architect

Mark Wryan
PO Box 50705
Montecito CA 93150
(917) 647-4635

For More Information Contact Joyce Gerber, Planner, (805) 805-934-6265

1.0 REQUEST/PROJECT DESCRIPTION

1) 12TPM-00000-00006 (Tentative Parcel Map 14,791)

Request of Mark Wryan, architect, for a Tentative Parcel Map (TPM 14,791) to subdivide the existing 10.25-acre parcel into two resultant parcels of 3.04~~2~~ acres (proposed Parcel A) and 7.21~~3~~ acres (proposed Parcel B) in size.

~~Development envelopes would be identified on each of the resultant parcels to contain all future structural development. Grading for site preparation, trenching for utilities, driveways and septic systems could be located outside the designated development envelopes. The development envelopes for proposed Parcels A and B are outside of the riparian corridor setback, including, and the significant portion of the archaeological site, as well as conforming to standard ordinance setbacks. In addition, the development envelope for proposed Parcel A is set behind the slope stability and bluff retreat setbacks. No future structural development or ground disturbance of any kind could occur outside of the designated development envelopes with the exception of placing fill material on top of a geogrid fabric layer to protect sensitive resources in accordance with the conditions included with the Parcel Map, and landscaping. A protective fence would also be installed along the bluff in the fill area where fence posts would be entirely in the fill soil above the geofabric layer.~~

A development exclusion area located primarily on proposed Parcel B would be placed to avoid impacts to cultural resources. Building envelopes on proposed Parcels A and B would contain all future structural development.

Within the development exclusion area, no structural development or ground disturbance of any kind would occur with the exception of the following:

- Fill material would be placed on top of a geogrid fabric layer to protect significant cultural resources in accordance with the conditions included with the Parcel Map.
- Shallow-rooted landscaping would be placed entirely within the fill on top of the geogrid fabric.
- A protective fence would be installed along the bluff top, with fenceposts placed entirely in the fill soil above the geogrid fabric layer.
- The applicant could retain access to the beach via a small segment of unpaved roadway located in the narrow area between the lower and middle terraces. All other roadways must be located outside of the exclusion area.

Building envelopes on proposed Parcels A and B would contain all future structural development such as residential and accessory structures. These envelopes are outside of the riparian corridor and associated buffer (which is 100 ft from the 2006 canopy of the riparian corridor), ordinance-defined property line setbacks, and the slope stability and bluff retreat setbacks calculated for the proposed project.

Development that could occur outside of the building envelopes would include non-structural development such as patios, hardscape, driveways and septic systems, provided that such items are located outside of the development exclusion area.

Development within the riparian corridor and buffer would be limited to habitat restoration planting as approved in the Habitat Restoration Plan, and maintenance of project elements approved with 11CDH-00000-00006 such as the gabion wall and drainage features.

The property would continue to be served by the Montecito Water District for domestic water, a private well near the Padaro Lane entrance for irrigation of landscaping and restoration plantings, private septic systems (or, if available, connection to public sewer lines at Padaro Lane), and the Carpinteria-Summerland Fire Protection District. Access to ~~both resultant parcels~~ proposed Parcel B would be taken

from an existing driveway at the northeast corner of proposed Parcel B. ~~An easement to be located along the northern edge of Proposed Parcel B would provide access to Parcel A.~~ Parcel A would also have frontage on Padaro Lane to allow access and utility connections to be taken directly from Padaro Lane. A drainage acceptance agreement is also proposed on Parcel B for the benefit of Parcel A.

2) **11CDH-00000-00006 (to occur on Proposed Parcel B of 12TPM-00000-00006)**

Request of Mark Wryan, architect, for a Coastal Development Permit with hearing to allow (1) as-built grading, (2) modifications to the biological resources restoration plan titled "Habitat Restoration and Revegetation Plan for 2825 Padaro Lane (APN 005-260-009), Summerland, Santa Barbara County, California" dated April 9, 2009 (Plan) that was previously approved under Case no. 08CDH-00000-00014, (3-6) demolition and removal of existing structures, (7) abandonment of an existing well, (8) grading for sensitive resource capping, and (9) Installation of a split-rail safety fence.

(1) ***Permit grading that was performed without benefit of permit.*** The requested permit would allow total grading of approximately 341 cubic yards of cut and 3,390 cubic yards of fill, consisting of 66 cubic yards of cut to widen the existing driveway, 275 cubic yards of cut to improve onsite access and 3,390 cubic yards of fill placed in the area of the previously permitted watchman's trailer. In addition, construction of the gabion wall required 8 cy of cut and fill. This grading was conducted without permits and was not a part of the approved or proposed habitat restoration activities.

(2) ***Requested changes to the originally approved restoration plan.*** The request includes changes to the *Habitat Restoration and Revegetation Plan for 2825 Padaro Lane (APN 005-260-009), Summerland, Santa Barbara County, California* dated April 9, 2009 (Plan) that was previously approved under Case no. 08CDH-00000-00014. The intent of the originally approved Plan was to restore Toro Canyon Creek and the creek buffer area within the subject parcel by restoring canopy coverage and native understory consistent with direction given by the California Coastal Commission. Changes to the approved Plan are requested in order to more effectively accommodate on-the-ground conditions that were encountered during Plan implementation. Specific components of the revised Plan are detailed in the proposed Plan Addendum by Hunt & Associates (on file with P&D and available for review) and would consist of the following:

A. *Gabion wall.* The originally approved Plan required removal of non-native vegetation and planting of native vegetation within the riparian corridor. The proposed changes would modify the plan to legalize construction of a gabion retaining wall along a slope that separates the stream terrace from the site's "upper landform". This slope was originally sparsely vegetated with non-native, invasive species and would not otherwise be stable enough to accept plantings because it was formed of loose non-compacted material, construction debris and trash introduced to the site prior to current ownership. The nearly vertical slope would be stabilized with an approximately 80 ft long, 13 foot high series of stepped, rock-filled cage gabions that would form a retaining wall between the stream terrace level and the upper landform. Soil would be added to the rock-filled cage gabions to further anchor and stabilize the wall and support plantings. The purpose of the wall is to allow implementation of the restoration plan, prevent the steep, unstable slope from eroding into the terrace and lagoon area, and to protect sensitive resources located at the top of, and immediately behind, the slope. The gabion design would allow the restoration plantings to root into the retaining wall and result in a more natural solution as compared to a standard concrete retaining wall. A new split-rail safety fence would be installed along the top row of the gabion wall (fence posts would be installed completely in fill soil). Completion of the gabion wall to meet existing grade would require an additional approximately 8 cubic yards of balanced cut and fill. After completion of the wall, it would be wrapped with and covered in an approximately 8 inch thick cap of soil, and native vegetation would be planted as part of the habitat restoration.

B. *Retention of drainage / bioswale and access path to stream terrace.* The approved Plan called for abandonment, stabilization and re-vegetation (with native plants) of the lower (southern) road to the stream terrace, to achieve a bioswale function. The proposed project would revise the Plan to narrow the road to a walking path to retain private pedestrian access for the purpose of ongoing habitat maintenance of the lower stream terrace while disallowing vehicular access. Drainage would be directed to an existing rock-lined drainage swale to along the south side of the access path that would be filled overlaid with fill soil and planted with appropriate riparian plants ~~along the south side of the access path~~. Boulders would be placed along the creek opposite the bioswale as energy dissipators. In addition, boulders would continue from the western terminus of the drainage swale and line the creekbank for approximately 25 ft. Removal of existing non-native plants and re-vegetation with native plants would continue to occur per the Plan in order to narrow the access path and control erosion.

C. *Boulders for slope stabilization.* The approved Plan permitted the use of mechanical erosion control measures (e.g., boulder rip-rap) which are to be implemented in consultation with a consulting engineer during non-native plant control and revegetation (p. 28, Section 6.4.3). In accordance with this approval, the proposed project would include placement of 6-inch to 24-inch diameter rocks for slope stabilization, with grading for placement of boulders and tree wells along the western slope of the stream terrace as shown on sheet 3 of the engineering plan set for 11CDH-00000-00006. This work would occur along the streambank and within the 100 ft riparian setback area.

D. *Stream terrace plantings.* The approved Plan called for planting up to four species of native grasses on the northern and southern stream terraces. Currently, three species already occur there. The proposed project would revise the Plan to remove some of the existing additional plantings of *Carex pragracilis* and intersperse the existing plantings with the three other species that occur in the area to give the restoration a more ~~natural appearance~~ species diversity. All grasses would be allowed to grow and remain in their natural forms (i.e. unmowed).

E. *Seeding methods.* Tables 5 and 6 of the approved Plan call for hydroseeding of the terraces and coastal bluff with appropriate seed mixes. The proposed project would allow seed mixes to be hand-applied and raked into the soil, which would result in less damage to in-place container plants and avoid the necessity of spraying water on areas prone to erosion. Section 6.4.2 of the approved Plan (see Table 7) also calls for hydroseeding of specific species at the mouth of Toro Canyon Creek. Because two of these species are already present at this location, the proposed project would instead remove non-native vegetation in this dune habitat area, allowing the existing natives to proliferate; and additional appropriate native species would be installed as container plants. These changes would be implemented as illustrated in the proposed Plan Addendum.

F. *Planting area, planting density and species richness.* The proposed project would permit deviations from the approved Plan which are intended to result in a more diverse assemblage and larger area of food plant species to be planted with the intent of supporting larval and adult monarch butterflies in onsite coastal bluff scrub and riparian scrub. Proposed changes are as follows:

- 8% decrease in coast live oak-sycamore riparian woodland area,
- 129% increase in southern coastal bluff scrub area,
- 567 % increase in freshwater marsh area,
- 33% increase in southern foredune (coastal strand) area,
- 61 additional native species and 4,555 additional plants planted in habitat restoration area, and
- Increase in size of restoration area from 3.18 acres to 3.42 acres.

G. *Convert existing lawn* to the east of the existing power pole by covering it with geofabric and fill soil, and re-planting with native species. Plantings would be placed in fill soils. 12-inch tall tree

wells would be constructed above the geofabric around existing trees at the edge of the lawn area to protect from erosion.

All other aspects of the Plan would be implemented as originally approved. Equipment used for construction of the gabion wall would consist of a small excavator, shovels and cage gabions. Cages would be filled with rock currently stored on-site outside of the ESH. All mechanized work would be conducted from the existing access road at the top of the east-facing slope; workers at the bottom of the slope would rake fugitive soil back into the project area. Irrigation for the restoration areas and landscaping would be provided by the remaining onsite well located at the northeast corner of the property near the existing entry gate.

- (3) **Demolition** of an approximately 1,350 square foot single family dwelling and removal of the attached 1,079 square foot deck (deck supports to be cut off at grade and slab foundation to remain in place).
 - (4) **Demolition and removal of** the existing 1,118 square foot detached residential second unit (DRSU) and accessory structure (slab foundation to remain in place).
 - (5) **Remove existing 2-4' retaining wall** located within the 100 ft riparian corridor setback, and re-plant northern path to stream terrace maintaining only a pedestrian path for purposes of habitat restoration and maintenance.
 - (6) **Removal of an existing play structure** from within the 100 ft buffer setback from edge of canopy/riparian.
 - (7) **Removal of an existing water well** and associated vault located in the creek terrace level and within the 100 ft riparian corridor setback in the eastern portion of the property.
 - (8) **Resource Capping.** The slab foundations associated with the residence and DRSU would be left in place and all existing utility lines would be abandoned in place. The areas around the slabs, extending down to the proposed split rail fence would be capped with fill soils totaling approximately 2,400 cubic yards on Proposed Parcel B and approximately 415 cubic yards on Proposed Parcel A ranging from 12 to 18 inches deep. The fill soils would be non-reactive, "clean", certified fill soil and placed over a geofabric layer. All landscaping and other ground disturbance within the sensitive area would occur in fill soils only.
 - (9) Construction of a new, approximately 250-linear foot split-rail safety fence along the edge of bluff and western top of bank of Toro Canyon Creek (Proposed Parcel B of 12TPM-00000-00006); and
- 3) **11CDH-00000-00054 (to occur mostly on Proposed Parcel A of 12TPM-00000-00006)**
- Request of Mark Wryan, architect, for a Coastal Development Permit with hearing to allow development as follows:
- Single-Family Dwelling, Grading***
- (1) Construction of a new single family residence of 5,576 square feet with a 500 square foot basement and a 750 square foot attached garage. The average height of the residence would be less than 16 feet (Proposed Parcel A of 12TPM-00000-00006);
 - (2) Construction of approximately 500 linear feet of courtyard retaining walls associated with the residence to be between 1 and 4 feet in height (Proposed Parcel A of 12TPM-00000-00006);

- (3) Landscaping associated with the SFD: Proposed landscaping would be selected to discourage foot traffic along the bluff edge. Plants are proposed to be low water, low root-spread varieties. Planting within the resource boundary would be installed above the proposed geofabric layer only to avoid disturbance to resources. A new split-rail fence would also be added along the bluff edge and footings would be located entirely in fill soil within the resource boundary (Proposed Parcels A and B of 12TPM-00000-00006).
- (4) Installation of approximately 90 feet of existing, underground 24-inch storm drain to connect to an existing drain well located on the east side of the property. (Proposed Parcels A & B of 12TPM-00000-00006);
- (5) **Tree removal and relocation.** Two existing eucalyptus trees at the western property line of proposed Parcel A would be removed and an existing fig tree would be boxed and relocated onsite to facilitate construction of the residence. Removal of these trees would be mitigated through completion of the restoration plan which calls for planting of 75 additional trees beyond the 131 planted thus far during restoration.

The total amount of grading for the single family dwelling site would be approximately ~~4,150~~ 1030 cubic yards of cut and ~~3,450~~ 3,055 cubic yards of fill with ~~2,300~~ 2,025 cubic yards import. The property would continue to be served by the Montecito Water District (for domestic water), private septic systems and the Carpinteria-Summerland Fire Protection District. Water for landscaping would be provided by an onsite well on proposed Parcel B and a shared water system agreement to benefit proposed Parcel A. Access would be taken via a private drive from Padaro Lane. The property is a 10.25-acre parcel zoned 3-E-1 and shown as Assessor's Parcel Number 005-260-018, located at 2825 Padaro Lane in the Summerland Community Plan Area, 1st Supervisorial District.

2.0 PROJECT LOCATION

The property is located at 2825 Padaro Lane, approximately 2,250 feet east-southeast of the Padaro Lane/U.S. Highway 101 interchange, Assessor's Parcel Number 005-260-018, in the First Supervisorial District.

2.1 Site Information	
Comprehensive Plan Designation	Coastal, Summerland Community Plan Area, Rural Area, Padaro Lane Existing Developed Rural Neighborhood (EDRN), Residential-0.33 (0.33 units per acre or 1 unit per three acres), Summerland Community Plan
Zoning District, Ordinance	Article II Coastal Zoning Ordinance, Residential 3-E-1, 3-acre minimum lot size, Environmentally Sensitive Habitat Overlay, Design Control Overlay, Flood Hazard Overlay (along eastern property line and south of beach bluff), Coastal Commission Appeals Jurisdiction
Site Size	10.25 acres (gross and net)
Present Use & Development	Residential, single family residence w/ accessory structure, two private wells with well house enclosure and water storage tank
Surrounding Uses/Zoning	North: Padaro Lane, U.S. Hwy 101, AG-I-20 South: Pacific Ocean and beach East: Toro Creek, Residential 3-E-1, Toro Canyon Plan Area West: Residential 3-E-1, Summerland Community Plan Area

Access	Directly from Padaro Lane
Public Services	Water Supply: Montecito Water District Sewage: Private septic system Fire: Carpinteria-Summerland Fire Protection District

3.0 ENVIRONMENTAL SETTING

3.1 PHYSICAL SETTING

Slope/Topography. The subject property is located between Padaro Lane to the north and the Pacific Ocean, at the eastern boundary of the Summerland Community Plan area. The site’s eastern boundary is formed by the Toro Canyon Creek corridor. West of the outlet of Toro Creek, the property’s southern boundary is the sea cliff. The remainder of the site is a broad coastal terrace that varies in elevation from about 50 to 70 feet above sea level, then slopes down toward the east to the creek. Slopes on the property vary from approximately 2% on the terrace to near vertical at the sea cliff.

Fauna. -The portion of the property within Toro Canyon Creek is mapped as Environmentally Sensitive Habitat as an aggregation site for Monarch butterflies. However, the small grove of eucalyptus trees near the parcel’s southwest corner is not considered in the Summerland Community Plan to be a monarch butterfly roosting site. Additional research conducted between 1982 and 2008 confirms that the site does not support, and has not historically served as, butterfly habitat (Conceptual Habitat Restoration and Revegetation Plan for 2825 Padaro Lane by Hunt & Associates dated 20 July 2009 – on file with P&D and available for review upon request).

Flora. An existing mature hedge borders the property along the Padaro Lane right of way. This hedge is somewhat visually permeable and allows filtered impressions of the ocean and sky beyond. The majority of the subject parcel is covered with grass and a small amount of ornamental landscaping. There is a small grove of eucalyptus trees at the southwestern corner of the parcel. The Toro Creek corridor, which forms the parcel’s eastern boundary, has multiple plant communities including oak-sycamore riparian woodland, freshwater marsh, brackish lagoon, coastal strand and coastal bluff scrub. Please refer to Section 4.4, Biological Resources, for a more detailed setting description.

Archaeological Sites. Archaeological site CA-SBA-1566 is located on the property. Please refer to Section 4.5, Cultural Resources, for a detailed setting description.

Soils. Soils on site consist of Milpitas Positas Fine Sandy Loam, 2 – 9 percent slopes (north half of parcel) and Ballard Fine Sandy Loam, 2 – 9 percent slopes (south half of parcel). The Ballard Fine Sandy Loam is considered prime soil. About four acres in the northwestern part of the parcel are mapped as Farmlands of Statewide Importance; this area was previously a citrus or avocado grove but was later used as a polo field by the previous owners of the property and is now covered in ruderal annual grasses.

Surface Water Bodies. Toro Canyon Creek straddles the eastern boundary of the site and includes creek bed and Environmentally Sensitive Habitat both on and off the project site. Toro Canyon Creek is identified as a blue-line creek in USGS maps and as Environmentally Sensitive Habitat on the County’s Land Use Maps including the Coastal Land Use Plan, the Summerland Community Plan and the Toro Canyon Plan. The Pacific Ocean is located immediately to the south.

Surrounding Land Uses. The project is bounded by the Pacific Ocean to the south, Highway 101 to the north of Padaro Lane and residential estates to the east and west. Parcels in the surrounding neighborhood vary in

size from approximately one acre to over 10 acres. Homes in the neighborhood vary in size from 1,200 square feet to approximately 10,000 square feet. The Loon Point public beach access trail is located approximately 1,600 feet west of the site. A possible future public beach access trail, adopted in the Summerland Community Plan, is located within the creek corridor at the eastern boundary of the site. There has been no recent public use of this corridor.

Existing Structures. The site is currently developed with a 1,079 square foot single family dwelling with a deck, and a 1,369 square foot accessory structure. The legal, nonconforming dwelling and accessory structure are single story, wood frame buildings on concrete perimeter slabs. Based on an historic resources report prepared by San Buenaventura Research Associates dated March 13, 2007, these buildings are thought to have been constructed on a military base sometime around 1943 and moved to the property in the late 1940s. An existing recreational trailer of approximately 300 square feet in size is located in the center portion of the property, and currently straddles the 100-foot from edge of canopy creek buffer such that a portion of the structure is within the setback.

3.2 ENVIRONMENTAL BASELINE

The environmental baseline from which the project's impacts are measured consists of the physical environmental conditions on the ground and in the vicinity of the project site, as described above. Additional aspects of the baseline conditions are as follows:

The subject property was created by Lot Line Adjustment, Case No. 07LLA-00000-00011, which was approved by the Santa Barbara County Zoning Administrator on February 27, 2008. At the time, the property contained a legal nonconforming residence and accessory structure constructed sometime in the 1940s, as well as other unpermitted accessory structures, storage structures, and a horse corral. Conditions on the Lot Line Adjustment required the abatement of all building and zoning violations prior to its recordation.

Prior to the Lot Line Adjustment, the property owner had applied for a permit to remodel and add to the existing legal non-conforming single-family residence, convert an accessory structure to a Detached Residential Second Unit (DRSU), demolish numerous unpermitted structures, relocate existing storage structures and validate an existing legal non-conforming residence and second unit (07CDH-00000-00007). An application was also submitted to allow a watchman's trailer on the property (07CUP-00000-00019). Both projects were approved by the Zoning Administrator on June 18, 2007.

On July 19 and July 20, 2007 the Coastal Commission appealed the ZA's decision to approve these projects on the basis that the projects were inconsistent with the County of Santa Barbara's Local Coastal Program (LCP) policies regarding environmentally sensitive habitat areas, monarch butterfly habitat and riparian habitat mapped in the Summerland Community Plan (SCP).

The appeal was resolved by the applicant's agreement to implement a draft habitat restoration plan titled "Habitat Restoration and Revegetation Plan for 2825 Padaro Lane (APN 005-260-009), Summerland, Santa Barbara County, California" dated April 9, 2009, which was intended to comprehensively restore Toro Canyon Creek and its associated riparian habitat.

The original application which was appealed by the Coastal Commission was withdrawn. The project was revised to include the restoration plan and was subsequently approved by the Zoning Administrator on June 29, 2009 (08CDH-00000-00014, 08CUP-00000-00027, 08CDP-00000-00057). The DRSU was legalized with 08CDP-00000-00055, issued on August 25, 2009; however this permit has since expired and is no longer valid. The temporary watchman's trailer was ultimately processed under Case Nos. 10CDP-00000-00081, 10CUP-00000-00031, 10CDH-00000-00020 and 10LUP-00000-00501. The Land Use Permit 10LUP-00000-00501 was approved but never issued. It was later discovered that the existing

watchman’s trailer is actually a recreational vehicle, which cannot be permitted as a temporary structure but can remain onsite, as any other vehicle, as long as it is appropriately parked.

In accordance with the conditions of 08CDH-00000-00014, the existing building and zoning violations were abated. The restoration plan was implemented, but is not yet complete. The delay in finalizing the restoration plan resulted from a zoning violation filed on January 19, 2011 for unpermitted grading and construction of the gabion wall, which went beyond the work permitted as part of the approved streambed restoration plan. During investigation of the violation, it was also noted that some of the restoration work was inconsistent with that described in the approved plan, that additional unpermitted grading had occurred during placement of the watchman’s trailer, and that grading for the gabion wall and watchman’s trailer had occurred within a prehistoric archaeological site.

One of the subject applications was submitted to resolve this violation (11ZEV-00000-00011, 11CDH-00000-00006). If approved, 11CDH-00000-00006 would allow revisions to the previously approved restoration plan to reflect its current, as-built condition. This permit would also address the unpermitted grading associated with installation of the watchman’s trailer.

In summary, because the restoration work preceded approval of a revised restoration plan, the environmental baseline for this review is the condition of the site prior to implementation of the previously approved restoration plan and the unpermitted grading for placement of the watchman’s trailer.

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			

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
c. Glare or night lighting which may affect adjoining areas?		X			
d. Visually incompatible structures?		X			

Existing Setting: The project site is located within the Padaro Lane Existing Developed Rural Neighborhood. Public views of the site are limited to a short stretch of beach below the eastern portion of the property at the mouth of Toro Canyon Creek. Public views into the site and of the ocean from Padaro Lane are ~~prevented~~ substantially filtered by an existing, ~~thick~~ hedge of myoporum trees which line the southern shoulder of the roadway and which partially screen the site from public views in this area.

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

Impact Discussion:

a, b, c, d) *Less than significant impact with mitigation.* The proposed project includes a lot split, as well as demolition and removal of two existing residential structures, the capping of culturally sensitive materials, as-built changes to a previously approved habitat restoration plan on Proposed Parcel B, and construction of a single-family residence with attached garage on Proposed Parcel A. The creation of a new parcel due to the proposed lot split would allow the potential construction of an additional, future single-family residence with associated accessory structures on Proposed Parcel B. The bluff in this area measures approximately 80 ft in height. The structure proposed for Parcel A is set back 74 ft from the edge of the bluff. This number includes both the slope stability and bluff retreat setbacks. Proposed Parcel B’s building envelope is also set back 71 ft from the edge of the bluff. The maximum average allowable height for residential structures on both parcels is 16 ft. As a result, no structures would be visible to the public as seen from the beach. Additionally, while filtered views from Padaro Lane would include future structures, the location of structures within the building envelopes would continue to allow the public filtered blue water views.

The structures proposed to be developed with this application on Proposed Parcel A, and structures that may be proposed to be developed on Proposed Parcel B in the future, could be visually incompatible with the neighborhood, adversely alter the character of the landscape and/or obstruct a view open to the public from the beach below if not designed properly. Night lighting could create glare and spill over into adjacent residential areas if not properly limited, located and designed. These impacts are considered potentially significant.

Consistent with Coastal Zoning Ordinance Design Control Overlay and Summerland Community Plan requirements, the proposed single-family residence to be located on Proposed Parcel A has undergone conceptual review by the South County Board of Architectural Review (SBAR). On December 7, 2012 the SBAR provided positive comments stating; “Mass, bulk and scale are appropriate for the area and the site”. At the conclusion of their review, the SBAR directed the project to return for preliminary approval after project approval by the decision-maker. Before the Coastal Development Permit for the residence on Proposed Parcel A or future structural development on either proposed parcel can be issued, the project(s) would be required to complete SBAR design review which would include a final review of the architecture, landscaping and exterior night lighting. Aesthetic impacts would be reduced to less than significant levels with incorporation of the ~~below~~ mitigations below.

Cumulative Impacts: As conditioned, the project is not anticipated to result in any substantial change in the aesthetic character of the area. Because public views of the project site are limited and the current project received favorable comments from the SBAR, it would not cause a cumulatively considerable effect on aesthetics.

Mitigation and Residual Impact: The following mitigation measures, along with the ordinance requirement for BAR review, would reduce potential Aesthetic impacts to less than significant. Residual impacts would also be less than significant.

1. **Aest-04 BAR Required.** The Owner/Applicant shall obtain Board of Architectural Review (BAR) approval for all current and future projects on both resultant parcels. All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development and shall conform in all respects to previous SBAR approvals under Case No. 12BAR-00000-00070. **TIMING:** The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of the Coastal Development Permit. 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.

2. **Aest-06 Building Materials.** For all current and future projects on both resultant parcels, 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 water tanks and fences, except for residential development otherwise subject to review of the South Board of Architectural Review (SBAR). For residential structures, materials shall be in conformance with those approved by the SBAR. **PLAN REQUIREMENT:** Materials shall be denoted on building plans. **TIMING:** Structures shall be painted prior to Final Building Inspection Clearance. **MONITORING:** P&D compliance monitoring staff shall inspect prior to Final Building Inspection Clearance.

3. **Aest-10 Lighting.** For all current and future projects on both resultant parcels, the Owner/Applicant shall ensure any exterior night lighting proposed on either of the resulting parcels 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. The Owner/Applicant shall install timers or otherwise ensure lights are dimmed after 10 p.m. **PLAN REQUIREMENTS:** The Owner/Applicant shall develop a Lighting Plan for SBAR and P&D approval incorporating these requirements and showing 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 a Lighting Plan for compliance with this measure prior to approval of a Land Use Permit or Coastal Development Permit 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 final Lighting Plan.

4.2 AGRICULTURAL RESOURCES

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
a. Convert prime agricultural land to non-agricultural use, impair agricultural land productivity (whether prime or non-prime) or conflict with agricultural preserve programs?				X	

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
b. An effect upon any unique or other farmland of State or Local Importance?				X	

Impact Discussion: 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 any neighboring agricultural operations and thus would not have any impacts.

Mitigation and Residual Impact: No impacts are identified. No mitigation is necessary. Residual impacts would not be significant.

4.3 AIR QUALITY

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

County Environmental Threshold:

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

- emit (from all project sources, mobile and stationary), less than the daily trigger (55 pounds per day for NO_x and ROC, 80 pounds per day for PM₁₀) for offsets for any pollutant;
- emit less than 25 pounds per day of oxides of nitrogen (NO_x) or reactive organic compounds (ROC) from motor vehicle trips only;
- not cause or contribute to a violation of any California or National Ambient Air Quality Standard (except ozone);

- not exceed the APCD health risk public notification thresholds adopted by the APCD Board; and
- be consistent with the adopted federal and state Air Quality Plans.

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, paints, solvents, and chemical or industrial processing operations that release pollutants).

Impact Discussion:

a-b) Air Quality – General. The proposed project consists of a Lot Split, as well as revisions to an existing restoration plan including as-built grading for a gabion wall and demolition of an existing single-family residence and accessory structure on Proposed Parcel B, and the construction of a new residence on Proposed Parcel A. The project would subdivide the existing 10.25-acre parcel into two new parcels, creating the potential for construction of a new dwelling on Proposed Parcel B. The project would not result in significant new vehicle emissions because project buildout would be limited to the construction of one net, new residence and would not significantly alter traffic generation to and from the site. The project would not involve new stationary sources (i.e., equipment, machinery, hazardous materials storage, industrial or chemical processing, etc.) which could increase the amount of pollutants released into the atmosphere. The project would also not generate additional smoke, ash, odors, or long-term dust after construction.

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. Impacts are considered less than significant.

c) Air Quality – Dust Generation. The requested permit would legalize grading of approximately 341 cubic yards of cut and 3,390 cubic yards of fill, consisting of 66 cubic yards of cut to widen the existing driveway, 275 cubic yards of cut to improve the access road to beach, and 3,390 cubic yards of fill placed in the area of the previously permitted watchman's trailer. In addition, placement of the existing, unpermitted gabion wall involved about 8 cubic yards of balanced cut and fill. Only minor ground disturbance associated with plant placement would be required to implement the remainder of the habitat restoration plan. No grading would be associated with removal of the existing house and accessory structure.

Proposed grading associated with development of the new single-family dwelling on Proposed Parcel A would total approximately ~~4,150~~ 1,030 cubic yards of cut and ~~3,450~~ 2,025 cubic yards of fill.

Development of a new residence with associated accessory structures on Proposed Parcel B in the future would be expected to be minimal since the topography within the proposed building envelope created by 12TPM-00000-00006 on Parcel B is relatively flat.

Earth moving operations at the project site would result in potentially significant, project-specific, short-term emissions of fugitive dust and PM₁₀. However, such impacts would be reduced to less than significant levels with implementation of standard dust control measures required by the Santa Barbara County Air Pollution Control District in their March 1, 2011 condition letter.

d-f) Greenhouse Gas Emissions / Global Climate Change.

The project's contribution to global warming from the generation of greenhouse gases would be negligible because project buildout would result in the development of one net, new residence. As such,

there would be no significant change in greenhouse gas emissions. Therefore, 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 significance criteria for air quality. Therefore, the project’s contribution to regionally significant air pollutant emissions, including GHGs, is not cumulatively considerable and its cumulative effect is less than significant.

Mitigation and Residual Impact: Impacts to Air Quality would be reduced to less than significant levels with implementation of the standard dust control and ozone precursor conditions required by the Air Pollution Control District in their March 1, 2011 condition letter. Residual impacts would also be less than significant.

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			

Background and Methods:

A Biological Assessment and a Habitat Restoration and Revegetation Plan (dated February 14, 2007 and June 25, 2008, respectively) were prepared by Hunt & Associates as a condition of approval of the Lot Line Adjustment that created the subject parcel. A revised Habitat Restoration Plan (dated July 20, 2009) (Plan)

was ultimately approved by both the County and the Coastal Commission. Prior to its approval, the 2009 Plan was peer-reviewed and deemed to meet the County's criteria for biological reports by the P&D staff biologist, who also conducted a site visit in May of 2009. Prior to Plan implementation, the applicant obtained a Lake and Streambed Alteration (LSA) Agreement for the proposed project.

Implementation of the Plan was initiated in the fall of 2009. P&D permit compliance partially released the Restoration security deposit on May 10, 2011. In the fall of 2011, a zoning violation was reported on the property, and it was determined that unpermitted grading had occurred on site, and a number of additional changes to the Approved Restoration Plan had been initiated without County approval. These restoration changes are summarized in a restoration "As-built" report titled *Addendum to Conceptual Habitat Restoration and Revegetation Plan for 2825 Padaro Lane, Summerland, Santa Barbara County, California* prepared by Hunt & Associates and dated May 25, 2012 (On file with P&D and available for review upon request).

Mr. Hunt conducted site visits in 2006 and 2007 while developing the original Biological Assessment, and has been on site throughout the past two years as the primary monitor for the implementation of the approved Habitat Restoration Plan. The P&D biologist visited the site again on February 22, 2012 to view restoration in progress and assist with impact assessment for the current project. Other P&D staff and Coastal Commission personnel have also conducted site visits in 2011 and 2012.

Hunt and Associates also prepared a Biological Report for a project on a parcel immediately to the east of the subject site, and a Restoration Plan is in progress on that site. Together, the two reports provide a good characterization of the biological resources of this area of Toro Canyon Creek. The following analysis is based on the above reports, data, and information.

Existing Conditions:

The approximately 10-acre site consists primarily of introduced grasses which are located in most areas of the site outside of the Toro Canyon Creek corridor. However, the property's eastern boundary is formed by the riparian corridor of Toro Creek, which is the area addressed by the Plan. The entirety of this area is located within either mapped Environmentally Sensitive Habitat (ESH), or the 100 ft ESH buffer proscribed in the Local Coastal Plan. Calvert (1991) identified a Monarch butterfly site in the area of "Loon Point at the mouth of Toro Canyon" (Site 88 per Calvert, 1991; Site 96 per Meade, 1999); however, Meade (2006) called this a "transitory" site at best.

Flora:

The biological reports prepared by Hunt & Associates describe the habitats in the restoration area as follows:

California Sycamore-Coast Live Oak Riparian Woodland. This plant community is closely associated with the Toro Canyon creek riparian corridor. The mostly closed-canopy along Toro Canyon Creek is composed primarily of California sycamore (*Platanus racemosa*), coast live oak (*Quercus agrifolia*), a few small black cottonwoods (*Populus balsamifera* subsp. *trichocarpa*), and arroyo willow (*Salix lasiolepis*). A few non-native trees, planted as ornamentals, contribute to the closed canopy aspect of the riparian corridor, including Monterey cypress (*Cupressus macrocarpa*), Victorian box (*Pittosporum undulatum*), and blue gum (*Eucalyptus globulus*). The understory here supports native species such as mule-fat (*Baccharis salicifolia*), elderberry (*Sambucus mexicana*), poison oak (*Toxicodendron diversilobum*), mugwort (*Artemisia douglasiana*), wild rye (*Leymus condensatus*), wood mint (*Stachys bullata*), coyote bush (*Baccharis pilularis*), California blackberry (*Rubus ursinus*), giant horsetail (*Equisetum* sp.), and cattails (*Typha* sp.), and umbrella sedge (*Cyperus involucratus*). The latter species intermittently border the edges of the active (low-flow) channel of Toro Canyon Creek and are not extensive enough to warrant recognition as freshwater marsh. However, the understory of this plant community is thoroughly infested with invasive, non-native ornamental and ruderal species, such as periwinkle (*Vinca* sp.), nasturtium (*Tropaeolum majus*), Algerian ivy (*Hedera helix*), cape ivy (*Senecio mikanioides*), Italian thistle (*Carduus pycnocephala*), and milk thistle (*Silybum marianum*). Scattered, small colonies of giant reed (*Arundo donax*) are scattered along the Toro Canyon Creek riparian corridor and along portions of the terminal lagoon at the mouth of the creek.

Coast Live Oak Woodland. In an undisturbed condition, this plant community is composed of a canopy of mature coast live oak whose crowns overlap to create a filtered to dense shade that supports an herbaceous or otherwise low-growing understory. The native understory of coast live oak woodland on-site has been all but supplanted by ornamental and/or ruderal vegetation that reduces oak recruitment and crowds out native understory species. Native understory species richness in this community on the parcel is depauperate. The following native species are represented by a limited number of individuals: wood mint, creek clematis (*Clematis ligusticifolia*), and man-root (*Marah macrocarpus*). Non-native, invasive species comprise most of the understory in this community, including cape ivy, Algerian ivy, periwinkle, castor bean, Victorian box, nasturtium, Italian thistle, milk thistle, and other species (see Ruderal and Ornamental Vegetation description).

Coastal sage scrub. Based on examination of aerial photographs taken in January, 1938, this plant community appears to have formerly occurred on the slopes of the floodplain. Areas that likely supported coastal sage scrub in the past are now largely covered with ruderal and/or ornamental vegetation. Typical coastal sage scrub species that persist on-site include: California sagebrush (*Artemisia californica*), giant rye, coastal morning glory (*Calystegia macrostegia*), poison oak, elderberry, Douglas's nightshade (*Solanum douglasii*), coyote bush, and lemonadeberry (*Rhus integrifolia*). Remnant coastal sage scrub patches on-site are mostly too small to map as discrete polygons on Figure 1 of the Hunt & Assoc. report.

Eucalyptus Woodland. Blue gum trees are located along the lower portions of Toro Canyon Creek and have spread to cover the west-facing slopes of the floodplain on the Cameron parcel, including areas that formerly supported sycamore-oak riparian woodland and coastal sage scrub vegetation. Other trees found here include Victorian box and myoporum (*Myoporum laevis*). On-site this plant community supports closed-canopy woodland with a depauperate understory composed primarily of ornamental and ruderal species and a few native shrubs: cape ivy, Algerian ivy, nasturtium, and poison oak.

Southern Coastal Bluff Scrub. This plant community occurs in scattered patches on bluffs fringing the southern edge of the Beach Club parcel. Remnant lemonadeberry (*Rhus integrifolia*), saltbush, (*Atriplex* sp.), and California Encelia (*Encelia californica*) persist, but are infested with invasive non-native species such as iceplant, myoporum, and cape ivy.

Southern Fore dune (Coastal Strand). This plant community is restricted to the low sand dunes along the edge of the terminal lagoon that forms during the dry season at the mouth of Toro Canyon Creek and along the base of the adjacent coastal bluffs in this area. Species on these substrates on the subject parcel are a mixture of native and non-native species, including lemonadeberry, beach-bur (*Ambrosia chamissonis*), beach primrose (*Camissonia cheiranthifolia*), ice plant, giant reed, New Zealand spinach (*Tetragonia tetragonioides*), and wild radish.

Freshwater Marsh. This plant community occurs in small patches, evidenced by small patches of cattails along the lower reaches of the creek and terminal lagoon.

Ruderal and Ornamental Vegetation (1.0 acres of Plan area). Ruderal vegetation is composed of weedy plant species that are adapted to disturbed soil conditions and can rapidly colonize substrates disturbed by human activities (e.g., graded areas, road edges, etc.). Ruderal and/or ornamental vegetation occurs throughout the subject parcel and, in many places, forms the dominant vegetative cover beneath a canopy of native and non-native trees. Some ruderal species are native, but most are non-native: wild oats, rip-gut brome, filaree (*Erodium* sp.), Italian thistle, milk thistle, bull mallow, telegraph weed (*Heterotheca grandiflora*), sweet fennel (*Foeniculum vulgare*), bristly ox-tongue, wild radish, pigweed, fumitory (*Fumaria officinalis*), various species of mustard, clover, scarlet pimpernel, cut-leaved geranium, and castor bean (*Ricinus communis*).

Ornamental vegetation includes species used in gardens and landscapes that have escaped cultivation or have been intentionally planted and are reproducing naturally. Ornamental species occur throughout the subject parcel and, as with ruderal species, most ornamentals have been listed previously in discussions of native plant communities above. Ornamentals found on-site include: Algerian ivy, cape ivy, nasturtium, potato bush (*Solanum* sp.), sweet alyssum, pampas grass (*Cortaderia* sp.), Victorian box, Monterey cypress, blue gum, lemon-scented eucalyptus (*Eucalyptus citriodora*), periwinkle, ice plant, Monterey pine (*Pinus radiata*), coast redwood (*Sequoia sempervirens*), onion (*Allium cepa*), gopher plant (*Euphorbia lathyris*), euphorbia (*Euphorbia characias*), geranium (*Pelargonium* sp.), and other species.

Fauna:

Reptiles and Amphibians. One reptile was observed on site during the 2008 Cameron survey on the parcel directly to the east. No amphibian species were detected on site during the Beach Club surveys. However, the following species may occur on site: western fence lizard (*Sceloporus occidentalis*), gopher snake (*Pituophis melanoleucus*), western toad (*Bufo boreas*), and Pacific tree frog (*Hyla regilla*).

Birds. A total of six bird species were detected on site during the 2008 Cameron survey including Anna's hummingbird (*Calypte anna*); song sparrow (*Melospiza melodia*); California towhee (*Pipilo crissalis*); spotted towhee (*Pipilo maculatus*); mallard (*Anas platyrhynchos*); and house wren (*Troglodytes aedon*). The following bird species have a moderate to high potential to occur on site based on the presence of suitable habitat and appropriate geographic range: mourning dove (*Zenaida macroura*); downy woodpecker (*Picoides pubescens*); Pacific-slope flycatcher (*Empidonax difficilis*); European starling (*Sturnus vulgaris*); brown towhee (*Pipilo fuscus*); lesser goldfinch (*Carduelis psaltria*); purple finch (*Carpodacus purpureus*); American robin (*Turdus migratorius*); oak titmouse (*Baeolophus inornatus*); yellow-rumped warbler (*Dendroica coronata*); wrentit (*Chamaea fasciata*); golden-crowned sparrow (*Zonotrichia atricapilla*); and white-crowned sparrow (*Zonotrichia leucophrys*).

Because the site supports a variety of mature trees forming a canopy with scattered open areas, the project footprint may provide foraging and roosting along with limited nesting opportunities for a number of raptors including the red-tailed hawk (*Buteo jamaicensis*), red-shouldered hawk (*Buteo lineatus*), Cooper's hawk (*Accipiter cooperii*) (roosting only), great horned owl (*Bubo virginianus*), barn owl (*Tyto alba*), and western screech owl (*Megascops kennicottii*).

Mammals. No mammals were observed on site during the surveys. The site is not expected to support a diverse assemblage of mammals because it is located in an urbanized region of Santa Barbara. Mammals that may occur on site closer to Toro Canyon Creek, include Virginia opossum (*Didelphis virginiana*); broad-footed mole (*Scapanus latimanus*); raccoon (*Procyon lotor*); deer mouse (*Peromyscus maniculatus*); brush mouse (*Peromyscus boylii*); gray fox (*Urocyon cinereoargenteus*); and striped skunk (*Mephitis mephitis*).

Monarch Butterfly. For over 25 years, biologists as well as residents along Padaro Lane have noted that monarch butterflies have formed transitory, autumnal, and/or overwintering (permanent) roosts during fall and winter in the Padaro Lane area. The County of Santa Barbara Local Coastal Plan, first certified in 1982, originally designated much of the property south of Highway 101 and Padaro Lane, eastward to Toro Canyon Creek, as Environmentally Sensitive Habitat because of the possibility of monarch butterfly roosting habitat occurring there. When the Summerland Community Plan (SCP) was adopted in 1992, the size of the designated ESHA was modified to include only the riparian corridor of Toro Canyon Creek, based on information provided by monarch butterfly experts as part of the permit processing for an approved horse operation on the 2825 Padaro Lane parcel in the early 1980s.

More recently, Hunt & Associates (2009, pg. 14-16), through compilation of numerous historical accounts and reports from a number of entomologists (A. Wenner, Walter Sakai, Nagano and Lane, Calvert, D. Meade) has demonstrated that the Toro Canyon Creek riparian corridor and eucalyptus

woodlands that formerly occurred around the mouth of the creek and adjacent coastal bluffs does not now support, and historically never functioned as, monarch butterfly roosting habitat. Anecdotal references and concerns over such habitat, upon subsequent field investigations, appear to be based on confusion over the location of “Loon Point” in relation to the mouth of Toro Canyon Creek with the extant, and regionally important, monarch butterfly roost located in the vicinity of 3197 Padaro Lane, approximately 0.5 miles east of the subject parcel. Meade (2006, as reported in Hunt, 2009) considers the site at the mouth of Toro Canyon Creek to be “transitory.”

Sensitive Species Summary. The subject parcel is not identified in the CNDDDB database as being critical habitat for any Endangered or Threatened species and no such species were observed during the site surveys. However, there are several special status species that have a “moderate to high potential” to occur on the site. These species are listed in Table 1 below. Additionally, the majority of creeks which discharge to the Pacific Ocean within 10 miles of Toro Canyon Creek (to the east and west) are identified as critical habitat for southern steelhead.

Table 1. Special Status Plants and Animals with moderate to high potential to occur on the project site. (Based on Hunt, 2009, p. 11)

Common Name	Status	Scientific Name	Potential
Plants			
Burhead	Locally sensitive	<i>Echinodorus bertoroi</i>	Moderate
cliff aster		<i>Malacothrix saxatilis</i> var. <i>saxatilis</i>	Moderate
Santa Barbara bedstraw	CRPR List 4	<i>Galium cliftonsmithii</i>	Moderate
Santa Barbara locoweed	Locally sensitive	<i>Astragalus trichopodus</i> var. <i>trichopodus</i>	Moderate
Invertebrates			
Globose dune beetle	CSC	<i>Coelus globosus</i>	Moderate to High
Tiger beetle	CSC	<i>Cicendela</i> spp.	Moderate
Monarch butterfly	CSC (State insect)	<i>Danaus plexippus</i>	Individuals observed
Amphibians			
California red-legged frog	Federally Threatened	<i>Rana aurora draytonii</i>	Moderate to High
Reptiles			
Two-striped garter snake	CSC	<i>Thamnophis hammondi</i>	Moderate to High
Birds			
White-tailed kite	CA Fully Protected	<i>Elanus leucurus</i>	Moderate to High (occurrence)
Cooper’s hawk	CSC	<i>Accipiter cooperi</i>	Moderate to High (nesting or foraging)
Yellow warbler	CSC	<i>Dendroica petechia</i>	Moderate to High (foraging and nesting)
Yellow - breasted chat	CSC	<i>Icteria virens</i>	Moderate to High (foraging and nesting)

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:

Riparian Habitats: Project created impacts may be considered significant due to: direct removal of riparian vegetation; disruption of riparian wildlife habitat, particularly animal dispersal corridors and or understory vegetation; or intrusion within the upland edge of the riparian canopy leading to potential disruption of animal migration, breeding, etc. through increased noise, light and glare, and human or domestic animal intrusion; or construction activity which disrupts critical time periods for fish and other wildlife species.

Oak Woodlands and Forests: Project created impacts may be considered significant due to habitat fragmentation, removal of understory, alteration to drainage patterns, disruption of the canopy, removal of a significant number of trees that would cause a break in the canopy, or disruption in animal movement in and through the woodland.

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.

Impact Discussion: As described in Section 3.2, Environmental Baseline, this Initial Study evaluates impacts from three proposed projects, some with several elements:

1. Permit application no. 12TPM-00000-00006 is a request to split the existing 10.25-acre lot into two parcels of 3.03 (Proposed Parcel A) and 7.22 acres (Proposed Parcel B).
2. Permit application no. 11CDH-00000-00006 is request to allow (1) as-built grading and gabion retaining wall, (2) the removal of a water well constructed within the stream terrace prior to current ownership, (3) demolition of an existing residence and accessory structure on Proposed Parcel B, and (4) modifications, some of which are already in place, to the previously approved *Habitat Restoration and Revegetation Plan for 2825 Padaro Lane (APN 005-260-009), Summerland, Santa Barbara County, California* dated April 9, 2009 (Plan). (Proposed Parcel B)
3. Permit application no. 11CDH-00000-00054 is a request to construct a new single-family residence with associated grading on Proposed Parcel A.

Each of these is discussed below.

1. 12TPM-00000-00006 Lot Split

a-i) The proposed lot split would divide the existing 10.25-acre lot into two resulting lots of 3.03 and 7.22 acres in size. ~~Development~~ Building envelopes would be established on both lots to contain all proposed structural development on Proposed Parcel A and all future structural development on Proposed Parcel B. The ~~development~~ building envelopes identified for each of the resultant lots have been located to avoid all known, onsite sensitive resources, habitats and species. No sensitive biological resources are located within the areas of the designated ~~development~~ building envelopes. Additionally, the ~~development~~ building envelope associated with Proposed Parcel B has been designed to be located outside the 100-foot buffer (setback) from the edge of canopy of the Toro Canyon Creek Environmentally Sensitive Habitat ensuring that no structures could be developed within the buffer area in the future. Special Condition Bio-01 below would ensure that potential impacts from construction activities to nesting birds are avoided to the extent feasible. As such, impacts to biological resources associated with the Lot Split portion of the project are considered less than significant with mitigation.

2. 11CDH-00000-00006 As-Built Grading, Gabion Wall & Restoration Plan

As-built Grading. This includes widening the driveway, improving access to the beach, and balanced cut and fill in the area where the recreational vehicle is currently located west of the access driveway.

Removal of Water Well. The well is located in the riparian corridor in an area of previous disturbance.

Modifications to Restoration Plan.

The goals of the previously approved, as well as the currently proposed, habitat restoration and revegetation plan (Plan) is to stabilize onsite slopes and control soil erosion, improve water quality in Toro Creek by minimizing sediment deposition and to replace non-native vegetation with native species that have high wildlife value. The applicant is requesting revisions to the approved Plan in order to more effectively accommodate on-the-ground conditions that were encountered during Plan implementation.

Specific components of the requested revised Plan are detailed in the proposed *Plan Addendum* by Hunt & Associates dated May 25, 2012.

1. ***Demolition of existing residence/accessory structure***
2. ***Gabion wall.*** This project element is discussed in Hunt 2012 as item #13.
3. ***Retention of pedestrian access path to stream terrace.*** This project element is discussed in Hunt 2012 as items #3 and #9.
4. ***Removal of Existing retaining/landscape wall.*** This feature is addressed in the arborist's report (Duke McPherson, 2012 letter report).
5. ***Boulders for slope stabilization.*** This project element is discussed in Hunt 2012 as item #13.
6. ***Stream terrace plantings.*** This project element is discussed in Hunt 2012 as item #13.
7. ***Seeding methods.*** This project element is discussed in Hunt 2012 as items #4 and #5.
8. ***Planting area, planting density and species richness.*** This project element is discussed in Hunt 2012 as items #1, #2, #3, #6, #7, and #8.

All other aspects of the Restoration Plan would be implemented as originally approved. Biological impacts from these project elements are described individually below.

Flora

a, b, c) *As-built grading.* The as-built grading occurred primarily along the existing driveway, and to the north and west of the lower bioswale. Where it was not entirely absent, prior vegetation in these areas was either non-native eucalyptus windrow or ruderal. The lower terrace (north and west of the lower bioswale) has been replanted primarily with Western Sycamore trees and *Carex praegracilis*, a native grass-like sedge. Replanting of the path and lower bioswale slopes with coastal sage scrub species as specified in the Restoration Plan would result in a beneficial impact to rare plant communities and species diversity.

Demolition of existing residence/accessory structure. Demolition of the existing residence and accessory structure would not affect any rare plant communities or species as this area has been historically disturbed by construction and use of the structures and no such species are present.

Well Removal. Removal of the existing water well in the stream terrace (installed by a prior owner of the property) would not affect any rare plant communities or species as this area was previously disturbed by installation of the well hardware and by historical use of a horse corral (previously removed) immediately nearby. The area immediately surrounding the well enclosure is within the oak-sycamore riparian corridor along Toro Canyon Creek and, as such, is included in the habitat restoration area. Non-native vegetation present before implementation of the Plan has been replaced by native, locally-occurring riparian and riparian scrub vegetation. The area immediately east of the enclosure is bare soil and is part of the access path to this stream terrace. Ingress and egress to the stream terrace during well removal would occur along this path and would not affect native vegetation.

Restoration Plan revisions.

- ***Gabion wall.*** The partially completed gabion wall is essentially anchoring the western slope at the mouth of Toro Creek. Aside from slight changes in topography and temporary erosion control effects, installation of the wall likely has not caused adverse impacts to rare plant communities or species because the area previously contained primarily invasive non-native species. Instead,

installation of the wall would allow restoration plantings to anchor into stabilized soil and reduce sedimentation of the mouth of Toro Canyon Creek. Once the last segment of wall is placed and fill soil is packed into the rocks, the wall would be planted with native species per the Restoration Plan.

- *Retention of pedestrian access path to stream terrace.* The key change from the proposed Restoration Plan is that this pathway area would no longer be predominantly restored as freshwater marsh, rather it would function as a bioswale, with a narrow portion of the path retained to provide for non-vehicular, pedestrian access for ongoing habitat restoration activities. The bioswale aspect of the path is an important part of the existing site drainage pattern in which stormwater runoff is collected from the western portions of the site in an underground culvert and conveyed to an outfall at the top of the pathway. The outfall would empty into the cobble-lined bio swale – which is proposed to have additional fill soil and plantings added to it as stated above- that would traverse downslope on the south side of the path, cross the terrace floor, and empty into the creek. When completed, this would create about .03 acres of new freshwater marsh habitat and eliminate a major source of sedimentation into the creek and terminal lagoon. A more robust, vehicular path has existed in this area since before the property's current ownership but again, this would be narrowed to allow for a non-vehicular, pedestrian only pathway. Little native vegetation was present in this area before the restoration work began, and with the proposed plantings on either side of the access path, native species diversity would increase.
- *Boulders for slope stabilization.* Placement of these boulders did not cause an adverse impact to rare plant communities or species because the area previously contained primarily invasive non-native species. Additionally, after stabilization is complete the slope would be planted with native species.
- *Stream terrace plantings.* As described above and discussed in Hunt 2012 (item 13), the approved Plan called for planting up to four species of native grasses on the northern and southern stream terraces: meadow barley, California brome, small-seeded muhly and giant rye. One species, giant rye (*Leymus condensatus*), was present there naturally and its numbers were supplemented with additional plantings. California brome was planted as seed in the northeastern corner of the subject property. The other two species were not used, but no specific reason was given in the Addendum, except to say that they “decided to concentrate on use of California brome and dune sedge (*Carex praegracilis*, Hunt, pg. 6). The dune sedge was planted in the center of the stream terrace because it was thought to have been previously present at this location, and to be better suited to the particular on-site conditions (Hunt, 2012). Specifically, according to Hunt (2012), it has a higher ground cover rate, growth rate and viability relative to other native grasses and is able to resist invasion of non-native species; it can tolerate light to moderate shade provided by the riparian canopy trees; provides for superior erosion control and can tolerate light foot traffic. In an April 5, 2012 Memo to Joyce Gerber, the assigned planner at the time, the P&D staff biologist, Melissa Mooney, indicated that “Because dune sedge is providing valuable water retention and habitat functions, I see no significant adverse effects of its use at the present time.” Native riparian shrubs and trees were planted around and among the dune sedge ground cover to improve habitat quality, as called for in the approved Plan.
- *Seeding methods.* As described above, the approved Plan specified hydroseeding of the terraces and coastal bluff with appropriate seed mixes. The Plan revision would allow seed mixes to be hand-applied and raked into the soil, which would result in less damage to in-place container plants and avoid the necessity of spraying water on areas prone to erosion. The approved Plan also called for hydroseeding of specific species at the mouth of Toro Creek. Because two of these species are already present at this location, the proposed project would instead remove non-native vegetation in this dune habitat area, allowing the existing natives to proliferate and additional appropriate native species would be installed as container plants. These changes would not cause a negative impact to native plant communities or species.

- **Planting area, planting density and species richness.** The as-built Plan Addendum increased the size of the restoration area from 2.0 acres to 2.19 acres, and changed the planting density and species richness for every described element except for the coast live oak-sycamore riparian area. In this area, an 8% decrease in coast live oak-sycamore riparian woodland area is proposed. The approved Plan proposed to restore or enhance approximately 2.19 acres of oak-sycamore riparian woodland. Approximately 2.0 acres have already been restored to date. The 8% decrease occurred on the north and south terrace slopes originally proposed for oak-sycamore woodland restoration because the implementing biologist concluded that this area was more appropriately planted with coastal bluff scrub vegetation. This is not fully explained in the Hunt 2012 Addendum, but the area is quite small (0.19 acres). Given the small area, and the fact that coastal sage scrub species often occupy oak woodlands, impacts are considered less than significant.

It should be noted that some species included on the “Species Planted” List in Hunt’s May Addendum (e.g., *Arctostaphylos* ‘Emerald Carpet,’ *Cercis occidentalis*, and *Eriogonum umbellatum*, among others) appear to be California natives as opposed to local natives, and may be more accurately considered landscaping species than restoration species, at least in terms of restoration of the resources occurring on this site. However, the P&D biologist indicated that “portions of the project site and Toro Canyon Creek have been substantially improved by the restoration that has been implemented.” For the above reasons, impacts to vegetation are either non-existent (i.e., No Impact), or adverse, and less than significant.

d) As-built Grading. During restoration, Non-native vegetation was removed from the site; resulting impacts are largely beneficial.

Demolition of existing residence/accessory structure. There would be no adverse effects on non-native vegetation from removal of the existing structures. Impacts are less than significant.

Modifications to Restoration Plan. During restoration, non-native vegetation was removed from the site, and resulting impacts are largely beneficial.

e) As-built grading & Demolition of Existing Residence/Accessory Structure. No trees were removed during the as-built grading activities. Also, no trees would be removed in order to facilitate demolition of the existing residence and accessory structure.

Removal of the existing well in stream terrace. Removal of the well (installed by a previous owner) would not affect any native trees or shrubs that have been planted in the surrounding stream terrace restoration area. See discussion under *Flora a, b, c* earlier in this section.

Modifications to restoration plan. The originally approved Plan called for the replacement of dead or dying eucalyptus with native trees (see Table 1 of the proposed Plan Addendum dated May 25, 2012). Consistent with the arborist’s recommendations (Appendix 4 of approved Plan), 0.64 acres of approximately 15 individual eucalyptus trees were removed from the restoration area and replaced with coast live oak, western sycamore, black cottonwood, white alder, and box elder trees at > 2:1 replacement ratio. The revised Plan does not propose any changes with respect to removal of trees and therefore, resulting impacts are largely beneficial. Approximately 75 additional trees are planned beyond the 131 planted thus far during restoration.

Existing retaining/landscape wall. This wall was installed prior to the property’s current ownership and it is not known whether or not it disturbed trees at the time of installation. There is one mature oak tree immediately behind the wall upslope and removal of the wall could impact the root system of this tree. The project arborist, Duke McPherson, recommended that the wall be left in place in order to avoid impacts to the existing oak tree but also recommended tree protection measures that would be required to be incorporated into this project that would reduce any impacts to less than significant levels in the case it is to be removed.

f) Other factors (light, fencing, noise, human presence and/or domestic animals) could hinder the normal activities of wildlife during construction. This would apply only to the ESH area, which is protected by policy, along with its associated 100 foot buffers from edge of canopy. It is anticipated that buffers incorporated in to the project would be adequate to protect against adverse impacts from these elements. Impacts are considered less than significant.

Fauna

g, h, i) The riparian habitat and numerous mature trees located on the project site within the Toro Canyon Creek corridor provide high quality roosting and nesting habitat for a number of special status birds and other protected bird species. As described above, the proposed revisions to the restoration plan would increase the size of the restoration area and also increase habitat areas of southern coastal bluff scrub, freshwater marsh and coastal strand as well as adding more species and more plants than originally approved. Impacts are considered less than significant.

j) The proposed Plan revisions would not introduce barriers to movement of any resident or migratory fish or wildlife species. Demolition of the existing structures at the western edge of the creek mouth would remove permanent structures currently located within the 100-foot buffer area of Toro Canyon Creek. No adverse impacts would occur.

k) The project site has been developed with residential structures and uses since at least the 1940s. Therefore, demolition of the existing residence and accessory structure would not introduce new human habitation to the site. However, the riparian habitat and numerous mature trees located on and adjacent to the project site provide high quality roosting and nesting habitat for a number of protected bird species. Construction-related noise, dust and vehicle traffic generated by construction activities could disturb breeding behavior and cause nest abandonment. Impacts would be less than significant with a mitigation measure requiring breeding season pre-construction surveys for nesting birds, and restricting construction activity within 500 feet of any raptor nest or within 300 feet (or the property line, whichever is closer) of specified bird nests. Impacts would be less than significant with implementation of Special Condition Bio-01: Nesting Birds as stated below.

3. 11CDH-00000-00054 Construction of new residence & Grading

a, b, c) There are no rare plant communities, native vegetation, or special status plant species at the site of the new residence on Proposed Parcel A. No impacts would result.

e) No native trees would be removed in the vicinity of the new residence on Proposed Parcel A in order to facilitate its construction. Two non-native eucalyptus trees would be removed, and non-native fig would be relocated. Removal/relocation of these trees would be mitigated through plantings proposed as part of the revised Restoration Plan. Therefore, no significant impacts would occur.

j) Construction of a new residence ~~approximately 250 ft.~~ on Proposed Parcel A would not affect the ability of wildlife to traverse the riparian corridor which occurs approximately 400 ft away on Proposed Parcel B. Therefore, no impacts would occur.

d, f) The proposed new residence would be located in an area where Eucalyptus trees are located on Proposed Parcel A. Three trees would be removed or relocated as part of the residence's construction. Two eucalyptus trees and a large fig tree are located at the western property line of proposed Parcel A on the northern edge of a knoll (outside of the restoration area). As discussed above, this general area has previously been mapped as habitat for Monarch butterflies; however surveys over the last decade conducted by Dan Meade, Ph.D. indicate that the property has not been used as an aggregation site for many years and that overwintering habitat does not in fact exist on this property which is reflected by the fact that the Monarch Butterfly Habitat designation for the site was removed in the Summerland

Community Plan biological resources map. The fig tree would be boxed and relocated on the property. Impacts would be less than significant.

g, h, k) No rare animal species are known to occur in the vicinity of the proposed residential development area on Proposed Parcel A. Small mammals such as mice and gophers, could be displaced by construction. Due to the abundance of these species, impacts would be less than significant.

i) Removal of the existing Eucalyptus and fig trees in the vicinity of the new residence on Proposed Parcel A could displace nesting birds, if present. No nests were identified during the biological surveys for this project, so this is not likely. However, to ensure there is no impact on wildlife or wildlife habitat, pre-construction nesting bird surveys would be required to ensure no nests are present prior to construction. Impacts would be considered less than significant with implementation of **Special Condition Bio-01: Nesting Birds**.

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

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

- 1. Special Condition Bio-01: Nesting Birds.** The applicant shall retain and pay for a P&D approved biologist to inspect and monitor the project site for bird and raptor nesting activity prior to construction on either Parcel. If construction is to take place during the nesting season (March to September), a P&D approved biologist shall conduct a pre-construction bird and raptor nesting inspection not more than one week prior to the proposed beginning of construction activity. If birds or raptors are determined to be nesting on or within the vicinity of the project site, no construction activities, including, but not limited to grading or heavy equipment operation, shall take place within 500 feet of the raptor nest or within 300 feet (or the property line, whichever is closer) of a bird nest. Certain construction activities may be allowed on a case-by-case basis as reviewed and approved by P&D. **Plan Requirements and Timing:** At a minimum of two days prior to the proposed beginning of construction activity, the results of the survey shall be reviewed and approved by P&D. This condition shall be printed on all final construction, grading, and building plans. **Monitoring:** P&D staff shall perform site inspections throughout the construction phase and receive the report from the P&D approved biologist.
- 2. Bio-12 Habitat Restoration.** The Owner/Applicant has submitted a draft Habitat Restoration Plan titled "Restoration As-Built Report and Addendum to Conceptual Habitat Restoration and Revegetation Plan" prepared by Hunt & Associates and dated May 25, 2012. The Owner/Applicant shall submit for P&D approval a final version of the Hunt & Associates Habitat Restoration Plan. The report shall include the following components:
 1. Project landscaping in areas within Toro Canyon Creek shall be with, but not limited to, native riparian species such as coast live oak, western sycamore and numerous others as identified in the draft plan. Restoration plantings within and adjacent to the creek shall be planted as identified in the draft Plan.
 2. Species shall be from locally obtained plants and seed stock.
 3. The new plantings shall be irrigated with drip irrigation on a timer, and shall be weaned off of irrigation over a period of two to three years.
 4. When work occurs within 100 feet of the top of bank of Toro Canyon Creek, the creek area shall be fenced with orange construction fencing or similar to protect restoration plantings, staked a minimum of every six feet or as necessary to keep fencing from collapsing. Fencing shall be located as far away from the creek as possible but at least 25 feet from the top of bank unless such placement inhibits the work activity.

5. All plantings shall be protected from predation by wild and domestic animals and from human interference by the use of staked, chain link fencing and/or gopher fencing as appropriate during the maintenance period. Fencing for plantings in resources areas shall be anchored in fill soils above a geofabric layer only.
6. Non-native species identified in the Hunt & Associates Plan, shall be removed from the creek, however, removal of native species in the creek shall be prohibited.

PLAN REQUIREMENTS/ TIMING: The Final Plan shall be submitted to P&D for review and final approval prior to issuance of the first Coastal Development Permit (CDP) for any building or project element which requires a CDP. The Owner/Applicant shall post a performance security to ensure installation prior to Final Building Inspection Clearance and maintenance for three (3) years.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all required components of the approved plan(s) are in place as required prior to Final Inspection Clearance and maintained throughout the maintenance period. P&D compliance monitoring staff signature is required to release the installation security upon satisfactory installation of all items in approved plans and maintenance security upon successful implementation of this plan.

3. **Bio-20 Equipment Storage-Construction.** For all current and future projects on both resultant parcels, the Owner/Applicant shall designate one or more construction equipment filling and storage areas within the designated ~~Development~~ Building Envelope to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources. The equipment storage area may be located outside the designated ~~Development~~ Building Envelope with approval from P&D. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all Coastal Development, Building & Grading Permits. **TIMING:** The Owner/Applicant shall install the area prior to commencement of construction. **MONITORING:** P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.
4. **Bio-20a Equipment Washout-Construction.** For all current and future projects on both resultant parcels, the Owner/Applicant shall identify within the designated ~~Development~~ Building Envelope one or more washout areas 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 these areas and removed from the site as needed. The areas shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources. The equipment washout area may be located outside the designated ~~Development~~ Building Envelope with approval from P&D. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all Coastal Development Permits. **TIMING:** The Owner/Applicant shall install the area prior to commencement of construction. **MONITORING:** P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

With the incorporation of this measure, 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					

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

Existing Setting: For at least the past 10,000 years, the area that is now Santa Barbara County has been inhabited by Chumash Indians and their predecessors. Information on file at P&D and the Central Coast Information Center of the University of California, Santa Barbara (CCIC) documents that the area surrounding Toro Creek south of Highway 101 was widely used by the Chumash and contains scattered cultural remains throughout. Based on a record search conducted at the CCIC, there are at least seven prehistoric sites located within a ¾ mile radius of the subject parcel. Among these is prehistoric site CA-SBA-1566, which is located on the subject parcel. This site has been evaluated as significant and eligible for the California Register of Historical Resources (CRHR) because it retains sufficient integrity and can provide data important to understanding prehistory. It is considered an important and unique resource under CEQA and is of cultural significance to the Native American community.

Previous Work. The following summary is primarily taken from the report titled *Archaeological Condition Assessment and Effects Testing at CA-SBA-1566, 2825 Padaro Lane, Carpinteria, Santa Barbara County, California* by Clayton G. Lebow, dated June 2012. Additional information is from *Preliminary Report on the Extended Phase I/Limited Phase II Archaeological Investigation at CA-SBA-1566, Carpinteria, Santa Barbara County, California* by Compass Rose (G. Romani, D. Larson and C. Girod) and dated April, 2008.

In his 1929 *Prehistoric Man of the Santa Barbara Coast*, D. B. Rogers discusses the “rancheria clustered about the mouth of Toro Canyon. Of the site now known as CA-SBA-1566 he notes, “To the west of the present mouth of the canyon the character of the soil showed that the region had been used for a time as a camp-site, but there seemed to be nothing to warrant extended explorations there” (p. 65). The site was actually recorded by Craig and Horne in 1978. At that time, they documented the site as a shell midden characterized by a high density of lithic debris, as well as faunal remains, stone bowls, asphaltum, and fire-altered rock. They also noted seven hearth areas to its north and west. The hearth areas outside the midden contained quartzite flakes, heat-altered rocks and a “trace” scatter of marine shell and asphaltum nodules. The vegetation on site was described as orchards, domestic plants and grass.

The site had experienced a large amount of subsurface disturbance prior to its 1978 recordation by Craig and Horne. As part of a subsequent investigation of CA-SBA-13, located to the east of Toro Creek, Stone (1981) included a discussion about land use west of Toro Creek. The flat rectangular area of the terrace,

approximately 500 feet east-west and 200 feet north-south, was at that time (and prior to current ownership) used as a polo practice field. Directly west of this field was a dirt access road extending from Padaro Lane to the ocean. The area was also disked regularly by the previous owner for agricultural purposes, resulting in sub-surface churning up to two feet in depth.

In 2006, Compass Rose completed a surface survey of 17.25 acres in the vicinity of CA-SBA-1566 as part of the environmental review for the lot line adjustment that created the subject parcel. That effort identified the shell midden identified by Craig and Horne (Romani and Romani 2007). The work determined that the existing residence, located south of a tributary drainage, was within the shell midden. North of the tributary drainage, the midden continued in an area modified to include a temporary trailer and storage sheds. North and northwest of the midden where Craig and Horne had designated hearth areas, the landscape had been modified by previous owners to create a polo field, and the surface was obscured.

In 2007, Compass Rose conducted an Extended Phase 1/Phase 2 study that included excavation of five potholes and 10 trenches; manual excavation of seven shovel test pits and controlled manual excavation of eight units ranging from .5 m x 1 m to 1 m x 1 m in size (Romani, Larson and Girod 2008). The trenches and potholes were excavated to determine the presence or absence of cultural deposits in the area of the polo field and the midden area north of the tributary drainage. The seven shovel test pits and the excavation units were excavated south of the tributary drainage in the dense midden around the existing residence. These excavations yielded a large quantity of lithic debitage and marine shell, with smaller quantities of chipped stone tools, beads, worked shell, worked bone, tarring pebbles, asphaltum, faunal remains and an anvil. The beads were briefly examined by Chester King, who suggested that occupations occurred during the middle of the Early Period, most of the Middle Period and the early Late Period, with an emphasis on the late Middle Period. No radiocarbon analysis was attempted.

In addition to the artifactual and faunal remains, a human tooth was found in an STP near the existing residence. An excavation unit was placed near the residence to further investigate the potential of human remains in the area. A human vertebra was discovered in the unit's 10-20 cm level, work was stopped, and the coroner and Native American Heritage Commission (NAHC). The NAHC appointed Mr. Quintan Shup as the Most Likely Descendent (MLD) responsible for determining the disposition of the human remains. Mr. Shup visited the site on March 10, 2007 and requested that the area of excavation be expanded to determine if more human remains existed and, if so, their depositional context. The resulting 2 m x 3 m excavation block yielded a human tooth, a vertebra and vertebra fragment, a carpal, a phalanx, a rib fragment and a possible unidentified human bone. All of the remains were given to Mr. Shup.

The isolated human remains recovered in the upper levels of the block excavation adjacent to the residence were not *in situ*. Compass Rose noted that based on the presence of the graded house pad, waterline and thin layer of sand immediately below it, it appeared that the upper 30 cm of the deposit had been disturbed. They concluded that the remains appeared to represent a single burial that was disturbed during construction of the existing dwelling and the water line that transected one of the excavation units, suggesting that it was possible that additional human remains could be present in the immediate area.

Anticipating that Phase 3 data recovery work would be conducted for any future development on the property, Compass Rose performed rough sorting of the excavated materials but did not complete standard technical analyses or evaluate project impacts, as required for a Phase 2 study by the *County of Santa Barbara Resource Management Department Regulations Governing Archaeological and Historical Projects Undertaken in Conformance with the California Environmental Quality Act and Related Laws: Cultural Resources Guidelines* (revised January 1993) (Cultural Resource Guidelines). However they did evaluate CA-SBA-1566 as eligible for the CRHR and recommended that impacts to the site be avoided. If the site could not be avoided, they recommended that data recovery excavations from impact areas be conducted. They also recommended that midden deposits not directly impacted should be capped with

chemically inert soil, and that the site deposits along the upper western bank of Toro Creek should be stabilized against erosion and to protect against vandalism.

Work Conducted for the Proposed Project. As outlined above, a great deal of site disturbance occurred during previous ownership of the property. In the Compass Rose Phase 2 report, they evaluated CA-SBA-1566 as a significant archaeological resource but did not evaluate project impacts. In addition, after the zoning violation was filed for unpermitted grading associated with the gabion wall it became evident that some additional grading had occurred at the site after Compass Rose's the 2007 work. Consequently, in 2011 the County retained Applied EarthWorks, Inc. (AE) to conducted subsurface testing for two purposes. The first was to identify impacts and assess the damage to CA-SBA-1566 from the unpermitted grading and slope stabilization work and to develop mitigation measures if warranted. The second was to assess potential impacts from proposed activities, including additional grading and slope stabilization associated with revisions to the approved restoration plan, as well as demolition of existing structures and future development envisioned on the parcel.

Landscape modification prior to 2007. AE's work began by characterizing the landscape as it was prior to the unpermitted work. A sketch map from the 1978 site record and an aerial photograph from March of 1977 provided specific baselines to discuss subsequent landscape modifications. A combination of sondages, trenches and shovel test pits were also excavated to assess the extent and nature of past landscape modification. The aerial photographs, detailed topographic maps, and excavation results all provided evidence of substantial amounts of landscape modification prior to 2007. Construction of the existing residence and accessory structure affected CA-SBA-1566, although the testing by Compass Rose found that much of the midden in the vicinity of the residence remains intact. A road from the residence to the beach is apparent in the early aerial photographs; construction of the road cut into the slope and the cut debris was pushed over the edge of the road and down the slope. Materials pushed over the road edge included shell midden. Excavation at the toe of the slope below the road found a mixture of redeposited shell midden and ancient terrace gravels (Lebow 2012).

Lebow concluded that, based on aerial photographs, the high terrace in the southwestern corner of the parcel was developed for stables and paddocks between 1977 and 1983. AE's excavations found substantial landscape modification in this area, with mostly redeposited sediments overlying a relatively shallow indurated B Horizon. The area closest to the sea cliff (within the bluff setback) was undeveloped, and excavation units found intact sediments there.

Most of the middle terrace, which comprises the majority of the parcel, was found to be modified. AE's research indicates that most of the original upper sediments in the western part of the terrace were removed and used as fill elsewhere. Much of that material was used to fill the tertiary drainage that cut northwest across the property. Fill was also used to create a level surface for the polo field. Intact shell midden was found beneath shallow fill in the area north of the tributary drainage where landscape modification had been comparatively limited (ibid).

Recent landscape modification. After Compass Rose's archaeological study, unpermitted grading and stabilization work occurred in the vicinity of Toro Creek. Part of AE's scope of work was to determine the extent of this ground disturbance so that impacts to the archaeological site could be assessed. The results of their research are summarized below based on Lebow (2011).

As-Built Grading:

- North of the lower bioswale (immediately northeast of the tertiary drainage), a portion of the bench was graded without permit. Map topography based on a 2006 aerial photograph (i.e., prior to grading) reflects a gentle and consistent slope across the entire bench. After the unpermitted grading, the portion of the bench immediately northeast of the drainage is currently as much as 90 centimeters (35 inches) lower in elevation than the portion of the bench farther from the channel.

Although the maximum elevation difference is currently about 90 centimeters (35 inches), differences in contours between modern and 2006 photogrammetric maps suggest that the depth of grading may have reached 180–200 centimeters (70–79 inches) before leveling created the current surface. The unpermitted graded area encompasses about 360 square meters (3,900 square feet).

- Near the southeast corner of the bench northeast of the tertiary drainage, an unpermitted bench was excavated into the southeast-facing slope to plant a tree. This action is east of the unpermitted grading.
- An area immediately east of the existing accessory structure, connecting an existing drive with the existing path to the beach, was graded without permit. The western edge of the graded area created a near vertical cut as much as 90–100 centimeters (35–39 inches) deep; the cut along the southern edge is deeper. The area encompassed by the grading as it impacts the archaeological deposit cannot be calculated because the extent of disturbance prior to the unpermitted grading is unknown.
- Unpermitted grading also includes maintenance and widening of the path to the beach, immediately above the gabion wall.

Restoration Plan Revisions:

- Installation of a gabion wall was also unpermitted. Comparisons of topography based on aerial photogrammetry from before and after installation of the gabion wall reveals a clear difference. Specifically, the existing slope was modified prior to installation of the gabion wall. A bench was cut at the base of the gabion wall and the existing slope was cut at a much steeper angle.
- Boulders were placed along the slope above the path to the beach for stabilization. Other boulders were placed along the access path to the stream terrace
- Boulders were placed along the west bank of Toro Creek. A footpath to the ocean was created on the inland side of the boulders.
- Trees were planted in the bench in the southeast-facing slope above the tertiary drainage.

Identification of significant site deposits. Based on the results of their excavations, AE identified the extent of the significant deposit of CA-SBA-1566. The significant site area was mapped based on two criteria. The first was the presence of intact site deposits. The second was the presence of sufficient quantities of archaeological materials suitable for addressing important research questions (Lebow 2012:53). Significant site deposits were determined to be present both north and south of the existing structures. The significant deposits are shown on a confidential map (Lebow 2012:54); allowing evaluation of impacts from unpermitted grading, and also to be used in placing all future development outside of the significant deposits.

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

cause a substantial adverse effect on an archaeological resource may have a significant effect on the environment.

Significant impacts to important archaeological resources occur when ground disturbance destroys the integrity of deposits, reducing their ability to address research questions. Avoidance of deposits that contribute to a site's significance is the preferred way to mitigate significant impacts. (Note that all portions of an important site may not contain data qualities that contribute to the site's significance). If avoidance is not an option, then preservation of archaeological sites in place by capping with sterile soil can preserve the context and relationship of remains.

When avoidance through project redesign and capping with sterile soil is infeasible, then Phase 3 data recovery excavations may be undertaken to recover a representative sample from the deposits to be disturbed. Phase 3 excavations are designed and implemented to specifically address research questions and add to our knowledge of California prehistory, thereby mitigating the impacts of ground disturbance. Phase 3 investigations and reports must follow the specifications defined in the County of Santa Barbara Resource Management Department Regulations Governing Cultural Resource Projects Undertaken in Conformance with the California Environmental Quality Act and Related Laws: Cultural Resource Guidelines (1986, Revised January, 1993).

Impact Discussion:

a, b, c, d) As described in Section 3.2 Environmental Baseline, this Initial Study evaluates impacts from three separate applications, some with several elements. **11CDH-00000-00006** is request to allow (1) as-built grading, (2) modifications to the previously approved biological resources restoration plan, some of which have already occurred (including construction of a gabion wall) and (3) removal of the existing single family dwellings (foundations would be left in place), retaining wall, play structures, water well and vault; this task also includes capping the archaeological site with sterile fill and constructing a split rail safety fence entirely within the fill. **11CDH-00000-00054** is a request to build a new single family dwelling with associated retaining walls, landscaping and drainage features, and to remove and/or relocate several existing trees. **12TPM-00000-00006** is a request to split the existing, 10.25-acre lot into two parcels of 3.03 and 7.22 acres with designated development building envelopes outside of significant resource areas. Impacts would be less than significant with mitigation and each of these elements is discussed separately below.

11CDH-00000-00006 - Unpermitted Grading & Well, Restoration Plan Revisions including Gabion Wall.

As-built Grading. This grading included approximately 341 cy of cut and 3,390 cy of fill, consisting of 66 cy of cut to widen the existing driveway, 275 cy of cut to improve the access road to beach, and 3,390 cy of fill placed in the area of the previously permitted watchman's trailer (aka Recreational Vehicle). The grading was conducted without permits and was not a part of the approved or proposed habitat restoration activities. The results of AE's investigation allowed assessment of the impacts of the unpermitted grading. The grading of the path to the beach occurred below the depth of the archaeological deposit and thus did not impact the site. However, the graded area immediately east of the accessory structure contained intact archaeological midden. That exposed midden is comparable to the midden evaluated as significant by Romani et al. (2008). Consequently, work in this area directly impacted a significant deposit. In addition, archaeological testing found intact and significant site deposits on the bench northeast of the tertiary drainage (Romani et al. 2008). Grading in this area removed a portion of the site, directly impacting a significant deposit. Finally, archaeological testing near the bench excavated into the southeast-facing slope to plant a tree also found intact and significant site deposits in this area that were directly impacted by the landscaping.

CEQA requires that that development avoid significant resources if possible. However, in this case, the impacts have already occurred and thus cannot be avoided. Mitigation through archaeological excavations at the impact location is not possible because the damage has already been done. A common approach to mitigate the existing impacts is archaeological (Phase 3) excavation to recover data at or near the impacted area. However, this is not recommended in this case, because the resulting archaeological excavations would be impacting an area that otherwise would remain intact. Instead, impacts to the significant site deposits from unpermitted grading would be mitigated by a measure (**Special Condition CulRes-1**) requiring the Owner/Applicant to fund an archaeological study to complete the Phase 2 work begun by Compass Rose Archaeological, Inc. (Romani et al. 2008). Compass Rose recovered a substantial archaeological assemblage from CA-SBA-1566 but sorting was not completed and materials were not analyzed. Applied EarthWorks also recovered materials from significant site deposits and those were not analyzed. Using the cultural materials recovered by Compass Rose and Applied EarthWorks, the study would include, but not necessarily be limited to, detailed technical analysis of lithic debitage and tools (including microscopic edge-wear identification), and identifications of marine shell and vertebrate fauna to the lowest possible taxa. Radiocarbon analysis would be used to develop a chronology of site use, and shell beads would also be identified and placed in the chronology. A report would be prepared that provides a research design; presents a site chronology; details the results of the analyses; and interprets the data. The materials would be curated and the report would be filed with the Central Coast Information Center at the University of California, Santa Barbara. With incorporation of this measure, impacts from as-built grading would be less than significant.

Modifications to restoration plan.

- **Gabion wall.** The originally approved Plan required removal of non-native vegetation and planting of native vegetation within the riparian corridor. The proposed project would modify the plan to allow construction of a rock retaining wall along a slope that separates the stream terrace and the upper landform. This slope was originally sparsely vegetated with non-native, invasive species and would not otherwise be stable enough to accept plantings because it was formed of loose non-compacted dirt, construction debris and trash. This material was pushed over the side of the landform during construction of the road to the beach, prior to the current ownership of the property. All but the top tier of the wall has already been constructed. Prior to its placement, the slope was nearly vertical. This slope was stabilized with an approximately 80 ft long, 13 ft high series of stepped, rock-filled cage gabions that form a retaining wall between the stream terrace level and the upper landform. Its purpose was to facilitate implementation of the restoration plan, prevent the steep unstable slope from eroding into the terrace and lagoon area, and protect the significant archaeological deposits at the top of and immediately behind the slope. Upon placement of the final gabion tier, a fence would be installed in the fill along the top row of the gabion wall. Construction of the gabion wall would require a total of approximately 8 cy of balanced cut and fill. After completion of the wall, it would be covered with an approximately 8 inch thick cap of soil, and native vegetation would be planted as part of the habitat restoration.

Testing in the bench created at the base of the gabion wall determined that archaeological materials visible on the surface in that area represent a secondary deposit that existed before the gabion wall was constructed (Lebow 2012). As stated above, these materials were pushed over the slope during grading of the beach road and were mixed with older terrace gravels, vegetation and construction debris. Because the site contains multiple components of differing ages (Romani et al. 2008), the secondary archaeological deposit at the gabion wall contains mixed components and is thus not significant. Consequently, installation of the gabion wall did not impact significant site deposits. Also, placement of the final tier of the wall would not impact any cultural resources.

- **Retention of access path to stream terrace.** This project element is outside of and below the area of significant site deposits.
- **Boulders for slope stabilization.** Boulders were placed along the slope above the path to the beach for stabilization. Other boulders were placed along the access path to the stream terrace. In both cases, the boulders are well below the depth of the archaeological deposit. Consequently, installation of the boulders did not impact significant archaeological deposits.
- **Stream terrace plantings.** The lower portion of the stream terrace where these planting occurred is located below the elevation of significant site deposits.
- **Seeding methods.** Changes to seeding methods would not affect significant portions of the archaeological site.
- **Planting area, density and species richness.** In general, changes to the planting area, density and species richness did not impact significant site deposits. The single exception is where trees were planted in the bench in the southeast-facing slope above the tertiary drainage. Archaeological testing near the bench excavated into the southeast-facing slope to plant a tree also found intact and significant site deposits in this area that were directly impacted by the landscaping. Impacts to the significant site deposits resulting from planting trees in the southeast-facing slope would be mitigated to less than significant with **Special Condition CulRes-1**, which requires the Owner/Applicant to fund an archaeological study to complete the previous Phase 2 work and perform analyses typical of a Phase 3 study on this material and material collected during AE's 2011 testing. Additional impacts resulting from the expansion of the area originally approved for planting would be reduced to less than significant with a condition that the significant area of the archaeological site be covered with a minimum of 1.5 ft of fill over geofabric with the exception of the northernmost portion of the site, where intact deposits are already overlain by about 2.6 ft of fill. The condition would require that ground disturbance for plantings located within the significant site area occur only within fill soil (**Special Condition CulRes-3**).
- **Conversion of existing lawn.** The proposed project would cover the existing lawn located to the east of the existing power pole with geofabric, then 18 inches of sterile fill material, and re-plant it with native species. All plantings would occur above the geofabric and entirely within the 18-inch layer of fill soils. Twelve-inch tall tree wells would be constructed on top of the geofabric layer around existing trees at the edge of the lawn area. Tree wells would also be constructed in this fashion in the area along the bluff near the split-rail fence to contain existing Eucalyptus trees. Impacts would be less than significant with implementation of **Special Condition CulRes-3**, which requires that ground disturbance for plantings located within the significant site area occur only within fill soil, and **Special Condition CulRes-5**, which requires that all ground disturbance associated with the proposed project be monitored by an archaeologist and Native American observer in accordance with County Cultural Resource Guidelines.

Demolition and removal of dwellings. The existing dwellings are located within the significant portion of CA-SBA-1566. Removal of the above-ground portions of the buildings would require heavy equipment for demolition and removal, which may disturb and/or crush underlying and surrounding intact site deposits. The project description requires that the structural footings remain in place to avoid direct impacts to significant underlying and surrounding deposits. Impacts would be less than significant with application of mitigation measures describing methods of structural demolition and removal (use of a thumbed excavator to grab pieces of structure and place them directly into a haul-away vehicle, all machinery to remain on the existing, gravel road (**Special Condition CulRes-2**)) and outlining requirements for the foundations to be left in place and covered with a cap of sterile nonreactive fill

underlain by geofabric (**Special Condition CulRes-3**). In addition, **Special Condition CulRes-4** requires a pre-construction meeting to brief contractors about the project's cultural resource related requirements. **Special Condition CulRes-5** requires that all ground disturbance associated with the proposed project be monitored by an archaeologist and Native American observer in accordance with County Cultural Resource Guidelines. Finally, **Special Condition CulRes-6** describes actions required in accordance with state law and County Guidelines in the event of an unanticipated discovery of features, diagnostic artifacts, or human remains.

Removal of retaining wall. The retaining wall is located between two areas of significant site deposits. Impacts would be less than significant with implementation of **Special Condition CulRes-05**, which requires archaeological and Native American monitoring of all earth-disturbing activities associated with the proposed project.

Removal of play structure. The existing play structure is a prefabricated unit that was placed on a frame of 2-inch by 6-inch lumber set directly on the ground. No ground disturbance is necessary for its removal.

Removal of water well and vault. The water well and vault are located below the level of the archaeological site and their removal would not affect the known resource. **Special Condition CulRes-6** (standard discovery clause) includes actions required in accordance with state law and County Guidelines in the event of an unanticipated discovery of features, diagnostic artifacts, or human remains.

Construction of fence. The split rail safety fence would be constructed entirely within the sterile fill cap above the geofabric. Impacts would be less than significant with implementation of **Special Condition CulRes-03**, which requires that the significant portions of the site be capped with sterile fill, and **Special Condition CulRes-7**, which requires placement of the fence and other landscaping within the fill and above the geofabric.

11CDH-00000-00054 –Construction of new Single Family Residence

Construction of new residence and related infrastructure, and removal and/or relocation of trees. Based on the results of AE's excavations, the new residence and associated infrastructure, including utility lines and drywells, are all located outside of the significant portion of CA-SBA-1566. This is The new house would be placed in the general location where, prior to current ownership of the property, a stable and corral area were located. This area contains redeposited (i.e. not intact) sediments containing a very low density of artifactual material that lacks the ability to address research questions. This portion of the site does not possess the data qualities that would contribute to the site's overall significance, and disturbance to this area would not affect the site's significance. However, it is possible, though unlikely, that isolated diagnostic artifacts, intact features or human remains could occur in the portions of the site such as this that lack integrity. Impacts from these unanticipated discoveries would be less than significant with incorporation of mitigation measures including **Special Condition CulRes-4**, (pre-construction meeting), **Special Condition CulRes-5** (Native American and archaeological monitoring), **Special Condition CulRes-6** (standard discovery clause) and **Special Condition CulRes-8** (compliance with plans). Finally, **Special Condition CulRes-7** requires that all development associated with this element of the project, including utilities and accessways, occur outside of the area mapped in Lebow 2012 (p.54) as significant. The exception is landscaping, which may occur within significant site areas if it is located entirely in fill above the geofabric described in **Special Condition CulRes-3**.

12TPM-00000-00006 - Lot Split

12TPM-00000-00006 is a request to split the existing, 10.25-acre lot into two parcels of 3.03 and 7.22 acres. Future development on each of the new lots has the potential to impact the significant portion of CA-SBA-1566. This impact would be less than significant with mitigation requiring that the significant portion of the site be identified on the recorded map as a development exclusion area (**Special Condition CulRes-8**). In addition, it is possible, although unlikely, that diagnostic artifacts, intact features or human remains could be present in the areas of the site not identified as significant. Impacts from these unanticipated discoveries would be less than significant with incorporation of mitigation measures including **Special Condition CulRes-4**, (pre-construction meeting), **Special Condition CulRes-5** (Native American and archaeological monitoring), and **Special Condition CulRes-6** (standard discovery clause). Finally, **Special Condition CulRes-7** requires that *all* development associated with this element of the project, including utilities and accessways, occur outside of the area mapped in Lebow 2012 (p.54) as significant. Landscaping may occur within significant site areas if it is located entirely in fill above the geofabric as described in **Special Condition CulRes-3**.

e) The property contains archaeological site CA-SBA-1566. Some aspects of the project reviewed in this document were conducted without permits and have already impacted intact, significant portions of this CRHR-eligible site. Local Native American consultants have participated in the past excavations at the site and Native American representatives identified by the Native American Heritage Commission (NAHC) were invited to attend three separate consultation meetings regarding development in the Loon Point area that were held at P&D on January 10, 2011, February 17, 2011 and June 28, 2011. Subsequent to these meetings, AE conducted testing to assess the impacts of unpermitted work and determine the intact, significant portions of the site in order to guide future development. This work was monitored by Native American observers. Subsurface testing conducted by AE in 2011 shows that all of the project elements that have not yet been implemented would avoid the significant, intact portions of the site. An additional consultation meeting with Native American representatives was conducted on July 17, 2013. As a result of the meeting, a site visit was scheduled. Native American representatives also requested monitoring during all earth disturbing activities, on-site re-interment of any human remains discovered during construction, curation of artifacts, and weekly updates provided to interested Native Americans by the designated Native American Monitor. Also, they requested that, in the event that human remains are found during construction, the Most Likely Descendent appointed by the Native American Heritage Commission not be the same individual as the on-site monitor. **Special Conditions CulRes 1, 5, and 6** reflect these requests.

The project includes permits for prior grading, removal of a water well and associated vault placed in the stream terrace by the previous owner, and revisions to a previously approved habitat restoration plan for the Toro Creek corridor. As described above, some of the work that was done without permits impacted significant portions of the site. A mitigation measure would be implemented requiring analysis and reporting of materials previously removed from the site. The existing buildings would be removed from the significant part of the site, leaving slab foundations in place, and the sensitive area would be capped with geofabric and sterile fill and excluded from any future development. The intact, significant portions of the site would be restricted from all future development via a separate sheet recorded with the map identifying the area as a "Development Exclusion Area". All ground disturbances for future development on the property would be required to be monitored by an archaeologist and Native American observer. Landscaping within the significant site area would be required to be installed above the geofabric and within the fill layer. In the unlikely event that human remains are encountered project conditions require that excavations would cease and Chumash representatives would be immediately consulted to determine the appropriate treatment of those ancestral human remains. Additional measures would be required to educate construction workers about the site's sensitivity and to strictly limit ground disturbance to areas explicitly designated on approved plans. Application of these mitigation measures (**Special Conditions CulRes 1-8**) would reduce impacts to less than significant.

f) The project would not increase the long-term potential for trespassing, vandalizing or sabotaging cultural or ethnic resources as there would be no change in the existing residential use of the site. The project could increase the short-term potential for vandalizing cultural resources during construction activities. This impact would be less than significant with incorporation of mitigation measures including **Special Condition CulRes-4**, (pre-construction meeting) and **Special Condition CulRes-5** (Native American and archaeological monitoring).

g) The site is not currently used for religious, sacred or educational purposes. No impacts would occur.

Cumulative Impacts: The project is located within a complex of significant prehistoric archaeological sites on Loon Point. In addition to the Beach Club project, there are two other related projects within this site complex. (“Related projects” are defined as “past, present and probable future projects producing related or cumulative impacts” to the proposed project (CCR § 15130 (b)(1)(A)).) These are briefly described below.

The first related project is a recently approved Coastal Development Permit for a new single family dwelling located south of Padaro Lane and east of Toro Creek. This project area contains sparse shellfish deposits. The Final Mitigated Negative Declaration for this project requires capping of site areas and a caisson-type foundation to mitigate cultural resource impacts to less than significant levels. The second related project is located directly east of the Beach Club property on the east side of Toro Creek. It consists of an issued permit to demolish a detached garage and portions of an existing house, and construct an addition to the dwelling on caisson foundations within a significant archaeological site. This area has experienced previous grading that moved or removed portions of the archaeological site. Thus, the cumulative baseline for this second project includes significant impacts to Loon Point’s cultural resources from past projects, and potentially significant impacts from proposed projects.

The Beach Club project has the potential to contribute to these cumulative impacts. However, the same mitigation measures that would reduce project-specific impacts to a less than significant level also would reduce the project’s contribution to cumulative impacts to a less than cumulatively considerable level. These measures include funding further studies designed to alleviate the cumulative impact. Specifically for this project, **Special Condition CulRes1** requires completion of study to complete the analysis of previously excavated materials, and creating a report that would contribute to the understanding of the entire prehistoric Loon Point site complex. **Special Conditions CulRes 2 through 5** call for carefully controlled removal of existing structures while leaving foundations in place, capping significant portions of the site, a preconstruction workshop, and monitoring of all ground disturbing activity. **Special Conditions CulRes 6, 7 and 8** specify actions that must be taken if features, diagnostic artifacts or human remains are identified during construction; require strict compliance with approved plans and location of landscaping above geofabric; and designates the significant area of the site as a development exclusion area. With implementation of these measures, the project’s impacts on the cultural resources of Loon Point would be less than cumulatively considerable.

Mitigation and Residual Impact: The following mitigation measures would reduce the project’s cultural resource impacts to a less than significant level:

1. **Special Condition CulRes-1: Analysis of Existing Collections.** The Applicant shall fund an archaeological study to complete the Phase 2 work begun by Compass Rose Archaeological, Inc. (Romani et al. 2008). Archaeological remains collected from intact site deposits by Applied EarthWorks, Inc. during an impact assessment (Lebow 2012) would be included in the Phase 2 completion study. Completing the Phase 2 work shall include:

- Sorting the remaining unsorted screen residues;
- Analysis of lithic debris (debitage, tools, and fire-altered rock);

- Identification of vertebrate faunal remains to the lowest possible taxa;
- Identification of invertebrate faunal remains to the lowest possible taxa
- Analyses of pigment and asphaltum; and
- Documentation of the results.

Using the materials recovered during the Compass Rose and Applied EarthWorks excavations, the Applicant shall also fund special studies typical of a Phase 3 investigation. Specifically, special Phase 3 studies shall include:

- Radiocarbon analysis sufficient to accurately delineate the chronology of site use;
- Identification of all shell beads and placement of the beads in the site chronology;
- Microscopic edge-wear analysis of all flaked stone tools;
- Archaeobotanical analysis of macrobotanical remains from flotation completed by Compass Rose;
- Geological sourcing and hydration rim measurement of obsidian specimens (if recovered); and
- Preparation of a Phase-3 level report. The report shall be synthetic by including both the Phase 2 and Phase 3 work. It shall provide a research design; present a site chronology; detail the results of the Phase 2 and Phase 3 technical analyses; and interpret the results. Interpretations shall consider the site in the context of data from a nearby site or sites. The report shall include an updated site form and shall be filed with the Central Coast Information Center at the University of California, Santa Barbara.

The Applicant shall fund curation, in perpetuity, of the cultural materials collected from the site.

Plan Requirements: The Owner/Applicant shall submit a work plan and timeline to the County for review and approval. After completion of the work, the Owner/Applicant shall submit the required archaeological studies for P&D review and approval. **Timing:** The work plan shall be submitted to the County prior to issuance of Coastal Development Permit for 11CDH-00000-00006. P&D planning staff shall approve the work plan prior to issuance of the Coastal Development Permit. The final report shall be submitted to P&D and shall be consistent with the approved proposal and timeline. Prior to issuance of 11CDH-00000-00006, the Owner/Applicant shall post a performance security prior to issuance of the Coastal Development Permit in the amount necessary to complete the analysis and prepare the report. **Monitoring:** P&D planning staff shall review and approve a draft study report prior to submittal of final report. The Owner/Applicant shall submit to P&D compliance monitoring staff the final report consistent with the approved proposal and timeline. The performance security shall be released upon satisfactory completion of the final report.

- 2. Special Condition CulRes-02: Structural Demolition & Retention of Foundations in Place.** In order to avoid disturbing the surrounding deposit, all structural foundations shall remain in place. All machinery used for structural demolition shall remain on the existing gravel road. Demolition shall be accomplished using an excavator with a thumb to remove pieces of the structure and put them directly into a haul away truck also parked on gravel road. Demolition may also be accomplished by use of hand tools. In the event that any portion of the existing residence cannot be reached by equipment parked on the road, the fill required in Special Condition CulRes-3 shall be spread in front of the excavator and, when geofabric and fill are in place per that condition, the excavator may park on it to reach those portions of the house than cannot be reached from the road. Debris shall not be piled on the ground but shall instead be placed directly into a haul-away vehicle. All structural foundations shall be left in place. The work shall proceed according to a demolition plan prepared by

a qualified archaeologist and approved by P&D. The demolition plan shall include both text and a large-scale figure suitable for guiding work in the field. All work related to structural demolition shall be guided by the archaeologist and monitored by an archaeologist and a Native American observer. **Plan Requirements and Timing:** The Owner/Applicant shall print this condition on all grading and building plans. Prior to issuance of the Coastal Development Permit the Owner/Applicant shall submit to P&D for review and approval, a contract or Letter of Commitment between the Owner/Applicant and the archaeologist consisting of a project description and scope of work (demolition plan), and once approved, shall execute the contract. The work shall be implemented after issuance of 11CDH-00000-00006 but prior to map recordation for 12TPM-00000-00006 and prior to issuance of 11CDH-00000-00054. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American observer and P&D grading inspectors shall spot check field work.

3. **Special Condition CulRes-03: Cap Significant Site Areas.** After demolition of the house and accessory structure, a layer of geotextile fabric and at least 18 inches of chemically inert fill shall be placed over the significant portions of the archaeological site identified in Lebow (2012, p. 54, Figure 4-2) and as shown on the grading plans associated with 11CDH-00000-00054 and 11CDH-00000-00006. The exception to this requirement is the northernmost lobe of the site identified as significant by Lebow (2012:54), which is located on both sides of the existing driveway. In that location, no fill is required because site deposits are already overlain by approximately 2.6 ft of fill. The work shall proceed according to a capping plan prepared with the assistance of a qualified archaeologist and approved by P&D. The capping plan shall include both text and a large-scale figure suitable for guiding work in the field. All work related to capping shall be guided by the archaeologist and monitored by an archaeologist and a Native American observer. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. The Owner/Applicant shall print this condition on all grading and building plans. Prior to issuance of the Coastal Development Permit for 11CDH-00000-00006, the Owner/Applicant shall submit to P&D for review and approval a contract or Letter of Commitment between the Owner/Applicant and a County-approved archaeologist consisting of a project description (fill plan) and scope of work and once approved by P&D, shall execute the contract. The fill plan shall be implemented after issuance of 11CDH-00000-00006 but prior to map recordation for 12TPM-00000-00006 and prior to issuance of 11CDH-00000-00054. Implementation of the fill plan shall be supervised by an archaeologist and monitored by a Native American observer. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the archaeologist and Native American monitor prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm that placement of fill conforms to the approved fill plan, and P&D grading inspectors shall spot check field work.
4. **Special Condition CulRes-04: Pre-Construction Workshop.** A pre-construction workshop shall be conducted to inform construction personnel about the archaeological issues on site. Prior to any and all ground disturbing activities, including but not limited to structural demolition and placement of geofabric and fill, a short pre-construction workshop shall be conducted by a qualified archaeologist and a local Native American (Chumash) observer. Attendees shall include all construction supervisors, other personnel and equipment operators. New operators or supervisors shall receive the briefing by the archaeologist and Native American observer prior to commencing work. The workshop shall:
 - a. Inform all workers of the cultural resource related conditions on the project, provide copies of conditions, and ensure that are understood.
 - b. Review the types of archaeological artifacts that may be found during construction and on the ground surface in the vicinity of the proposed project;
 - c. Provide examples of common artifacts to examine; and
 - d. Discuss prohibited activities, including unauthorized collection of artifacts and associated penalties.

A sign-in sheet shall be provided to document dates and names of persons attending. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be shown on all grading and building plans. **Monitoring:** P&D compliance monitoring staff shall confirm attendance. The Owner/Applicant shall include attendance sheets in the final monitoring report.

- 5. Special Condition CulRes-05: Cultural Resources Monitor.** For all current and future projects on both resultant parcels, the Owner/Applicant shall have all earth disturbances including scarification and placement of fill monitored by a P&D qualified archaeologist and a Native American observer in compliance with the provisions of the County Cultural Resource Guidelines. The Native American observer shall maintain a daily field log and share this information with interested Chumash individuals and tribal members on a weekly basis. In the event that human remains are discovered on site, and the Most Likely Descendent (MLD) appointed by the Native American Heritage Commission is the acting monitor, then a new monitor shall be retained so that the monitor is not the same individual as the MLD. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be shown on all building and grading plans. Prior to issuance of any Coastal Development Permit, the Owner/Applicant shall submit for P&D review and approval, a contract or Letter of Commitment between the Owner/Applicant and the archaeologist consisting of a project description and scope of work, and once approved, shall execute the contract. Prior to final building clearance issuance, a monitoring report shall be submitted to P&D. The report shall be written by the monitoring archaeologist and shall include the Native American observer's field log. The report shall also be submitted to the Central Coast Information Center at the University of California, Santa Barbara (CCIC). **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American observer and P&D grading inspectors shall spot check fieldwork.
- 6. Special Condition CulRes-06: Discovery of Features, Diagnostic Artifacts or Human Remains.** In the event that archaeological features such as hearths or burials are encountered, P&D shall be notified and work shall be stopped immediately. If human remains are encountered, then the County Coroner shall be immediately notified pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and such remains shall be treated in accordance with California Public Resources Code 5097.98. Intact features other than human remains shall be treated in accordance with County Cultural Resources Guidelines. Diagnostic artifacts shall be documented, collected and curated. Human remains shall be returned to the Most Likely Descendent (MLD) and may, at the discretion of the MLD, be re-buried in an area of the site that will not experience any further disturbance. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be printed on all grading and building plans. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American consultant and P&D grading inspectors shall spot check fieldwork. Prior to final building clearance issuance, the applicant shall demonstrate that any collected artifacts have been appropriately documented and curated with the remainder of the collection from the site.
- 7. Special Condition CulRes-07: Compliance with plans.** For all current and future projects on both resultant parcels, all development, including utilities and accessways, shall occur outside of the area mapped in Lebow 2012 (p.54) as significant. Habitat restoration and landscaping may occur within significant site areas only if it is located entirely in fill above the geofabric described in Special Condition CulRes-3. The exception to this requirement is the northernmost lobe of the site identified as significant by Lebow (2012:54), which is located on both sides of the existing driveway. In that location, no fill is required because site deposits are already overlain by approximately 2.6 ft of fill. All excavation for placement of plants must be located within the fill and above the geofabric (where

present). Construction of the split-rail safety fence shall also occur entirely above the geofabric and within the fill. If any trees within the significant site area are proposed for removal, either as part of this project or any future projects, they shall be cut off above the level of the geofabric; they shall not be dug out and the roots shall be left in place. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be printed on all grading and building plans. Prior to issuance of any CDPs, P&D shall confirm that plans show that any development is occurring solely outside of the significant portion of the site, and shall confirm that the locations and depths of the landscaping and split rail safety fence are above geofabric and in fill. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite archaeological monitor(s) prior to grading/building permit issuance and pre-construction meeting. Prior to the start of any ground disturbing activity and periodically thereafter, P&D compliance monitoring staff shall confirm with the archaeologist that all work is occurring outside of the mapped boundaries of the significant portion of the site or otherwise complies with requirements to be located within fill.

8. Special Condition CulRes-08: Development Exclusion Area. In order to protect on site cultural resources, the area mapped in Lebow 2012 (p.54, Figure 4-2) as significant shall be excluded from all future development with the exception of the following:

- Fill material would be placed on top of a geogrid fabric layer to protect significant cultural resources in accordance with the conditions included with the Parcel Map.
- Shallow-rooted landscaping would be placed entirely within the fill on top of the geogrid fabric.
- A protective fence would be installed along the bluff top, with fenceposts placed entirely in the fill soil above the geogrid fabric layer.
- The applicant could retain access to the beach via a small segment of unpaved roadway located in the narrow area between the lower and middle terraces. All other roadways must be located outside of the exclusion area.

Plan Requirements and Timing: This condition applies to 11CDH-00000-00006, 11CDH-00000-00054, and shall be recorded graphically with 12TPM-00000-00006. The area designated in Lebow 2012 (p. 54, Figure 4-2) as significant archaeological site shall be mapped graphically on a separate informational sheet and designated as “~~Environmentally Sensitive Development Exclusion Area~~”. This sheet shall be recorded with the final map. **Monitoring:** P&D shall ensure that this condition is met prior to map recordation.

With the incorporation of these measures, residual impacts to Cultural Resources would be less than significant (Class II).

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 lot split, Case No. 12TPM-00000-00006 would result in the creation of one, net new lot which would allow one, net new residence to be constructed onsite, and energy use is estimated as follows:

Energy Use:

Multiplier	Project Demand
Natural Gas (13.7 million BTU per capita ¹)	54.8 ² million BTU per year
Electricity (6.9 MWh/yr/home SCE) ³	27.6 ⁴ megawatt hours per year

In summary, the project would have minimal long term energy requirements and a negligible effect on regional energy needs. No adverse impacts would result.

Cumulative Impacts:

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

Mitigation and Residual Impact:

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

4.7 FIRE PROTECTION

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

Impact Discussion:

The project is not located within a High Fire Hazard Area, and does not involve new fire hazards. The project is located in an area with an adequate response time for fire protective services.

A condition letter was prepared by the Carpinteria/Summerland Fire District for the project (August 15, 2012) in which their standard conditions applicable to the project are articulated. Standard conditions applied to the project by the District include:

1. use of a knox-box system for the onsite entry gate,
2. accessways to conform to the requirements set forth in the Santa Barbara County Private Roads and Driveway Standards, Section 8 and the Carpinteria/Summerland Fire District Standard #1,
3. provisions for adequate fire hydrants and water supply,

¹ <http://apps1.eere.energy.gov/states/residential.cfm/state=CA#ng>

² Assumes 4 new residents

³ <http://enduse.lbl.gov/info/LBNL-47992.pdf>

⁴ Assumes 4 new residents

4. installation of automatic fire sprinklers in all new buildings, and
5. issuance of a Fire Protection Certificate prior to occupancy of the residence.

Mitigation and Residual Impact: With implementation of the conditions outlined in the Carpinteria/Summerland Fire District condition letter dated August 15, 2012, impacts to fire protection would be less than significant. No additional mitigation is necessary.

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.

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	

Setting/Special Studies:

The Loon Point Fault is shown on USGS maps to trend toward the project site approximately 150 feet north of the proposed single-family residence on Proposed Parcel A. A preliminary Geologic Investigation by Adam Simmons, consulting geologist (dated October, 2006) was prepared to analyze the sea cliff retreat rate and slope stability of the on-site coastal bluff and a several Geotechnical Engineering Reports were developed by Earth Systems which studied potential onsite geologic hazards including seismic impacts, the potential for liquefaction and the location of the Loon Point Fault. Those reports included the following:

- [-Geotechnical Engineering Report, Proposed Single Family Dwelling and Barn, April 30, 2012 \(Revised September 17, 2012\),](#)

- Addendum to Second Response to County of Santa Barbara Peer Review dated June 19, 2013,
- Second Response to County of Santa Barbara Peer Review dated May 14, 2013,
- Fault Rupture Hazard Report dated August 29, 2012, a Fault Rupture Hazard Report, Proposed Single Family Dwelling and Barn, dated August 29, 2012 (Revised September 17, 2012) ~~and a~~
- Seismic Refraction Investigation Geophysical Survey, GEOVision Geophysical Services, Inc. dated August 14, 2012.

The updated Earth Systems Geotechnical Engineering report also supports the Simmons bluff retreat study with additional information and conclusions. The final report identified both slope stability and bluff retreat setbacks. The bluff retreat reports, in combination with the proposed house design, were peer reviewed by the County's contract geologist, GeoDynamics and accepted as adequate (June 19, 2013).

Thresholds:

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

1. The project site or any part of the project is located on land having substantial geologic constraints, as determined by 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) The Loon Point Fault is shown on USGS maps to trend toward the project site in the area approximately 150 feet north of the proposed residence on Proposed Parcel A. However, "no faults or landslides were encountered during field studies" during the site investigation performed by Earth Systems in conjunction with their technical report. Additionally, and in association with a separate but recent development project, Campbell Geo conducted extensive exploratory trenching on the Cameron property directly to the east of the subject site (Campbell Geo evaluation dated December 29, 2008) in an attempt to find the Loon Point Fault but was also unable to do so. Regardless of the inability to physically identify the Loon Point fault in field studies, it is considered to be "potentially active" and located somewhere in the vicinity of the northern portion of the property near Padaro Lane. The setback for the residence from the estimated location of the fault line is approximately 150 feet which is greater than the minimum setback (50 feet) by the California Building Code (CBC) from an active fault line. As such, the "the potential for fault rupture hazard below the residence is low" according to Earth Systems.

A Fault Rupture Hazard Report was however prepared in August 29, 2012 which included a seismic refraction investigation to locate the fault. The report concluded that the fault appears to be either concealed below the thick older alluvium section (at least 50 feet thick based on borings and sea cliff exposures), located offsite

based on the measured directional trend at its sea cliff exposure, and/or the compressional tectonic forces have only created folding, not faulting within the Casitas Formation/Marine-terrace deposits below the site. Because there are no faults crossing the subject site near the ground surface, there are no structural setbacks required.”

The Summerland Community Plan resource map identifies the area surrounding Toro Canyon Creek including areas of the project site as having a “moderate” potential to host liquefiable soils. Because the site contains no groundwater down to a depth of at least 50 feet, the Earth Systems report states, “the conditions for liquefaction potential are not present at the site and the potential for liquefaction related settlement is low.” Therefore, no impacts due to liquefaction are anticipated in association with the proposed project.

All soils-related hazards would be reduced to a less than significant level through implementation of standard recommendations contained in the Earth Systems report. Impacts are considered less than significant.

b, i) The proposed project includes as-built grading of approximately 341 cubic yards of cut and 3,390 cubic yards of fill, consisting of 66 cubic yards of cut to widen the existing driveway, 275 cubic yards of cut to improve the access road to beach, and 3,390 cubic yards of fill placed in the area of the previously permitted watchman’s trailer. In addition, placement of the gabion wall involved about 8 cubic yards of balanced cut and fill. Only minor ground disturbance associated with plant placement would be required to implement the remainder of the habitat restoration plan. No grading would be associated with removal of the existing house and accessory structure since the existing slab foundations would be left in place.

Grading associated with development of the proposed single-family residence on Proposed Parcel A would total approximately ~~4,150~~ 1,030 cubic yards of cut and ~~3,450~~ 3,055 cubic yards of fill with ~~2,300~~ 2,025 cubic yards import. Future development of a new single-family residence with associated accessory structures on Proposed Parcel B would be expected to be minimal since the topography within the proposed building envelope of Parcel B is relatively flat. Approximately 2,815 cubic yards of fill material would be placed over sensitive areas across both proposed Lots in order to protect them from further disturbance.

While a large amount of material has been manipulated onsite in conjunction with the unpermitted work, some by previous owners of the property, it has not, and would not, significantly alter the site’s topography. The amount of past and proposed grading is not considered extensive or excessive given the scope of development included in the project and the variable topography of the areas of the site where work has been undertaken. Impacts are considered less than significant.

c) Predictions about the long-term effects of global climate change include rising sea levels due to the melting of glaciers and thermal expansion. Rising sea-levels caused by global climate change could increase the rate of coastal-bluff retreat due to scouring of the base of bluffs. Although the exact rate of potential sea level rise cannot be determined, the Intergovernmental Panel on Climate Change⁵ predicts that sea levels could possibly rise between 50 and 90 centimeters (approximately 1.6-to-3 feet) by the year 2100. Since the project includes areas subject to coastal erosion, coastal bluff retreat has been modeled for the project location.

A preliminary Geologic Investigation (Adam Simmons, October, 2006) was prepared to analyze the sea cliff retreat rate and slope stability of the on-site coastal bluff. The investigation revealed that the bluff is retreating at a rate of approximately 3.4 inches per year on average. Using a design life of 75 years (Santa Barbara County and California Coastal Commission Guidelines), the total theoretical sea cliff retreat during that time would be approximately ~~24~~ 31 feet from its present location. ~~The California Coastal Commission Guidelines for calculating bluff retreat setbacks require an additional 10 feet be added to the retreat rate for a total setback of 31 feet in the instant case.~~ The June 18, 2013 Earth Systems report, which

⁵ The Intergovernmental Panel on Climate Change is a scientific intergovernmental body set up by the World Meteorological Organization (WMO) and by the United Nations Environment Program (UNEP).

acts to supplement the Simmons bluff retreat information, identifies an additive “factor of safety” setback of 40 feet to be added to the 75-year sea cliff retreat rate to ensure any structure present is still located safely after the 75 year design life. When the 31-foot retreat distance is added to the 40-foot factor of safety setback, the total setback for structures on the property is 71 feet. The residence to be located on Parcel A ~~is proposed to be located approximately 60 feet from the bluff edge but would be cantilevered onto foundations located~~ would be located 74 ft from the bluff edge. ~~at or outside the recommended 71-foot setback and t~~ Therefore, the proposed structure would be adequately set back from the bluff edge to and would meet the Coastal Commission Setback Guidelines. ~~for determining bluff retreat setbacks.~~

Proposed Parcel B would include ~~an “exclusion zone”precluding structural development everywhere within 150 feet from the bluff edge~~ a building envelope located a minimum of 71 ft from the bluff edge. As such, no geologic hazards related to bluff retreat would result due to project implementation and no impacts would occur.

e, f) The property’s bluff edge represents a relative “high point” on the site which directs drainage away from it and the existing site contours bring stormwater drainage from the western portions of the site to the southeastern corner of the site where it is discharged into Toro Canyon Creek. Stormwater is gathered and disbursed into the creek channel in a non-erosive manner through a series of rock-lined swales, bio-swales and a desiltation pond located in the stream terrace. Additionally, the proposed restoration and enhancement of riparian vegetation in the stream terrace area would include the installation of several smaller bio-swales in the lower stream terrace which would act to gather stormwater, strengthen the surrounding soil stability and protect the area from future erosion. A secondary point of stormwater collection and discharge into the creek is located in the northeastern portion of the site but this feature would be left alone as part of the project to maintain the natural erosion patterns in the northern portion of the site. Long-term operational impacts associated with erosion and sedimentation are considered less than significant.

Grading operations associated with the proposed project needed to cap sensitive areas on Proposed Parcel B and for development of the residence on Proposed Parcel A would remove vegetative cover and disturb the ground surface, thereby increasing the potential for erosion and sedimentation impacts during construction and grading activities. These impacts are considered potentially significant. However, the potential for the project to cause substantial erosion and sediment transport would be adequately mitigated by the County’s standard erosion and sediment control requirements and development of a Stormwater Pollution Prevention Plan (SWPPP) described in the below mitigation measure.

d, g – l) The project would not cause the destruction, covering or modification of any unique geologic, paleontologic or physical features. The project would not involve mining, the loss of topsoil, or construction-related vibrations.

Cumulative Impacts: Since the project would not result in significant geologic impacts, it would not have a cumulatively considerable effect on geologic hazards within the County.

Mitigation and Residual Impact:

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

- 1. Special Geologic Protection Measures.** For all current and future projects on both resultant parcels, all construction techniques and onsite development shall conform to the recommendations contained in the relevant Geotechnical Engineering Reports prepared by Earth Systems **PLAN REQUIREMENTS:** For proposed development on both newly created parcels, the Owner/Applicant shall submit a soils engineering study addressing structure locations and access road(s) to determine structural design criteria. 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 approval of Coastal Development Permits. **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.

2. **WatConv-03: Erosion and Sediment Control Revegetation.** For all current and future projects on both resultant parcels, the Owner/Applicant shall revegetate 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 reseeded 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 one week of work stoppage or completion of work. **MONITORING:** The Owner/Applicant shall demonstrate compliance to grading and building inspectors in the field.

3. **WatConv-07: SWPPP.** The Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board. **TIMING:** Prior to issuance of the first Grading Permit on the resultant parcels, the Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to P&D. The Owner/Applicant shall keep a copy of the SWPPP on the project site during grading and construction activities. **MONITORING:** P&D compliance monitoring staff shall site inspect during construction for compliance with the SWPPP.

With the incorporation of this measure, 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	

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
h. The contamination of a public water supply?				X	

Threshold: The County’s safety thresholds address involuntary public exposure from projects involving significant quantities of hazardous materials. The thresholds address the likelihood and severity of potential accidents to determine whether the safety risks of a project exceed significant levels.

Impact Discussion:

a-h) The proposed project is residential in nature and would result in the potential development of one, net new single-family residence due to the requested lot split. The use of common household materials (cleaners, garden and automotive products, etc.) on the project site would not result in significant hazardous materials/waste impacts. Traffic that would be generated by the project would not substantially interfere with emergency response capabilities to the project site or to other properties in the project area. The project would not result in a public health or safety hazard or the contamination of a public water supply.

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

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	

Existing Setting: Existing onsite development includes two structures over 50 years in age including the existing residence and a residential accessory structure. A historic letter report addressing the importance of these structures was prepared by San Buenaventura Research Associates dated March 13, 2007. San Buenaventura Research Associates is listed on the County’s list of pre-qualified historians. San Buenaventura Research Associates determined that the structures were constructed sometime around 1944 on a nearby military base and moved to the property in the late 1940’s. The report determined the existing structures not to be historically significant and further stated that no impacts to historic resources would result from demolition and removal of the structures.

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

Impact Discussion: Although the proposed project involves the demolition of structures greater than 50 years in age, in accordance with the conclusions of the aforementioned historic report, they do not meet

the County’s criteria for historical significance. No project components, including structures, landscaping, or other land alterations would affect historical resources onsite, nor would any project component significantly alter the setting or character of known historic resources in the vicinity. Therefore, no impacts to historic resources would occur upon project implementation.

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

Mitigation and Residual Impact: No impacts to historic resources would occur and therefore, no mitigations are necessary.

4.11 LAND USE

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
a. Structures and/or land use incompatible with existing land use?				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	
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	

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: The project would not be growth inducing, and would not result in the loss of affordable housing, loss of open space, or a significant displacement of people. The project would not involve the extension of a sewer trunk line, and would not conflict with any airport safety zones. The project would be compatible with existing land uses. The project would result in potentially significant impacts associated with conflicts with land use policies adopted for the purposes of mitigating environmental effects. These conflicts are mitigated by measures contained herein.

Mitigation and Residual Impact: As mitigated by the measures identified throughout this document, the project’s residual impacts would be less than significant.

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.

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.

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 residences located within 1,600 feet of the project’s construction footprint.

Impact Discussion:

a, c) The proposed project includes the construction of a new residence and a lot split which could result in the development of one, net new single-family residence. Long-term noise generated onsite from the residential uses 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. No impacts would occur.

b) The proposed project includes construction and grading activities which would generate short-term noise impacts exceeding County thresholds. Impacts would be less than significant with the following mitigation measure limiting work hours from 7a.m. to 4p.m.

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 measures would reduce the project’s noise effects to a less than significant level:

1. **Noise-02:** Construction activity for site preparation and for future development shall be limited to the hours between 7:00 a.m. and 4:00 p.m., Monday through Friday. No construction shall occur on State holidays (e.g., Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions. **Plan Requirements:** Three signs stating these restrictions shall be provided by the applicant and posted on site. **Timing:** Signs shall be in place prior to beginning of and throughout grading and construction activities. Violations may result in suspension of permits. **MONITORING:** Building Inspectors and Permit Compliance shall spot check and respond to complaints.

With the incorporation of this measure, 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	

Impact Discussion: The proposed project would result in the construction of one new residence and a lot split which could result in the construction of one additional net, new residence within the project 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. The proposed project would not generate solid waste in excess of County thresholds. The project proposes to utilize private septic disposal systems for wastewater disposal on both resultant lots, and the proposed new system for Parcel A has been found adequate to serve the currently proposed residence. Additionally, Proposed Parcel B would have adequate septic disposal capacity per Environmental Health Services (Environmental Health Services condition letter dated March 28, 2013). The project site is currently served potable water by the Montecito Water District who provided a Can and Will Serve letter for the lot split portion of the project dated December 15, 2011.

The proposed project would create new impervious surfaces that could result in greater surface runoff from the site since there would be less undeveloped area capable of absorbing rainwater. However, this increased surface runoff would be minor relative to the 10.25-acre site and would be accommodated by the use of rock-lined swales, vegetated swales and energy-dissipaters installed at the termini of drain lines. No additional

drainage or water quality control facilities would be necessary to serve the project. Therefore, the project would have no impact to public facilities.

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

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	X	
c. Substantial impact on the quality or quantity of existing recreational opportunities (e.g., overuse of an area with constraints on numbers of people, vehicles, animals, etc. which might safely use the area)?				X	

Setting: A recorded lateral public beach access easement exists along the sandy beach in front of the subject parcel extending from the toe of the coastal bluff to the water’s edge. Additionally, a “possible future trail” is shown in a vertical configuration on the Summerland PRT map across the subject property within the banks of Toro Canyon Creek connecting Padaro Lane with the sandy beach. Vertical public beach access currently exists approximately ¼ mile to the west at the Loon Point beach access path which connects the public parking lot at Padaro Lane with the sandy beach. An existing, undeveloped public access easement exists approximately one mile to the east of the creek.

Impact Discussion: A “potential future trail” is shown in a vertical configuration on the Summerland PRT map along the eastern boundary of the subject property within the Toro Canyon Creek banks. As described above, a public beach access currently exists approximately ¼ mile to the west at the Loon Point beach access path; an additional vertical public easement to the beach from Padaro Lane is located approximately 1 mile to the east of Toro Canyon Creek. The “possible future trail” is located within a riparian corridor that has been thoroughly restored as resolution of a Coastal Commission appeal, and is immediately adjacent to (and possibly within) a significant cultural resource. The trail has not received significant use in approximately 15-20 years based on statements from several members of the public. The addition of one new lot and one single-family dwelling would not impact any existing trails or recreational facilities. The proposed project would not approach any threshold that would legally require exaction of a trail over this property or an additional vertical access point to the beach in the Loon Point area. As a result, ~~Therefore~~ the Santa Barbara County Community Services Department – Parks Division will not request the applicant dedicate an easement for public access as part of the project as it has been determined that the necessary nexus is not present for exaction, and will provide a condition letter for the project prior to decision-maker action.

The project includes a lot split resulting in the creation of one net, new lot which would allow for the potential future development of one, net new residence at the project site. The development of one new residence would place a minimal burden on recreational facilities in the surrounding area. As such, the proposed project does not provide the needed proportionality of impacts to recreation in order to require dedication of the vertical access trail easement as identified in the Summerland PRT map.

As part of the lot split, the applicant would be required to pay a development impact mitigation fee (DIMF) for County Parks to offset the demand on recreation created by the new residential lot. The proposed project would not result in a significant population increase and would have no adverse impacts on the quality or quantity of existing recreational opportunities, either in the project vicinity or County-wide. No adverse impacts would result.

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

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

4.15 TRANSPORTATION/CIRCULATION

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

Impact Discussion:

The lot split portion of the proposed project would result in the construction of one net, new single-family residence and, as such, would add 10 average daily trips and 1 peak hour trip to area roadways, a negligible increase over existing traffic levels. Levels of service would not be affected. The project would not result in an increase in traffic, pedestrian, or bicycle safety hazards. The project’s effect on transportation modes would therefore be less than significant.

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

4.16 WATER RESOURCES/FLOODING

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
a. Changes in currents, or the course or direction of water movements, in either marine or fresh waters?				X	
b. Changes in percolation rates, drainage patterns or the rate and amount of surface water runoff?			X		

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
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 uses⁶ 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 project would not result in changes in currents, or the course or direction of water movements, in either marine or fresh waters. Conversely, it would reduce the potential for slope failure of the bank at the mouth of Toro Canyon Creek that could have impacted Toro Canyon Creek in this way.

b-d) The project would create minor amounts of additional storm water runoff as a result of newly constructed impermeable surfaces (i.e. structures, driveways, patios, etc.) associated with the proposed residence on Proposed Parcel A and future residential development to be located on Proposed Parcel B. Construction activities such as grading could also potentially create temporary runoff and erosion problems.

The project includes a previously constructed, rock-lined bio-swale in the southeastern portion of the site that would accommodate the majority of onsite stormwater flows and direct stormwater to Toro Canyon Creek in a non-erosive manner. An existing, secondary drainage feature which would not be altered by the project is located approximately 200 feet to the north which would guide a lesser volume of stormwater from the northern portion of the site, down the bank of the "upper terrace" and into Toro Creek. Installation of the vegetated bio-swales in the southeastern portion of the site would increase the contact of stormwater flows with natural vegetation and thus provide for more cleanly stormwater outflows to the creek. With development of the proposed swales and application of standard County grading, erosion, and drainage-control measures, impacts related to erosion from storm water runoff would be less than significant.

h, i) The project would be supplied potable water from the Montecito Water District through an existing water meter. Irrigation water for landscaping and restoration activities is currently supplied by two onsite

⁶ 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.

private wells, one of which was fully permitted by the County's Environmental Health Department and received a Coastal Development Permit (CDP), the second of which was permitted by the County's Environmental Health Department but never received land use approval through a CDP. The second wellhead is located within the site's Toro Canyon Creek lower stream terrace in the northeastern portion of the site and would be removed as part of the project. Both wells extract their water from the Toro Canyon sub-basin of the Carpinteria groundwater basin (Santa Barbara County 2011 Groundwater Report dated May 1, 2012). Since the volume of water extracted annually does not exceed the basin's safe yield, this basin is not overdrafted. Removal of one of the existing two onsite wells would act to lessen the project site's use of water from the Carpinteria basin. The project's impact on water supplies is therefore less than significant.

j) The proposed use of septic systems would contribute in an adverse but less than significant manner to regional degradation of groundwater quality.

l) While the project would involve the use of fertilizers, pesticides, and household cleaners and chemicals associated with the residential uses, given its scope, the project would be expected to generate only minor amounts of storm water pollutants. Minor amounts of such household hazardous material would not present a significant potential for release of waterborne pollutants and would be highly unlikely to create a public health hazard.

Materials used in the construction of the project (e.g., wash water, paint, solvents, concrete, etc.), if not contained properly, could be carried to nearby Toro Canyon Creek and compromise water quality and degrade sensitive habitat. This impact is considered potentially significant. The project also includes restoration and enhancement of several acres of riparian habitat including bioswales that would function to partially filter these materials.

f) Predictions about the long-term effects of global climate change include rising sea levels due to melting of glaciers and thermal expansion. Rising sea levels could increase the incidence of flooding in coastal areas with altitudes at or near sea-level. Although the exact rate of future sea level rise is unknown, the Intergovernmental Panel on Climate Change has estimated that sea levels may rise between 50 and 90 centimeters (approximately 1.6-to-3 feet) by the year 2100.⁷ Although the project does involve lands near sea level, the area proposed for development is situated approximately 50 feet above current sea level and set back from the edge of bluff to adequately protect structures on both resultant parcels through the 75-year planning horizon applied to the bluff-retreat scenario. No impacts would occur.

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

Mitigation and Residual Impact: Mitigation measure **WatConv-05: Equipment Washout-Construction** applied in section 4.4 (Biological Resources) would reduce the project's water resource impacts to a less than significant level:

5.0 INFORMATION SOURCES

5.1 County Departments Consulted

Fire, Public Works, Flood Control, Parks, Environmental Health

5.2 Comprehensive Plan

⁷ The Intergovernmental Panel on Climate Change is a scientific intergovernmental body set up by the World Meteorological Organization (WMO) and by the United Nations Environment Programme (UNEP).

<input type="checkbox"/>	Seismic Safety/Safety Element	<input type="checkbox"/>	Conservation Element
<input type="checkbox"/>	Open Space Element	<input type="checkbox"/>	Noise Element
<input checked="" type="checkbox"/>	Coastal Plan and Maps	<input type="checkbox"/>	Circulation Element
<input type="checkbox"/>	ERME	<input type="checkbox"/>	

5.3 Other Sources

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

6.0 PROJECT SPECIFIC AND CUMULATIVE IMPACT SUMMARY

Project Specific Impacts:

Class I Impacts: None

Class II Impacts: Aesthetic/Visual Resources, Air Quality, Biological Resources, Cultural Resources, Fire Protection, Geologic Resources, Noise and Water Resources

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

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact	Reviewed Under Previous Document
2. Does the project have the potential to achieve short-term to the disadvantage of long-term environmental goals?				X	
3. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects and the effects of probable future projects.)			X		
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X	
5. Is there disagreement supported by facts, reasonable assumptions predicated upon facts and/or expert opinion supported by facts over the significance of an effect which would warrant investigation in an EIR ?				X	

1. As discussed in this document, the project does have the potential to substantially degrade the quality of the environment and/or substantially reduce the habitat of a fish or wildlife species. However, the mitigation measures included to reduce these impacts to the extent feasible would reduce potential impacts to less than significant levels.

The project does not have the potential to 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 does not have the potential to achieve short-term, to the disadvantage of long-term environmental goals.
3. As mitigated, the project does not create impacts that are individually limited, but cumulatively considerable.

Specifically, with respect to archeological resources, the project is located within a complex of significant prehistoric archaeological sites on Loon Point. In addition to the Beach Club project, there are two other related projects within this site complex. (“Related projects” are defined as “past, present and probable future projects producing related or cumulative impacts” to the proposed project (CCR § 15130 (b)(1)(A)).) These are briefly described below.

The first related project is a recently approved Coastal Development Permit for a new single-family dwelling on the east side of Toro Creek and to the north of the proposed project. This project area contains sparse shellfish deposits. The Final Mitigated Negative Declaration for this project requires capping of site areas and a caisson-type foundation to mitigate cultural resource impacts to less than significant levels. The second related project is located east of the Beach Club parcel. It consists of an issued permit to demolish a detached garage and portions of an existing house, and construct an addition to the dwelling on caisson foundations within a significant archaeological site. This area has experienced previous grading that moved or removed portions of the archaeological site. Thus, the

cumulative baseline for that project includes significant impacts to Loon Point's cultural resources from past projects, and potentially significant impacts from proposed projects.

The Beach Club project has the potential to contribute to these cumulative impacts. However, the same mitigation measures that would reduce project-specific impacts to a less than significant level also would reduce the project's contribution to cumulative impacts to a less than cumulatively considerable level. These measures include funding further studies designed to alleviate the cumulative impact. Specifically for this project, **Special Condition: CulRes1** requires completion of study to complete the analysis of previously excavated materials, and creating a report that will contribute to the understanding of the entire prehistoric Loon Point site complex. Other mitigation measures consist of carefully controlled removal of existing structures, capping significant portions of the site, designation the significant area of the site as a development exclusion area and monitoring of all ground disturbing activity. With implementation of these measures, the project's impacts on the cultural resources of Loon Point would be less than cumulatively considerable.

4. As mitigated, the project does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.
5. There is no 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 associated with this project.

8.0 PROJECT ALTERNATIVES

As no potentially significant, adverse unmitigable impacts would result from the proposed development, project alternatives have not been evaluated.

9.0 POLICIES APPLICABLE TO THE PROJECT

Coastal Land Use Plan Policies

Coastal Land Use Plan Policy 2-6: *Prior to issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development. The applicant shall assume full responsibility for costs incurred in service extensions or improvements that are required as a result of the proposed project. Lack of available public or private services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the land use plan.*

Coastal Land Use Plan Policy 2-11: *All development, including agriculture, adjacent to areas designated on the land use plan or resources maps as environmentally sensitive habitat areas, shall be regulated to avoid adverse impacts on habitat resources. Regulator measures include, but are not limited to, setbacks, buffer zones, grading controls, noise restrictions, maintenance of natural vegetation, and control of runoff.*

Coastal Plan Policy 3-12: *Permitted development shall not cause or contribute to flood hazards or lead to expenditure of public funds for flood control work, i.e., dams, stream channelizations, etc.*

Coastal Land Use Plan Policy 3-13: *Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.*

Coastal Land Use Plan Policy 3-14: *All development shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited for development because of known soils, geologic, flood, erosion, or other hazards shall remain in open space.*

Coastal Land Use Plan Policy 3-15: *For necessary grading operation on hillsides, the smallest practical area of land shall be exposed at any one time during development, and the length of exposure shall be kept to the shortest practicable amount of time. The clearing of land should be avoided during the winter rainy season and all measures for removing sediments and stabilizing slopes should be in place before the beginning of the rainy season.*

Coastal Land Use Plan Policy 3-16: *Sediment basins shall be installed on the project site in conjunction with the initial grading operations and maintained throughout all development process to remove sediment from runoff waters. All sediment shall be maintained onsite unless removed to an appropriate dumping location.*

Coastal Land Use Plan Policy 3-17: *Temporary vegetation, seeding, mulching, or other suitable stabilization method shall be used to protect soils subject to erosion that have been disturbed during grading or development. All cut and fill slopes shall be stabilized immediately with planting of native grasses and shrubs, appropriate nonnative plants, or with accepted landscaping practices.*

Coastal Plan Policy 3-18: *Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as result of development. Water runoff shall be retained onsite whenever possible to facilitate groundwater recharge.*

Coastal Land Use Plan Policy 3-19: *Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.*

Coastal Plan Policy 4-3: *In areas designated as rural on the land use plan maps, the height, scale and design of structures shall be compatible with the character of the surrounding natural environment. Structures shall be subordinate in appearance to natural landforms, shall be designed to follow the natural contours of the landscape, and shall be sited so as not to intrude into the skyline as seen from public viewing places.*

Coastal Plan Policy 7-2: *For all development^{*****} between the first public road and the ocean granting of an easement to allow vertical access to the mean high tide line^{*****} shall be mandatory unless:*

- (a) *Another more suitable public access corridor is available or proposed by the land use plan within a reasonable distance of the site measured along the shoreline, or*

^{*****} Policies 7-2 and 7-3 shall not apply to developments excluded from the public access requirements of the Coastal Act by PRC Section 30212 or to development incidental to an existing use on the site.

^{*****} The mean high tide line (ordinary high water mark) is an ambulatory line which may vary over time as a result of climatic and other influences. The line is the normal or average inland extent of tidal influence.

- (b) *Access at the site would result in unmitigable adverse impacts on areas designated as "Habitat Areas" by the land use plan, or*
- (c) *Findings are made, consistent with Section 30212 of the Act, that access is inconsistent with public safety, military security needs, or that agriculture would be adversely affected, or*
- (d) *The parcel is too narrow to allow for an adequate vertical access corridor without adversely affecting the privacy of the property owner. In no case, however, shall development interfere with the public's right of access to the sea where acquired through use unless an equivalent access to the same beach area is guaranteed.*

The County may also require the applicant to improve the access corridor and provide bike racks, signs, parking, etc.

Coastal Land Use Plan Policy 9-1: *Prior to issuance of a development permit, all projects on parcel shown on the land use plan and/or resource maps with a Habitat Area overlay designation or within 250 feet of such designation or projects affecting an environmentally sensitive habitat area shall be found to be in conformity with the applicable habitat protection policies or the land use plan. All development plans, grading plans, etc., shall show the precise location of the habitat(s) potentially affected by the proposed project. Projects which could adversely impact an environmentally sensitive habitat area may be subject to a site inspection by a qualified biologist to be selected jointly by the County and the applicant.*

Coastal Plan Policy 9-35: *Oak trees, because they are particularly sensitive to environmental conditions, shall be protected. All land use activities, including cultivated agriculture and grazing, should be carried out in such a manner as to avoid damage to native oak trees. Regeneration of oak trees on grazing lands should be encouraged.*

Coastal Plan Policy 9-36: *When sites are graded or developed, areas with significant amounts of native vegetation shall be preserved. All development shall be sited, designed, and constructed to minimize impacts of grading, paving, construction of roads or structures, runoff, and erosion on native vegetation. In particular, grading and paving shall not adversely affect root zone aeration and stability of native trees.*

Coastal Land Use Plan Policy 9-37: *The minimum buffer strip for major streams in rural areas, as defined by the land use plan, shall be presumptively 100 feet....Riparian vegetation shall be protected and shall be included in the buffer.*

Coastal Act Policy 30231: *The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of wastewater discharges and entrainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface waterflow, encouraging wastewater reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

Coastal Act Policy 30240:

- (a) *Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.*
- (b) *Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.*

Coastal Plan Policy 10-2: *When developments are proposed for parcels where archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible.*

Coastal Act Policy 30244: *Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.*

Coastal Act Policy 30251: *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.*

Summerland Community Plan Policies

Policy WAT-S-2: *Prior to approval of any discretionary project which would result in a net increase in water use, a finding shall be made that the existing water supply available is sufficient to serve existing commitments.*

Policy AQ-S-1: *The County shall impose appropriate restrictions and control measures upon construction activities associated with each future development project, in order to avoid significant deterioration of air quality.*

Policy BIO-S-1: *Environmentally Sensitive Habitat areas within the Community Plan Study Area shall be protected, and where appropriate, enhanced.*

Development Standard BIO-S-1.1: *The County shall require appropriate protection measures (e.g. fencing) where necessary to protect sensitive biological resources during all construction.*

Development Standard BIO-S-1.2: *All new development within 100' of an Environmentally Sensitive Habitat, including but not limited to, riparian, oak or willow woodlands, and coastal sage scrub shall be required to provide for setbacks or undeveloped buffer zones (possibly through open space easements) from these habitats. Staff shall refer to the Summerland Biological Resources Map for information on the location of native habitats, as well as referring to other available data (i.e., other maps, studies or observations). Installation of landscaping with compatible native species may be required within the buffer zone to offset impacts to sensitive habitats from development and increased human activities onsite. If the project would result in potential disturbance to the habitat, a restoration plan shall be required. When restoration is not feasible onsite, offsite restoration may be considered.*

Development Standard BIO-S-1.6: *Where sensitive or valuable biological resources occur within or bordering a project site, a County approved biologist or other experienced individual acceptable to the County may be required to monitor construction within/bordering the resource area as determined necessary by RMD.*

Policy BIO-S-6: *To the maximum extent feasible, specimen trees shall be preserved and the planting of new trees shall be required. For the purposes of this policy, specimen trees are defined as those having unusual scenic or aesthetic quality, serving as known raptor nesting or key roosting sites, having important historical value, are unique due to species type or location or have been defined as a significant biological resource in a certified environmental document. Typically, non-native trees of less than 25 inches in diameter at breast height may not qualify as specimens.*

Development Standard BIO-S-6.3: *All existing native trees shall be preserved to the maximum extent feasible in new development. If preservation is not possible, a replacement planting program shall be required.*

Development Standard BIO-S-6.4: *Tree protection plans shall be required for all new development where native and specimen trees may be impacted by new development.*

Development Standard BIO-S-6.5: *Where trees may be impacted by new development, a Tree Protection Plan may be required where either the project site contains native or other biologically valuable trees (i.e., oaks, willows, sycamores, cottonwoods, cypress, eucalyptus,) or where such trees on adjacent properties have driplines which reach onto the project site. The requirement for a Tree Protection Plan may be modified or deleted where it can be found that no trees (proposed to be retained) would be potentially damaged by the project activities. This decision shall be based on the location of trees and the project's potential to directly or indirectly damage trees through such activities as grading, brushing, construction, vehicle parking, supply/equipment storage, trenching or the proposed use of the property. The Tree Protection Plan shall be developed at the applicant's expense and should be prepared by a County approved arborist/biologist as determined to be necessary by the County. The plan must be approved by RMD prior to issuance of a Coastal Development Permit. The plan shall be included on all grading and building plans. The County's standard Tree Protection Plan is included in the Standard Mitigation Measures/Standard Conditions Manual.*

Policy BIO-S-7: *Riparian habitat areas shall be protected from all new development and degraded riparian habitats shall be restored where appropriate.*

Development Standard BIO-S-7.1: *Riparian protection measures shall be based on a project's proximity to riparian habitat and the project's potential to directly or indirectly damage riparian habitat through such activities as grading, brushing, construction, vehicle parking, supply/equipment storage, or the proposed use of the property. Damage could include, but is not limited to, vegetation removal/disturbance, erosion/sedimentation, trenching, and activities which hinder or prevent wildlife access and use of habitat. Prior to issuance of a Coastal Development Permit, the applicant shall include a note on the grading and building plans stating the following riparian habitat protection measures:*

- a. *A setback as designated in Coastal Plan Policy 9-37 (generally 100' in rural areas, 50' in urban areas) from either side of top-of-bank of Greenwell Creek, precluding all ground disturbance and vegetation removal, shall be indicated on all grading plans; and*
- b. *Prior to initiation of any grading or development activities associated with a Coastal Development Permit, a temporary protective fence shall be installed along the outer buffer boundary at the applicant's expense. Storage of equipment, supplies, vehicles, or placement of fill or refuse, shall not be permitted within the fenced buffer region.*

Measure 'b' may be modified/deleted in the event that the County finds that this measure is not necessary to protect biological resources (i.e., due to topographical changes or other adequate barriers).

Development Standard BIO-S-7.2: *On-site restoration of any project-disturbed buffer or riparian vegetation within all portions of Greenwell and Toro Canyon Creek shall be mandatory. A riparian revegetation plan, approved by the County, shall be developed by a County approved biologist (or other experienced individual acceptable to the County) and implemented at the applicant's expense. The revegetation plan shall use native species that would normally occur at the site prior to disturbance. The plan shall contain planting methods and locations, site preparation, weed control, and monitoring criteria and schedules.*

Policy FLD-S-1: *In order to minimize existing community-wide flooding and drainage problems, all new development shall provide adequate drainage.*

Development Standard FLD-S-1.3: *Site specific drainage systems shall be designed in concert with geotechnical requirements to avoid infiltration of surface water which would exacerbate geologic hazards; impervious surfaces should be utilized where necessary to control adverse geologic or drainage conditions, but should be minimized to avoid the generation of substantial new run-off volumes.*

Policy HA-S-1: *Significant cultural, archaeological and historical resources in the Summerland area shall be protected and preserved.*

Development Standard HA-S-1.2: *Appropriate preservation and restoration/renovation measures shall be implemented to ensure that adverse impacts to significant historical resources are avoided except where they would preclude reasonable development on a parcel.*

Policy N-S-1: *Interior noise-sensitive uses (i.e., residential and lodging facilities, educational facilities, public meeting places and others specified in the Noise Element) shall be protected to minimize significant noise impacts.*

Policy VIS-S-1: *Prior to the issuance of a Coastal Development Permit or Land Use permit, all plans for new or altered buildings or structures shall be reviewed by the County BAR.*

Policy VIS-S-7: *In the rural areas, all new development shall be designed to minimize visual and aesthetic impacts.*

10.0 RECOMMENDATION BY P&D STAFF

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

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

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

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

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

Potentially significant unavoidable adverse impact areas:

With Public Hearing Without Public Hearing

PREVIOUS DOCUMENT: N/A

PROJECT EVALUATOR: Anne Almy

DATE:

11.0 DETERMINATION BY ENVIRONMENTAL HEARING OFFICER

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

SIGNATURE: _____ DRAFT NEGATIVE DECLARATION DATE: _____

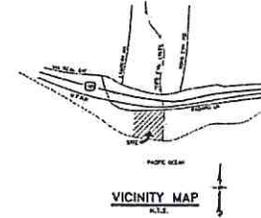
12.0 ATTACHMENTS

1. ~~Site Plan~~ [Tentative Parcel Map \(Case No. 12TPM-00000-00006\)](#)
2. ~~Tentative Parcel Map~~ [Grading Plan \(Case No. 11CDH-00000-00006\)](#)
3. [Site Plans, Floor Plans, Elevations, Grading Plans, Landscape Plans \(11CDH-00000-00054\)](#)
- ~~2.4.~~ [Draft Habitat Restoration and Revegetation Plan for 2825 Padaro Lane \(APN 005-260-009\), Summerland, Santa Barbara County, California" dated April 9, 2009](#)
- ~~3.5.~~ [Public Comments on Draft Mitigated Negative Declaration](#)

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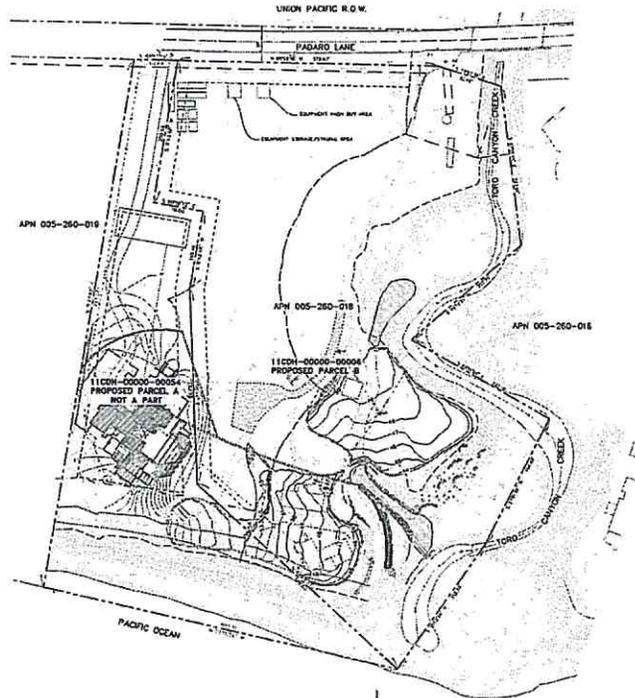
11CDH-00000-00006

AS-BUILT GRADING AND MODIFICATIONS TO THE HABITAT RESTORATION AND REVEGETATION PLAN 2825 PADARO LANE SUMMERLAND, SANTA BARBARA COUNTY, CA



SANTA BARBARA COUNTY BUILDING & SAFETY DIVISION GRADING NOTES

1. ALL EXISTING UTILITIES SHALL BE LOCATED AND DEPTH MEASURED BY THE CONTRACTOR PRIOR TO ANY EXCAVATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES PRIOR TO THE START OF CONSTRUCTION.
2. THE CONTRACTOR SHALL MAINTAIN THE EXISTING GRADING AND THE PROPOSED GRADING AT ALL TIMES TO PREVENT EROSION AND TO MAINTAIN THE STABILITY OF THE EXISTING GRADING.
3. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES AND STRUCTURES TO REMAIN UNHARMED AND TO MAINTAIN THE STABILITY OF THE EXISTING GRADING.
4. THE CONTRACTOR SHALL MAINTAIN THE EXISTING GRADING AND THE PROPOSED GRADING AT ALL TIMES TO PREVENT EROSION AND TO MAINTAIN THE STABILITY OF THE EXISTING GRADING.
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12. THE CONTRACTOR SHALL MAINTAIN THE EXISTING GRADING AND THE PROPOSED GRADING AT ALL TIMES TO PREVENT EROSION AND TO MAINTAIN THE STABILITY OF THE EXISTING GRADING.



GENERAL GRADING NOTES

1. ALL EXISTING UTILITIES SHALL BE LOCATED AND DEPTH MEASURED BY THE CONTRACTOR PRIOR TO ANY EXCAVATION.
2. THE CONTRACTOR SHALL MAINTAIN THE EXISTING GRADING AND THE PROPOSED GRADING AT ALL TIMES TO PREVENT EROSION AND TO MAINTAIN THE STABILITY OF THE EXISTING GRADING.
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SURVEYOR'S NOTES

1. THE SURVEYOR HAS CONDUCTED A SURVEY OF THE PROPERTY AND HAS FOUND THAT THE PROPERTY IS BOUND BY THE UNION PACIFIC R.O.W. TO THE NORTH AND THE PACIFIC OCEAN TO THE SOUTH.
2. THE SURVEYOR HAS CONDUCTED A SURVEY OF THE PROPERTY AND HAS FOUND THAT THE PROPERTY IS BOUND BY THE UNION PACIFIC R.O.W. TO THE NORTH AND THE PACIFIC OCEAN TO THE SOUTH.
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PROJECT CONTACTS

OWNER:	SURE PROGRESS REALTY GROUP
DESIGNED BY:	DAVID R. HARRIS, INC.
CONTRACT NO.:	11CDH-00000-00006
DATE:	08/11/2010
PROJECT:	AS-BUILT GRADING AND MODIFICATIONS TO THE HABITAT RESTORATION AND REVEGETATION PLAN

LEGEND

PROPOSED GRADING	---
EXISTING GRADING	---
PROPOSED EROSION CONTROL	---
EXISTING EROSION CONTROL	---
PROPOSED STRUCTURES	---
EXISTING STRUCTURES	---
PROPOSED UTILITIES	---
EXISTING UTILITIES	---
PROPOSED VEGETATION	---
EXISTING VEGETATION	---

SHEET INDEX

1. TITLE & NOTES
2. EXISTING PROPOSED SLOPE STABILIZATION PLAN
3. PROPOSED SLOPE STABILIZATION PLAN
4. CROSS SECTIONS AND PICTURES
5. EXCAVATED SOIL RELOCATION EXHIBIT - PERFORMED IN 2010

DATE PLOTTED: 08/11/2010 10:00 AM

	PROJECT NO.: 11CDH-00000-00006 SHEET NO.: 1 OF 5		COUNTY OF SANTA BARBARA, CA TITLE SHEET 11CDH-00000-00006 AS-BUILT GRADING AND MODIFICATIONS TO THE HABITAT RESTORATION AND REVEGETATION PLAN 2825 PADARO LANE, SUMMERLAND, SANTA BARBARA COUNTY, CA
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**RESTORATION “AS-BUILT” REPORT AND ADDENDUM
TO
CONCEPTUAL HABITAT RESTORATION AND
REVEGETATION PLAN,
2825 PADARO LANE, SUMMERLAND,
SANTA BARBARA COUNTY, CALIFORNIA**



Southern stream terrace, looking north. 22 May 2012.

Prepared for:

**County of Santa Barbara
Planning and Development Department
123 East Anapamu Street
Santa Barbara, CA 93101**

**Contact: Anne Almy and Joyce Gerber
(805) 568-2000**

25 May 2012

Prepared by:

**Hunt & Associates Biological
Consulting Services
5290 Overpass Road, Ste. 108
Santa Barbara, CA 93111**

**Contact: Lawrence E. Hunt
(805) 967-8512**

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**Restoration “As-Built” Report and Addendum to
Conceptual Habitat Restoration and Revegetation Plan,
2825 Padaro Lane, Summerland,
Santa Barbara County, California**

Introduction. Installation of a series of cage gabions to form a structural foundation for habitat restoration on slopes in the southwest portion of the restoration area was the basis for Zoning Violation Case No. 11ZEV-00000-00011, dated 20 January 2011, which prompted County Planning & Development Department review of the entire “as-built” restoration effort. This addendum describes field changes that were made during implementation of an approved Conceptual Habitat Restoration and Revegetation Plan (dated 20 July 2009) for the subject property. The County of Santa Barbara Planning and Development Department approved this Plan in late summer 2009 (Approved Plan hereafter). Plan implementation began in November-December 2009 and is on-going. The restoration described herein was completed in May-June 2011 and monitoring of those portions of the Approved Plan began at that time. Monitoring of these and future plantings will occur for three (3) years post-planting to ensure that the restoration effort meets or exceeds performance criteria described in the Approved Plan.

Executive Summary. Field changes frequently occur when implementing habitat restoration plans to address altered site conditions and/or accommodate factors that could not be anticipated when the Plan was prepared. Table 1 compares: a) site conditions before restoration; b) the Approved Plan, and; c) “as built” field changes to the Approved Plan. The locations of these changes are shown in Figure 1 and are described in detail in following sections. “Before” and “after” restoration photos are included in Appendix 1. Lists of species and planting densities are included in Appendix 2.

Table 1. Summary of Approved versus “As-Built” Restoration.

Approved Restoration Goal or Action (p. 19 of Approved Plan)	Before Restoration	Approved Plan	“As-Built” Restoration	Difference
Restoration of Existing Native Plant Communities: <ul style="list-style-type: none"> • Coast Live Oak-Sycamore Riparian Woodland and Riparian Scrub • Southern Coastal Bluff Scrub • Freshwater Marsh • Southern Fore-dune (Coastal Strand) <p style="text-align: center;">TOTAL</p>	<ul style="list-style-type: none"> • 0.68 acres • 0.25 acres • 0.02 acres • 0.06 acres <p style="text-align: center;">1.01 acres</p>	<ul style="list-style-type: none"> • 2.19 acres • 0.48 acres • 0.03 acres • 0.09 acres <p style="text-align: center;">1.78 acres</p>	<ul style="list-style-type: none"> • 2.00 acres • 1.10 acres • 0.20 acres • 0.12 acres <p style="text-align: center;">3.42 acres</p>	<ul style="list-style-type: none"> • - 0.19 acres (see discussion) • + 0.62 acres • + 0.17 acres • + 0.03 acres <p style="text-align: center;">Net gain of 0.63 acres</p>
Plant Native Trees Along Western and Northern Property Boundaries	No trees along western property boundary; myoporum hedge along northern	Remove myoporum hedge; plant 75 native trees along southern, western, and northern property	To be completed upon approval of Landscaping Plan	75 native trees will supplement 131 native trees already planted in Toro Canyon Creek corridor, for total of 206 trees, or a

	boundary	boundaries (Table 9)		11% increase over approved Plan
Establish on-site food sources for monarch butterflies	Marginal adult food source (blue gum); no larval food source plants on-site	One larval and one adult food source species (Tables 5 and 6 of approved Plan)	Two adult food source species One larval food source species	Gain of one adult food source species and denser planting of adult food sources along terraces, blufftop, and top-of-bank
Replace dead or dying eucalyptus with native trees	0.64 acres of eucalyptus trees	Remove trees as per recommendations of certified arborist (Appendix 4 of approved Plan)	Removed 15 eucalyptus trees from restoration area and replaced with coast live oak, western sycamore, black cottonwood, white alder, and box elder trees at > 2:1 replacement ratio	No change from approved plan
Create additional freshwater marsh habitat	0.02 acres of degraded marsh habitat; erosion of terrace banks and floor and sedimentation of Toro Canyon Creek due to uncontrolled surface runoff	Create 0.03 acres by constructing a bioswale along edge of path down to southern stream terrace	Created or will create 0.21 acres through removal of non-native vegetation and planting of freshwater marsh species	Net gain of 0.18 acres of freshwater marsh habitat Future revegetation of proposed drainage swales will create an additional 0.05 acres of marsh habitat
Meet or exceed Approved Plan guidelines for habitat restoration plans	1.00 acres of native habitat; 1.62 acres of ruderal vegetation; 0.56 acres of bare soil (Table 3 of Approved Plan)	Restore 3.18 acres to native habitat Plant 235 native grasses, 995 native shrubs, and 130 native trees	Restored 3.42 acres to native habitat to date Planted 3,605 native grasses, 2,179 native shrubs, and 131 native trees to date	Net gain of approx. 0.24 acres of native habitat over approved Plan Exceeded planting density by 430% and species richness by 340% over Approved Plan

Non-native vegetation was removed from the subject reach of Toro Canyon Creek and adjacent stream terraces and banks, as per Section 6.4.1 and Table 4 in the Approved Plan.

“As-Built” Changes to Approved Plan. The following discussion is organized by items mapped sequentially on Fig. 1:

Item 1. Changes to Size of Coast Live Oak-Western Sycamore Riparian Woodland Restoration. The Approved Plan proposed to restore/enhance approximately 2.19 acres of oak-sycamore riparian woodland. Approximately 2.00 acres have been restored to

date. This 8% decrease occurred on the north and south terrace slopes that were originally proposed for oak-sycamore woodland restoration, but were more appropriately planted with coastal bluff scrub vegetation (Item 1 on Fig. 1). Photos 8-9, 17-18a,b, and 21-22 in Appendix 1 show before and after conditions in coast live oak woodland and oak-sycamore riparian woodland restoration sites.

Item 2. Changes to Size of Southern Coastal Bluff Scrub Restoration. The Approved Plan proposed to restore/enhance approximately 0.48 acres of coastal bluff scrub. Approximately 1.00 acres has been restored to date and approximately 0.10 additional acres will be added when restoration of the zoning violation items, specifically the gabion wall, has been completed (Item 2 on Fig. 1). This represents a 129% increase in area for this habitat type. Dead or diseased eucalyptus trees were removed per arborist recommendations from the slopes and floor of the southern stream terrace, which expanded the amount of area available for coastal bluff scrub restoration. Photos 1-4, 6-7, 12-16, and 19-22 in Appendix 1 show before and after conditions in coastal bluff scrub restoration sites.

Item 3. Changes to Location and Area of Freshwater Marsh. The Approved Plan proposed to restore/enhance approximately 0.03 acres of freshwater marsh. In total, about 0.21 acres of freshwater marsh habitat has been enhanced or will be created under the “As-Built” Plan.

South Bioswale. The Approved Plan proposed to restore/enhance approximately 0.03 acres of freshwater marsh, primarily by creating a bioswale in uplands west of Item 9 on Fig. 1. This feature would have conveyed surface runoff to Toro Canyon Creek from the western portions of the property to the top of the beach path. The owners have decided to retain the existing system in which runoff in the uplands is collected in an underground culvert and conveyed to an outfall at the top of the path. The culvert outfall will empty into a cobble-lined swale that will run along the south side of the path, across the terrace floor, and empty into the creek. This feature will create about 0.030 acres of freshwater marsh habitat and will eliminate a major source of sediment into the creek and lagoon when completed. Photos 13-14 and 23-24 show the current condition of the south bioswale, to be completed once permitted.

North Bioswale. Additional freshwater marsh habitat will be created through restoration of an erosion feature that formed on the north stream terrace after the original Plan was approved (Item 3 on north terrace in Fig. 1 and photo 27 in Appendix 1). Currently, surface flows from the southern half of the property sheet-flow across the uplands through erosion channels on the slope, floor, and stream banks of the north stream terrace floor, into Toro Canyon Creek. Restoration of this feature includes lining it with cobbles and planting freshwater marsh species, such as rushes, scouring rush, nut-grass, and other species, in the interstitial spaces between the cobbles. This will eliminate a major source of sediment input to Toro Canyon Creek and halt slope erosion that is threatening mature coast live oaks on the slopes of the north terrace. This feature will create approximately 0.042 acres of freshwater marsh habitat. Representatives from the U.S. Army Corps of Engineers, California Department of Fish and Game, and

California Coastal Commission all agree that this feature is appropriate for this location. Future bank restoration lateral to the outfall of the swale will create an additional 0.015 acres of freshwater marsh habitat on the western bank of Toro Canyon Creek (Item 3 on Fig. 1).

Toro Canyon Creek Banks. The amount of freshwater marsh habitat around the terminal lagoon and lower reaches of Toro Canyon Creek has been expanded by approximately 0.12 acres by removing and controlling non-native vegetation and allowing native yellow nut-grass, scouring rush, and cattails that were in adjacent areas to colonize these sites (photos 3-5 and 23-24 in Appendix 1 and Item 3 on Fig. 1).

Item 4. Southern Foredune (Coastal Strand). The Approved Plan proposed to restore/enhance approximately 0.09 acres of coastal strand habitat. Approximately 0.12 acres of strand habitat in the dunes around the mouth of Toro Canyon Creek have been restored to date by removing and controlling invasive, non-native vegetation. The Approved Plan called for hydroseed application of a seed mix to this area (Table 6 of Plan) however, one of the species included in the seed mix were already present here in good numbers (beachbur). Other native species occurring here include lemonadeberry and seacliff buckwheat. It was decided to forego hydroseeding in favor of creating conditions under which the existing native plant populations could spread into areas formerly covered by non-native vegetation. Container stock of seacliff buckwheat (*Eriogonum parvifolium*), giant rye, seaside daisy (*Erigeron glaucus*), and other strand species have been planted on an adjacent slope and along portions of the beach path. This increased coastal strand habitat by about 33% over the Approved Plan (Item 4 on Fig. 1). Photos 10-11, and 16 in Appendix 1 show portions of this vegetation.

Item 5. Seed Mixes and Hydroseeding. Tables 5, 6, and 7 and Section 6.4.2 of the Approved Plan called for various seed mixes to be applied by hydroseeding the banks and stream terraces of Toro Canyon Creek and the coastal bluff area (Item 5 on Fig. 1). Instead, the seed mixes for these areas were applied by hand and raked into the soil. Hydroseeding was not done for three reasons: a) the binder in hydroseeding makes it more difficult to remove non-native vegetation by hand; b) sowing seed by hand results in less damage to the container plants that had already been installed in these areas, and; c) sowing seed by hand avoided application of a water-based delivery system to the highly erosive soils on the terrace slopes. The seed mixes were sown just before the onset of the 2010/2011 rainy season and showed excellent germination rates. Additional seed will be sown as conditions warrant during the monitoring phase. Appendix 2 of this Addendum lists 19 native species planted as seed.

Table 2 provides the reasons why certain plant species listed in Tables 5, 6, and 7 in the Approved Plan were not used.

Table 2. Field Changes to Hydroseed Species Lists in Tables 5, 6, and 7 in Approved Plan.*

Scientific Name	Common Name	Hydroseed Location in Approved Plan	Reason for Not Using Species
<i>Eriogonum fasciculatum</i>	Coastal sagebrush	Banks and terraces of Toro Creek floodplain (Table 5)	Substituted seacliff buckwheat (<i>E. parvifolium</i>);

			more appropriate to site
<i>Mimulus guttatus</i>	Common monkeyflower	Banks and terraces of Toro Creek floodplain (Table 5)	Substituted southern monkeyflower (<i>M. longiflorus</i>); more appropriate to site
<i>Hordeum brachyantherum</i> ssp. <i>brachyantherum</i>	Meadow barley	Banks and terraces of Toro Creek floodplain (Table 5)	Decided to concentrate on use of California brome (<i>B. carinatus</i>) and dune sedge (<i>Carex praegracilis</i>)
<i>Muhlenbergia microsperma</i>	Small-seeded muhly	Banks and terraces of Toro Creek floodplain (Table 5)	Decided to concentrate on use of California brome (<i>B. carinatus</i>) and dune sedge (<i>Carex praegracilis</i>)
<i>Atriplex californica</i>	California saltbush	Coastal bluff (Table 6)	Tends to dominate areas where planted; may use in future to fill in "holes" in vegetation along coastal bluff
<i>Baccharis pilularis</i>	Coyote bush	Coastal bluff (Table 6)	Tends to dominate areas where planted; already present in this area in low numbers
<i>Abronia maritima</i>	Sticky sand-verbena	Coastal strand (Table 7)	Could not find seed or container source close to subject property

* see Appendix 2 for list of species installed as seed.

Item 6. Changes to Shrub and Tree Palette and Planting Density. The conceptual shrub and tree palettes in Tables 8 and 9 of the Approved Plan were modified to meet site-specific conditions. Reasons for not using particular species listed in these tables are described in Table 3.

Table 3. Field Changes to Shrub and Tree Species Lists in Tables 8 and 9 in Approved Plan.*

Scientific Name	Common Name	Planting Location in Approved Plan	Reason for Not Using Species
<i>Ribes amarum</i>	Bitter gooseberry	Banks and terraces of Toro Creek floodplain (Table 8)	Substituted other species of <i>Ribes</i> (see Appendix 2) that were more appropriate to the site
<i>Scrophularia californica</i>	California bee plant	Banks and terraces of Toro Creek floodplain (Table 8)	Based on experience with this species in other restoration efforts, most plants do not persist after 2-3 yrs
<i>Mimulus guttatus</i>	Common monkeyflower	Banks and terraces of Toro Creek floodplain (Table 8)	Substituted southern monkeyflower (<i>M. longiflorus</i>); more appropriate to site
<i>Artemisia douglasiana</i>	Mugwort	Banks and terraces of Toro Creek floodplain (Table 8)	Already present and spreading on-site
<i>Solanum douglasii</i>	Douglas' nightshade	Banks and terraces of Toro Creek floodplain (Table 8)	Already present and spreading on-site
<i>Muhlenbergia rigens</i>	Deer grass	Banks and terraces of Toro Creek floodplain (Table 8)	Decided to concentrate on use of California brome (<i>B. carinatus</i>) and dune sedge (<i>Carex praegracilis</i>)
<i>Nassella</i> sp.	Needlegrass	Banks and terraces of Toro Creek floodplain (Table 8)	Decided to concentrate on use of California brome (<i>B. carinatus</i>) and dune sedge (<i>Carex praegracilis</i>)
<i>Umbellularia californica</i>	California bay	Stream terraces	Prone to fungal diseases;

			planted additional sycamores and coast live oaks to compensate
<i>Acer macrophyllum</i>	Bigleaf maple	Stream terraces	Not appropriate for coastal location; planted additional sycamores to compensate
<i>Cupressus macrocarpa</i>	Monterey cypress	Blufftop and western and northern property boundary	Already present on blufftop; may be planted in the future along property boundaries but is not native to region

* see Appendix 2 for list of species.

Species richness and planting density under “as-built” restoration is over three to four times greater than that proposed in the Approved Plan (Figs. 2 and 3). Approximately 4,555 additional plants, comprising 61 additional species, were planted in the restoration area.

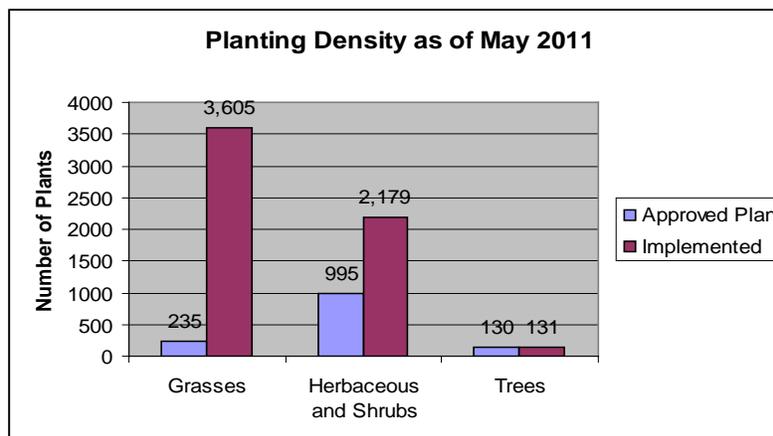


Figure 2. “As-Built” vs. Approved Plan Planting Density.

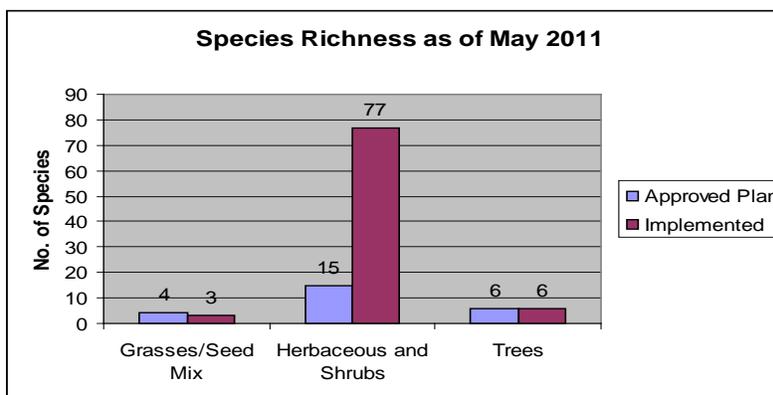


Figure 3. “As-Built” vs. Approved Plan Species Richness.

Item 7. Changes to Total Restoration Area. Field changes detailed in Table 1 increased the total restoration area to approximately 3.42 acres (23% gain). Expanded restoration areas included terrace slopes formerly vegetated with blue gum eucalyptus (*Eucalyptus globulus*) trees and portions of the northeastern corner of the subject property (Item 7 on Fig. 1). Areas that formerly were covered with eucalyptus trees, whose removal per arborist recommendation, expanded the amount of area available for restoration are shown in photos 1-4, 6-7, 12-16, and 19-22 in Appendix 1.

Item 8. Changes to Monarch Butterfly Food Plants. The Approved Plan called for planting one adult food source (*Eriogonum fasciculatum*), and one larval food source (*Asclepias fascicularis*). Instead, two adult food sources (*Salvia leucophylla* and *Eriogonum parvifolium*), and one larval food source (*Asclepias fascicularis*), was planted along the terrace slopes and uplands areas, and in numbers greater than that called for in the Approved Plan (Item 8 on Fig. 1).

Item 9. Southern Path to Stream Terrace and Beach. The path at this location was little more than an eroded ravine that conveyed sediment-laden surface runoff from the southern half of the property into Toro Canyon Creek. Section 6.3 of the Approved Plan called for removing the patch and planting native vegetation. Revegetation of the slope north of the path was completed in May-June 2011 and is being monitored to meet or exceed the performance criteria outlined in the Approved Plan. Revegetating the slope south of the path is on-hold pending permit review. Once permitted, a bioswale (south bioswale) will be constructed along the south edge of the path to de-silt and de-energize surface runoff to Toro Canyon Creek (see discussion Item 3 above). Once these efforts have been completed, the original path will be narrowed by at least 50% of its former width and erosion and sedimentation will be halted (Item 9 on Fig. 1). Photos 10-11, 13-16, and 23-24 in Appendix 1 show before and after comparisons of site conditions at this location.

Item 10. Use of Dune Sedge to Create Coastal Meadow on Stream Terraces. The Approved Plan called for planting up to four species of native grasses on the northern and southern stream terraces and adjacent banks--meadow barley, California brome, small-seeded muhly, and giant rye (Tables 5 and 6). One species, giant rye (*Leymus condensatus*), was present on-site naturally and its numbers have been supplemented with additional plantings. California brome was planted as seed in the northeastern corner of the subject property. Reasons for not using the other two species are described in Table 2.

Figure 4 of the Approved Plan only generally mapped conceptual restoration of these stream terraces and did not direct the species to be used on these features. After planting the edges of the southern terrace with riparian woodland and scrub understory shrubs and ground cover, it was decided to plant dune sedge (*Carex praegracilis* aka *C. pansa*) in the center of the terrace. Dune sedge is a superior alternative to small-seeded muhly, meadow barley, or other ground cover at this location because: a) these sandy stream terraces lie less than five feet above sea level and extend 30-600 feet back from the beach; b) the terrace floor soil is at least 90% sand, and; c) dune sedge occurred locally in

similar habitats, and may have been present at this location. This last point is documented by the following sources:

- *R.F. Hoover. 1970. Vascular Plants of San Luis Obispo County, California: "...common near the coast, especially in hollows among sand-dunes" and "...in sand near the sea".*
- *C.F. Smith. 1995. A Flora of the Santa Barbara Region, California: "Colonies scattered, sometimes over large areas about sandy hollows of dunes and on flats around marshes [around river mouths]" and "Along coast about sand spits, meadows, hollows of dunes, marshes, ponds, and springs (fresh and salt)."*
- *P.H. Raven et al. 1986. Flora of the Santa Monica Mountains, California: present in "seasonally moist flats at low elevations [around coastal drainages]."*
- *Local collection records (Consortium of California Herbaria (ucjeps.berkeley,.edu):*
 - *sand spit at Goleta Beach (1932);*
 - *sandy border of the salt marsh and sand spit in Sandyland in 1931 (this locality is less than two miles east of the subject property);*
 - *coastal meadow off Veronica Springs Road in Santa Barbara (1932).*

Dune sedge is a locally-occurring species typical of sandy terrace, back-dune, and foredune habitats along the coast, including low-elevation terraces near the mouths of coastal streams, such as those found on the subject property. Therefore, use of dune sedge here is both ecologically and biogeographically appropriate.

Dune sedge also was selected as a superior ground cover here because:

- It has a much higher ground cover rate, growth rate, and viability relative to other native grasses, thus can resist invasion of non-native species. When first planted, occasional mowing at a height of four inches is recommended to stimulate rhizome production and lateral spread. Once established, it will be left un-mowed to attain a natural height of 6-8 inches and a more natural clumped appearance.
- It can tolerate light to moderate shade provided by riparian canopy trees.
- It provides for superior erosion-control.
- It is drought-tolerant and can handle moderate foot-traffic, thus resisting invasion of non-native species as a result of mortality.

Native riparian shrubs and trees have been planted around and among the dune sedge ground cover to increase the structural heterogeneity of these sites and improve habitat quality, as called for in the Approved Plan. See photos 1-2, 6-7, 13-16, and 19-22 for before and after restoration of the terrace floor using this species.

Future Elements to be Installed. The following items are components of the Approved Plan that have yet to be installed. They are mapped sequentially on Fig. 1 as Items 11-16.

Item 11. Item 11 has been deleted from this discussion and on Fig. 1 because the information was combined with Items 6 and 7.

Item 12. Use of bioswales to convey surface runoff, prevent slope and bank erosion, and restore freshwater marsh habitat. As previously discussed under Item 3, the Approved Plan proposed only one bioswale, the south bioswale. The size and configuration of this feature has been modified from the Approved Plan. The south bioswale has been partially constructed. This feature and the north bioswale will be completed upon permit review.

These bioswales will serve three functions: a) collect and convey surface runoff from the upland portion of the subject property to Toro Canyon Creek; b) eliminate bank erosion and significant sediment inputs to the creek, and; c) create freshwater marsh habitat by planting the cobble-lined surfaces of these bioswales with the following species:

**Table 4. Suggested Plant Palette for Bioswales
(information transmitted to M. Mooney, County P&D,
via e-mail on 21 February 2012).**

North Bioswale	
Scientific Name	Common Name
<i>Carex praegracilis</i>	Dune sedge
<i>Equisetum sp.</i>	Scouring rush
<i>Juncus patens</i>	Common rush
<i>Juncus textilis</i>	Indian rush
<i>Muhlenbergia rigens</i>	Deer grass
<i>Polystichum munitum</i>	Western sword fern
<i>Woodwardia fimbriata</i>	Giant chain fern
South Bioswale	
<i>Anemopsis californica</i>	Yerba mansa
<i>Carex praegracilis</i>	Dune sedge
<i>Equisetum sp.</i>	Scouring rush
<i>Juncus patens</i>	Common rush
<i>Juncus textilis</i>	Indian rush
<i>Leymus condensatus</i>	Giant rye
<i>Muhlenbergia rigens</i>	Deer grass

As requested by California Coastal Commission staff during their site visit on 27 September 2011, these erosion features will be stabilized and revegetated using a “soft-touch” approach including use of small rocks covered with soil and planted with native wetland plants to decrease water velocity, allow runoff to percolate into the stream terraces, and de-silt the water before it enters Toro Canyon Creek. See Item 3 for additional information. Photos 14, 23-24, and 27 in Appendix 1 show current conditions of these features.

Item 13. Terrace Slope Erosion – Use of Boulders. The terrace slopes leading to Toro Canyon Creek were known to be somewhat erosive, but the magnitude of this instability and the extent to which it would preclude revegetation, was not anticipated in the Approved Plan. Closer inspection of the soils on the slopes adjacent to the southern stream terrace showed them to be composed mostly of fill containing a large amount of

trash (tires, glass, wood, and other debris), that apparently was pushed over the edge of slope during grading activities conducted by previous owner(s).

Section 6.3 of the Approved Plan anticipated that other erosion control measures, such as boulders, might have to be used during restoration on steep slopes. After multiple iterations of planting and re-planting these areas, only to have the plants and surrounding soil slide down the slopes toward the creek, additional soil stabilization measures were implemented. Various options were considered and large rocks were added to the steeper portions of the slopes for their stabilizing qualities, and planting continued around them. Photos 1-2, 13-16, and 21-22 in Appendix 1 show before and after restoration of these slopes using boulders. Additional boulders may be necessary to complete restoration of the slopes adjacent to the cage gabion wall.

Terrace Slope Erosion – Installation of Cage Gabion Wall. Not part of the Approved Plan, an approximately 80-foot long segment of the steepest portion of the slope along the southwestern edge of the southern stream terrace was stabilized with cage gabions filled with large cobble and installed in a stair-step arrangement nearly up to the geological top-of-bank (Photos 25-26 in Appendix 1). This structure was installed in late 2010 by the owner in order to: a) control on-going soil erosion that was impacting lower Toro Canyon Creek and the terminal lagoon; b) prevent future slope failure that would have inundated these wetlands; c) provide a stable substrate on which to plant native vegetation, and; d) protect an important Native American cultural site from future erosion.

The horizontal surfaces of the cages will be covered with soil and the entire structure will be planted with native trees, shrubs, and ground cover to obscure it from view upon permitting of the cage gabion wall. Candidate species palettes and methods for revegetating this structure were transmitted to Anne Almy (County P&D) in a letter dated 1 March 2011. They are:

- All horizontal surfaces of the structure will be capped with clean, imported topsoil to provide a substrate for planting native vegetation. Soil will be placed on the horizontal surfaces with hand tools (shovels, rakes) and will be raked or swept into interstices of cobbles using brooms and/or a hose until a 6-inch to 8-inch thick, lightly compacted soil cap has been created.
- The following native species will be planted on and around edges of cage gabion structure to match existing restoration on adjacent slopes:
 - Purple sage (*Salvia leucophylla* ‘Pt. Sal’) – prostrate, spreading shrub
 - Blueblossom (*Ceanothus thyrsiflorus* or *Ceanothus* ‘Ray Hartman’) – large shrub-small tree; plant on horizontal surface and on adjacent slope to obscure edges of structure
 - Toyon (*Heteromeles arbutifolia*) – large shrub/small tree; plant on horizontal surfaces and adjacent slope around structure to obscure edges
 - Beach strawberry (*Fragaria chiloensis*) – ground cover to cascade down vertical surfaces of gabion; roots where runners contact ground

- Catalina perfume (*Ribes viburnifolium*) – medium-sized shrub with cascading growth form to cover vertical surfaces of gabion
- Dune sedge (*Carex praegracilis*) – grass-like ground cover for horizontal surfaces.
- California sunflower (*Encelia californica*) – rambling shrub to cover horizontal and vertical surfaces
- Seed mix of 16 annual and perennial wildflowers (see list in Appendix 1); seed will be hand-sown on horizontal surfaces and raked into interstitial spaces; self-propagating; will form complete ground cover with dune sedge and beach strawberry.
- Drip irrigation will maintain the container plants for at least one year or until self-sufficient. Dead material will be replaced with similar species and numbers, as needed. The structure will be weeded and soil added, as necessary, especially following rains.
- Plantings will be monitored for growth, survivorship, and cover for a period of three years post-planting, consistent with meeting or exceeding the performance standards outlined in the Approved Habitat Restoration and Revegetation Plan for this portion of the parcel.
- Planting will begin as soon as the structure is permitted, the final few cages are installed, the safety fence is installed, and the soil cap is in place.

Item 14. Western Property Boundary. The Approved Plan calls for planting Monterey cypress, coast live oak, and western sycamore along the western property boundary upon completion of the landscaping plans for adjacent areas outside the restoration zone (Item 14 on Fig. 1).

Item 15. Plantings in Bluff Setback Area. Additional container stock of coastal bluff shrubs, such as purple sage, lemonadeberry, and California encelia, will be planted in the bluff setback area upon completion of landscaping plans for adjacent areas outside the restoration zone (Item 15 on Fig. 1).

Item 16. Privacy Hedge on Northern Property Boundary. The Approved Plan calls for removing the existing myoporum (*Myoporum laevis*) hedge along the Padaro Lane side of the property and replacing it with a native hedge-forming species. Candidate native shrubs that can be trained into a privacy hedge include California wax myrtle (*Myrica californica*) and lemonadeberry (*Rhus integrifolia*).

Conclusion. In all cases, “as-built” restoration exceeds the Approved Plan goals with significant benefits to plant and wildlife habitat, which were to: a) stabilize slopes and control soil erosion; b) improve water quality in Toro Canyon Creek, and; c) replace non-native vegetation with native species that have high wildlife value. In short, the “as-built” effort exceeds the letter and intent of the Approved Plan.

**APPENDIX 1. BEFORE AND AFTER
SITE PHOTOGRAPHS**



1. Southern terrace slope looking southwest. Non-native vegetation has been removed and boulders were placed on slope to stabilize soil for planting sites. Coast live oaks and white alder have been planted on slopes. 12 September 2009.



2. Same site as above after revegetation with native species. Dune sedge (left) and wood mint (right) on terrace floor grades into canyon sunflower, seacliff buckwheat, ceanothus, gum plant, common aster, elderberry, and other species on slope. 22 May 2012.



3. Southern stream terrace and western bank of Toro Canyon Creek, looking northeast, prior to restoration. Terrace was highly disturbed, with bare soil and large patches of invasive, non-native vegetation (mustard, castor bean, periwinkle, etc.). 12 September 2009.



4. Same site as above, after restoration. Non-native vegetation has been replaced with California blackberry, yarrow, beach strawberry. Planted trees include black cottonwood and western sycamore. Western bank of creek supports common horsetail, cattails, and yellow nut-grass. Eastern bank is covered with cape ivy and other non-native species (see next photo). 22 May 2012.



5. Banks of Toro Canyon Creek adjacent to southern stream terrace showing effects of restoration. Before restoration, the western bank (foreground) used to be covered with same non-native species that still cover the eastern bank (neighboring property). Natives here include scouring rush, cattails, and yellow nut-grass. Eastern bank is a mixture of Algerian ivy and cape ivy. 22 May 2012.



6. Southern stream terrace, looking north, prior to restoration. Slopes at right were covered with mostly dead or dying blue gum eucalyptus. Floor of terrace was either bare soil or weeds (castor bean, bull mallow, ice plant, etc.), with a few scattered western sycamores and blue gum saplings. 12 September 2009.



7. Same view as above, after restoration. Healthy eucalyptus trees have been retained (upper left). Portions of terrace floor have been planted with dune sedge, which grades into patches of giant rye, California rose, wood mint, and canyon sunflower. Western sycamore, black cottonwood, box elder, and arroyo willow have been planted along edges of terrace and on creek banks. Ceanothus, elderberry, mugwort, and other species have been planted on the slope at right. 22 May 2012.



8. Northern terrace, looking north, prior to restoration. Well is visible in center of terrace. Horse corrals have been removed. Note condition of terrace floor and adjacent slopes. 12 September 2009.



9. Same view as above. Terrace floor has been planted with western sycamore, holly-leaved cherry, arroyo willow, coast live oak, elderberry, coffeeberry, box elder, and western spice bush. Slope at right retains natural coast live oaks. Giant chain fern, western sword fern, alum root, hummingbird sage, canyon sunflower, California grape, blue-eyed grass, seacliff buckwheat, and other species. 22 May 2012.



10. Lower terrace, looking south from edge of creek toward beach. Southern stream terrace and adjacent slope, prior to restoration. Slope and creek banks are covered with ice plant and other non-native vegetation. When this vegetation was removed, slope soils were too unstable to plant. 12 September 2009.



11. Same view as above. Cage gabion wall was installed to stabilize a portion of the slope for planting. Note proliferation of planted native vegetation along top of bank of creek at left. Ground cover includes yarrow, California blackberry, beach strawberry, giant rye, seaside daisy, and Indian rush. Slopes in background have been planted with coastal bluff scrub shrubs and ground cover. Cage gabion wall will get similar treatment. 22 May 2012.



12. Slopes of southern stream terrace, prior to restoration, covered with bull mallow. 3 Feb 2010.



13. Same view, after non-native vegetation has been removed. 28 May 2010.



14. Same view after restoration. Slopes shrubs include purple sage, ceanothus, and other native shrubs. Trees planted here include coast live oak, western sycamore, and white alder. Terrace floor has been planted with dune sedge, beach strawberry, CA blackberry, wood mint, canyon sunflower, and other species. Former erosion channel at left has been lined with cobbles and will be planted with native freshwater marsh species. Bare soil will be planted with similar shrub and ground cover species as in adjacent areas. 22 May 2012.



15. Southern terrace and slopes looking north from beach, prior to restoration. Path to beach runs through cut in slope at left and down center of photo. Note ice plant on adjacent slopes. 28 May 2010.



16. Same view after restoration. Non-native vegetation and bare soil has been replaced with coastal bluff scrub, riparian scrub, and oak-sycamore riparian woodland species. 22 May 2012.



17. Northern stream terrace slopes at start of plant installation. Slopes were formerly covered with garden nasturtium (*Tropaeolum majus*) and fumitory (*Fumaria officinalis*). Species planted here include coast live oak, giant chain fern, western sword fern, alum root, elderberry, southern bush monkeyflower, and a variety of other oak woodland and oak-sycamore riparian woodland species. 14 December 2010.



18a. Same area on 22 May 2012. Oak woodland on slopes at left grades into riparian scrub and oak-sycamore riparian woodland on floor of stream terrace. Toro Canyon Creek is right of large sycamore.



18b. Oak woodland and oak-sycamore riparian woodland restoration on north stream terrace. Understory plantings include canyon sunflower, wood mint, giant chain fern, western sword fern, elderberry, California grape, and other species. Terrace slope in background has been planted with seacliff buckwheat, which grades into other coastal bluff scrub shrubs in upland areas. 22 May 2012.



19. Floor of southern stream terrace just after planting dune sedge plugs. 22 March 2011.



20. Same view on 22 May 2012. Toro Canyon Creek runs left to right behind trees in background then off right side of photo to ocean. Bare soil in foreground is portion of terrace floor that will be restored with restoration of cage gabion wall.



21. Southern terrace floor looking southwest, a few months after planting. Dune sedge covers footpath. Ground cover to left and right of path is wood mint, California rose, canyon sunflower, and California blackberry. 22 March 2011.



22. Same view as in previous photo. Successful restoration of oak-sycamore riparian woodland and riparian scrub. Weedy slope in background will be restored pending permitting of the cage gabion wall. 22 May 2012.



23. Path to southern stream terrace and beach before restoration. Worker is spraying bull mallow with a systemic herbicide (Rodeo). Toro Canyon Creek is behind worker. Note weedy, disturbed condition of terrace slopes. Note erosion channel running downslope along toe of slope at right. 3 February 2010.



24. Same view. Terrace slope at left has been planted with purple sage, ceanothus, and other coastal bluff scrub shrubs. Slope at right has not yet been restored. Erosion channel has been lined with cobbles and will be restored with freshwater marsh species. Vegetation on terrace floor and bank of Toro Canyon Creek includes beach strawberry, CA blackberry, yarrow, Indian rush, yellow nut-grass, and other species. 22 May 2012.



25. Cage gabion slope looking south. 5 May 2009 (photo courtesy of M. Mooney).



26. Same view, 20 February 2012.



27. Erosion feature on slope of north terrace that will be restored as the north bioswale. Surface flows from the northern half of the property are severely eroding this slope and creating significant sediment inputs to Toro Canyon Creek during storm events. 22 May 2012.

APPENDIX 2. SPECIES PLANTED AS OF MAY 2011
(List sent to M. Mooney, P&D on 21 February 2012)

Species Planted as of May 2011		
Scientific Name	Common Name	Number Planted
<i>Acer negundo</i>	Box elder	5
<i>Achillea millefolium</i>	Yarrow	5
<i>Alnus rhombifolia</i>	White alder	13
<i>Arctostaphylos 'Emerald Carpet'</i>	Manzanita	100
<i>Arctostaphylos 'Pacific Mist'</i>	Manzanita	75
<i>Artemisia californica</i>	Coastal sagebrush	23
<i>Asclepias fascicularis</i>	Narrow-leaved milkweed	15
<i>Aster chilensis</i>	Common aster	50
<i>Atriplex californica</i>	California saltbush	seed
<i>Bromus carinatus</i>	California brome	seed
<i>Calycanthus occidentalis</i>	Western spicebush	3
<i>Camissonia cheiranthifolia</i>	Beach primrose	seed
<i>Carex praegracilis</i>	Dune sedge	3,600
<i>Castilleja exserta</i>	Owl's clover	seed
<i>Ceanothus foliosus x thrysiflorus 'Centennial' [low]</i>	Ceanothus	30
<i>Ceanothus impressus x papillosus 'Concha' [tall]</i>	Ceanothus	15
<i>Ceanothus thrysiflorus 'Yankee Point' [mid ht]</i>	Ceanothus	268
<i>Ceanothus arboreus x thrysiflorus 'Ray Hartman' [tall]</i>	Ceanothus	5
<i>Cercis occidentalis</i>	Western redbud	3
<i>Clarkia amoena semi-dwarf</i>	Farewell-to-Spring	seed
<i>Collinsia heterophylla</i>	Chinese houses	seed
<i>Coreopsis gigantea</i>	Giant coreopsis	4
<i>Dendromecon rigida</i>	Island bush poppy	11
<i>Dichelostemma capitatum</i>	Brodiaea	seed
<i>Dryopteris arguta</i>	Coastal wood fern	50
<i>Encelia californica</i>	Coastal encelia	17
<i>Epilobium canum</i>	California fuschia	18
<i>Eriogonum parvifolium</i>	Seacliff buckwheat	83
<i>Eriogonum umbellatum</i>	Sulfur buckwheat	15
<i>Eriophyllum nevinii</i>	Island snowflake	9
<i>Eriophyllum confertiflorum</i>	Golden yarrow	seed
<i>Eschscholzia californica</i>	California poppy	seed
<i>Fragaria chiloensis</i>	Beach strawberry	200
<i>Gilia capitata</i>	Globe gilia	seed
<i>Gilia tricolor</i>	Bird's eye	seed
<i>Gnaphalium californicum</i>	Green everlasting	14
<i>Grindelia stricta</i>	Gum plant	24
<i>Heteromeles arbutifolia</i>	Toyon	8
<i>Iris douglasiana 'Canyon Snow' and standard</i>	Douglas iris	75
<i>Juncus patens</i>	Common rush	35
<i>Layia platyglossa</i>	Tidy tips	seed
<i>Leymus condensatus 'Canyon Prince'</i>	Giant wild rye	50
<i>Lupinus densiflorus 'Ed Gedling'</i>	Golden lupine	seed
<i>Lupinus nanus</i>	Sky lupine	seed
<i>Lupinus succulentus</i>	Arroyo lupine	seed
<i>Mentzelia lindleyii</i>	Lindley's blazing star	seed
<i>Mimulus longiflorus</i>	Bush monkey flower	seed
<i>Myrica californica</i>	Pacific wax myrtle	5
<i>Nemophila menziesii</i>	Baby blue eyes	seed
<i>Penstemon heterophyllus</i>	Foothill penstemon	25
<i>Penstemon spectabilis</i>	Showy penstemon	36
<i>Phacelia grandiflora</i>	Large-flowered phacelia	seed
<i>Philadelphus lewesii</i>	Mock orange	22
<i>Platanus racemosa</i>	Western sycamore	20
<i>Populus balsamifera</i>	Black cottonwood	4
<i>Prunus ilicifolia</i>	Holly-leaved cherry	2
<i>Quercus agrifolia</i>	Coast live oak	61
<i>Rhamnus californica</i>	Coffeeberry	10
<i>Rhamnus californica 'Leatherleaf'</i>	Coffeeberry	20
<i>Rhus integrifolia</i>	Lemonadeberry	10
<i>Ribes malvaceum</i>	Chaparral currant	10

<i>Ribes sanguineum</i> var. <i>glutinatum</i>	Pink-flowering currant	5
<i>Romneya coulteri</i>	Matilija poppy	54
<i>Rosa californica</i>	California rose	62
<i>Rubus ursinus</i>	California blackberry	98
<i>Salix lasiolepis</i>	Arroyo willow	27
<i>Salvia apiana</i>	White sage	10
<i>Salvia leucophylla</i>	Purple sage	29
<i>Salvia leucophylla</i> 'Bee's Bliss'	Purple sage variety	15
<i>Salvia leucophylla</i> 'Pt. Sal'	Purple sage variety	10
<i>Salvia spathacea</i>	Hummingbird sage	41
<i>Sambucus mexicana</i>	Elderberry	10
<i>Sisyrinchium bellum</i>	Blue-eyed grass	150
<i>Stachys bullata</i>	Wood mint	250
<i>Typha latifolia</i>	Broad-leaved cattail	50
<i>Venegasia carpesioides</i>	Canyon sunflower	14
<i>Vitis californica</i> 'Rogers Red'	California grape	2
<i>Woodwardia fimbriata</i>	Giant chain fern	50
TOTAL	78 species	5915
Sources: SB Natives (Gaviota); Matilija Nursery (Moorpark); San Marcos Growers (Goleta); Baron Bros. Nursery (Fillmore); Jimenez Nursery (Carpinteria); ABE Nursery (Carpinteria); Manzanita Nursery (Solvang)		

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800



September 9, 2013

Errin Briggs
County of Santa Barbara
Planning and Development
123 E. Anapamu Street
Santa Barbara, CA 93101

Subject: Draft Negative Declaration, Beach Club Drive Family Trust Lot Split, New Residence and Gabion Wall (Case Nos. 12TPM-00000-00006, 11CDH-00000-00006, 11CDH-00000-00054)

Dear Mr. Briggs:

Commission staff has reviewed the Draft Negative Declaration (Draft ND) for proposed development located at 2825 Padaro Lane (APN 005-260-018). The proposed project includes subdivision of the existing 10.25 acre parcel into two parcels of 3.02 acres (Proposed Parcel A) and 7.23 acres (Proposed Parcel B) and a proposal to allow (1) as-built grading, (2) modifications to a previously approved biological resources restoration plan, (3-6) demolition and removal of existing structures, (7) abandonment of an existing well, (8) grading for sensitive resource capping, and (9) installation of a split-rail safety fence. The proposed project also includes construction of a new 5,576 sq. ft. 16 ft. high single-family residence with a 500 sq. ft. basement and a 750 sq. ft. attached garage. Commission staff conducted a site visit with the applicant's representatives and County of Santa Barbara staff on September 27, 2011. Our comments below are based on the information provided in the Draft ND regarding the new proposed project and are intended to be preliminary, as staff has not evaluated full-size project plans or complete revised restoration plans. We offer the following comments for your consideration:

Project Description

- 1.) The Draft ND indicates that development envelopes "would be identified on each of the resultant parcels to contain all future structural development." It is unclear where the development envelope for proposed Parcel B will be located and whether the development envelope is proposed to be included as part of the proposed project. Please clarify. Additionally, please provide a site plan depicting both development envelopes on each parcel (if proposed) and depict setbacks from all resource areas. All development should be clustered in the appropriate location to the maximum extent feasible in order to avoid potential impacts to coastal resources. Each residential development envelope should be located at least 100 ft. from the edge of the riparian canopy (measured using the baseline as the riparian canopy prior to the unpermitted thinning and removal).

Development should also be located outside of the known archeological site identified as CA-SBA-1566.

- 2.) Please provide a more detailed project description that includes a list of all structures that are proposed to be approved (both new proposed or as-built structures) within the 100 ft. creek buffer (measured using the baseline as the riparian canopy prior to the unpermitted thinning and removal). What is the distance of each of the structures from the edge of the riparian canopy (prior to unpermitted removal) and to the top of bank? Please be sure to include a description of any drainage devices or devices constructed within the creek or within the 100 ft. creek buffer. Have all the existing drainage devices and erosion control devices been previously approved and/or which drainage or erosion control devices are proposed for after-the-fact approval, if any? For example, boulders were observed toward the creek mouth at the 2011 site visit.

Additionally, a retaining wall was observed in the riparian corridor. The Draft ND is unclear regarding whether the retaining wall is proposed for after-the-fact approval. (pg. 20) When was the retaining wall constructed and was it constructed pursuant to an approved CDP? If not previously permitted, the retaining wall should be removed and the area restored, or alternatively, it should be included for after-the-fact approval.

- 3.) As built-grading: Please provide clarification of the grading amounts for each component of proposed new development and development proposed for after-the-fact approval. The Draft ND indicates that as-built grading occurred primarily along the existing driveway, and to the north and west of the lower bioswale. (pg. 18) Please describe the "lower bioswale." Where is the bioswale located exactly (within the creek)? When was it constructed and was it permitted or is this development proposed for after-the-fact approval?

- 4.) Restoration Plan:

Plan Addendum: Commission staff would appreciate the opportunity to review the proposed "Plan Addendum" by Hunt & Associates that the Draft ND indicates is on file with P&D.

Gabion wall: What is the setback of the as-built gabion wall from the edge of the riparian canopy (measured using the baseline as the riparian canopy prior to unpermitted thinning and removal)? What are the grading amounts for as-built gabion wall? The Draft ND indicates that the wall would allow restoration plantings "to anchor into stabilized soil and reduce sedimentation at the mouth of Toro Canyon Creek." Fill soil is proposed to be packed into the rocks and the wall is proposed to be planted. How is the soil proposed to remain stabilized on the stacked gabion wall?

Boulders for slope stabilization: The proposed project includes placement of 6-inch and 24-inch diameter rocks for slope stabilization, with grading for placement of boulders and tree wells along the western slope of the stream terrace. Why is slope stabilization necessary in this location? What alternatives are available to avoid or minimize the use of hard structures in the creek buffer? How far are the boulders set back from the creek? Are any hard armoring devices proposed to be placed within the creek itself? The Draft ND is unclear exactly where boulders were placed (or are proposed to be placed). (pg. 19) Please clarify exactly where boulders are proposed for after-the-fact approval or removal. Please also quantify disturbed vegetation as a result of boulder placement and quantify grading amounts for each location.

Stream terrace plantings: The proposed project would revise the planting plan to remove some of the existing additional plantings of *Carex prigracilis* and intersperse the existing plantings with three other species "to give the restoration a more natural appearance." (p.2) During the site visit, this area of stream terrace, although it may have been planted with native species, was observed by Coastal Commission staff to function as a lawn for use of the residents and not as restored riparian ESHA. This lawn should be removed and replanted with species appropriate for riparian ESHA in this watershed. The goal of the restoration of this riparian corridor, which will rectify previously unpermitted removal of ESHA, is to restore the habitat value and not to create "a more natural appearance" of an area functioning as a lawn. The Draft ND indicates that if approved, the subject permit would "allow revisions to the previously approved restoration plan to reflect its current, as-built condition." However, based on the site visit, it appears that changes are required to be made to on-the-ground conditions, especially along the bank of Toro Canyon Creek as noted above.

Coastal Strand Restoration. Please provide a more detailed description of what coastal strand habitat was previously disturbed, when it was disturbed, the extent of disturbance, and what restoration is proposed.

Visual Resources

- 1.) The Visual Resources section should be revised to address public views of new residential development looking from the beach and ocean to the property. How far is the residence proposed to be setback from the bluff? Will the proposed residence be visible from the beach below?
- 2.) How far is the proposed development envelope on proposed Parcel B from the bluff edge? What is the potential for future residential development on proposed Parcel B to impact public views? For example, what is the anticipated maximum height of the future residence and/or accessory structures?

Cultural Resources

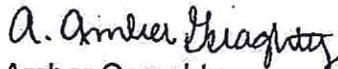
- 1.) The project includes adding a top tier to the currently unpermitted gabion wall. How will this impact CA-SBA-1566 given the existing wall given that work in this area directly impacted the existing deposit?
- 2.) The Draft ND indicates that the "new residence and associated infrastructure, including utility lines and drywells, are located outside of the significant portion of CA-SBA-1566." What is meant by the "significant portion" of CA-SBA-1566? Will the proposed residence and associated infrastructure be located within any portion CA-SBA-1566? If so, what are the alternatives to locate this development outside of this resource area?

Alternatives

- 1.) Please provide an analysis of alternatives to the proposed as-built gabion wall and proposed wall addition.
- 2.) Please evaluate alternatives to the placement of hard structures or boulders within the creek.
- 3.) Please evaluate alternatives to locate the proposed building envelope and associated development for each proposed parcel outside of the 100 ft. creek buffer (as measured from the riparian canopy as it existed prior to unpermitted vegetation removal) and outside of the identified cultural resource areas.

Thank you for the opportunity to provide comments on this project. Please contact me if you have questions or would like to set up a meeting regarding the proposed project. We look forward to providing more detailed comments upon review of the site plans, revised restoration plans, and additional project details.

Sincerely,



A. Amber Geraghty
Coastal Program Analyst

Cc: Steve Hudson, District Manager
Shana Gray, Supervisor, Planning and Regulation

Reeve Woolpert
P.O. Box 312
Summerland, CA 93067

RECEIVED

SEP 09 2013

S.B. COUNTY
PLANNING & DEVELOPMENT

Errin Briggs
Santa Barbara County Planning and Development
123 East Anapamu Street
Santa Barbara, CA 93101

September 8, 2013

RE: Beach Club Drive Family Trust Lot Split, 13NGD-00000-00012

Dear Mr. Briggs,

Clearly, many of the special aspects of the subject property have been abused and corrupted by previous owners. Attacks have not been limited to the disruption of significant cultural resources, the ecology of riparian and stream mouth areas and the face of the bluff along the beach, though.

TORO CREEK TRAIL

For example, the public has lost a key route to the beach from Padaro Lane at Toro Creek that once provided a superlative shortcut to the cobbled bend in our coast where stream and ocean meet. This trail was stunning, a respite from heavily developed beach accesses to the west, a truly educational experience and of low impact to its surroundings, including adjoining properties.

Importantly, it provided access to the shoreline at and down coast of Toro Creek, unlimited by restraints on lateral access via the beach. High tides, on the notoriously narrow, ephemeral ribbon of sand between the creek and the Loon Point trail, are becoming nearly a daily impediment to shore line walks with beach flooding and blockage worsening with sea level rise. Here, up coast of the creek, very dangerous, and at times dramatically failing bluffs, and the seasonal erosion of the sandy beach into dilapidated fields of large and small boulders severely hamper year round, safe access to Padaro Lane's two coveted "private" beaches east of Toro Creek.

The Loon Point trail does not allow long walks down coast much of the year. Decades ago, this was noted by Summerland citizens who worked hard to protect the Toro Creek trail and envisioned that by adding it to our Community Plan (via Summerland's PRT map), the community, county and public would one day see our lovely path along the creek made permanent.

There has been a long history of public use of lower Toro Creek for access—much by surfers. For years, though, that access has been thwarted by various actions of property owners and the County's indifference. It seems the County is obligated to

finally protect this access as stated in LCP Policy 7-1 and our Coastal Act Section 320211. It's time to find the necessary time and money to secure this delightful trail—a trail that protects private property and the environment is possible.

Please note that although the Loon Point parking lot may be approximately ¼ mile to the west of the old Toro Creek access, the beach trail from Loon Point heads further west, creating even more separation between vertical accesses along Summerland's notably unstable and dangerous eastern shoreline. Also, the Loon Point trail easement, as well as the sandy beach where it ends, is burdened with a lopsided legal agreement between the County and the owner of the private land it crosses. This easement relies too much on the land owner's good will. Area residents know of more than one occasion when the present owners have threatened closure.

It would be an insult to Summerland if the County used its DIMF fee from the Toro Creek project elsewhere. Every effort, every step forward, no matter how small, should be toward one day opening and improving this historic, needed route.

BEACH ACQUISITION

Please note the County's Comprehensive General Plan, section 3.7.4 policies as applied to the Summerland area. In particular, the following Implementing Action:

b. The County shall acquire all dry sandy beach area seaward of the toe of the bluff from the Baka property (APN 5-250-1) to Loon Point.

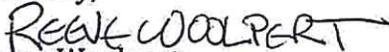
Again, with this project, the County seems to be skirting this obligation as well.

PUBLIC VIEWS

Staff's assessment of the public views in the area is incorrect and insensitive to the cumulative impact of significant past losses of prime public views along western Padaro Lane. Views into the site and to the ocean and channel are NOT prevented by plants growing on the southern shoulder of Padaro Lane. Indeed, present views may be limited, nevertheless the filtered southern light, tones and maritime colors of the property and seascape beyond are enjoyed through the thin hedge and definitively announce the ocean's presence and significantly contribute to the feeling of being seaside in a near pastoral setting when on this stretch of Padaro.

Along Padaro Lane west of Toro Creek, Summerland, the public and the County have lost an incredible—again—an INCREDIBLE, rambling scenic view of the ocean, islands, channel and sky that was as fine as any on the south coast. In recent years, this precious view was squandered, stolen and privatized. What a shame. Please protect the bits that remains near Toro Creek along the north side of this project.

Sincerely,


Reeve Woolpert

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Boulevard
West Sacramento, CA 95691
(916) 373-3715
(916) 373-5471 – FAX
e-mail: ds_nahc@pacbell.net

August 23, 2013

RECEIVED

AUG 26 2013

S.B. COUNTY
PLANNING & DEVELOPMENT

Mr. Erin Briggs, Planner

County of Santa Barbara Planning and Building

123 Anapamu Street
Santa Barbara, CA 93101

RE: SCH#2013081025 CEQA Notice of Completion; proposed Negative Declaration for the **“Beach Club Drive Family Trust Lot Split, New Residence and Gabion Wall Project;”** located in the Summerland area; Santa Barbara County, California

Dear Mr. Briggs:

The Native American Heritage Commission (NAHC) has reviewed the CEQA Notice regarding the above referenced project. In the 1985 Appellate Court decision (170 Cal App 3rd 604), the court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources impacted by proposed projects, including archaeological places of religious significance to Native Americans, and to Native American burial sites.

The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064.5(b)). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

Contact the appropriate Information Center for a record search to determine :If a part or all of the area of project effect (APE) has been previously surveyed for cultural places(s), The NAHC recommends that known traditional cultural resources recorded on or adjacent to the APE be listed in the draft Environmental Impact Report (DEIR).

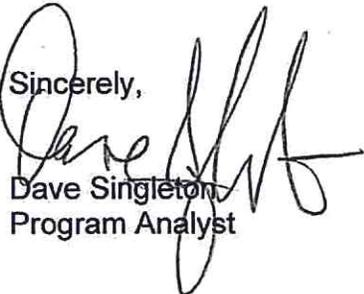
If an additional archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey. We suggest that this be coordinated with the NAHC, if possible. This area is known to the NAHC to be very culturally sensitive. The final report containing site forms, site

significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure pursuant to California Government Code Section 6254.10.

A list of appropriate Native American Contacts for consultation concerning the project site has been provided and is attached to this letter to determine if the proposed activity might impinge on any cultural resources. Lack of surface evidence of archeological resources does not preclude their subsurface existence.

Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, pursuant to California Health & Safety Code Section 7050.5 and California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities. Also, California Public Resources Code Section 21083.2 require documentation and analysis of archaeological items that meet the standard in Section 15064.5 (a)(b)(f). Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans. Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,


Dave Singleton
Program Analyst

CC: State Clearinghouse

Attachment: Native American Contacts list

**Native American Contacts
Santa Barbara County
August 22, 2013**

Ernestine DeSoto, Tribal Elder
1311 Salinas Place # 5 Chumash
Santa Barbara CA 93103
805-636-3963

Patrick Tumamait
992 El Camino Corto Chumash
Ojai , CA 93023
(805) 640-0481
(805) 216-1253 Cell

Beverly Salazar Folkers
1931 Shadybrook Drive Chumash
Thousand Oaks, CA 91362 Tataviam
folkers9@msn.com Ferrnandeño
805 492-7255
(805) 558-1154 - cell
folkers9@msn.com

San Luis Obispo County Chumash Council
Chief Mark Steven Vigil
1030 Ritchie Road Chumash
Grover Beach CA 93433
(805) 481-2461
(805) 474-4729 - Fax

Santa Ynez Band of Mission Indians
Vincent Armenta, Chairperson
P.O. Box 517 Chumash
Santa Ynez , CA 93460
varmenta@santaynezchumash.
(805) 688-7997
(805) 686-9578 Fax

John Ruiz
1826 Stanwood Drive Chumash
Santa Barbara CA 93103
(805) 965-8983

Barbareno/Ventureno Band of Mission Indians
Julie Lynn Tumamait-Stennsle, Chair
365 North Poli Ave Chumash
Ojai , CA 93023
jtumamait@sbcglobal.net
(805) 646-6214

Gilbert M. Unzueta Jr.
571 Citation Way Chumash
Thousand Oaks, CA 91320
uhuffle@aol.com
(805) 375-7229

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2013081025; CEQA Notice of Completion; proposed Negative Declaration for the Beach Club Family Trust Lot Split, New Residence and Gablon Wall Project; located in Summerland; Santa Barbara County, California.

Santa Barbara County Planning & Dev.
123 E Anapima St
Santa Barbara Calif. 93101

9-3-13

RECEIVED

Attn: Erin Briggs

SEP 03 2013

Re: 13 NGD-00000-00012 (Beach S.B. COUNTY Trust)
PLANNING & DEVELOPMENT

Please accept the following comments re the above mentioned case.

Locating/lowering the proposed residence elevation (current proposed FE = 63) approximately 3' to elevation 60 would result in a better balanced project considering the field elevation of 55± and very highest S.W. ^{property} corner elevation of 70. The amount of imported fill material would be reduced significantly and visual impacts lessened. (See Summerland BAR comments)

Colors and materials should be as per Summerland BAR guidelines page 14 (enclosed)

The document characterizes the Hedgeology Padano as "Thick", however, pleasant filtered views of the ocean are available along its length in contrast to the situation with the new wall immediately to the west. It should be possible to maintain some public views of the ocean and still respect the privacy of the residences.

Respectfully Submitted:
Tom Ervine, P.O. Box 622
Summerland CA 93067
969-3050

B. VIEW AND PRIVACY PROTECTION**1. Requirements for Review**

Where the County BAR finds that the project has the potential to create significant view or privacy impacts, the Board and applicant should consider the following as possible mitigation for view and privacy protection:

- a. Reduction of building height.
- b. Excavation of building into site.
- c. Hip roofs / direction of roof pitch / break up roof mass.
- d. Siting of new structure.
- e. Footprint of new structure.
- f. Reducing the mass of the second story and adding to the first story.
- g. Control of window, deck or balcony placement.
- h. View blockage of only "secondary" views (i.e. Bedroom instead of living room).

2. Mitigation of View and Privacy Impacts - Rural Projects

In rural areas, all new development shall be designed to minimize visual and aesthetic impacts utilizing the following:

- a. All structures (primary and accessory structures, including residences, garages, guest houses, barns, corrals, sheds, greenhouses, lathhouses, artist's studios, etc.) and private driveways shall be located on slopes of 20% or less;
- b. Special attention shall be focused on design of future structures in order to minimize use of large vertical faces. Large understories and exposed retaining walls shall be avoided;
- c. All structures, fences, walls, and roofs shall be constructed using medium to dark earthtone colors and construction materials that are compatible with the natural surroundings. All colors shall blend in with the surrounding soils, vegetation and rock outcroppings. Light colors such as white, offwhite, grey, etc. shall be prohibited. Nightlighting shall be low intensity, hooded, and shielded inward from property boundaries;
- d. Any necessary retaining walls shall be constructed in earthtones using materials or construction methods which create a textured effect. Where feasible, native groundcovers shall be planted to cover retaining walls from view;
- e. All cut and fill slopes shall be revegetated with native drought tolerant groundcover immediately after grading is completed; and



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



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SEP 11 2013

S.B. COUNTY
 PLANNING & DEVELOPMENT

September 6, 2013

Errin Briggs
 Santa Barbara County Planning and Development Department
 123 East Anapamu Street
 Santa Barbara, CA 93101
 ebriggs@co.santa-barbara.ca.us

Subject: Draft Mitigated Negative Declaration for the Beach Club Drive Family Trust Lot Split, New Residence and Gabion Wall Project, SCH # 2013081025, Santa Barbara County

Dear Mr. Briggs:

The California Department of Fish and Wildlife (Department), has reviewed the above Draft Mitigated Negative Declaration (DMND) for impacts to biological resources. The project applicant proposes construction of a single family residence, demolition and removal of existing structures, abandonment of an existing well, installation of a split-rail safety fence, and installation of a gabion wall and boulders for bank stabilization of a section of Toro Canyon Creek (Creek). The proposed project site is located on a 10.25 acre property at 2825 Padaro Lane, in the community of Summerland, in Santa Barbara County (County), adjacent to the western bank of the Creek. The Creek is mapped as Environmentally Sensitive Habitat (ESH) in the Summerland Community Plan (1992).

Habitat types with the potential to be impacted by the project include California sycamore-coast live oak riparian woodland. Wildlife with the potential to be impacted by the project include the State Special Concern Species yellow warbler (*Dendroica petechia brewsteri*), two-striped garter snake (*Thamnophis hammondi*), Cooper's hawk (*Accipiter cooperi*), and yellow-breasted chat (*Icteria virens*). Measures proposed in the DMND to mitigate impacts to biological resources include pre-construction bird nesting surveys and nesting bird avoidance, implementation of a Habitat Restoration and Revegetation Plan for the Creek, and employment of best management practices for construction activities.

The Department is California's trustee agency for fish and wildlife resources, holding these resources in trust for the People of the State pursuant to various provisions of the California Fish and Game Code. (Fish & G. Code, §§ 711.7, subd. (a); 1802.) The Department submits these comments in that capacity under the California Environmental Quality Act (CEQA). (See generally Pub. Resources Code, §§ 21070; 21080.4.) Given its related permitting authority under the Fish and Game Code section 1600 et seq., the Department also submits these comments likely as a responsible agency for the Project under CEQA. (*Id.*, § 21069.)

California Wildlife Action Plan

The California Wildlife Action Plan, a Department guidance document, identified the following stressors affecting wildlife and habitats within the project area: 1) growth and development; 2) water management conflicts and degradation of aquatic ecosystems; 3) invasive species; 4)

Errin Briggs
Santa Barbara County Planning and Development Department
September 6, 2013
Page 2 of 2

altered fire regimes; and 5) recreational pressures. The Department looks forward to working with the County to minimize impacts to fish and wildlife resources with a focus on these stressors.

Impacts to Jurisdictional Drainages

The Department has regulatory authority with regard to activities occurring in streams and/or lakes that could adversely affect any fish or wildlife resource. For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream or use material from a streambed, the project applicant (or "entity") must provide written notification to the Department pursuant to Section 1602 of the Fish and Game Code. Based on this notification and other information, the Department then determines whether a Lake and Streambed Alteration (LSA) Agreement is required.

The restoration project proposed for the Creek includes impacts to streambeds within Department jurisdiction. Notification to the Department under Section 1600 et seq., therefore will be required. You may call our San Diego office at (858) 636-3160 to initiate the 1600 process. You may also obtain a notification package online by visiting the Department's website at <http://www.dfg.ca.gov/1600/1600.html>.

Thank you for this opportunity to provide comment. Questions regarding this letter and further coordination on these issues should be directed to Mr. Martin Potter, Staff Environmental Scientist at (805) 640-3677.

Sincerely,



Betty Courtney
Environmental Program Manager
South Coast Region

cc: Ali Aghili, CDFW, Los Alamitos
Martin Potter, CDFW, Ojai
Natasha Lohmus, CDFW, Carpinteria
Scott Morgan, State Clearinghouse, Sacramento

Santa Barbara County
PUBLIC Health
DEPARTMENT



Environmental Health Services

225 Camino del Remedio • Santa Barbara, CA 93110
805/681-4900 • FAX 805/681-4901

Takashi M. Wada, MD, MPH *Director/Health Officer*
Anne M. Fearon *Deputy Director*
Suzanne Jacobson, CPA *Chief Financial Officer*
Susan Klein-Rothschild *Deputy Director*
Elizabeth Snyder, MHA *Deputy Director*
Peter Hasler, MD *Medical Director*

2125 S. Centerpointe Pkwy. #333 • Santa Maria, CA 93455-1340
805/346-8460 • FAX 805/346-8485

Lawrence D. Fay, Jr. *Director of Environmental Health*

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AUG 23 2013

S.B. COUNTY
PLANNING & DEVELOPMENT

TO: Errin Briggs, Planner
Planning & Development Department
Development Review Division

FROM: Paul E. Jenzen 
Environmental Health Services

DATE: August 21, 2013

SUBJECT: 13NGD-00000-00012, Case No. 12TPM-00000-00006

Environmental Health Services has reviewed the subject environmental document and has no comments to submit concerning it. Thank you for the opportunity to review and comment on this document.

PRICE, POSTEL & PARMA LLP

J. TERRY SCHWARTZ
DAVID W. VAN HORNE
PETER D. SLAUGHTER
DOUGLAS D. ROSSI
CRAIG A. PARTON
CLYDE E. WULLBRANDT
CHRISTOPHER E. HASKELL
TIMOTHY E. METZINGER
TODD A. AMSPOKER
MARK S. MANION
MELISSA J. FASSETT
IAN M. FISHER
SHEREEF MOHARRAM
SAM ZODEH
KRISTEN M. R. BLABEY
S. VICTORIA KAHN
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93101-2190

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RETIRED PARTNERS

GERALD S. THEDE
DAVID K. HUGHES

OUR FILE NUMBER

21889-1

September 9, 2013

HAND DELIVERY

Errin Briggs
Santa Barbara County
Planning and Development Department
123 East Anapamu Street
Santa Barbara, CA 93101

RECEIVED
SEP 09 2013
S.B. COUNTY
PLANNING & DEVELOPMENT

Re: Beach Club Drive Family New Residence: 11CDH-00000-00054

Dear Errin:

We have reviewed the Draft Mitigated Negative Declaration (MND) (13NGD-00000-00012) for the Beach Club Drive Family Trust subdivision, new residence and gabion wall project. We are concerned that portions of the new residence are located within the 75-year coastal bluff retreat setback required by both the County of Santa Barbara and the California Coastal Commission.

As discussed in the January 16, 2003 California Coastal Commission memorandum entitled "Establishing Development Setbacks for Coastal Bluffs" (a copy of which is attached), the 75-year bluff setback is derived using the Coastal Commission's guidelines by combining the effective slope stability setback and the calculated long-term bluff retreat rate. The analysis of the bluff setback included in the MND appears to be based entirely upon Adam Simmons' 2006 report. GeoDynamics, Inc., acting on behalf of the County, determined that the Simmons report was incorrect and incomplete as it did not follow the Coastal Commission guidelines.

In response to GeoDynamics' review, the applicant had Earth Systems prepare its June 18, 2013 report, which seems to correctly utilize the Coastal Commission guidelines and then establishes a setback of "about 71 feet." It appears, however, that this number may be based on "post construction" conditions, and also incorrectly speculates that development with "cantilevers" is permissible beyond the setback. Neither of these are correct.

Our expert geologist, Bob Hollingsworth (who is very familiar with Coastal Commission methodologies), has plotted the setback line (see attached diagram and Hollingsworth letter) based on the 2013 Earth Systems report. His plot shows the Factor of Safety distances are 56 feet from the top of bluff at Section A and 43 feet at Section B. Adding the expected bluff retreat of 31 feet then results in a structural bluff setback of 87 feet from top of bluff at Section A and 74 feet at Section B. As the plot clearly shows, a significant portion of the proposed structure (more than 23 feet), as well as retaining walls and patios (in excess of 30 feet), are located within the setback. There is an attempt to justify this encroachment into the established setback with the use of "cantilevered foundations," though the MND incorrectly identifies the extent of the encroachment.

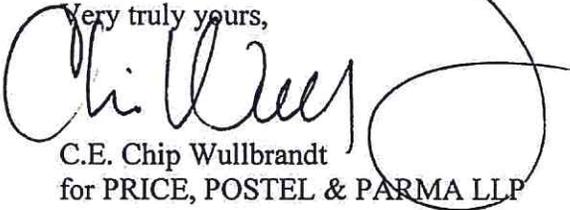
The analysis in the MND further states that the June 18, 2013 Earth Systems report identifies an "additive factor of safety setback" which "acts to supplement" the bluff retreat rate to ensure any structure is still located safely outside the 75-year bluff retreat setback. This interpretation is incorrect. The "factor of safety" identified in the Earth Systems report does not act to supplement the bluff retreat line; it establishes the bluff retreat line. Once this single setback line has been established, the only encroachments allowed within it are specified in LCP Policy 3-5, which states:

Within the required bluff top setback, drought-tolerant vegetation shall be maintained. Grading, as may be required to establish proper drainage or to install landscaping, and minor improvements, i.e., patios and fences that do not impact bluff stability, may be permitted. Surface water shall be directed away from the top of the bluff or be handled in a manner satisfactory to prevent damage to the bluff by surface and percolating water (Emphasis added).

Given the Coastal Commission's guidance on establishing a 75-year bluff retreat setback and the concise direction of LCP Policy 3-5, all portions of the proposed new residence (including patios and other flatwork, unless expressly demonstrated not to impact bluff stability) must be set behind the setback line. Development as proposed represents a potentially significant environmental impact and is clearly inconsistent with applicable LCP policy.

Errin Briggs
September 9, 2013
Page 3

Thank you very much for the opportunity to provide comment on this project. Should you have any questions please don't hesitate to contact me.

Very truly yours,

C.E. Chip Wullbrandt
for PRICE, POSTEL & PARMA LLP

Enclosures:

California Coastal Commission Memorandum, dated January 16, 2003

Letter and map by Robert A. Hollingsworth dated August 1, 2013

Map by Robert Hollingsworth showing extent of encroachments

cc: Daniel Grigsby, Esq.
Robert Hollingsworth, E.G./G.E.

CALIFORNIA COASTAL COMMISSION

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MEMORANDUM

Date: 16 January 2003
To: Commissioners and Interested Parties
From: Mark Johnsson, Staff Geologist
Subject: Establishing development setbacks from coastal bluffs

STAFF NOTE

Consistency with section 30253 of the Coastal Act requires that:

New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

...

This section requires that new development be located such that it will not be subject to erosion or stability hazard over the course of its design life. Further, the last clause requires the finding that no seawall, revetment, jetty, groin, retaining wall, or other shoreline protective structure, inasmuch as such a structure would substantially alter natural landforms along bluffs and cliffs, will be needed to protect the development over the course of its design life. The Commission has found on many occasions that siting new development away from eroding bluffs is the preferred means of assuring consistency with this section, and the establishment of bluff-top setbacks for new development is an integral part of most local coastal programs. Further, the State's draft Policy on Coastal Erosion Planning and Response states that avoidance of geologic hazards, such as eroding coastal bluffs, should be the primary means of safeguarding new development.

Accordingly, the determination of what constitutes an adequate setback is a critical component of the analysis of proposals for new development.

Because coastal bluffs are dynamic, evolving landforms, establishing appropriate development setbacks from coastal bluffs is far more challenging than it is for manufactured or natural slopes not subject to erosion at the base of the slope. The mechanisms of coastal bluff retreat are complex, but can be grouped into two broad categories. Bluff retreat may occur suddenly and catastrophically through slope failure involving the entire bluff, or more gradually through grain-by-grain erosion by marine, subaerial, and ground water processes. For both processes, the setback must be adequate to assure safety over the design life of the development.

In an effort to clarify the analytical procedures undertaken by Coastal Commission staff in evaluating proposed development setbacks, the Commission's staff geologist made two presentations at the *California and the World Ocean '02* conference held in Santa Barbara in October 2002. These presentations were combined into a single manuscript to be published in the proceedings volume for that Conference, which is attached to this staff report.

In order to bring these procedures before the Commission, and to further the exposure of them to the public, the staff geologist will brief the Commission on this methodology at the February 2003 hearing. This methodology does not represent a formal policy or position of the Coastal Commission. In fact, there may be other appropriate methodologies to establish development setbacks, and the Commission has the discretion to base a decision on any method that it finds technically and legally valid. Further, as new techniques and information become available, these methodologies may change. Nevertheless, the type of analysis outlined here represents the current analytical process carried out by Coastal Commission staff in evaluating proposals for new development on the California coast, and in recommending action upon those proposals to the Commission. The Commission then makes its decisions on a case-by-case basis, based upon the site-specific evidence related to the particular development proposal.

Attachment: Preprint of manuscript entitled "Establishing development setbacks from coastal bluffs," by Mark J. Johnsson, to appear in *Proceedings, California and the World Ocean, '02*, Orville Magoon, ed., 21 p.

Establishing Development Setbacks from Coastal Bluffs Mark J. Johnsson¹

Abstract

Responsible development, and California law, requires that coastal development be sited a sufficient distance landward of coastal bluffs that it will neither be endangered by erosion nor lead to the construction of protective coastal armoring. In order to assure that this is the case, a development setback line must be established that places the proposed structures a sufficient distance from unstable or marginally stable bluffs to assure their safety, and that takes into account bluff retreat over the life of the structures, thus assuring the stability of the structures over their design life. The goal is to assure that by the time the bluff retreats sufficiently to threaten the development, the structures themselves are obsolete. Replacement development can then be appropriately sited behind a new setback line. Uncertainty in the analysis should be considered, as should potential changes in the rate of bluff retreat and in slope stability. The deterministic approach presented here is based on established geologic and engineering principals, and similar approaches have been used to establish development setbacks from slope edges throughout the world for some time. Alternative approaches based on probabilistic methods may allow, however, for better quantification of uncertainties in the analysis. Although probabilistic coastal hazard assessment is in its infancy and data needs are large, the approach shows great promise. Developing probabilistic methods for establishing development setbacks should be a goal for future coastal zone management in California.

Introduction

In an era of sea-level rise such as has persisted on Earth for the past ~20,000 years (Curry 1965; Emery and Garrison 1967; Milliman and Emery 1968), the landward recession of coastal bluffs is an inevitable natural process wherever tectonic or isostatic uplift rates are lower than the rate of sea-level rise. New structures should be sited a sufficient distance landward of coastal bluffs that they will neither be endangered by erosion nor require the construction of coastal armoring to protect them from erosion over their design life. Because coastal bluffs are dynamic, evolving landforms, establishing responsible development setbacks from coastal bluffs is far more challenging than it is for manufactured or natural slopes not subject to erosion at the base of slope. Although internationally agreed-upon methods for establishing setbacks from static slopes have been developed, and codified in the International Building Code, no such consensus has emerged with respect to setbacks from dynamic slopes such as coastal bluffs. This paper presents a methodology for establishing such setbacks given the types of data generally available through relatively inexpensive geologic studies.

Relatively little work has been undertaken towards developing rational methodologies for establishing development setbacks from bluffs and cliffs. Coastal development setbacks have generally focused primarily on beach erosion, rather than on coastal bluff recession (e.g., Healy 2002). Generally, the approach has been to simply

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extrapolate historic long-term erosion rates into the future, and establish setbacks at a particular predicted future shoreline position. This approach does not work well for shorelines with coastal bluffs, where the setback also must consider the possibility of bluff collapse (see Priest 1999 for a discussion of these issues). Komar and others (2002) presented a methodology for establishing setbacks for use on coasts where the principal hazards are wave runup and storm surge. They showed how their method could be extended to use on coasts with sea cliffs by determining the average number of hours that a sea cliff would be subject to wave attack. Their method does not, however, include a quantitative assessment of bluff stability. Given the significance of the coastal erosion threat in California, where public safety, financial investments, and environmental resources are at stake, and given the call for action urged by such recent national studies as the Heinz Center's FEMA-sponsored studies (The Heinz Center 2000a; 2000b), it is critical that a rational method be established for establishing development setbacks on coastal bluff tops.

The California Coastal Act (California Public Resource Code Sections 30000 *et seq.*) regulates coastal development in California. Section 30253 states, in part, that:

New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

...

This law requires that new development be sited in such a way that it will not be subject to erosion or stability hazard over the course of its design life. Further, the last clause requires the finding that no seawall, revetment, jetty, groin, retaining wall, or other shoreline protective structure will be needed to protect the development over the course of its design life.

The principal challenge in meeting these requirements is predicting the amount and timing of coastal erosion to be expected at a particular site. The landward retreat of coastal bluffs is far from uniform in space or time (Komar 2000). Marine erosion tends to be concentrated at points and headlands due to wave refraction, occurs more quickly in weak rocks, and may vary along a coastline as these and other factors vary (Honeycutt et al. 2002). Further, coastal bluff retreat tends to be temporally episodic due to a variety of external and internal factors.

The mechanisms of coastal bluff retreat are complex (Emery and Kuhn 1982; Sunamura 1983; Vallejo 2002), but can be grouped into two broad categories. Bluff retreat may occur suddenly and catastrophically through slope failure involving the entire bluff, or more gradually through grain-by-grain erosion by marine, subaerial, and ground water processes. The distinction between the two categories may be blurred in

some cases—"grains" may consist of relatively large blocks of rock or shallow slumps, for example. Nevertheless, in establishing structural setbacks it is important to evaluate the susceptibility of the bluff to both catastrophic collapse and to more gradual erosion and retreat.

For both slope stability and long-term bluff retreat by "grain-by-grain" erosion, the setback must be adequate to assure safety over the design life of the development. For this reason, it is necessary to specify the design life of the structure. Many Local Coastal Programs (the implementation of the California Coastal Act at the local government level) specify a particular value, although the Coastal Act itself does not. The most commonly assumed design lives for new development range from 50 to 100 years; the most common value is 75 years. The reasoning behind establishing a setback based on the design life is that by the time the bluff retreats sufficiently to threaten the structure, the structure is obsolete and is ready to be demolished for reasons other than encroaching erosion. Replacement development can then be appropriately sited at a new setback, appropriate for conditions at the time of its construction. This process may be thwarted by limitations imposed by parcel size, and Constitutional takings issues may complicate land use decisions. Nevertheless, the only alternative to an armored coast—with all of its attendant impacts—is to continually site, and reposition, development in harmony with coastal erosion as it inevitably moves the shoreline landward.

What follows is the methodology employed by the staff of the California Coastal Commission in evaluating setbacks for bluff top development. I would suggest that this methodology is useful on other coasts with coastal bluffs, as well. This methodology does not represent a formal policy or position of the Coastal Commission. In fact, there may be other appropriate methodologies to establish development setbacks, and the Commission has the discretion to base a decision on any method that it finds technically and legally valid. Any such alternative methods should, however, be at least as protective of coastal zone resources as those outlined here. Further, as new techniques and information become available, these methodologies may change. Nevertheless, the type of analysis outlined here represents the current analytical process carried out by Coastal Commission staff in evaluating proposals for new development on the California coast, and in recommending action upon those proposals to the Commission. The Commission then makes its decisions on a case-by-case basis, based upon the site-specific evidence related to the particular development proposal.

Definition of "Bluff Edge"

Development setbacks normally are measured from the upper edge of the bluff top. Accordingly, a great deal of effort often is focused on defining that "bluff edge." The bluff edge is simply the line of intersection between the steeply sloping bluff face and the flat or more gently sloping bluff top. Defining this line can be complicated, however, by the presence of irregularities in the bluff edge, a rounded or

stepped bluff edge, a sloping bluff top, or previous grading or development near the bluff edge. Accordingly, a set of standards for defining the bluff edge is necessary.

Under the California Coastal Act, the bluff edge is defined as:

... the upper termination of a bluff, cliff, or seacliff. In cases where the top edge of the cliff is rounded away from the face of the cliff as a result of erosional processes related to the presence of the steep cliff face, the bluff line or edge shall be defined as that point nearest the cliff beyond which the downward gradient of the surface increases more or less continuously until it reaches the general gradient of the cliff. In a case where there is a steplike feature at the top of the cliff face, the landward edge of the topmost riser shall be taken to be the cliff edge..." (California Code of Regulations, Title 14, §13577 (h) (2).

This definition is largely qualitative, and the interpretation of the topographic profile to yield a bluff edge determination at any given coastal bluff may be subject to various interpretations. Accordingly, it may be useful to use more quantitative means to define "bluff edge." One approach, adopted, for example, by the City of Laguna Beach, is to define the bluff edge as that point at which the coastal bluff attains a certain specified steepness. This steepness is equivalent to the first derivative of the topographic profile. Such a definition may, however, be inconsistent with the legal definition above. Further, ambiguous results may be obtained when the upper portion of the bluff fluctuates around the specified steepness value. Better results may be obtained by finding the point at which the second derivative, the rate of change in steepness, of the topographic profile increases sharply. This approach may be amenable to computer analysis, although such analysis is rarely employed.

The position of the bluff edge may be changed by a variety of processes, natural and anthropogenic. Most obvious is the landward retreat of the bluff edge through coastal erosion. A bluff edge also may move seaward, through tectonic processes, but such movement is rare and usually small on human time scales. More significant is the anthropogenic modification of the bluff edge by grading or the construction of structures. A landward shift of the bluff edge commonly occurs through cutting into and removing natural materials during grading operations or the construction of seawalls. Conversely, placing artificial fill on or near the bluff edge generally does not alter the position of the natural bluff edge: the natural bluff edge still exists, buried beneath fill, and the natural bluff edge is used for purposes of defining development setbacks.

Slope Stability

Once the bluff edge is located, the first aspect to consider in establishing development setbacks from the bluff edge is to determine whether the existing coastal bluff meets minimum requirements for slope stability. If the answer to this question is "yes," then no setback is necessary for slope stability considerations. If the answer is "no," then the distance from the bluff edge to a position where sufficient stability exists to assure safety must be found. In other words, we must determine how far back from the unstable or marginally slope must development be sited to assure its safety.

We are guided in this analysis by the industry-accepted standards for artificial slopes (codified in many local grading ordinances), which require that a particular minimum "factor of safety" against landsliding be attained. A more difficult situation is the case of overhanging or notched coastal bluffs, or bluffs undermined by sea caves.

Landslides. Assessing the stability of slopes against landsliding is undertaken through a quantitative slope stability analysis. In such an analysis, the forces resisting a potential landslide are first determined. These are essentially the strength of the rocks or soils making up the bluff. Next, the forces driving a potential landslide are determined. These forces are the weight of the rocks as projected along a potential slide surface. The resisting forces are divided by the driving forces to determine the "factor of safety." A value below 1.0 is theoretically impossible, as the slope would have failed already. A value of 1.0 indicates that failure is imminent. Factors of safety at increasing values above 1.0 lend increasing confidence in the stability of the slope. The industry-standard for new development is a factor of safety of 1.5, and many local grading ordinances in California and elsewhere (including the County of Los Angeles, and the Cities of Irvine, Malibu, and Saratoga, among others) require that artificial slopes meet this factor of safety.

A slope stability analysis is performed by testing hundreds of potential sliding surfaces. The surface with the minimum factor of safety will be the one on which failure is most likely to occur. Generally, as one moves back from the top edge of a slope, the factor of safety against landsliding increases. Therefore, to establish a safe setback for slope stability from the edge of a coastal bluff, one needs to find the distance from the bluff edge at which the factor of safety is equal to 1.5.

Inherent in the calculation of a slope stability analysis is the shape (topographic profile) and geologic makeup of the coastal bluff. There are many ways to calculate the forces involved in slope stability analyses. All methods must consider such factors as rock or soil strength, variations in rock and soil strength values due to different types of materials making up the slope, anisotropy in these values, and any weak planes or surfaces that may exist in the slope (Abramson et al. 1995). More subtly, other factors that must be considered include: pore water pressure, which produces a buoyant force that reduces the resisting forces, the particular failure mechanism that is most likely (e.g., a block slide mechanism vs a circular failure mechanism), and seismic forces. Seismic forces normally are considered through a separate analysis, in which a force equal to 15% of the force of gravity is added to the driving forces. Because seismic driving forces are of short duration, a factor of safety of 1.1 generally is considered adequate to assure stability during an earthquake. This type of analysis is fairly crude, and other methods for evaluating slope stability based on maximum permanent displacement experienced during earthquakes do exist, but the pseudo-static method represents the current standard of practice for most development in California (Geotechnical Group of the Los Angeles Section of the American Society of Civil Engineers 2002). Guidelines for conducting slope stability analyses for review by the California Coastal Commission are presented in Table 1.

Table 1. Guidelines for performing quantitative slope stability analyses

- 1) The analyses should demonstrate a factor of safety greater than or equal to 1.5 for the static condition and greater than or equal to 1.1 for the seismic condition. Seismic analyses may be performed by the pseudostatic method or by displacement methods, but in any case should demonstrate a permanent displacement of less than 50 mm.
 - 2) Slope stability analyses should be undertaken through cross-sections modeling worst case geologic and slope gradient conditions. Analyses should include postulated failure surfaces such that both the overall stability of the slope and the stability of the surficial units is examined.
 - 3) The effects of earthquakes on slope stability (seismic stability) may be addressed through pseudostatic slope analyses assuming a horizontal seismic coefficient of 0.15g. Alternative (displacement) methods may be useful, but should be in conformance with the guidelines published by the Geotechnical Group, American Society of Civil Engineers, Los Angeles Section (2002).
 - 4) All slope analyses should ideally be performed using shear strength parameters (friction angle and cohesion), and unit weights determined from relatively undisturbed samples collected at the site. The choice of shear strength parameters should be supported by direct shear tests, triaxial shear test, or literature references, and should be in conformance with the guidelines published by the Geotechnical Group, American Society of Civil Engineers, Los Angeles Section (2002).
 - 5) All slope stability analyses should be undertaken with water table or potentiometric surfaces for the highest potential ground water conditions.
 - 6) If anisotropic conditions are assumed for any geologic unit, strike and dip of weakness planes should be provided, and shear strength parameters for each orientation should be supported by reference to pertinent direct shear tests, triaxial shear test, or literature references.
 - 7) When planes of weakness are oriented normal to the slope or dip into the slope, or when the strength of materials is considered homogenous, circular failure surfaces should be sought through a search routine to analyze the factor of safety along postulated critical failure surfaces. In general, methods that satisfy both force and moment equilibrium, such as Spencer's (Spencer 1967; 1973), Morgenstern-Price (Morgenstern and Price 1965), and General Limit Equilibrium (Fredlund et al. 1981; Chugh 1986) are preferred. Methods based on moment equilibrium alone, such as Simplified Bishop's Method (Bishop 1955) also are acceptable. In general, methods that solve only for force equilibrium, such as Janbu's method (Janbu 1973) are discouraged due to their sensitivity to the ratio of normal to shear forces between slices (Abramson et al. 1995).
 - 8) If anisotropic conditions are assumed for units containing critical failure surfaces determined above, and when planes of weakness are inclined at angles ranging from nearly parallel to the slope to dipping out of slope, factors of safety for translational failure surfaces should also be calculated. The use of a block failure model should be supported by geologic evidence for anisotropy in rock or soil strength. Shear strength parameters for such weak surfaces should be supported through direct shear tests, triaxial shear test, or literature references.
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Establishing a safe setback line. Once the stability of the coastal bluff has been assessed, the development setback line to assure safety from marginally stable slopes is simply the line corresponding to a factor of safety of 1.5 (static) or 1.1 (pseudostatic), whichever is further landward. In establishing this line one can either use a single cross section and specify a single distance from the bluff edge at which the factor of safety rises to 1.5 (or 1.1 for the pseudostatic case), or use several cross sections and contour the factors of safety on the bluff top. Then, by choosing the 1.5 contour (or 1.1 for the pseudostatic case, if it lies further landward), a setback line is established. The latter method generally is necessary for large or complicated sites.

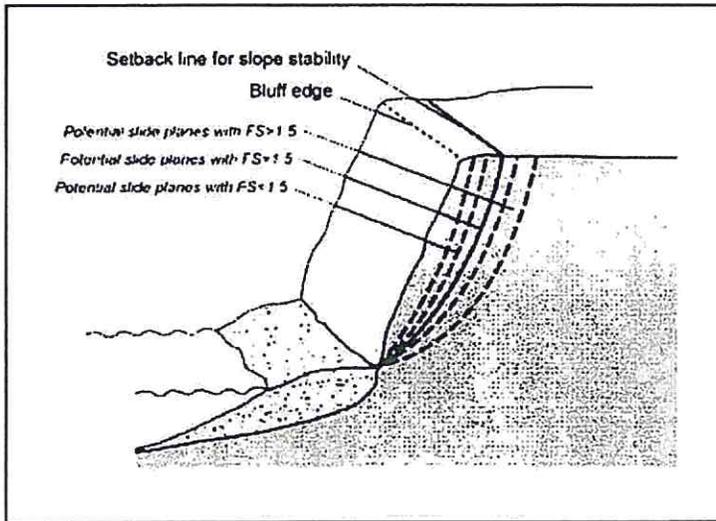


Figure 1. Establishing a development setback for slope stability. The potential slide plane possessing a defined minimum standard of stability is identified, and its intersection with the bluff edge is taken as a minimum development setback. The minimum standard for stability is usually defined as a factor of safety (FS) against sliding of 1.5 for the static case, or 1.1 for a pseudostatic (seismic) case, whichever is further landward.

Block failure of overhanging bluffs and sea caves. Assessing the factor of safety against block failure for overhanging or notched coastal bluffs, or bluffs undermined by sea caves, is far more difficult than conducting a slope stability analysis against landsliding. This is due to several factors, the most important of which are: 1) uncertainty as to the presence of local heterogeneities or planes of weakness, hidden in the bluff, that commonly control block failures, 2) difficulty in assigning shear strength values to such heterogeneities even if they can be identified, and 3) greater complexity in modeling the stress field within a bluff in terms of heterogeneities or planes of weakness as compared to a modeling a homogenous slope. The current state of the science does not allow for the calculation of a factor of safety against block failure

for such overhanging or notched coastal bluffs, or bluffs undermined by sea caves, and even makes any form of quantitative assessment of the risk of failure extremely difficult. Promise is shown in mathematical models such as that of Belov and others (1999), but translating such process-oriented models into setback methodologies has not yet been attempted.

Accordingly, establishing appropriate setbacks from overhanging or undermined coastal bluffs is problematic at best. An appropriate conservative approach is to project a vertical plane upward from the rear wall of the overhang, notch, or sea cave, and establish this as the minimum setback line. This approach has been adopted by the City of San Diego, and codified in the City's Local Coastal Program. Although it is certainly possible that failure could occur along a line inclined either seaward or landward from the rear wall of the overhang, notch, or sea cave, a vertical plane would seem to be a good default configuration to assume in the absence of more compelling evidence for another configuration. Further, vertical, bluff-parallel fractures—perhaps related to stress-relief at the free face represented by the bluff face—are a common feature of otherwise homogenous coastal bluffs. In many cases, such a plane will intersect the sloping bluff face seaward of the bluff edge, and no setback from the bluff edge would be necessary to assure stability from block collapse. In cases where the plane intersects the bluff top seaward of a setback line established for landsliding, as discussed above, no additional setback would be necessary to assure stability from block collapse. In the rather rare case, however, in which the plane intersects the bluff top landward of both the bluff edge and any setback line for landsliding, the line of intersection of the plane and the bluff top would be an appropriate setback line for slope stability considerations.

Long Term Bluff Retreat

The second aspect to be considered in the establishment of a development setback line from the edge of a coastal bluff is the issue of more gradual, or "grain by grain" erosion. In order to develop appropriate setbacks for bluff top development, we need to predict the position of the bluff edge into the future. In other words, at what distance from the bluff edge will bluff top development be safe from long-term coastal erosion?

The long-term bluff retreat rate can be defined as the average value of bluff retreat as measured over a sufficient time interval that increasing the time interval has negligible effect on the average value (a statistical basis could be applied to the term "negligible," but this is rarely done). This definition implies that the long-term bluff retreat rate is linear, an assumption that certainly is not valid over time scales of more than a few centuries, or in periods of rapid sea-level change such as the late Pleistocene/early Holocene (Curry 1965; Emery and Garrison 1967; Milliman and Emery 1968). There is some overlap between slope stability issues and long-term bluff retreat issues, in that the "grains" may be fairly large rocks, and in that shallow slump-

ing is a common mechanism for gradual bluff retreat. In addition even gradual bluff retreat tends to be highly episodic due to a host of internal and external factors.

The rate at which gradual bluff retreat occurs generally is measured by examining historic data. This is somewhat problematic in that the historic bluff retreat rate may not accurately predict the future bluff retreat rate (Watson 2002). This is a particularly issue in light of the likelihood of an acceleration in the rate of sea level rise as a result of global warming (Intergovernmental Panel on Climate Change 2001) and the resulting likely increase in bluff retreat rate (Bray and Hooke 1997; Watson 2002).

Nevertheless, historic data currently are our best indicators of future erosion at any given site. Such data may include surveys that identify the bluff edge, in which case the criteria used to identify the bluff edge must be the same in the surveys that are compared. Sufficiently detailed surveys are rare, however, and vertical aerial photography is more commonly used to assess changes in bluff position through time. The best data are those compiled photogrammetrically, whereby distortions inherent to aerial photography (due, for example, to tilting of the camera, variations in the distance from the camera to various parts of the photograph, and differences in elevation across the photograph) are corrected (see, for example, Moore 2000). Sometimes such data have been gathered as parts of specific studies of coastal bluff retreat, but more commonly they are collected as part of other work, and must be sought out for coastal erosion studies.

Coastal bluff retreat tends to be temporally episodic due to a variety of external and internal factors. External factors include tides, episodic wave events (spurred by either local or distant storms), episodic rainfall events (Kuhn 2000), El Niño-Southern Oscillation events (Griggs and Johnson 1983; Griggs 1998; Griggs and Brown 1998; Lajoie and Mathieson 1998; Storlazzi and Griggs 2000), major earthquakes (Plant and Griggs 1990; Griggs and Scholer 1997) and long-term climate change on a multidecadal to century scale (Inman and Jenkins 1999). Internal factors include the autocyclicality inherent to many bluff failure mechanisms (Leighton and Associates Inc. 1979; Hampton and Dingler 1998) and bluff response to continued toe erosion (Sunamura 1992).

Despite the episodic nature of coastal bluff retreat, it is necessary to identify the future long-term bluff retreat rate in order to establish appropriate development setbacks. The episodic nature of bluff retreat makes any calculated rate highly dependent on sampling interval. To illustrate the dependence of calculated long-term bluff retreat rates on sampling interval, it is useful to perform a sensitivity analysis from real data. Unfortunately, there are insufficient data to perform a meaningful analysis for any one site in California. Accordingly, a synthetic data set was created as part of this study.

A Synthetic Data Set. Creating and examining a synthetic data set allows for testing the effects of sampling on the determination of long-term bluff retreat rates. The long-term retreat rate is, by definition, known for the synthetic data set. Further, a

synthetic data set can be created that is both longer and more complete than any such data set available from nature. The data set considered here (available upon request from the author) was created for a hypothetical 200-year period, assigned the dates 1800-2000. Figure 2 is a graphical representation of the data set, and charts the progressive retreat of the hypothetical bluff edge through that time period. Although the data are fictitious, they roughly correlate with well-known periods of episodic erosion in coastal California, at least for the second half of the data set.

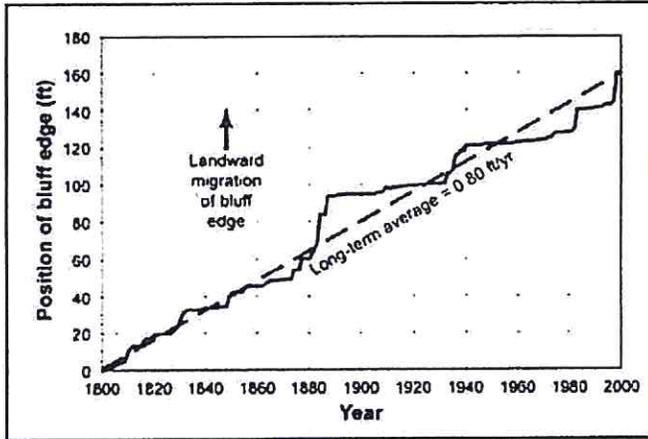


Figure 2. Plot of the position of the top edge of a hypothetical coastal bluff over time. These data represent a synthetic data set that is meant to roughly mimic typical episodic bluff retreat. Although fictitious, the data correlate well with what is known of temporal variations in erosion rate for a typical California bluff experiencing moderate erosion. The data set is far more complete than actual data available at any given site, however, making possible a sensitivity analysis of sampling interval on the calculation of the long-term bluff retreat rate.

Moving averages. A standard statistical method to smooth spikes in data is to average the data over a window of some width, while moving that window through the data set. Figure 3 shows the effect of applying this technique to the synthetic data set, using averaging windows of various widths. The first derivative of the curve representing bluff edge position through time (Figure 2) is the “instantaneous” bluff-retreat rate, and varies from 0 to 15 ft/yr for the synthetic data set (Figure 3). As the averaging window increases in width, the maximum retreat rate values decrease and the minimum values increase, effectively smoothing and broadening the “peaks” representing episodic erosion events. Depending on how the window is centered on the point representing the window average, peaks may be offset in time as well. With the widest sampling windows, peaks are essentially eliminated, and the retreat rate calculated approaches the average long-term retreat rate for the entire data set (0.80

ft/yr). Note that it is only when the window width approaches (and exceeds) 50 years in width that the calculated bluff retreat rate approaches the long-term average rate.

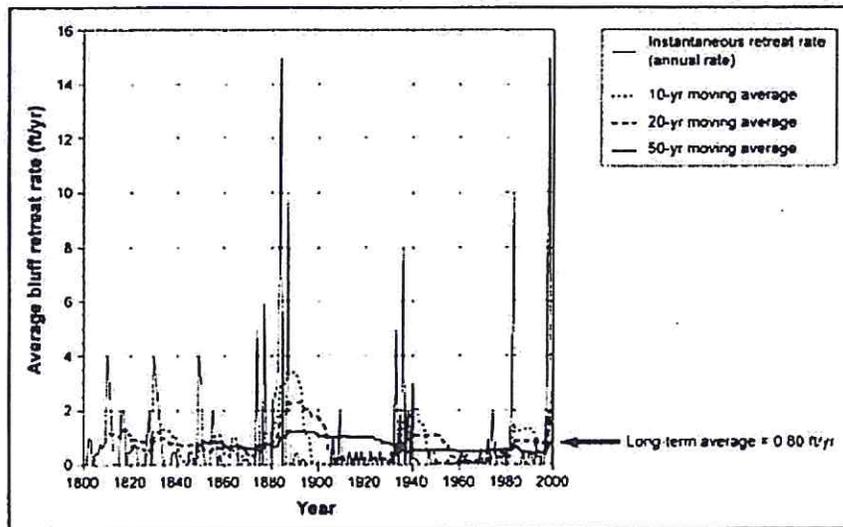


Figure 3. Average annual bluff retreat rate calculated from the synthetic data set using moving averages with various averaging window sizes. Only when data are averaged over ~50 years or more does the calculated annual bluff retreat rate approach the known long-term average for the data set.

Data gathered at intervals. Data regarding bluff edge position are almost always gathered at widely spaced intervals, corresponding to the dates of surveys or photographs. This precludes the use of a moving average technique, which depends on continuous data. Figure 4 shows the calculated bluff retreat rates at regularly spaced intervals of 10, 20, and 50 years. A wide range of values for the bluff retreat rate are obtained at the shorter sampling intervals. Although short sampling intervals give the most information on the variability of bluff retreat, the best estimate of the long-term bluff retreat rate is provided by sampling at long time intervals. Even at these long time intervals, if a statistically greater- or lesser-than-average number of "episodic events" are included in the sample, then the bluff retreat rate calculated for that interval will seriously over- or underestimate actual the long-term average bluff retreat rate.

Principal observations from the synthetic data set. A few simple generalities can be made from this limited analysis. First, instantaneous bluff retreat rates can exceed the long term average rate by a factor of many times. This is also true for data collected at short (≈ 10 years for the synthetic data set) time intervals. Second, data collected at relatively short time intervals give useful information on the episodic nature of bluff retreat, but do not provide accurate estimates of long-term average

bluff retreat rates. Third, the best estimate of long-term average bluff retreat rate is obtained by sampling over long (= ~50 years for the synthetic data set) time intervals. Finally, in order to accurately estimate the long-term bluff retreat rate, a stochastically appropriate number of episodic events must be included in the sampling interval. These observations, as well as similar observations from real data, lead to the general guidelines for estimating the long-term average bluff retreat rate at a site that are presented in Table 2.

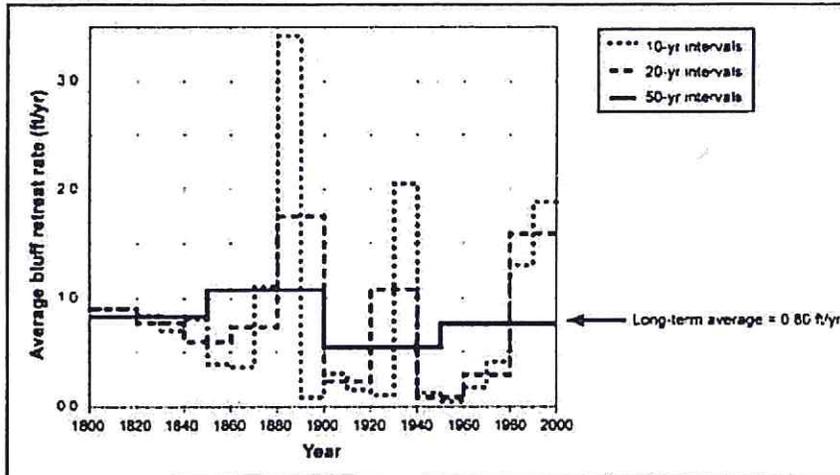


Figure 4. Average annual bluff retreat rate calculated from the synthetic data set using discrete sampling intervals of various sizes. Only when data are sampled at intervals of ~50 years or more does the calculated annual bluff retreat rate approach the known long-term average for the data set.

Establishing setbacks for long-term bluff retreat. Once an historic long-term bluff retreat rate has been estimated, establishing a setback for long-term bluff retreat rate is a simple matter of multiplying that rate, B , by the design life of the development, t . This is equivalent to predicting the position of the coastal bluff edge at the end of the design life of the structure (Figure 5).

Although this is the usual method of establishing setbacks for long-term bluff retreat in California, inherent assumptions and difficulties must be born in mind. Foremost among these is the necessity of defining the design life of the development. Because the landward retreat of an unarmored shoreline is inevitable and ongoing during a period of relative sea level rise, it is impossible to assure the safety of development from coastal erosion unless a time frame is assigned at the onset. But assigning a design life is difficult, and there is nothing in land use law that requires the abandonment of development at the end of its assigned design life.

Other problems associated with this type of analysis revolve around its inherently historic approach. There is no *a priori* reason to believe that bluff retreat rates are, or will continue to be, linear. This is especially relevant in light of expected acceleration of the historic rate of sea level rise as a result of global warming (Intergovernmental Panel on Climate Change 2001). Further, there is good evidence that erosion rates can be highly variable through time (Jones and Rogers 2002). For all of these reasons it is important to adopt a conservative approach to estimating long-term bluff retreat rates.

Table 2. Guidelines for establishing long-term bluff retreat rates

-
- 1) Determine bluff edge positions at as many times as possible, but covering a minimum of about 50 years and extending to the present. Common data sets include vertical aerial photographs, surveys that identify the bluff edge, and detailed topographic maps. These sources must be of sufficient scale or precision to locate accurately the position of the bluff edge to within a few feet.
 - 2) If aerial photographs are used, the best results are obtained through photogrammetric methods, whereby distortions inherent to aerial photography are corrected (orthorectified). Even if photogrammetric methods are not used, the scale of the photographs must be carefully determined by comparison of the image size of known features to their actual size.
 - 3) When comparing bluff edge positions on aerial photographs or unanchored surveys, a "shoreline reference feature" must be identified that has been static through time and is identifiable in each data set. Bluff positions throughout the area of reference can be measured relative to this feature. Common shoreline reference features are road centerlines, structures, large rock outcrops, or trees.
 - 4) When comparing bluff edge positions on surveys, it is critical that the same criteria for the identification of the bluff edge was used in each survey. The Coastal Act definition of a bluff edge can be found in California Code of Regulations, Title 14, § 13577 (h) (2).
 - 5) Although the short-term erosion rate for each time interval between data points provides valuable information regarding the nature of bluff retreat at the site, the long-term erosion rate should be determined from the extreme end-points of the time series examined. This time series should exceed 50 years in length, and should include both relatively quiet periods, such as the 1950's-1960's; and the more erosive subsequent time periods (especially the 1982-1983 and 1997-1998 El Niño winters).
 - 6) In larger study areas, the bluff retreat rate should be determined at intervals along the bluff edge, paying special attention to potential differences in retreat rate between headlands and coves, and amongst areas underlain by differing geologic materials.
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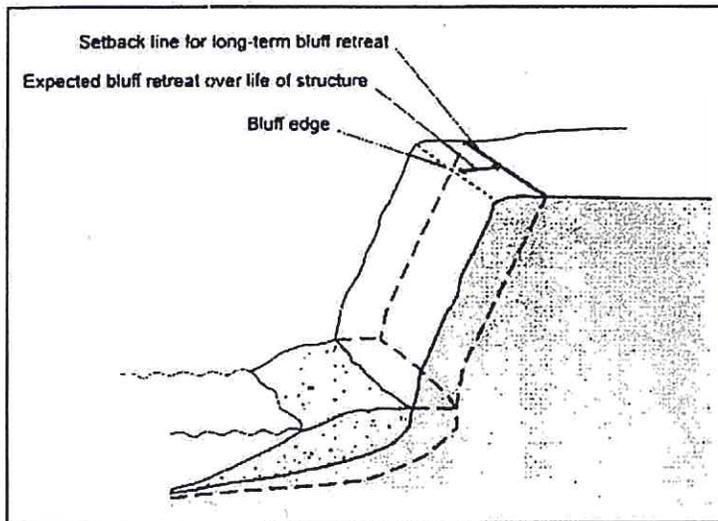


Figure 5. Establishing a development setback for long term bluff retreat. The expected bluff position at the end of the development's useful life is found by multiplying the average annual bluff retreat rate by the design life of the development; this line is taken to represent the minimum setback for long-term bluff retreat.

Uncertainty

There is a great deal of uncertainty in many parts of the analysis discussed above. The deterministic approach outlined here does not deal well with such uncertainty. Various methods have been used to build in some margin for error in establishing safe building setbacks. One approach, commonly used by geologists working in northern California, is to multiply the long-term bluff retreat rate by a factor of safety (used in a different sense than for slope stability), generally ranging from 1.5 to 4.0. More commonly, a simple "buffer" is added to the setback generated by multiplying the long-term bluff retreat rate by the design life of the structure. This buffer, generally on the order of ten feet, serves several functions: 1) it allows for uncertainty in all aspects of the analysis; 2) it allows for any future increase in bluff retreat rate due, for example, to an increase in the rate of sea level rise (Bray and Hooke 1997; Watson 2002); 3) it assures that at the end of the design life of the structure the foundations are not actually being undermined (if that were to be the case the structure would actually be imperiled well before the end of its design life); and 4) it allows access so that remedial measures, such as relocation of the structure, can be taken as erosion approaches the foundations. If a slope stability setback is required (*i.e.*, if the bluff does not meet minimum slope stability standards), that setback can do double duty as this buffer.

Summary: Defining the Total Setbacks for Bluff-Top Development

To define the total development setback, one must combine the two aspects of the setback considered above: the setback to assure safety from landsliding or block failure, and the setback for long-term bluff retreat. The resulting setback assures that minimal slope stability standards are maintained for the design life of the structure.

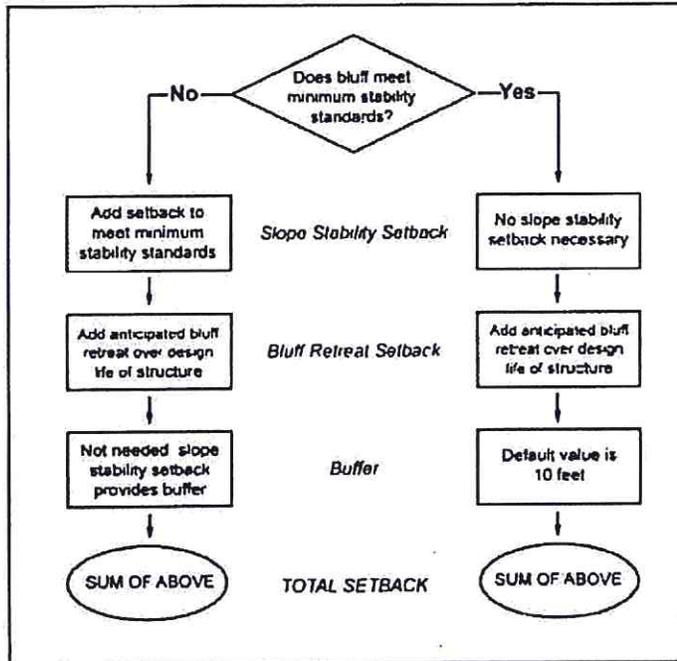


Figure 6. Flowchart for establishing bluff edge setback for development, taking into account stability of the bluff, long-term bluff retreat, and uncertainty in the analysis.

A methodology for combining these setbacks is outlined in Figure 6. First, it must be determined whether the coastal bluff meets minimum slope stability standards. Normally, this will be a factor of safety of 1.5 (static) or 1.1 (pseudostatic). If the answer to this question is "yes," then no setback is necessary to assure slope stability. If the answer is "no," then it is necessary to determine the position on the bluff top where the minimum slope stability standards are attained. This position, as measured relative to the bluff edge, is the setback necessary for slope stability determined as described above. In the case of block failure of an overhanging bluff or collapse of a sea cave, the setback necessary to assure stability from this type of collapse is equivalent to the slope stability setback. Although the current state of the science makes it impossible to quantitatively assess stability relative to this type of failure, a conservative, yet realistic, setback line is the projection of a vertical plane from the rear wall

of the overhang or sea cave on the bluff top. If the plane does not intersect the bluff top (*i.e.*, intersects the inclined bluff face seaward of the bluff edge), then no setback for this type of collapse is necessary.

The next step is to determine the expected bluff retreat over the design life of the structure, as described above. This setback is added to the slope stability setback, if any.

Finally, a buffer, generally a minimum of 10 feet, should be added to address uncertainty in the analysis, to allow for any future increase in the long-term bluff retreat rate, to assure that the foundation elements aren't actually undermined at the end of the design life of the development, and to allow access for remedial measures. A buffer is not necessary if the slope stability setback equals or exceeds about ten feet, as it can do "double duty" as both a setback to assure slope stability and a buffer for the purposes listed above.

The total setback is meant to assure that minimum slope stability standards are maintained for the design life of the development. Inherent in this analysis is the assumption that factors affecting slope stability (steepness and shape of the slope, ground water conditions, geometry of rock types exposed in the bluff) will remain constant through the design life of the development, that the future bluff-retreat rate will be linear and of comparable magnitude to the historic rate, and that the nature of erosion processes at the site will remain unchanged. All of these assumptions are potentially flawed, but in the absence of convincing evidence to the contrary, are a means of establishing reasonable development setbacks.

Towards Probabilistic Coastal Erosion Hazard Assessment

The deterministic approach presented above is based on established geologic and engineering principals, and similar approaches have been used to establish development setbacks from slope edges throughout the world for some time. However, the approach suffers from its limited ability to consider uncertainties in the analysis. Probabilistic approaches, on the other hand, inherently consider analytical uncertainties, and allow for a better definition of risk. This type of risk assessment has been routine for decades in the field of hydrology, where design basis and land use priorities are based on the magnitude of the "100-year flood," for example. Probabilistic coastal hazard assessment similarly can be used to quantify the likelihood that the bluff edge will erode to any particular point on a bluff top in a given time. Then, by establishing an acceptable level of risk (for example, a probability of <5% that the bluff edge will reach a certain point over the design life of the development) a setback line can be established that inherently includes uncertainties in the analysis. Just as the seismological community has moved away from deterministic methods towards probabilistic ones, such an approach allows for better consideration of the uncertainties in estimating future coastal erosion.

Probabilistic coastal hazard assessment is in its infancy, and no standardized methods have won acceptance—or even much discussion. The failure of coastal bluffs along Lake Michigan through landsliding has been assessed probabilistically by Chapman and others (2002), through the use of probabilistic slope stability analyses. Lee and others (2001) applied a variety of probabilistic methods to questions of coastal bluff retreat in England. Methods that they evaluated include the simulation of recession of episodically eroding cliffs through Monte Carlo techniques, the use of historical records and statistical experiments to model the behavior of cliffs affected by episodic landslide events, event-tree approaches, and the evaluation of the likelihood of the reactivation of ancient landslides. All of these techniques show promise, but the authors restricted themselves to specific cases. What is needed is the development of probabilistic methods that will work in more general cases, and combine both slope stability and long-term bluff retreat considerations. One way to approach this problem is to consider separately the two aspects of defining a development setback as outlined above.

Probabilistic slope stability analyses already are routine (Mostyn and Li 1993; Yang et al. 1993). In addition to quantifying the probability of slope failure (something not done in a deterministic slope stability analysis, which only establishes whether or not failure will occur), probabilistic slope stability analysis allows for consideration of variability or uncertainty in soil or rock strength parameters (Lumb 1970). Uncertainties in these input parameters are quantified by the standard deviation of each parameter. Then, using Monte Carlo techniques, a probability distribution for the factor of safety associated with any given failure plane is produced. From this, the probability of failure along the chosen potential failure plane can be calculated. The probability of failure is the probability that the factor of safety will be less than 1.0, and can be calculated for any given potential failure surface. By performing such analyses on a variety of potential failure surfaces intersecting different portions of the bluff top, a probability could be assigned to any position on the bluff top quantifying the likelihood that a failure will occur landward of that point.

Although not routine, several possibilities present themselves for developing probabilistic models for gradual, episodic, bluff retreat. Perhaps the simplest method of quantifying uncertainty is the application of a confidence interval to the estimate of the long-term average bluff retreat rate. Each time interval examined in estimating this rate is one sample of the mean value. For normally distributed data (or data that can be transformed to a normal distribution by, for example, a log transform), the sample standard deviation is a traditional estimate of uncertainty. There is a ~68.26% probability that the true mean value will lie within ± 1 standard deviation of the sample mean. Different probabilities apply to different multiples of the standard deviation. Thus, uncertainties in the product ($B \times t$), above, can be quantified and contoured on the bluff top. For populations that cannot be shown to be normally distributed (likely the case with the small sample sizes available for bluff retreat rates), a better estimate of uncertainty may be a confidence interval based on Student's t distribution, or on nonparametric statistics.

A second approach to probabilistic assessment of coastal bluff recession is to treat annual bluff retreat in a manner analogous to river floods. Thus, the recurrence interval of a particular amount of annual bluff retreat can be calculated by the formula

$$R = \frac{N+1}{M}$$

where R is the recurrence interval, N is the number of years of record, and M is the rank of the annual bluff retreat in the total data set. For the synthetic data set considered above, there are many duplicate values due to the limited precision with which bluff retreat data are generally reported. Eliminating duplicates, and ranking the annual bluff retreat rates, recurrence intervals can be calculated. These data can be graphed in order to arrive at the expected amount of bluff retreat for any particular recurrence interval (Figure 7). The inverse of the recurrence interval is the annual probability that a given amount of bluff retreat will be exceeded. Such data may be especially valuable in assessing the risk of occurrence of an episodic event sufficient to threaten an existing structure.

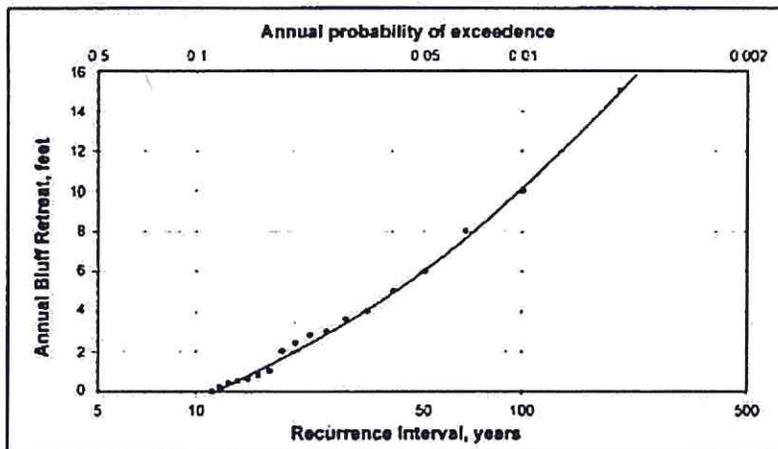


Figure 7. Recurrence interval for annual bluff retreat, calculated for the synthetic data set. The recurrence interval, calculated in a manner analogous to flood recurrence interval, gives the average time between years with a given amount of bluff retreat. The inverse of the recurrence interval is the statistical probability that a given amount of bluff retreat will occur (or be exceeded) in any given year.

The total risk to bluff-top development, which includes both long-term bluff retreat and slope failure, can be calculated by multiplying the probability of slope failure at a given position by the probability that bluff retreat will reach that point by a given time. The geotechnical and planning communities will need to establish what is an acceptable probability, or risk, that the bluff will reach a given point in order to de-

velop setback criteria. Once that probability is established, the setback line can be defined as the locus of points on the bluff top at that probability.

A prime difficulty in applying probabilistic methods to assessing coastal erosion risk will be the difficulty in acquiring sufficiently rich data sets with which to work. More effort is needed at acquiring long, precise data sets on coastal erosion in a variety of geologic conditions throughout the state.

Acknowledgements

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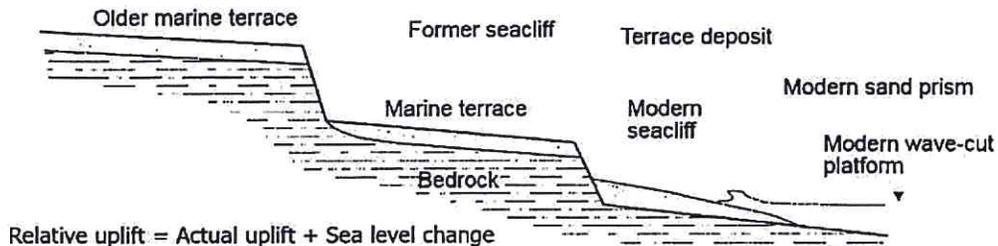
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A PRIMER ON COASTAL BLUFF EROSION

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Seacliffs and coastal bluffs are formed by a rapid uplift of the shore relative to sea level. When the relative uplift of the shore is slow or zero, a wave-cut terrace is formed



Relative uplift = Actual uplift + Sea level change

Relative uplift occurs when:

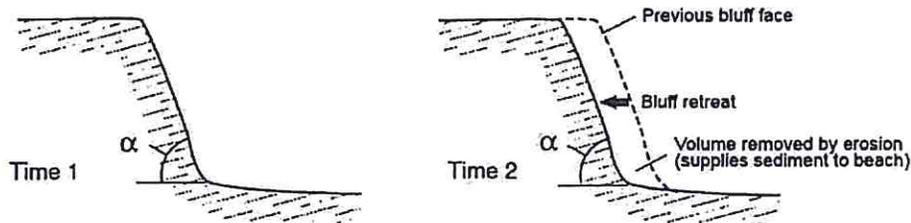
- 1) Shore rises; sea level falls, is stable or rises at a lower rate than shore; or
- 2) Shore is stable; sea level falls; or
- 3) Shore falls; sea level falls at a faster rate

Relative uplift is zero when shore and sea level rise or fall at the same rate (which may be zero)

The term "coastal bluff" refers to the entire slope between a marine terrace or upland area and the sea. The word "seacliff" refers to the lower, near vertical portion of a coastal bluff. Erosion of the entire seacliff-bluff system must be considered together.

COASTAL BLUFF RETREAT

The question of how slopes erode is one of the oldest problems in geomorphology. Much argument has revolved around models calling on parallel slope retreat, versus slope erosion by flattening - the answer may lie somewhere between the two extremes. In any case, steep bluffs tend to erode parallel to the bluff face at an equilibrium stability angle, α . In unconsolidated materials this angle is known as the "angle of repose." α is a function of material strength. A bluff will erode through various mechanisms to establish and maintain the characteristic slope angle for the material of which it is composed.



If a bluff becomes oversteepened (slope angle greater than α) through non-equilibrium erosion (such as marine erosion at the toe of a seacliff), it will be unstable and will tend to erode back to α - perhaps through sudden collapse (landslide, rock fall)

If the rate of erosion as well as α are different for the different materials making up the bluff, then the bluff will develop a bench (if erosion is faster in the upper unit) or overhang (if erosion is faster in the lower unit)

Because material is removed most rapidly from bluff tops and tends to accumulate at the base of bluffs, the overall steepness of the slope appears to decrease through time; but the active part of the slope retreats at the long-term equilibrium stability angle, α , despite short-term departures from this angle.

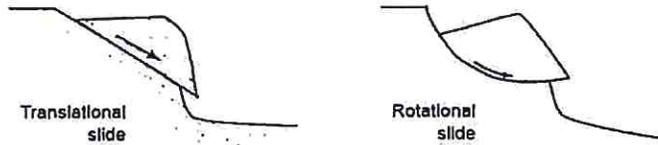
MECHANISMS OF BLUFF EROSION

Sheetwash: Material loosened and carried down bluff by water flowing over its face as a film or sheet

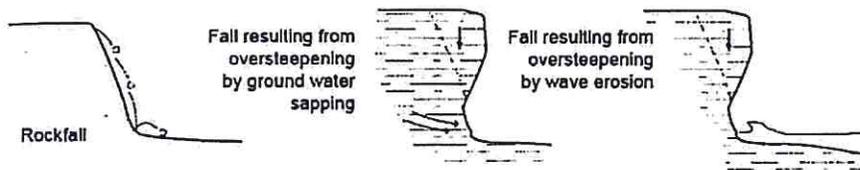
Gullying and rilling: Organization of water flowing over bluff into distinct drainage systems or gullies; concentrates flow energy in narrow portion of bluff, increasing its erosive capacity

Creep: On shallow slopes consisting of poorly consolidated material, sediment may move downslope slowly as a coherent mass

Sudden bluff collapses may take several forms:



Falls: Vertical (or nearly so) movement of coherent masses of material



EROSIONAL AGENTS INVOLVED IN BLUFF EROSION

Surface runoff: Promotes sheetwash, rilling and gullying

Ground water: Promotes creep, facilitates slumps and slides

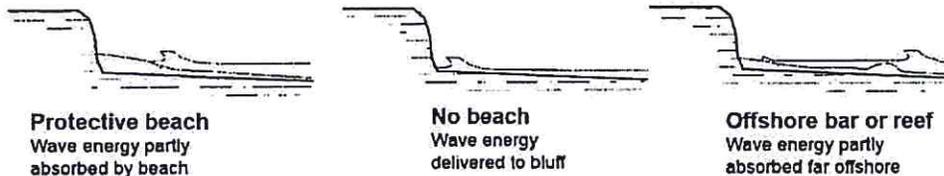
Marine erosion (wave attack): Oversteepens cliffs (above equilibrium stability angle), facilitating slumps, landslides and falls. Exacerbated by wave-driven projectiles (logs, cobbles, etc.)

Wind erosion: Usually less important, but may erode cohesionless sands

Other agents may be important in some situations: e.g., slaking through alternate wetting/drying; wedging by salt crystals, etc.

ROLE OF THE BEACH

Affects only marine erosion



Key issues affecting mechanisms and rate of bluff erosion

- Material strength
 - Rock type
 - Cementation
 - Fractures and orientation
 - Weak planes (e.g., clay seams)
 - Clay content (expandable clays)
- Bluff/beach geometry
- Wave energy
 - Aspect and exposure
 - Local effects (e.g., wave refraction)
 - Protective beach
 - Offshore bars or protective devices
- Surface runoff over bluff
- Presence/absence of ground water

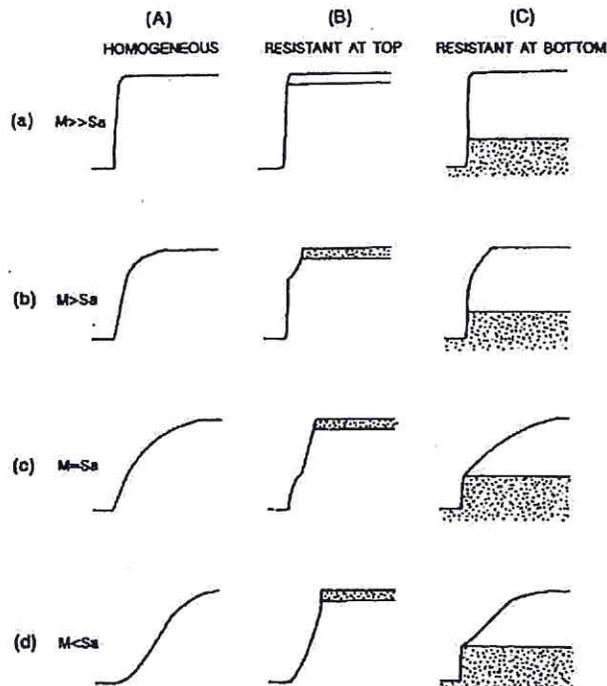
Bluff shape reflects the relative roles of surficial, marine, and ground water erosion acting on the materials making up the bluff

COMPOSITE BLUFFS

Many coastal bluffs in California are composed of more than one type of material; commonly a poorly consolidated marine terrace overlying a better consolidated sedimentary bedrock.

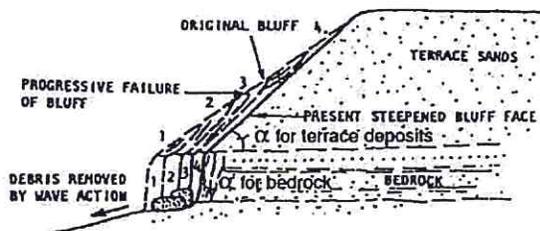
Erosion of seacliffs is through a combination of marine and subaerial processes. The relative importance of each of these processes, together with the relative durability of the various rock layers comprising the bluff, determine the overall geometry of the bluff.

The twelve profiles to the right reflect varying positions of durable units and variable relative importances of marine (M) versus subaerial (Sa) erosion.



(from Emery and Kuhn, 1982)

PAIRED, EPISODIC FAILURES



Composite bluffs commonly fail in paired sets: an initial block failure of a resistant lower unit leaves the weak upper unit unsupported, which will fail as a rotational slide or slump soon thereafter. The process is repeated episodically.

(modified from Leighton and Associates 1979)

POLICY ISSUES AND OPTIONS

Building in areas safe from bluff erosion - establishing setbacks

Bluff retreat rates:

- Represent long-term averages useful over economic lifespan of development; useless over shorter timespans due to episodic nature of bluff retreat
- Should be based on long time series of data, including both relatively quiescent periods in mid-twentieth century, and more active period beginning around 1980 (including El Niño winters of 82-83 and 97-98).
- Data sets: Aerial/satellite photography, topographic surveys, GPS surveys, LIDAR
- Setback = (annual average retreat rate) x (economic lifespan of development) + (buffer)

Slope stability analysis:

- Based on a quantitative model of stability of slope
- Establish likelihood of sudden (catastrophic) failures; currently largely limited to landslide hazards
- Data sets: material strength (cohesion, friction angle) and weight; slope geometry
- Setback = area behind the 1.5 factor of safety line (i.e., forces resisting landslide movement are 1.5 times as great as forces driving landslide)

Remedial measures - alternatives analysis

Control surface runoff:

- Direct runoff away from slope; regrade top of bluff, install berms and swales, extend drainage culverts down face of bluff
- Collect water on bluff face and carry it away through impervious channels/pipes

Control ground water:

- Reduce infiltration: Restrict irrigation, increase hardscape, install clay caps, plug and control rodent burrows
- Lower ground water levels: Install horizontal drains (hydroaugers), pumping wells

Protect base of bluff from marine erosion:

- Establish sand beach, maintain through nourishment
- Offshore structures: groins, submerged artificial reef, breakwaters, etc.
- Seawalls and revetments

Protect overly steep upper bluff:

- Remove and recompact soil; use of geogrid reinforcement
- Upper bluff retaining walls, shotcrete walls, soil nails, tieback anchors, etc.

"Correct" bluff geometry:

- Seacave and notch infills
- Regrade bluff, remove and recompact soil, possibly use of geogrid reinforcement

Negative effects of seawalls and bluff retaining devices

- Fix back of beach; as front of beach moves landward during sea level rise, beach disappears
- Retain sand in coastal bluff which would otherwise have become available to replenish the beach
- Encroach on public beach, reducing area of beach
- May limit vertical and lateral access to beach
- Visual impacts

§30235 of Coastal Act and CEQA require approval of shoreline protective structures only when:

- Required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion
- Designed to eliminate or mitigate adverse impacts on local shoreline sand supply
- The least environmentally damaging alternative available

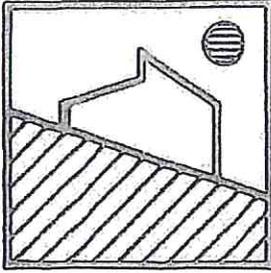
Some points to bear in mind...

Coastal bluff collapse and retreat are natural erosional processes

Coastal bluff erosion is caused by a combination of processes

Bluff retreat can be stopped or slowed significantly through sufficient engineering

Engineered structures may have negative visual, access, and secondary erosional effects



Grover Hollingsworth and Associates, Inc.

August 1, 2013

Chip Wullbrandt
Price, Postel & Parma LLP
200 East Carrillo Street, Suite 400
Santa Barbara, California 93101

Re: 2825 Padaro Lane
Summerland Area, Santa Barbara County
County of Santa Barbara Project No.: VT-24597-03

Dear Chip:

I have reviewed the reports submitted by Earth Systems Southern California regarding the property located at 2825 Padaro Lane. Based on the data and analyses contained in those reports I have mapped the "1.5 Safety Factor Line" and the "Structure Setback Line" as shown on the attached map. These two lines are separated by the expected 75 year bluff retreat distance discussed by Earth Systems.

It is my understanding, based on experience throughout the Coastal Zone, that all structural development must be setback beyond the point where the site has a factor of safety of 1.5 with respect to deep seated stability plus the expected bluff retreat over a 75 year period. Based on the information presented by Earth Systems that line is the "Structure Setback Line" shown on the attached map.

If you have any further questions or would like any further explanation, please do not hesitate to call.


Robert A. Hollingsworth
E.G. 1265/G.E. 2022



Grover-Hollingsworth Assoc., Inc.
31129 Via Colinas, Suite 707
Westlake Village, California 91362
bob@ghageo.com
(818) 889 0844

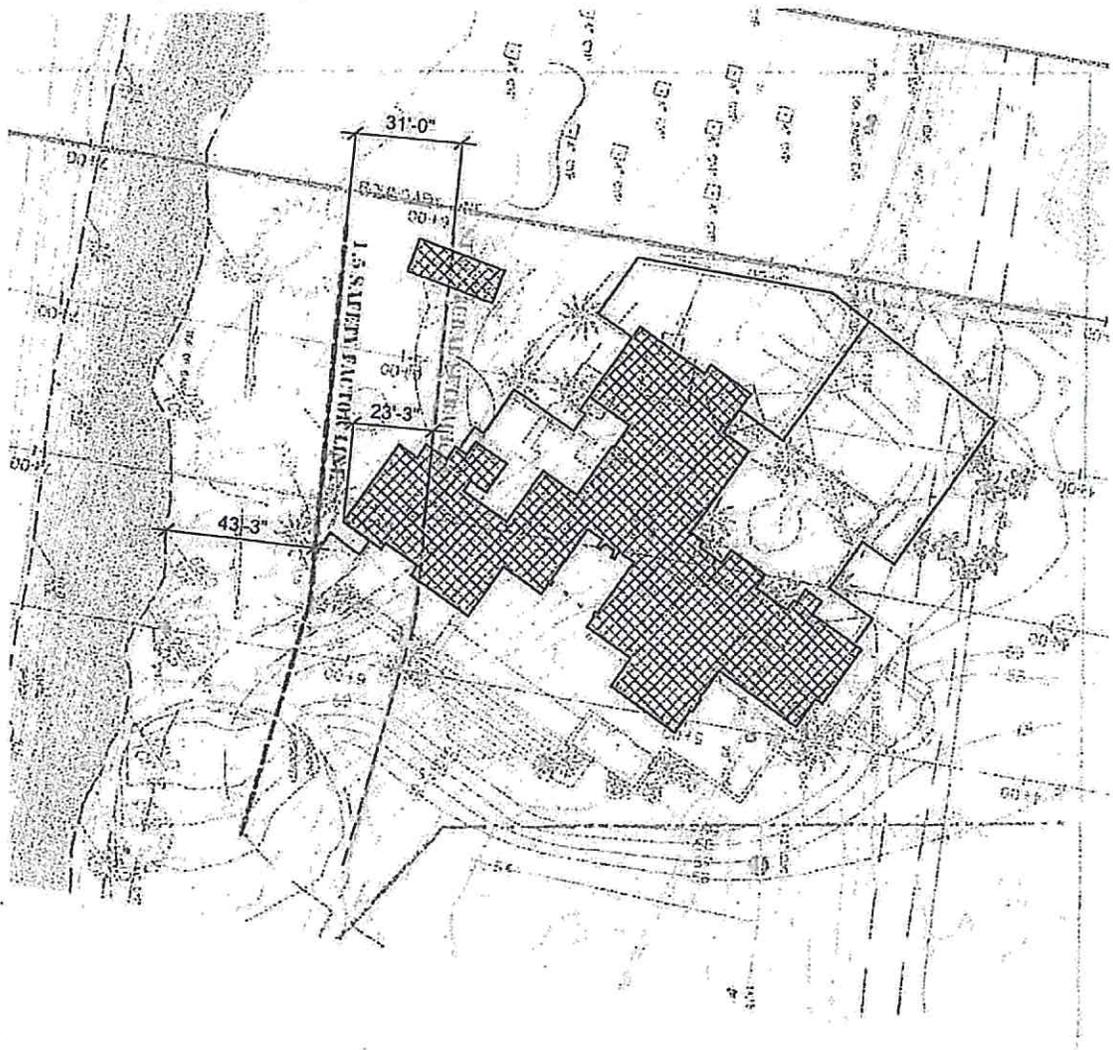
Engineering Geology

Geotechnical Engineering

31129 Via Colinas, Suite 707, Westlake Village, California 91362 • (818) 889-0844 • (FAX) 889-4170



2825 PADARO LANE - SITE PLAN
SCALE 1/2" = 1'-0"
SEPTEMBER 09, 2013



From: Gerber, Joyce
Sent: Wednesday, September 04, 2013 8:35 AM
To: Briggs, Errin
Cc: Almy, Anne
Subject: Public comment for Beach Club DND

Errin,

I received a phone call from Patrick Tumamait [(805) 216-1252]. Mr. Tumamait requested that I provide you with his comments on the Beach Club project (11CDH-00000-00006 & others). I took notes on what he told me, then read them back and received his confirmation that they accurately represented his concerns. His comments are as follows:

- He would like a letter of apology from the owner for grading in the archaeological site.
- He believes that the gabion wall fill (the soil between the rocks) could contain human remains.
- When the deck is removed, he is concerned that laborers will pick up cultural materials. He would like to make sure that the Native American and archaeological monitors will not allow that, and that there is a pre-construction meeting to inform the workers that such activities are not allowed.
- He would like to know what the MLD will deal with any human remains that are identified during work at the site.

Joyce L. Gerber, M.A., RPA
County of Santa Barbara Planning and Development Department
Development Review Division
624 W. Foster Road, Suite C
Santa Maria, CA 93455
(805) 934-6265

South Board of Architectural Review Minutes

May 18, 2012

10. **12BAR-00000-00070** **3282 Beach Club Drive Family Trust**
New Barn with Basement **Summerland**
11CDH-00000-00054 (Joyce Gerber, Planner) **Jurisdiction: Coastal**

Request of Mark Wryan, architect for the owner, Timothy Hocter, Trustee 3282 Beach Club Drive Family Trust, to consider Case No. 12BAR-00000-00070 for **conceptual review of a barn/meeting space/stables of approximately 5,992 square feet and storage basement of approximately 1,649 square feet**. No structures currently exist on the parcel. The proposed project will not require grading. The property is a 10.25 acre parcel zoned 3-E-1 and shown as Assessor's Parcel Number 050-260-018, located at **2825 Padaro Lane** in the Carpinteria area, First Supervisorial District.

COMMENTS:

- **Beach cottage and associated grading for the cottage and barn structure accepted as ex agenda items to allow SBAR to understand context for proposed barn.**
- **Beautiful cottage design. However, SBAR understands the need for the structure to be consistent with zoning. Planner to work with applicant in this regard. Otherwise, cottage is ready for preliminary review.**
- **Barn is a beautiful and interesting structure. Fits well into the site and context adjacent to cottage.**
- **Continue to develop design further and return for preliminary review.**

Project received conceptual review only, no action was taken. Applicant can return for preliminary approval.

November 2, 2012

6. **12BAR-00000-00070** **3282 Beach Club Drive Family Trust**
New Residence, New Barn, and Basements **Summerland**
11CDH-00000-00054 (Errin Briggs, Planner) **Jurisdiction: Coastal**

Request of Mark Wryan, architect for the owner, Timothy Hocter, Trustee 3282 Beach Club Drive Family Trust, to consider Case No. 12BAR-00000-00070 for **conceptual review of a new residence of approximately 4,989 square feet plus attached 750 square foot garage and 500 square foot basement, an additional barn/meeting space/stables of approximately 5,992 square feet and storage basement of approximately 1,649 square feet**. No structures currently exist on the parcel. The proposed project will require 1,500 cubic yards of cut and 3,000 cubic yards of fill. The property is a 10.25 acre parcel zoned 3-E-1 and shown as Assessor's Parcel Number 050-260-018, located at **2825 Padaro Lane** in the Carpinteria area, First Supervisorial District. (Continued from 5/18/12)

COMMENTS:

Public speaker: Jeff O’Neil.

SBAR Comments:

- a. **Development overwhelms the proposed three acre lot and is completely out of scale. Additionally, barn as presented is out of scale with the house and needs to be subservient: redesign.**
- b. **Location of proposed house is acceptable.**
- c. **Scale of development as proposed is too big. Return showing only the three acre lot and proposed development on that lot in its neighborhood context.**
- d. **Architecture lacks unity. Architect presented photographs of the Biltmore as an example of desired aesthetic but details, such as thickened walls, are not carried into the design. CAD drawings don’t portray Spanish colonial architecture. Iron railings should be switched to wood. Massing needs to leave lots of space around fenestration etc. Restudy to refine.**
- e. **Building, as proposed, could be anywhere. This is a great opportunity to address the ocean and put it in the architecture. Architecture needs to respect the ocean, climate, bluff top setting etc, but it needs to be less formal. Simplify and make architecture more peaceful.**
- f. **Plant palette on bluff needs to be endemic and native.**
- g. **Return with conceptual schematics of a reduced redesigned project for further conceptual review.**

Project received conceptual review only, no action was taken. Applicant to return for further conceptual review.

December 7, 2012

11.	12BAR-00000-00070	3282 Beach Club Drive Family Trust New Residence, Garage and Basement	Summerland
	11CDH-00000-00054 (Errin Briggs, Planner)		Jurisdiction: Coastal

Request of Mark Wryan, architect for the owner, Timothy Hctor, Trustee 3282 Beach Club Drive Family Trust, to consider Case No. 12BAR-00000-00070 for further **conceptual review of a new residence of approximately 4,989 square feet plus attached 750 square foot garage and 500 square foot basement.** No structures currently exist on the parcel. The proposed project will require 1,500 cubic yards of cut and 3,000 cubic yards of fill. The property is a 10.25 acre parcel zoned 3-E-1 and shown as Assessor’s Parcel Number 050-260-018, located at **2825 Padaro Lane** in the Carpinteria area, First Supervisorial District. **(Continued from 5/18/12 & 11/02/12)**

COMMENTS:

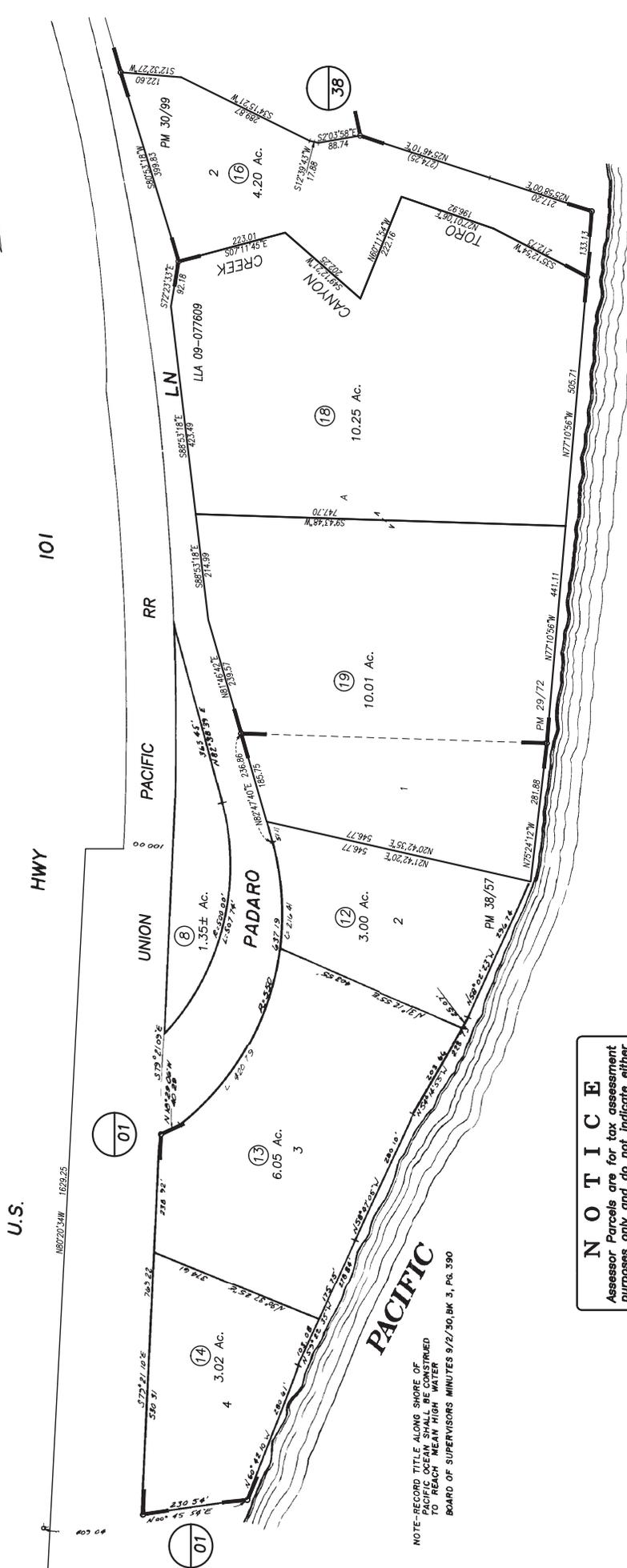
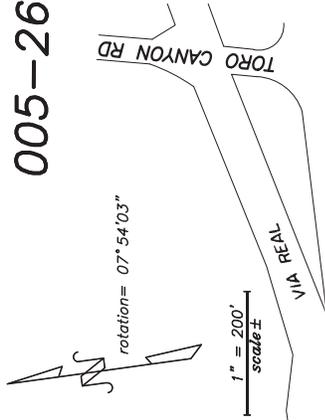
- a. **Mass, bulk and scale are appropriate for the area and the site.**
- b. **Architectural elevations need to be simplified to achieve one style; too many different shapes and forms as presented. Simplify more along the lines of a George Washington Smith project.**
- c. **Express thickness of walls.**
- d. **Trellis element does not match the style of the house.**

- e. Restudy tower.**
- f. Soften entire design through the use of stone and wood materials.**
- g. SBAR urges applicant to return to the Summerland BAR.**

Project received conceptual review only, no action was taken. Applicant may return for preliminary approval.

POR. PUEBLO LANDS

005-26



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

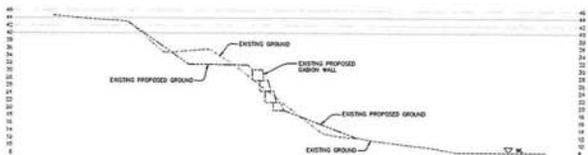
Assessor's Map Bk, 005-Pg, 26
 County of Santa Barbara, Calif.

LD/10 9 & 11 into 18 & 19

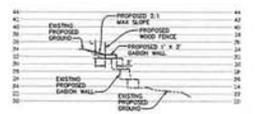
NOTE-RECORD TITLE ALONG SHORE OF PACIFIC OCEAN SHALL BE CONSTRUED TO REACH MEAN HIGH WATER BOARD OF SUPERVISORS MINUTES 9/2/30, BK 3, PG. 390



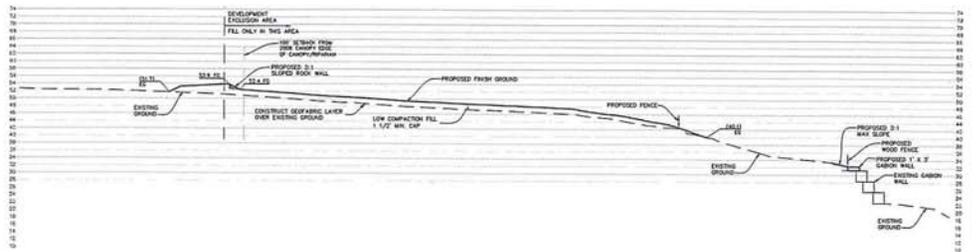
EXISTING PROPOSED BUILDING AND PLAYGROUND
SCALE: 1"=10'



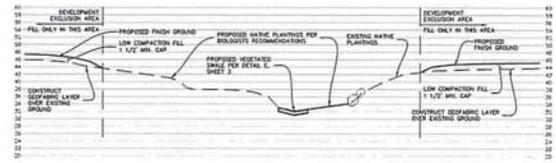
EXISTING PROPOSED GABION WALL
SCALE: 1"=10'



PROPOSED GABION WALL
SCALE: 1"=10'



PROPOSED RESOURCE CAPPING GRADING
SCALE: 1"=10'

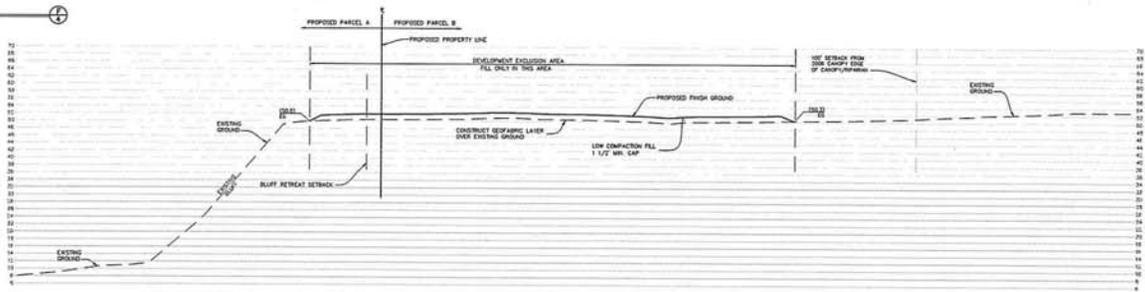


PROPOSED RESOURCE CAPPING AND VEGETATED SWALE
SCALE: 1"=10'

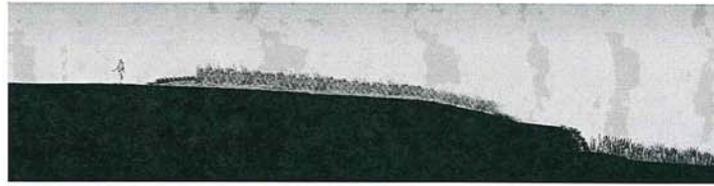


GABION WALL

REVEGETATION AREA
NOTE: SEE RESTORATION DETAILS BY LANDSCAPE ARCHITECT.



PROPOSED RESOURCE CAPPING GRADING
SCALE: 1"=10'



CROSS SECTION D - ARCHITECT'S RENDITION
SCALE: N.T.S.



CROSS SECTION F - ARCHITECT'S RENDITION
SCALE: N.T.S.

NOTE
LANDSCAPE RESTORATION AND REVEGETATION PLAN FOR THE PROPOSED GABION WALL, GEOTEXTILE LAYER, AND VEGETATED SWALE. THESE DETAILS ARE SUBJECT TO APPROVAL BY THE COUNTY OF SANTA BARBARA.

DATE: 11/25/2023 10:58 AM
 USER: JACOB
 PROJECT: 23-0000-0008
 SHEET: 4 OF 5
 11/25/2023

NO.	DATE	REVISION	BY

Prentiss & Smith
 Engineering & Surveying
 1210 W. Main Street, Santa Barbara, CA 93101
 Phone: (805) 961-1000 Fax: (805) 961-1001
 PROJECT ENGINEER: **DAVID A. SMITH**
 S.I.C. 00001



COUNTY OF SANTA BARBARA, CA
 PROJECT NO: 23-0000-0008
 SHEET NO: 4 OF 5
 DATE: 11/25/2023

CROSS SECTIONS AND PICTURES
 11/25/2023-0000-0008
 AS-BUILT GRADING AND MODIFICATIONS TO THE
 HABITAT RESTORATION AND REVEGETATION PLAN
 300 POUNDS LANE, SANBARBARA, SANTA BARBARA COUNTY, CA
 DATE: 11/25/2023

**RESTORATION “AS-BUILT” REPORT AND ADDENDUM
TO
CONCEPTUAL HABITAT RESTORATION AND
REVEGETATION PLAN,
2825 PADARO LANE, SUMMERLAND,
SANTA BARBARA COUNTY, CALIFORNIA**



Southern stream terrace, looking north. 22 May 2012.

Prepared for:

**County of Santa Barbara
Planning and Development Department
123 East Anapamu Street
Santa Barbara, CA 93101**

**Contact: Anne Almy and Joyce Gerber
(805) 568-2000**

25 May 2012

Prepared by:

**Hunt & Associates Biological
Consulting Services
5290 Overpass Road, Ste. 108
Santa Barbara, CA 93111**

**Contact: Lawrence E. Hunt
(805) 967-8512**

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**Restoration “As-Built” Report and Addendum to
Conceptual Habitat Restoration and Revegetation Plan,
2825 Padaro Lane, Summerland,
Santa Barbara County, California**

Introduction. Installation of a series of cage gabions to form a structural foundation for habitat restoration on slopes in the southwest portion of the restoration area was the basis for Zoning Violation Case No. 11ZEV-00000-00011, dated 20 January 2011, which prompted County Planning & Development Department review of the entire “as-built” restoration effort. This addendum describes field changes that were made during implementation of an approved Conceptual Habitat Restoration and Revegetation Plan (dated 20 July 2009) for the subject property. The County of Santa Barbara Planning and Development Department approved this Plan in late summer 2009 (Approved Plan hereafter). Plan implementation began in November-December 2009 and is on-going. The restoration described herein was completed in May-June 2011 and monitoring of those portions of the Approved Plan began at that time. Monitoring of these and future plantings will occur for three (3) years post-planting to ensure that the restoration effort meets or exceeds performance criteria described in the Approved Plan.

Executive Summary. Field changes frequently occur when implementing habitat restoration plans to address altered site conditions and/or accommodate factors that could not be anticipated when the Plan was prepared. Table 1 compares: a) site conditions before restoration; b) the Approved Plan, and; c) “as built” field changes to the Approved Plan. The locations of these changes are shown in Figure 1 and are described in detail in following sections. “Before” and “after” restoration photos are included in Appendix 1. Lists of species and planting densities are included in Appendix 2.

Table 1. Summary of Approved versus “As-Built” Restoration.

Approved Restoration Goal or Action (p. 19 of Approved Plan)	Before Restoration	Approved Plan	“As-Built” Restoration	Difference
Restoration of Existing Native Plant Communities: <ul style="list-style-type: none"> • Coast Live Oak-Sycamore Riparian Woodland and Riparian Scrub • Southern Coastal Bluff Scrub • Freshwater Marsh • Southern Fore-dune (Coastal Strand) <p style="text-align: center;">TOTAL</p>	<ul style="list-style-type: none"> • 0.68 acres • 0.25 acres • 0.02 acres • 0.06 acres <p style="text-align: center;">1.01 acres</p>	<ul style="list-style-type: none"> • 2.19 acres • 0.48 acres • 0.03 acres • 0.09 acres <p style="text-align: center;">1.78 acres</p>	<ul style="list-style-type: none"> • 2.00 acres • 1.10 acres • 0.20 acres • 0.12 acres <p style="text-align: center;">3.42 acres</p>	<ul style="list-style-type: none"> • - 0.19 acres (see discussion) • + 0.62 acres • + 0.17 acres • + 0.03 acres <p style="text-align: center;">Net gain of 0.63 acres</p>
Plant Native Trees Along Western and Northern Property Boundaries	No trees along western property boundary; myoporum hedge along northern	Remove myoporum hedge; plant 75 native trees along southern, western, and northern property	To be completed upon approval of Landscaping Plan	75 native trees will supplement 131 native trees already planted in Toro Canyon Creek corridor, for total of 206 trees, or a

	boundary	boundaries (Table 9)		11% increase over approved Plan
Establish on-site food sources for monarch butterflies	Marginal adult food source (blue gum); no larval food source plants on-site	One larval and one adult food source species (Tables 5 and 6 of approved Plan)	Two adult food source species One larval food source species	Gain of one adult food source species and denser planting of adult food sources along terraces, blufftop, and top-of-bank
Replace dead or dying eucalyptus with native trees	0.64 acres of eucalyptus trees	Remove trees as per recommendations of certified arborist (Appendix 4 of approved Plan)	Removed 15 eucalyptus trees from restoration area and replaced with coast live oak, western sycamore, black cottonwood, white alder, and box elder trees at > 2:1 replacement ratio	No change from approved plan
Create additional freshwater marsh habitat	0.02 acres of degraded marsh habitat; erosion of terrace banks and floor and sedimentation of Toro Canyon Creek due to uncontrolled surface runoff	Create 0.03 acres by constructing a bioswale along edge of path down to southern stream terrace	Created or will create 0.21 acres through removal of non-native vegetation and planting of freshwater marsh species	Net gain of 0.18 acres of freshwater marsh habitat Future revegetation of proposed drainage swales will create an additional 0.05 acres of marsh habitat
Meet or exceed Approved Plan guidelines for habitat restoration plans	1.00 acres of native habitat; 1.62 acres of ruderal vegetation; 0.56 acres of bare soil (Table 3 of Approved Plan)	Restore 3.18 acres to native habitat Plant 235 native grasses, 995 native shrubs, and 130 native trees	Restored 3.42 acres to native habitat to date Planted 3,605 native grasses, 2,179 native shrubs, and 131 native trees to date	Net gain of approx. 0.24 acres of native habitat over approved Plan Exceeded planting density by 430% and species richness by 340% over Approved Plan

Non-native vegetation was removed from the subject reach of Toro Canyon Creek and adjacent stream terraces and banks, as per Section 6.4.1 and Table 4 in the Approved Plan.

“As-Built” Changes to Approved Plan. The following discussion is organized by items mapped sequentially on Fig. 1:

Item 1. Changes to Size of Coast Live Oak-Western Sycamore Riparian Woodland Restoration. The Approved Plan proposed to restore/enhance approximately 2.19 acres of oak-sycamore riparian woodland. Approximately 2.00 acres have been restored to

date. This 8% decrease occurred on the north and south terrace slopes that were originally proposed for oak-sycamore woodland restoration, but were more appropriately planted with coastal bluff scrub vegetation (Item 1 on Fig. 1). Photos 8-9, 17-18a,b, and 21-22 in Appendix 1 show before and after conditions in coast live oak woodland and oak-sycamore riparian woodland restoration sites.

Item 2. Changes to Size of Southern Coastal Bluff Scrub Restoration. The Approved Plan proposed to restore/enhance approximately 0.48 acres of coastal bluff scrub. Approximately 1.00 acres has been restored to date and approximately 0.10 additional acres will be added when restoration of the zoning violation items, specifically the gabion wall, has been completed (Item 2 on Fig. 1). This represents a 129% increase in area for this habitat type. Dead or diseased eucalyptus trees were removed per arborist recommendations from the slopes and floor of the southern stream terrace, which expanded the amount of area available for coastal bluff scrub restoration. Photos 1-4, 6-7, 12-16, and 19-22 in Appendix 1 show before and after conditions in coastal bluff scrub restoration sites.

Item 3. Changes to Location and Area of Freshwater Marsh. The Approved Plan proposed to restore/enhance approximately 0.03 acres of freshwater marsh. In total, about 0.21 acres of freshwater marsh habitat has been enhanced or will be created under the “As-Built” Plan.

South Bioswale. The Approved Plan proposed to restore/enhance approximately 0.03 acres of freshwater marsh, primarily by creating a bioswale in uplands west of Item 9 on Fig. 1. This feature would have conveyed surface runoff to Toro Canyon Creek from the western portions of the property to the top of the beach path. The owners have decided to retain the existing system in which runoff in the uplands is collected in an underground culvert and conveyed to an outfall at the top of the path. The culvert outfall will empty into a cobble-lined swale that will run along the south side of the path, across the terrace floor, and empty into the creek. This feature will create about 0.030 acres of freshwater marsh habitat and will eliminate a major source of sediment into the creek and lagoon when completed. Photos 13-14 and 23-24 show the current condition of the south bioswale, to be completed once permitted.

North Bioswale. Additional freshwater marsh habitat will be created through restoration of an erosion feature that formed on the north stream terrace after the original Plan was approved (Item 3 on north terrace in Fig. 1 and photo 27 in Appendix 1). Currently, surface flows from the southern half of the property sheet-flow across the uplands through erosion channels on the slope, floor, and stream banks of the north stream terrace floor, into Toro Canyon Creek. Restoration of this feature includes lining it with cobbles and planting freshwater marsh species, such as rushes, scouring rush, nut-grass, and other species, in the interstitial spaces between the cobbles. This will eliminate a major source of sediment input to Toro Canyon Creek and halt slope erosion that is threatening mature coast live oaks on the slopes of the north terrace. This feature will create approximately 0.042 acres of freshwater marsh habitat. Representatives from the U.S. Army Corps of Engineers, California Department of Fish and Game, and

California Coastal Commission all agree that this feature is appropriate for this location. Future bank restoration lateral to the outfall of the swale will create an additional 0.015 acres of freshwater marsh habitat on the western bank of Toro Canyon Creek (Item 3 on Fig. 1).

Toro Canyon Creek Banks. The amount of freshwater marsh habitat around the terminal lagoon and lower reaches of Toro Canyon Creek has been expanded by approximately 0.12 acres by removing and controlling non-native vegetation and allowing native yellow nut-grass, scouring rush, and cattails that were in adjacent areas to colonize these sites (photos 3-5 and 23-24 in Appendix 1 and Item 3 on Fig. 1).

Item 4. Southern Foredune (Coastal Strand). The Approved Plan proposed to restore/enhance approximately 0.09 acres of coastal strand habitat. Approximately 0.12 acres of strand habitat in the dunes around the mouth of Toro Canyon Creek have been restored to date by removing and controlling invasive, non-native vegetation. The Approved Plan called for hydroseed application of a seed mix to this area (Table 6 of Plan) however, one of the species included in the seed mix were already present here in good numbers (beachbur). Other native species occurring here include lemonadeberry and seacliff buckwheat. It was decided to forego hydroseeding in favor of creating conditions under which the existing native plant populations could spread into areas formerly covered by non-native vegetation. Container stock of seacliff buckwheat (*Eriogonum parvifolium*), giant rye, seaside daisy (*Erigeron glaucus*), and other strand species have been planted on an adjacent slope and along portions of the beach path. This increased coastal strand habitat by about 33% over the Approved Plan (Item 4 on Fig. 1). Photos 10-11, and 16 in Appendix 1 show portions of this vegetation.

Item 5. Seed Mixes and Hydroseeding. Tables 5, 6, and 7 and Section 6.4.2 of the Approved Plan called for various seed mixes to be applied by hydroseeding the banks and stream terraces of Toro Canyon Creek and the coastal bluff area (Item 5 on Fig. 1). Instead, the seed mixes for these areas were applied by hand and raked into the soil. Hydroseeding was not done for three reasons: a) the binder in hydroseeding makes it more difficult to remove non-native vegetation by hand; b) sowing seed by hand results in less damage to the container plants that had already been installed in these areas, and; c) sowing seed by hand avoided application of a water-based delivery system to the highly erosive soils on the terrace slopes. The seed mixes were sown just before the onset of the 2010/2011 rainy season and showed excellent germination rates. Additional seed will be sown as conditions warrant during the monitoring phase. Appendix 2 of this Addendum lists 19 native species planted as seed.

Table 2 provides the reasons why certain plant species listed in Tables 5, 6, and 7 in the Approved Plan were not used.

Table 2. Field Changes to Hydroseed Species Lists in Tables 5, 6, and 7 in Approved Plan.*

Scientific Name	Common Name	Hydroseed Location in Approved Plan	Reason for Not Using Species
<i>Eriogonum fasciculatum</i>	Coastal sagebrush	Banks and terraces of Toro Creek floodplain (Table 5)	Substituted seacliff buckwheat (<i>E. parvifolium</i>);

			more appropriate to site
<i>Mimulus guttatus</i>	Common monkeyflower	Banks and terraces of Toro Creek floodplain (Table 5)	Substituted southern monkeyflower (<i>M. longiflorus</i>); more appropriate to site
<i>Hordeum brachyantherum</i> ssp. <i>brachyantherum</i>	Meadow barley	Banks and terraces of Toro Creek floodplain (Table 5)	Decided to concentrate on use of California brome (<i>B. carinatus</i>) and dune sedge (<i>Carex praegracilis</i>)
<i>Muhlenbergia microsperma</i>	Small-seeded muhly	Banks and terraces of Toro Creek floodplain (Table 5)	Decided to concentrate on use of California brome (<i>B. carinatus</i>) and dune sedge (<i>Carex praegracilis</i>)
<i>Atriplex californica</i>	California saltbush	Coastal bluff (Table 6)	Tends to dominate areas where planted; may use in future to fill in "holes" in vegetation along coastal bluff
<i>Baccharis pilularis</i>	Coyote bush	Coastal bluff (Table 6)	Tends to dominate areas where planted; already present in this area in low numbers
<i>Abronia maritima</i>	Sticky sand-verbena	Coastal strand (Table 7)	Could not find seed or container source close to subject property

* see Appendix 2 for list of species installed as seed.

Item 6. Changes to Shrub and Tree Palette and Planting Density. The conceptual shrub and tree palettes in Tables 8 and 9 of the Approved Plan were modified to meet site-specific conditions. Reasons for not using particular species listed in these tables are described in Table 3.

Table 3. Field Changes to Shrub and Tree Species Lists in Tables 8 and 9 in Approved Plan.*

Scientific Name	Common Name	Planting Location in Approved Plan	Reason for Not Using Species
<i>Ribes amarum</i>	Bitter gooseberry	Banks and terraces of Toro Creek floodplain (Table 8)	Substituted other species of <i>Ribes</i> (see Appendix 2) that were more appropriate to the site
<i>Scrophularia californica</i>	California bee plant	Banks and terraces of Toro Creek floodplain (Table 8)	Based on experience with this species in other restoration efforts, most plants do not persist after 2-3 yrs
<i>Mimulus guttatus</i>	Common monkeyflower	Banks and terraces of Toro Creek floodplain (Table 8)	Substituted southern monkeyflower (<i>M. longiflorus</i>); more appropriate to site
<i>Artemisia douglasiana</i>	Mugwort	Banks and terraces of Toro Creek floodplain (Table 8)	Already present and spreading on-site
<i>Solanum douglasii</i>	Douglas' nightshade	Banks and terraces of Toro Creek floodplain (Table 8)	Already present and spreading on-site
<i>Muhlenbergia rigens</i>	Deer grass	Banks and terraces of Toro Creek floodplain (Table 8)	Decided to concentrate on use of California brome (<i>B. carinatus</i>) and dune sedge (<i>Carex praegracilis</i>)
<i>Nassella</i> sp.	Needlegrass	Banks and terraces of Toro Creek floodplain (Table 8)	Decided to concentrate on use of California brome (<i>B. carinatus</i>) and dune sedge (<i>Carex praegracilis</i>)
<i>Umbellularia californica</i>	California bay	Stream terraces	Prone to fungal diseases;

			planted additional sycamores and coast live oaks to compensate
<i>Acer macrophyllum</i>	Bigleaf maple	Stream terraces	Not appropriate for coastal location; planted additional sycamores to compensate
<i>Cupressus macrocarpa</i>	Monterey cypress	Blufftop and western and northern property boundary	Already present on blufftop; may be planted in the future along property boundaries but is not native to region

* see Appendix 2 for list of species.

Species richness and planting density under “as-built” restoration is over three to four times greater than that proposed in the Approved Plan (Figs. 2 and 3). Approximately 4,555 additional plants, comprising 61 additional species, were planted in the restoration area.

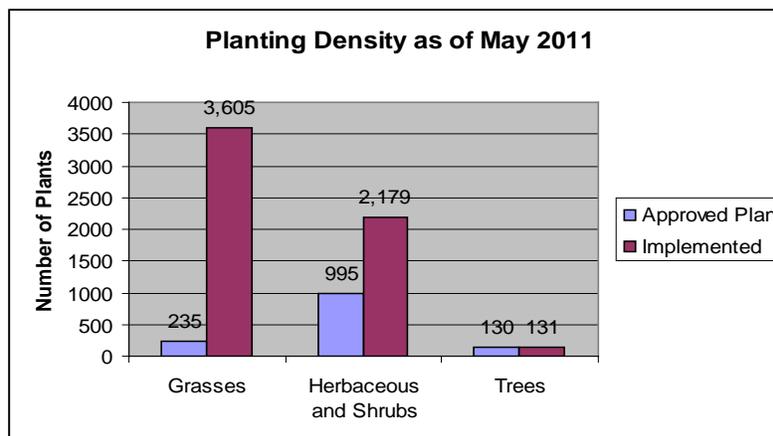


Figure 2. “As-Built” vs. Approved Plan Planting Density.

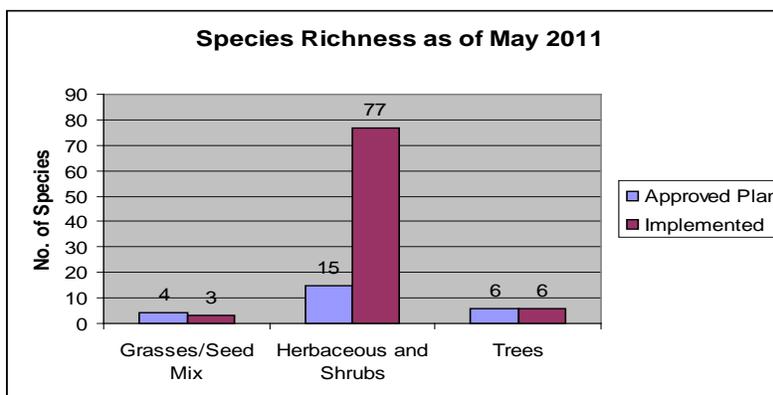


Figure 3. “As-Built” vs. Approved Plan Species Richness.

Item 7. Changes to Total Restoration Area. Field changes detailed in Table 1 increased the total restoration area to approximately 3.42 acres (23% gain). Expanded restoration areas included terrace slopes formerly vegetated with blue gum eucalyptus (*Eucalyptus globulus*) trees and portions of the northeastern corner of the subject property (Item 7 on Fig. 1). Areas that formerly were covered with eucalyptus trees, whose removal per arborist recommendation, expanded the amount of area available for restoration are shown in photos 1-4, 6-7, 12-16, and 19-22 in Appendix 1.

Item 8. Changes to Monarch Butterfly Food Plants. The Approved Plan called for planting one adult food source (*Eriogonum fasciculatum*), and one larval food source (*Asclepias fascicularis*). Instead, two adult food sources (*Salvia leucophylla* and *Eriogonum parvifolium*), and one larval food source (*Asclepias fascicularis*), was planted along the terrace slopes and uplands areas, and in numbers greater than that called for in the Approved Plan (Item 8 on Fig. 1).

Item 9. Southern Path to Stream Terrace and Beach. The path at this location was little more than an eroded ravine that conveyed sediment-laden surface runoff from the southern half of the property into Toro Canyon Creek. Section 6.3 of the Approved Plan called for removing the patch and planting native vegetation. Revegetation of the slope north of the path was completed in May-June 2011 and is being monitored to meet or exceed the performance criteria outlined in the Approved Plan. Revegetating the slope south of the path is on-hold pending permit review. Once permitted, a bioswale (south bioswale) will be constructed along the south edge of the path to de-silt and de-energize surface runoff to Toro Canyon Creek (see discussion Item 3 above). Once these efforts have been completed, the original path will be narrowed by at least 50% of its former width and erosion and sedimentation will be halted (Item 9 on Fig. 1). Photos 10-11, 13-16, and 23-24 in Appendix 1 show before and after comparisons of site conditions at this location.

Item 10. Use of Dune Sedge to Create Coastal Meadow on Stream Terraces. The Approved Plan called for planting up to four species of native grasses on the northern and southern stream terraces and adjacent banks--meadow barley, California brome, small-seeded muhly, and giant rye (Tables 5 and 6). One species, giant rye (*Leymus condensatus*), was present on-site naturally and its numbers have been supplemented with additional plantings. California brome was planted as seed in the northeastern corner of the subject property. Reasons for not using the other two species are described in Table 2.

Figure 4 of the Approved Plan only generally mapped conceptual restoration of these stream terraces and did not direct the species to be used on these features. After planting the edges of the southern terrace with riparian woodland and scrub understory shrubs and ground cover, it was decided to plant dune sedge (*Carex praegracilis* aka *C. pansa*) in the center of the terrace. Dune sedge is a superior alternative to small-seeded muhly, meadow barley, or other ground cover at this location because: a) these sandy stream terraces lie less than five feet above sea level and extend 30-600 feet back from the beach; b) the terrace floor soil is at least 90% sand, and; c) dune sedge occurred locally in

similar habitats, and may have been present at this location. This last point is documented by the following sources:

- *R.F. Hoover. 1970. Vascular Plants of San Luis Obispo County, California: "...common near the coast, especially in hollows among sand-dunes" and "...in sand near the sea".*
- *C.F. Smith. 1995. A Flora of the Santa Barbara Region, California: "Colonies scattered, sometimes over large areas about sandy hollows of dunes and on flats around marshes [around river mouths]" and "Along coast about sand spits, meadows, hollows of dunes, marshes, ponds, and springs (fresh and salt)."*
- *P.H. Raven et al. 1986. Flora of the Santa Monica Mountains, California: present in "seasonally moist flats at low elevations [around coastal drainages]."*
- *Local collection records (Consortium of California Herbaria (ucjeps.berkeley,.edu):*
 - *sand spit at Goleta Beach (1932);*
 - *sandy border of the salt marsh and sand spit in Sandyland in 1931 (this locality is less than two miles east of the subject property);*
 - *coastal meadow off Veronica Springs Road in Santa Barbara (1932).*

Dune sedge is a locally-occurring species typical of sandy terrace, back-dune, and foredune habitats along the coast, including low-elevation terraces near the mouths of coastal streams, such as those found on the subject property. Therefore, use of dune sedge here is both ecologically and biogeographically appropriate.

Dune sedge also was selected as a superior ground cover here because:

- It has a much higher ground cover rate, growth rate, and viability relative to other native grasses, thus can resist invasion of non-native species. When first planted, occasional mowing at a height of four inches is recommended to stimulate rhizome production and lateral spread. Once established, it will be left un-mowed to attain a natural height of 6-8 inches and a more natural clumped appearance.
- It can tolerate light to moderate shade provided by riparian canopy trees.
- It provides for superior erosion-control.
- It is drought-tolerant and can handle moderate foot-traffic, thus resisting invasion of non-native species as a result of mortality.

Native riparian shrubs and trees have been planted around and among the dune sedge ground cover to increase the structural heterogeneity of these sites and improve habitat quality, as called for in the Approved Plan. See photos 1-2, 6-7, 13-16, and 19-22 for before and after restoration of the terrace floor using this species.

Future Elements to be Installed. The following items are components of the Approved Plan that have yet to be installed. They are mapped sequentially on Fig. 1 as Items 11-16.

Item 11. Item 11 has been deleted from this discussion and on Fig. 1 because the information was combined with Items 6 and 7.

Item 12. Use of bioswales to convey surface runoff, prevent slope and bank erosion, and restore freshwater marsh habitat. As previously discussed under Item 3, the Approved Plan proposed only one bioswale, the south bioswale. The size and configuration of this feature has been modified from the Approved Plan. The south bioswale has been partially constructed. This feature and the north bioswale will be completed upon permit review.

These bioswales will serve three functions: a) collect and convey surface runoff from the upland portion of the subject property to Toro Canyon Creek; b) eliminate bank erosion and significant sediment inputs to the creek, and; c) create freshwater marsh habitat by planting the cobble-lined surfaces of these bioswales with the following species:

**Table 4. Suggested Plant Palette for Bioswales
(information transmitted to M. Mooney, County P&D,
via e-mail on 21 February 2012).**

North Bioswale	
Scientific Name	Common Name
<i>Carex praegracilis</i>	Dune sedge
<i>Equisetum sp.</i>	Scouring rush
<i>Juncus patens</i>	Common rush
<i>Juncus textilis</i>	Indian rush
<i>Muhlenbergia rigens</i>	Deer grass
<i>Polystichum munitum</i>	Western sword fern
<i>Woodwardia fimbriata</i>	Giant chain fern
South Bioswale	
<i>Anemopsis californica</i>	Yerba mansa
<i>Carex praegracilis</i>	Dune sedge
<i>Equisetum sp.</i>	Scouring rush
<i>Juncus patens</i>	Common rush
<i>Juncus textilis</i>	Indian rush
<i>Leymus condensatus</i>	Giant rye
<i>Muhlenbergia rigens</i>	Deer grass

As requested by California Coastal Commission staff during their site visit on 27 September 2011, these erosion features will be stabilized and revegetated using a “soft-touch” approach including use of small rocks covered with soil and planted with native wetland plants to decrease water velocity, allow runoff to percolate into the stream terraces, and de-silt the water before it enters Toro Canyon Creek. See Item 3 for additional information. Photos 14, 23-24, and 27 in Appendix 1 show current conditions of these features.

Item 13. Terrace Slope Erosion – Use of Boulders. The terrace slopes leading to Toro Canyon Creek were known to be somewhat erosive, but the magnitude of this instability and the extent to which it would preclude revegetation, was not anticipated in the Approved Plan. Closer inspection of the soils on the slopes adjacent to the southern stream terrace showed them to be composed mostly of fill containing a large amount of

trash (tires, glass, wood, and other debris), that apparently was pushed over the edge of slope during grading activities conducted by previous owner(s).

Section 6.3 of the Approved Plan anticipated that other erosion control measures, such as boulders, might have to be used during restoration on steep slopes. After multiple iterations of planting and re-planting these areas, only to have the plants and surrounding soil slide down the slopes toward the creek, additional soil stabilization measures were implemented. Various options were considered and large rocks were added to the steeper portions of the slopes for their stabilizing qualities, and planting continued around them. Photos 1-2, 13-16, and 21-22 in Appendix 1 show before and after restoration of these slopes using boulders. Additional boulders may be necessary to complete restoration of the slopes adjacent to the cage gabion wall.

Terrace Slope Erosion – Installation of Cage Gabion Wall. Not part of the Approved Plan, an approximately 80-foot long segment of the steepest portion of the slope along the southwestern edge of the southern stream terrace was stabilized with cage gabions filled with large cobble and installed in a stair-step arrangement nearly up to the geological top-of-bank (Photos 25-26 in Appendix 1). This structure was installed in late 2010 by the owner in order to: a) control on-going soil erosion that was impacting lower Toro Canyon Creek and the terminal lagoon; b) prevent future slope failure that would have inundated these wetlands; c) provide a stable substrate on which to plant native vegetation, and; d) protect an important Native American cultural site from future erosion.

The horizontal surfaces of the cages will be covered with soil and the entire structure will be planted with native trees, shrubs, and ground cover to obscure it from view upon permitting of the cage gabion wall. Candidate species palettes and methods for revegetating this structure were transmitted to Anne Almy (County P&D) in a letter dated 1 March 2011. They are:

- All horizontal surfaces of the structure will be capped with clean, imported topsoil to provide a substrate for planting native vegetation. Soil will be placed on the horizontal surfaces with hand tools (shovels, rakes) and will be raked or swept into interstices of cobbles using brooms and/or a hose until a 6-inch to 8-inch thick, lightly compacted soil cap has been created.
- The following native species will be planted on and around edges of cage gabion structure to match existing restoration on adjacent slopes:
 - Purple sage (*Salvia leucophylla* ‘Pt. Sal’) – prostrate, spreading shrub
 - Blueblossom (*Ceanothus thyrsiflorus* or *Ceanothus* ‘Ray Hartman’) – large shrub-small tree; plant on horizontal surface and on adjacent slope to obscure edges of structure
 - Toyon (*Heteromeles arbutifolia*) – large shrub/small tree; plant on horizontal surfaces and adjacent slope around structure to obscure edges
 - Beach strawberry (*Fragaria chiloensis*) – ground cover to cascade down vertical surfaces of gabion; roots where runners contact ground

- Catalina perfume (*Ribes viburnifolium*) – medium-sized shrub with cascading growth form to cover vertical surfaces of gabion
- Dune sedge (*Carex praegracilis*) – grass-like ground cover for horizontal surfaces.
- California sunflower (*Encelia californica*) – rambling shrub to cover horizontal and vertical surfaces
- Seed mix of 16 annual and perennial wildflowers (see list in Appendix 1); seed will be hand-sown on horizontal surfaces and raked into interstitial spaces; self-propagating; will form complete ground cover with dune sedge and beach strawberry.
- Drip irrigation will maintain the container plants for at least one year or until self-sufficient. Dead material will be replaced with similar species and numbers, as needed. The structure will be weeded and soil added, as necessary, especially following rains.
- Plantings will be monitored for growth, survivorship, and cover for a period of three years post-planting, consistent with meeting or exceeding the performance standards outlined in the Approved Habitat Restoration and Revegetation Plan for this portion of the parcel.
- Planting will begin as soon as the structure is permitted, the final few cages are installed, the safety fence is installed, and the soil cap is in place.

Item 14. Western Property Boundary. The Approved Plan calls for planting Monterey cypress, coast live oak, and western sycamore along the western property boundary upon completion of the landscaping plans for adjacent areas outside the restoration zone (Item 14 on Fig. 1).

Item 15. Plantings in Bluff Setback Area. Additional container stock of coastal bluff shrubs, such as purple sage, lemonadeberry, and California encelia, will be planted in the bluff setback area upon completion of landscaping plans for adjacent areas outside the restoration zone (Item 15 on Fig. 1).

Item 16. Privacy Hedge on Northern Property Boundary. The Approved Plan calls for removing the existing myoporum (*Myoporum laevis*) hedge along the Padaro Lane side of the property and replacing it with a native hedge-forming species. Candidate native shrubs that can be trained into a privacy hedge include California wax myrtle (*Myrica californica*) and lemonadeberry (*Rhus integrifolia*).

Conclusion. In all cases, “as-built” restoration exceeds the Approved Plan goals with significant benefits to plant and wildlife habitat, which were to: a) stabilize slopes and control soil erosion; b) improve water quality in Toro Canyon Creek, and; c) replace non-native vegetation with native species that have high wildlife value. In short, the “as-built” effort exceeds the letter and intent of the Approved Plan.

**APPENDIX 1. BEFORE AND AFTER
SITE PHOTOGRAPHS**



1. Southern terrace slope looking southwest. Non-native vegetation has been removed and boulders were placed on slope to stabilize soil for planting sites. Coast live oaks and white alder have been planted on slopes. 12 September 2009.



2. Same site as above after revegetation with native species. Dune sedge (left) and wood mint (right) on terrace floor grades into canyon sunflower, seacliff buckwheat, ceanothus, gum plant, common aster, elderberry, and other species on slope. 22 May 2012.



3. Southern stream terrace and western bank of Toro Canyon Creek, looking northeast, prior to restoration. Terrace was highly disturbed, with bare soil and large patches of invasive, non-native vegetation (mustard, castor bean, periwinkle, etc.). 12 September 2009.



4. Same site as above, after restoration. Non-native vegetation has been replaced with California blackberry, yarrow, beach strawberry. Planted trees include black cottonwood and western sycamore. Western bank of creek supports common horsetail, cattails, and yellow nut-grass. Eastern bank is covered with cape ivy and other non-native species (see next photo). 22 May 2012.



5. Banks of Toro Canyon Creek adjacent to southern stream terrace showing effects of restoration. Before restoration, the western bank (foreground) used to be covered with same non-native species that still cover the eastern bank (neighboring property). Natives here include scouring rush, cattails, and yellow nut-grass. Eastern bank is a mixture of Algerian ivy and cape ivy. 22 May 2012.



6. Southern stream terrace, looking north, prior to restoration. Slopes at right were covered with mostly dead or dying blue gum eucalyptus. Floor of terrace was either bare soil or weeds (castor bean, bull mallow, ice plant, etc.), with a few scattered western sycamores and blue gum saplings. 12 September 2009.



7. Same view as above, after restoration. Healthy eucalyptus trees have been retained (upper left). Portions of terrace floor have been planted with dune sedge, which grades into patches of giant rye, California rose, wood mint, and canyon sunflower. Western sycamore, black cottonwood, box elder, and arroyo willow have been planted along edges of terrace and on creek banks. Ceanothus, elderberry, mugwort, and other species have been planted on the slope at right. 22 May 2012.



8. Northern terrace, looking north, prior to restoration. Well is visible in center of terrace. Horse corrals have been removed. Note condition of terrace floor and adjacent slopes. 12 September 2009.



9. Same view as above. Terrace floor has been planted with western sycamore, holly-leaved cherry, arroyo willow, coast live oak, elderberry, coffeeberry, box elder, and western spice bush. Slope at right retains natural coast live oaks. Giant chain fern, western sword fern, alum root, hummingbird sage, canyon sunflower, California grape, blue-eyed grass, seacliff buckwheat, and other species. 22 May 2012.



10. Lower terrace, looking south from edge of creek toward beach. Southern stream terrace and adjacent slope, prior to restoration. Slope and creek banks are covered with ice plant and other non-native vegetation. When this vegetation was removed, slope soils were too unstable to plant. 12 September 2009.



11. Same view as above. Cage gabion wall was installed to stabilize a portion of the slope for planting. Note proliferation of planted native vegetation along top of bank of creek at left. Ground cover includes yarrow, California blackberry, beach strawberry, giant rye, seaside daisy, and Indian rush. Slopes in background have been planted with coastal bluff scrub shrubs and ground cover. Cage gabion wall will get similar treatment. 22 May 2012.



12. Slopes of southern stream terrace, prior to restoration, covered with bull mallow. 3 Feb 2010.



13. Same view, after non-native vegetation has been removed. 28 May 2010.



14. Same view after restoration. Slopes shrubs include purple sage, ceanothus, and other native shrubs. Trees planted here include coast live oak, western sycamore, and white alder. Terrace floor has been planted with dune sedge, beach strawberry, CA blackberry, wood mint, canyon sunflower, and other species. Former erosion channel at left has been lined with cobbles and will be planted with native freshwater marsh species. Bare soil will be planted with similar shrub and ground cover species as in adjacent areas. 22 May 2012.



15. Southern terrace and slopes looking north from beach, prior to restoration. Path to beach runs through cut in slope at left and down center of photo. Note ice plant on adjacent slopes. 28 May 2010.



16. Same view after restoration. Non-native vegetation and bare soil has been replaced with coastal bluff scrub, riparian scrub, and oak-sycamore riparian woodland species. 22 May 2012.



17. Northern stream terrace slopes at start of plant installation. Slopes were formerly covered with garden nasturtium (*Tropaeolum majus*) and fumitory (*Fumaria officinalis*). Species planted here include coast live oak, giant chain fern, western sword fern, alum root, elderberry, southern bush monkeyflower, and a variety of other oak woodland and oak-sycamore riparian woodland species. 14 December 2010.



18a. Same area on 22 May 2012. Oak woodland on slopes at left grades into riparian scrub and oak-sycamore riparian woodland on floor of stream terrace. Toro Canyon Creek is right of large sycamore.



18b. Oak woodland and oak-sycamore riparian woodland restoration on north stream terrace. Understory plantings include canyon sunflower, wood mint, giant chain fern, western sword fern, elderberry, California grape, and other species. Terrace slope in background has been planted with seacliff buckwheat, which grades into other coastal bluff scrub shrubs in upland areas. 22 May 2012.



19. Floor of southern stream terrace just after planting dune sedge plugs. 22 March 2011.



20. Same view on 22 May 2012. Toro Canyon Creek runs left to right behind trees in background then off right side of photo to ocean. Bare soil in foreground is portion of terrace floor that will be restored with restoration of cage gabion wall.



21. Southern terrace floor looking southwest, a few months after planting. Dune sedge covers footpath. Ground cover to left and right of path is wood mint, California rose, canyon sunflower, and California blackberry. 22 March 2011.



22. Same view as in previous photo. Successful restoration of oak-sycamore riparian woodland and riparian scrub. Weedy slope in background will be restored pending permitting of the cage gabion wall. 22 May 2012.



23. Path to southern stream terrace and beach before restoration. Worker is spraying bull mallow with a systemic herbicide (Rodeo). Toro Canyon Creek is behind worker. Note weedy, disturbed condition of terrace slopes. Note erosion channel running downslope along toe of slope at right. 3 February 2010.



24. Same view. Terrace slope at left has been planted with purple sage, ceanothus, and other coastal bluff scrub shrubs. Slope at right has not yet been restored. Erosion channel has been lined with cobbles and will be restored with freshwater marsh species. Vegetation on terrace floor and bank of Toro Canyon Creek includes beach strawberry, CA blackberry, yarrow, Indian rush, yellow nut-grass, and other species. 22 May 2012.



25. Cage gabion slope looking south. 5 May 2009 (photo courtesy of M. Mooney).



26. Same view, 20 February 2012.



27. Erosion feature on slope of north terrace that will be restored as the north bioswale. Surface flows from the northern half of the property are severely eroding this slope and creating significant sediment inputs to Toro Canyon Creek during storm events. 22 May 2012.

APPENDIX 2. SPECIES PLANTED AS OF MAY 2011
(List sent to M. Mooney, P&D on 21 February 2012)

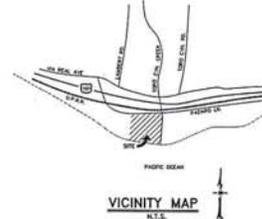
Species Planted as of May 2011		
Scientific Name	Common Name	Number Planted
<i>Acer negundo</i>	Box elder	5
<i>Achillea millefolium</i>	Yarrow	5
<i>Alnus rhombifolia</i>	White alder	13
<i>Arctostaphylos</i> 'Emerald Carpet'	Manzanita	100
<i>Arctostaphylos</i> 'Pacific Mist'	Manzanita	75
<i>Artemisia californica</i>	Coastal sagebrush	23
<i>Asclepias fascicularis</i>	Narrow-leaved milkweed	15
<i>Aster chilensis</i>	Common aster	50
<i>Atriplex californica</i>	California saltbush	seed
<i>Bromus carinatus</i>	California brome	seed
<i>Calycanthus occidentalis</i>	Western spicebush	3
<i>Camissonia cheiranthifolia</i>	Beach primrose	seed
<i>Carex praegracilis</i>	Dune sedge	3,600
<i>Castilleja exserta</i>	Owl's clover	seed
<i>Ceanothus foliosus</i> x <i>thyrsiflorus</i> 'Centennial' [low]	Ceanothus	30
<i>Ceanothus impressus</i> x <i>papillosus</i> 'Concha' [tall]	Ceanothus	15
<i>Ceanothus thyrsiflorus</i> 'Yankee Point' [mid ht]	Ceanothus	268
<i>Ceanothus arboreus</i> x <i>thyrsiflorus</i> 'Ray Hartman' [tall]	Ceanothus	5
<i>Cercis occidentalis</i>	Western redbud	3
<i>Clarkia amoena</i> semi-dwarf	Farewell-to-Spring	seed
<i>Collinsia heterophylla</i>	Chinese houses	seed
<i>Coreopsis gigantea</i>	Giant coreopsis	4
<i>Dendromecon rigida</i>	Island bush poppy	11
<i>Dichelostemma capitatum</i>	Brodiaea	seed
<i>Dryopteris arguta</i>	Coastal wood fern	50
<i>Encelia californica</i>	Coastal encelia	17
<i>Epilobium canum</i>	California fuschia	18
<i>Eriogonum parvifolium</i>	Seacliff buckwheat	83
<i>Eriogonum umbellatum</i>	Sulfur buckwheat	15
<i>Eriophyllum nevinii</i>	Island snowflake	9
<i>Eriophyllum confertiflorum</i>	Golden yarrow	seed
<i>Eschscholzia californica</i>	California poppy	seed
<i>Fragaria chiloensis</i>	Beach strawberry	200
<i>Gilia capitata</i>	Globe gilia	seed
<i>Gilia tricolor</i>	Bird's eye	seed
<i>Gnaphalium californicum</i>	Green everlasting	14
<i>Grindelia stricta</i>	Gum plant	24
<i>Heteromeles arbutifolia</i>	Toyon	8
<i>Iris douglasiana</i> 'Canyon Snow' and standard	Douglas iris	75
<i>Juncus patens</i>	Common rush	35
<i>Layia platyglossa</i>	Tidy tips	seed
<i>Leymus condensatus</i> 'Canyon Prince'	Giant wild rye	50
<i>Lupinus densiflorus</i> 'Ed Gedling'	Golden lupine	seed
<i>Lupinus nanus</i>	Sky lupine	seed
<i>Lupinus succulentus</i>	Arroyo lupine	seed
<i>Mentzelia lindleyii</i>	Lindley's blazing star	seed
<i>Mimulus longiflorus</i>	Bush monkey flower	seed
<i>Myrica californica</i>	Pacific wax myrtle	5
<i>Nemophila menziesii</i>	Baby blue eyes	seed
<i>Penstemon heterophyllus</i>	Foothill penstemon	25
<i>Penstemon spectabilis</i>	Showy penstemon	36
<i>Phacelia grandiflora</i>	Large-flowered phacelia	seed
<i>Philadelphus lewesii</i>	Mock orange	22
<i>Platanus racemosa</i>	Western sycamore	20
<i>Populus balsamifera</i>	Black cottonwood	4
<i>Prunus ilicifolia</i>	Holly-leaved cherry	2
<i>Quercus agrifolia</i>	Coast live oak	61
<i>Rhamnus californica</i>	Coffeeberry	10
<i>Rhamnus californica</i> 'Leatherleaf'	Coffeeberry	20
<i>Rhus integrifolia</i>	Lemonadeberry	10
<i>Ribes malvaceum</i>	Chaparral currant	10

<i>Ribes sanguineum</i> var. <i>glutinatum</i>	Pink-flowering currant	5
<i>Romneya coulteri</i>	Matilija poppy	54
<i>Rosa californica</i>	California rose	62
<i>Rubus ursinus</i>	California blackberry	98
<i>Salix lasiolepis</i>	Arroyo willow	27
<i>Salvia apiana</i>	White sage	10
<i>Salvia leucophylla</i>	Purple sage	29
<i>Salvia leucophylla</i> 'Bee's Bliss'	Purple sage variety	15
<i>Salvia leucophylla</i> 'Pt. Sal'	Purple sage variety	10
<i>Salvia spathacea</i>	Hummingbird sage	41
<i>Sambucus mexicana</i>	Elderberry	10
<i>Sisyrinchium bellum</i>	Blue-eyed grass	150
<i>Stachys bullata</i>	Wood mint	250
<i>Typha latifolia</i>	Broad-leaved cattail	50
<i>Venegasia carpesioides</i>	Canyon sunflower	14
<i>Vitis californica</i> 'Rogers Red'	California grape	2
<i>Woodwardia fimbriata</i>	Giant chain fern	50
TOTAL	78 species	5915
Sources: SB Natives (Gaviota); Matilija Nursery (Moorpark); San Marcos Growers (Goleta); Baron Bros. Nursery (Fillmore); Jimenez Nursery (Carpinteria); ABE Nursery (Carpinteria); Manzanita Nursery (Solvang)		

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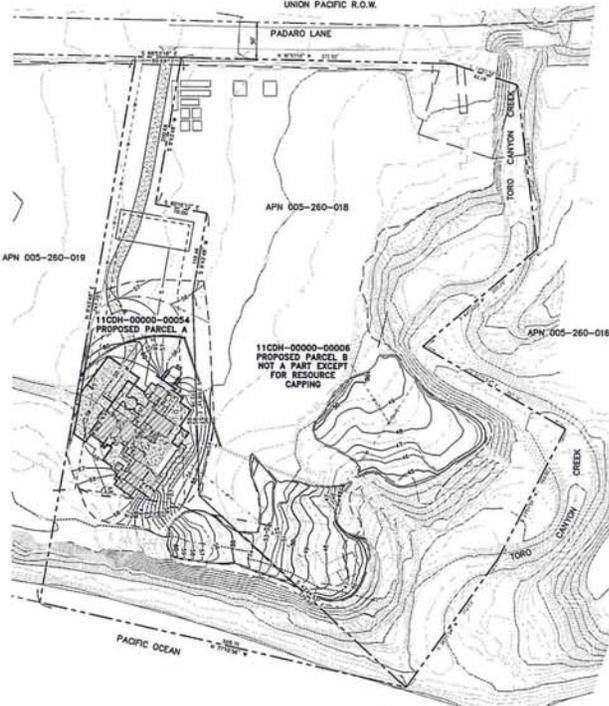
PHASE 1: SINGLE FAMILY DWELLING AND GRADING

2825 PADARO LANE SUMMERLAND, SANTA BARBARA COUNTY, CA



SANTA BARBARA COUNTY BUILDING & SAFETY DIVISION GRADING NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE COUNTY OF SANTA BARBARA ORDINANCE NO. 1007 AND ALL OTHER APPLICABLE ORDINANCES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE COUNTY OF SANTA BARBARA.
3. THE CONTRACTOR SHALL NOTIFY THE COUNTY GRADING INSPECTOR AND THE PROJECT ENGINEER AT LEAST 48 HOURS BEFORE THE START OF GRADING WORK. THIS SHALL BE NOTIFIED BY THE TIME AND LOCATION OF THE PRE-CONSTRUCTION CONFERENCE.
4. THE CONTRACTOR SHALL DISPLAY ALL LEGAL EVIDENCE AND METERS REQUIRED TO PREVENT AN OPERATIONAL FLOW PROHIBITION DUE TO ANY PARTIAL OBSTRUCTION OR COMPLETE OBSTRUCTION OF ANY DRAINAGE FACILITY. THE CONTRACTOR SHALL MAINTAIN A RECORD OF ALL SUCH EVIDENCE AND METERS.
5. A RECORD DRAWING SHOWING EXISTING AND PROPOSED GRADING, THE CONTRACTOR SHALL OBTAIN APPROVAL FROM THE COUNTY PUBLIC WORKS INSPECTOR BEFORE THE START OF GRADING WORK.
6. ALL FILL SHALL BE PLACED IN LAYERS NOT EXCEEDING 6 INCHES IN THICKNESS. THE CONTRACTOR SHALL MAINTAIN RECORDS OF ALL FILL MATERIALS USED AND THE LOCATION OF ALL FILL AREAS.
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SURVEYOR'S NOTES

1. BOUNDARY: THE BOUNDARY INFORMATION SHOWN HEREON WAS OBTAINED FROM RECORD DATA, FIELD SURVEY, AND OTHER AVAILABLE INFORMATION. THE SURVEYOR HAS CONDUCTED A VISUAL CHECK OF THE BOUNDARY INFORMATION SHOWN HEREON AND HAS FOUND IT TO BE CORRECT.
2. EASEMENTS: THE SURVEYOR HAS IDENTIFIED ALL EASEMENTS SHOWN ON THE RECORDS AND HAS FOUND THEM TO BE CORRECT.
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GENERAL GRADING NOTES

1. GRADING OPERATIONS SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
2. THE PROJECT ENGINEER SHALL BE A REPRESENTATIVE OF PERKINS & EASTMAN.
3. THE CONTRACTOR SHALL MAINTAIN RECORDS OF ALL GRADING OPERATIONS.
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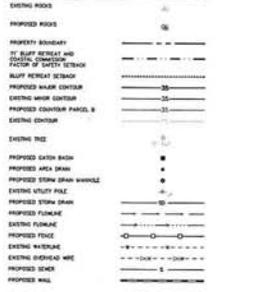


- #### SHEET INDEX
1. TITLE & NOTES
 2. GRADING PLAN
 3. CROSS SECTIONS AND DETAILS

PROJECT CONTACTS

OWNER: JUNE BUCKLEBY FAMILY TRUST
 ARCHITECT: MARK WILSON ARCHITECTS, INC.
 ENGINEER: PERKINS & EASTMAN

LEGEND



ABBREVIATIONS

ES	EXISTING GRADE
PT	PROPOSED GRADE
FL	PROPOSED FINISH GRADE
PL	PROPOSED FINISH GRADE
WF	WATER FLOW
HW	HEAD WATER

11CDH-00000-00054 PHASE 1: SINGLE FAMILY DWELLING AND GRADING 2825 PADARO LANE, SUMMERLAND, SANTA BARBARA COUNTY, CA

<p>11CDH-00000-00054 PHASE 1: SINGLE FAMILY DWELLING AND GRADING 2825 PADARO LANE, SUMMERLAND, SANTA BARBARA COUNTY, CA</p>	<p>PERKINS & EASTMAN 111 East Ocean Blvd. Santa Barbara, CA 93101 Phone: (805) 964-7000 Fax: (805) 964-7001</p>	<p>COUNTY OF SANTA BARBARA, CA PROJECT ENGINEER PERKINS & EASTMAN 111 EAST OCEAN BLVD. SANTA BARBARA, CA 93101 TEL: (805) 964-7000 FAX: (805) 964-7001</p>	<p>TITLE SHEET 11CDH-00000-00054 PHASE 1: SINGLE FAMILY DWELLING AND GRADING 2825 PADARO LANE, SUMMERLAND, SANTA BARBARA COUNTY, CA</p>	<p>PROJECT NO. 11CDH-00000-00054 SHEET 1 OF 3 DATE 11/1/2013</p>
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