

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: 7/27/04
Department Name: Public Works
Department No.: 054
Agenda Date: 8/17/04
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors and the Laguna County Sanitation District Board of Directors

FROM: Phillip M. Demery, Director
Public Works

STAFF CONTACT: Tom Fayram, Deputy Director
Mark Schleich, Deputy Director

SUBJECT: Orcutt Community Plan Flood Control Basin "B" and Bradley-Solomon Trunk Sewer Line Extension; Fourth Supervisorial District

Recommendation(s):

That the Board of Supervisors and the Laguna County Sanitation District Board of Directors:

- A. Approve addenda dated July 29, 2004 (Attachment A and B) to the Orcutt Community Plan Program EIR, 95-EIR-01, Mesa Verde Residential Project (TM 14,303/93-DPF-011) addendum dated July 7, 1999, Jensen's Crossing/ Cobblestone Crossing subdivision (TM 14,429/97-DP-018) addendum dated December 1, 1999, and Harp Springs (TM 14,478/98-DP-017/98-RN-010) dated April 2, 2002;
- B. Find that the addenda to the previously certified Orcutt Community Plan Program EIR (95-EIR-01) are adequate and appropriate for the Regional Retention Basin "B", recreational trails and Bradley-Solomon sewer line extension under CEQA section 21166 and CEQA Guidelines section 15164, since only minor technical changes or additions are necessary and none of the conditions described in CEQA section 21166 or CEQA Guidelines section 15162 have occurred.
- C. Authorize staff to proceed with negotiations with the property owner for the acquisition of easements for off-site improvements related to the Regional Retention Basin "B" and related trails as identified in the Orcutt Community Plan as set forth in the Cooperative Agreement executed between the County of Santa Barbara, Laguna County Sanitation District, and Wellmack, LLC; and
- D. Authorize staff to proceed with negotiations with the property owners for the acquisition of easements for off-site improvements related to the Bradley-Solomon Trunk Sewer line extension as set forth in the Cooperative Agreement executed between the County of Santa Barbara, Laguna County Sanitation District, and Wellmack, LLC.

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with Goal No. 1. An Efficient Government Able to Respond Effectively to the Needs of the Community, and with Goal No. 2. A Safe and Healthy Community in Which to Live, Work, and Visit.

Executive Summary and Discussion:

The Orcutt Community Plan (OCP) identified various infrastructure improvements necessary for its implementation. The OCP Environmental Impact Report (EIR) (97-EIR-01) certified on July 22, 1997, addressed impacts associated with development and infrastructure improvements. This action specifically addresses certain proposed projects including Regional Retention Basin "B", trails, and the Bradley-Solomon trunk sewer line extension (as shown on Figures 35 and 23 of the OCP respectively). These improvements are required for development of several specific key sites in the southeast Orcutt area, including Jensen's Crossing/Cobblestone Crossing (Key Site 5, Addendum to 95-EIR-01 July 1997), Mesa Verde (Key Site 6, Addendum to 95-EIR-01 July 1997) and Harp Springs (Key Site 8, Addendum to 95-EIR-01 July 1997), as conditions of approval.

The Santa Barbara County Flood Control & Water Conservation District regulates development in and near the flood zones. The *Orcutt Master Drainage Plan* identifies and provides for construction and maintenance of regional drainage and flood control facilities. In this case, retention basin "B" would capture and release storm water runoff from Orcutt (Solomon) Creek upstream of Bradley Road to mitigate the impacts of developed flows.

A lack of public hiking/equestrian trails and off-road bikepaths was identified in 95-EIR-01 in the Orcutt area, although an extensive network of "unofficial" trails accommodates hikers, bikers equestrians, and motorcyclists in the community's undeveloped lands. The trail system is especially extensive in the southern portion of the community along many parts of Orcutt Creek with spurs leading into the Solomon Hills (i.e. Key Sites #3, 5, 6, 7, 12, and 18). The Jensen's Crossing/Cobblestone Creek, Mesa Verde and Harp Springs developments were required through conditions of approval to dedicate trails to connect to the trail system designated by the Orcutt Community Plan. An addendum to the OCP Environmental Impact Report (EIR) dated July 29, 2004 (Attachment A) has been prepared to evaluate impacts of retention basin "B" and the trails.

The Laguna County Sanitation District provides for collection, treatment and disposal of wastewater generated from the Orcutt and southern unincorporated Santa Maria area. The Solomon Creek trunk line collects wastewater from southeast Orcutt and currently ends at Bradley Road. The Bradley-Solomon trunk sewer line extension is identified in the OCP as a required improvement that would extend collection services from Bradley Road to Stillwell Road. An addendum to the OCP EIR dated July 29, 2004 (Attachment B) has been prepared to evaluate impacts of the trunk line extension.

In approving the OCP, the Board adopted a Statement of Overriding Considerations for identified significant environmental impacts that could not be fully mitigated (i.e., residual impacts after mitigation which were determined to be significant and unavoidable [Class I impacts]). Many mitigation measures identified in the EIR were adopted as policies and development standards in the Community Plan. Projects are required by State law to be consistent with general plan policies. On December 2, 2003, the Board executed cooperative

agreements pursuant to Section 66462.5 of the Subdivision Map Act because some of the rights-of-way necessary for these infrastructure improvements are located on land not held by either the County or the developer of the subdivision conditioned to install these public improvements.

In addition, these agreements require preparation, review, and approval of environmental documentation under the California Environmental Quality Act (CEQA). Specifically, the cooperative agreement for the Basin and trails provides:

The COUNTY shall not extend purchase offers to the Property Owners, nor accept counteroffers from the Property Owners, for purposes of acquiring the Easements, without first consulting with DEVELOPER, and without first completing any additional CEQA review, if such review is determined necessary.

Exhibit C of the cooperative agreement for the Basin further provides:

Prior to acquisition of Easements or commencement of construction, COUNTY staff shall consider the necessity for further environmental review pursuant to CEQA. If COUNTY determines that further environmental review is necessary, said review will be a prerequisite to COUNTY and DEVELOPER'S ability to initiate and complete construction of the Basin improvements. If after further environmental review, the COUNTY determines in its sole and absolute discretion not to proceed with the Development of Basin B, the COUNTY shall notify DEVELOPER of that determination and DEVELOPER shall be relieved of its obligation to construct the Basin over the Worsley portion of Key Site 8. In such event, DEVELOPER's obligation to pay costs and expenses pursuant to Section 8 of the Cooperative Agreement shall remain in full force and effect until such time as said costs and expenses are paid, and COUNTY shall have no further obligation to obtain real property for drainage purposes. Furthermore, pursuant to Condition 6 of the Subdivision Conditions of Approval, DEVELOPER shall continue to be obligated to provide onsite or offsite drainage facilities approved by COUNTY and adequate to serve the Subdivision.

Similar language regarding further environmental review of the proposed sewer line is contained in the Cooperative Agreement for the Bradley-Solomon trunk sewer line extension, and Exhibit C to the Sewer Line Cooperative Agreement. Those documents similarly direct the County to determine whether further environmental review is necessary, and allows the County and Laguna County Sanitation District to terminate development of the sewer extension after consideration of additional environmental review.

In accordance with these provisions, the current requested actions seek Board approval of the above addenda to the OCP EIR to complete CEQA review for retention basin "B", the trails and the Bradley-Solomon trunk sewer line extension. The EIR analyzed the impacts associated with these projects and these addenda reaffirm the conclusions of earlier addenda that there are no new impacts associated with acquisition and construction of the Basin, trails and sewer line extension.

The recommendations before the Board also request direction to staff to negotiate with affected property owners for acquisition of the necessary real property interests for the basin, trails and sewer line extension.

Consistent with state law and County practice, County staff will make offers to property owners based upon the fair market value of the property being sought as evidenced by approved appraisals.

Mandates and Service Levels:

There is no change programs or service levels with this action. Adoption of the recommendations would allow for the implementation of regional basin "B", trails and the Bradley-Solomon trunk sewer line extension.

Fiscal and Facilities Impacts:

Expenditure for services associated with the acquisition of right-of-way, environmental review and ensuring design standard implementation for the above projects are funded by developer interests pursuant to the above described cooperative agreements.

Special Instructions:

The Clerk of the Board to file the Notice of Determination and send a copy of the minute order to the following Public Works Department entities:

1. Santa Barbara County Flood Control & Water Conservation District, attention Dale Weber and Karl Treiberg.
2. Laguna County Sanitation District, attention Martin Wilder and Solid Waste Division, attention Kathy Kefauver.

Concurrence:

County Counsel

Attachments:

Attachment A: Addendum for Basin "B" and trails dated July 29, 2004

Attachment B: Addendum for Bradley-Solomon trunk line dated July 29, 2004

ATTACHMENT A

TO: Santa Barbara County Board of Supervisors

FROM: Karl Treiberg, Environmental Specialist
Santa Barbara County Flood Control District

DATE: July 28, 2004

RE: CEQA Determination: Addendum for the Flood Control Retention Basin "B" and Trails: Finding that Section 15164 of the State CEQA Guidelines applies to the Flood Control Retention Basin "B" and trails. CEQA Section 15164 allows an addendum to be prepared when only minor technical changes or changes that do not create new significant impacts would result. This addendum to the environmental documents for the Orcutt Community Plan including Environmental Impact Report 95-EIR-01, (SCH #95031055), Mesa Verde Residential Project (TM 14,303/93-DPF-011) addendum dated July 7, 1999, Jensen's Crossing/ Cobblestone Crossing subdivision (TM 14,429/97-DP-018) addendum dated December 1, 1999, and Harp Springs (TM 14,478/98-DP-017/98-RN-010) addendum dated April 2, 2002, is adequate for the Flood Control Retention Basin "B" and trails projects.

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Clerk of the Board, Santa Barbara County Board of Supervisors, located at 105 E. Anapamu St., Fourth Floor, Santa Barbara, CA 93101.

Location: The projects are located on Assessor's Parcel Number 103-200-026, 103-200-011, 103-200-026, 103-200-048, 103-200-052, 103-200-055, 103-200-067, 103-200-069, 103-200-074, 103-200-087, and 103-570-038 located in the Orcutt area, Fourth Supervisorial District.

1.0 EXECUTIVE SUMMARY

The County of Santa Barbara proposes to acquire property for purposes of constructing and maintaining the Flood Control Retention Basin "B" and recreational trails (the Projects). The Projects were approved as part of the Orcutt Community Plan (95-EIR-01), Jensen's Crossing/Cobblestone Crossing (Key Site 5, Addendum to 95-EIR-01 July 1997), Mesa Verde (Key Site 6, Addendum to 95-EIR-01 July 1997) and Harp Springs (Key Site 8, Addendum to 95-EIR-01 July 1997) subdivision approvals (Figure 1).

Flood Control would be provided to surrounding vicinity development via the construction of the proposed Flood Control Retention Basin B, and recreational trails would serve the south Orcutt area developments (Figures 2 and 3). The Projects would serve only the development anticipated under the

Orcutt Community Plan analyzed in 95- EIR-01, and are consistent with Basin "B" and the trails evaluated in 95-EIR-01 and addenda for the Orcutt Community Plan and Key sites 5, 6 and 8. No changes in the Projects are proposed.

The Projects are located within the unincorporated community of Orcutt. Development of the Projects were evaluated under 95-EIR-01 for the Orcutt Community Plan. As noted above, the EIR and previous addenda included evaluation of environmental impacts from build-out of the entire Orcutt Community Plan, as well as site-specific evaluation of residential build-out of the development sites in the vicinity (known as Key Sites 5, 6 and 8 of 95-EIR-01). The Board of Supervisors certified the EIR on July 22, 1997.

In approving the Orcutt Community Plan, the Board adopted a Statement of Overriding Considerations for those identified environmental impacts, which could not be fully mitigated (i.e., residual impacts after mitigation which were determined to be significant and unavoidable [Class I impacts]). Many mitigation measures identified in the EIR were adopted as policies and development standards in the Orcutt Community Plan. Projects are required by State law to be consistent with general plan policies.

2.0 DESCRIPTION OF PROJECTS

The County of Santa Barbara proposes to acquire property for purposes of constructing and maintaining the Flood Control Retention Basin "B" and recreational trails (the Projects). The Projects were approved as part of the Orcutt Community Plan (95-EIR-01), Jensen's Crossing/Cobblestone Crossing (Key Site 5, Addendum to 95-EIR-01 July 1997), Mesa Verde (Key Site 6, Addendum to 95-EIR-01 July 1997) and Harp Springs (Key Site 8, Addendum to 95-EIR-01 July 1997) subdivision approvals (Figure 1).

The trails traverse the Jensen's Crossing/Cobblestone Creek (Key site #5), Mesa Verde (Key Site #6), and Harp Springs (Key Site #8) and Key Site B. The flood control retention basin "B" is located on Key Site #8. Flood control would be provided to surrounding vicinity development via the construction of the proposed Flood Control Retention Basin B and recreational trails would serve the south Orcutt area (Figure 2 and 3). The retention basin would serve only the development anticipated under 95-EIR-01 and is consistent with Basin "B" and trails evaluated in 95-EIR-01 and addenda for the Orcutt Community Plan and Key sites 5, 6 and 8. Requirements for a flood control basin and trails within Key sites were made conditions of approval for Jensen's Crossing/Cobblestone Crossing (Key Site 5, Addendum to 95-EIR-01 July 1997), Mesa Verde (Key Site 6, Addendum to 95-EIR-01 July 1997) and Harp Springs (Key Site 8). No changes in the Projects are proposed.

3.0 BACKGROUND – PREVIOUS ANALYSIS 95-EIR-01 AND ADDENDA

Flood Control Retention Basin B

1. Flooding and Drainage

95-EIR-01 identified the following *potentially significant* cumulative flooding impacts associated with build-out of the Orcutt Community Plan, including public facilities that would serve area development (Flood Control Retention Basin “B”). The EIR concluded that build-out of the Orcutt Community Plan including the retention basin constituted a *potentially significant but mitigable* contribution to cumulative flooding and drainage impacts (please refer to 95-EIR-01 for a full discussion of these impacts).

Impact FLD-1, -2: Development within the 100-year floodway and floodplain.

Impact FLD-4: Decreased stream channel/retention basin capacity from increased sedimentation

Impact FLD-7: Increased erosion, Solomon Hills.

Impact FLD-8: Inadequate drainage plans/facilities.

Impact FLD-10: Maintenance of flood channels/regional basins.

Impact FLD-11: Cumulative increased storm flows, erosion and sedimentation, flooding, personal injury and property damage.

Mitigation measures adopted as Policies and Development Standards in the Orcutt Community Plan, including the following, partially mitigated cumulative flooding impacts (please refer to 95-EIR-01 for a full discussion of these items):

Policy FLD-O-1 (addresses Impacts FLD-1 through FLD-12)

DevStd FLD-O-1.2 (Mitigation FLD-2, addresses Impact FLD-1)

Policy FLD-O-2 (Mitigation FLD-8, addresses Impacts FLD-3, -4, -8, -11)

DevStd FLD-O-2.1 (Mitigation FLD-8, addresses Impacts FLD-3, -4, -8, -11)

Policy FLD-O-3 (Mitigation FLD-7, -11, address Impacts FLD-4, -7, -10, -11))

DevStd FLD-O-3.1 (Mitigation FLD-7, addresses Impacts FLD-7, -11)

DevStd FLD-O-3.2 (Mitigation FLD-7, -11 address Impacts FLD-4, -8, -10, -11)

DevStd FLD-O-3.3 (Mitigation FLD-10, addresses Impacts FLD-3, -4, -8, -11)

DevStd FLD-O-4.2 (Mitigation FLD-4, addresses Impacts FLD-3, -4, -7, -8, -10)

DevStd-FLD-O-4.3.

The EIR concluded that if soils were left exposed during the rainy season, erosion and offsite sedimentation could occur. In light of the known potential of construction sites to generate considerable sediment, trace metals, nutrients, oil and grease, pesticides, herbicides, and other synthetic organic compounds, potentially significant short-term construction related impacts to water quality were anticipated. Application of the Policies and Development Standards identified above under cumulative impacts in 95-EIR-01, and standard County ordinance and Flood Control District requirements, and erosion/sedimentation measures identified in the Geologic Hazards section mitigated potential drainage

and flood-related impacts of the project.

2. Geology

95-EIR-01 for the Orcutt Community Plan identified the following *potentially significant* cumulative geological impacts due to build-out of Orcutt Community Plan. Cumulative impacts included impacts resulting from construction and maintenance of public facilities identified to serve the Orcutt Community Plan (Flood Control Retention Basin B).

Impact GEO-1: Increased Erosion and Sedimentation.

Impact GEO-2: Blowing Sand.

Impact GEO-3: Seismic Hazards.

The EIR concluded that impacts associated with the flood retention basin constituted *potentially significant* contributions to cumulative impacts associated with erosion, unstable slopes and sedimentation. Other cumulative geologic impacts were found to be incremental and *less than significant*.

Required conformance with the following state and county policies and regulations served to partially mitigate geological impacts:

Comprehensive Plan/Environmental Resources Management Element/Slopes Policies prohibit development on slopes of 30% or greater, and direct development on slopes of 20-30%. (addresses Impact GEO-1)

Comprehensive Plan Land Use Element Hillside and Watershed Protection Policies 1-9. (addresses Impact GEO-1)

Uniform Building Code requirements for structures to be built to Seismic Zone IV standards (addresses Impact GEO-3)

The following mitigation measures adopted as Policies and Development Standards in the Orcutt Community Plan, along with measures adopted in the Biological, Flooding, Open Space, Visual, and Fire Prevention sections, lessened cumulative geologic impacts through application to individual projects:

Policy GEO-O-2. (Mitigations GEO-1, through-9, addresses Impact GEO-1)

DevStd GEO-O-2.2 (Mitigations GEO-2, -3, address Impact GEO-1)

DevStd GEO-O-2.3 (addresses Impact GEO-1)

DevStd GEO-O-2.5 (Mitigations GEO-4, -9, address Impact GEO-1)

DevStd GEO-O-2.6 (Mitigation GEO-6, addresses Impact GEO-1)

DevStd FLD-O-3.2 (Mitigation GEO-4, addresses Impact GEO-1)

DevStd FLD-O-3.3 (Mitigation GEO-8, addresses Impact GEO-1)

The EIR concluded that conformance with the Orcutt Community Plan Policies and Development Standards and other County policies and regulations listed above under cumulative impacts partially mitigated identified impacts from soil erosion, siltation, soil blowing, and seismic constraints.

3. Biological Resources

95-EIR-01 for the Orcutt Community Plan identified the following *significant and unavoidable* cumulative impacts to biological resources from build-out of the community plan and from development in Orcutt in conjunction with development in the City of Santa Maria, Vandenberg Air Force Base, and southwestern San Luis Obispo County. The EIR concluded that build out of the Orcutt Community Plan constituted a *significant and unavoidable* contribution to these cumulative impacts:

Impacts BIO-14: Flood Retention Basins and BIO-15: Creek Maintenance and Emergency Work: The construction of retention basins on Key Sites 3, 8, 12, 18, 22, and 30 would result in removal of approximately 17 acres of riparian scrub, forest and oak woodland habitat, which would impact to wildlife and vegetation resources. Flood Control District creek maintenance and emergency work in Orcutt Creek, involving desilting, channel shaping, vegetation removal, herbicide spraying, and use of heavy equipment to remove logs and other debris blocking the channel, would be expected to increase with Community Plan build-out to protect development in the floodplain. Biological resource impacts would be associated with alteration of the physical features of the creek channel, removal of riparian scrub, forest, and oak woodland vegetation, and temporary but recurring disturbance to wildlife on Key Sites 3, 5-8, 10-13, 15, 19, 22, A, F, and D.

Removal and Fragmentation of Habitat (Impacts BIO-19: Elimination of 2,000 acres of Habitat/Habitat Fragmentation, BIO-23: Elimination of Grasslands, BIO-27: Elimination of Central Coastal Sage Scrub, BIO-28: Elimination of Riparian Communities, BIO-29: Elimination of Oak Woodlands, BIO-31: Removal of Oak Trees, BIO-32: Removal of Eucalyptus Woodlands, and BIO-33: Weed Invasion)

The following mitigation measures for biological resources impacts were adopted as Policies and Development Standards in the Orcutt Community Plan, and partially reduced cumulative biological impacts of community build-out:

Policy BIO-O-1: (Mitigation BIO-23, addresses Impacts BIO -26, -27, -29)
DevStd BIO-O-1.1: (Mitigation BIO-23, addresses Impacts BIO-26, -27, -29)
DevStd BIO-O-1.3: (Mitigation BIO-28, addresses Impact BIO-33)
DevStd BIO--O-1.5: (Mitigation BIO-20, addresses Impacts BIO-19, -21, -22)
Policy BIO-O-2: (Mitigation BIO-24, addresses Impact BIO-28)
DevStd BIO-O-2.1: (Mitigation BIO-14, -24, address Impacts BIO-15, -28)
Policy BIO-O-3: (Mitigation BIO-26, addresses Impact BIO-31)
DevStd BIO-O-3.1: (Mitigation BIO-26, address Impact BIO-31)
Policy BIO-O-5: (Mitigation BIO-13, -27, address Impacts BIO-14, -32)
DevStd BIO-O-5.6: (Mitigation BIO-10, -11, address Impacts BIO-12, -13)

Additional measures adopted to address Geologic Hazards, Open Space, and Recreation/Trails, such as erosion/sedimentation controls, re-vegetation, open space preservation, and outdoor lighting constraints, also served to minimize Biological Resources impacts.

The Board of Supervisors adopted a Statement of Overriding Considerations for these significant and unavoidable biological impacts in adopting the Orcutt Community Plan.

Recreational Trails

1. Geology

95-EIR-01 for the Orcutt Community Plan identified the following potentially significant cumulative geological impacts due to build-out of Orcutt Cumulative impacts included the trails identified to serve the plan (proposed extension of Stillwell Road, regional flood retention basin B, recreational trails, and extensions of water and sewer trunk lines to Stillwell Road).

Impact GEO-1: Increased Erosion and Sedimentation.

Impact GEO-2: Blowing Sand.

The EIR concluded that impacts associated with the trails constituted potentially significant contributions to cumulative impacts associated with erosion, unstable slopes and sedimentation. Project contributions to other cumulative geologic impacts were found to be incremental and less than significant.

Required conformance with the following state and county policies and regulations served to partially mitigate geological impacts:

Comprehensive Plan/Environmental Resources Management Element/Slopes Policies prohibit development on slopes of 30% or greater, and direct development on slopes of 20-30%. (addresses Impact GEO-1)

Comprehensive Plan Land Use Element Hillside and Watershed Protection Policies 1-9. (addresses Impact GEO-1)

Uniform Building Code requirements for structures to be built to Seismic Zone IV standards (addresses Impact GEO-3)

The following mitigation measures adopted as Policies and Development Standards in the Orcutt Community Plan, along with measures adopted in the Biological, Flooding, Open Space, Visual, and Fire Prevention sections, lessened cumulative geologic impacts through application to individual projects:

Policy GEO-O-2: (Mitigations GEO-1, through-9, addresses Impact GEO-1)

DevStd GEO-O-2.2: (Mitigations GWO-2, -3, address Impact GEO-1)

DevStd GEO-O-2.3: (addresses Impact GEO-1)
DevStd GEO-O-2.4: (Mitigation GEO-8, addresses Impact GEO-1)
DevStd GEO-O-2.5: (Mitigations GEO-4, -9, address Impact GEO-1)
DevStd GEO-O-2.6: (Mitigation GEO-6, addresses Impact GEO-1)
DevStd FLD-O-3.2: (Mitigation GEO-4, addresses Impact GEO-1)
DevStd FLD-O-3.3: (Mitigation GEO-8, addresses Impact GEO-1)
DevStd BIO-O-5.1: (addresses Impact GEO-1)

Conformance with the Orcutt Community Plan Policies and Development Standards and other County policies and regulations listed above under cumulative impacts partially mitigated identified impacts from soil erosion, siltation, soil blowing, and seismic constraints.

2. Biological Resources

95-EIR-01 for the Orcutt Community Plan identified the following *potentially significant* cumulative impacts to biological resources from build-out of the community plan and from development in Orcutt in conjunction with development in the City of Santa Maria, Vandenberg Air Force Base, and southwestern San Luis Obispo County. Project impacts constituted a *potentially significant* contribution to these cumulative impacts:

Impacts BIO-8: Trail Construction and Use. The construction of more than 15 miles of dirt trails and the paved off-road bike path along Orcutt Creek would result in impacts to biological resources through removal of vegetation, including rare species, increased disturbance of wildlife by hikers, bikers and dogs.

Removal and Fragmentation of Habitat (Impacts BIO-19: Elimination of 2,000 acres of Habitat/Habitat Fragmentation, BIO-23: Elimination of Grasslands, BIO-27: Elimination of Central Coastal Sage Scrub, BIO-28: Elimination of Riparian Communities, BIO-29: Elimination of Oak Woodlands, BIO-31: Removal of Oak Trees, BIO-32: Removal of Eucalyptus Woodlands, and BIO-33: Weed Invasion)

The following mitigation measures for biological resources impacts were adopted as Policies and Development Standards in the Orcutt Community Plan, and partially reduced cumulative biological impacts of community build-out:

Policy BIO-O-1 (Mitigation BIO-23, addresses Impacts BIO -26, -27, -29)
DevStd BIO-O-1.1 (Mitigation BIO-23, addresses Impacts BIO-26, -27, -29)
DevStd BIO-O-1.2 (Mitigation BIO-3 -3.2, address Impacts BIO-1 through -5, -8 through -12, 15, 17, 18, 21)
DevStd BIO-O-1.3 (Mitigation BIO-28, addresses Impact BIO-33)
DevStd BIO--O-1.5 (Mitigation BIO-20, addresses Impacts BIO-19, -21, -22)
Policy BIO-O-2 (Mitigation BIO-24, addresses Impact BIO-28)
DevStd BIO-O-2.1 (Mitigation BIO-14, -24, address Impacts BIO-15, -28)

Policy BIO-O-3 (Mitigation BIO-26, addresses Impact BIO-31)

DevStd BIO-O-3.1 (Mitigation BIO-26, address Impact BIO-31)

Policy BIO-O-5 (Mitigation BIO-13, -27, address Impacts BIO-14, -32)

DevStd BIO-O-5.1 (Mitigation BIO-1, addresses Impacts BIO-1 through -5)

DevStd BIO-O-5.3 (Mitigation BIO-2, addresses Impacts BIO-1 through -4, -9)

DevStd BIO-O-5.4 (Mitigation BIO-9, addresses Impacts BIO-8, -9)

Additional measures adopted to address Geologic Hazards, Open Space, Recreation/Trails, and Visual Aesthetics, such as erosion/sedimentation controls, re-vegetation, open space preservation, and outdoor lighting constraints, also served to minimize Biological Resources impacts.

In certifying 95-EIR-01 and approving the Orcutt Community Plan, the Board of Supervisors adopted a Statement of Overriding Considerations for biological impacts that could not be fully mitigated.

3. Flooding and Drainage

95-EIR-01 identified the following *potentially significant* cumulative flooding impacts associated with build-out of the Orcutt Community Plan, including public facilities that would serve area development (recreational trails). The EIR concluded that build-out of the Orcutt Community Plan constitutes a *potentially significant but mitigable* contribution to cumulative flooding and drainage impacts (please refer to 95-EIR-01 for a full discussion of these impacts).

Cumulative Impacts:

Flooding and Drainage: 95-EIR-01 identified the following *potentially significant* cumulative flooding and drainage impacts associated with build-out of the Orcutt Community Plan and public facilities which would serve surrounding development (retention basin, sewer line, roads, water lines, recreational trails, etc.). The project impact constituted a *potentially significant but mitigable* contribution to cumulative flooding and drainage impacts.

Impact FLD-1, -2: Development within the 100-year floodway and floodplain.

Impact FLD-3: Increased storm flows from impervious surfaces.

Impact FLD-4: Decreased stream channel/retention basin capacity from increased sedimentation.

Impact FLD-11: Cumulative increased storm flows, erosion and sedimentation, flooding, personal injury and property damage.

Impact FLD-12: Parks and recreation use of flood facilities.

Mitigation measures adopted as Policies and Development Standards in the Orcutt Community Plan, including the following, mitigated cumulative flooding impacts:

Policy FLD-O-1: (addresses Impacts FLD-1 through FLD-12)

DevStd FLD-O-1.2: (Mitigation FLD-2, addresses Impact FLD-1)

Policy FLD-O-2: Off-site run-off associated with development should be minimized. (Mitigation FLD-8, addresses Impact FLD-3, -4, -8, -11)

DevStd FLD-O-2.1: (Mitigation FLD-8, addresses Impacts FLD-3, -4, -8, -11)

Policy FLD-O-3: (Mitigation FLD-7, -11, address Impacts FLD-4, -7, -10, -11)

DevStd FLD-O-3.1: (Mitigation FLD-7, addresses Impacts FLD-7, -11)

DevStd FLD-O-3.2: (Mitigation FLD-7, -11 address Impacts FLD-4, -8, -10, -11)

DevStd FLD-O-3.3: (Mitigation FLD-10, addresses Impacts FLD-3, -4, -8, -11)

The EIR concluded that if soils were left exposed during the rainy season, erosion and offsite sedimentation could occur. In light of the known potential of construction sites to generate considerable sediment, trace metals, nutrients, oil and grease, pesticides, herbicides, and other synthetic organic compounds, potentially significant short-term construction related impacts to water quality were anticipated. Application of the Policies and Development Standards identified above under cumulative impacts in 95-EIR-01, and standard County ordinance and Flood Control District requirements, and erosion/sedimentation measures identified in the Geologic Hazards section mitigated potential drainage and flood-related impacts of the project.

5. Land Use

95-EIR-01 for the Orcutt Community Plan identified the following *potentially significant* cumulative land use impacts associated with build-out of the Plan (please refer to 95-EIR-01 for a full discussion of these impacts):

Impact LU-4: Urbanization of rural and semi-rural areas/loss of open space.

A variety of mitigating measures to reduce cumulative land use impacts were adopted as Policies and Development Standards in the Orcutt Community Plan, including the following (please refer to 95-EIR-01 for a full discussion of these items):

Policy LU-O-8.1 (Mitigation LU-3, addresses Impacts LU-1, -3, -4)

Policy OS-O-1 (Open space/recreation mitigations, address Impacts LU-4, open space/recreation impacts)

Policy OS-O-2 (Open Space/recreation mitigations address Impacts LU-4, open space/recreation impacts)

Policy OS-O-3, DevStds OS-3.1, 4.1, 4.2, 4.3 (Open space/recreation mitigations, address Impact LU-4, open space/recreation impacts)

Policy OS-O-6, -7, DevStd OS-O-7.3, Policy FSCL-O-3 (Open space/recreation mitigations, address Impact LU-4, open space/recreation impacts)

6. Parks, Recreation/Trails

95-EIR-01 for the Orcutt Community Plan identified the following *significant, unavoidable* cumulative recreation impacts associated with build-out of Orcutt, and regional build-out in the Santa Maria Valley. Please refer to 95-EIR-01 for a full discussion of these impacts.

Impact REC-1: Intensification of use in existing recreational facilities.

Impact REC-2: Increased demand for recreational facilities.

Impact REC-3: Loss of open space/established use of trails.

The following mitigating measures adopted as policies and development standards in the Orcutt Community Plan substantially lessened cumulative recreational impacts (please refer to 95-EIR-01 for a full discussion of these items).

Recreation/Open Space Plan: Policies OS-O-1,-2 (Mitigation REC-1a, -6, addresses Impact REC-1, -2, -3, -4, -5)

Open Space Acquisition and Fees. Policies OS-O-4,-6,-7, Action PRT-O-2.2, DevStd OS-O-3.1, DevStd FSCL-O-1.3, -3 (Mitigations REC-1b,-5, -6, -7 address Impacts REC-1, -2, -3, -4, -5)

Financing Operations/Maintenance. Actions OS-O-7.1, -7.2, -7.3 (Mitigation REC-1c, addresses Impact REC-1, -2, -3, -4, -5)

Trails Design. Polices OS-O-5, PRT-4, Prog PRT-4.1, DevStd PRT-4.2, -4.3 (Mitigations REC-9, -11, address Impacts REC-2, -3)

In certifying 95-EIR-01 and approving the Orcutt Community Plan, the Board of Supervisors adopted a Statement of Overriding Considerations for impacts that could not be fully mitigated.

7. Growth Inducement

95-EIR-01 disclosed that the Orcutt Community Plan, including the Projects, was growth-inducing in that it proposed to remove physical impediments to growth. Public service infrastructure, including the construction of Retention Basin "B" was recognized as one of the impediments to growth that would be removed in implementing the Orcutt Community Plan in 95-EIR-01. Therefore, Board of Supervisors, in certifying 95-EIR-01, adopted a Statement of Overriding Considerations for the growth-inducing aspects of the Projects.

Other Environmental Issue Areas:

The previous environmental documents for the Orcutt Community Plan including Environmental Impact Report 95-EIR-01, Mesa Verde Residential Project (TM 14,303/93-DPF-011) addendum dated July 7, 1999, Jensen's Crossing/ Cobblestone Crossing subdivision (TM 14,429/97-DP-018) addendum dated December 1, 1999, and Harp Springs (TM 14,478/98-DP-017/98-RN-010) addendum dated April 2, 2002, also disclose impacts in areas of Traffic/Circulation, Air Quality, Noise, Water Resources, and Cultural Resources for construction of the Orcutt Community Plan, including the proposed Projects. These documents also discussed project alternatives.

3.0 RETENTION BASIN AND TRAILS IMPACTS

As identified in 95-EIR-01 for the Orcutt Community Plan, potentially significant impacts to native vegetation and wildlife resources would result from development of the Projects (Please refer to 95-EIR-01 for a full discussion of these impacts). Impacts of the Projects were addressed in 95-EIR-01 and the addenda prepared for the Mesa Verde Residential Project (TM 14,303/93-DPF-011) under an addendum dated July 7, 1999, the Jensen's Crossing/Cobblestone Creek subdivision (TM 14,429/97-DP-018) under an addendum dated December 1, 1999, and the Harp Springs subdivision (TM 14,478/98-DP-017/98-RN-010) dated April 2, 2002.

As identified in 95-EIR-01 for the Orcutt Community Plan, potentially significant impacts to native vegetation and wildlife resources were identified from development of the Projects (Please refer to 95-EIR-01 for a full discussion of these impacts). The trails traverse the Jensen's Crossing/Cobblestone Creek (Key site #5), Mesa Verde (Key Site #6), and Harp Springs (Key Site #8). The retention basin is to be developed on Key Site #8. Impacts were addressed in 95-EIR-01 and the addendums prepared for the Mesa Verde Residential Project (TM 14,303/93-DPF-011) under an addendum dated July 7, 1999, the Jensen's Crossing/Cobblestone Creek subdivision (TM 14,429/97-DP-018) under an addendum dated December 1, 1999, and the Harp Springs subdivision (TM 14,478/98-DP-017/98-RN-010) dated April 2, 2002.

Development has been proposed on Key Sites #5, 6, and 8. The sites were initially described and evaluated in 95-EIR-01 as part of the Orcutt Community Plan, then evaluated site-specifically for proposed development on each site through the above-referenced addenda. Key site B was evaluated under 95-EIR-01 as part of the Orcutt Community Plan, however, development has not yet been proposed for the site.

Two federally-listed endangered species have potential to occur in the Orcutt Creek area. The California red-legged frog was listed as threatened at the time 95-EIR-01 was certified. Additionally, subsequent to certification of 95-EIR-01 the California Tiger Salamander was listed as endangered in 2000¹ by the U.S. Fish and Wildlife Service. Although the California Tiger Salamander was recognized as a candidate species for listing and potentially significant impacts were identified to the species in the Orcutt Community Plan EIR, listing the species as endangered may constitute a change in circumstances from those which 95-EIR-01 analyzed as part of the Orcutt Community Plan. The following provides an updated site-specific discussion of biological resources at the project site:

The California red-legged frog and California Tiger Salamander occur in the Santa Maria Valley area. As part of the analysis to complete this addendum for the Project, an initial site assessment was conducted for potential presence of California red-legged frog and California Tiger Salamander in November 2003 along the entire sewer line alignment. The Field Assessment for these species was conducted by biological consultant Vince Semonsen (November 28, 2003) (Attachment 1).

¹ On July 26, 2004, the County received notice from the U.S. Fish and Wildlife Service that the Santa Barbara population of the California Tiger Salamander would be reclassified to threatened.

The California red-legged frog has been known to occur within the Orcutt Creek drainage between Solomon and Black Roads, approximately three to four miles downstream of the Project area. The Projects are located within the range of the California red-legged frog. However, the assessment concludes that the Orcutt creek corridor does not provide permanent sources of water with cattails, bulrushes, or other dense riparian habitat required by red-legged frogs in the area and they are not expected to utilize this portion of the Orcutt Creek riparian corridor. The assessment reviewed a 40-foot wide sewer line easement from Stillwell to Bradley Roads and concluded that the probability of the presence of red-legged frog in the area of the projects is low due to the absence of appropriate habitat for this species in the project area. This evidence demonstrates that the Projects would not result in any new or substantially more severe biological impacts than previously identified.

The Project is also located just within the California tiger salamander range as per the U.S. Fish and Wildlife Service Map dated April 20, 2000, but is not located within any of the 1.2-mile migration ranges for any known, probable, or possible tiger salamander breeding ponds. The assessment reviewed a 40-foot wide sewer line easement from Stillwell to Bradley Roads and concluded that the probability of the presence of tiger salamanders in the area of the projects is low due to the high level of urban development around the sites that essentially isolates the area from potential breeding ponds. This evidence demonstrates that the Projects would not result in any new or substantially more severe biological impacts than previously identified.

Findings:

In approving the Orcutt Community Plan, the Board adopted a Statement of Overriding Considerations for those identified environmental impacts that could not be fully mitigated (i.e., residual impacts after mitigation which were determined to be significant and unavoidable [Class I impacts]) such as cumulative growth inducing impacts and biological resource impacts. Many mitigation measures identified in the EIR were adopted as policies and development standards in the Community Plan. Projects are required by State law to be consistent with general plan policies.

In approving the Orcutt Community Plan, the Board of Supervisors adopted a Mitigation Monitoring and Reporting Plan to reduce significant impacts for issue areas. Many mitigation measures identified in the EIR were adopted as policies and development standards in the Community Plan. Retention Basin "B" and the trails would provide flood protection for development anticipated under the Orcutt Community Plan and recreational opportunities, respectively. Both Project elements (retention basin and trail) are intended to fulfill the specific requirements of these mitigation measures.

Additionally, the retention basin and trails were made conditions of approval for the Jensen's Crossing/Cobblestone Creek, Harp Springs and Mesa Verde residential developments and all potential for impacts of the Projects were studied in the addenda that were performed for those development projects.

95-EIR-01 analyzed and identified the general, overall impacts resulting from anticipated build out of the Orcutt Community Plan including infrastructure requirements (flood control retention basins,

parks/trails, sewer lines, water lines, etc.). Mitigation measures resulting from the EIR analysis have been adopted as policies and development standards that are part of the Orcutt Community Plan. Subsequent development on parcels within the Orcutt Community Planning Area, such as Key Sites #5, 6, and 8 are subject to design and construction in compliance with the Orcutt Community Plan policies and development standards, are also subject to site-specific analysis under CEQA and, if required, subsequent mitigation measures.

The location, size and service area of Retention Basin B and trails have not changed from what was studied in the certified Orcutt Community Plan EIR and are consistent with the Orcutt Community Plan. There are no other changes or additions to the Projects that would create new environmental impacts or increase the severity of previously identified impacts. After adoption of the Orcutt Community Plan, the U.S. Fish and Wildlife Service listed the California Tiger Salamander as an endangered species. To ensure that the Projects would not result in new biological impacts, a biologist was hired to assess the a sewer alignment analyzed under a separate addendum. The assessment area was located essentially along the proposed trails alignment. The assessment results indicated that no evidence of California tiger salamanders was observed and the probability of tiger salamanders utilizing the area of Retention Basin “B” or the trails is low due to the high level of urban development around the site that essentially isolates the location from potential breeding ponds. Therefore no new or substantially more severe impacts are expected to threatened or endangered species with implementation of the proposed Projects.

There have been no other substantial changes to the circumstances under which the Projects are being undertaken since the Orcutt Community Plan EIR was performed. No other changed circumstances that could give rise to the need for additional review have occurred and no new information has become known that would affect the analysis of the Orcutt Community Plan EIR and previous addenda. No projects have been approved in the Orcutt Planning Area that were not contemplated and studied in the Orcutt Community Plan EIR or that are different that what was studied in that EIR in a way that could change the impacts identified for the proposed Projects. Since the proposed Projects will only serve a portion of the Orcutt Community Plan planning area as anticipated in the Orcutt Community Plan EIR and no additional development, there is no new growth inducing impacts associated with the extension beyond the growth that was already studied in the Orcutt Community Plan EIR.

Therefore, it is the finding of the Santa Barbara County Board of Supervisors that this addendum adequate and appropriate for the Regional Retention Basin “B” and recreational trails under CEQA section 21166 and CEQA Guidelines section 15164, since only minor technical changes or additions are necessary and none of the conditions described in CEQA section 21166 or CEQA Guidelines section 15162 have occurred.

Figure 1 –Orcutt Community Plan Key Sites

Figure 2 – Flood Retention Basin B Vicinity Map

Figure 3 – Orcutt Community Plan Parks, Recreation and Trails Map (southeast Orcutt portion)

Figure 4 – Flood Control Retention Basin B Site Plan

Addendum for the Flood Control Retention Basin "B"
And Recreational Trails
Page 14 of 27

Attachment 1: *Initial Site Assessments for California Red Legged Frog & California Tiger Salamander
Orcutt Creek Sewer Line Easement*, Prepared by Vince Semonson, Wildlife Biologist,
January 20, 2004

FIGURES

Figure 1 – Orcutt Community Plan Key Sites

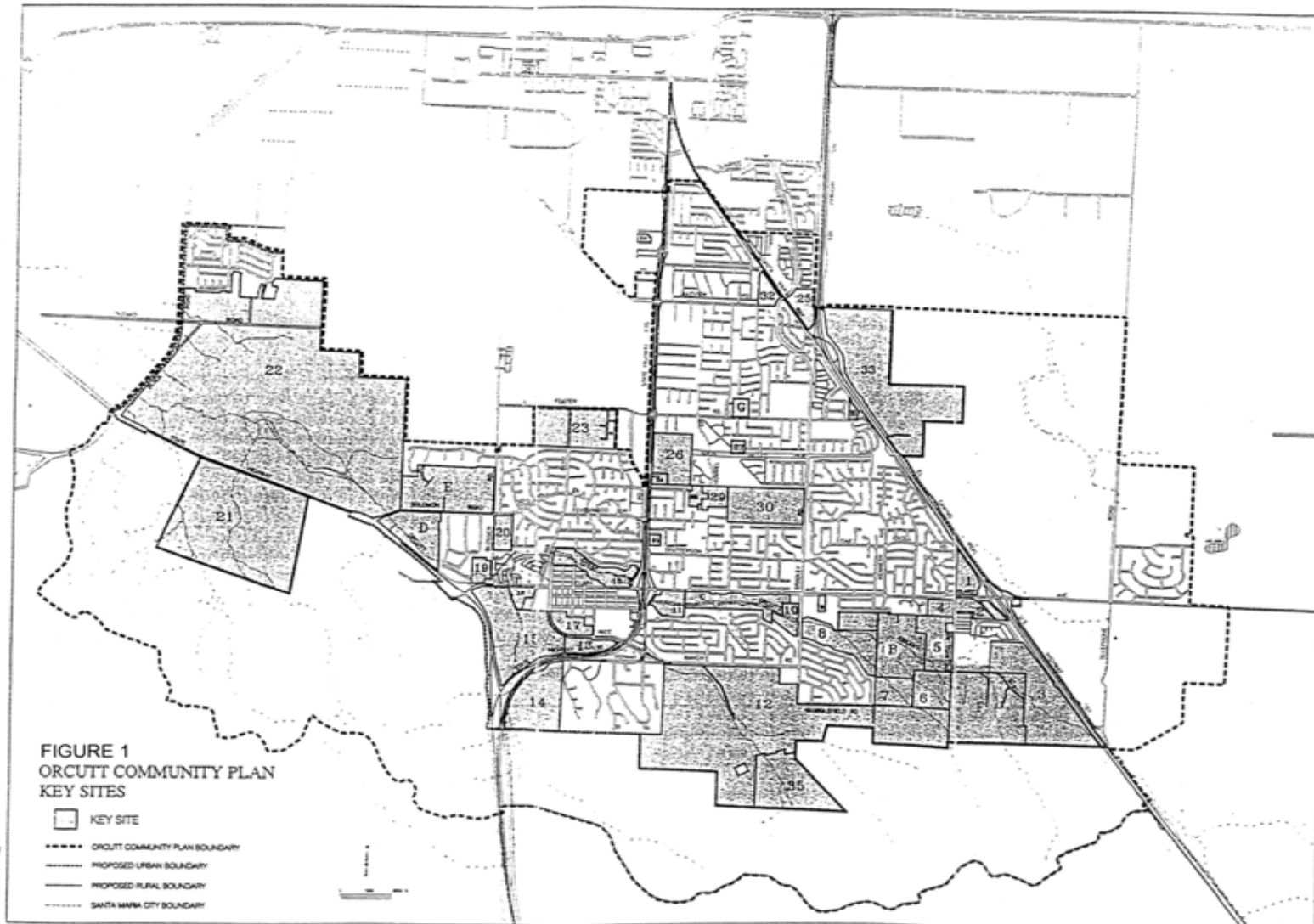


Figure 2 – Flood Control Retention Basin B

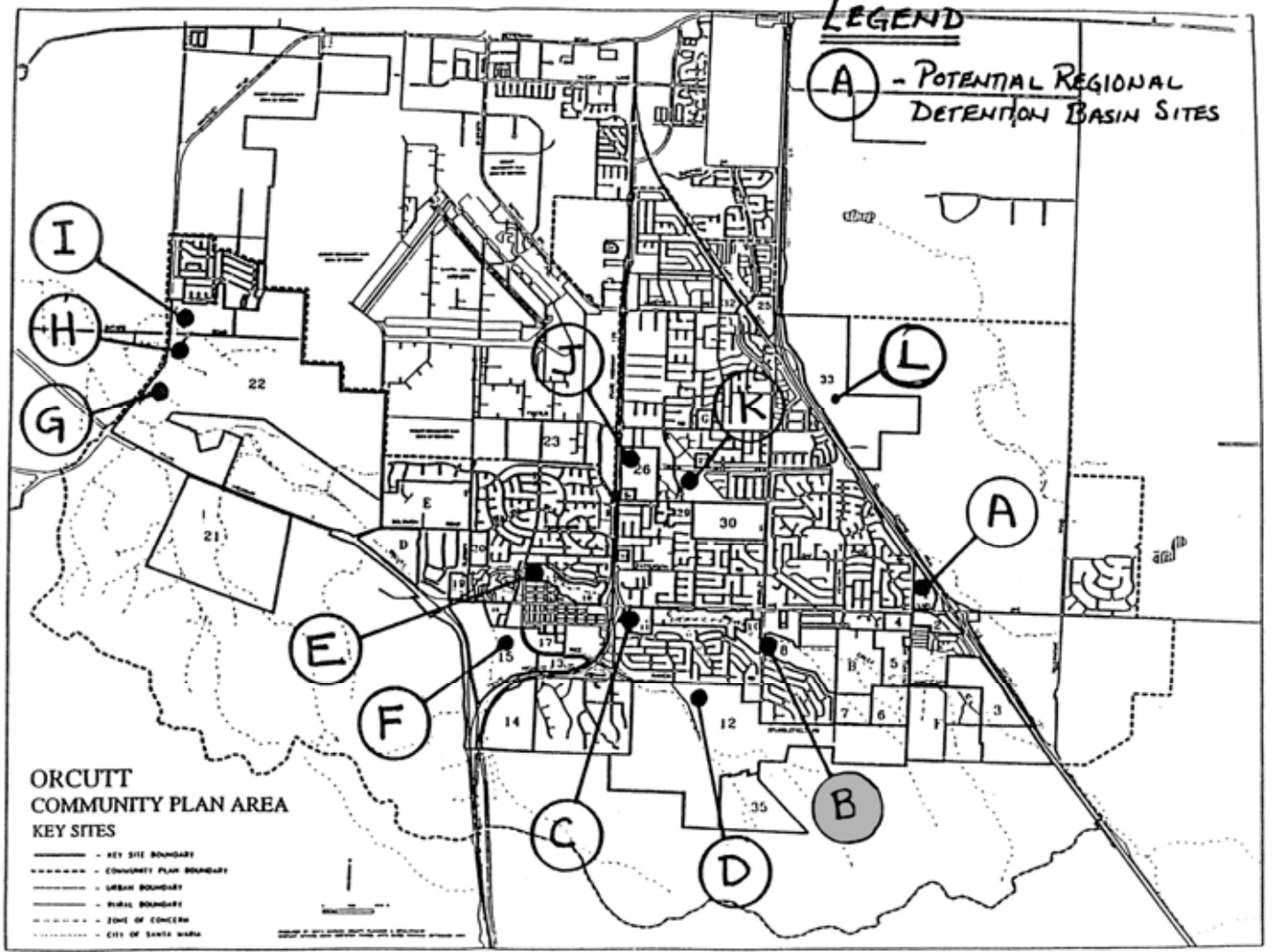
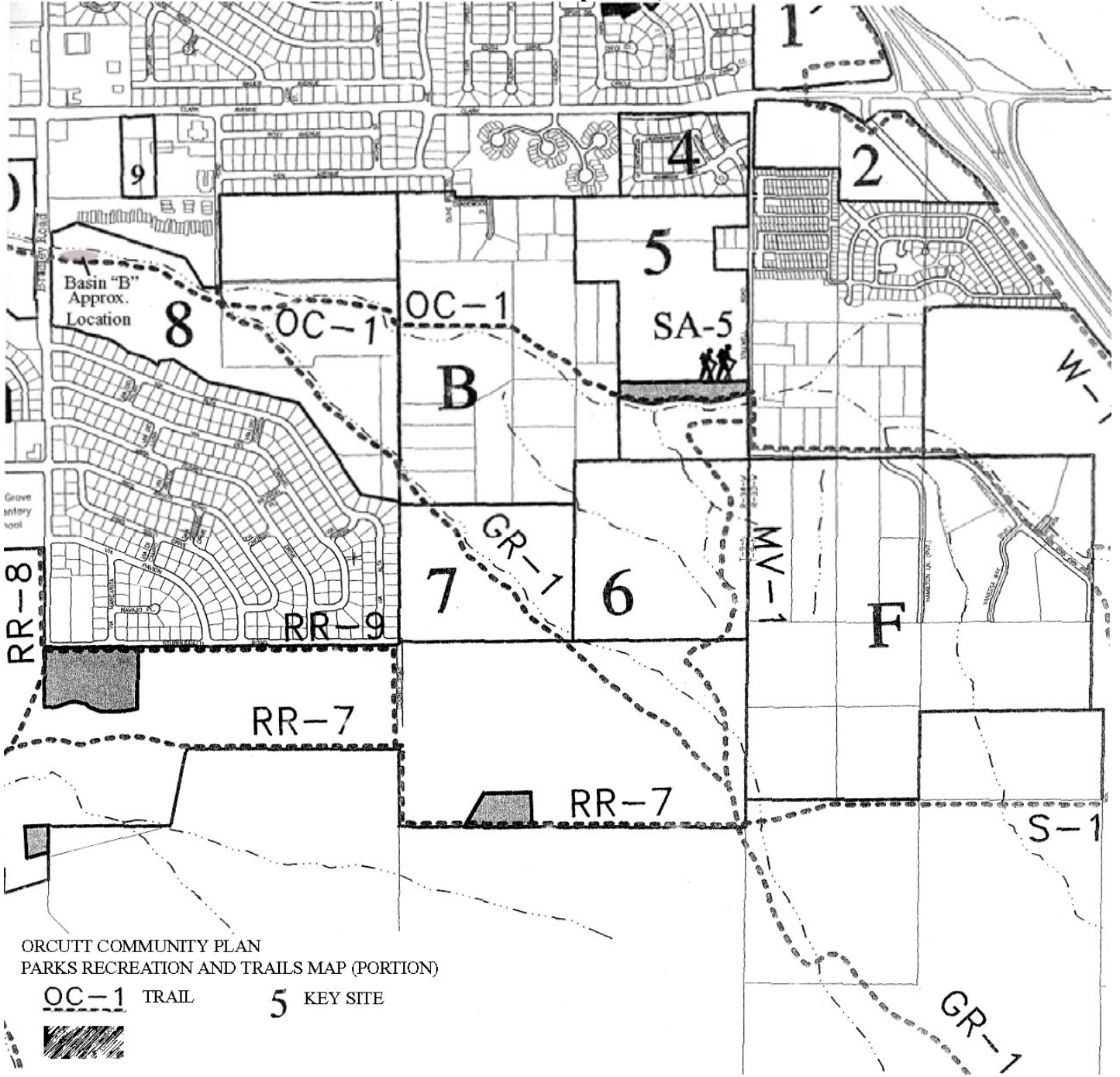


FIGURE 3
 REGIONAL FLOOD RETENTION BASIN B

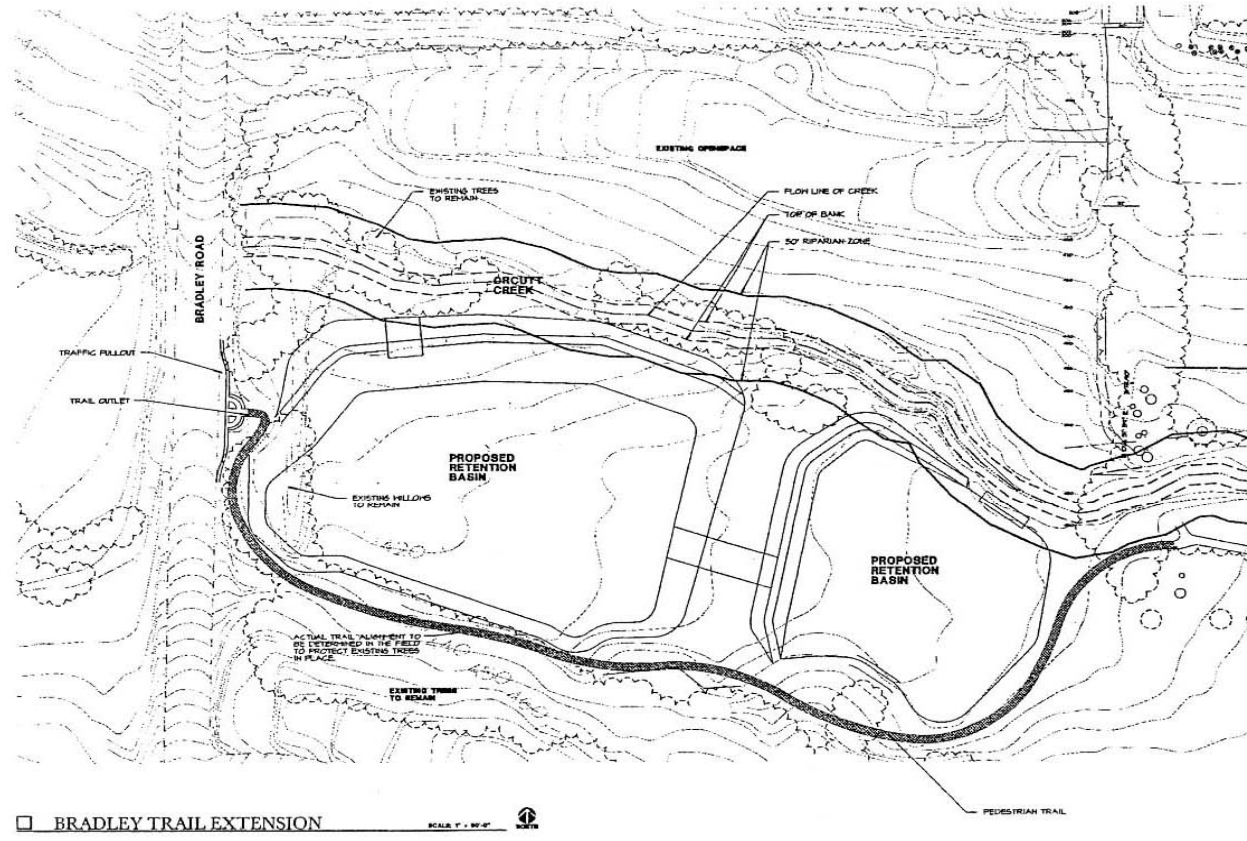


POTENTIAL BASIN SITES
ORCUTT COMMUNITY PLAN UPDATE
 (Prepared by Penfield & Smith)

**Figure 3 – Orcutt Community Plan Parks, Recreation and Trails Map
(Southeast Orcutt portion)**



**Figure 4 –
Flood Control Retention Basin B Site Plan**



**Figure 4
Flood Control Retention
Basin B**

Key: Site # (Monday)

SHEET 1
11 JANUARY 2000
Kevin J. Small & Associates
Landscape Architects
317 East Mill Street
Santa Maria, California 93454-4425
805.349.9695, kjs@kja.com, RLA 1929

ATTACHMENT



January 20, 2004

INITIAL SITE ASSESSMENTS

FOR

CALIFORNIA RED-LEGGED FROG & CALIFORNIA TIGER SALAMANDER
(*Rana aurora draytonii*) (*Ambystoma californiense*)

Orcutt Creek Sewer Line Easement

Prepared For: Anthony Wells, Wellmack, LLC

Prepared By: Vince Semonsen, Wildlife Biologist

This document includes initial site assessments for CA red-legged frogs (*Rana aurora draytonii*) and CA tiger salamanders (*Ambystoma californiense*) along a portion of Orcutt creek in the southeast corner of Orcutt, CA. Initial Site Assessments were prepared for these sensitive species in preparation for the installation of the Orcutt Creek Sewer Truck Line. Initial site assessments for both CA tiger salamanders and CA red-legged frogs require the examination of current locality records and the evaluation of available habitat to determine the likelihood that the species occurs on the project site. Depending on the conclusions of these initial surveys the U.S. Fish and Wildlife Service may require additional protocol level surveys to determine the presence or absence of the species.

The project will disturb (i.e. trenching, soil stockpile, access roads) a 20 foot wide easement crossing at least 7 properties between Stillwell and Bradley Roads. The sewer line easement stays just to the north of Orcutt Creek for approximately one mile and is not expected to impact the creek corridor. During construction and depending on the depth of the line, a wider easement may be required along portions of the route, therefore, a 40 foot easement (area of impact) was evaluated during the field surveys.

A site visit was conducted on November 28, 2003 to evaluate the habitat within the 20-40 foot easement along the Orcutt creek drainage. Weather conditions were mild with a temperature of 62 degrees, partly cloudy skies with a slight breeze. The riparian corridor and the sewer line easement was surveyed on foot using 10 x 40 binoculars to visually identify any sensitive species and to record the vegetative habitat. Reptiles and amphibians were identified using binoculars and by overturning boards and logs, mammals were identified by sight and sign.

1810 Surget Avenue
Santa Barbara, CA 93101
805-687-0249

Initial Site Assessment
for
California Red-Legged Frogs (*Rana aurora draytonii*)

Orcutt Creek Sewer Line Easement

The CA red legged frog (*Rana aurora draytonii*) was listed as threatened by the U.S. Fish and Wildlife Service in June of 1996. An initial site assessment followed by possible field surveys is required to accurately assess the status of CA red-legged frogs in the vicinity of a project site. Based on the information provided by the site assessment the Fish and Wildlife Service may require field surveys to determine their presence or absence on the project site. The Fish and Wildlife Service protocol for an initial site assessment requires answers to the following questions.

1. Is the project within the range of the CA red-legged frog?
2. What are the known localities of CA red-legged frogs within the project site and within 8 kilometers (5 miles) of the project boundaries?
3. What are the habitats within the project site and within 1.6 km (one mile) of the project boundaries?

The project was evaluated in December, 2003 for CA red-legged frogs.

RESULTS

The project is definitely within the range of the CA red-legged frog (*Rana aurora draytonii*).

There have been no known sightings of CA red-legged frogs within the project site. Known localities of CA red-legged frogs within 5 miles of the project site include (See Map 1):

1. The headwaters of Careaga Canyon, a tributary to San Antonio Creek located approximately 4.5 miles to the southeast of the property. (Sam Sweet, pers. comm.)
2. Orcutt creek to the northwest of the town of Orcutt, between Solomon Road and Black Road, approximately 3 miles downstream of the property. (Paul Collins, pers. comm. And personnel observation).
3. On Old Dominion road approximately 4.5 miles to the northeast of the project site. (Alice Abela, pers. comm.)
4. On Highway 1 near the Rancho ^{ario} Mirage Golf Course approx. 4.5 miles to the west of the project site (Sam Sweet, pers. comm.).
5. Rainwater runoff pond along Clubhouse Drive approx. 2 miles from the project site. (Mark De La Garza, pers. comm.)

The above locality records for CA red-legged frogs were acquired from local experts and from personnel observations. The Natural Diversity Data Base (NDDB) was not consulted for this project.

Habitats within the project site and within 1 mile of the project boundaries include both upland and aquatic habitats. The sewer line easement travels through the Orcutt Creek drainage, a narrow stretch of somewhat natural open space that is surrounded on three sides by urban development (See aerial photo). To the southeast of the project site native open space extends up into the Solomon Hills. Oak woodland, annual grassland, coastal sage scrub and the Orcutt Creek riparian

corridor are the habitats found within 1 mile of the project easement. Primarily annual grassland with some patches of oak woodland and coastal sage scrub occupy the area north of the easement. Coastal sage scrub and oak woodland dominating the area south of the easement with some annual grassland mixed in.

The aquatic habitat within 1 mile of the project consists of the Orcutt Creek drainage located just south of the project easement and an agricultural pond located east of the project site. The agricultural pond was not evaluated for this report as it is surrounded by cultivated agriculture and is located east of Highway 101. Orcutt Creek is blue-line creek that is considered an ephemeral drainage, with sustained stream flows expected during winter months in very wet years. The creek was dry at the time of the site visit in late November. The riparian corridor supports very little wetland vegetation, with only arroyo willow (*Salix lasiolepis*) and an occasional western sycamore (*Platanus racemosa*) along portions of the project site. Oak woodland, coastal sage scrub and several large eucalyptus groves grow along the other portions of the channel. The streambed is pure sand with very little rock, no plunge pools and no vegetation of any kind (Photo #1). Only one location along the channel looked like it could become a pool during periods of stream flow and it was at the downstream end of one road culvert (Photo #2).

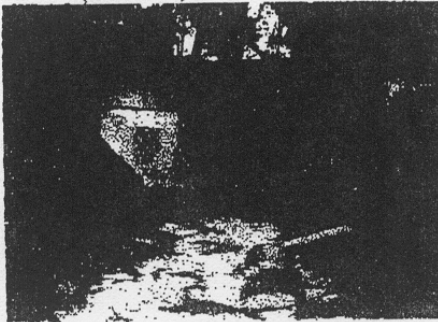


Photo #2

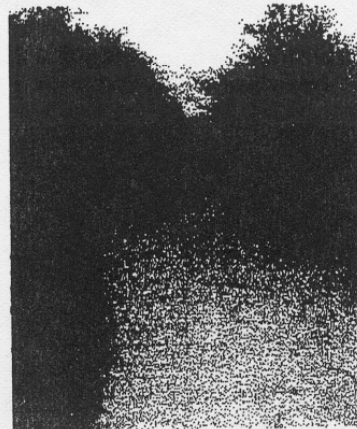


Photo #1

Discussion

The CA red-legged frog is chiefly a pond frog that frequents marshes, streams, lakes, reservoirs, ponds, and other usually permanent sources of water where cattails, bulrushes, or other plants provide dense riparian cover (Stebbins, 2003). In Santa Barbara County they have also been documented breeding in vernal pools, eventually dispersing into damp habitats as the ponds dry. CA red-legged frogs can migrate considerable distances, with documented travel of up to 1.8 miles recorded from the Guadalupe dunes area (personnel experience). Downstream of the project site, approximately 3 to 4 miles, Orcutt Creek is known to support CA red-legged. However, within this portion of the drainage stream flow is more consistent, riparian vegetation is extensive and plunge pools are available to the frogs. The creek corridor along the project site does not provide the habitat required by red-legged frogs and they are not expected to utilize this portion of the Orcutt Creek riparian corridor.

References:

Stebbins R. C. 2003 A Field Guide to Western Reptiles and Amphibians. Third Edition. Boston: Houghton Mifflin.

Initial Site Assessment
for
California Tiger Salamanders
(*Ambystoma californiense*)

Orcutt Creek Sewer Line Easement

Survey Objective: The focus of this Initial Field Assessment is to determine the potential for California Tiger Salamanders (*Ambystoma californiense*) to inhabit the project site, and to evaluate whether the proposed project will impact any such salamander found there. A probability rating of low, medium or high will be assigned for the possibility of salamanders occurring on the property and for the possible impacts to salamanders from the proposed project. If there is a low probability of tiger salamanders occupying the property it follows that there would be a low probability of them being impacted by the proposed work. There can be situations however where there is a moderate or high probability of salamanders utilizing the property (i.e. living on or moving across the property) and a low probability of impacts to those salamanders. If the proposed project is determined to have a medium or higher probability of impacting tiger salamanders additional survey work may be recommended.

Findings and Recommendation: There is a **low probability** that CA tiger salamanders would be impacted by the installation of the Orcutt Creek Sewer Line between Stillwell and Bradley Roads. No additional surveys are recommended.

Project Description: The project will disturb (i.e. trenching, soil stockpile, access roads) a 20 foot wide easement crossing at least 7 properties between Stillwell and Bradley Roads. The sewer line easement stays just to the north of Orcutt Creek for approximately one mile and is not expected to impact the creek corridor. During construction and depending on the depth of the line, a wider easement may be required along portions of the route, therefore, a 40 foot easement (area of impact) was evaluated during the field surveys. Excavation activity will primarily be the sewer line trench, approximately 12 inches wide by 4 feet deep. The area is expected to be restored following installation, including recontouring and revegetating the easement.

Description of Investigation Performed: The presence of tiger salamanders depends on a number of factors; the most important being the presence of breeding ponds within 1.2 miles of the project, and nearby ground squirrel and/or gopher burrow systems. I conducted a site visit on November 28th to look over the site and evaluate the upland habitat in and around the Orcutt Creek Sewer Line Easement.

Included in the initial site assessment is an evaluation of aerial photos of the property and the surrounding areas to identify any unknown potential ponds within migration range of the proposed project. If needed, local experts are contacted who would have the most recent information on tiger salamander distribution near the project site. The upland habitat (i.e. burrow systems) was evaluated at the project site, throughout the property, and to a lesser degree within the surrounding

countryside. An evaluation of the potential barriers to the salamander's migratory movements (i.e. roads, rivers, steep topography, agricultural or urban development) was noted both during the field visit and via the aerial photos. Particular attention was given to the land between the proposed project site and any known or potential ponds.

Environmental Setting: The sewer line easement is within the CA tiger salamander range as per the U. S. Fish and Wildlife Service Map dated July, 2001 but is not within the salamanders migratory range from any known breeding ponds. Several potential breeding ponds (ORCU-1 and ORCU-2) are just within the 1.2 mile migratory range of the animals, as indicated on the Santa Barbara County map dated August 31, 2001. No undocumented ponds were noted within 1.2 miles of the project, either from previous surveys or from my examination of aerial photographs.

The sewer line easement travels through the Orcutt Creek drainage, a narrow stretch of somewhat natural open space that is surrounded on three sides by urban development. To the southeast of the project site native open space extends up into the Solomon Hills. Oak woodland, annual grassland and coastal sage scrub habitats cover most of the area within and around the sewer line easement. Gopher and ground squirrel burrows were abundant within and around the project site.

Results: The Orcutt Creek Sewer Line Easement is not within migratory distance of any known ponds and is isolated by extensive urban development to the west, southwest and north and by highway 101 to the east. Several potential ponds are located to the southeast and are just within migratory range of the project. No man-made movement barriers exist in this area but the steep topography and thick oak woodland and coastal sage scrub vegetation noted between ORCU-2 and the project site suggests CA tiger salamanders would not migrate to the project site and would not be impacted by the project.

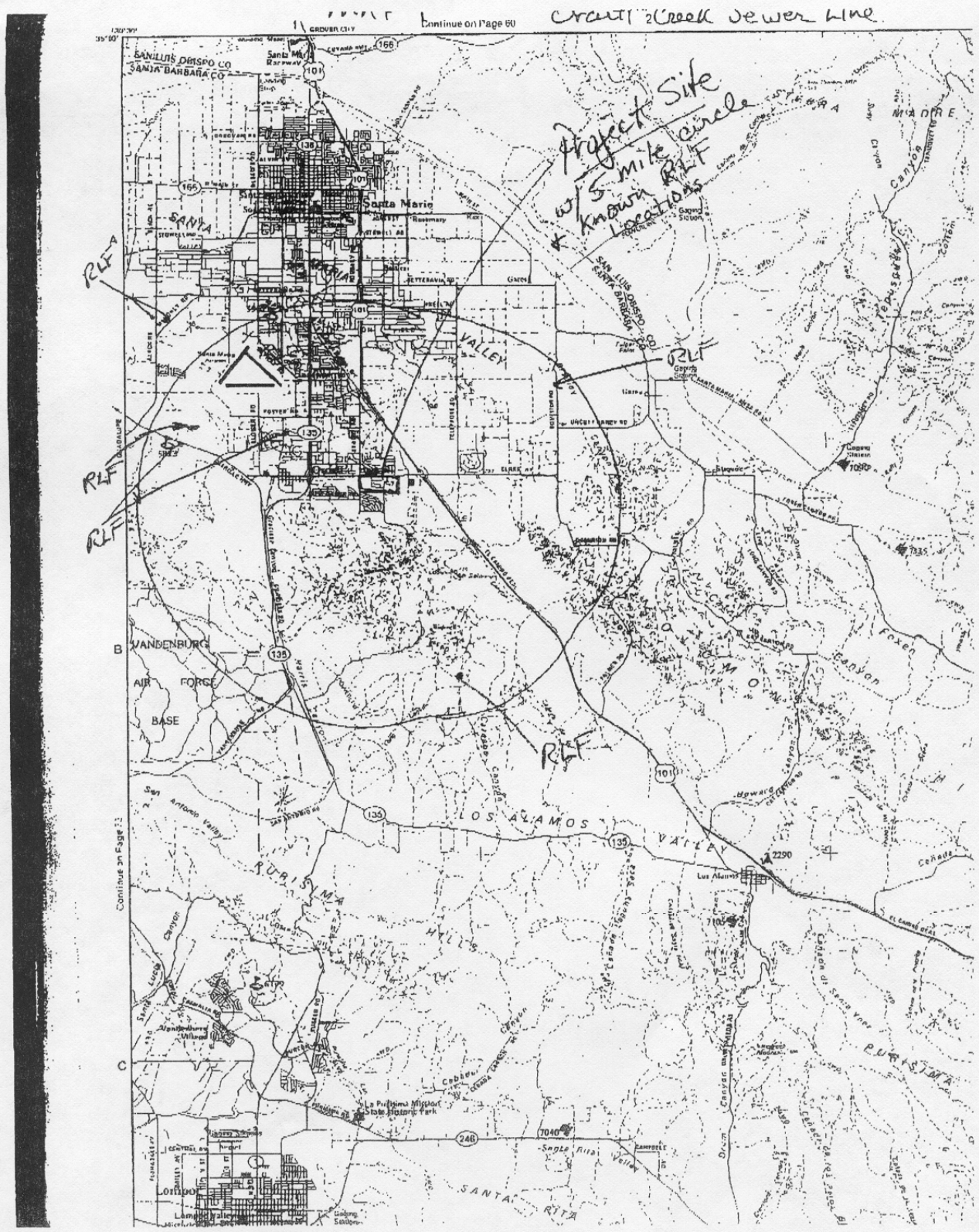
References:

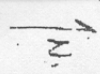
Santa Barbara County's California Tiger Salamander Habitat Map. August 31, 2001.

U. S. Fish & Wildlife Service California Tiger Salamander Range Map. July 2001.

U. S. Fish & Wildlife Service. Federal Register. Vol. 65, No. 12. Pages 3096-3111. January 19, 2000. Endangered and Threatened Wildlife and Plants; Emergency Rule to List the Santa Barbara County Distinct Population of the California Tiger Salamander as Endangered.

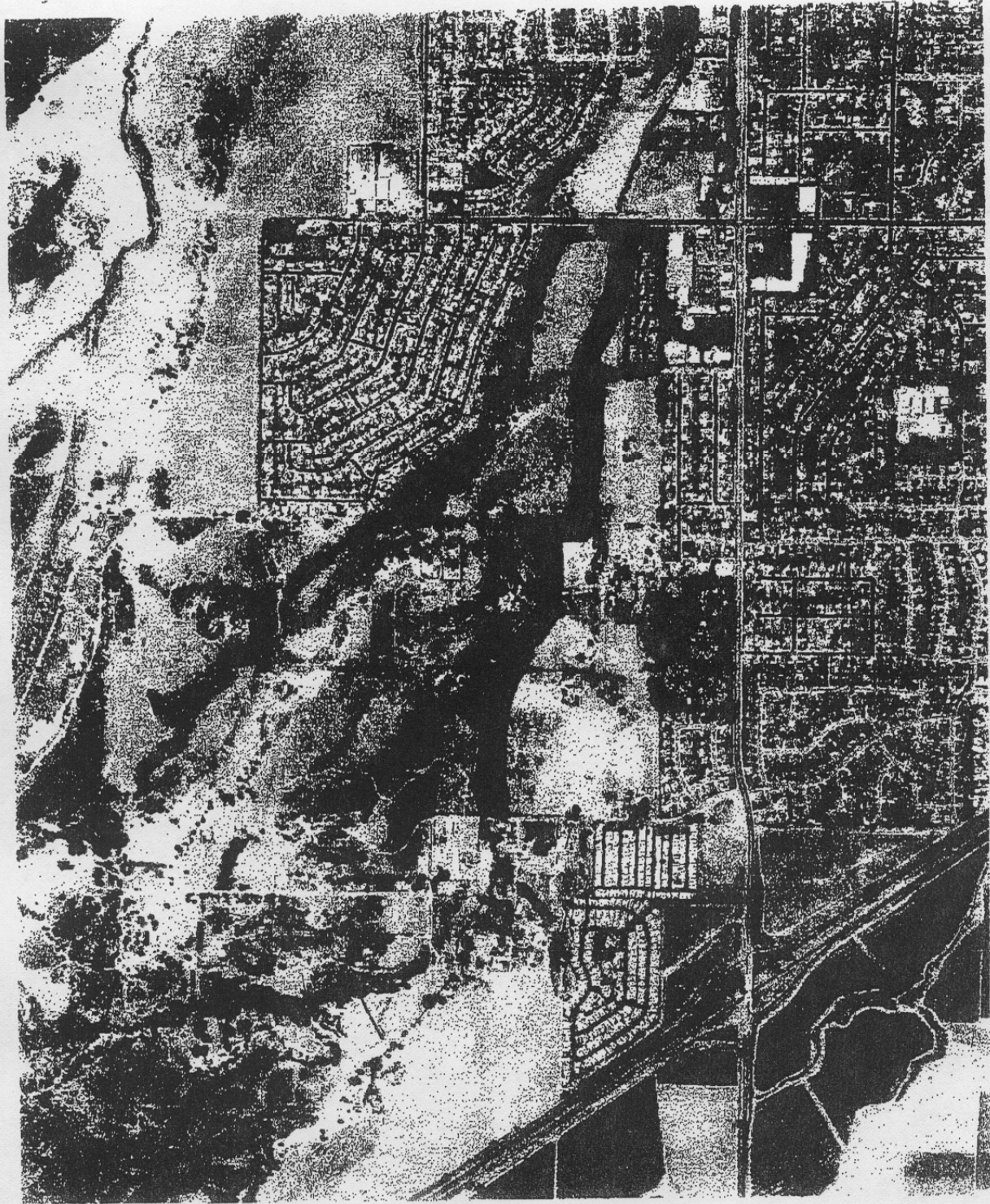
Santa Barbara County Planning and Development Department Aerial Photos from 1989, 1997, 2000 und 2002.





Orcutt Creek Sewer Line

2002



ATTACHMENT B

TO: Santa Barbara County Laguna Sanitation District Board of Directors

FROM: Kathy Kefauver, Environmental Planner
Santa Barbara County Public Works Department
Solid Waste and Utilities Division

DATE: July 29, 2004

RE: CEQA Determination: Addendum for the Bradley-Solomon Trunk Sewer Line Extension Finding that Section 15164 of the State CEQA Guidelines applies to the Bradley-Solomon Sewer Line. CEQA Section 15164 allows an addendum to be prepared when only minor technical changes or changes that do not create new significant impacts would result. This addendum to the environmental documents for the Orcutt Community Plan, including Environmental Impact Report 95-EIR-01, (SCH #95031055) and Mesa Verde Residential Project (TM 14,303/93-DPF-011) addendum dated July 7, 1999, Jensen's Crossing/Cobblestone Crossing subdivision (TM 14,429/97-DP-018) addendum dated December 1, 1999, and Harp Springs (TM 14,478/98-DP-017/98-RN-010) addendum dated April 2, 2002, is adequate for the Bradley-Solomon trunk sewer line extension project.

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Clerk of the Board, Santa Barbara County Board of Supervisors, located at 105 E. Anapamu St., Fourth Floor, Santa Barbara, CA 93101.

Location: The project is located on Assessor's Parcel Number 103-200-026, 103-200-011, 103-200-026, 103-200-048, 103-200-052, 103-200-055, 103-200-067, 103-200-069, 103-200-074, 103-200-087, and 103-570-038 located in the Orcutt area, Fourth Supervisorial District.

1.0 EXECUTIVE SUMMARY

The Laguna County Sanitation District (LCSD) proposes to acquire property for purposes of constructing and maintaining the Bradley-Solomon trunk sewer line extension (the Project). The Project was approved as part of the Orcutt Community Plan (95-EIR-01), Jensen's Crossing/Cobblestone Crossing (Key Site 5, Addendum to 95-EIR-01 July 1997), Mesa Verde (Key Site 6, Addendum to 95-EIR-01 July 1997) and Harp Springs (Key Site 8, Addendum to 95-EIR-01 July 1997) subdivision approvals (Figure 1).

Sewer service to surrounding parcels would be provided via the proposed Project. The sewer line would be extended by more than 4,000 feet from its current terminus east of Bradley Road to Stillwell Road

along the north side of Orcutt Creek (Figure 2). The Project would serve only the development anticipated under the Orcutt Community Plan, analyzed in 95-EIR-01, and was evaluated in 95-EIR-01. No changes in the Project are proposed.

The Project site is located within the unincorporated community of Orcutt. Development of the Project was evaluated under 95-EIR-01 for the Orcutt Community Plan. As noted above, the EIR and previous addenda included evaluation of environmental impacts from build-out of the entire Orcutt Community Plan, as well as site-specific evaluation of residential build-out of the development sites in the vicinity (known as Key Sites 5, 6 and 8 of the OCP EIR). The Board of Supervisors certified the EIR on July 22, 1997.

In approving the Orcutt Community Plan, the Board adopted a Statement of Overriding Considerations for those identified environmental impacts, which could not be fully mitigated (i.e., residual impacts after mitigation which were determined to be significant and unavoidable [Class I impacts]). Many mitigation measures identified in the EIR were adopted as policies and development standards in the Community Plan. Projects are required by State law to be consistent with general plan policies.

2.0 PROJECT DESCRIPTION

The Laguna County Sanitation District (LCSD) proposes to acquire property and to construct and maintain the Bradley-Solomon trunk sewer line extension to Stillwell Avenue (8-inch line) (the Project). The Project was approved a part of the Orcutt Community Plan (95-EIR-01), Jensen's Crossing/Cobblestone Crossing (Key Site 5, Addendum to 95-EIR-01 July 1997), Mesa Verde (Key Site 6, Addendum to 95-EIR-01 July 1997) and Harp Springs (Key Site 8, Addendum to 95-EIR-01 July 1997) subdivision approvals (Figure 1).

The sewer line right-of-way traverses the Jensen's Crossing/Cobblestone Creek (Key site #5), Mesa Verde (Key Site #6), and Harp Springs (Key Site #8). The remainder of the sewer line traverses Key Site B. Sewer service to surrounding parcels is proposed via the proposed LCSD extension. The sewer line would be extended by more than 4,000 feet from its current terminus east of Bradley Road to Stillwell Road along the north side of Orcutt Creek (Figure 2). The Project would serve development anticipated in 95-EIR-01 and is consistent with the Bradley-Solomon Trunk Line evaluated in 95-EIR-01. No changes in the Project are proposed.

3.0 BACKGROUND – PREVIOUS ANALYSIS 95-EIR-01

1. Public Services:

95-EIR-01 identified the following *potentially significant* wastewater effects from build-out of the Orcutt Plan of up to 6,300 new homes and 2.3 million square feet of commercial/industrial development. Please refer to 95-EIR-01 for a full discussion of these impacts.

- Impact WW-1: Increase in TDS*
- Impact WW-2: Additional trunk and feeder lines*
- Impact WW-3: Development outside the sewer district boundary*
- Impact WW-4: Potential flows exceed plant capacity.*
- Impact WW-5: Increase in grease or chemical levels*
- Impact WW-6: Secondary impacts from retrofitting*

The EIR identified impacts to public services from installation and maintenance of the Project as potentially significant in 95-EIR-01, partially mitigated by identified measures. The following mitigating measures were adopted as policies and development standards in the Orcutt Community Plan (please refer to 95-EIR-01 for full discussion of these items):

- Actions WW-O-1.1, -1.2, 1.3, -2.2, 2.3, Policy WW-O-5 (Mitigations WW-2, -3, -4, -6, address Impacts WW-2, -3, -4)*
- Policy WW-O-2, DevStd WW-O-2.1 (Mitigation WW-2, -3, -4, -5, 6, address Impacts WW -2, -3, -4)*
- Policies WW-O-3, -4, DevStds WW-O-3.2, -4.1 (Mitigation WW-1 address Impacts WW -1, -6)*

95-EIR-01 found that with application of Orcutt Community Plan policies and development standards (identified above for cumulative and Project impacts) as project conditions, potential Project wastewater impacts were mitigated to less than significant levels.

95-EIR-01 concluded that identified community plan policies, actions and development standards mitigated cumulative wastewater impacts of plan build-out to the greatest extent feasible. Cumulative impacts related to chemicals in the wastewater were mitigated to less than significant levels. Other cumulative wastewater impacts were partially mitigated but remained significant and unavoidable (Class I).

The Board of Supervisors adopted a Statement of Overriding Considerations for these significant and unavoidable wastewater impacts in adopting the Orcutt Community Plan.

2. Geologic Resources

95-EIR-01 for the Orcutt Community Plan identified the following potentially significant cumulative geological impacts due to build-out of Orcutt Cumulative impacts included impacts on the Project site and associated public facilities identified to serve the Orcutt Community Plan.

- Impact GEO-1: Increased Erosion and Sedimentation.*
- Impact GEO-2: Blowing Sand.*
- Impact GEO-3: Seismic Hazards.*

The EIR concluded that impacts associated with the Project constituted potentially significant contributions to cumulative impacts associated with erosion, unstable slopes and sedimentation. Project contributions to other cumulative geologic impacts were less than significant.

Required conformance with the following state and county policies and regulations served to partially mitigate geological impacts:

Comprehensive Plan/Environmental Resources Management Element/Slopes Policies prohibit development on slopes of 30% or greater, and direct development on slopes of 20-30%. (addresses Impact GEO-1)

Comprehensive Plan Land Use Element Hillside and Watershed Protection Policies 1-9. (addresses Impact GEO-1)

Uniform Building Code requirements for structures to be built to Seismic Zone IV standards (addresses Impact GEO-3)

The following mitigation measures adopted as Policies and Development Standards in the Orcutt Community Plan, along with measures adopted in the Biological, Flooding, Open Space, Visual, and Fire Prevention sections, lessened cumulative geologic impacts through application to individual projects:

Policy GEO-O-2 (Mitigations GEO-1, through-9, addresses Impact GEO-1)

DevStd GEO-O-2.2 (Mitigations GWO-2, -3, address Impact GEO-1)

DevStd GEO-O-2.3 (addresses Impact GEO-1)

DevStd GEO-O-2.5. (Mitigations GEO-4, -9, address Impact GEO-1)

DevStd FLD-O-3.2 (Mitigation GEO-4, addresses Impact GEO-1)

Policy AQ-O-2 (addresses Impact GEO-2)

Additional measures adopted to address Flooding/Drainage, and Air Quality such as erosion/sedimentation controls, and re-vegetation also served to minimize Geology impacts.

3. Biological Resources

The EIR for the Orcutt Community Plan identified the following *potentially significant* cumulative impacts to biological resources from build-out of the community plan and from development in Orcutt in conjunction with development in the City of Santa Maria, Vandenberg Air Force Base, and southwestern San Luis Obispo County. The EIR concluded that the sewer line extension would result in a *potentially significant* contribution to these cumulative impacts:

Impacts BIO-10. Bradley/Solomon Trunk Line and Maintenance. The Project, a sewer line extension in excess of 4,000 feet between Bradley and Stillwell Roads north of Orcutt Creek, could cause a substantial amount of disturbance to the riparian scrub, coast live oak riparian, and central coastal scrub communities by cutting a 15+ foot wide corridor, 5 feet deep, adjoining the stream channel. Temporary impacts of construction would include destruction of roughly 3 acres of riparian habitat and reduction in the number of wildlife species in the creek and surrounding

grasslands and oak woodlands. Additional periodic impacts would occur with annual maintenance and eventual replacement of lines.

The following mitigation measures for biological resources impacts were adopted as Policies and Development Standards in the Orcutt Community Plan, and partially reduced cumulative biological impacts of community build-out:

- Policy BIO-O-1 (Mitigation BIO-23, addresses Impacts BIO -26, -27, -29)*
- DevStd BIO-O-1.1 (Mitigation BIO-23, addresses Impacts BIO-26, -27, -29)*
- DevStd BIO-O-1.2 (Mitigation BIO-3 -3.2, address Impacts BIO-1 through -5, -8 through -12, 15, 17, 18, 21)*
- DevStd BIO-O-1.3 (Mitigation BIO-28, addresses Impact BIO-33)*
- DevStd BIO--O-1.5 (Mitigation BIO-20, addresses Impacts BIO-19, -21, -22)*
- Policy BIO-O-2 (Mitigation BIO-24, addresses Impact BIO-28)*
- DevStd BIO-O-2.1 (Mitigation BIO-14, -24, address Impacts BIO-15, -28)*
- Policy BIO-O-3 (Mitigation BIO-26, addresses Impact BIO-31)*
- DevStd BIO-O-3.1 (Mitigation BIO-26, address Impact BIO-31)*
- Policy BIO-O-5 (Mitigation BIO-13, -27, address Impacts BIO-14, -32)*
- DevStd BIO-O-5.5 (Mitigation BIO-10, addresses Impact BIO-10)*

Additional measures adopted to address Geologic Hazards, Open Space, Fire Protection, Recreation/Trails, and Visual Aesthetics, such as erosion/sedimentation controls, re-vegetation, open space preservation, and outdoor lighting constraints, also served to minimize Biological Resources impacts.

4. Flooding and Drainage

95-EIR-01 identified the following *potentially significant* cumulative flooding impacts associated with build-out of the Orcutt Community Plan, including public facilities which would serve the site development (Regional Retention Basin B, water and sewer trunk line extensions to Stillwell). The sewer line extension constituted a *potentially significant but mitigable* contribution to cumulative flooding and drainage impacts (please refer to 95-EIR-01 for a full discussion of these impacts).

- Impact FLD-1, -2: Development within the 100-year floodway and floodplain.*
- Impact FLD-7: Increased erosion, Solomon Hills*

Mitigation measures adopted as Policies and Development Standards in the Orcutt Community Plan, including the following, partially mitigated cumulative flooding impacts (please refer to 95-EIR-01 for a full discussion of these items):

- Policy FLD-O-1 (addresses Impacts FLD-1 through FLD-12)*
- DevStd FLD-O-1.2 (Mitigation FLD-2, addresses Impact FLD-1)*
- Policy FLD-O-3 (Mitigation FLD-7, -11, address Impacts FLD-4, -7, -10, -11))*
- DevStd FLD-O-3.1 (Mitigation FLD-7, addresses Impacts FLD-7, -11)*

DevStd FLD-O-4.2 (Mitigation FLD-4, addresses Impacts FLD-3, -4, -7, -8, -10)

The EIR concluded that the Project does not include any components that will cause changes in currents or the course of marine or fresh water. If soils were left exposed during the rainy season, erosion and offsite sedimentation could occur. In light of the known potential of construction sites to generate considerable sediment, trace metals, nutrients, oil and grease, pesticides, herbicides, and other synthetic organic compounds, potentially significant short-term construction related impacts to water quality are anticipated. Application of the Policies and Development Standards identified above under cumulative impacts, and standard County ordinance and Flood Control District requirements, and erosion/sedimentation measures identified in the Geologic Hazards section above, all as conditions of Project approval mitigated potential drainage and flood-related impacts of the Project.

5. Growth Inducement

95-EIR-01 disclosed that the Orcutt Community Plan, including the Projects, was growth-inducing in that it proposed to remove physical impediments to growth. Public service infrastructure was recognized as one of the impediments to growth that would be removed in implementing the Orcutt Community Plan in 95-EIR-01. The Board of Supervisors, in certifying 95-EIR-01, adopted a Statement of Overriding Considerations for the growth-inducing aspects of the project.

Other Environmental Issue Areas:

The previous environmental documents for the Orcutt Community Plan including Environmental Impact Report 95-EIR-01, Mesa Verde Residential Project (TM 14,303/93-DPF-011) addendum dated July 7, 1999, Jensen's Crossing/ Cobblestone Crossing subdivision (TM 14,429/97-DP-018) addendum dated December 1, 1999, and Harp Springs (TM 14,478/98-DP-017/98-RN-010) addendum dated April 2, 2002, also disclose impacts in areas of Traffic/Circulation, Air Quality, Noise, Water Resources, Cultural Resources and Recreation for construction of the Orcutt Community Plan including the proposed Project. These documents also discussed project alternatives.

3.0 PROJECT IMPACTS

As identified in 95-EIR-01 for the Orcutt Community Plan, potentially significant impacts to native vegetation and wildlife resources were identified from development of the Project (Please refer to 95-EIR-01 for a full discussion of these impacts). Impacts were addressed in 95-EIR-01 and the addenda prepared for the Mesa Verde Residential Project (TM 14,303/93-DPF-011) under an addendum dated July 7, 1999, the Jensen's Crossing/Cobblestone Creek subdivision (TM 14,429/97-DP-018) under an addendum dated December 1, 1999, and the Harp Springs subdivision (TM 14,478/98-DP-017/98-RN-010) dated April 2, 2002.

Development has been proposed on Key Sites #5, 6, and 8. The sites were initially described and evaluated in 95-EIR-01 as part of the Orcutt Community Plan, then evaluated site-specifically for proposed development on each site through the above-referenced addenda. Key site B was evaluated

under 95-EIR-01 as part of the Orcutt Community Plan, however, development has not yet been proposed for the site.

Two federally-listed endangered species have potential to occur in the Orcutt Creek area. The California red-legged frog was listed as threatened at the time 95-EIR-01 was certified. Additionally, subsequent to certification of 95-EIR-01 the California Tiger Salamander was listed as endangered in 2000¹ by the U.S. Fish and Wildlife Service. Although the California Tiger Salamander was recognized as a candidate species for listing and potentially significant impacts were identified to the species as a result of the Orcutt Community Plan EIR, listing the species as endangered may constitute a change in circumstances from those 95-EIR-01 analyzed for the Orcutt Community Plan. The following provides an updated site-specific discussion of biological resources at the project site:

The California red-legged frog and California Tiger Salamander occur in the Santa Maria Valley area. As part of the analysis to complete this addendum for the Project, an initial site assessment was conducted for potential presence of California red-legged frog and California Tiger Salamander in November 2003 along the entire sewer line alignment. The Field Assessment for these species was conducted by biological consultant Vince Semonsen (November 28, 2003) (Attachment 1).

The California red-legged frog has been known to occur within the Orcutt Creek drainage between Solomon and Black Roads, approximately three to four miles downstream of the Project area. The location of the Project is within the range of the California red-legged frog. However, the assessment concludes that the Orcutt creek corridor does not provide permanent sources of water with cattails, bulrushes, or other dense riparian habitat required by red-legged frogs in the Project area and they are not expected to utilize this portion of the Orcutt Creek riparian corridor. The assessment reviewed a 40-foot wide sewer line easement from Stillwell to Bradley Roads and concluded that the probability of the presence of red-legged frog in the area of the projects is low due to the absence of appropriate habitat for this species in the project area. This evidence demonstrates that the Projects would not result in any new or substantially more severe biological impacts than previously identified.

The Project is also located just within the California tiger salamander range as per the U.S. Fish and Wildlife Service Map dated April 20, 2000, but is not located within any of the 1.2-mile migration ranges for any known, probable, or possible tiger salamander breeding ponds. The assessment reviewed a 40-foot wide sewer line easement from Stillwell to Bradley Roads and concluded that the probability of the presence of tiger salamanders in the area of the projects is low due to the high level of urban development around the sites that essentially isolates the area from potential breeding ponds. This evidence demonstrates that the Projects would not result in any new or substantially more severe biological impacts than previously identified.

¹ On July 26, 2004, the County received notice from the U.S. Fish and Wildlife Service that the Santa Barbara population of the California Tiger Salamander would be reclassified to threatened.

Findings:

In approving the Orcutt Community Plan, the Board adopted a Statement of Overriding Considerations for those identified environmental impacts that could not be fully mitigated (i.e., residual impacts after mitigation which were determined to be significant and unavoidable [Class I impacts]) such as cumulative growth inducing impacts and biological resource impacts. Many mitigation measures identified in the EIR were adopted as policies and development standards in the Community Plan. The sewer line extension would provide public services for development authorized under the Orcutt Community Plan. The Project fulfills specific requirements of these mitigation measures.

In approving the Orcutt Community Plan, the Board of Supervisors adopted a Mitigation Monitoring and Reporting Plan to reduce significant impacts for issue areas. Many mitigation measures identified in the EIR were adopted as policies and development standards in the Community Plan. Retention Basin “B” and the trails would provide flood protection for development anticipated under the Orcutt Community Plan and recreational opportunities, respectively. Both Project elements (retention basin and trail) are intended to fulfill the specific requirements of these mitigation measures.

Additionally, the sewer line extension was made a condition of approval for the Jensen’s Crossing/Cobblestone Creek, Harp Springs and Mesa Verde residential developments and all potential for impacts of the Projects were studied in the addenda that were performed for those development projects.

95-EIR-01 analyzed and identified the general, overall impacts resulting from anticipated build out of the Orcutt Community Plan including infrastructure requirements (flood control retention basins, parks/trails, sewer lines, water lines, etc.). Many mitigation measures identified in the EIR were adopted as policies and development standards in the Orcutt Community Plan. Subsequent development on parcels within the Orcutt Community Planning Area, such as Key Sites #5, 6, and 8 are subject to design and construction in compliance with the Orcutt Community Plan policies and development standards, are also subject to site-specific analysis under CEQA and, if required, subsequent mitigation measures.

The location, size and service area of the sewer line has not changed from what was studied in the certified Orcutt Community Plan EIR and is consistent with the Orcutt Community Plan. There are no other changes or additions to the sewer line that would create new environmental impacts or increase the severity of previously identified impacts. After adoption of the Orcutt Community Plan, the U.S. Fish and Wildlife Service listed the California Tiger Salamander as endangered species. To ensure that the Project would not result in new biological impacts, a biologist was hired to assess the sewer line alignment. The assessment results indicated that no evidence of California tiger salamanders was observed and the probability of tiger salamanders utilizing the area is low due to the high level of urban development around the site that essentially isolates it from potential breeding ponds. Therefore no new or substantially more severe biological impacts are expected to result from implementation of the proposed Project.

There have been no substantial changes to the circumstances under which this project is being undertaken since the Orcutt Community Plan EIR was performed. No other changed circumstances that could give rise to the need for additional review have occurred and no new information has become known that would affect the analysis of the Orcutt Community Plan EIR and previous addenda. No projects have been approved in the Orcutt Planning Area that were not contemplated and studied in the Orcutt Community Plan EIR or that are different that what was studied in that EIR in a way that could change the impacts identified for proposed Project. Since the proposed Project will only serve a portion of the Orcutt Community Plan planning area as anticipated in the Orcutt Community Plan EIR, and no additional development, there are no new growth inducing impacts associated with the extension beyond the growth that was already studied in the Orcutt Community Plan EIR.

Therefore, it is the finding of the Laguna Sanitary District Board of Directors that this addendum is adequate and appropriate to fulfill the environmental review requirements of the Bradley-Solomon Sewer Line Extension under CEQA section 21166 and CEQA Guidelines section 15164, since only minor technical changes or additions are necessary and none of the conditions described in CEQA section 21166 or CEQA Guidelines section 15162 have occurred.

Figure 1 –Orcutt Community Plan Key Sites
Figure 2 - Sewer Trunk Line Alignment

Attachment 1: *Initial Site Assessments for California Red Legged Frog & California Tiger Salamander Orcutt Creek Sewer Line Easement*, Prepared by Vince Semonson, Wildlife Biologist, January 20, 2004

FIGURES

Figure 1 –Orcutt Community Plan Key Sites

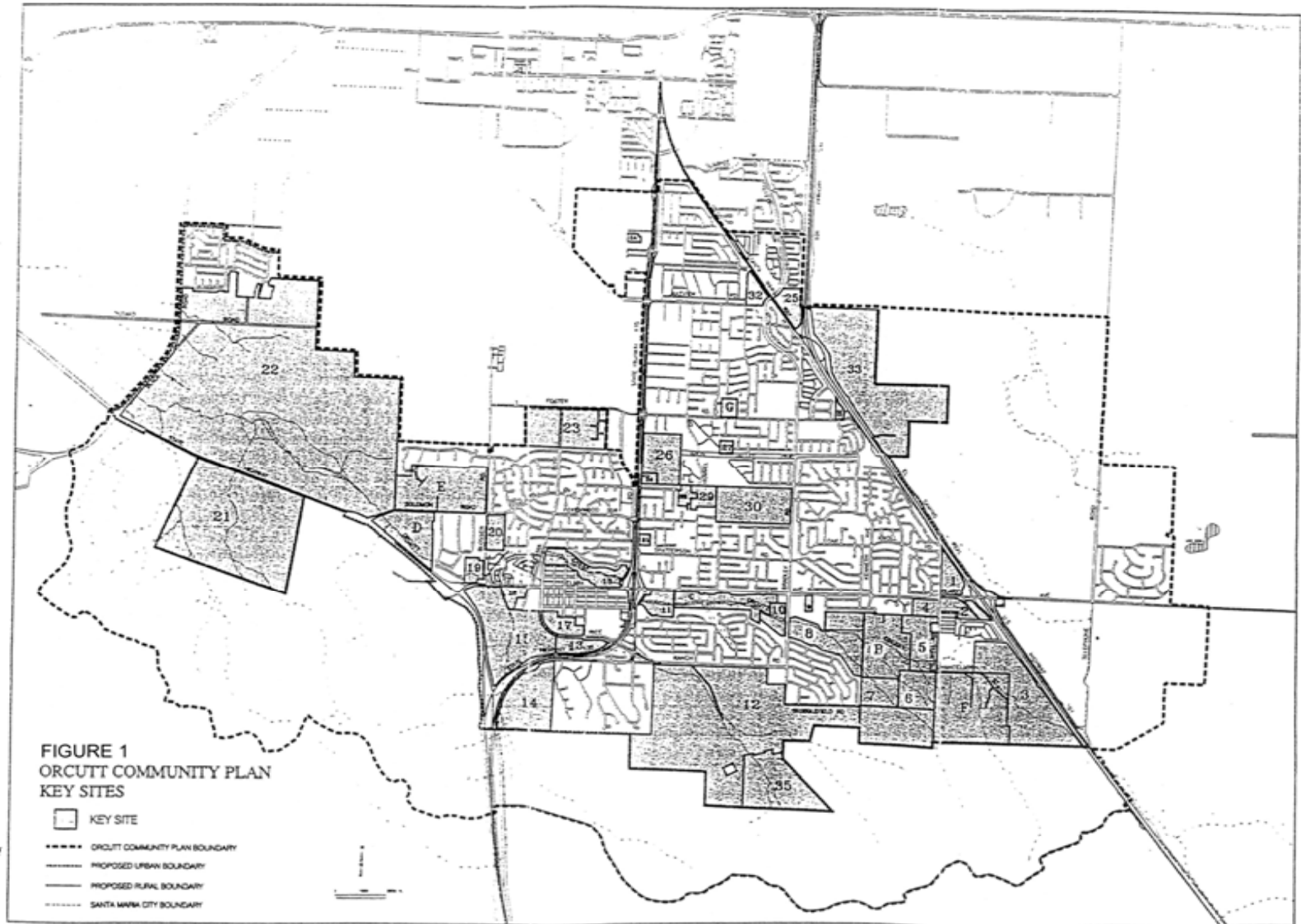
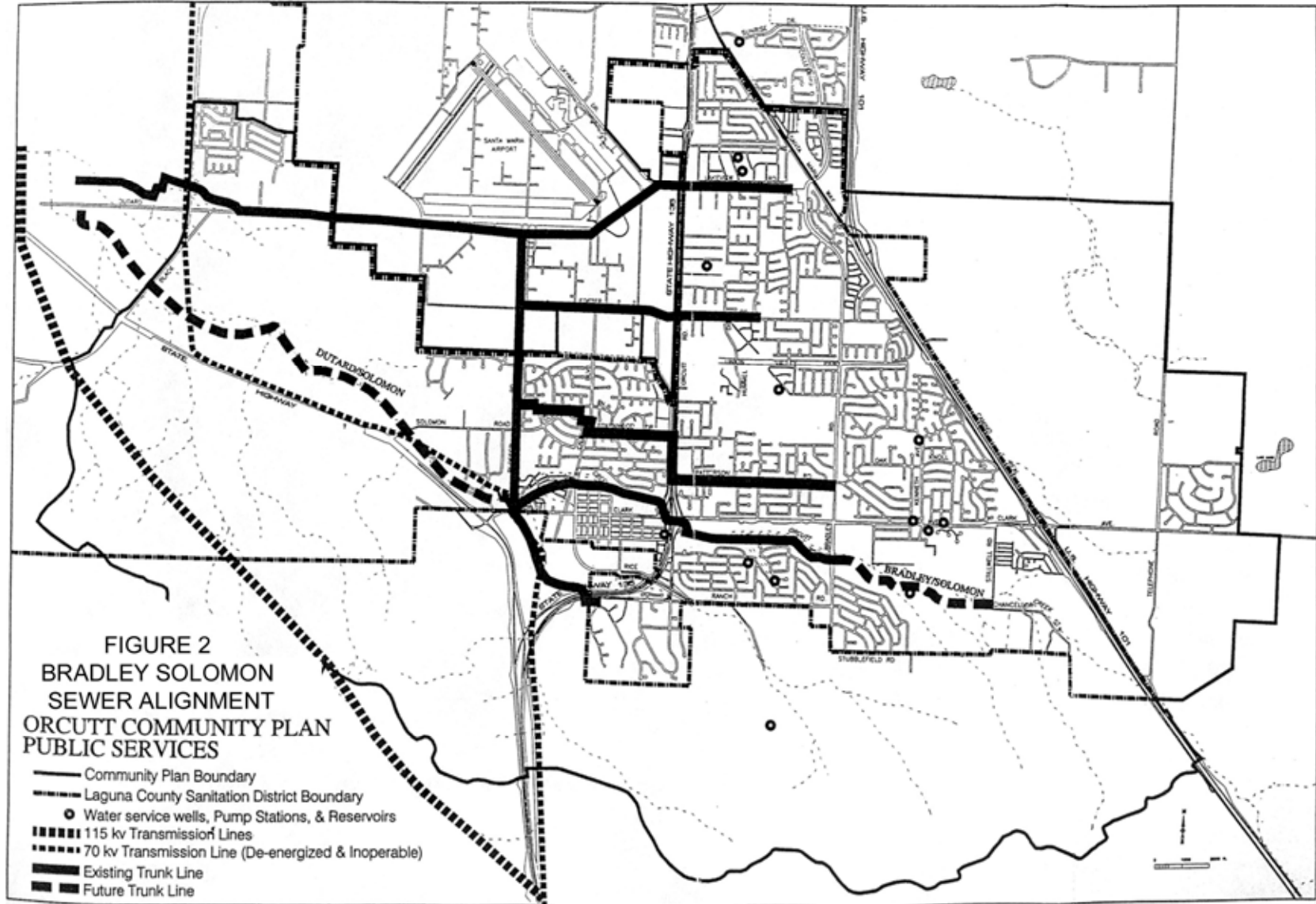


Figure 2 - Sewer Trunk Line Alignment



ATTACHMENT 1



January 20, 2004

INITIAL SITE ASSESSMENTS

FOR

CALIFORNIA RED-LEGGED FROG & CALIFORNIA TIGER SALAMANDER
(*Rana aurora draytonii*) (*Ambystoma californiense*)

Orcutt Creek Sewer Line Easement

Prepared For: Anthony Wells, Wellmack, LLC

Prepared By: Vince Semonsen, Wildlife Biologist

This document includes initial site assessments for CA red-legged frogs (*Rana aurora draytonii*) and CA tiger salamanders (*Ambystoma californiense*) along a portion of Orcutt creek in the southeast corner of Orcutt, CA. Initial Site Assessments were prepared for these sensitive species in preparation for the installation of the Orcutt Creek Sewer Truck Line. Initial site assessments for both CA tiger salamanders and CA red-legged frogs require the examination of current locality records and the evaluation of available habitat to determine the likelihood that the species occurs on the project site. Depending on the conclusions of these initial surveys the U.S. Fish and Wildlife Service may require additional protocol level surveys to determine the presence or absence of the species.

The project will disturb (i.e. trenching, soil stockpile, access roads) a 20 foot wide easement crossing at least 7 properties between Stillwell and Bradley Roads. The sewer line easement stays just to the north of Orcutt Creek for approximately one mile and is not expected to impact the creek corridor. During construction and depending on the depth of the line, a wider easement may be required along portions of the route, therefore, a 40 foot easement (area of impact) was evaluated during the field surveys.

A site visit was conducted on November 28, 2003 to evaluate the habitat within the 20-40 foot easement along the Orcutt creek drainage. Weather conditions were mild with a temperature of 62 degrees, partly cloudy skies with a slight breeze. The riparian corridor and the sewer line easement was surveyed on foot using 10 x 40 binoculars to visually identify any sensitive species and to record the vegetative habitat. Reptiles and amphibians were identified using binoculars and by overturning boards and logs, mammals were identified by sight and sign.

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Initial Site Assessment
for
California Red-Legged Frogs (*Rana aurora draytonii*)
Orcutt Creek Sewer Line Easement

The CA red legged frog (*Rana aurora draytonii*) was listed as threatened by the U.S. Fish and Wildlife Service in June of 1996. An initial site assessment followed by possible field surveys is required to accurately assess the status of CA red-legged frogs in the vicinity of a project site. Based on the information provided by the site assessment the Fish and Wildlife Service may require field surveys to determine their presence or absence on the project site. The Fish and Wildlife Service protocol for an initial site assessment requires answers to the following questions.

1. Is the project within the range of the CA red-legged frog?
2. What are the known localities of CA red-legged frogs within the project site and within 8 kilometers (5 miles) of the project boundaries?
3. What are the habitats within the project site and within 1.6 km (one mile) of the project boundaries?

The project was evaluated in December, 2003 for CA red-legged frogs.

RESULTS

The project is definitely within the range of the CA red-legged frog (*Rana aurora draytonii*).

There have been no known sightings of CA red-legged frogs within the project site. Known localities of CA red-legged frogs within 5 miles of the project site include (See Map 1):

1. The headwaters of Careaga Canyon, a tributary to San Antonio Creek located approximately 4.5 miles to the southeast of the property. (Sam Sweet, pers. comm.)
2. Orcutt creek to the northwest of the town of Orcutt, between Solomon Road and Black Road, approximately 3 miles downstream of the property. (Paul Collins, pers. comm. And personnel observation).
3. On Old Dominion road approximately 4.5 miles to the northeast of the project site. (Alice Abela, pers. comm.)
4. On Highway 1 near the Rancho ^{aria} Mirage Golf Course approx. 4.5 miles to the west of the project site (Sam Sweet, pers. comm.).
5. Rainwater runoff pond along Clubhouse Drive approx. 2 miles from the project site. (Mark De La Garza, pers. comm.)

The above locality records for CA red-legged frogs were acquired from local experts and from personnel observations. The Natural Diversity Data Base (NDDDB) was not consulted for this project.

Habitats within the project site and within 1 mile of the project boundaries include both upland and aquatic habitats. The sewer line easement travels through the Orcutt Creek drainage, a narrow stretch of somewhat natural open space that is surrounded on three sides by urban development (See aerial photo). To the southeast of the project site native open space extends up into the Solomon Hills. Oak woodland, annual grassland, coastal sage scrub and the Orcutt Creek riparian

corridor are the habitats found within 1 mile of the project easement. Primarily annual grassland with some patches of oak woodland and coastal sage scrub occupy the area north of the easement. Coastal sage scrub and oak woodland dominating the area south of the easement with some annual grassland mixed in.

The aquatic habitat within 1 mile of the project consists of the Orcutt Creek drainage located just south of the project easement and an agricultural pond located east of the project site. The agricultural pond was not evaluated for this report as it is surrounded by cultivated agriculture and is located east of Highway 101. Orcutt Creek is blue-line creek that is considered an ephemeral drainage, with sustained stream flows expected during winter months in very wet years. The creek was dry at the time of the site visit in late November. The riparian corridor supports very little wetland vegetation, with only arroyo willow (*Salix lasiolepis*) and an occasional western sycamore (*Platanus racemosa*) along portions of the project site. Oak woodland, coastal sage scrub and several large eucalyptus groves grow along the other portions of the channel. The streambed is pure sand with very little rock, no plunge pools and no vegetation of any kind (Photo #1). Only one location along the channel looked like it could become a pool during periods of stream flow and it was at the downstream end of one road culvert (Photo #2).

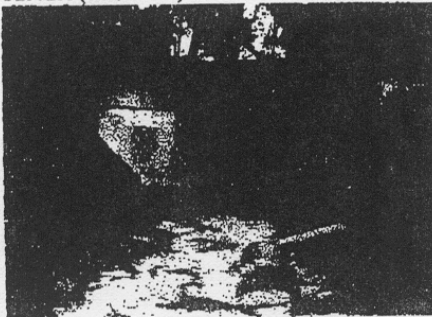


Photo #2

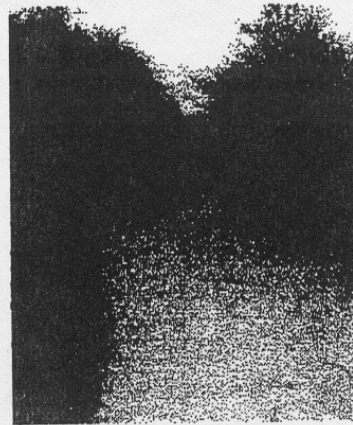


Photo #1

Discussion

The CA red-legged frog is chiefly a pond frog that frequents marshes, streams, lakes, reservoirs, ponds, and other usually permanent sources of water where cattails, bulrushes, or other plants provide dense riparian cover (Stebbins, 2003). In Santa Barbara County they have also been documented breeding in vernal pools, eventually dispersing into damp habitats as the ponds dry. CA red-legged frogs can migrate considerable distances, with documented travel of up to 1.8 miles recorded from the Guadalupe dunes area (personnel experience). Downstream of the project site, approximately 3 to 4 miles, Orcutt Creek is known to support CA red-legged. However, within this portion of the drainage stream flow is more consistent, riparian vegetation is extensive and plunge pools are available to the frogs. The creek corridor along the project site does not provide the habitat required by red-legged frogs and they are not expected to utilize this portion of the Orcutt Creek riparian corridor.

References:

Stebbins R. C. 2003 A Field Guide to Western Reptiles and Amphibians. Third Edition. Boston: Houghton Mifflin.

Initial Site Assessment
for
California Tiger Salamanders
(*Ambystoma californiense*)

Orcutt Creek Sewer Line Easement

Survey Objective: The focus of this Initial Field Assessment is to determine the potential for California Tiger Salamanders (*Ambystoma californiense*) to inhabit the project site, and to evaluate whether the proposed project will impact any such salamander found there. A probability rating of low, medium or high will be assigned for the possibility of salamanders occurring on the property and for the possible impacts to salamanders from the proposed project. If there is a low probability of tiger salamanders occupying the property it follows that there would be a low probability of them being impacted by the proposed work. There can be situations however where there is a moderate or high probability of salamanders utilizing the property (i.e. living on or moving across the property) and a low probability of impacts to those salamanders. If the proposed project is determined to have a medium or higher probability of impacting tiger salamanders additional survey work may be recommended.

Findings and Recommendation: There is a **low probability** that CA tiger salamanders would be impacted by the installation of the Orcutt Creek Sewer Line between Stillwell and Bradley Roads. No additional surveys are recommended.

Project Description: The project will disturb (i.e. trenching, soil stockpile, access roads) a 20 foot wide easement crossing at least 7 properties between Stillwell and Bradley Roads. The sewer line easement stays just to the north of Orcutt Creek for approximately one mile and is not expected to impact the creek corridor. During construction and depending on the depth of the line, a wider easement may be required along portions of the route, therefore, a 40 foot easement (area of impact) was evaluated during the field surveys. Excavation activity will primarily be the sewer line trench, approximately 12 inches wide by 4 feet deep. The area is expected to be restored following installation, including recontouring and revegetating the easment.

Description of Investigation Performed: The presence of tiger salamanders depends on a number of factors; the most important being the presence of breeding ponds within 1.2 miles of the project, and nearby ground squirrel and/or gopher burrow systems. I conducted a site visit on November 28th to look over the site and evaluate the upland habitat in and around the Orcutt Creek Sewer Line Easement.

Included in the initial site assessment is an evaluation of aerial photos of the property and the surrounding areas to identify any unknown potential ponds within migration range of the proposed project. If needed, local experts are contacted who would have the most recent information on tiger salamander distribution near the project site. The upland habitat (i.e. burrow systems) was evaluated at the project site, throughout the property, and to a lesser degree within the surrounding

countryside. An evaluation of the potential barriers to the salamander's migratory movements (i.e. roads, rivers, steep topography, agricultural or urban development) was noted both during the field visit and via the aerial photos. Particular attention was given to the land between the proposed project site and any known or potential ponds.

Environmental Setting: The sewer line easement is within the CA tiger salamander range as per the U. S. Fish and Wildlife Service Map dated July, 2001 but is not within the salamanders migratory range from any known breeding ponds. Several potential breeding ponds (ORCU-1 and ORCU-2) are just within the 1.2 mile migratory range of the animals, as indicated on the Santa Barbara County map dated August 31, 2001. No undocumented ponds were noted within 1.2 miles of the project, either from previous surveys or from my examination of aerial photographs.

The sewer line easement travels through the Orcutt Creek drainage, a narrow stretch of somewhat natural open space that is surrounded on three sides by urban development. To the southeast of the project site native open space extends up into the Solomon Hills. Oak woodland, annual grassland and coastal sage scrub habitats cover most of the area within and around the sewer line easement. Gopher and ground squirrel burrows were abundant within and around the project site.

Results: The Orcutt Creek Sewer Line Easement is not within migratory distance of any known ponds and is isolated by extensive urban development to the west, southwest and north and by highway 101 to the east. Several potential ponds are located to the southeast and are just within migratory range of the project. No man-made movement barriers exist in this area but the steep topography and thick oak woodland and coastal sage scrub vegetation noted between ORCU-2 and the project site suggests CA tiger salamanders would not migrate to the project site and would not be impacted by the project.

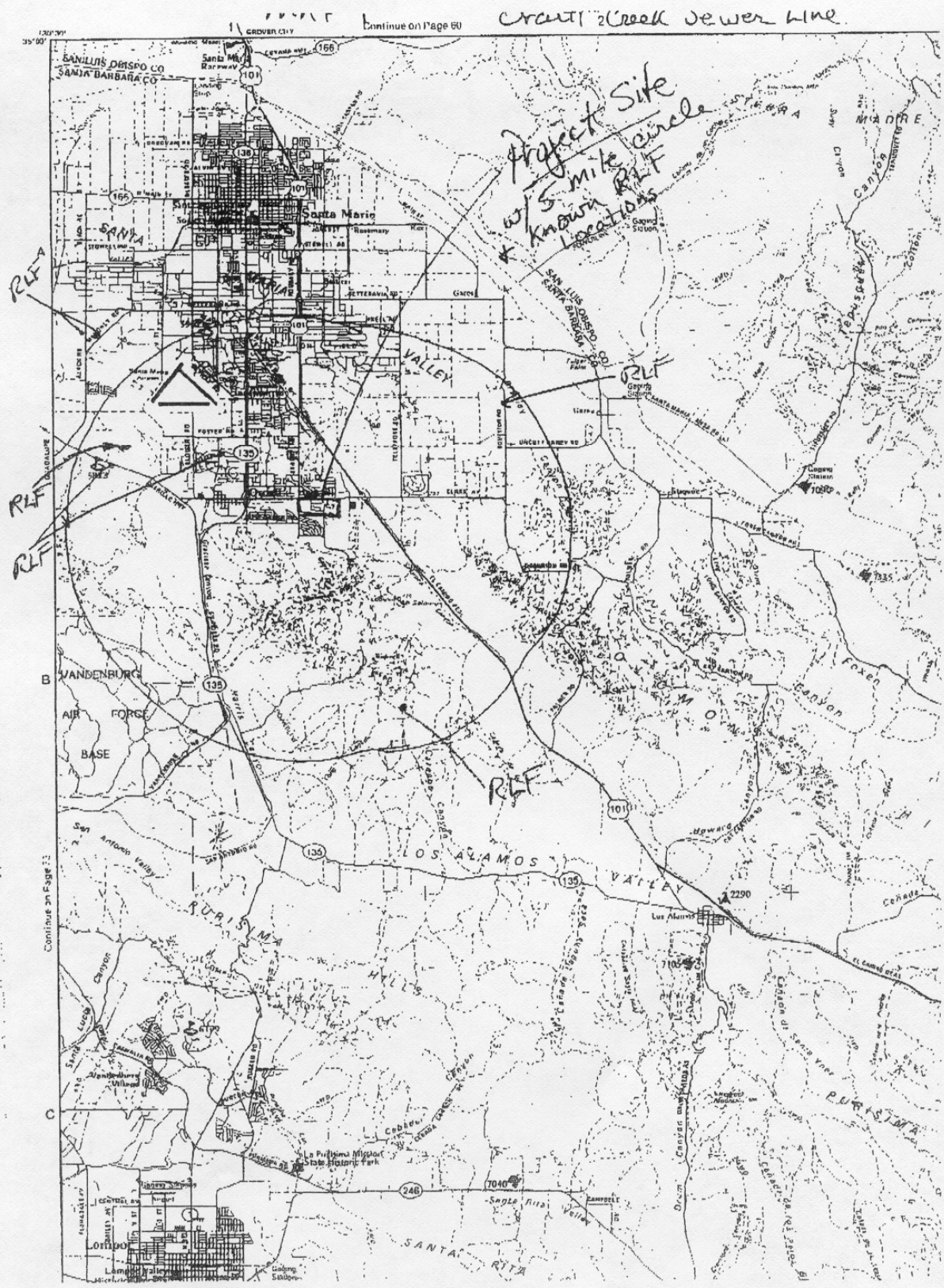
References:

Santa Barbara County's California Tiger Salamander Habitat Map. August 31, 2001.

U. S. Fish & Wildlife Service California Tiger Salamander Range Map. July 2001.

U. S. Fish & Wildlife Service. Federal Register. Vol. 65, No. 12. Pages 3096-3111. January 19, 2000. Endangered and Threatened Wildlife and Plants; Emergency Rule to List the Santa Barbara County Distinct Population of the California Tiger Salamander as Endangered.

Santa Barbara County Planning and Development Department Aerial Photos from 1989, 1997, 2000 and 2002.



CRAFT Creek Sewer Line

Project Site
w/ 1/2 mile circle
& known RLF
locations

RLF
RLF
RLF

RLF

RLF

Continue on Page 12

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Continue on Page 6U

Orcutt Creek Sewer Line

2002

