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**VIA EMAIL TO BOARDLETTERS@CO.SANTA-BARBARA.CA.US**

Joan Hartmann, Chair  
Santa Barbara County Board of Supervisors  
105 East Anapamu Street  
Santa Barbara, CA 93101

RE: Rancho La Laguna Appeal, 06TRM-00000-00002/TM 14,709 and 16CUP-00000-00030 -- Hearing Date August 29, 2017

Dear Chair Hartmann and Honorable Supervisors:

The County Planning Commission received a number of comment letters that raise issues that we believe deserve a response so that you will be aware of the issues and of the evidence in the record when the Commission took its divided action on this project. We also attach documents that we believe will assist you in your deliberations, as well as the letters of support sent to the Planning Commission from farmers and ranchers, including neighbors of the project.

These responses address the public comment letters and emails submitted to the Planning Commission over the course of three (3) public hearings<sup>1</sup>; sequential letters from the same party are grouped together:

[Commenter's views on issues are set forth in regular font; ***responses on behalf of Rancho La Laguna are in bold italics***]:

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<sup>1</sup> These responses do not address the "shot-gun" and formulaic emails blasted out by EDC followers who sent short emails that parroted the talking points on the EDC and SBCAN websites and demonstrated little or no knowledge about the project and the project site. In short, they do not reflect evidence in the record. While comparatively large in number, they reveal nothing more than EDC and SBCAN's ability to rally troops to say anything they are asked to say, even where they have no familiarity with the merits of the project. This is not "preserving agriculture" in any sense of that term. It represents a knee-jerk reaction by urban and suburban dwellers who sadly understand nothing about the realities of farming and ranching or of long-term agricultural viability. In any event, the responses to the EDC letters on behalf of the Santa Ynez Valley Alliance cover the topics included in those emails.

**Santa Barbara County Cattlemen's Association – Supports the Project**

The 100-acre zoning cannot be ignored by the applicant or the County; these applicants are entitled to rely on the zoning as an indication of the required minimum parcel size, provided that the parcels otherwise comply with County requirements. There must be a sound basis for denial.

***The applicants concur with this point.***

The project conforms to the Agricultural Element of the Comprehensive Plan and Orrin Sage has examined the property and has concluded that the proposed parcels each will be agriculturally viable. County staff and the EIR writer have reached the same conclusion and immediate neighbors support the project.

***The County staff report and the FEIR concur that the proposed parcels individually will be agriculturally viable following the land division. Yes, immediate neighbors of the project have written support letters for the project.***

Larger parcels occur in grazing land because of the amount of acreage (and forage) required for a cattle operation to be viable. The same is not true with cultivated land because of its greater agricultural yield and resulting revenue. In fact, having several smaller parcels rather than one large one offers an owner greater flexibility in financing to keep the operation afloat during bad times and to avoid having to sell the entire ranch.

***Larry Lahr of Rincon Corporation<sup>2</sup>, an expert in farm and ranch financing concurs. His report on this property is attached. In addition, the County's Agricultural Viability analysis states, "To qualify as agriculturally viable, the area of land in question need only be of sufficient size and/or productive capability to be economically attractive to an agricultural lessee." Parcels devoted wholly or primarily to irrigated crops, particularly when water is provided by the landowner, are highly prized and require far less acreage to be attractive to lessees than a cattle grazing lease would require. For grazing land, parcels must be of sufficient size and quality of forage to accommodate, in this dry climate, hungry livestock for a long enough time period to justify gathering and transporting them twice, once when delivered to and once when removed from the leasehold.***

The Agricultural Element doesn't prohibit or discourage agricultural land divisions; it provides tools for allowing landowners to continue, expand, and intensify agriculture.

***That is an accurate statement. The Agricultural Element, the excerpted Goals and Policies from which are attached, does suggest that "conversion," which could***

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<sup>2</sup> There is no relation between Rincon Corporation and Rincon Consultants, Inc. who wrote the project EIR.

***include land divisions that result in parcels without agricultural viability, of agricultural lands not jeopardize the viability of operations on remaining agricultural properties. It includes absolutely no statement or implication that agricultural land divisions that result in agriculturally viable parcels are contrary to its goals and policies. The Agricultural Element mentions land divisions solely in three contexts: (a) the concern that the imposition, as part of the subdivision process, of trail easement conditions could impair agricultural operations (Policy I.A.); and, (b) conversions, presumably including land divisions that render the resulting parcels no longer agriculturally viable (Policy II.D); and, (c) where it is necessary to convert agricultural land to other uses, it should not interfere with remaining agricultural operations (Goal III).***

The Williamson Act shouldn't be used to force landowners to participate in the Agricultural Preserve Program.

***The Williamson Act calls for voluntary participation in the program. Program advocates, including the Department of Conservation, stress the importance of the program being voluntary. Refusal to participate in the program is not a basis for denying a land division or for questioning the landowner's commitment to agriculture. This is particularly true for owners of high-yield cropland for whom the program offers few, if any, tax benefits. The Agricultural Preserve Program is an incentive program. If such a program offers no economic incentive, refusal to participate is a sound business decision, not an indication of lack of intent to farm.***

Having the owner's home near the agricultural operation is a benefit to agricultural viability because of convenience and security as well as building the family bond with the agricultural operation.

***The need for security against trespassers, poachers, thieves and vandals in agricultural land is underscored by the losses that Santa Barbara County farmers and ranchers suffer each year from these scourges. According to the County Agricultural Commissioner's Winter 2017 newsletter, posted online and an excerpt from which is attached, the Santa Barbara County Sheriff's Rural Crime Unit reported the total losses to agricultural property owners in 2016 from crimes against their property was \$369,710, with 2016 having the lowest number of rural crimes investigated since 2008. With so much land area to patrol and a limited number of deputies, the Sheriff's Department cannot possibly patrol all areas at all times. The landowners must protect themselves and having their homes close to their fields, pastures, and equipment provides valuable deterrence to criminals.***

Having several smaller parcels in lieu of one very large parcel, can lead to more viable agriculture and greater enhancement of long-term viability. It's wrong to assume that larger is better.

***This is accurate, according to the Rincon Corporation report attached. Parcelization of agricultural land, particularly land that is highly productive, can result in land that is more agriculturally viable, not less. Any agricultural operation can run into financial difficulties or simply a need to borrow funds to buy new equipment or additional productive land. With a single legal parcel, the operator must mortgage the entire property for those funds, risking the entire operation if the loan can't be repaid timely. If the need were to persist for several years (due to drought, flooding, wind damage, diseased livestock, and similar causes), the game would be over for the operator and family. The Planning Commission's belief that it's denial of this project was not harming agriculture was wrong, as was its position that it could deny the project because it didn't have a guaranty that the owner would continue to the agricultural operation following subdivision. No farmer or rancher can guaranty that he or she will continue in agriculture, but if the parcels individually are agriculturally viable, as all evidence in the record indicates these parcels will be, the land itself remains agriculturally viable, regardless of the current owner's personal preferences. The land outlives individual owners.***

The farmer or rancher's own home is not an urban use or, as the Agricultural Element calls it, an "adverse urban influence." It is a permitted use and a vital element of keeping the agriculture viable.

***This is borne out by the County's ordinances and policy documents. Agricultural Preserve Uniform Rule No. 1 states: "The Board of Supervisors recognizes the importance of providing housing opportunities on agricultural land enrolled in the Agricultural Preserve Program, in order to accommodate landowners and their agricultural employees." The following uses are allowed uses in the AG-II-100 zone district: a single family dwelling, a guest house, and residential accessory uses and structures. The word "urban" isn't defined in the County Zoning Ordinance or the Agricultural Element, although it is defined in the Merriam-Webster Dictionary as "of, relating to, characteristic of, or constituting a city" and by Cambridge Dictionary as "of or in a city or town." The County Environmental Thresholds and Guidelines Manual defines "urban and built-up land" as "Land occupied by structures or infrastructure to accommodate a building density of at least one unit to one and one-half acres, or approximately six structures to ten acres." We attach an excerpt from the Manual addressing agricultural viability.***

***The County has established an Urban/Rural limit line to identify the separation between intensively populated areas – the urban areas – and the less populated rural areas. Rancho La Laguna is, without question, in a rural area and is entirely rural in character. It will continue to be so with the project.***

**Paul Van Leer Letter – Supports the Project**

Paul Van Leer is a life-long rancher and the current Chair of the Agricultural Advisory Committee (although he writes this letter of support as an individual, not as a representative of the AAC):

So many large ranches have to be sold, lost to the families, after the parents die. Because of estate taxes, the cost of operating a large ranch, and the lack of opportunity for the grown children to live in separate houses on a single parcel, the ranch can't be kept local and in the family.

***This comment speaks for itself. The Chuck Roven and Chip Hanly want to be able to leave ranch parcels to their children and grandchildren so they can carry out the agricultural tradition that is dear to Chip and Chuck and their wives.***

**Donn V. Tognazzini Letter – Supports the Project**

Donn Tognazzini owns and lives on the ranch land abutting the western border of Rancho La Laguna. His ranch has been in the family for generations. An immediate neighbor, he supports the project:

I admire Chip Hanly and his partner's endurance in undertaking such a long and expensive process to achieve their goal of dividing the land and keeping it in agriculture.

***We concur with this comment.***

**William T. Giorgi Letter – Supports the Project**

A fourth generation farmer/rancher, he lives on and works the land as did his predecessors. He has served on the AAC, the Santa Barbara County Fish and Game Commission, and the Agricultural Preserve Advisory Committee (APAC):

I support the project because it allows the owners to keep the ranch in the family, keeping it in agriculture. I have seen far too many large ranches sold when their owners died. Well-meaning people who don't understand the needs of agriculture impose regulations with the intent of preserving agriculture but instead take the farms away from the families.

***We concur with this comment.***

**Thomas H. Dittmer Letter – Supports the Project**

Thomas Dittmer also is a neighbor of Rancho La Laguna and supports the project. He owns and lives on vineyard property directly across Foxen Canyon Road:

He supports a ranching family that plans ahead to provide an opportunity for their children to live on this agricultural land and continue the farming and ranching tradition.

***Mr. Dittmer underscores the relevance of the EIR finding no Class I environmental impacts from the project.***

**Leslie Freeman Letter – Supports the Project**

A life-long rancher, Leslie Freeman owns and lives on a ranch in Gaviota. His family has struggled to retain their ranch as the older generation died:

The many large family ranches in the County that have had to be sold off is testimony to the difficulty of saving a ranch so it can stay in the family, and the limited options to do so.

***Mr. Freeman is a rancher who has experienced the difficulties that result when the older generation dies. We concur with his comment.***

**Environmental Defense Center Letter #1 dated January 23, 2017 – Opposes the Project but the Santa Ynez Valley Alliance Has Dissolved As of May 2017**

Representing Santa Ynez Valley Alliance (Alliance):

The Alliance supports good stewardship of natural and agricultural resources.

***If that were the case, the Valley Alliance would support this project because it maintains the agricultural viability of the resulting parcels, has no unmitigated environmental impacts, and incorporates a broad range of mitigation measures into the project conditions. These mitigation measures incorporate an adaptive management approach that requires, prior to earth disturbance related to the project, regardless of when it occurs, that the applicant for such work conduct updated biological surveys and incorporated measures to avoid and minimize environmental impacts.***

***The EIR adopts a worst case analysis for this project. For example, it assumes that the entire area of all of the Residential Development Envelopes (RDEs) will be denuded in order to accommodate the owners' building sites, this despite the smaller building envelopes that the applicants have offered, and analyzes the environmental impacts of that result as a worst case scenario. Given County ordinances and policies that prohibit this kind of wholesale habitat destruction, as well as the owners' commitment to limit the total residential development to a maximum of 2 acres on Lots 9 through 13 and a maximum of 5 acres on Lots 1 through 9, this is an overstated, unrealistic worst case analysis.***

***The applicants have agreed that Lots 9 through 13 will be subject to individual agricultural preserve contracts following recordation of the final map (none of the parcels are enrolled in the Agricultural Preserve Program at this time) so the maximum residential development area available to the lot owner will be 2 acres in size, not the 2.3-5.5 acre RDE size in the project description and analyzed in the EIR. During the Planning Commission hearing, the applicants also agreed that the ultimate building envelope for those lots not proposed for automatic inclusion in the agricultural preserve program would not exceed 5 acres, not the up to 15.2 acre RDE size analyzed in the EIR.***

***Any future owner of any of a lot not now proposed to be part of the Agricultural Preserve Program can make his/her own decision to enroll the lot in the agricultural preserve program, thereby voluntarily accepting a maximum 2-acre building envelope.***

The project will threaten the agricultural future of the ranch.

***This statement is purely the personal opinion of the author of the letter, who is not and doesn't purport to be an agricultural expert. There is no evidence in the record that the letter's author has any agricultural experience or agricultural expertise in agricultural financing, business, or viability. The statement is directly contrary to the results of three (3) independent analyses of the agricultural viability of the proposed lots.<sup>3</sup> The County of Santa Barbara's Environmental Thresholds Manual includes a comprehensive test of agricultural viability, to be applied to this kind of project. The CEQA Guidelines (Section 15064.7) encourage public agencies to adopt thresholds of significance to determine the significance of environmental effects. Conformity with the thresholds generally results in a finding of non-significance and exceedance of the thresholds generally resulting in a finding of significance.***

***Highly regarded agricultural expert Orrin Sage applied the County's agricultural viability test to the proposed parcels, as did County Planning & Development staff and Rincon Consultants when they prepared the EIR. Each successive application of the test to this project was even more conservative than the one before it,<sup>4</sup> yet***

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<sup>3</sup> First by agricultural consultant Orrin Sage, then by County staff in the MND, then by the EIR write, Rincon Consultants, Inc.

<sup>4</sup> Section 4.2.2(b) of the FEIR explains this incremental conservatism in depth starting at the bottom of Page 4.2-18, starting with the Sage report that assigned 81.6 points to the existing ranch as a whole and concluded that the proposed parcels scored from 66.6 for the smaller grazing parcels to 76.7 (60 is the cut-off point for viability). The next analysis was in the MND with the existing ranch gaining 76 points and the proposed lots scoring from 64 to 75 points. The FEIR points out some flaws in the County's underestimation of points. For example, the entire ranch is served by an integrated irrigation system fed by two existing, very high-producing (over 1,000 gpm) wells and a large water storage facility to ensure reliability, yet the County allocated full points for water supply only the two parcels with the wells. That makes no sense, given the enormous water infrastructure serving ALL parcels within the ranch

***all three determined that all of the proposed parcels exceeded the threshold and would be agriculturally viable as stand-alone units. No combined farming or ranching would be necessary to ensure that all would sustain viable agriculture into the future, but all will continue to share the irrigation system that is a valuable component of a combined farming operation. With the sun and soil, adequate water is the third essential component to farming. The County's Environmental Thresholds are the County's standard for viability and, without evidence to the contrary, the statement lacks validity or evidentiary support.***

The applicants intentionally withdrew the ranch from the agricultural preserve (Williamson Act) program in anticipation of this subdivision.

***The author and others continue to perpetuate this falsehood. The applicants played no role in the nonrenewal. The property was combined with neighboring ranches under the Luton Trust ownership, all of which were separate legal parcels but shared a single Williamson Act contract. Upon the death of Bill Luton (his wife predeceased him), the trustees sought to sell the separate legal parcels, in no small part due to the estate taxes that resulted from a court finding that a higher tax valuation was merited because there was no credible likelihood that the ranch would be sold by the Trust. The court rejected the Trust's appraiser's lower valuation that was based upon the necessity of selling and costs associated with sale; the court cited the family's 50 years of ownership as proof that the death of the parents wouldn't necessitate a sale. Forced by their economic dilemma, the trustees made the decision to non-renew the Williamson Act contract that covered multiple parcels and to leave to future buyers the decision as to whether or not to enroll each individual ranch in a new Williamson Act contract. The applicants purchased one of these ranches. The term of the Luton Williamson Act contract expired in 2016. Pending the County's decision on this tract map, the applicants have not re-applied but have committed to do so on a limited basis (Lots 9 through 13) at the time of map recordation.***

The project will lead to fallowing and thereby undermine the agricultural viability of the ranch.

***This is another statement of personal opinion from a non-expert in agriculture. It also has no evidentiary basis. It is speculative as well. Because each of these proposed lots has stand-alone agricultural viability and is in production now, there is no evidence to support a conclusion that, as a result of the subdivision, the productive agricultural land will be taken out of production. The comment***

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equally. Rather than averaging the scores from Sage and the MND, the FEIR writer elected to take the lowest scores for each lot in each category, finding that every lot still exceeded the 60-point threshold for agricultural viability. We attach an excerpt from the MND, explaining the agricultural viability analysis conducted by County staff.



***displays a fundamental ignorance as to the importance of fallowing agricultural land to promote its health. Most agricultural operations use fallowing, which is the “resting” of the land to enhance and preserve its productivity. The word “fallow” derives from Old English for “to break up land for sowing,” but the most common modern use of the term refers to plowing but not planting cropland for a period of time selected by the agricultural operator.***

***The author seems to suggest that “fallowing” is a bad thing for agriculture. What the author seems to suggest is that these proposed parcels ultimately will be sold to rich people who don’t want to farm or ranch. Of course, that can happen to any agricultural parcel, but like any fallowing, it preserves agricultural land for future production. Because the project restricts all residential development to the RDEs, the agricultural land won’t be paved over by urban uses. When the hypothetical rich person dies or moves on, the land will still be there, ready to be farmed or ranched by the next owner.***

***The applicants are the opposite of the hypothetical rich person described above. Thanks to the improvements made to the ranch during their ownership, the applicants have restored and enhanced the productivity of the land. They repaired and augmented fencing and cross-fencing to allow for rotational grazing to maximize forage management (getting the maximum benefit from each pasture without over-grazing), they added an extensive irrigation and water trough system, including new high-producing wells (over 1,500 gpm capability each), piping throughout the ranch, and large storage tanks. This shared irrigation system provides a reliable and plentiful water supply for crops and livestock. In short, the applicants upgraded the grazing land, converted abandoned fields to weed-free rich cropland, and expanded the cropland into suitable areas to increase agricultural production. The irrigation water system will continue to be shared by all of the proposed lots under a Shared Water System Agreement, just as it is shared throughout the ranch now.***

***Based upon the long history of agricultural production on this property, first during the elder Lutons’ management and, following their deaths, the current owners’ management, it is ludicrous to suggest that this subdivision will result in an abandonment of agriculture on the ranch. First, the farming and ranching on this land yields income from the lessees who conduct the individual operations and for the owners who receive the lease payments. Second, even if farming and ranching ceased altogether on an individual parcel because its owner simply lost interest in farming/ranching or became too old to conduct farming/ranching, the agricultural zoning preclude non-agricultural uses. The resulting cessation of agriculture would result in land lying dormant, retaining its agricultural value. The potential for that occurring is remote because, at a minimum, an owner who has a structure on the ranch would have to mow or graze a property to avoid a serious***

***fire risk to the structure. Even if all an owner did was graze livestock or allow a third party lessee to graze the land to reduce the fuel level, the land remains in agricultural production. Because the project conditions confine the owner's homesite to the RDE, there is no potential for converting an entire parcel to personal residential, or non-agricultural, purposes. The parcel will just await a new owner who appreciates its agricultural productivity.***

***No one, including the County, can force a landowner to farm or graze livestock, but the rangeland and cropland on this ranch are of high quality and produce substantial revenue. This alone creates the presumption of continued farming and ranching.***

***The suggestion that the land won't be put to productive use under future ownership is pure speculation and contrary to best evidence and common sense. If only for fire prevention, an owner who isn't interested in crop production still would have to graze livestock, or have a lessee do so, to control the fuel load. Whether land is fallowed or planted and grazed, its agricultural viability is preserved.***

Because the County denied a "similar" subdivision, Mission Oaks Ranch, in 1995 for inconsistency with the Williamson Act, violation of the Agricultural Element, and growth-inducement, it should again deny this subdivision because it will undermine the Williamson Act program.

***First, we emphasize the fact that the Mission Oaks Ranch project is not similar to Rancho La Laguna. We enclose a table comparing and contrasting the features of the two projects to demonstrate how different they are. The only real similarities are the agricultural zoning and the ranch sizes. The Mission Oaks property was located in the area most vulnerable to conversion from agriculture to urban/suburban uses – it lay in the urban fringe, one mile from the City of Buellton. In contrast, Rancho La Laguna is located in what some Planning Commissioners characterized as a "remote" agricultural area and is 7.5 miles from the nearest small townships, Los Olivos and Los Alamos. Mission Oaks did not include large grazing parcels (largest parcel was to be 244 acres) like the ones proposed for Rancho La Laguna (largest parcel proposed to be 605 acres), and had no history of cultivated agriculture. It also had no onsite water supply. Where the Rancho La Laguna application proposes 13 lots on approximately 4,000 acres, the Mission Oaks project was 31 lots on a slightly smaller parcel. The Agricultural Preserve Advisory Committee opposed the Mission Oaks project because it would result in parcels that were not stand-alone agriculturally viable and, therefore, would not qualify for the Agricultural Preserve Program (although the existing parcel did***

**qualify and was enrolled in the program).<sup>5</sup> Neighboring ranchers submitted letters of opposition, suggesting that the project would impair their agricultural operations in violation of the Agricultural Element. In contrast, neighboring ranchers to Rancho La Laguna have submitted letters of support. The two projects are more different than alike, as demonstrated by the attached table contracting the two projects.**

The Project is inconsistent with the County's Agricultural Element and will induce growth by setting a precedent for further subdivision.

**The first part of this statement – that the project is inconsistent with the Agricultural Element – is completely false, as explained in more detail in the attached response to the findings for denial prepared by County staff. The second part of the statement has no basis in fact and is pure speculation. It is directly contrary to the history of land divisions in this agricultural area of the County. The time and expense alone of this process would discourage any landowner in the area from even considering a similar application.**

**As demonstrated by the attached Assessor's Parcel map, with the proposed Rancho La Laguna parcels superimposed, the lot sizes surrounding Rancho La Laguna range widely. What is true is that the proposed lots in Rancho La Laguna fall in the middle of the range of parcel sizes of surrounding agricultural land.**

**The attached aerial photograph depicts the reason for a mix of large and small parcels in the land surrounding Rancho La Laguna – smaller (100+/- acres) agricultural parcels march along the more level and gently rolling lands of the canyon floor and larger parcels occupy the watershed and grazing lands on the surrounding steep hillsides. Like those lands, the smaller parcels on Rancho La Laguna occupy the flat land and the grazing lands occupy the sloped areas of the ranch.**

**Of equal import is the history of land divisions in Santa Barbara County. The Mission Oaks Ranch project was proposed in the mid-1990's and was the most recent known land division proposed on similarly-sized and zoned agricultural land. The Rancho La Laguna project has been in the County process since July 2006 – 11 years! Longer, if you consider the time spent having extensive biological and other necessary surveys conducted before application to design a project (and determine suitable RDE locations) that minimizes impacts on agricultural, cultural, visual, biological and other resources. This is an expensive and time-consuming process with no guaranty of success. It's no surprise that**

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<sup>5</sup> In contrast, the County's Agricultural Advisory Committee on October 3, 2008 concluded that the Rancho La Laguna parcels all would qualify for the Agricultural Preserve Program. See attached minutes from that meeting.

***this is the first subdivision application since 1994! In short, agricultural subdivisions are rare and the approval of one sets no precedent for the approval of another.***

***In contrast to the rarity of subdivision applications in agricultural lands during the past 20+ years, there have been quite a few lot split applications submitted, approved and maps recorded during the years that these applicants have slogged through the County process. We attach a table summarizing those projects. For each of these projects, the sole criterion for compliance with the Agricultural Element was whether or not the resulting parcels would be agriculturally viable. Those property owners were not required to demonstrate that the agriculture would continue or that their projects would “enhance” the agriculture beyond its current status. In short, agricultural viability for those projects was determined solely by using the County’s Agricultural Viability Thresholds analysis.<sup>6</sup> For Rancho La Laguna, the County’s Agricultural Viability Thresholds analysis was applied three times and in each instance, sufficient points were awarded to justify a conclusion that the resulting parcels will be agriculturally viable. The results of those analyses are set forth in the FEIR and a copy of Page 4.2-19 is attached.***

***All similarly situated parcels must be treated the same in the County’s process. For an unknown reason, Rancho La Laguna has been treated differently from these other applicants by the Planning Commission that denied this project after approving the dozen projects on the attached list. The result is an arbitrary and capricious decision that is not supported by the California and U.S. Constitutions, the Subdivision Map Act, and County ordinances and general plan policies.***

The project description is incomplete because it doesn’t identify the location of the eventual residential development within the RDEs, or the ultimate location of the access roads and infrastructure, or employee dwellings. Therefore, the impacts can’t be assessed.

***CEQA requires that the project description be sufficiently accurate and complete for “an intelligent evaluation of the potential environmental impacts” and to assess ways to mitigate them and consider project alternatives.” San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus (1994) 27 Cal.App.4<sup>th</sup> 713, 730; Sierra Club v. City of Orange (208) 163 Cal.App.4<sup>th</sup> 523, 533. But the degree of detail required is just that needed to evaluate and review environmental impacts. 14 Cal.Code Regs §15124.***

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<sup>6</sup> It is worth repeating the standard of agricultural viability set by the County in its Environmental Thresholds and Guidelines Manual because this is the standard applied to all of those projects: *“To qualify as agriculturally viable, the area of land in question need only be of sufficient size and/or productive capability to be economically attractive to an agricultural lessee.”*

***The Rancho La Laguna project includes RDEs that confine the non-agricultural development in order to limit the amount of land taken out of production to accommodate the owner's residence and ancillary structures. The EIR analysis included a "worst case" approach by assuming that non-agricultural development would denude the entire RDE square footage – and required mitigation measures as if that truly would occur. Because other project conditions impose smaller size limits on the final development envelope within the RDE (maximum 2 acres for proposed lots 9 through 13; maximum 5 acres for the others), the EIR analysis was overkill, but it meets CEQA requirements by identifying the nature and location of the environmental disturbance and describes necessary mitigation. Those mitigation measures were incorporated into project conditions. The access roads follow existing ranch roads and are identified in the EIR. The EIR also describes the potential widening of the existing roads to satisfy Fire Department minimum standards, and provides mitigation measures for those improvements. No employee dwellings are proposed as part of this project so those fall outside the project description.***

The Final EIR (at 9-343) admits that these project elements are missing and states that because it lacks this basic information, "the quantity of impacts to these sensitive communities is not known" (at 4.4-74).

***This is misdirection by omission, creating a false impression of what the Final EIR says. In the text (p. 4.4-74), the FEIR explains that, because one cannot predict precisely where future residential development will occur with each RDE, the EIR uses a theoretical worst case scenario of complete build out of the RDEs and includes Table 4.4-11 to depict the resulting impacts to sensitive communities if that were to occur. In the response to this same comment from this same author, the FEIR (at 9-343) further explains that the purpose of designating RDEs is to identify the envelope within which future residential development must be contained, which limits environmental effects from this development outside the RDEs, then analyzes those impacts. The explanation clarifies that the roads and infrastructure analyzed are the road system and infrastructure proposed by the applicant. That's what a project description is for.***

The Final EIR (at 4.4-83) admits that the project description isn't well formed enough to determine the number of oak trees to be removed and that impacts to aquatic habitat from drainage crossings also can't be quantified because of lack of final design plans for road construction (4.4-53).

***This, too, misstates the FEIR. The FEIR (at 4.4-83) identifies up to 537 individual oak trees that could be impacted to a greater or lesser degree by development within the RDEs and improvement of access roads. The FEIR cautions that these impacts can range from complete removal to simple trimming or critical root zone***

***disturbance and imposes mitigation measures to reduce these potential impacts. In short, the EIR clearly identifies the number and type of oaks that could be damaged. As to the impacts from drainage crossings, the potential impacts identified (at 4.4-53) are to red-legged frogs that may or may not be in the vicinity of construction. With or without final plans, the precise degree of impact to animals that move up and down and in and out of streams cannot be determined years, months, weeks or even days in advance of construction. That is why mitigation measures require pre-construction surveys and a biologist's presence, with authority to stop or redirect the contractor, to monitor construction to avoid or limit the taking of a sensitive species.***

The project description doesn't identify which roads would be affected by the County Fire Department's "extenuating circumstances" exemptions from maximum road slopes and those roads must be defined to fully evaluate impacts on agriculture and consistency with Hillside and Watershed Protection policies and Land Use Development Policy #2.

***All road locations are depicted accurately in the EIR and the EIR uses a worst case analysis for road impacts because detailed design plans were analyzed for the steeper access roads. At the time of project submittal, Fire Department private shared road standards were more rigorous than current standards and were applied inflexibly except in extenuating circumstances. We attach County Fire's current road standards, which are very clear regarding construction requirements for roads that exceed a 15% grade. The Rancho La Laguna access roads are laid out in compliance with these standards. We attach the current Fire Department private road standards.***

The FEIR Responses to Comments quite competently responds to the remaining remarks in this letter. One important word regarding water supply, though. There are fourteen (14) existing water wells on Rancho La Laguna, including two "super wells" each with over 1500 gpm production. The few parcels that lack water wells are in excess of 200 acres in size. There is ample room to locate a wellsite on such large parcels, particularly in light of the superior watershed located upslope.<sup>7</sup> During recent maintenance activity on a highly productive ranch well disclosed that, despite prolonged drought, the drop in water level was minimal.

The author also lists general plan policies with which, in the author's opinion, the project is inconsistent. The County staff's findings for approval present a fair and reasonable response based upon actual evidence in the record.

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<sup>7</sup> Lot 1 has 1 water well; lot 2 has 2 wells; lot 3 has 3 wells, Lots 5, 6, 8 and 12 each have a water well. Lots 7 (206.2 ac.), 9 (438.4 ac.), 10 (596.8 ac.), 11 (428.8 ac.) and 13 (604.7) do not have existing wells.

**Environmental Defense Center Letter #2 Dated March 27, 2017 – Opposes the Project but the Santa Ynez Valley Alliance Has Dissolved As of May 2017**

On behalf of Santa Ynez Valley Alliance (Alliance).

The project violates the “Agricultural Commercial” land use designation in the Comprehensive Plan because the project doesn’t assure commercial agricultural use of the land, doesn’t rely on combined farming and ranching, and isn’t under a Williamson Act contract.

***The AC (Agricultural Commercial) designation is defined as:***

***“This category is for commercially farmed, privately owned land located within either Rural, Inner Rural, Existing Developed Rural Neighborhoods or Urban Areas which meets the following criteria:***

- 1. The land is subject to a Williamson Act Contract, including contracts that have been non-renewed; or***
- 2. Parcels forty (40) acres or greater, whether or not currently being used for agriculture but otherwise eligible for Williamson Act Contract, may be included if they meet requirements of Uniform Rule No. 6.***

***This category includes compatible land uses and land uses that are necessary and a part of the agricultural operations. All types of crops and livestock are included. Both “prime” and non-prime” soils (as defined in the Williamson Act Contract and the County’s Uniform Rule No. 6) and irrigated and non-irrigated lands are included.”***

***The land use definition matches Rancho La Laguna precisely. Rancho La Laguna is privately-owned land, located in the Rural area, farmed/ranched with crops and cattle that are sold on the commercial market and it has been for decades. The ranch was subject to a Williamson Act contract in non-renewal until 2016, and (as determined by the County’s Agricultural Advisory Committee on 10/3/2008) every one of the proposed parcels are individually eligible for Williamson Act contracts. The zoning definition doesn’t even mention, let alone mandate, combined farming. But a careful reading of the Agricultural Viability Thresholds portion of the Environmental Thresholds and Guidelines Manual (p. 14, #9) makes it clear that these “bonus points” should be awarded “to parcels which provide a component of a combined farming operation.” Both consultant Orrin Sage and County staff in the Mitigated Negative Declaration awarded one point to the existing ranch and to each of the proposed parcels for “combined farming.” Although no mention is made of the shared agricultural water system, which currently serves all irrigated farming and livestock water troughs throughout the existing ranch and will***

**continue to serve irrigation water to all of the proposed parcels under a Shared Water System Agreement, this valuable asset to the farming operation deserves a minimum of one point for combined farming and arguably far more because of the superlative value that the integrated system, with its two “super wells” (over 1500 gpm production each) and its many elevated storage tanks (55,000 gallons gravity flow). The allegation that the project will violate the land use designation is absurd and has no evidentiary support.**

The project violates the provision of the Land Use Element that calls for preserving cultivated agriculture because the parcel sizes will be reduced, there will be conflicts between residential and ag uses, and fallowing may result from the project.

**Besides being pure speculation that is unsupported by any facts, the allegation is contrary to the evidence in the record. All of the parcels will be agriculturally viable and there is no basis for speculating that the cultivated fields suddenly will be fallowed, despite their abundant water supply and history of production. The alleged conflicts between residential and ag uses are fiction – the only residential land use of the parcels will be the residential development within the RDEs, housing either the owner or the ranch manager. These are permitted uses in the AG-II-100 zone district and are encouraged by the Uniform Agricultural Preserve Rules. This letter repeats the same false statement made in the previous one. The applicants did not non-renew the Williamson Act contract. That occurred before they purchased the property. The author also suggests that the lack of combined farming or ranching is a bad thing. Combined farming (two adjacent parcels sharing management) often is pursued by small parcel owners whose operations would not be viable with individual management. It is not necessary here where the parcels each are agriculturally viable without the need to combine operations, but the existing shared irrigation system, discussed above, is a valuable component of a combined farming operation and did receive one point each for the entire parcel and each proposed parcel in the agricultural viability analysis.**

The project violates Agricultural Element policies requiring the preservation, enhancement and sustainability of agriculture.

**The Agricultural Element does not mandate that a private property owner enhance agriculture, although that is what these landowners have been doing for the past 12 years. The Agricultural Element mandates that the “County to assure and enhance the continuation of agriculture as a major viable production industry in Santa Barbara County. Agriculture shall be encouraged” and, where conditions allow, expansion and intensification shall be supported. The Agricultural Element in no way suggests that land divisions that result in agriculturally viable parcels is either undesirable or to be discouraged or prohibited. To the contrary, the Agricultural Element anticipates land divisions (see Goal III and related policies),**



***but not at the expense of agricultural viability or conversion of agriculturally productive land to urban uses. The project is in complete conformity with the Agricultural Element because the resulting parcels each will be agriculturally viable as stand-alone units. Neither does the Agricultural Element mandate participation in the Agricultural Preserve Program, emphasizing encouraging and supporting the project, not forcing it onto a landowner who would not benefit from its tax benefits.***

The project RDEs violate the Uniform Rules for Agricultural Preserves.

***The project does no such thing. Let's be clear – this project isn't subject to the Uniform Rules. The applicants voluntarily have committed, as a condition to the map recordation, to submitting applications for Agricultural Preserves on all of the larger grazing parcels (lots 9 through 13) and to a maximum development envelope of two acres for each such parcel. The RDE and the development envelope are two separate concepts. For these parcels, the RDE provides a thoroughly studied area within which the owner's residential development will be confined. It also provides flexibility for siting of the development envelope, which is 2 acres of contiguous land that the owner designates within the RDE as the maximum extent of the owner's residential development on the parcel. The applicants have not made the same commitment to enroll the production agriculture parcels because high-revenue parcels pay higher taxes under the Agricultural Preserve "production value" tax structure. However, the area devoted to the owner's personal residential use within the RDE on any of these parcels (1 through 8) is entirely within the owner's discretion. This is true on the ranch now and is true throughout the County's agricultural lands because few have RDEs. If the owner wishes to apply for Agricultural Preserve status, he/she/it must designate a maximum development of 2 contiguous acres within the RDE. In that case, the 5-acre maximum development envelope size will be irrelevant. But if an owner decides not to participate in the Agricultural Preserve Program, the project conditions limit that owner's building envelope to 5 acres.***

The project objectives are unduly narrow so they unlawfully constrained consideration of alternatives.

***This is pure nonsense. The project objectives represent the applicants' objectives for the project. The EIR is not, and in this case was not, bound to propose alternatives that satisfy ALL project objectives. In fact, neither of the proposed alternatives would adopt the project objective of which this author complains – the applicant's objective of dividing the land into 13 legal lots. County staff rejected the other alternatives because they had substantially the same environmental impacts as the project itself. This is private property and the applicants are***

***entitled to express their project objectives; they played no role in selection of the project alternatives in the EIR.***

***The alternatives are limited because there are no Class I impacts of the project. One of the two alternatives was not feasible because the County has no ordinance allowing for clustered development in agriculturally zoned land (and has twice declined to adopt such an ordinance). The other alternative is unsupportable because it is not substantially different from the project in terms of the degree of impacts. Without a valid environmental reason, there simply is no basis to deny a project that complies with the Subdivision Map Act, the County Comprehensive Plan, and the County Zoning Ordinance.***

Respectfully submitted,



Susan F. Petrovich

Attachments:

Rincon Corporation 2/26/2010 report on the agricultural viability  
Excerpt from Draft Mitigation Negative Declaration pertaining to ag viability  
Excerpt from "Santa Barbara County Agriculture and Weights & Measures Newsletter," Winter 2017 Ed., with Sheriff Department's Rural Crime report (Pages 1 & 4)  
Excerpt from Environmental Thresholds and Guidelines Manual pertaining to agricultural viability  
Comparison between Mission Oaks Ranch Project and Rancho La Laguna Project  
Assessor's Parcel Map showing existing lot sizes surrounding Rancho La Laguna  
Aerial photograph showing the many smaller lot sizes on ag land in the canyons  
Response to County staff findings in support of project denial  
Minutes of County Agricultural Preserve Advisory Committee hearing of 10/8/2008  
County Fire Department Private Road Standards  
Excerpt from Mitigated Negative Declaration pertaining to agricultural viability  
Copies of letters in support

Rincon Corporation 2/26/2010  
report on the agricultural  
viability



February 26, 2010

Ms. Tish Beltranena, Principal Planner  
MNS Engineering, Inc.  
201 Industrial Way  
Buellton, CA 93427

Re: Rancho La Laguna (the Property)

Dear Tish:

Pursuant to your request, I have performed a review of the Property for the purpose of understanding the viability of continued or intensified agricultural operations for the thirteen parcels (the Proposed Parcels) resulting from the proposed subdivision of the Property (the Subdivision). Part of my review included the prospect of future intensification of the agricultural operations in order to overcome non-agricultural economic pressures, and to promote the agricultural economic viability of the Property well into the future.

#### **DESCRIPTION OF RELEVANT INFORMATION UTILIZED**

##### Summary of My Experience

In performing this review, I rely upon my professional experience of over thirty years involving agricultural real estate. I graduated from Cal Poly, San Luis Obispo in 1978 with a degree in Agricultural Business. I was employed by Production Credit Association, a part of the Farm Credit System, in the Santa Ynez Valley for approximately eight years, where my job duties included real estate appraisal of agricultural properties, originating loans, and servicing loans for agricultural operations. I am a licensed real estate broker and owner of Rincon Corporation, which I founded in 1991. Rincon specializes in providing real estate services for agricultural properties, including brokerage, leasing, appraisal and management. In addition to my professional experience, I have owned ranches and cattle operations in California and Arizona.

Throughout my career, I have analyzed the viability of agricultural operations ranging from ten acres to over ten thousand acres in size and am familiar with the economic factors that determine whether an agricultural enterprise will be economically viable.

I am very familiar with agricultural operations and production in Santa Barbara County and I am familiar with Rancho La Laguna and surrounding agricultural properties.

## Summary of Documents Reviewed

For the purpose of this analysis, I have reviewed the following information:

- Agricultural Viability Study by Sage Associates dated September 2007, and update thereto dated 9/28/09 (Sage Report).
- Vineyard development potential analysis done by Mesa Vineyard Management.
- Proposed Tentative Parcel Map.
- Various engineering materials and aerial photographs provided by MNS Engineering including the proposed TPM, topo maps, current use maps, proposed access map.
- NRCS Soil map.
- Google Earth virtual images.

## DESCRIPTION OF THE PROPERTY

Rancho La Laguna (Property) consists of approximately 3,900 acres situated adjacent to and north of Foxen Canyon Road. The Property is located about 7.5 miles north of the town of Los Olivos and about 7.5 miles northeast of the town of Los Alamos. The Ranch entrance is at the intersection of Foxen Canyon Road and Alisos Canyon Road. The Property is currently utilized for cattle grazing, irrigated row crop farming, and dry farming. Topography for the Property is quite varied, ranging from flat and level, which is currently in irrigated farming operations, to steep, which is currently used for cattle grazing.

There are numerous water wells located on the Property, which according to the Sage Report are adequate to support existing and proposed irrigated farming, and additional future vineyard development, as well as providing water for livestock and domestic purposes. Structures currently on the Property include barns, corrals, and a manager's residence which I did not consider to be economically significant to my analysis.

The existing road system consists primarily of dirt "ranch roads" which currently provide access to each Proposed Parcel. The type of access necessary for vehicular access, for agricultural purposes, to each of the Proposed Parcels varies depending upon the type of production occurring on that Parcel. For cattle grazing, vehicular access (which can be supplanted by ATV) is necessary to visually check water, salt and feed for the cattle, to inspect and repair fencing, and to monitor the health of the cattle. For more intensified farming operations, such as row crops or vineyards, access must be adequate to move farming equipment and personnel into and out of existing or potentially intensified agricultural operations. Access generally must include all-weather access for production farming such as row crops, orchards and vineyards. Crops often are rotated as part of an integrated pest and disease management program. Orchards and vineyards generally require wet-weather access for pruning and/or frost protection.

## DESCRIPTION OF THE PROPOSED SUBDIVISION

The Proposed Subdivision of the Property would result in thirteen (13) Proposed Parcels in lieu of one existing parcel. These Proposed Parcels would vary in size from 160 +/- acres to 605 +/- acres. Each Proposed Parcel includes a proposed designated residential home site location (RDE) that would not hinder agricultural operations. Proposed Parcels number 1 through 8 are the smaller of the Parcels, located closest to Foxen Canyon Road, and contain most of the prime farm land. Proposed Parcels number 9 through 13 are the larger parcels and are located on the northern part of the Property where the topography is steeper with less prime farm land and more slopes. See Exhibit C for a Proposed Tentative Parcel Map.

## **ANALYSIS OF THE PROPERTY'S ECONOMIC COMPONENTS**

### **The Property Comprises Several Different Economic Components**

Grazing land is the least productive agricultural land in the County of Santa Barbara. Most grazing operations are subsidized by other uses, whether royalties or leasehold income from energy projects, intensified farming on the better farm land, vineyard leasing, or the owner's personal wealth. If those subsidies decline or cease, or if estate taxes come into play, these larger land holdings are subjected to development pressures, or alternatively, to capital demands in order to intensify the agricultural production to maintain or increase the income generated by agriculture. On some portions of these land holdings, slopes or poor quality soil may limit productivity to livestock grazing while the remainder of the land is dedicated to more lucrative agricultural pursuits. As the agricultural production intensifies on larger agricultural parcels over time, the individual agricultural economic components of that Parcel eventually evolve to their highest and best use. When a large agricultural parcel is fairly homogeneous in its Ag Production Criteria (topography, parcel shape, access, soil type, climate, micro-climate, water availability, drainage, etc.), the entire parcel can be intensified as one economic unit, which is common in the San Joaquin Valley. However, when a larger agricultural land holding substantially varies in its Ag Production Criteria, such as is the case with the Property, the optimum economic components of the property will form a number of units that cluster around the Ag Production Criteria relative to the highest and best use, provided by that group of criteria. These I refer to as Economic Components.

The Property varies substantially as to the Ag Production Criteria. The groupings of these criteria provide for the following types of Economic Components for the Property as they relate to types of agricultural production, listed in order of highest and best economic use:

1. Irrigated row crop land
2. Vineyard development land
3. Dry farm land
4. Irrigated pasture
5. Native cattle pasture

### **The Problems With Mixed Economic Components Within A Large Parcel**

In Santa Barbara County, many of the larger agricultural properties outside of the Santa Maria Valley and the Lompoc Valley have a mix of Economic Components within each individual property. The larger the parcel, the higher the probability of this mix occurring and the greater the magnitude of its economic impact. With smaller ranches, a farmer is more likely to provide the fencing necessary to lease the non-prime land to a cattle operator, who either will stock the land with year-round cow/calf units or stockers (seasonal grazing). The rainfall in Santa Barbara County, and resulting carrying capacity of the land, is such that few landholdings provide sufficient year-round forage so many cattle operators enter into leases for grazing land with landowners who are not cattle operators. This is necessary in order to accumulate a critical mass of grazing land to support a commercial cattle operation. Some cattle operators even move their cattle from state to state for the same reason. The lease income to the landowner is modest (usually at an economic return well under one percent of the market value of the land) however it supplements the farming income while providing fire management on the non-prime land.

Mixed Economic Components within a parcel have adverse impacts on the following:

- Management - Of the five Economic Components of the Property listed above, only irrigated pastures and native cattle pasture are uses that are typically operated by the same management. The other uses -- irrigated row crop, vineyard development (and operations) and dry land farming -- are typically mutually exclusive as to the management

skills necessary for the successful operation of each. Not only are the production skills mutually exclusive but the markets and marketing for the products are completely different from each other and the equipment into which the operator must invest varies widely. A cattle operator doesn't need expensive planting and harvesting equipment and a row cropper or vineyard operator doesn't need livestock truck/trailers, horses and trained dogs, portable chutes, squeeze chutes, and the like.

- Capitalization for ag intensification – Future intensification of the agricultural operations will be necessary to respond to changing market demands as well as to counter economic pressures from non-agricultural forces. The ability to capitalize future improvements to facilitate ag intensification is dependent upon the economic return to the capital, be it debt or equity. Of the five economic components of the Property, vineyard development is the most capital intensive, with the non-land cost of vineyard development in the \$25K to \$30K per acre range. These costs include grading, soil amendments, trellising, planting, irrigation systems, frost protection, reservoirs, and cultivation for the first few years of non-production. Orchards are the next most capital intensive, with the combination of initial capital for acquiring and planting the trees and the longer-term investment in tending the trees until they are of sufficient bearing capacity to bring a return on the investment. Irrigated row crops follow closely behind, with capital improvements that might include grading and leveling, soil amendments, irrigation systems, tiling, drainage and retention.

When a property has a mix of Economic Components within it, the ability of the owner to obtain the capital required to intensify the agricultural operations is severely restrained. This is because a capital source, whether equity or debt, will only be interested in capitalizing one of the uses. The capital source must have comfort (i.e. knowledge and experience) with the particular agricultural operation's (and operator's) ability to generate a reasonable return on that capital.

- Marketability - In my experience as a real estate broker for ag properties in Santa Barbara County, I have encountered many examples of mixed Economic Components within ag parcels and have observed the negative market reaction to the mixed components. I often refer to this as the "apples and oranges syndrome". When a buyer comes into a market looking for a particular type of property, they seldom have the interest, the management ability, and the capital sources for more than one Economic Component. That buyer may be wanting to buy "apples" but with mixed Economic Components, he is forced to buy "oranges" as well, even if he doesn't have a use or desire for oranges.

Looking at the five Economic Components of the Property, they really need to be divided into two major categories. The irrigated row crop ground and the vineyard or orchard development ground are generally acquired by someone in the commercial business of growing irrigated crops, orchards or vineyards, and are purchased with an economic return in mind. Dry farming, irrigated pastures, and native pastures have very low income return relative to their market value. Therefore, the buyer of these properties is generally looking to buy a property for the lifestyle it provides. When this is the case, such non-economic factors as aesthetics, views, privacy, etc. become more critical in determining market value than do the income of the Economic Components.

A good example of how the resistance to mixed Economic Components operates arose in the sale several years ago of a large cattle ranch in the Los Alamos area. The buyer was a major commercial vineyard developer/operator. The ranch consisted of nearly 5,500 acres, of which approximately 1,000 acres were deemed plantable for vineyard. The market value of plantable vineyard ground at the time was \$10,000 per acre. This ranch sold for \$10 million which represented full value of the vineyard plantable acreage and zero value for the remaining 4,500 acres of pasture land.

Had that ranch been purchased by someone seeking a large cattle ranch, which would have been for lifestyle purposes due to the low income as a cattle ranch, the market price likely would have been \$5 million to \$6 million. The cattle ranch buyer would not have had the management ability to develop and operate 1,000 acres of vineyard, nor been able to attract the necessary capital to do so (\$20 million +/- at the time), and therefore would not fully value the developable vineyard ground.

- Financing - Financing for ag property, or the ability to attract debt capital that is secured by the property, is necessary for:
  - Acquisition of the property
  - Capitalization of ag intensification (see above)
  - Financing working capital for the ag operation
  - Paying estate taxes
  - Marketability of the property

Lenders on agricultural properties are primarily banks, insurance companies, and Farm Credit. A lender is required to use various underwriting criteria when evaluating a loan request, the most significant which are the borrower's credit, the loan-to-value ratio, and the income producing capacity of the land.

When a lender makes a loan for a particular ag parcel, it will often ignore the value Economic Components that are outside the purpose of the loan. For example, if a land owner comes to a lender for a loan of \$3 million to develop 100 acres of vineyard on a parcel of 1,000 acres, the balance which is native pasture, the lender typically will consider only the appraised value of the finished vineyard and will ignore the value of the other 900 acres of land. This is because, in the event the lender ends up foreclosing and having to resell the property, the new buyer will not fully value, or will not value at all, the other 900 acres of land (see Marketability above).

Furthermore, a lender typically will consider only the income of the Economic Component of the property when underwriting the income producing capacity of the land. Either the omitted appraised value or the omitted income from non-Economic Components can be the constraint that prevents optimal or even feasible financing. In short, the "extra" land can operate as a detriment to underwriting because it can generate an unwanted expense and risk. Unused grazing land can pose a fire hazard, but the low income potential of grazing land may not offset the cost of fencing necessary to contain the livestock.

Another component to consider is that of the landowner's desire to avoid the risk involved in encumbering the entire ranch to raise capital needed for only a portion of the ranch. Given the choice, a landowner would prefer to encumber only the portion of the property dedicated to the use for which the financing is sought (e.g., the plantable vineyard area), preserving the remainder of the landholding in the event of foreclosure of the loan. Under the Subdivision Map Act, it is not legal to finance a portion of an undivided parcel. No knowledgeable lender would agree to collateralize a loan with an undivided portion of a parcel, or with a tenant-in-common undivided interest in a larger parcel.

- Estate Taxes - Unfortunately, it appears that estate taxes will again be back in the mix for owners of ag properties. The estate tax historically has been the bane of family owned agricultural operations and properties, forcing the sale of many ranches despite the best intentions of the families to continue in agriculture. This occurs because the large asset size of a property necessary for commercially viable agriculture triggers substantial amounts of estate tax with the passing of a generation. Typically, family ag operations



are "land rich and cash poor" and need some kind of liquidity event in order to pay the estate tax. This liquidity event may be financing with debt capital or it may require the sale of the asset. If the entire ag operation is located on a single parcel, it will require the sale of the entire ag property and thus the operation, resulting in the loss of a family farm. The advantage of multiple parcels, particularly with mixed Economic Components, is that one of the smaller parcels can be sold without endangering the continuation of the family owned operation.

- Distribution to Heirs – One of the most disappointing events with which I have been involved during my career is the dissolution of the family farm and the resulting dissolution of family harmony following the death of a parent. Unfortunately, this is not an uncommon occurrence. This may or may not be triggered by an estate tax. Often it occurs as the family tree grows over the generations, resulting in multiple beneficiaries to the major family asset -- the family ranch or farm. Typically, a family owned ag operation is run by one member of the family, while the number of non-involved family members grows over the subsequent generations. Because the income potential of the ag property, particularly grazing land, is low relative to its market value, often only one family member can make a full-time living by living on and operating the ranch or farm. The other family members, whose inheritance is tied up in the property, become anxious to realize the value of their share of the asset, especially when they don't live or work on the property. Over time, Santa Barbara County has seen more and more local farming and ranching families split up as the children and grandchildren move to metropolitan areas where they can make a living, having found it difficult to find adequate jobs in this area. County regulations that restrict the number of principal residences on these farms and ranches makes it difficult for these family members to live on the land in which they have an ownership interest. This creates pressure for the sale of the asset which often causes dissension between the operating members and the non-operating members of the family. The property is sold, the long time family member running the operation is displaced, and another family farm succumbs.

The proposed division of the Property into viable agricultural units results in a scenario that allows more than one branch of the family to live on the Property (because of the resulting separate parcels), to operate their farms and ranches as individual viable units or to share the management responsibilities based upon skill and interest levels. This also provides an opportunity to sell a parcel or two to satisfy the family members desiring a liquidity event, or for the payment of inheritance taxes, while retaining the stand-alone agricultural viability of every one of the Parcels.

### **THE OBJECTIVES OF A SUBDIVISION RELATIVE TO THE PROPERTY'S ECONOMIC COMPONENTS**

The Proposed Subdivision should be configured to meet two primary objectives:

- Each Proposed Parcel should have sufficient critical mass of one or more Economic Components in order to maintain economic viability of that Parcel.
- The number of Proposed Parcels should be sufficient to provide maximum flexibility to optimize management, capitalization, and financibility of different operations dictated by the Economic Component, while providing an optimum number of parcels to allow for future liquidity events that will help respond to estate taxes or family distributions.

The two above objectives must be balanced with one other. For example, the more Parcels resulting from the Proposed Subdivision, the better the optimization for providing liquidity to meet the future needs for estate taxes, family distributions, and financibility. However, too many Parcels would result in individual Parcel sizes that are too small to retain long-term agricultural viability.

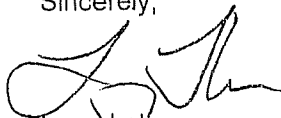
The Proposed Subdivision appears to be designed to achieve an effective balance between these two objectives. Parcels 1 through 8 provide plantable vineyard ground ranging from 78 acres to 143 acres, all of which are sufficient critical mass for a commercially viable operation. They could each house a small winery for processing the grapes grown thereon, and lots 1 through 4 would be most attractive for a winery given their frontage on Foxen Canyon Road. These eight parcels alternatively provide prime farming ground ranging from 38 acres to 81 acres, all of which could be commercially viable agriculturally. Parcels 9 through 13 are the larger parcels, with a major Economic Component being cattle grazing, but each with sufficient area for prime production such as row crops, orchards or vineyards. See the Agricultural Viability Study by Sage Associates dated September 2007, and update thereto dated 9/28/09 for further discussion about the economic viability of each Proposed Parcel.

### **CONCLUSION**

The long term agricultural viability of the Property is enhanced by the Proposed Subdivision by creating economically efficient units of Economic Components. The resulting thirteen parcels provide maximum flexibility to match management, capitalization, and financibility for each Parcel to meet future changing market conditions and agricultural intensification, while maintaining Parcel sizes that provide economic viability of each Parcel, and therefore the continued sustainability of the Property's agricultural operations.

Please do not hesitate to contact me if you have any questions or desire further information.

Sincerely,



Larry Lahr  
President

## **List of Exhibits**

|           |  |
|-----------|--|
| Exhibit A | Rancho La Laguna Ag Economic Units of Proposed Parcelization |
| Exhibit B | Proposed Access Plan   |
| Exhibit C | Proposed Parcel Map with Existing Use and Topo Data          |
| Exhibit D | NRCS Soils Map   |
| Exhibit E | Vineyard Development Analysis Map                            |

# EXHIBIT A

## RANCHO LA LAGUNA

### AGRICULTURAL ECONOMIC UNITS OF PROPOSED PARCELIZATION

|        | GROSS   | NET             | PRIME AG<br>VINEYARD | GRAZING<br>VINEYARD | TOTAL<br>VINEYARD |
|--------|---------|-----------------|----------------------|---------------------|-------------------|
| Lot 1  | 202.16  | 197.62<br>100%  | 74.59<br>38%         | 68.37<br>35%        | 142.96<br>72%     |
| Lot 2  | 166.42  | 161.79<br>100%  | 54.46<br>34%         | 62.72<br>39%        | 117.18<br>72%     |
| Lot 3  | 166.41  | 163.06<br>100%  | 53.41<br>33%         | 59.44<br>36%        | 112.85<br>69%     |
| Lot 4  | 191.63  | 191.07<br>100%  | 81.41<br>43%         | 28.58<br>15%        | 109.99<br>58%     |
| Lot 5  | 160.01  | 160.01<br>100%  | 40.00<br>25%         | 37.97<br>24%        | 77.97<br>49%      |
| Lot 6  | 161.23  | 161.23<br>100%  | 37.80<br>23%         | 55.83<br>35%        | 93.63<br>58%      |
| Lot 7  | 206.00  | 206.00<br>100%  | 64.73<br>31%         | 62.19<br>30%        | 126.92<br>62%     |
| Lot 8  | 259.01  | 259.01<br>100%  | 48.75<br>19%         | 34.91<br>13%        | 83.66<br>32%      |
| Lot 9  | 438.44  | 438.44<br>100%  | 20.12<br>5%          | 2.65<br>1%          | 22.77<br>5%       |
| Lot 10 | 596.84  | 596.84<br>100%  | 7.18<br>1%           | 9.00<br>2%          | 16.18<br>3%       |
| Lot 11 | 428.80  | 428.80<br>100%  | 20.41<br>5%          | 0<br>0%             | 20.41<br>5%       |
| Lot 12 | 369.07  | 369.07<br>100%  | 39.46<br>11%         | 0<br>0%             | 39.46<br>11%      |
| Lot 13 | 604.73  | 600.75<br>100%  | 14<br>2%             | 0<br>0%             | 14.00<br>2%       |
| TOTAL  | 3950.75 | 3933.69<br>100% | 556.32<br>14%        | 421.66<br>11%       | 977.98<br>25%     |

Excerpt from Draft Mitigation  
Negative Declaration pertaining  
to ag viability



COUNTY OF SANTA BARBARA

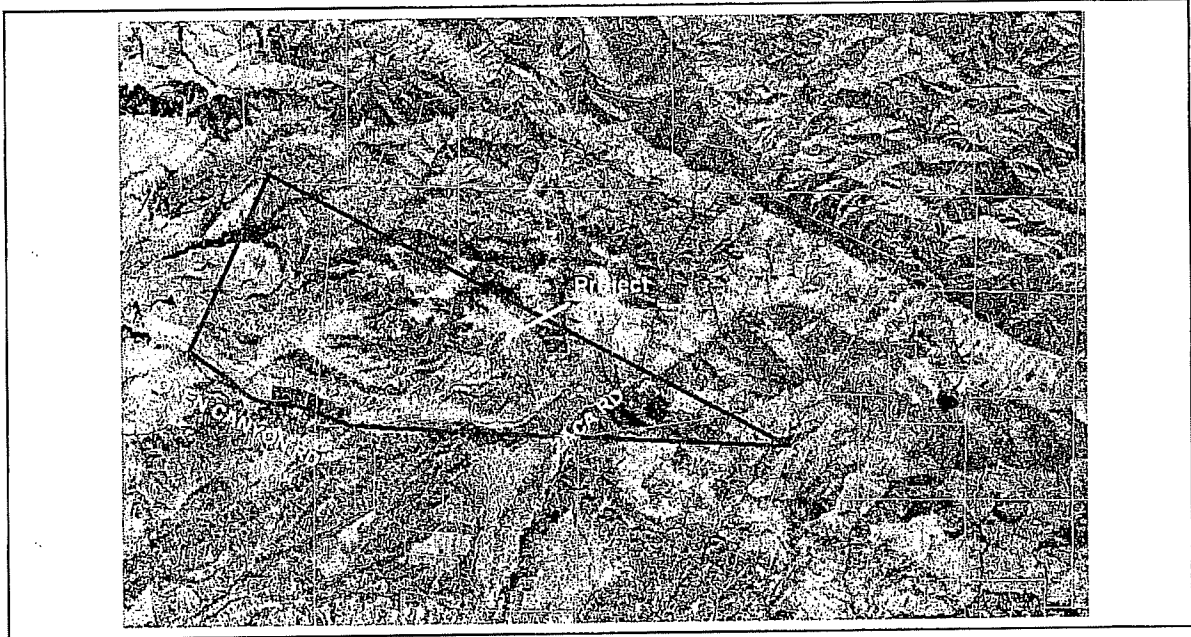
Planning and Development

[www.sbcountyplanning.org](http://www.sbcountyplanning.org)

## Draft Mitigated Negative Declaration

### Rancho La Laguna Tentative Tract Map 06TRM-00000-00002/TM 14,709

September 10, 2010



Vicinity Map

**Owner/Applicant**

Mr. Charles V. Roven  
Rancho La Laguna LLC  
9200 Sunset Blvd., 10<sup>th</sup> Floor  
Los Angeles, CA 90069

**Owner/Applicant**

Mr. Leo A. Hanly  
La Laguna Ranch Co. LLC  
2221 Meridian Blvd., Ste. A  
Minden, NV 89423-8360

**Agent/Engineer**

Ms. Susan F. Petrovich  
Brownstein Hyatt Farber  
Schreck  
21 East Carrillo Street  
Santa Barbara, CA 93101

For More Information Contact:

**Gary Kaiser, Senior Planner, Development Review North Division, (805) 934-6259**  
[gkaiser@co.santa-barbara.ca.us](mailto:gkaiser@co.santa-barbara.ca.us)

## 4.2 AGRICULTURAL RESOURCES

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

### Setting:

**Physical/Historic:** The subject property is a 3,951-acre ranch located near the confluence of Foxen, Alisos, and Zaca canyons. The parcel is approximately seven miles north of Los Olivos, 18 miles southeast of Santa Maria, and seven miles northeast of Los Alamos. Approximately 563 acres of the ranch presently supports a combination of irrigated and dry farm crops some of which is leased to grow crops such as tomatillos, peppers, and squash during the warmer months of the year. Irrigated farmland and prime soils are located in the foothills on flat or gently sloping terrain. Existing fencing keeps cattle and horses outside the crop production areas and bulls in their pastures. The applicant grows oat hay for the cattle and horses during the colder months. Historically, the ranch has supported between 194 and 204 animal units per year (Sage Associates Agricultural Viability Study and Rangeland Assessment, September 2007). Cattle graze steeper portions of the property underlain with less productive soils. Two barns, a farm employee dwelling, cabin, and shop are currently used to support agricultural operations. The Existing Lot consists of the following soil types:

**Table 1. Soil Types, Slope and % Cover for Rancho La Laguna**

| Type                            | Slope                            | Capability Unit/Class | Acreage | Cover (%) |
|---------------------------------|----------------------------------|-----------------------|---------|-----------|
| LmG Lopez shaly clay loam       | 15 to 75 percent                 | VII                   | 1000.4  | 28.30%    |
| ChF Chamise shaly loam          | 15 to 45 percent                 | VI                    | 769.6   | 21.70%    |
| EmC Elder loam                  | 2 to 9 percent                   | II                    | 443.1   | 12.50%    |
| SmF Santa Lucia shaly clay loam | 30 to 45 percent                 | VI                    | 190.1   | 5.40%     |
| ChG Chamise shaly loam          | 45 to 75 percent                 | VII                   | 142.1   | 4.00%     |
| GsF Gazos clay loam             | 30 to 45 percent                 | VI                    | 134.2   | 3.80%     |
| SpG Sedimentary rock land       |                                  | VIII                  | 125.8   | 3.60%     |
| ArF3 Arnold sand                | 9 to 45 percent, severely eroded | VII                   | 102.1   | 2.90%     |
| SvC Sorrento loam               | 2 to 9 percent                   | II                    | 97.6    | 2.80%     |
| EnC2 Elder shaly loam           | 2 to 9 percent, eroded           | II                    | 58.8    | 1.70%     |
| CkF Chamise clay loam           | 30 to 45 percent                 | VI                    | 46.8    | 1.30%     |
| SfE San Andreas-Tierra complex  | 15 to 30 percent                 | VI                    | 40.3    | 1.10%     |
| ChD Chamise shaly loam          | 9 to 15 percent                  | IV                    | 39.8    | 1.10%     |
| CuC Corralitos loamy sand       | 2 to 9 percent                   | III                   | 39.2    | 1.10%     |
| BoA Botella loam                | 0 to 2 percent                   | I                     | 39      | 1.10%     |
| SmG Santa Lucia shaly clay loam | 45 to 75 percent                 | VII                   | 36.7    | 1.00%     |
| ArD Arnold sand                 | 5 to 15 percent                  | IV                    | 35.3    | 1.00%     |
| CfD Chamise shaly sandy loam    | 9 to 15 percent                  | IV                    | 26.8    | 0.80%     |
| BoD2 Botella loam               | 2 to 15 percent, eroded          | III                   | 25.2    | 0.70%     |
| SfD San Andreas-Tierra complex  | 5 to 15 percent                  | IV                    | 20.2    | 0.60%     |
| SfG San Andreas-Tierra complex  | 30 to 75 percent                 | VII                   | 17.3    | 0.50%     |
| TrE2 Tierra loam                | 15 to 30 percent, eroded         | VI                    | 17.1    | 0.50%     |
| EdC2 Elder sandy loam           | 2 to 9 percent, eroded           | II                    | 15.5    | 0.40%     |
| CuD Corralitos loamy sand       | 9 to 15 percent                  | IV                    | 14.6    | 0.40%     |
| LkG Lopez rocky loam            | 75 to 100 percent                | VIII                  | 14.4    | 0.40%     |
| CwF Crow Hill loam              | 30 to 45 percent                 | VI                    | 11.9    | 0.30%     |
| BtC Botella clay loam           | 2 to 9 percent                   | II                    | 11.4    | 0.30%     |
| EmA Elder loam                  | 0 to 2 percent                   | I                     | 10.2    | 0.30%     |
| EdD2 Elder sandy loam           | 9 to 15 percent, eroded          | III                   | 6.4     | 0.20%     |
| ChG2 Chamise shaly loam         | 30 to 75 percent, eroded         | VII                   | 4.5     | 0.10%     |
| GsG Gazos clay loam             | 45 to 75 percent                 | VII                   | 3.2     | 0.10%     |

**Regulatory:**

*Williamson Act:* The property is subject to an Agriculture Preserve Contract (67-AP-003B) and the County’s Uniform Rules for Agricultural Preserves.

*County Thresholds Manual:* Agricultural lands play a critical economic and environmental role in Santa Barbara County. Sustaining agricultural land not only provides a significant share of the County’s economic activity, but also protects open space and maintains the rural lifestyle prevalent in this portion of the County. Because of the key economic role and public benefits provided by agricultural lands, the County has recognized the need to preserve these lands and discourage conflicting non-agricultural uses through the County Environmental Thresholds and Guidelines Manual (ET&GM), Land Use and Development Code (LUDC) as well as the Agricultural Element of the Comprehensive Plan. The ET&GM has adopted a point allocation system to provide a preliminary screening of a project’s agricultural impacts during the Initial Study process. The



weighted point system is used to assign relative values to particular characteristics of a site's agricultural productivity and suitability (e.g. soil type, water supply, etc.). The assignment of 60 or more points indicates an agriculturally viable parcel. The point system evaluates a site's agricultural suitability and productivity to determine whether the project may have a significant impact on agricultural resources. The existing parcel and proposed lots were all evaluated using the County's weighted point system.

The ET&GM also suggests that for grazing projects, detailed information of the number of animal units supportable on a particular parcel should be considered in the project's environmental document. The Santa Barbara County Cattlemen's Association has indicated 25 to 30 animal units per year is the appropriate carrying capacity threshold. An animal unit or AU is equal to a 1,000-pound cow. The manual states "*As a general guideline, an agricultural parcel of land should be considered to be viable if it is of sufficient size and capability to support an agricultural enterprise independent of another parcel. To qualify as agriculturally viable, the area of land in question need only be of sufficient size and /or productive capability to be economically attractive to an agricultural lessee.*" The estimated number of animal units for the Existing Lot and Proposed Lots were obtained from the Sage Associates Agricultural Viability Study and Rangeland Assessment dated September 2007 and supplemental letter dated September 28, 2009. Larger agricultural parcels may have a combination of cropland and grazing land and it is reasonable to credit the combined potential.

*Important Farmland State Designation:* According to the Department of Conservation (2006 GIS dataset), the subject property contains approximately 248 acres of Prime Farmland (6%), 7 acres of Farmland of Unique Importance (less than 1%), 230 acres of Farmland of Local Importance (6%) and 3,467 acres of Grazing Land (88%). The Department of Conservation has defined Prime Farmland to be "farmland with the best combination of physical and chemical features able to sustain long term agricultural production". Farmland of Unique Importance is "farmland of lesser quality soils used for the production of the state's leading agricultural crops". This land is usually irrigated, but may include non-irrigated orchards or vineyards. Farmland of Local Importance is "land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee". In Santa Barbara County this is all dryland farming areas and permanent pasture (if the soils are not eligible for either Prime or Statewide Importance) including various cereal grains (predominantly wheat, barley, and oats), Sudan grass, and many varieties of beans. Grazing Land is "land on which the existing vegetation is suited to the grazing of livestock." In Santa Barbara County, much of the grazing land has been converted to vineyard because the wine grapes produce a high quality wine on non-prime soils. The applicant's consultant has identified portions of the subject property that are not currently in crop production but that would likely be well suited for vineyard production (Mesa Vineyard Management, February 2, 2010).

### **Impact Discussion:**

(a) The agricultural impact analysis for the proposed project consists of three parts: The Weighted Point System, Rangeland Assessment, and site specific factors that may affect agricultural productivity and suitability. Using the ET&GM, the County conducted an independent weighted point assignment for the project site to assess potential impacts on the agricultural productivity of the land from the proposed subdivision. The weighted point system evaluates the potential of the land from an agricultural crop production and grazing perspective. The applicant provided an Agricultural Viability Study and Rangeland Assessment report by Sage and Associates dated September 2007. The study is hereafter referred to as the "Sage Report". The Sage Report assessed

agricultural viability by using the County's adopted weighted point system and estimated the rangeland carrying capacity for the existing and proposed lots. Soils, topography, canopy cover, condition of palatable forage, availability of livestock water, erosion, and fencing determined the average carrying capacity range for a moderate grazing level. Carrying capacity was estimated with a low and high range of values. The low value included the rangeland areas and the high value included the rangeland and cultivated areas.

*Weighted Point System Discussion*

The Existing Lot receives 76 points, well above the 60 point threshold for agricultural viability. As such, each of the proposed lots is assessed using the point system to determine if the project would have a significant impact on their agricultural productivity and suitability. The total point score for each proposed lot follows:

Proposed Lot 1 receives 69 points  
 Proposed Lot 2 receives 68 points  
 Proposed Lot 3 receives 67 points  
 Proposed Lot 4 receives 75 points  
 Proposed Lot 5 receives 68 points  
 Proposed Lot 6 receives 70 points  
 Proposed Lot 7 receives 74 points

Proposed Lot 8 receives 67 points  
 Proposed Lot 9 receives 64 points  
 Proposed Lot 10 receives 67 points  
 Proposed Lot 11 receives 68 points  
 Proposed Lot 12 receives 68 points  
 Proposed Lot 13 receives 64 points

The point assignment calculation for each lot is in Table 2.

**Table 2. Rancho La Laguna Tentative Tract Map  
 Weighted Points Analysis Results**

| Category                   | Existing Lot 3,951 acres | Prop. Lot 1 202 acres | Prop. Lot 2 166 acres | Prop. Lot 3 166 acres | Prop. Lot 4 192 acres | Prop. Lot 5 160 acres | Prop. Lot 6 161 acres | Prop. Lot 7 206 acres | Prop. Lot 8 259 acres | Prop. Lot 9 438 acres | Prop. Lot 10 597 acres | Prop. Lot 11 429 acres | Prop. Lot 12 369 acres | Prop. Lot 13 605 acres |
|----------------------------|--------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|------------------------|------------------------|------------------------|------------------------|
| <b>Parcel size (gross)</b> | 15                       | 11                    | 11                    | 11                    | 11                    | 11                    | 11                    | 11                    | 11                    | 12                    | 13                     | 12                     | 12                     | 13                     |
| Less than 5                | 0-3                      |                       |                       |                       |                       |                       |                       |                       |                       |                       |                        |                        |                        |                        |
| 5 less than 10             | 4-6                      |                       |                       |                       |                       |                       |                       |                       |                       |                       |                        |                        |                        |                        |
| 10 less than 40            | 7-8                      |                       |                       |                       |                       |                       |                       |                       |                       |                       |                        |                        |                        |                        |
| 40 less than 100           | 9-10                     |                       |                       |                       |                       |                       |                       |                       |                       |                       |                        |                        |                        |                        |
| 100 less than 500          | 11-12                    |                       |                       |                       |                       |                       |                       |                       |                       |                       |                        |                        |                        |                        |
| 500 less than 1000         | 13-14                    |                       |                       |                       |                       |                       |                       |                       |                       |                       |                        |                        |                        |                        |
| 1000 or more               | 15                       |                       |                       |                       |                       |                       |                       |                       |                       |                       |                        |                        |                        |                        |
| <b>Soil classification</b> | 5                        | 5                     | 5                     | 5                     | 11                    | 5                     | 5                     | 11                    | 5                     | 4                     | 4                      | 4                      | 4                      | 4                      |
| Class I                    | 14-15                    |                       |                       |                       |                       |                       |                       |                       |                       |                       |                        |                        |                        |                        |
| Class II                   | 11-13                    |                       |                       |                       |                       |                       |                       |                       |                       |                       |                        |                        |                        |                        |
| Class III                  | 8-10                     |                       |                       |                       |                       |                       |                       |                       |                       |                       |                        |                        |                        |                        |
| Class IV                   | 6-7                      |                       |                       |                       |                       |                       |                       |                       |                       |                       |                        |                        |                        |                        |
| Class VI&VII               | 1-5                      |                       |                       |                       |                       |                       |                       |                       |                       |                       |                        |                        |                        |                        |
| Class VIII                 | 0                        |                       |                       |                       |                       |                       |                       |                       |                       |                       |                        |                        |                        |                        |
| <b>Water availability</b>  | 15                       | 14                    | 14                    | 14                    | 15                    | 14                    | 14                    | 14                    | 14                    | 14                    | 14                     | 14                     | 15                     | 14                     |
| Adequate                   | 12-15                    |                       |                       |                       |                       |                       |                       |                       |                       |                       |                        |                        |                        |                        |
| Marginal                   | 8-11                     |                       |                       |                       |                       |                       |                       |                       |                       |                       |                        |                        |                        |                        |
| Potential                  | 3-7                      |                       |                       |                       |                       |                       |                       |                       |                       |                       |                        |                        |                        |                        |
| Poor                       | 0-2                      |                       |                       |                       |                       |                       |                       |                       |                       |                       |                        |                        |                        |                        |

| Agricultural Suitability               |      |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
|--|------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| <b>Crops</b>                           |      | 8         | 8         | 8         | 8         | 8         | 8         | 8         | 8         | 8         | 5         | 5         | 5         | 6         | 5         |
| Highly suitable for certain crops      | 8-10 |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Highly suitable for certain crops      | 6-8  |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Moderate                               | 4-5  |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Low suitability                        | 1-3  |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Unsuitable                             | 0    |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| <b>Grazing</b>                         |      | 8         | 5         | 4         | 3         | 4         | 4         | 4         | 4         | 3         | 3         | 5         | 6         | 5         | 2         |
| Highly suitable                        | 6-10 |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Moderate                               | 3-5  |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Low                                    | 1-2  |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Unsuitable                             | 0    |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| <b>Existing and Historic Land Use</b>  |      | 5         | 5         | 5         | 5         | 5         | 5         | 5         | 5         | 5         | 5         | 5         | 5         | 5         | 5         |
| Active Ag                              | 5    |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Unmaintained                           | 3-5  |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Vacant                                 | 1-3  |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Urban/Other                            | 0    |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| <b>Comprehensive Plan Designation</b>  |      | 5         | 5         | 5         | 5         | 5         | 5         | 5         | 5         | 5         | 5         | 5         | 5         | 5         | 5         |
| A-II                                   | 5    |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| A-I                                    | 4    |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Recreation/Open                        | 3-4  |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Ranchette 5-20                         | 2    |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Residential/Other                      | 0    |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| <b>Adjacent Land Uses</b>              |      | 9         | 9         | 9         | 9         | 9         | 9         | 9         | 9         | 9         | 9         | 9         | 9         | 9         | 9         |
| Surrounded by Ag. w/ support uses      | 9-10 |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Surrounded by ag w/o support uses      | 7-8  |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Partially ag.                          | 3-6  |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Urban                                  | 0-2  |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| <b>Agricultural Preserve Potential</b> |      | 6         | 6         | 6         | 6         | 6         | 6         | 6         | 6         | 6         | 6         | 6         | 6         | 6         | 6         |
| Qualify Prime                          | 5-7  |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Qualify Non-Prime                      | 2-4  |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Qualify Prime Jointly                  | 3-4  |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Qualify Non-Prime Jointly              | 1-3  |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Cannot Qualify                         | 0    |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| <b>Combined Farming Operations</b>     |      | 0         | 1         | 1         | 1         | 1         | 1         | 3         | 1         | 1         | 1         | 1         | 1         | 1         | 1         |
| Significant Component                  | 5    |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Important Component                    | 3    |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| Small Component                        | 1    |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| None                                   | 0    |           |           |           |           |           |           |           |           |           |           |           |           |           |           |
| <b>Total Score</b>                     |      | <b>76</b> | <b>69</b> | <b>68</b> | <b>67</b> | <b>75</b> | <b>68</b> | <b>70</b> | <b>74</b> | <b>67</b> | <b>64</b> | <b>67</b> | <b>68</b> | <b>68</b> | <b>64</b> |

Excerpt from “Santa Barbara  
County Agriculture and  
Weights & Measures  
Newsletter,” Winter 2017 Ed.,  
with Sheriff Department’s Rural  
Crime report (Pages 1 & 4)



# SANTA BARBARA COUNTY

## AGRICULTURE AND WEIGHTS & MEASURES NEWSLETTER

### ***AGWM Department Promotes Alternative Energy and Efficiency***

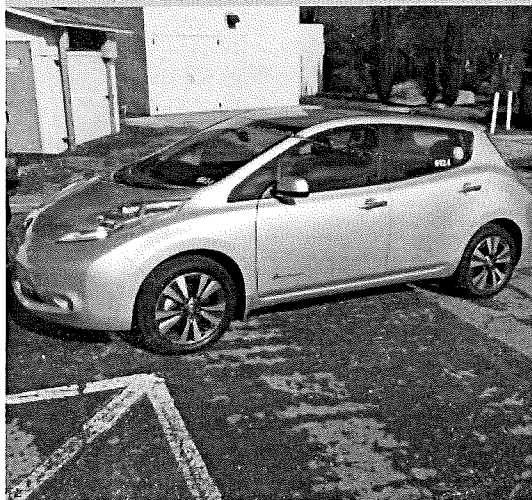
*Article by Daniel Garcia, Weights and Measures Inspector*

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The Santa Barbara County Department of Agriculture/Weights & Measures has a new addition to their fleet. A 2017 Nissan Leaf EV which replaced an older sedan, is a 100% electric vehicle (EV), which adds to the County total of 20 electric vehicles already in use. The Leaf will serve 2 purposes in the department. First, it will help promote the alternative energy vehicle industry. The 2017 electric vehicle Leaf has a larger battery which gives a 115 mile range on a full charge, plenty of miles for city driving. The Leaf has a Level I & 2 charging unit on it, so it can be charged on a 110V outlet, or by a EV quick charging station that can charge the battery to 90% capacity in 30 minutes. Secondly, this vehicle will be used in the testing procedure for electric vehicle charging stations (EVCS), which our weights and measures division will soon be starting once regulations are voted on by the National Conference of Weights & Measures and then adopted into the California Code of Regulations.. EV charging stations will soon be classified as a new type of commercial measuring device as they charge by kilowatts delivered.

*2017 Nissan Leaf EV. The vehicle will be used in the testing procedure of electric vehicle charging stations throughout the county*



*Electric vehicle charging stations like this will be tested by weights & measures officials*



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## ***New Mandatory Tarping Regulation***

The California Office of Administrative Law approved an emergency rule that requires all bulk citrus loads to be fully tarped during transport regardless of where the load originates from or its destination. The statewide mandatory tarping regulation is in response to a recommendation from the Citrus Pest & Disease Prevention Committee to prevent the spread of the Asian citrus psyllid. The California Department of Food and Agriculture will begin contacting growers, haulers and packers to resign compliance agreements that include the tarping requirement. These entities are urged to begin preparations now while they wait to receive new compliance agreements.



Citrus Insider

The statewide mandatory tarping regulation is a preventive action to address the spread of the Asian citrus psyllid, and is in response to an analysis conducted by the University of California that looked at Asian citrus psyllid find patterns along transportation corridors. The new requirement is a statewide regulation that restricts the movement of regulated articles from "or within" a quarantine area. Revised compliance agreement exhibits will require all bulk citrus loads to be fully tarped regardless of where the load originates from or its destination, even loads that are traveling within a county.

The Agricultural Commissioner's Office and CDFA will conduct inspections on citrus growers, transporters, and packers to ensure they are complying with their ACP program compliance agreements issued by CDFA.

Also, as a reminder on bee notification, if you are treating your citrus grove remember to notify beekeepers within 1 mile of your grove application site at least 48 hours prior to the treatment. We receive new beekeeper registrations all the time and there are many small hives in the urban area that you may be unaware of.

**For more information on the new taping regulation please visit:**  
<http://citrusinsider.org/2016/12/new-mandatory-tarping-regulation/>

## ***SB Sheriff's Rural Crime Unit***

### **2016 YEAR END STATS**

|   |              |
|---|--------------|
| Total amount of Ag crimes investigated  | 106          |
| Suspects referred to DA for prosecution | 6            |
| Felony arrests                          | 17           |
| Misdemeanor arrests                     | 35           |
|   |              |
| Total loss value                        | \$369,710.00 |
| Total recovery value                    | \$128,055.00 |
| Recovery Percentage                     | 35%          |



\*2016 had the lowest number of rural crime cases investigated (149) since 2008.

**Det. John H. McCarthy**  
**Santa Barbara Co. Sheriff \ Rural Crime Investigations**  
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Excerpt from Environmental  
Thresholds and Guidelines  
Manual pertaining to  
agricultural viability



COUNTY OF SANTA BARBARA

Planning and Development

# Environmental Thresholds and Guidelines Manual

*Revised January 1995*

*Revised October 2001*

*Revised October 2002*

*Replacement Pages July 2003*

*Interim Revision to Air Quality Subsection October 2006*

*Revised January 2008*

*Revised September 2008*

*Revised July 2015*

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## 2. RULES FOR USE AND CRITERIA FOR AMENDMENT

The following passages from Santa Barbara County's *Guidelines for the Implementation of CEQA* describe how thresholds are to be used and amended.

### Rules for Use

The Planning and Development Department's determination on whether or not a project may have a significant effect on the environment shall be based in part on thresholds of significance. These thresholds are measures of environmental change which are either quantitative, or as specific as possible for topics which are resistant to quantification such as aesthetics, cultural resources, and biology. A project which has no effect above threshold values individually or cumulatively shall be determined not to have any significant effect, and a negative declaration shall be prepared as provided by Article IV. Projects which have a potential effect above a threshold of significance will require an EIR.

Thresholds of significance are intended to supplement provisions in the State Guidelines for determination of significant environmental effect including Sections 15064, 15065, 15382 and Appendix G incorporated herein. The Planning and Development Department shall maintain detailed descriptions of current thresholds, which shall be publicly available, and which shall be revised periodically as necessary to maintain a standard which will afford the fullest possible protection to the environment, within the reasonable scope of CEQA, by imposing a low threshold requirement for the preparation of an EIR. For issue areas for which there are no thresholds, the guidance provided in CEQA Sections 15064, 15065, 15382 and Appendix G shall provide the basis for determining significance.

### Criteria for Amendment

- A. **General.** Several threshold methodologies include a mechanism to enable them to respond automatically to environmental change. For example, changes in attainment status relative to air quality standards, changes in traffic levels on roads, and changes in the balance between water supplies and water use all affect how thresholds determine significance. However, other changes in environmental conditions or environmental information may require an alteration to the methodology used to evaluate significance.
- B. **Change of Scientific Basis and Criteria.** The underlying basis of threshold criteria may change with the discovery of new data or theories about relationships between environmental change and environmental quality. When data from scientific publications, reports, or conference proceedings, etc. suggest the need for such a change, the Planning and Development Department shall review these data and determine the justification for threshold revisions.
- C. **Change in Environmental Circumstances.** Environmental characteristics such as groundwater levels, traffic counts and sensitive biological habitat acreage are subject to constant change due to development trends. In order to ensure reasonable significance determinations, thresholds will be changed to reflect changes in environmental carrying capacity, resource scarcity and resource use. Information on such changes may come from resource managers (e.g. water purveyors, Air Pollution Control District), applicants, or the public.
- D. **Workshops.** The Planning and Development Department will hold public workshops on environmental thresholds at least once a year. The workshops have several purposes: to advise the public of the technical basis for thresholds and how they are used in the environmental review process; to propose revisions as necessary; to obtain public comment on each threshold and the need for revisions; and to gather relevant data from the public for inclusion in threshold data

### 3. RELATIONSHIP BETWEEN THRESHOLDS AND POLICIES

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Environmental thresholds are often but not always based on policies and standards from the Comprehensive Plan. The agricultural resources guidelines, biological resources guidelines, and noise thresholds are examples of thresholds that are partially derived from and consistent with Comprehensive Plan policies. Although consistency between thresholds and policies is a general goal, there are situations in which strict consistency is not desirable. For example, due to concerns about the existing severity of these problems, policies relating to water and traffic are in many cases more restrictive than the thresholds for these issues. Lowering the thresholds to make them consistent with restrictive policies would greatly increase the burden of complying with CEQA on both applicants and the County. Instead, the County's thresholds for water and traffic impacts are designed to indicate cutoff points at which a project's contribution to these cumulatively significant problems become substantial. Achieving planning goals through the use of strict policies is both justifiable and efficient and does not undermine the use of CEQA and environmental thresholds to move toward those same goals.

encouraged.

### **Environmental Resource Management Element (ERME)**

The Santa Barbara County Comprehensive Plan Environmental Resources Management Element (ERME) states that existing croplands on prime soils should be preserved. For agricultural lands on less than prime soil, it should be preserved insofar as possible.

Under Category A, Urbanization should be prohibited in:

- Existing croplands with a high agricultural suitability rating (within study areas) or a Class I or II soil capability classification. Modification to permit urban uses may be made, within Urban areas, on parcels of 10 acres or less.
- Agricultural preserves subject to Williamson Act agreements.

Under Category B, Urbanization should be prohibited except in a relatively few instances in:

- Existing croplands with a moderate or low agricultural suitability rating (in urban areas) or a Class III or IV soil capability classification.
- Lands highly suitable for expansion of cultivated agriculture.

It is noted that agricultural preserves, although not subject to environmental constraints, are included in Category A. The reason is that in entering into Williamson Act agreements, the County has made a legal commitment that the land will remain in agricultural use for a minimum of ten years, subject to automatic annual renewal.

### **Agricultural Element**

The Agricultural Element Goals and Policies can be found on pages 7 - 14 of the document. These goals and policies are briefly summarized below:

Goal I speaks to the preservation, encouragement, and enhancement of agriculture. This is accomplished through policies which discourage incompatible uses, promote an agriculturalist's freedom for determining methods of operation, encouraging land improvement programs, supporting the Williamson Act, recognizing certain nuisances are part of agricultural operations, protecting the availability of resources for agriculture, and encouraging sustainable agricultural practices on agricultural land.

Goal II calls for agricultural land to be protected from adverse urban influence. This is accomplished through policies which prevent flooding and silting from urbanization, protect agricultural property from being illegally violated, discourage expansion of urban spheres of influence, and discouraging conversion of highly productive agricultural lands.

Goal III calls for the preservation of remaining agricultural lands in cases where it is necessary to convert agricultural lands to other uses. This is accomplished through policies which discourage expansion of urban development into active agricultural lands, and to promote and retain productive agricultural land within urban boundaries.

Goal IV recognizes that agriculture can enhance and protect natural resources, and therefore these operations should be encouraged to incorporate resource protection techniques. This is accomplished through policies which encourage range improvement and fire reduction programs, the use of agriculture on certain slopes to prevent erosion, and preventing grading and brush clearing on hillsides which would cause excessive erosion.

Goal V calls for the County to allow for areas and installations of uses supportive to agriculture. It accomplishes this through policies allowing the installation of commercial support uses on-farm, and

**Montecito Community Plan**

Policy LUG-M-2.1: Agricultural activities on residential parcel that are consistent with the provisions of the applicable residential zone district shall be supported and encouraged by the County.

**D. Methodology in Determining Agricultural Suitability and Productivity**

The County Initial Study form contains two questions pertaining to impacts on agricultural resources. The first is as follows:

“10.d. Will the proposal result in the conversion of prime agricultural land to non-agricultural use, impairment of agricultural land productivity (whether prime or non-prime), or conflict with agricultural preserve programs?”

The following weighting system is provided to perform a preliminary screening of a project's agricultural impacts during the initial study process. The initial study screening looks at the value of a site's agricultural suitability and productivity, to determine whether the project's impact on loss or impairment of agricultural resources would be a potentially significant impact. These are guidelines, to be used with flexibility in application to specific sites, taking into account specific circumstances and specific agricultural uses.

The weighted point system is utilized to assign relative values to particular characteristics of a site's agricultural productivity (e.g., soil type, water supply, etc.). Where the points from the following formula total 60 or more, the following types of projects will be considered to have a potentially significant impact:

- A division of land (including Parcel and Final Maps, etc.) which is currently considered viable but would result in parcels which would not be considered viable using the weighting system.
- A Development Plan, Conditional Use Permit, or other discretionary act which would result in the conversion from agricultural use of a parcel qualifying as viable using the weighting system.
- Discretionary projects which may result in substantial disruption of surrounding agricultural operations.

If a potentially significant impact is identified using these criteria, further more detailed, site-specific evaluation of agricultural impacts is completed in an EIR. This analysis should focus upon the factors and criteria, but not the points, in the weighting system of these guidelines, and any other relevant factors such as the history of agricultural use on the site, land use trends, etc. Final determination of the project's level of impact will be based on this analysis.

As a general guideline, an agricultural parcel of land should be considered to be viable if it is of sufficient size and capability to support an agricultural enterprise independent of any other parcel. To qualify as agriculturally viable, the area of land in question need only be of sufficient size and/or productive capability to be economically attractive to an agricultural lessee. This productivity standard should take into consideration the cultural practices and leasehold production units in the area, as well as soil type and water availability. For dry land farming and grazing operations the production or carrying capacity should be based upon normal rainfall years only, not periods of drought or heavy rainfall. It should be noted that the Santa Barbara County Cattlemen's Association has stated that an appropriate threshold for impacts to grazing land in the County is the displacement or division of land capable of sustaining between 25 to 30 animal units per year. This "threshold" utilizes a carrying capacity threshold similar to the weighting system below. Because of this, on grazing projects, detailed information of the number of animal units supportable on a particular parcel should also be considered in the project's environmental document.

The Agricultural Threshold is weighted toward physical environmental resources rather than economics. This emphasis is in keeping with CEQAs emphasis on physical environmental impacts and not social or economic impacts (State CEQA Guidelines Section 15131). Given high land values in the County and the subdivision and turnover of agricultural lands in some areas of the County, agricultural production on some lands may be economically marginal. Because of these factors, economics is considered primarily a planning issue and will not be addressed in environmental documents.

The following determination of agricultural land value is divided into nine components which are weighted according to their estimated resource value. These nine areas are:

|                     |                                |                                 |
|---------------------|--------------------------------|---------------------------------|
| Parcel size         | Agricultural Suitability       | Adjacent Land Uses              |
| Soil Classification | Existing & Historic Land Use   | Agricultural Preserve Potential |
| Water Availability  | Comprehensive Plan Designation | Combined Farming Operations     |

- 1. Parcel Size.** Large parcel size is, in general, an important indicator of potential agricultural suitability and productivity. However, because of the wide variability in the value of various agricultural products, suitable and productive parcel sizes also vary. Smaller parcels may be viable for high value crops, while significant acreage is necessary for viable grazing operations.

| Project Parcel Size               | Points Assigned |
|-----------------------------------|-----------------|
| less than 5 acres                 | 0 - 3           |
| 5 acres to less than 10 acres     | 4 - 6           |
| 10 acres to less than 40 acres    | 7 - 8           |
| 40 acres to less than 100 acres   | 9 - 10          |
| 100 acres to less than 500 acres  | 11 - 12         |
| 500 acres to less than 1000 acres | 13 - 14         |
| 1000 acres or greater             | 15              |

- 2. Soil Classification.** Points in this category are based primarily upon soil capability classes from the US Soil Conservation Services Soil Surveys.

The Soil Conservation Service has defined eight soil capability classes. Classes I and II are considered to be prime agricultural soils because they impose few limitations on agricultural production, and almost all crops can be grown successfully on these soils. More limited agricultural soils are grouped into Classes III and IV either because fewer crops can be grown on these soils, special conservation and production measures are required, or both these conditions exist. Classes V, VI, and VII include soils that are suited primarily for rangeland. (Class V is not found in the County.) Finally, soils and landforms that are unsuited for agricultural use are placed in Class VIII.

Where a variety of soil types are present on a site, weight should depend upon extent of useable prime/non-prime acreage. As appropriate, points may be assigned according to approximate percentages of site area containing various soil classifications.

Application of points within the ranges should be based on area and site-specific considerations. For grazing land, the SCS survey should be checked for opinion on soil suitability, and site vegetation should be inspected for forage value. Sites with soils which can support good forage should be assigned higher points within the range. Similarly, sites with soils classified as non-prime, but which can support specialized high cash crops (e.g., strawberries, avocados and specialty crops) should be assigned higher points within the

ranges.

In addition, initial studies should note whenever a site contains large, contiguous areas of prime soil, as this may constitute a separate significant impact.

| Soil Classification | Points Assigned |
|---------------------|-----------------|
| Class I (prime)     | 14 - 15         |
| Class II (prime)    | 11 - 13         |
| Class III           | 8 - 10          |
| Class IV            | 6 - 7           |
| Class V             | 1 - 5           |
| Class VI            | 1 - 5           |
| Class VII           | 1 - 5           |
| Class VIII          | 0               |

3. **Water Availability.** Availability of water of suitable quantity and quality is a critical component of agricultural suitability and productivity. Assignments of points within the ranges should take into account suitability of water resources for the type of agriculture practiced (i.e. crops or grazing).

| Water Availability  | Points Assigned |
|---|-----------------|
| Land has an adequate water supply from on/offsite sources suitable for crops or grazing   | 12 - 15         |
| Land has water, but may be marginal in quantity or quality suitable for crops or grazing  | 8 - 11          |
| Land does not have developed water supply but an adequate supply is potentially available | 3 - 7           |
| Land does not have developed water and potential sources are of poor quality/quantity     | 0 - 2           |

4. **Agricultural Suitability.** Based upon the Conservation Element of the Comprehensive Plan (p. 195) County lands were assessed and mapped for agricultural suitability classifications based on a computer model which applied weighted factors, including soil classification, water availability, slope, and environmental constraints (flood hazard, local water resources, biological tolerance-intensity, and high groundwater).

Because the Conservation Element does not fully account for the effects of weather on crop suitability, the assessment of suitability should account for the approximate frequency and intensity of frosts and other climactic factors in applying points within the ranges. Parcels which are relatively frost free and may accommodate multiple croppings may be considered more suitable than those which can support only a single crop or limited crop types due to climactic factors.

| Agricultural Suitability   | Points Assigned |
|--|-----------------|
| <b>CROPS</b>   |                 |
| Highly suitable for irrigated grain, truck and field, orchard, or vineyard crops             | 8 - 10          |
| Highly suitable for irrigated ornamentals, pasture, alfalfa, or dry farming                  | 6 - 8           |
| Moderately suitable for irrigated crops, orchard, ornamentals or dry farming                 | 4 - 5           |
| Low suitability for irrigated crops, orchard, ornamentals or dry farming                     | 1 - 3           |
| Unsuitable for crop production because of soil capabilities, environmental constraints, etc. | 0               |
| <b>GRAZING</b>   |                 |

|  |        |
|--|--------|
| Highly suitable for pasture or range     | 6 - 10 |
| Moderately suitable for pasture or range | 3 - 5  |
| Low suitability for pasture or range     | 1 - 2  |
| Unsuitable for pasture or range          | 0      |

5. **Existing and Historic Land Use.** Current or previous use of a property for agriculture can provide a practical measure of its suitability for agriculture, while urban development generally indicates a lack of suitability.

| Existing and Historic Land Use   | Points Assigned |
|--|-----------------|
| In active agricultural production  | 5               |
| In maintained range/pasture  | 5               |
| Unmaintained, but productive within last ten years   | 3 - 5           |
| Vacant land: fallow or never planted with range of suitabilities of agricultural potential | 1 - 3           |
| Substantial urban or agricultural industrial development onsite                            | 0               |

6. **Comprehensive Plan Designation.** The County general plan land use maps designate property for long-range uses. Agricultural and open space designations generally provide an indicator of agricultural suitability. However, some older land use designations provide for smaller agricultural parcel sizes than are suitable or viable for sustaining agriculture today. Designations applied more recently by the County as part of community plan updates establish agricultural designations with more realistic parcel sizes. This should be taken into account in assessing suitability with this factor.

| Comprehensive Plan Designation                   | Points Assigned |
|--|-----------------|
| A - II   | 5               |
| A-I  | 4               |
| MA   | 3 - 4           |
| Existing public/private open space or recreation | 3 - 4           |
| Proposed public/private open space or recreation | 3 - 4           |
| Open lands                                       | 3 - 4           |
| Rural residential 40 - 100 acres                 | 3 - 4           |
| Residential Ranchette 5 - 20 acres               | 2               |
| Residential less than 5 acres                    | 0               |
| Commercial, Industrial, Community Facility       | 0               |

7. **Adjacent Land Uses (existing).** Adjacent land uses can play an important role in the continuing suitability and productivity of a property for agricultural uses. In general, being surrounded by agricultural or open space is conducive to continued agricultural use, while encroachment of urban uses may be problematic. However, applying points within the ranges should be based on specific circumstances and uses, recognizing that some urban uses are more compatible with agricultural, (e.g., industrial, public facilities), while others conflict (e.g., residential). In addition, the existence or ability to create buffers between incompatible uses should be considered in assessing agricultural suitability with this factor. The adequacy of agricultural support in the vicinity may be another factor affecting agricultural suitability.

| <b>Adjacent Land Uses</b>   | <b>Points Assigned</b> |
|---|------------------------|
| Surrounded by agricultural operations or open space in a region with adequate support uses  | 9 - 10                 |
| Surrounded by agricultural operations or open space in a region without adequate agricultural support uses  | 7 - 8                  |
| Partially surrounded by agriculture/open space with some urban uses adjacent, in a region with adequate agricultural support uses <sup>1,2</sup>    | 7 - 8                  |
| Partially surrounded by agriculture/open space with some urban uses adjacent, in a region without adequate agricultural support uses <sup>1,2</sup> | 3 - 6                  |
| Immediately surrounded by urban uses, no buffers  | 0 - 2                  |

**Notes:**

1. Various types of urban uses create more potential conflicts than others (e.g., residential could create more spraying problems than light industrial).
2. If project is well buffered, it may be agriculturally viable even with adjacent urban uses (e.g., stream, roadway).

8. **Agricultural Preserve Potential.** Qualifying for agricultural preserve designation under State Williamson Act agreement for prime and non-prime preserves entails meeting criteria for soil type, parcel size [individually or jointly with adjacent parcel(s)], and/or productivity/value on return. Agricultural preserves have constituted one of the most successful means of sustaining and preserving land in agriculture in California.

| <b>Agricultural Preserve Potential</b>                                     | <b>Points Assigned</b> |
|--|------------------------|
| Can qualify for prime agricultural preserve by itself, or is in a preserve | 5 - 7                  |
| Can qualify for non-prime agricultural preserve by itself                  | 2 - 4                  |
| Can qualify for prime agricultural preserve with adjacent parcels          | 3 - 4                  |
| Can qualify for non-prime agricultural preserve with adjacent parcels      | 1 - 3                  |
| Cannot qualify   | 0                      |

9. **Combined Farming Operations<sup>1</sup>.** This section is designed to award bonus points to parcels which provide a component of a combined farming operation. The reason these points are assigned as a bonus is to address cumulative impacts and to recognize the importance of combined farming operations in Santa Barbara County.

| <b>Bonus Points for Combined Farming Operations</b>              | <b>Points Assigned</b> |
|--|------------------------|
| Provides a significant component of a combined farming operation | 5                      |
| Provides an important component of a combined farming operation  | 3                      |
| Provides a small component of a combined farming operation       | 1                      |
| No combined operation  | 0                      |
| Cannot qualify   | 0                      |

**E. Use of State Important Farmlands Map**

A second question on agricultural land resources is included in the Initial Study under Land Use:

<sup>1</sup> Combined farming operation refers to more than one separate parcel managed as a single agricultural operation.



“e. Will the proposal result in any effect [potentially significant adverse effect] upon any unique or other farmland of State or Local Importance?”

The State Important Farmlands Map is used in answering this question. The map is also considered in applying points under the "Agricultural Suitability" category.

The map identifies lands in the following categories:

**Prime Farmland** - (Land with the best combination of physical and chemical features for the production of agricultural crops)

**Farmland of Statewide Importance** - (Land with a good combination of physical and chemical features for the production of agricultural crops)

**Unique Farmland** - (Land of lesser quality soils used for the production of the State's leading agricultural cash crops)

**Farmland of Local Importance** - (All dry land farming area and permanent pasture)

**Grazing Land** - (Land on which the existing vegetation is suited to the grazing of livestock)

**Urban and Built-up Land** - (Land occupied by structures or infrastructure to accommodate a building density of at least one unit to one and one-half acres, or approximately six structures to ten acres)

**Other Land** - (Land which does not meet the criteria of any other category)

Comparison between Mission  
Oaks Ranch Project and Rancho  
La Laguna Project

**COMPARISON BETWEEN MISSION OAKS RANCH PROJECT  
(94-EIR-1A; TM 14,315)  
AND  
RANCHO LA LAGUNA PROJECT  
(16-EIR-01; TM 14,709)<sup>1</sup>**

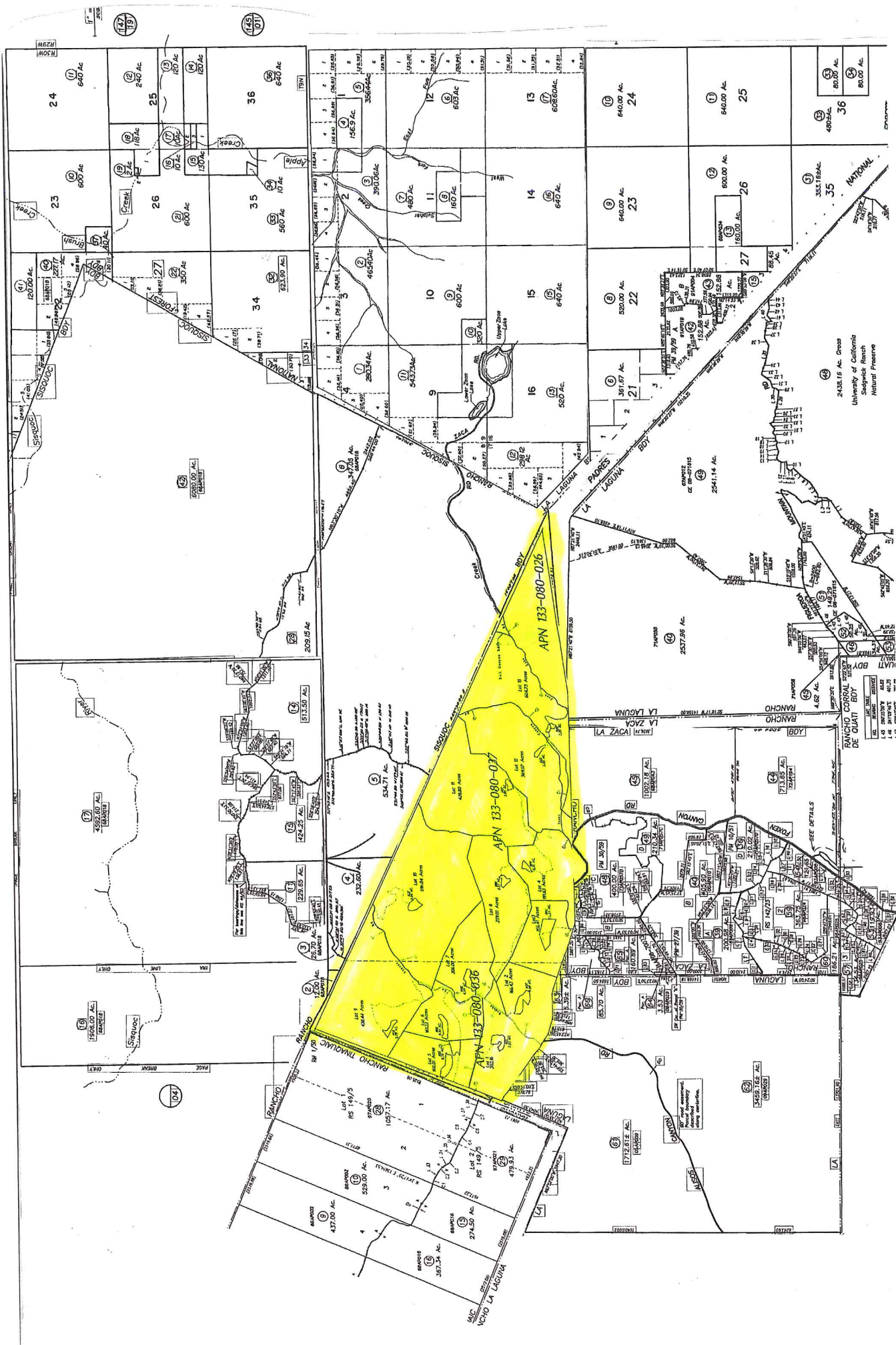
| ISSUE   | MISSION OAKS  | RANCHO LA LAGUNA  |
|---|---|---|
| Size  | 3877 acres  | 3950 acres  |
| Location  | Adjacent to Highway 101 and EDRN, 1 mile N of City of Buellton  | 7.5 miles from unincorporated communities of Los Olivos and Los Alamos  |
| Parcels proposed  | 31 (1 as HOA hdqtrs.)   | 13  |
| Zoning/Comp Plan Designations                                     | A-100 (Ord. 661)/Ag-II  | AG-II-100/AC  |
| Access  | Jonata Park Road and easement through private land from Highway 246   | Alisos Canyon/Foxen Canyon Roads  |
| RDE   | Varies, but only 2 ac. total for "owner" (non-ag) development allowed in RDE on all parcels except HOA lot (which would have manager's residence) | Varies, but only 2 ac. total for "owner" (non-ag) development allowed in RDE on ___ of the parcels                              |
| Common use easement (in addition to shared access roads) proposed | Portion of all lots subject to shared HOA easement for agricultural and biological resources  | None  |
| Parcel size range   | 101-244 acres   | 160-605 acres   |
| Historic agricultural uses  | Cattle grazing  | Cattle grazing and cultivated field crops   |
| Existing internal roads   | 2 main ranch roads + several unimproved roads proposed for pedestrian/equestrian trails   | Existing ranch road system will provide adequate access to all proposed parcels   |
| New shared roads proposed   | 6 new roads, 20 miles total   | None  |
| Existing structures   | None  | Manager's residence, 2 barns, garage, machine shop  |
| Existing water supply   | Offsite only – no well onsite   | 14 onsite wells, including with 2 capable of yielding over 1,000 gpm, 15 storage tanks used for irrigation and stock tank water |

<sup>1</sup> Information included in this table was taken from the EIRs for each project.

|                        |  |   |
|------------------------|--|---|
|                        |  | supplies.<br>Ag operations are served by shared water system.   |
| Proposed water supply  | Existing offsite well + new offsite well   | Ag water supply would continue to be existing shared water system.<br>Domestic water would be provided either by new shared water system or by individual private wells on each parcel, or a combination thereof. |
| Effluent disposal      | Individual onsite septic (each parcel)   | Individual onsite septic (each parcel)  |
| Class I impacts        | <p>4 total --</p> <p>Water resources – project water demands on overdrafted groundwater basin will exceed basin’s threshold.</p> <p>Biological resources – roads, utilities, trails, residences &amp; appurtenances would result in direct &amp; indirect loss and fragmentation of sensitive habitat, oak woodland significantly impacted, new road construction in blue line streams, development of 2/3 of lots would generate greatest impacts.</p> <p>Land use/agricultural resources – Road locations and some RDEs would hamper efficient movement of cattle and cattle movement would disrupt vehicular traffic and conflict with residential uses, anticipated conflicts among lot owners because of HOA operations and use of water rights, monetary and tax benefits, potential withdrawal of lots from HOA.</p> <p>Geological processes/drainage – 1/3 of lots have access roads that would result in unmitigable slope stability and erosion.</p> | None  |
| Aesthetic impacts from | 2/3 of RDEs would be visible   | None – potential Class II   |

|            |  |   |
|------------|--|---|
| residences | from near, middle, or distant public viewing locations, with several RDEs located on ridgelines. | impact if oak trees in some RDEs are removed. |
|------------|--|---|

Assessor's Parcel Map showing  
existing lot sizes surrounding  
Rancho La Laguna



000000'

24,928.15 Ac. Over  
University of California  
Sagehen Ranch  
Natural Preserve

RANCHO DE QUAI  
RANCHO PAJARES

CANYON  
LAGUNA

CREEK  
ROAD

RANCHO TIZOL

LA LAGUNA

LA LAGUNA

CANYON

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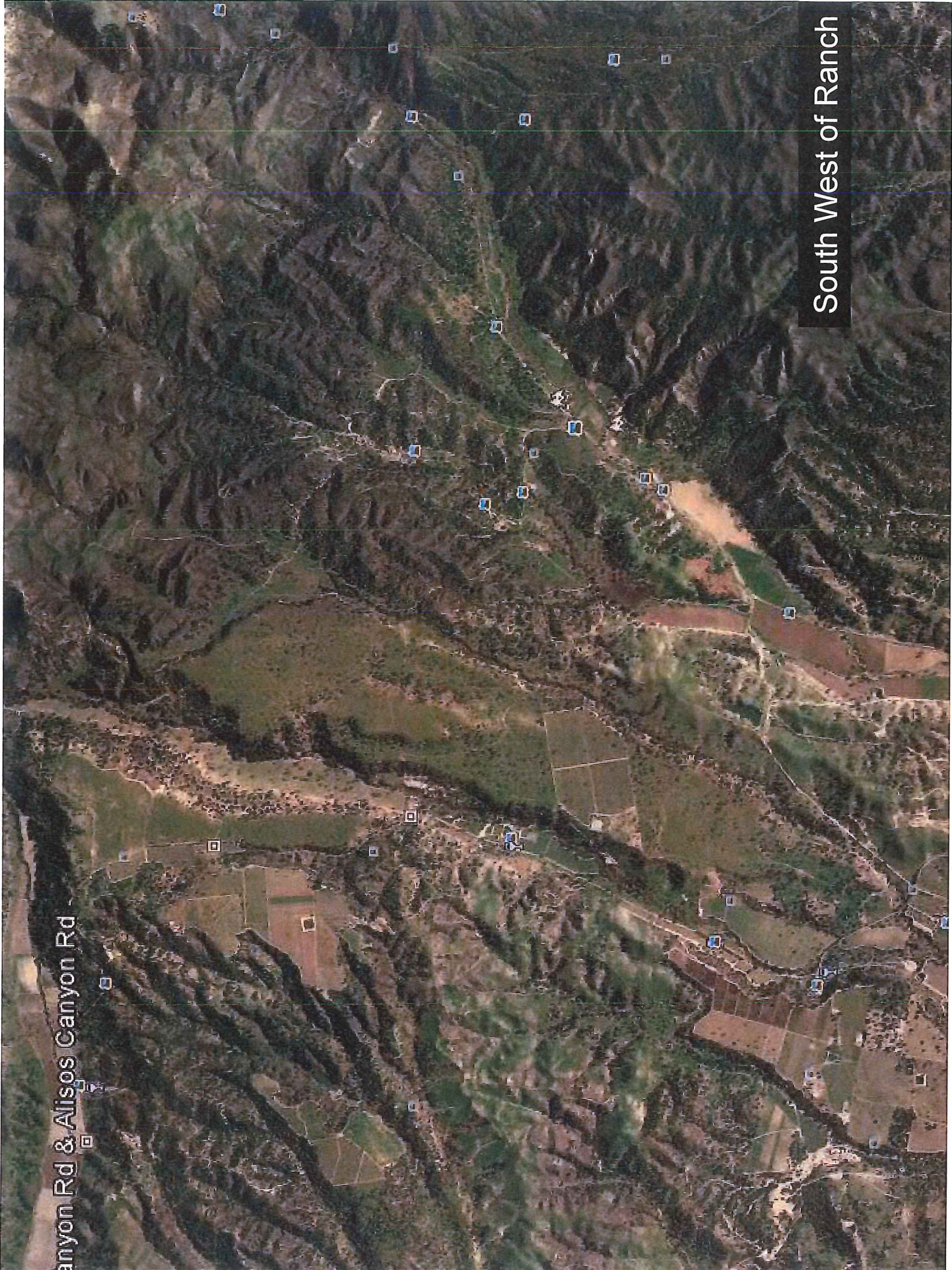
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Aerial photograph showing the  
many smaller lot sizes on ag  
land in the canyons



Canyon Rd & Alisos Canyon Rd



South West of Ranch

Response to County staff  
findings in support of project  
denial

## RESPONSE TO COUNTY STAFF'S FINDINGS FOR PROJECT DENIAL

There is no factual basis to support the findings prepared by staff. In fact, all of the factual evidence, including the Environmental Impact Report, supports approval of the project. Findings must be based upon facts in the record.

A denial of this project, because denial would not be based upon facts in the record, would be an abuse of discretion and arbitrary and capricious.

### **The Project Is Entirely Consistent with Applicable Provisions of the Comprehensive General Plan and Zoning Ordinances**

The project site comprises approximately 4,000 acres with a Comprehensive Plan designation of AC – Agriculture Commercial and A-II-100 (100 acre minimum parcel size).

The AC designation applies to “commercially farmed, privately owned land . . . which meets the following criteria:

1. The land is subject to a Williamson Act Contract, including contracts that have been non-renewed, or
2. Parcels forty (40) acres or greater, whether or not currently used for agriculture but otherwise eligible for Williamson Act Contract, may be included if they meet requirements of Uniform Rule No. 6.<sup>1</sup>

This category includes compatible land uses and land uses that are necessary and a part of agricultural operations.”

Compatible uses, as defined in the Uniform Rules, include all of the following:

Uniform Rule No. 1 states: “The Board of Supervisors recognizes the importance of providing housing opportunities on agricultural land enrolled in the Agricultural Preserve Program, in order to accommodate landowners and their agricultural employees,” The construction of an “owner’s residence” and the site therefor are limited to a maximum of two (2) acres of contiguous land.

Therefore, any attempt to characterize owner’s residence (and the building site for same) on any of the proposed Rancho La Laguna lots as being “urban” is inappropriate. The County already acknowledges that these are part of the agricultural operation.

The AG-II-100 zone district allows, in addition to agriculture, a single family dwelling (with a Land Use Permit), a guest house, and residential accessory uses and

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<sup>1</sup> Uniform Rule 6 (of the County Uniform Rules for Agricultural Preserves) provides the standards for terminating a Williamson Act (Agricultural Preserve) contract.

structures. Under the Zoning Ordinance, then, the owner's residence and associated development site is not an urban use – it is an allowed use in the agricultural zone.

**The Project Is Consistent with the Agricultural Element**

The Agricultural Element was developed and written at a time when urban subdivisions of small lots (7,000 square feet and less), shopping centers, and industrial uses were pushing relentlessly out from cities and townships and engulfing agricultural uses. Farmers were trying to farm immediately adjacent to the backyards of postage stamp residential lots or to operate their farm equipment on roads being used by commercial shoppers headed for the new shopping centers. That is what the Agricultural Element means when it uses terms like “urbanization” and “adverse urban influence.”

How do I know? Because I helped write the Agricultural Element and sat with farmers and ranchers in the Board of Supervisors hearing room, hammering out the final language of the Agricultural Element.

The attempt to hang most of the proposed findings for denial on the Agricultural Element is ill-advised and ignores the reality in agricultural land throughout the U.S., California, and Santa Barbara County – farmers and ranchers generally locate their homes close to the agricultural operation. For convenience (it's a very easy commute between home and work), for security (they and their families can watch the equipment, livestock, and fields to keep them safe from theft, vandalism, poaching, etc.) and out of preference (they like looking at the fields as they evolve from bare planted soil to a light green carpet, to lush vegetation loaded with produce). Yes, there is sometimes dust from plowing and odor from fertilizer. These are not city folks who site at desks all day in air conditioned offices, dressed in fine clothes. They spend most of their time outside working in the dust and odors that come with farming and ranching.

Pesticide/herbicide spraying is strictly regulated and monitored by the Agricultural Commissioner and by the farmers themselves. They aren't going to spray chemicals in a manner that will damage their yard vegetation or their families.

There simply is no factual basis for the “concern” that residences in the general vicinity of farm fields will conflict with the farming operation. We enclose aerial photographs taken of farms in the heart of the vegetable growing portions of the County. The residences that you see in these are located within 10-20 feet of the farm fields. This is the norm!

**The Findings Are Inconsistent with the Environmental Impact Report**

The findings conclude, with no evidence whatsoever in the EIR or elsewhere in the record, that future residences on the proposed lots “has the potential to create conflicts between the existing agricultural operations and future residential uses.” This “potential”

The findings also conclude that the project will not assure and enhance agriculture because of the alleged proximity of RDE's to agricultural cultivation on Los 1-3, 4, 7, 12 and 13. The RDE's originally proposed for these parcels are of the following sizes, respectively<sup>2</sup>:

Lot 1 – 7.2 acres

Lot 2 – 9.6 acres

Lot 3 – 15.2 acres

Lot 4 – 2.7 acres

Lot 7 – 7.0 acres

Lot 12 – 2.6 acres

Lot 13 – 2.3 acres

These RDE's are of ample size, and of adequate setback from the fields, for an owner to avoid plopping the house right next to the cultivation activity. Landowners generally place landscaping around their houses as well, so landscaping screening can provide an additional barrier between residence and field.

The findings also conclude that the division of the ranch into thirteen lots would not assure and enhance agricultural operations on the site. The EIR states to the contrary. So does the agricultural analysis prepared by agricultural consultant Orrin Sage and referenced in the EIR. Both conclude that every one of the proposed parcels is agriculturally viable as a stand-alone unit.

But, there is more. Orrin Sage reviewed the points allocated by County staff for the Mitigated Negative Declaration and, in the attached letter dated July 13, 2010, pointed out a number of errors in the staff's application of the Environmental Thresholds test for agricultural viability. His comments didn't change staff's analysis and the EIR author took matters even further and docked proposed lots additional points. Orrin Sage's points are valid. For example, he points out that the County docked points from all lots without wells in complete disregard for the fact that all of the proposed lots will share the established irrigation system, which includes two (2) high-producing wells and eight (8) 10,000 gallon storage tanks. Sage's letter also points out an error in the interpretation of the category for "Agricultural Preserve Potential." Note that the term applies to potential, not actual, ag preserve status. Yet, both the County and the EIR writer knocked off points because these highly productive parcels are not currently subject to Williamson Act contracts. So, even with the most conservative approach possible to the Agricultural Viability analysis, the EIR, the County staff, and Orrin Sage all concluded that the proposed lots passed the County's Agricultural Viability test.

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<sup>2</sup> The applicants have offered to agree to a condition that, despite the RDE size analyzed in the EIR, none of the actual development envelope on the proposed lots would exceed 5 acres.

The findings also suggest that the proposed parcels are significantly smaller than surrounding parcels. That is flatly untrue. We attach a map of the proposed parcels inserted into the Assessor's maps for surrounding parcels. The proposed parcels fit well into this setting and are consistent with land divisions and parcel sizes on surrounding properties. Some are larger and some are smaller, but the proposed parcels fit seamlessly into the mix.

That's the point. All of the evidence in the record leads to the irrefutable conclusion that the proposed lots will perpetuate agriculture and will be agriculturally viable as independent units, and the impact of the potential residences will be a Class III impact – Less than Significant.

### **Findings in Comprehensive Plan Consistency Table**

**Finding --** *“The proposed project has the potential to create conflicts between the existing agricultural operations and future residential uses which would be developed on the new lots.”*

There is no factual basis for this finding. The findings must be based upon facts in the record, not conjecture. This is pure conjecture and does not provide a basis for a finding supportable under the law.

**Finding –** *“According to the . . . Agricultural Element, adverse urban influences to agriculture include conflicts between urban and agricultural uses. These conflicts could occur as a result of the future development of residential structures and uses within RDE's that are located adjacent to areas of the site which have been historically utilized for agricultural cultivation.”*

As noted above, under the Agricultural Element, the County Uniform Rules for Agricultural Preserves and the County Zoning Ordinance, the owner dwelling that can be constructed within the RDE for each proposed lot is part of the agricultural use. It is not an urban use. Also as noted above, the RDE's are sited and sized to provide ample opportunity for the owner's residence to be a reasonable distance from the cultivated fields, but there is no reason to assume that owners would want to have their homes far from the fields. The mere presence of a nearby home discourages vandals, thieves, and poachers. That is the reason why you see so many houses located within a few feet of the farm fields – it's practical and convenient.

**Finding --** *“Future residential development and uses located in such close proximity to cultivated agriculture would create conflicts between the two uses, as the common nuisances associated with cultivated agriculture (e.g., pesticides, noise, dust, odors, etc.) would be experienced by residents living in these areas.”*

The “residents living in these areas” are the owners of the agriculture that yields the substantial profits that allow the owners to continue to live on the land. There is no factual basis for contending that the farmer/rancher live on agricultural property but be bothered by the agriculture that provides much or all of the family income. There is

simply no factual basis for this contention. As such, the finding is without substance and cannot provide a basis for denial of the project.

***Finding -- "These types of conflicts could lead to adverse modifications or reductions in the existing agricultural operations on the site which would violate the integrity and discourage the expansion of the existing agricultural operations on the project site."***

There is no factual basis for contending that someone would choose to buy and live on agricultural property with cultivated fields then decide that he/she is so bothered by the agricultural operation that yields sizeable profits to him/her that he/she terminates or reduces the cultivated area. The attached aerial photographs demonstrate why such a suggestion, with no factual basis, is absurd. There simply is no basis for this finding. It is based solely upon very misplaced conjecture. Not facts or reality.

***Finding -- "The proposed subdivision would not assure and enhance the existing agricultural operations on the site since these operations would be separated onto smaller lots which may be owned and operated by separate property owners."***

As noted in the EIR, the cultivated fields already are operated by different lessees. A locating these fields on different legal parcels will have no impact at all on their viability. Also as noted in the EIR, all of the different cultivated fields, as well as all of the different livestock grazing pastures, enjoy water service from the existing shared irrigation system. They all will continue to be served in the same manner after the land division, so nothing will change in regard to water delivery. The separation of the ag lands into smaller lots will not significantly impact agricultural viability of this ranch. That is supported by analyses conducted by Orrin Sage, County Staff, and the EIR consultant. That is the sole evidence in the record. There is no evidence in the record to support this proposed finding. It is baseless.

***Finding -- "In addition, the acreages proposed for lots 1, 2, 5, 6, 12 and 13 are significantly smaller and are not consistent with the acreages of the surrounding adjacent parcels . . . ."***

As noted above, and as demonstrated by the attached map, this finding is untrue and unsupported by the record. Furthermore, it is not a violation of the Agricultural Element to divide agricultural land into smaller parcels **provided the resulting parcels all are agriculturally viable independently**. The Agricultural Element foresaw land division. The Uniform Rules allow for land division, provided the resulting parcels are eligible for Agricultural Preserve status. The EIR and County staff – and the Agricultural Preserve Advisory Committee – have concluded that all of the proposed lots will be eligible for Williamson Act contracts. This finding is contrary to the evidence in the record and does not support denial of the project.

***Finding -- "Installing utilities such as the proposed State Small Water System, as well as access roads to serve each of the new lots, may lead to additional development in this rural area since it would remove the impediments to growth which are currently in place (lack of utilities and access. The removal of these impediments could also***

*encourage further subdivision of agriculturally zoned land located adjacent to the project site due to its perceived subdivided value.”*

This finding also is contrary to the evidence in the record. The only “through roads” indicated in this project (i.e., roads that could or would extend into neighboring parcels) already exist and they already serve neighboring parcels. No new roads are proposed that could conceivably provide access to neighboring lands. The utility lines (other than the waterlines) already exist. The project would necessitate some internal extensions, but the utility lines exist regardless of the land division. The domestic shared water system is sized only for the proposed parcels and may never be constructed because the project allows the individual lots to be served by individual wells. The agricultural irrigation system already exists but is not designed to serve neighboring parcels. In any event, the agricultural irrigation system is not a part of this project. It is pre-existing and part of the baseline. In short, the proposed new infrastructure is localized to this ranch and isn’t designed or located to serve offsite properties. It has no growth inducement potential. The mere land division of the parcel into 13 lots sets no precedent that would spark a rash of new subdivisions, as the finding suggests. The evidence in the record is that there has been a great deal of division of the original ranchos into smaller parcels, but the agricultural continues on those parcels. This project doesn’t set a precedent – it reflects a pattern of land division that has occurred over the decades at a very slow rate. In short, this finding is unsupported by the evidence in the record.

***Finding -- “According to the Santa Barbara County Comprehensive Plan Open Space Element, subdividing larger ranches into smaller lots raises surrounding land values and taxes to levels which make it difficult to preserve agriculture in the County. The increased land values resulting from the proposed subdivision may lead to an increase in the speculative value of adjacent agricultural lands based on the perceived subdivision value making it less economically viable for agricultural uses.”***

This finding heaps conjecture upon conjecture and is based on outdated statements in the Open Space Element, which was adopted in 1979 and republished in 2009 (not revised, just republished). The Open Space Element has antiquated language regarding escalating taxes (now held in check by Proposition 13) and high value agricultural land steadily becoming less economic because of those taxes. We reviewed the Open Space Element several times and never found the language alleged in the finding. For example, the Open Space Element (p. 10) discusses the “constant threat” of development pressures on agriculture, stating, “Most vulnerable are farm operations that have low or declining profit margins, especially when this results from the land being assessed for its development potential rather than its agricultural yield.”<sup>3</sup> Those statements no longer are valid and Rancho La Laguna is not close to an urban center in any event. The concept of growth inducement as a result of this project is

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<sup>3</sup> Prior to adoption of Proposition 13 by California voters, land in the County of Santa Barbara was assessed every few years based upon current opinions of value. As a result, many elderly people had to sell their homes because of rising taxes and agricultural land, particularly close to urban limit lines, were taxed at extraordinarily high rates, putting cattle ranching and similar low-yield operations in jeopardy.



laughable when one considers that staff was unable to find another comparable project in recent history. The only two remotely similar projects were, respectively in the mid-1980's (Rancho Saguario) and mid-1990's (Mission Oaks Ranch). There have been none since. In short, there is not factual basis for this finding – it is based upon speculation based upon a factual setting that no longer exists.

***Finding -- “According to the Agricultural Element, once the economic viability for agricultural uses on agricultural land is lost, there is inherently increased pressure for further divisions of the property and ultimate conversion of the agricultural land to urban uses. Therefore, the proposed project would not be consistent with these Agricultural Element goals and policies.”***

This finding grossly distorts what the Agricultural Element actually says. Recall that the farmers and ranchers who wrote the Agricultural Element and presented it to the Board of Supervisors, where the language was refined but not changed from its original meaning and intent, looked to the County to stop impeding their operations, to stop allowing urban areas to spill onto agricultural lands and conflict with neighboring ag operations, to stop listening to complaining urbanites who didn't like the dust, noise, smoke, and odors emanating from neighboring ag lands, and to start adopting programs and policies that actually would make it easier to conduct agricultural operations in the County.

As a consequence, Goal I and its implementing policies call for the County to assure and enhance continuation of agriculture by encouraging it and supporting its expansion and intensification (the Board of Supervisors added the qualifying language, “taking into account environmental impacts”). The first implementing policy was intended to rein in the County's practice of requiring public trails as a condition on virtually every permit issued for ag land.

Goal II requires that agricultural lands be protected from adverse urban influence. This goal addressed the gradual urbanization extending out from the cities and townships. It does not prohibit or even address land divisions on ag lands.

Goal III takes into account the reality that some ag land is located within a city's sphere of influence, so some expansion of urban development into ag land was inevitable. But, if development was to extend out from the existing urban area, it had to be done in a way that it didn't compromise neighboring agriculture.

Goals IV and V address the need to provide accommodation in the County's regulations to let farmers and ranchers use controlled burns and grading to protect their operations from fire, and would allow supportive uses (e.g., farm stands, processing facilities and coolers) near the farms, not solely in industrial areas around the cities.

Goal VI addressed the County's neglect of the rural roads.

Nothing in the Agricultural Element uses the language in, or expresses the meaning of, this proposed finding.

### **Analysis of Specific Proposed Findings – Attachment A to Staff Findings**

2.1.4 – because this finding is based upon the false premise that the project is inconsistent with the Agricultural Element, it likewise is false and without any factual basis. Full analysis of the project consistency with the Agricultural Element, and the erroneous conclusion that the project is inconsistent with the Agricultural Element, is set forth above.

2.2.A.2 -- because this finding is based upon the false premise that the project is inconsistent with the Agricultural Element, it likewise is false and without any factual basis. Full analysis of the project consistency with the Agricultural Element, and the erroneous conclusion that the project is inconsistent with the Agricultural Element, is set forth above.

2.2.A.3.a -- because this finding is based upon the false premise that the project is inconsistent with the Agricultural Element, it likewise is false and without any factual basis. Full analysis of the project consistency with the Agricultural Element, and the erroneous conclusion that the project is inconsistent with the Agricultural Element, is set forth above.

2.2.A.3.e – this finding is not supported by any evidence in the record and, in fact, is contrary to the uncontroverted evidence in the EIR that the RDE's, utilities, driveways and road widening will not significantly fragment habitats and impact wildlife corridors. Full analysis of the project consistency with the Agricultural Element, and the erroneous conclusion that the project is inconsistent with the Agricultural Element, is set forth above.

2.3.B -- because this finding is based upon the false premise that the project is inconsistent with the Agricultural Element, it likewise is false and without any factual basis. Full analysis of the project consistency with the Agricultural Element, and the erroneous conclusion that the project is inconsistent with the Agricultural Element, is set forth above.

### **Conclusion**

The key to the findings upon which the Planning Commission based its denial of this project is the issue of agricultural viability. The project EIR notes (p. 4.2-1) that agricultural values in the County have grown steadily since 2002 – nearly doubling in that time. Acres of harvested crops across the County increased by 3,755 acres between 2012 and 2013. Rancho La Laguna played a role in the increase in cultivated agriculture and in the dollar yield from livestock sales. The applicants purchased a ranch that was in serious decline and turned it into a highly productive agricultural enterprise, with over 500 acres of cultivated crops and a high quality, healthy cattle herd.

The EIR includes an exceedingly conservative analysis of the factors that the County uses to determine agricultural viability, yet all of the proposed parcels passed

this exacting test and are agriculturally viable as stand-alone operations. The EIR also determines that the impact of development of the proposed RDE's is Class III – less than significant – despite the EIR's assumption that the RDE's would be filled from boundary to boundary with development.

The proposed lot sizes exceed the minimum required by the agricultural zoning.

The project is consistent with all Comprehensive Plan policies and includes an innovative and effective mitigation plan – a plan based upon adaptive management principles.

Although CEQA requires that the potential impacts of a project be based upon conditions that existed at the time of the Notice of Preparation of the environmental document (“baseline”), this EIR goes further. It takes into account the changing environmental conditions and including mitigation measures based upon current conditions AND future changes in those conditions. In so doing, the mitigation measures require that the actual conditions in the field at the time of a project-related earth disturbance be assessed and mitigated. So, if there is no badger den in or near an RDE today, but one occurs in the future, the mitigation measures require that it be avoided or, if avoidance isn't possible, that steps be taken to avoid potentially significant environmental impacts *on the environment as it stands at the time of proposed disturbance*. I am unaware of any other project conditions that have so completely incorporated the concept of adaptive management.

This project complies with the County's Comprehensive Plan and Zoning Ordinance. The mitigation measures are substantial, in fact superlative.

Although the Commission has discretion in approving subdivision projects, that discretion must be exercised reasonably. There must be a firm factual basis for findings made and findings cannot be based on untrue or improper interpretations and characterizations of laws and policies.

There is no basis for denying this project. To do so would be arbitrary and capricious under the law. Rancho La Laguna is not public property. It is private property and, if consistent with the law, the owners have a constitutional right to divide it if they so desire. There must be a sound basis for denying them that right. The findings that your Commission has received do not provide a sound basis for denial – that task is impossible to achieve because there is no evidence to support the decision. We urge your Commission to approve this project. Attached are the findings in support of approval prepared by County staff. They **are** supported by the evidentiary record and by the law.

Minutes of County Agricultural  
Preserve Advisory Committee  
hearing of 10/8/2008

# ATTACHMENT G

AGRICULTURAL PRESERVE ADVISORY COMMITTEE APPROVED MINUTES  
Meeting of October 3, 2008  
Page 2

**ACTION:** Emmons moved, seconded by Karamitsos, and carried by a vote of 4 to 0 to find this item consistent with the Uniform Rules.

2. 86-AP-043 Jones Ag Preserve Replacement Contract #2 Santa Ynez  
08AGP-00000-00036 Florence Trotter-Cadena, Planner (805) 934-6253

Consider the request of Patricia Beltranena, agent for the owner, Ludlow Westerly LLC, of Case No. 08AGP-00000-00036 regarding a replacement contract for 86-AP-043, which is currently in non-renewal and its consistency with the Uniform Rules. The property is 78.53 acres identified as Assessor's Parcel Number 141-080-011 zoned AG-II-100 with an AC Comprehensive Plan designation located approximately 2,960 feet northeast of the intersection of Happy Canyon Road and Alisos Avenue in the Santa Ynez area, Third Supervisorial District.

**ACTION:** Emmons moved, seconded by Karamitsos, and carried by a vote of 4 to 0 to continue this item to the November meeting, to allow the applicant to provide additional information on any future plans to plant additional crops or environmental constraints that would not allow this parcel to meet the 50% minimum productive acreage requirement.

3. 75-AP-012 Orp Limited New Ag Preserve Contract Summerland  
08AGP-00000-00037 Sarah Clark, Planner (805) 568-2059

Consider the request of Jane Gray, Dudek, agent for the owner, Orp Ltd., of Case No. 08AGP-00000-00037 regarding assumption of the existing Ag Preserve contract 75-AP-012 which is in non-renewal, application for a new Ag Preserve contract for Orp Ltd. and its consistency with the Uniform Rules. The property is 84.51 acres identified as Assessor's Parcel Number 005-080-017, zoned AG-I-20 with an A-I-20 Comprehensive Plan designation located at 370 Ortega Ridge Road in the Summerland area, First Supervisorial District.

**ACTION:** Emmons moved, seconded by Karamitsos, and carried by a vote of 4 to 0 to find this item consistent with the Uniform Rules.

➤ County Counsel informed the agent that they were seeking a replacement contract.

4. 67-AP-003B Rancho La Laguna Tentative Tract Map Santa Ynez  
06TRM-00000-00002 Brian Tetley, Planner (805) 934-6589

Consider the request of Patricia Beltranena, agent for the owners, Charles Roven and Leo A. Hanly, of Case No. 06TRM-00000-00002 regarding the subdivision of an existing lot into 13 lots and its consistency with the Uniform Rules. The property is 3,950.75 acres identified as Assessor's Parcel Numbers 133-080-026, 133-080-036 and 133-080-037 (portion of), zoned AG-II-100 with an AC Comprehensive Plan designation located at the Foxen Canyon Road and Alisos Canyon Road intersections, known as 10550 Foxen Canyon Road in the Santa Ynez area, Third and Fifth Supervisorial District.

**ACTION:** Emmons moved, seconded by Karamitsos, and carried by a vote of 4 to 0 to find this item consistent with the Uniform Rules.

## VI. DISCUSSION ITEMS:

5. Mosby Ag Preserve Contract Los Alamos

Request of Gary and Patrice Mosby for information regarding putting their property in Ag Preserve. The property involves Assessor's Parcel Number 099-020-10, 18 acres currently zoned AG-II-100 with an A-II Comprehensive Plan designation. The property is located 2.1 miles east of Harris Grade on Highway 135, north of Highway 135, in the Los Alamos area, Fourth Supervisorial District.

# County Fire Department Private Road Standards

# PRIVATE ROAD AND DRIVEWAY STANDARDS

## Development Standard #1

### I. DRIVEWAYS

- A. DEFINITION: Driveway - A private right-of-way that provides the principal means of vehicular access from a public right-of-way to four or fewer parcels.
1. A driveway serving residences on one parcel shall have a minimum width of 12 ft. See example on Page 8.
  2. A driveway serving residences on two parcels shall have a minimum width of 16 ft. See example on Page 8.
  3. A driveway serving residences on three to four parcels shall have a minimum width of 20 ft. See example on Page 8.
  4. Access for five or more parcels shall meet Private Road Standards.
  5. 12 ft wide and 16 ft wide driveway sections in excess of 500 ft shall have turnouts approximately every 500 ft. Line of sight issues, topography, or physical constraints may indicate shorter or longer intervals. Driveway dimensions at turnout locations shall be 22 ft wide by 50 ft long inclusive of the driveway. See example on Page 7.
- B. Approved turnaround (large enough to accommodate fire trucks) shall be required for driveways longer than 150 ft. See examples on Pages 9 and 10 (CFC 503.2.5).
1. Turnarounds must not exceed 5% in slope.
- C. Minimum dimensions for driveway switchbacks shall conform to example as shown on Page 11. (CFC 503.2.4)
- D. Driveways may require civil engineering design and certification as deemed necessary on a case-by-case basis.
- E. The minimum standard structural section for an all-weather driveway is 6 in. of Class II Aggregate Base (95% relative compaction) (Cal-Trans specifications) over 6 in. of compacted sub-grade soil (95% relative compaction), with adequate drainage control.

NOTE: Multi-family development projects may have additional requirements beyond what is in this standard.

II. PRIVATE ROAD

This section applies to access roads serving residences on five or more parcels.

A private road is a road over which the County has no maintenance responsibilities. The private road may be located in either a publicly or privately owned easement.

NOTE: Developments that require multiple access roads shall comply with the "ACCESS ROAD" DEFINITION. All required access roads shall be able to be used routinely for access into and out of an area.

A. DEFINITIONS:

1. PRIVATE ROAD: A street which is not a public road and does not meet the definition of a driveway.
2. ACCESS ROAD: A private or public road (but not a driveway) used routinely for access into and out of an area for the public and for emergency equipment.

Planned Unit Development of 30 homes or more located in High Fire Hazard areas are required to have multiple access roads.

NOTE: For Planned Unit Developments, road widths shall be established as outlined in the Santa Barbara County Engineering Design Standards Manual.

3. ALTERNATE ACCESS ROAD: An alternate access road provided for the public and for emergency equipment, to be used only when the primary access point is impaired by vehicle congestion or other emergency conditions.

Construction standards for an alternate access road shall be the same as those for primary access roads except that the width for the alternate access road need not exceed 24 feet when there is no on-street parking.

NOTE: The use of alternate access must be approved by the Fire Chief or designee.

4. EMERGENCY ACCESS: An access that does not serve buildings and is being provided for emergency vehicles only, such as access into wildland areas. This type of access is not intended for public use.

B. Access roads serving residences on five or more parcels shall have a minimum width of 24 ft.

C. All access roads shall require civil engineering design and certifications.



- D. All dead-end access roads shall terminate with either a 40 ft or 48 ft radius bulb turnaround or as approved by the Fire Chief or designee. See examples on Pages 14 and 15 (CFC 503.2.5).
- E. Two separate and approved access roads (not alternate access) shall be provided when it is determined by the Fire Chief that access by a single road, in excess of 600 ft, might be impaired by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access (CFC Appendix D107.1 & 503.1.2)
- F. Minimum curve radius for access roads is 50 ft from centerline.

### III. GENERAL REQUIREMENTS FOR DRIVEWAYS AND PRIVATE ROADS

Fire department access ways shall be provided and maintained in accordance with the California Fire Code (CFC) and as provided herein.

- A. Adhere to all Santa Barbara County Public Works and Flood Control grading and drainage requirements.
- B. The minimum standard structural section shall be designed and constructed to be capable of supporting a 20-ton vehicle. (CFC 503.2.3)
- C. A minimum easement shall be provided sufficient to provide appropriate shoulders.
  - 1. 2 foot minimum shoulders on both sides of the paved roadway shall be required unless waived by the Fire Chief or designee.
- D. The standard structural section per Santa Barbara County Public Works, Road Division, may be modified by engineering design or certifications.
- E. Surface Standards (CFC 503.2.3)

Paving is defined as:

- 1. Asphaltic concrete pavement
- 2. Poured concrete
- 3. Chip seal, allowable for grades less than 10%
- 4. Interlocking pavers over approved compacted sub-grade

NOTE: "Grass-Crete" or "Turf Block" is not an acceptable method of paving on an access road but may be authorized for a driveway on a case-by-case basis.

- F. An approved all-weather road surface is allowed where grades do not exceed 10% on driveways and private roadways.
- G. An approved all-weather road / driveway surface is defined as: Suitable aggregate material over compacted subgrade soil.
- H. Paving as defined in III.E. is required on road grades exceeding 10% in slope. A minimum of 2-1/2 in. of asphalt concrete pavement shall be provided over Class II aggregate base, or alternative, as approved.
- I. Maximum allowed grade shall not exceed 15% unless approved by the Fire Chief or designee. Gradients up to 20% may be allowed with extenuating circumstances. Any gradient approved above 15% in slope must consist of a concrete structural section designed by a civil engineer. At no time shall any Fire Department access exceed 20% in slope.
- J. Angles of approach and departure shall be less than 12 degrees combined, e.g., driveway encroachments, drainage crossings.
- K. Minimum access road widths of 24 ft provided in this standard assume no parking on either side of the roadway. Minimum access road width with parking on one side is 28 ft, curb face to curb face. Minimum access road width for parking on both sides of road is 36 ft, curb face to curb face. See examples on Page 16. (Parking Lane = 8 ft)
- L. No stopping fire lane signage, red curbs, stenciling of "FIRE LANE" and striping may be required. See Pages 17 and 18. (CFC Appendix D103.6) (California Vehicle Code, Section 22500.1)
- M. Access
  1. The furthest projection of the exterior wall of a building shall be accessible from within 150 ft of a public or private road or private driveway as measured by an unobstructed route around the exterior of the building. (CFC 503.1.1)
  2. Gated access shall be provided with an approved Fire Department locking system. Minimum clear width of gate opening shall be the same as required of the road served. Please refer to Santa Barbara County Fire Department Development Standard #7. (CFC 503.6)

3. All weather access shall be provided prior to construction of structure. A fire engine must be able to access the building site during construction. (CFC 501-4)
  - a. **Bridges, culverts, cattle guards serving driveways** shall be constructed and maintained in accordance with AASHTO HB-17 (Standard Specification for Highway Bridges) or Standard Cal Trans Bridge Design Specifications and shall have a minimum H-20 rated capacity (refer to Page 12); certified by a registered structural engineer. Capacity shall be posted at bridge approaches. A copy of such certification shall be on file with the Fire Department. Minimum clear width of bridge shall be the same as required of the driveway served unless waived by the Fire Chief or designee. See example on Page 12. (CFC 503.2.6)
  - b. **Bridges, culverts and cattle guards serving roadways** shall be constructed and maintained in accordance with AASHTO HB-17 (Standard Specification for Highway Bridges) or Standard Cal Trans Bridge Design Specifications and shall have a minimum HS-20 rated capacity (refer to Page 13); certified by a registered structural engineer. Capacity shall be posted at bridge approaches. A copy of such certification shall be on file with the Fire Department. Minimum clear width of bridge shall be the same as required of the road served unless waived by the Fire Chief or designee. See Example on Page 13. (CFC 503-2.6)

#### N. Vegetation Clearance

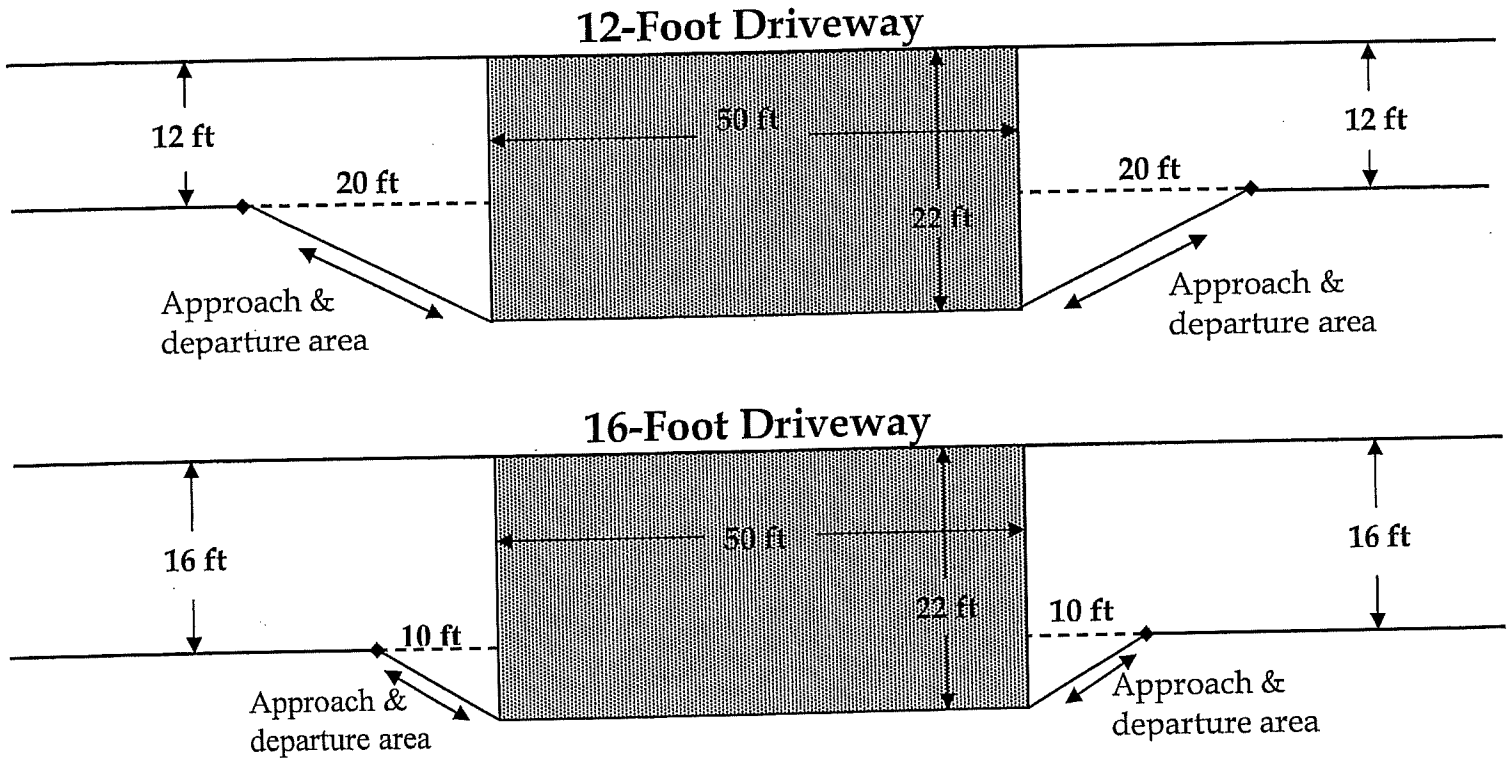
1. Vertical clearance of 13 ft 6 in. shall be maintained. (CFC 503.2.1)
2. Horizontal clearance of up to 10 ft on each side of the driveway or private road shall be maintained as required by the Fire Chief or his designee.
3. Additional clearance may be required in high fire hazard areas.

#### O. Street Name Signs and Building Addressing

1. Street signs shall be installed on private roads. (CFC 503.3)
2. Address numbers shall be installed on the residence prior to occupancy. (CFC 505.1)
3. Residential addresses must be a minimum of 3 in. high on a contrasting background. (County Code, Chapter 15)

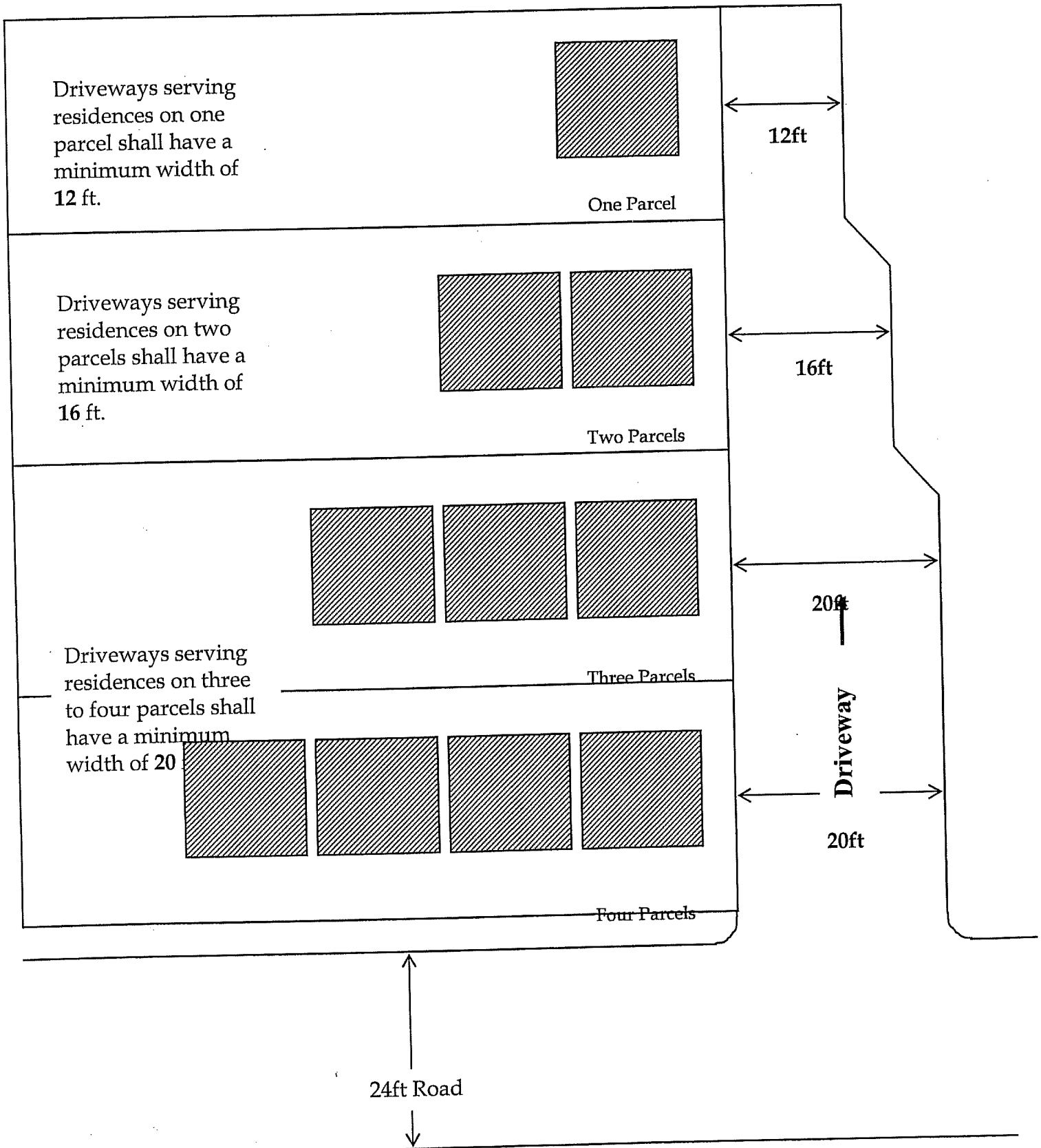
4. Commercial addresses must be a minimum of 6 in. high on a contrasting background. (County Code, Chapter 15)
  5. Addresses must be readily visible from the street or private road. At road forks or down long driveways, it must be obvious to any emergency vehicle where the house is located by direction and numerical signs. (CFC 505.1)
  6. Addresses are assigned by the Fire Department.
- P. Individual review of each proposed road section may disclose that a higher standard of design is warranted by potential future or additional use of the road section or by the existence of special circumstances. (CFC 503.2.2)
- Q. The Fire Chief or designee is authorized to approve alternate materials or methods provided the Fire Chief or designee find the proposed design, use or operation satisfactorily complies with the intent of the California Fire Code and the method of work performed or operation is for the purpose intended, at least equivalent to that prescribed in this standard in quality, strength, effectiveness, fire resistance, durability and safety.

### Turnout Examples for 12-Foot and 16-Foot Driveways



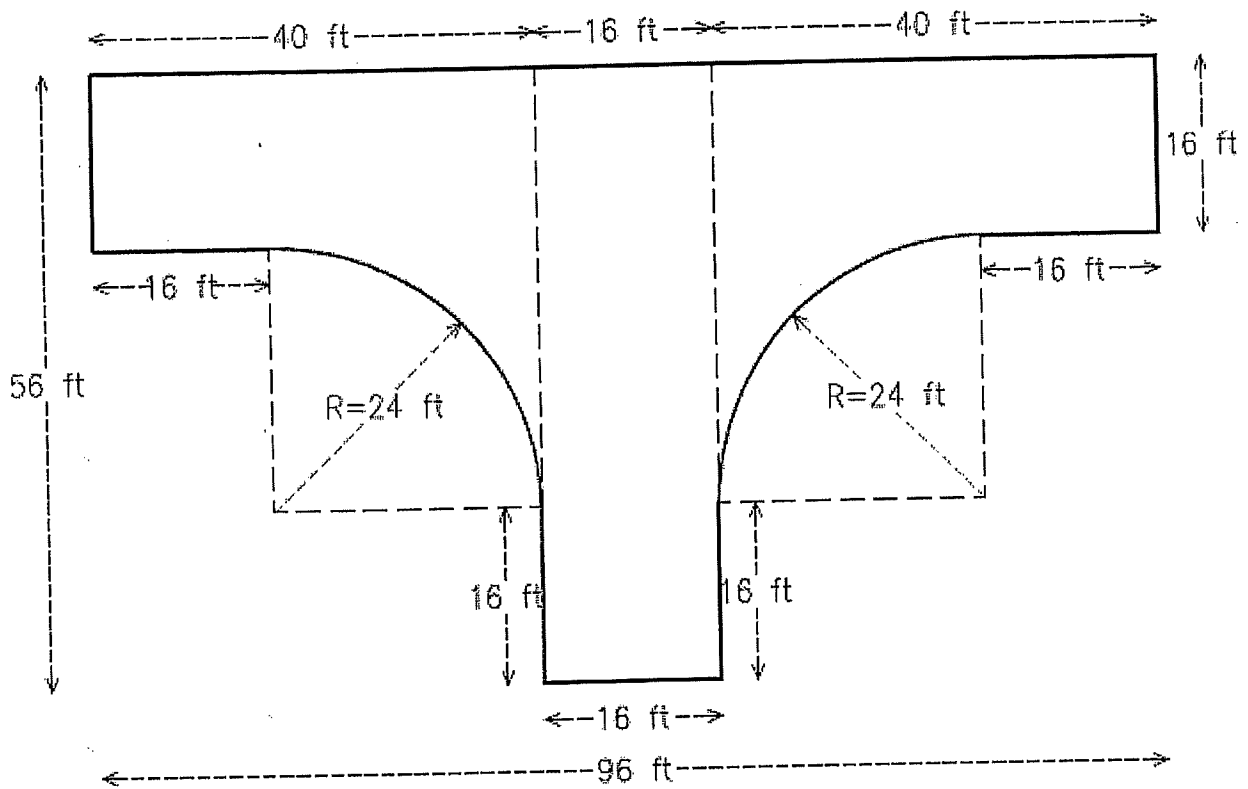
**\*\*\*Required length of turnout area does not include approach and departure areas.**

### Minimum Widths for Driveways Serving Residences From One to Four Parcels

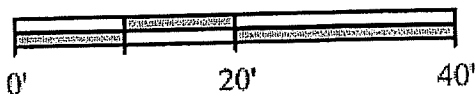


# Option 1

## Hammerhead Style Turnaround For Driveways

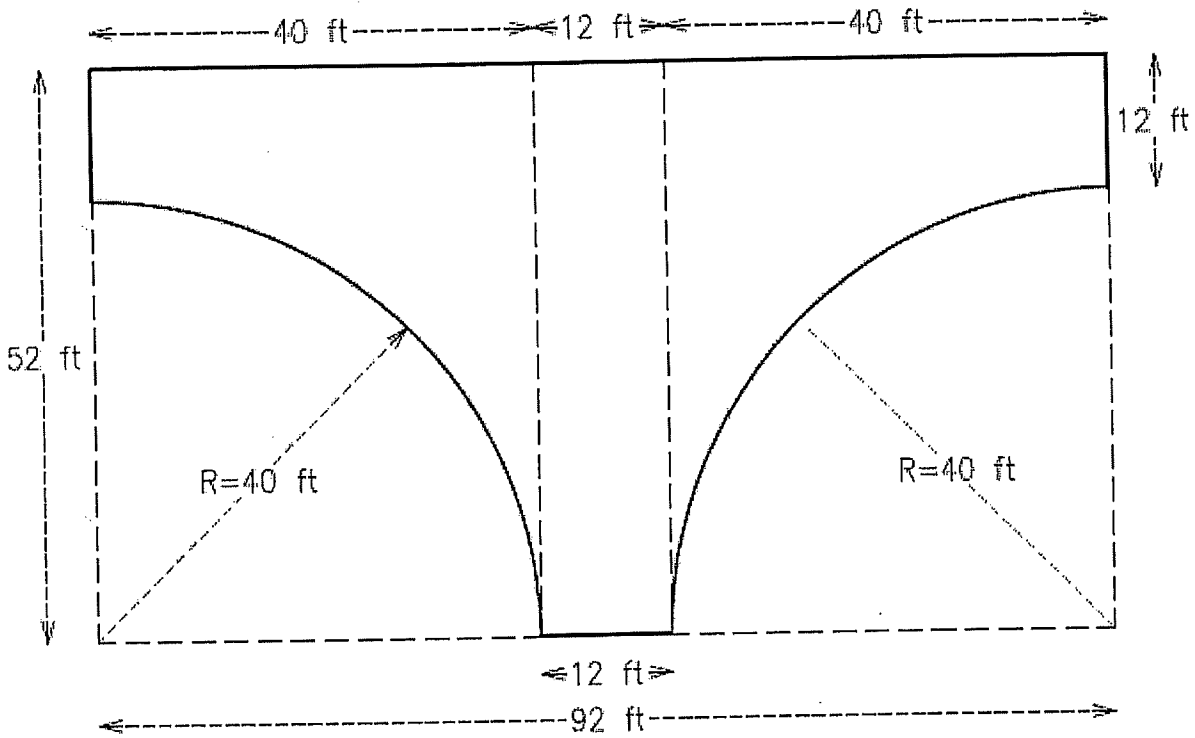


Scale: 1" = 20'

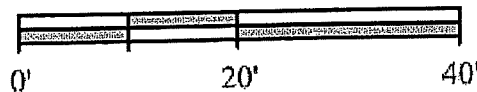


# Option 2

## Hammerhead Style Turnaround For Driveways

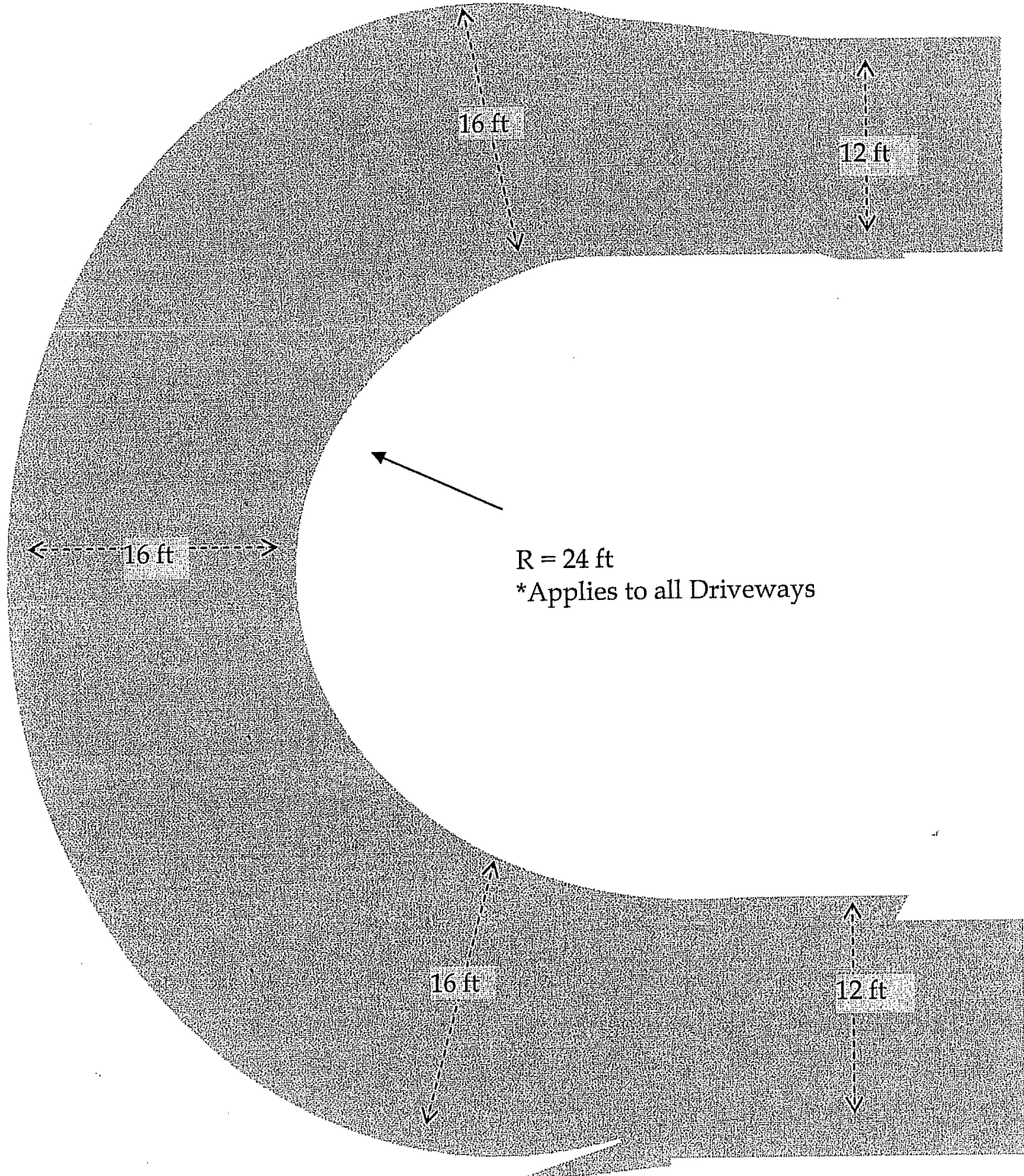


Scale: 1" = 20'





Minimum Dimensions for Driveway Switchbacks  
12-Foot Driveway Example



## Minimum Bridge Requirements for Driveways



BRIDGE DESIGN SPECIFICATIONS • FEBRUARY 2004

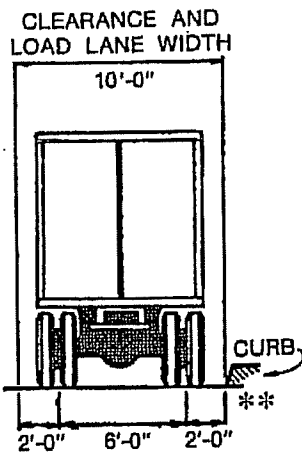
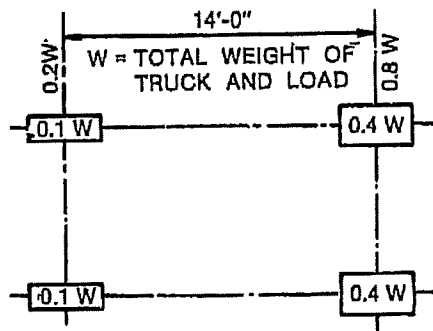
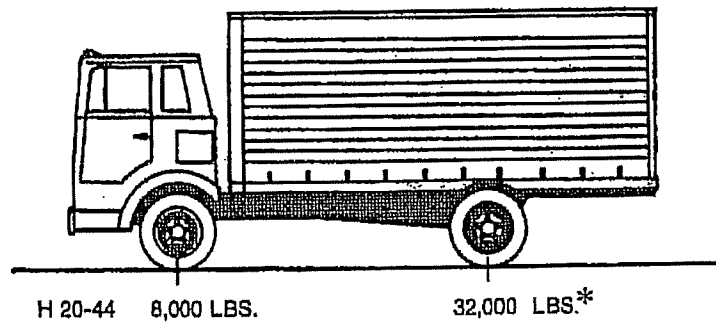


FIGURE 3.7.6A Standard H Trucks

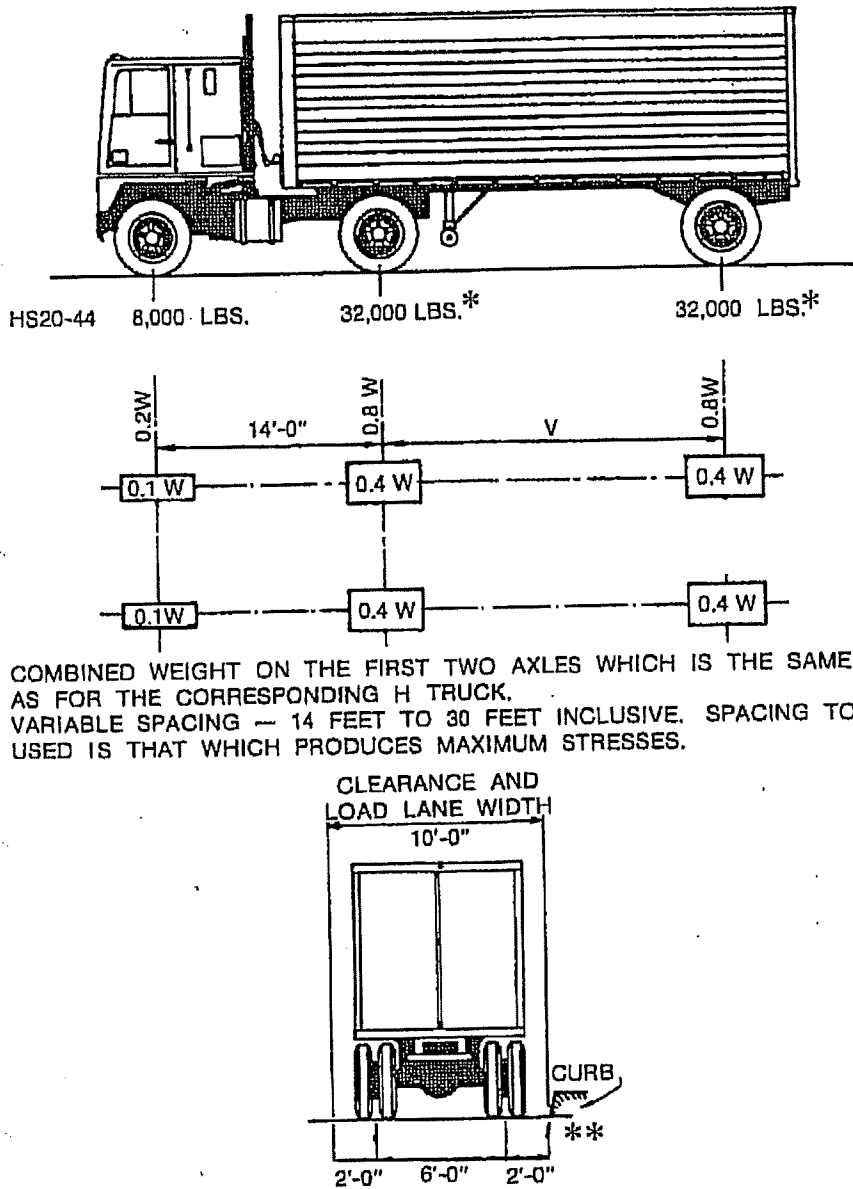
\* In the design of timber floors and orthotropic steel decks (excluding transverse beams) for H 20 loading, one axle load of 24,000 pounds or two axle loads of 16,000 pounds each spaced 4 feet apart may be used, whichever produces the greater stress, instead of the 32,000-pound axle shown.

\*\* For slab design, the center line of wheels shall be assumed to be 1 foot from face of curb. (See Article 3.24.2)

## Minimum Bridge Requirements for Roadways



BRIDGE DESIGN SPECIFICATIONS • FEBRUARY 2004

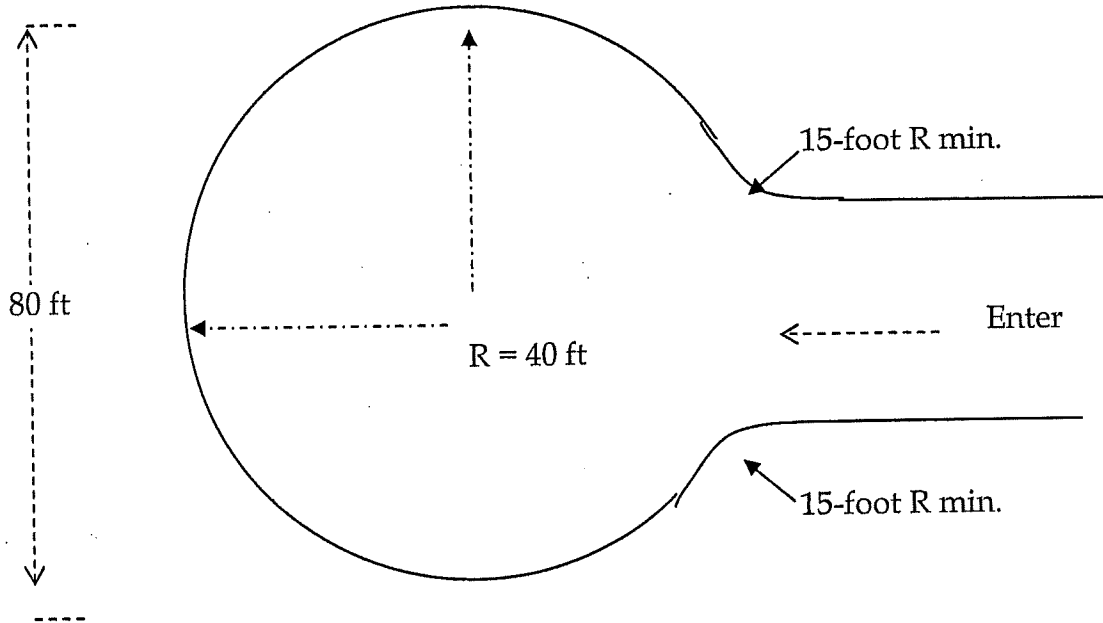


**FIGURE 3.7.7A Standard HS Trucks**

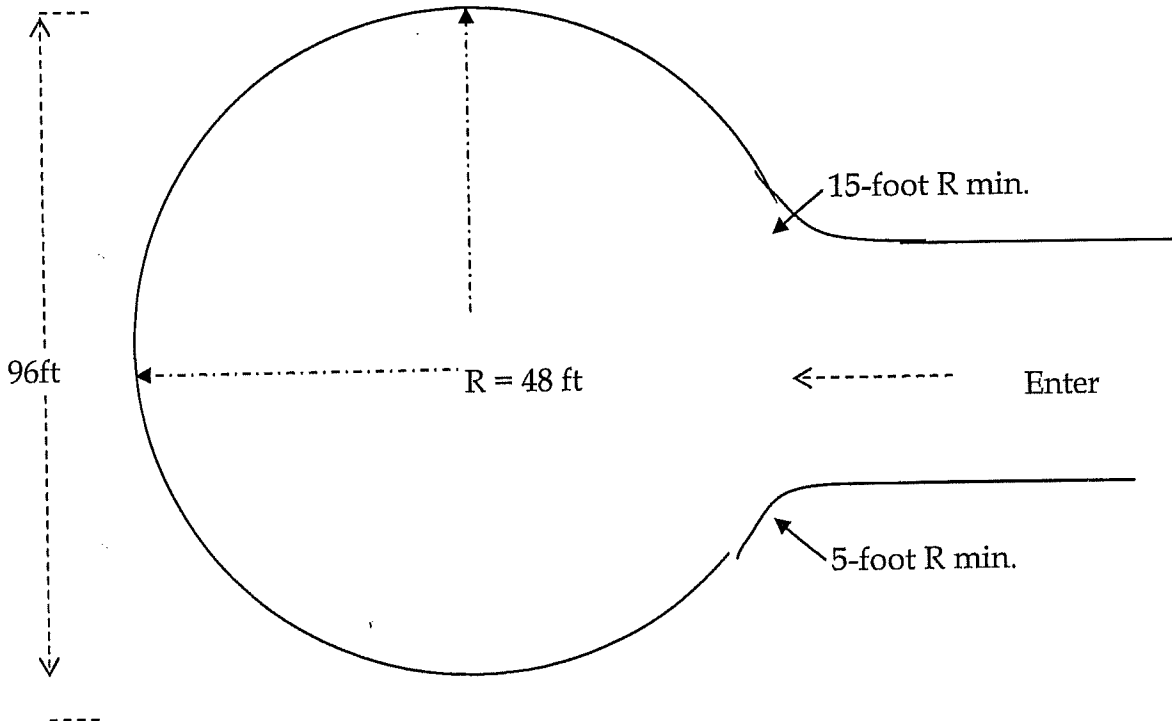
\* In the design of timber floors and orthotropic steel decks (excluding transverse beams) for H 20 loading, one axle load of 24,000 pounds or two axle loads of 16,000 pounds each spaced 4 feet apart may be used, whichever produces the greater stress, instead of the 32,000-pound axle shown.

\*\* For slab design, the center line of wheels shall be assumed to be 1 foot from face of curb. (See Article 3.24.2)

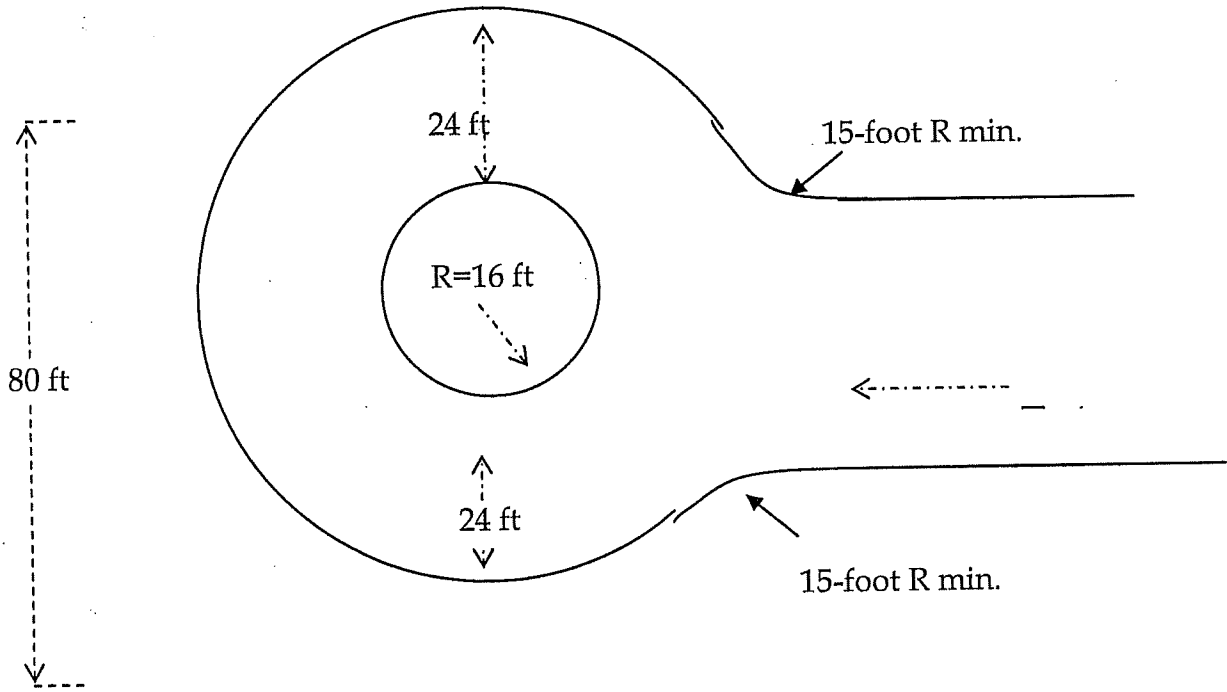
**Bulb Turnaround With No Parking Allowed  
Red Curbs and Signage Will Be Required**



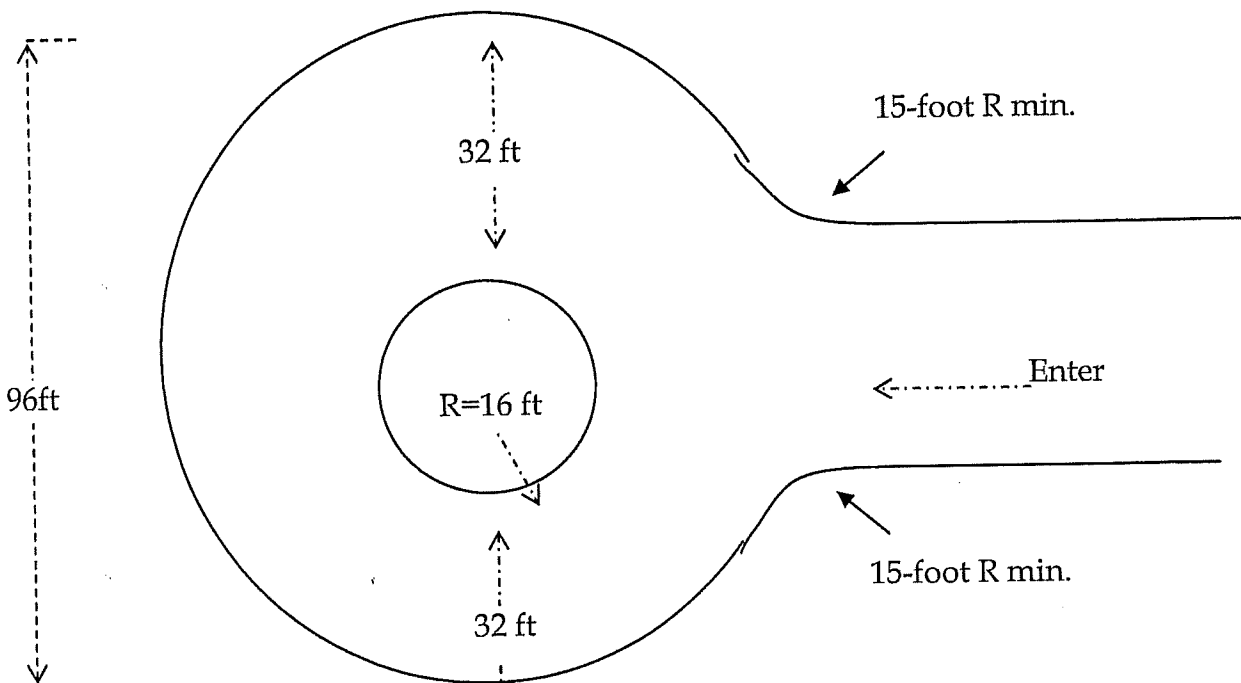
**Bulb Turnaround With Unrestricted Parking**



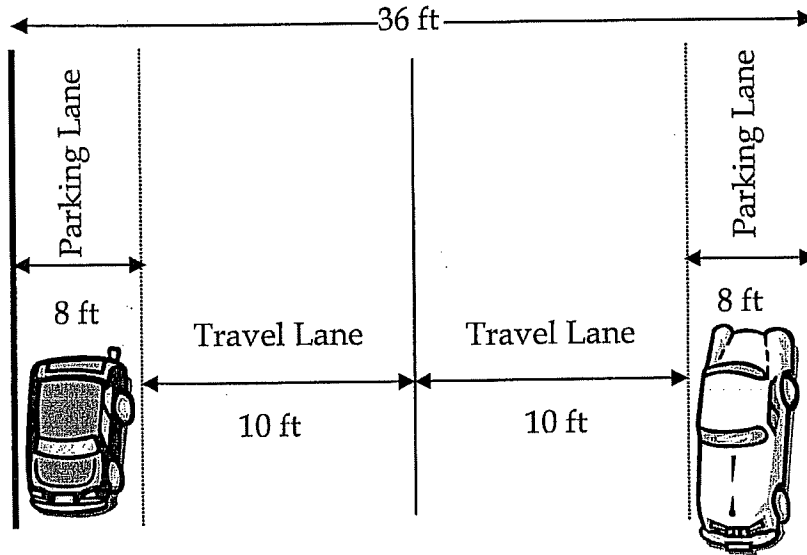
**Bulb Turnaround Including Center Planter With No Parking Allowed**  
**Red Curbs and Signage Will Be Required**



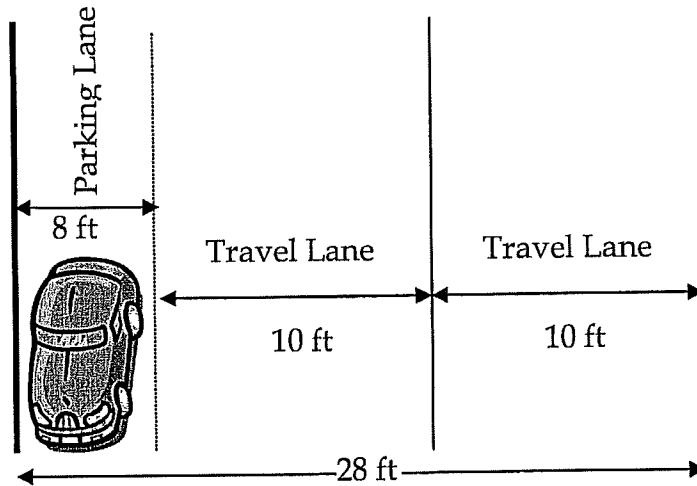
**Bulb Turnaround Including Center Planter**  
**With Parking Allowed on Outside Perimeter Only**



**Minimum Unobstructed Road Width for Residential Development With Parking Allowed on Both Sides of the Street**

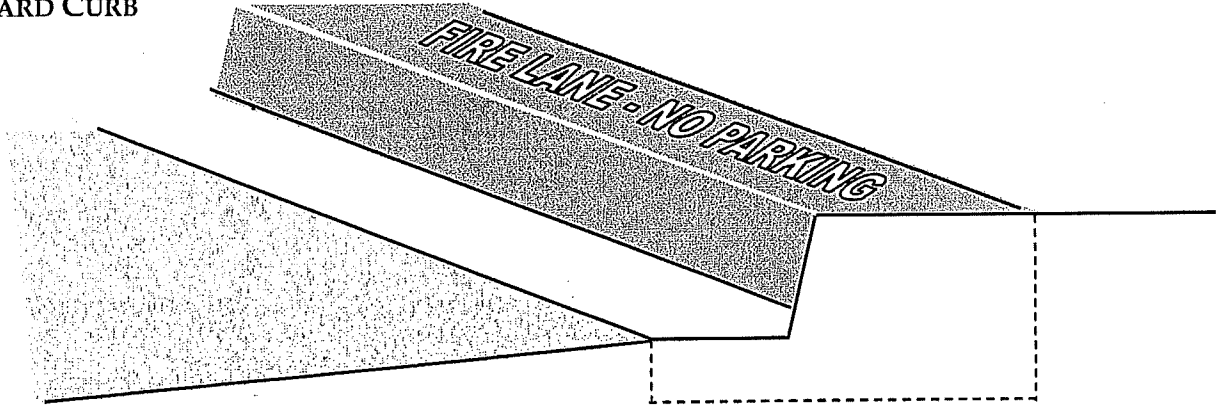


**Minimum Unobstructed Road Width for Residential Development With Parking Allowed on One Side of Street Only**

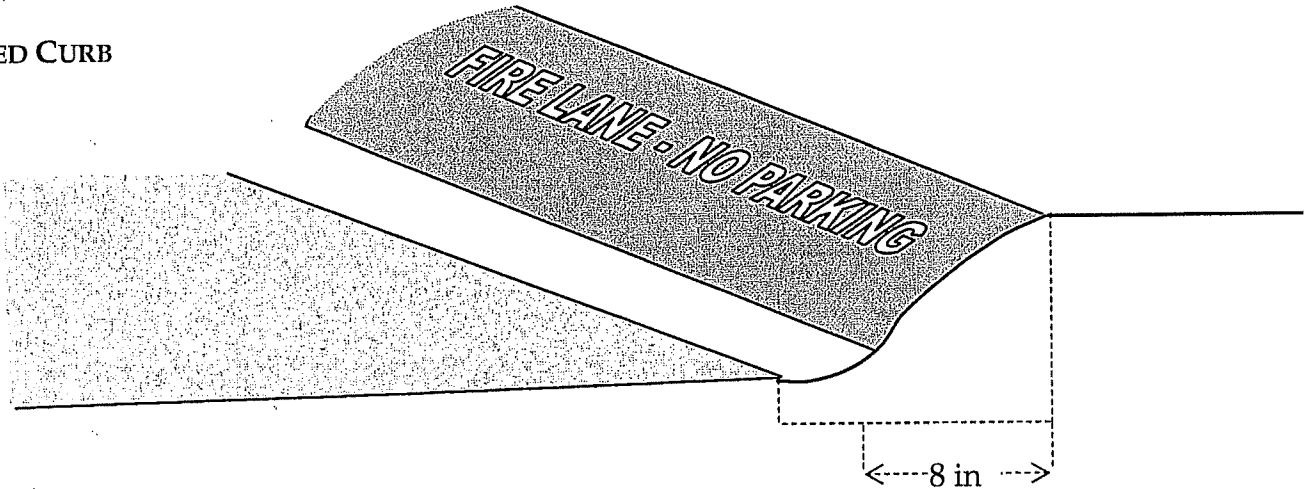


## Fire Lane Identification - Red Curbs

STANDARD CURB

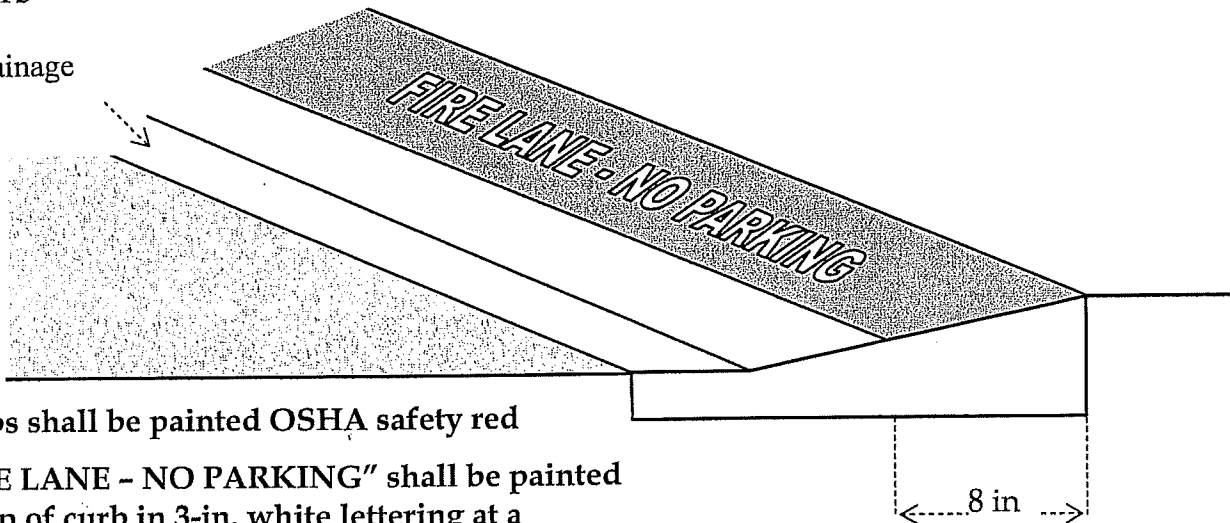


ROLLED CURB



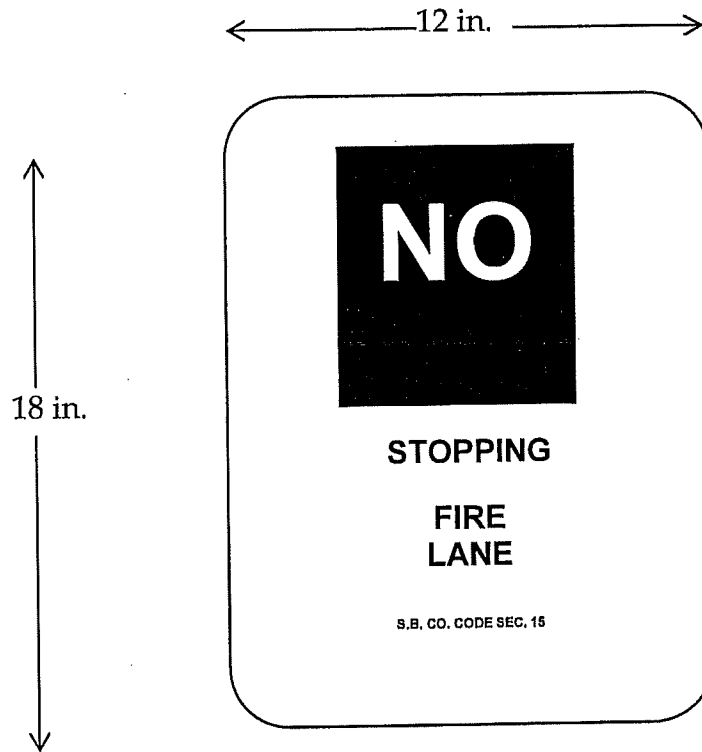
No Curb

2% Drainage Swale



1. Curbs shall be painted OSHA safety red
2. "FIRE LANE - NO PARKING" shall be painted on top of curb in 3-in. white lettering at a spacing of 30 ft or portion thereof.

### Fire Lane Sign



1. Metal reflectorized
2. Size: Minimum 12 in. by 18 in.
3. Lettering size: Minimum 3 in. high
4. Background: White with red lettering
5. Bottom of sign shall be no less than 7 ft above ground
6. Posting: Post at the beginning and end of control zone and every 150 ft



Excerpt from Mitigated  
Negative Declaration pertaining  
to agricultural viability

**Table 4.2-6  
Prior Analysis Weighted Point System Findings**

| Proposed Lot Number | Gross Acreage | Points Assigned          |            | Difference |
|---------------------|---------------|--------------------------|------------|------------|
|                     |               | Sage Report <sup>1</sup> | County MND |            |
| Existing            | 3,950.8       | 81.6                     | 76         | 5.6        |
| 1                   | 202.2         | 76                       | 69         | 7          |
| 2                   | 166.4         | 76.5                     | 68         | 8.5        |
| 3                   | 166.4         | 74.8                     | 67         | 7.8        |
| 4                   | 191.6         | 76.7                     | 75         | 1.7        |
| 5                   | 160.0         | 76.0                     | 68         | 8          |
| 6                   | 161.2         | 73.7                     | 70         | 3.7        |
| 7                   | 206.0         | 76.1                     | 74         | 2.1        |
| 8                   | 259.0         | 75.2                     | 67         | 8.2        |
| 9                   | 438.4         | 67.5                     | 64         | 3.5        |
| 10                  | 596.8         | 70.2                     | 67         | 3.2        |
| 11                  | 428.8         | 70.5                     | 68         | 2.5        |
| 12                  | 369.1         | 72.2                     | 68         | 4.2        |
| 13                  | 604.7         | 66.6                     | 64         | 2.6        |

<sup>1</sup> As amended September 2009.

- Parcel Size.** Both the Sage Report and County MND applied consistent points for parcel size; however, neither analysis accounted for future development within the proposed RDEs. When the net acreage for each lot is used instead of gross acreage (i.e., RDE acreage is removed), the point assignment would not change. This is due to the relatively small size of each RDE compared to the overall lot sizes, and the fact that none of the net acreages would fall below parcel size groupings (i.e. from above 100 acres to below 100 acres).
- Soil Classification.** To determine the soil classification rating, the Sage Report calculated the percentages of each soil class within each lot, and provided a total score. The County MND, in contrast, assigned points based on the soil class majority for each lot. For example, Lot 3 contains approximately 65 acres of Class II soils, 9.5 acres of Class III soils, and 98.5 acres of Class VI soils. The majority (57 percent) of soils are Class VI. Thus, despite the presence of Class II and III soils, the County assigned five points to lot 3 - the maximum points available for a lot with Class VI soils. The Sage Report, in contrast, assigned Lot 3 a score of 7.8 for soil classification, which accounts for all classes of soils. The Sage Report methodology is more precise and is consistent with the *Environmental Thresholds and Guidelines Manual*, which states that "points may be assigned according to approximate percentages of site area containing various soil classifications" (page 12).
- Water Availability.** Although there are 14 wells on the project site, two (wells #13 and #14) would be the main source of water for future agricultural and non-agricultural uses on the proposed lots. These wells are located on proposed Lots 12 and 4, respectively. The Sage Report assigned the maximum points possible (15) for water availability for



Copies of letters in support

April 25, 2017

**DELIVERED VIA EMAIL TO DVILLALO@CO.SANTA-BARBARA.CA.US**

Michael Cooney, Chair  
Santa Barbara County Planning Commission  
123 East Anapamu Street  
Santa Barbara, CA 93101

Re: Rancho La Laguna Subdivision, Planning Commission Hearing 4/26/2017

Dear Chair Cooney and Commissioners:


I am a life-long rancher in Santa Barbara County. Currently, I am operating the Las Varas Ranch so I have extensive experience with cattle operations and permanent crops. I live on the ranch that I operate.

I have known Chip Hanly for years and I support his project. This project will allow Chip and his co-owners to keep Rancho La Laguna in their families long after they are gone. And, of course, Chip and his partners will be able to enjoy living on the ranch after they retire.

I support this and other projects that allow the owners to keep their ranch in the family. So many large ranches in this County have to be sold when the parents die, both because of estate taxes and the cost of operating a large ranch, and because there are so many kids competing to live in the one permitted house. I would like to see more farmers and ranchers able to keep the land in the family so their kids and grandkids can grow up on the farm or ranch and carry on the tradition.

I am impressed that the EIR found no Class I impacts. I feel strongly about preserving natural resources and viable agriculture. This project does that and I ask you to approve it.

Very truly yours,

  
Paul Van Leer

|                     |         |
|---------------------|---------|
| <u>AGENDA ITEMS</u> |         |
| ITEM #:             | 2       |
| MEETING DATE:       | 4-26-17 |

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APR 25 2017

SANTA BARBARA  
PLANNING DEVELOPMENT  
DISPATCH SUPPORT



**DIAMOND T RANCH**

P.O. BOX 599  
LOS OLIVOS, CA 93441-0599  
(805) 937-6618 3553

|            |         |
|------------|---------|
| SADA ITEMS |         |
| NO.        | 2       |
| DATE       | 4-26-17 |

C. Michael Cooney, Chair  
Santa Barbara County Planning Commission  
123 East Anapamu St.  
Santa Barbara, CA 93101

Re: Rancho La Laguna Subdivision Planning Commission hearing 4/26/17

Dear Chair Cooney and Commissioners:

I am a fourth generation ranch owner in Santa Barbara County. Our Diamond T Ranch is located in Foxen Canyon immediately to the west of Rancho La Laguna, with whom we share a common fence line.

Like members of my family before me — going back to my grandfather and great-grandfather — I live on our property, and have done so for over 30 years.

I (and my wife as well) fully support the Rancho La Laguna project. I am well acquainted with Chip Hanly, and am both impressed and pleased that he and his partner have been willing to endure the long and expensive County process to make their project a reality.

It is my understanding that the project has undergone full environmental review, and that there are no known significant unmitigable impacts; further, that the project assures that a very high percentage of the land involved can and will be retained for agricultural purposes.

This would appear to be an excellent project, and we hope you will approve the land division as proposed.

Sincerely yours,

  
Donn V. Tognazzini

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APR 25 2017  
S.B. COUNTY  
PLANNING & DEVELOPMENT  
HEARING SUB/DIV

AGENDA ITEMS

ITEM #: 2

Nojoqui Falls Ranch, William T. Giorgi  
3000 Alisal Road, Gaviota California 93117  
April 25, 2017

MEETING

DATE:

4-26-17

**DELIVERED VIA EMAIL TO DVILLALO@CO.SANTA-BARBARA.CA.US**

C. Michael Cooney, Chair  
Santa Barbara County Planning Commission  
123 East Anapamu Street  
Santa Barbara, CA 93101

Re: Rancho La Laguna Subdivision, Planning Commission Hearing 4/26/2017

Dear Chair Cooney and Commissioners:

I am a third generation rancher in Santa Barbara County, and our family ranch dates back into the 1800's. Our family ranch is over 1500 acres in size. My grandkids are now growing up on the ranch, observing and learning our families care and love of this land through many years of good stewardship. You cannot duplicate this learning experience any other way!

Like our predecessors, I live on my family's ranch, and it is our sole source of income. Because we are fortunate to have more than one legal parcel on our ranch, my children and their families also are able to live on the ranch, ensuring that the ranch stays in farming and ranching – and stays in the family – for many more generations. I have served on the Agricultural Advisory Committee and served as chairman. I have served on the Agricultural Preserve Advisory Committee and the Santa Barbara County Fish and Game Commission for over 35 years. I have seen how government regulations with the intent of "preserving" Agriculture operations, and which had been passed by people of good intentions but without knowledge of the needs of Agricultural operations, have actually lead to the demise of our family farms and ranches in our county!

I fully support the Rancho La Laguna project because it allows the owners to keep their ranch in the family. I was blessed to a certain extent, not to have to endure the long, expensive County process to divide my land, so I applaud anyone who is willing to go through that effort to ensure that they, their children, and their grandchildren can live on the ranch and retain it in agriculture. Since I graduated from college in 1973, I have seen all too many large local ranches sold because the older generation has died. The result, of course, is that the children can't hold onto the ranch and keep ranching in the family. This loss is unmitigable!

I am particularly impressed that the EIR found no Class I impacts, particularly to agriculture. That alone speaks volumes regarding the extensive planning and care that went into designing this project.

I urge you to approve the Rancho La Laguna project.

Very truly yours, William T. Giorgi

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APR 25 2017

S.B. COUNTY  
PLANNING & DEVELOPMENT  
HEARING SUPPORT

**THOMAS H. DITTMER**  
**Savanna Farms**  
**Los Olivos, California 93441**

April 25, 2017

**DELIVERED VIA EMAIL TO DVILLALO@CO.SANTA-BARBARA.CA.US**

C. Michael Cooney, Chair  
Santa Barbara County Planning Commission  
123 East Anapamu Street  
Santa Barbara, CA 93101

Re: Rancho La Laguna, Planning Commission hearing.4/26/2017

Dear Chair Cooney and Commissioners:

I am the owner of vineyard property on Foxen Canyon Road, located a short distance from Rancho La Laguna. I live on my property. I support property owners like the Rancho La Laguna owners who plan ahead for their children to allow for the entire family to live on their agricultural property and continue their farming and ranching heritage.

I understand that this project has undergone full environmental review with no significant unmitigable impacts, which is quite an achievement in the County of Santa Barbara.

Please approve this project.

Very truly yours,



Thomas H. Dittmer

APR 25 2017

SANTA BARBARA COUNTY  
PLANNING DEVELOPMENT  
PUBLIC SUPPORT

|                     |                |
|---------------------|----------------|
| <u>AGENDA ITEMS</u> |                |
| ITEM #:             | <u>2</u>       |
| MEETING DATE:       | <u>4-26-17</u> |

Petrovich, Susan

---

**From:** Leslie Freeman <les.freeman1@gmail.com>  
**Sent:** Tuesday, April 25, 2017 1:03 PM  
**To:** Petrovich, Susan  
**Subject:** Rancho la laguna

C Micheal Cooley, Chair

Santa Barbara County Planning commission  
123 East Anapamu St  
Santa Barbara Ca 93101

Dear Chair, Having lived on the Gaviota Coast 60 years, and trying to save our own ranch for future generations the options you can choose are very limited.

I am pleased that Chip Hanly and his partner have found a way to save Rancho La Laguna for their children and future generations. The process is so difficult and so hard to achieve that most people can not get it done. You only have to look at all the large family ranches that have been lost in this county over the years as evidence. I support this project.

Thank you,

Leslie Freeman  
Freeman Ranch  
Refugio Canyon  
Gaviota California

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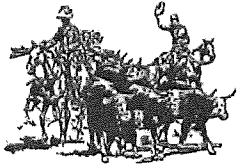
APR 25 2017

S.B. COUNTY  
PLANNING & DEVELOPMENT  
HEARING SUPPORT

Sent from my iPhone

|               |         |
|---------------|---------|
| AGENDA ITEMS  |         |
| ITEM #:       | 2       |
| MEETING DATE: | 4-26-17 |





# SANTA BARBARA COUNTY CATTLEMEN'S ASSOCIATION

P.O. Box 303, Los Alamos, CA 93440



*"WORKING TO SAVE RANCHING"*

May 25, 2017

VIA EMAIL TO [DVILLALO@CO.SANTA-BARBARA.CA.US](mailto:DVILLALO@CO.SANTA-BARBARA.CA.US)

C. Michael Cooney, Chair  
Santa Barbara County Planning Commission  
123 East Anapamu Street  
Santa Barbara, CA 93101

Re: Rancho La Laguna Subdivision and State Small Water System/May 31, 2017  
Agenda

Dear Chair Cooney and Honorable Members of the Commission:

The Santa Barbara County Cattlemen's Association (SBCCA) represents over 200 farmers and ranchers, engaged in agricultural production in Santa Barbara County. We at SBCCA recently learned of your Commission's decision to deny a long-pending application to subdivide this 4,000 acre ranch into thirteen (13) parcels.

We have followed this project for approximately 10 years and have serious concerns about your tentative decision of denial. We believe that you are making a serious error and ask that you instead vote for approval.

### **Truth in Zoning**

While 100-acre zoning doesn't guaranty that every property included in that zone district can or must be 100 acres in size, the zoning reflects the County's long-range plans for the properties within that zone. Property owners are entitled to rely on zoning as an indicator of what the minimum parcel size can and must be. Zoning provides an owner with a degree of certainty. It cannot and should not be ignored. The Rancho La Laguna proposal includes proposed parcels that all comply with the 100-acre zone district, with parcels closer to the minimum size where they are in prime agricultural production and significantly larger parcels where the proposed parcels primarily are for grazing. In short, the project complies with zoning and should be denied only if there is a sound basis for denial. Zoning cannot be ignored by an applicant or by County decision makers.

The project conforms with the Agricultural Element of the Comprehensive Plan. We understand that Orrin Sage has examined the site and the tentative map, and has concluded that the proposed parcels each will have

individual agricultural viability after the land has been divided. We have been advised that County staff and the EIR author also have carefully scrutinized the project and have concluded, individually, that all of the parcels will be agriculturally viable using the County's own test set forth in the Environmental Thresholds Manual. We also understand that immediate neighbors of the ranch support the subdivision. The Agricultural Element focuses on agricultural productivity, not on parcel size.

The Agricultural Element was adopted to provide tools to help farmers and ranchers remain in productive agriculture in the long term. There is nothing about the proposed Rancho La Laguna project that is inconsistent with the Agricultural Element. Dividing a large parcel does not threaten agricultural viability if the resulting parcels are viable. To the contrary, a land division can make it more possible for the owner to maintain and even enhance agricultural viability.

Larger parcels are common in grazing land because it takes more land to preserve agricultural viability. In contrast, cultivated farmland makes it possible for an agricultural operation to remain viable in the long term because of the value of the crop yield. In fact, parcelization of cultivated farmland actually supports agriculture because it allows farmers and ranchers to raise the capital through financing for essential purposes without encumbering the entire family holding. Such purposes include buying seed and fertilizer to plant the next crop, or to replace an irrigation system, or to purchase updated equipment to increase the efficiency of the operation. Adequate capital generally is hard for farmers and ranchers to raise unless they are very large operators with hundreds of acres in prime production. A 4,000-acre parcel is not as desirable as a group of smaller parcels totaling the same acreage because a farmer or rancher can only take out one loan at a time collateralized by the ranch. If successive bad years or bad luck (like an extended drought or extended rainy seasons) require additional loans, the owner must completely refinance the ranch loan each time at substantial expense, sometimes over and over again until conditions improve. A ranch comprising a single parcel also forces the owner to risk losing the entire ranch, including the family home, if bad conditions persist and the owner is unable to timely repay the loan. With multiple parcels, the rancher can get a loan on the smaller parcel to drill a water well or buy the equipment and supplies to convert a pasture into fertile cropland, thereby increasing long-term agricultural viability, without having to encumber the entire ranch.

Is it really more desirable for a farming/ranching family to lose everything during a drought or because of a similar disaster, than for the family to lose one of the parcels yet remain in productive agriculture with the rest? If more parcels were allowed, then when a parcel must be sold to keep the ranch in the family, it could provide another farming/ranching family the opportunity to turn the smaller parcel into a start-up agricultural operation. It also could make it easier for young farmers/ranchers to start out their careers, because they can afford a smaller parcel and cannot afford a larger parcel.

It would be a real shame for your Commission to use the Agricultural Element as a tool to foil these families' long range plan for the future of their ranch. They want to provide a way for successive generations to live and conduct agriculture on Rancho La Laguna after the current generation has passed away. For many farmers/ranchers, this is the only way they can acquire the land needed to have a successful agricultural operation.

The Agricultural Element doesn't discourage or prohibit agricultural land divisions. Rather, the Agricultural Element calls for the County to provide tools that allow landowners to continue, expand, and intensify agriculture. We have observed that the owners of Rancho La Laguna have devoted years to restoring, expanding, and intensifying the agriculture on this ranch to preserve and increase its long-term agricultural integrity. They should be encouraged, not punished, for bringing this property back into full, or near-full, production.

The Agricultural Element certainly doesn't propose, as seems to be happening here, that the Williamson Act program be used as a club to force landowners to go into, or keep their land enrolled in, the Agricultural Preserve program. The Agricultural Element also calls for the County to "encourage land improvement programs." These owners have implemented, without any County assistance, a long-range land improvement program that has increased the viability of both the cattle and cropland operations. This is entirely consistent with the Agricultural Element.

The Agricultural Element focuses on preserving the existing Urban/Rural boundaries because spreading urbanization is the greatest threat to the general viability of agriculture throughout the County. This project is NOT spreading urbanization. A farmer/rancher's home, located on the site of his/her agricultural operation, is an essential element of the agricultural operation's success.

Approving parcels that retain their agricultural viability but have building envelopes for future homes is consistent with the Agricultural Element. In addition, the presence of the owner's home on an agricultural parcel provides a benefit to the agricultural operation, particularly in grazing land. Our homes provide security on the property. Having them close to our fields and livestock is essential to efficient operation. If you have to roll out of bed to check the cows all through the night during calving season, you want to live close to the cows. If you have valuable equipment in the farm field, you want to be able to listen for intruders wanting to steal that equipment. It is no secret that, for most grazing operations, one of the family members must work elsewhere in order to support the operation with outside income. Living on the property provides a strong incentive to the farming or ranching family to make the agriculture work, even if that means one or more family member(s) must either telecommute or actually commute to another job that provides the steady income that ranching doesn't always provide.

It's a mistake to conclude that the Agricultural Element statements about urban uses adjacent or proximate to farming and ranching are applicable to a land division that allows a farming/ranching family to live on their agricultural property with their home adjacent to their own farming and livestock operations. Farmers and their families don't mind living near their fields. Proximity makes the commute shorter and allows them to run back to the house for meals, equipment and clothing changes, and visiting with their families on those long summer days when they are in the field from sunrise to after sunset. Family members are able to look out the window and see the farmer/rancher working the cattle or plowing the field. When not on the tractor, the farmer can keep an eye on equipment, livestock, and supplies from home. Family members can feel more comfortable about the farmer or rancher's safety by being able to keep an eye out for anything unusual. A bit of noise and dust from the fields is a minor inconvenience when compared to the practical benefits of living in the midst of the operation. And as for spraying, no farmer is going to spray in a manner that endangers the household.

The owner's own home is not an urban use or, as the Agricultural Element calls it, an "adverse urban influence." It is a permitted use. For a farmer/rancher, being able to live onsite and close to the agricultural operation is a vital element of keeping the agriculture viable.

The Agricultural Element stresses the importance of protecting agricultural operations from vandalism, trespass, theft, and roaming dogs. The farmer/rancher living on the land with his/her own dogs provides that protection and is available for immediate response.

Likewise, an agricultural subdivision is not a conversion of agricultural land as long as the resulting parcels each have viable agricultural uses. The land remains in production and productivity. In many instances, a land division can result in greater productivity and profitability because the smaller farmer/rancher also makes his/her home on the property, reducing costs of housing and commuting. Farmers and ranchers may enjoy a certain richness in working outside on the land, enjoying the wildlife for which the land provides a home, and providing a living and a home on the land, but few have the kind of resources needed to purchase large agricultural holdings at Santa Barbara County land prices. Farmers and ranchers seeking to expand their operations or young farmers and ranchers who are looking to start a new agricultural enterprise, look for parcels in the 100 to a few hundred acres. There is no way they can afford to buy 4,000 acres of productive agricultural land in this county, or any nearby counties.

A single agricultural parcel owned by more than one person or family simply won't work in the long term. Even if it were a single owner with many family members, it still would not work. Family members don't want to live in the same house or make the same decisions about the future of the ranch after the current generation dies. To the contrary, family disputes are particularly vicious when one member wants to live on the ranch and the others cannot do the same because only one main house is allowed per parcel. Not only does that force a farming/ranching family off the ranch and force its sale, it results in an extremely large and valuable parcel that only a limited few people or corporations can afford to purchase. Either scenario can result in a radical change in how the ranch is used following the family member's death. With the ample water supply enjoyed by Rancho La Laguna, this could be an ideal vineyard site, just down the road from Zaca Mesa and other wineries. Or the parcel could become a mega-mansion site for a wealthy urbanite who wants only a retreat and not a continuing agricultural enterprise, as we saw happen with the Michael Jackson property.

We, too, work the land. We admire and respect people who do what these landowners have done - they have spent years and untold sums of money improving and expanding the cropland and the irrigation system, cross-fencing the ranch to allow for efficient rotational grazing, and restoring the ranch to full production.

We urge your Commission to approve this land division so these owners can realize their family plans to live on and conduct agriculture for generations to come.

Sincerely yours,

—  
—  
Bill Giorgi, President Santa Barbara County Cattlemen's Association