

Villalobos, David

From: Larry Ferini
Sent: Tuesday, November 12, 2013 9:06 PM
To: Villalobos, David
Subject: Fwd: OUSL Player STats
Attachments: OUSL Player Statistics.xlsx

Hi David,
Mr. Velasco gave me the attached document earlier today. I requested an electronic copy of the document from Mr. Velasco. Because of technical difficulties I did not receive the electronic version until this evening. I would like to make sure the rest of the Commissioners have the opportunity to review the numbers.

Thanks
Larryf

----- Forwarded message -----
From: Ricardo Velasco <rickandmarty@verizon.net>
Date: Tue, Nov 12, 2013 at 8:54 PM
Subject: OUSL Player STats
To:
Cc: rickandmarty@verizon.net

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Attached you will find the OUSL player stats. Call me for any further information.

Rick Velasco

"Committed to Community Service"

"Volunteers Are Not Paid -- Not Because They are Worthless, But Because They Are Priceless"

805-937-0760

805-621-3522

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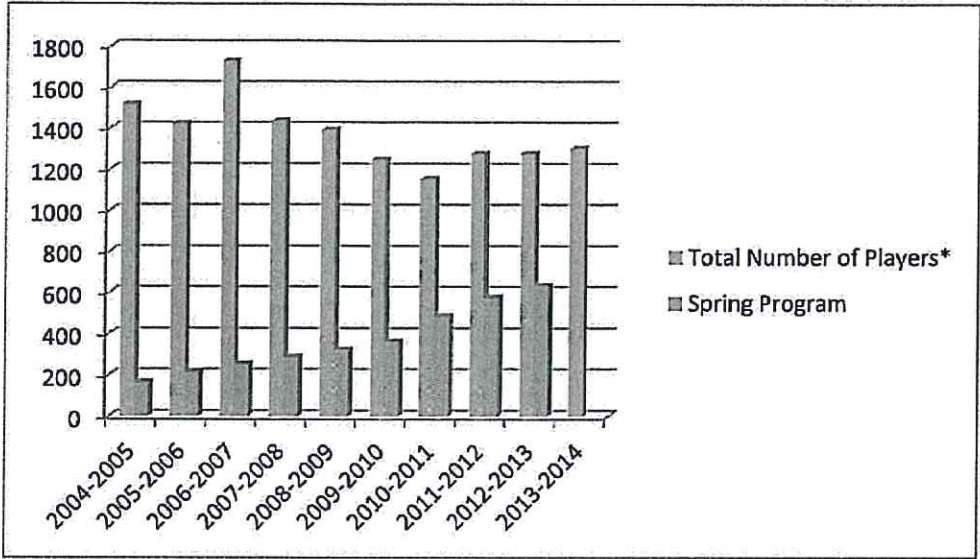
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Orcutt United Soccer League
Statistical Player Yearly Amounts
2004-2014

Seasonal Year	Total Number of Players*	Spring Program
2004-2005	1517	165
2005-2006	1424	215
2006-2007	1728	255
2007-2008	1438	289
2008-2009	1393	325
2009-2010	1248	365
2010-2011	1155	486
2011-2012	1279	577
2012-2013	1279	636
2013-2014	1303	

Notes: * Includes Club Players as well as recreational players
Seasonal Year: Sep 01-Aug 31
OUSL Fall Program: Aug- Nov
OUSL All Star Program: Nov-Jun
OUSL Club - Crusaders Year Round
OUSL Spring Program: Mar-May



Villalobos, David

From: Eady, Dana
Sent: Tuesday, November 12, 2013 4:42 PM
To: Villalobos, David
Subject: FW: urban limit line maps outdated

One more email (see below) from Jim Mosby (received today 10:52am)

Thanks,
Dana

Dana Eady, Planner
Development Review Division
Planning & Development
624 W. Foster Rd. Ste. C
Santa Maria, CA 93455
(805)934-6266 (Phone)
(805)934-6258 (Fax)
dana.eady@countyofsb.org

AGENDA ITEMS

ITEM #: 1

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From: MosbyEnterprises@aol.com [<mailto:MosbyEnterprises@aol.com>]
Sent: Tuesday, November 12, 2013 10:52 AM
To: Eady, Dana
Subject: urban limit line maps outdated

November 12, 2013

Dana Eady,
Planning and Development Department
County of Santa Barbara

Please be advised that the current maps recognizing the urban limit line on the eastern side of Lompoc are not correct. The maps that you are referencing are the old maps. The urban limit line was moved more than a decade ago (1997 I believe). The current urban limit line includes River Park and progresses eastward dividing parcels 099-141-016 & 099-141-017. Parcel 099-141-017 is within the urban limit line and has open space zoning with a park overlay. This is a very critical component of my project. This as well as the recent purchase of the neighboring parcel by the city of Lompoc shows the anticipated movement of the community.

Sincerely,

James Mosby

AGENDA ITEMS

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MEETING 11-13-12

DATE: TO: Chairperson and Members of SBCo Planning Commission
FROM: Art Hibbits, 1251 E. Highway 246, Lompoc, 93436
REFERENCE: 11CUP-00000-00032/12RZN-00000-00003
HEARING DATE: Nov. 13, 2013

BACKGROUND: These Applications are to abate multiple, long-standing, un-permitted, commercial, recreational uses on APN (s) 099-141-016 and 017.

The parcels are located East of the City of Lompoc and the Santa Ynez River. They are in the Rural Area and are contiguous to highly productive agricultural operations on three sides: the Northwest, North, and across Highway 246 on the East.

Your staff report correctly points out that other non- agricultural uses are nearby, including (1) A SBCo owned homeless shelter, (2) City-owned River Park, and (3) SBCo Road Yard and gas station.

However, the predominate, historic use in the area has always been Agriculture, including the subject parcels prior to current ownership.

DISCUSSION: During the Environmental review process, we and many others submitted extensive detailed comments, suggestions, and corrections. (these are attached to the proposed "Mitigated ND.")

Following continuance of this item at your Sept. 11, 2013 meeting, Planning Staff revised the MND to include a pre and post unpermitted environmental baseline comparison.

In our previous letter to you, we expressed our concerns about using an environmental baseline focused on the condition of the premises **FOLLOWING THE UNPERMITTED SITE MODIFICATIONS AND USES.**

In reviewing the MND before you today, we find to our surprise that the additional review produced no change in the Agricultural Resource Assessment. Throughout the new document you will note that very little

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changes at all...the unpermitted work completed and the operation of **EXTENSIVE, COMMERCIAL, RECREATIONAL PROJECTS** results in "...less than significant impact..."

This conclusion, while surprising and disappointing, reminds us that the MND is only one part of what we would hope you will consider:

Additional considerations are:

- (1) **GOOD PLANNING**,
- (2) **ESTABLISHED POLICIES**,
- (3) **PROCEDURES**, and
- (4) **PRECEDENTS**

The following are a brief summary of some our concerns:

- (1) **PLANNING:** In our view, one of the primary reasons for the planning process is to avoid conflicts. It is well known that certain uses are incompatible with other land uses.

For example, homes and other urban uses should never be considered in the approach and departure zones of an airport... or locating a residential subdivision down-wind from a feedlot... or allowing housing next to a waste water treatment facility... or lots of people near a landfill site.

In the case of **EXTENSE RECREATIONAL USES NEXT TO AGRICULTURE**, we hope to convince you that these same **HEALTH, SAFETY, and WELFARE** issues alone, are a sound basis for denial of the applications before you.

- (2) **POLICIES:** For many years the importance of Agriculture to County has been recognized, and clear protection policies have been adopted and remain in place today: The Agriculture Element, the Comprehensive Plan, and the recently adopted Buffer Ordinance, to mention only a few.

For example, The Ag Element clearly states: "The integrity of agricultural operations **SHALL NOT** (my emphasis) be violated by recreational or other non-compatible uses. (policy IA. pg.6)

It further states: “The quality and availability of water, air, and soil resources **SHALL BE** (my emphasis) protected through provisions including but not limited to, the stability of the Urban/Rural Boundary Lines, maintenance of buffer areas around agriculture areas, and the promotion of conservation practices. (Policy 1.F, pg. 7)

Also: “Expansion of urban development into active agricultural areas outside urban limits is to be discouraged, as long as infill development is available.” (Policy 111.A, pg. 8)

Without getting into further detail, the SBCo Comp Plan and Buffer Ord. strongly reinforce these clear Policy Statements.

- (3) **PROCEDURES:** As this particular application moved through the process it became clear to some of us, that allowing a long term (over seven years) unpermitted commercial recreational uses to not only continue to operate, but also to expand, is an issue that should be reviewed. What message does that send to the rest of us?
- (4) **PRECEDENTS:** Some of the more obvious precedent-setting issues are as follows: (a) Crossing the Natural buffer that already exists between the City and Ag...the Santa Ynez River, if approved, (b) If approved, relying on another jurisdiction, the City of Lompoc, to provide restrooms for the project, (c) If approved, allowing CUP non-agricultural uses to exceed 50% of the area of the parcel in the Ag -II-40 zone. Please note that the existing 661 zone is Ag 40 does not allow for this proposed use at all, and (d) Allowing CUP uses that are clearly in conflict with SBCo clearly stated Policies.

SUMMARY: Over many years, the County Board of Supervisors and LAFCO have consistently voted to maintain the natural buffer that the

Santa Ynez River provides between the City on the West and the highly productive Agriculture uses on the North and East. Granting this request therefore would set a terrible precedent.

These proposals should be denied based on the wording and intent of the County's Comprehensive Plan, the Agricultural Element, and the newly adopted Buffer Policy.

No one argues with the need for more recreational opportunities. The problem here is that this simply is the wrong location. The proper location is the already planned and funded site to the north. Intensely cultivated Agriculture operations are NOT compatible with extensive recreational uses.

RECOMMENDATION:

In order to continue our County's long-term commitment to avoid conflicts with, and to protect of our valuable Agricultural Resources, I urge your Committee to forward a recommendation of denial on this proposed Rezone and CUP, to the Planning Commission and the Board of Supervisors.

Respectfully submitted,

Art Hibbits

Richard and Carol Nash
432 St. Andrews Way
Lompoc, CA 93436
Email: rmnash@earthlink.net

AGENDA ITEMS

November 12, 2013

ITEM #: 1

Santa Barbara County Planning Commission
Joan Hartmann, Chair

MEETING

DATE: 11-13-13

Dear Chair Hartmann and Planning Commissioners:

We are out of town and not able to be present at the November 13th Planning Commission Hearing for the Mosby Conditional Use Permit. We write to ask that you deny this CUP. It negates good land use planning principles and establishes bad precedent.

This land is zoned AG, surrounded by AG land and is separated beautifully from urban uses by the Santa Ynez River. The applicant has illegally developed intense recreational activities on this land for years without permit. Urban sprawl has been "encouraged" by use and advertising. The nature of these activities brings increased vehicular traffic and necessitates parking on site for 150 cars.

Our family has lived in the Lompoc Valley since January 1961 when my husband came to open the NASA office on, what was then, Point Arguello Naval Missile Facility. We appreciate that agriculture is the economic backbone of the Lompoc Valley. We urge you to preserve the integrity of agricultural zoning. Ratifying this CUP would validate the applicant's "illegal uses" of this property.

Please do not approve this CUP.

Sincerely,

Richard and Carol Nash

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CITY OF LOMPOC

AGENDA ITEMS

ITEM #: 1

MEETING
DATE: 11-13-13

November 12, 2013

Dr. Joan Hartmann, Chair
Santa Barbara County Planning Commission
123 East Anapamu Street
Santa Barbara, CA 93101

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S.B. COUNTY
PLANNING & DEVELOPMENT
HEARING SUPPORT

RE: Mosby Rezone and Recreational Fields
11CUP-00000-00032; 12RZN-00000-00003

Dear Chair Hartmann and Members of the Planning Commission:

You recently received a letter from the County of Santa Barbara Agricultural Advisory Committee opposing the project, which concluded, "Active recreational uses are not compatible with adjacent agricultural uses." This conclusion was not supported by any facts in the letter and is also not supported by our experience of operating parks next to agricultural fields for decades. River Park, which adjoins the Mosby property along the west side, also extends 4,500 feet to the north and is bordered by active agricultural fields along the east side. This symbiotic relationship with the adjoining agricultural uses has existed since the 1970s. Agricultural uses are separated from urban development and park users enjoy the scenic fields.

In 2007, the River Bend Soccer Fields were completed. At River Bend Park, the entire 1,600 foot western side of the park is bordered by intense row crop production on the other side of only a barbed wire fence. There have not been any substantial issues for the park with the agricultural fields or the agricultural fields with the park. The city also owns farm fields on the south side of River Bend Park, which the city has continued to lease out for crop production since before the soccer fields were built. If there had been issues with adjacent agricultural fields, the city would not have continued to lease these fields out.

It should also be noted that unlike River Park and River Bend Park, where the agricultural fields are on the other side of the fence from the park, Mr. Mosby's facilities are bordered by the expansion area for the River Park recreational vehicle spaces on

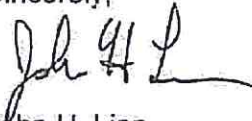
the west, Highway 246 and the Bridgehouse homeless shelter to the southeast, and Mr. Mosby's other agricultural land and fish ponds on the north. The nearest agricultural land to Mr. Mosby's project is 300 feet to the north. The river and City of Lompoc property are on the west; small parcels that are not farmed, as they have no water, are on the east; and some small parcel dry farming is located 700 feet south. The prevailing wind is from west to east.

Additionally, the city appreciates the facilities that Mr. Mosby supplies to augment the recreational facilities provided by the City of Lompoc during these difficult economic times. Our current facilities are so heavily booked that when a new youth football league formed in 2009, the only grass they could practice and have games on was the Lompoc Valley Middle School, as all city parks were booked for other youth sports. If Mr. Mosby's land were not available, both the paintball fields and the Radio Control Car track would have to discontinue operation. Soccer players would also have a difficult time finding alternative grass to play on.

Mr. Mosby's restrooms are constantly used by travelers on Highway 246 that pull into the River Park Road and assume they are part of the park. Conversely, our public restrooms are available to Mr. Mosby's guests, along with any other member of the public.

Each week, hundreds of City of Lompoc and Santa Barbara County residents in the Lompoc Valley and beyond, enjoy Mr. Mosby's facilities at no cost to either the city or the county. We embrace the national goal of providing enhanced recreational opportunities for Lompoc Valley residents as part of our Healthy Community Strategy and this facility provides more options.

Sincerely,



John H. Linn
Mayor

c: Lompoc City Council
Teresa Gallavan, Interim City Administrator

Electronically to the Planning Commission via email to dvillalo@co.santa-barbara.ca.us

La Liga de Lompoc
Jose Mario Orellana
135 North G
Lompoc, CA 93436
Phone (805) 868-5230

November 12, 2013

Dana Eady, Planner,
Planning and Development Department of
Santa Barbara County

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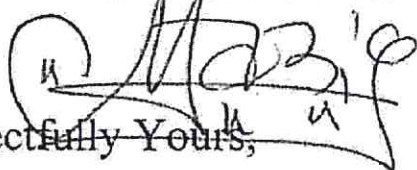
RE: Mosby Recreational Facility

I am the president of La Liga de Lompoc. We represent over two thousand family members and players of soccer in the Santa Ynez Valley. For over two and a half years we have had the opportunity to use the facility known as Mosby Fields. We have never had any problems with any of the neighbors of this property nor have any of the neighbors had any problems with us. (this includes the neighboring farmers, City of Lompoc, Santa Barbara County Road Yard, The Bridge House Homeless Shelter and Lompoc Valley Motorsports Committee)

The owner of the property has been very generous with our organization and we feel privileged to be able to continue to play upon these fields. They are some of the best soccer fields in the County of Santa Barbara.

Last year over a hundred of our members met with the then County Supervisor Joni Gray, in a public forum and we all told her that these fields are of great importance to us and the people of the Valley. A closure of these fields would be a tremendous loss to our members and the people of the Valley. Currently Santa Barbara County does not have any parks in our area where we can play and these fields are definitely needed.

Respectfully Yours,



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Jose Mario Orellana

SANTA RITA FLOWER FARM
Jeff Hendrickson
217 1/2 South G "st"
Lompoc, CA 93436
Phone (805) 705-6783

AGENDA ITEMS _____

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DATE: 11-13-13

November 11, 2013

Honorable Planning Commissioners and
Planning and Development Department of
Santa Barbara County

Subject: Mosby Recreational Fields

I am the farmer directly to the north of the recreation area known as "Mosby Recreation Fields". I have observed the activities on the parcels to the south of my current farming operation and have never found their occupancy to be deleterious nor incompatible to my farming activities. The actions on the parcels in question have never hindered my ability to conduct all of my required duties as a farmer.

I believe that a disallowance of the current operation would be a tremendous hindrance on the local citizens of the valley.

Sincerely



Jeff Hendrickson

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environmental
DEFENSE CENTER

November 12, 2013

Joan Hartmann, Chair
Planning Commission
County of Santa Barbara
123 East Anapamu Street
Santa Barbara, CA 93101

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PLANNING & DEVELOPMENT
HEARING SUPPORT

Re: Proposed Mosby Sports & Outdoor Recreation Facility Project

Dear Chair Hartmann and Honorable Commissioners,

The following comments on the proposed final Mitigated Negative Declaration (MND) and Findings for the Mosby Sports & Outdoor Recreation Facility Project (Project) are submitted by the Environmental Defense Center on behalf of the Santa Barbara County Action Network (SB CAN).

SB CAN works within Santa Barbara County to promote social and economic justice, to preserve environmental and agricultural resources, and to create sustainable communities. EDC is a non-profit public interest law firm that represents community organizations in environmental matters affecting California's south central coast.

Your Commission has been asked to: (1) recommend that the Board of Supervisors make the required findings for approval of the Project, including CEQA findings; (2) recommend that the Board adopt an MND and adopt a mitigation monitoring plan; (3) recommend that the Board approve a zoning map amendment to change the zone district on the subject parcels from 40-AG to AG-II-40; and (4) recommend that the Board approve a Conditional Use Permit (CUP).

We appreciate that the Project applicant asked County staff to revise the MND to incorporate an accurate pre-Project "baseline" for the purpose of analyzing the Project's impacts. The MND states that a component of the Project was installed in 2010, and that "immediately prior to development of the track, this area of the parcel was devoid of vegetation." (Proposed Final MND, at p. 20.) However, aerial photographs show that native vegetation *was* present onsite prior to construction of the Project.¹ Therefore, we

¹ See attached letter from Lawrence E. Hunt, Hunt and Associates Biological Consulting Services, November 8, 2013.

urge you to include additional mitigation measures and/or conditions of approval in the final MND. Without the additional mitigation, it is possible the Project will have resulted in significant and avoidable impacts to the environment, necessitating the preparation of an environmental impact report (EIR).² Our specific comments and further recommendations are below.

THE PROJECT

The proposed project is a request for the approval of: (1) a Consistency Rezone to rezone the property from its current zoning of General Agriculture, 40-acre minimum lot area (40-AG) under Zoning Ordinance No. 661 to Agriculture II, 40-acre minimum lot area (AG-II-40) under the Santa Barbara County Land Use & Development Code (LUDC); and (2) a CUP to rectify an existing zoning violation for unpermitted outdoor recreational development and activities consisting of a paintball field, athletic fields and a remote controlled car track.

Consistency Rezone: The subject 9.99 and 9.50 gross/acre parcels are legal non-conforming as to size and are currently zoned General Agriculture, 40-acres minimum lot area (40-AG), pursuant to Ordinance 661. Ordinance 661 does not allow outdoor recreational activities to be permitted on parcels with a 40-AG zone designation. In order to permit the subject recreational development and activities, the zoning map is proposed to be amended to Agriculture II, 40-acres minimum gross lot area (AG-II-40), consistent with the current Land Use and Development Code. The subject parcels would remain non-conforming as to size.

Conditional Use Permit: Applicant requests approval of a CUP to permit existing unpermitted outdoor development and recreational activities consisting of a paintball field, athletic fields, and a remote controlled car track on the subject parcels (APN(s) 099-141-016, -017). These activities received a zoning violation since their use is not permitted under the existing Ordinance 661 zoning. Existing unpermitted development consists of a paintball field of approximately 1.5 acres, 2 athletic fields of approximately 4.5 acres, and a remote control car track of approximately 5 acres. One hundred and fifty parking spaces composed of compacted base and screened with a landscaped berm planted with pine trees would be provided on APN 099-141-017, which apparently contains some prime soils.

PROJECT IMPACTS

There is substantial evidence which supports a fair argument that significant impacts have been and/or will be caused by the Project. Fortunately, these impacts can be mitigated.

² CEQA Guidelines § 15064(a)(1); *No Oil Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68; *Friends of B Street v. City of Hayward* (1980) 106 Cal.App.3d 988.

4.1 Aesthetics/Visual Resources

The Project is located on the north side of Highway 246 approximately 0.5 miles northeast of the City of Lompoc and the intersection of Highway 1 and Highway 246, in a designated rural area bounded by a park and rural residential uses. The subject parcel is visible to travelers on Highway 246. The overall visual characteristics of the neighborhood include scattered residential and agricultural buildings amongst an area that supports a public passive-use park (Riverpark), the County's road yard, vineyards, orchards, grazing land and residential ranchettes, and the Santa Ynez River.

The County's Visual Aesthetics Impact Guidelines classify coastal and mountainous areas, the urban fringe and *travel corridors* as "especially important" visual resources. A project may have the potential to create a significantly adverse aesthetic impact if (among other potential effects) it would impact important visual resources, *obstruct public views, remove significant amounts of vegetation, substantially alter the natural character of the landscape, or involve extensive grading visible from public areas.* (Proposed Final MND, p. 4, emphasis added).

When the pre-project baseline is used to analyze the Project, it is clear that it has created significant visual impacts. The zoning violation was originally reported due to the public's clear observation of major, non-agricultural extensive grading along Hwy 246. The erection of fencing and numerous other structures for the paintball operation and other aspects of the active recreational use are also extensive and change the views of the site from the public, passive park adjacent to the site, at Riverpark. Additionally, the natural character of the site has been substantially altered. The addition of at least 150 parked cars on a daily basis that would be visible from Highway 246 is a significant impact. Additional mitigation, such as planting native plants to screen views from the road, should be required to ensure that impacts are kept to a level below significant.

4.2 Agricultural Resources

We are concerned about the conversion of agricultural lands to other, non-agricultural uses. While recreational facilities may be an allowed use under the AG-II-40 zone designation, they are not appropriate for every agricultural property, especially where there is a potential for projects to create cumulative and/or growth-inducing impacts. The Project appears incompatible with the surrounding agricultural area. The County should ensure that this Project does not create a precedent or become a model for other properties to come out of agriculture or constrain true agricultural uses.

4.3 Air Quality

We note that the proposed Final MND analyzes "Greenhouse Gas Emissions/Global Climate Change" using an "interim" threshold of 1,100 MT/yr for non-stationary sources and 10,000 MT/yr for stationary sources. Instead, the document should use a "zero emissions" threshold. The concentration of GHGs in our Earth's

atmosphere recently crossed the 400 parts-per-million (ppm) threshold; experts predict that current trends will cause global temperatures to rise at least two degrees, causing potentially catastrophic changes.³ In other words, GHG emissions must be reduced from their current global levels, and *any* new input of GHG emissions exacerbates that global problem. The Project must be consistent with CEQA's requirement that *all* potentially significant impacts be evaluated and mitigated or avoided where feasible.

4.4 Biological Resources

The MND's Biological Resources section fails to identify the project's impacts to habitats and species that may have been present before project construction.

The subject parcels have been put under cultivation several times over the past 50 years. However, their close proximity to important Santa Ynez River riverine and riparian habitats means that, when left fallow for extended periods of time and allowed to support native/non-native vegetation, they provide potential foraging habitat for one or more special-status wildlife species. Prior to construction of the Project, the parcels likely provided foraging, nesting and/or cover habitat for numerous special-status species. These species are known from the vicinity of the Project, such as in Santa Ynez River riparian and aquatic habitats. Historic aerial photographs show that the subject parcel bordered by River Park Road and Highway 246 contained grassland and shrubland vegetation, and sandy soils that could have been used by one or more of the following:

- Western pond turtle (*Actinemys marmorata*) – California Species of Special Concern (potential overwintering and/or nesting)
- Two-striped garter snake (*Thamnophis hammondi*) – California Species of Special Concern (foraging and cover habitat)
- Cooper's hawk (*Accipiter cooperii*) – Watch List (foraging habitat)
- Northern harrier (*Circus cyaneus*) – California Species of Special Concern (foraging habitat)

³ See, e.g., Neela Banerjee, "Carbon Dioxide in the Atmosphere Crosses Historic Threshold," *L.A. Times*, May 10, 2013, available at <http://articles.latimes.com/2013/may/10/science/la-sci-sn-carbon-atmosphere-440-ppm-20130510>; Hanson J., et al. "Target atmospheric co2: where should humanity aim?" *Open Atmospheric Science Journal* 2 (2008): 217-231; Eby, M., Montenegro A., Zickfeld K., Archer D., Meissner K., & Weaver A. "Lifetime of anthropogenic climate change: millennial time scales of potential co2 and surface temperature perturbations." *Journal of Climate* 22, Special Collection (May 2008): 2501-2511; Matthews D., & Caldeira K. "Stabilizing climate requires net zero emissions." *Geophysical Research Letters*, February 27, 2008: 1-5; Allison I., Bindoff N.L., Bindshadler R.A., Cox P.M., de Noblet N., England M.H., et al. (2009). *The Copenhagen Diagnosis*. The University of New South Wales Climate Change Research Centre (CCRC). Sydney: CCRC; Lowe A., Huntingford C., Raper S., Jones C., Liddicoat S., & Gohar L. "How difficult is it to recover from dangerous levels of global warming?" *Environmental Research Letters*, March 11, 2009; Zickfeld K., E. M. (2009). Setting cumulative emissions targets to reduce the risk of dangerous climate change. *National Academy of Sciences of the United States*, 106 (38), 16129-16134; England M., Alexander S.G., & Pitman A.J. "Constraining future greenhouse gas emissions by a cumulative target." *National Academy of Sciences of the United States of America* 106, no. 39 (September 2009): 16539-16540.

- White-tailed kite (*Elanus leucurus*) – Fully Protected (foraging habitat)
- Long-billed curlew (*Numenius americanus*) – California Species of Special Concern (foraging habitat)
- Burrowing owl (*Athene cunicularia*) - California Species of Special Concern (foraging and possible nesting habitat)
- Long-eared owl (*Asio otus*) - California Species of Special Concern (foraging habitat)
- Loggerhead shrike (*Lanius ludovicianus*) - California Species of Special Concern (foraging and possible nesting habitat)
- California horned lark (*Eremophila alpestris actia*) - California Species of Special Concern (foraging habitat)
- Bell's sage sparrow (*Amphispiza belli belli*) – Watch List (foraging and possible nesting habitat)
- Tricolored blackbird (*Agelaius tricolor*) - California Species of Special Concern (foraging habitat)
- Lawrence's goldfinch (*Carduelis lawrencei*) - California Species of Special Concern (foraging habitat)
- Pallid bat (*Antrozous pallidus*) - California Species of Special Concern (foraging habitat)
- Townsend's big-eared bat (*Corynorhinus townsendii*) - California Species of Special Concern (foraging habitat)
- Western red bat (*Lasiurus blossevillii*) - California Species of Special Concern (foraging habitat)
- San Diego black-tailed jackrabbit (*Lepus californicus bennettii*) - California Species of Special Concern (foraging and cover habitat).⁴

Removal of all vegetation and grading of the parcels for the Project likely eradicated habitat for one or more of the aforementioned animals. The greatest impacts at that time would have occurred to species with limited dispersal ability, such as pond turtles and garter snakes, and to nesting birds if clearing occurred during the breeding season (nest abandonment and loss).⁵

Similarly, conversion of the parcel from fallow field to recreational uses removed grasses, herbaceous vegetation, and shrubs and probably pocket gophers and ground squirrels that are common in such fallow fields. This activity potentially affected the foraging habits of the following special-status species: Cooper's hawk, northern harrier, white-tailed kite, long-billed curlew, burrowing owl, long-eared owl, loggerhead shrike, pallid bat, big-eared bat, and red bat.⁶

⁴ See attached letter from Lawrence E. Hunt, Hunt & Associates Biological Consulting Services. September 2, 2013.

⁵ *Id.*

⁶ *Id.*

The proposed MND states that the remote control car track was installed in 2010, and that "immediately prior to development of the track, this area of the parcel was devoid of vegetation." (Proposed Final MND, at p. 20.) However, aerial photographs show that native vegetation *was* present onsite prior to construction of the Project; Hunt specifically notes that shrubby vegetation, which he believes to have been native plants including coyote brush and coast golden bush, was present on the site in 2009, prior to construction of the Project.⁷

Hunt concludes that impacts to biological resources could have been mitigated to a level below significant if: (1) pre-project surveys were undertaken; (2) work was scheduled to avoid/minimize impacts; and/or (3) a biological monitor had been hired to oversee construction.

These measures were not implemented concurrently with the Project's construction, and so Hunt recommends after-the-fact mitigation to avoid a significant biological impact.⁸ The riparian corridor of the Santa Ynez River adjacent to the southern parcel is restricted to the top-of-bank, bank, and the edges of the river channel and consists of a variable cover of mature arroyo willow (*Salix lasiolepis*), black cottonwood (*Populus balsamifera* subsp. *trichocarpa*), elderberry (*Sambucus mexicanus*), with a dense to sparse understory of shrubs dominated by coyote bush and mule-fat (*Baccharis salicifolia*). There is an opportunity to expand the width of the riparian corridor through habitat restoration of the grassy space between the existing edge of the riparian corridor and the kid's motocross track (see photograph below). Such restoration is necessary to avoid a potentially significant impact and is therefore necessary to avoid CEQA's requirement to prepare an EIR.

Habitat Enhancement Program

A minimum of 100 native riparian trees and 175 native riparian scrub shrubs of the following species and numbers should be planted in the area outlined in the photograph below:

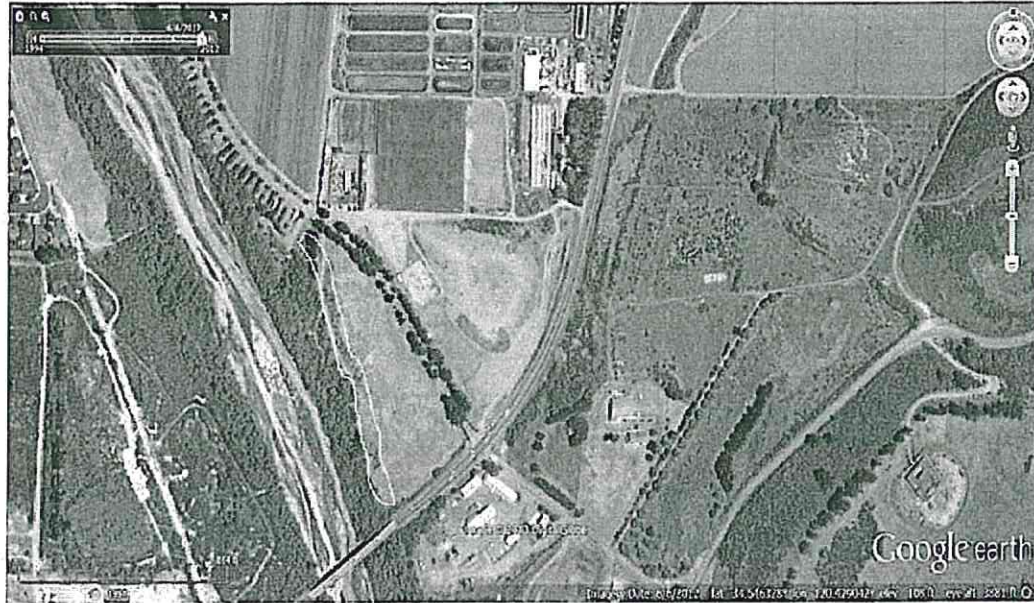
Trees: coast live oak (*Quercus agrifolia*) – 25; black cottonwood (*Populus balsamifera* subsp. *trichocarpa*) – 35; arroyo willow (*Salix lasiolepis*) – 40. The trees should be 15-gallon stock and come from genetic sources within the Santa Ynez River watershed. Sources include: SB Natives, Inc., Goleta (805.698.4994) or Growing Solutions, Goleta (805.452.7561). All trees should be placed on temporary drip irrigation for a period of three years until self-sufficient.

Shrubs: coast goldenbush (*Hazardia squarrosa*) – 50; elderberry (*Sambucus mexicana*) – 25; mule-fat (*Baccharis salicifolia*) – 50; toyon (*Heteromeles arbutifolia*) – 25; lemonadeberry (*Rhus integrifolia*) – 25. All shrubs should be 5-gallon stock and come from genetic sources within the Santa Ynez River watershed. Sources include: SB Natives, Inc., Goleta (805.698.4994) or Growing Solutions,

⁷ Hunt, November 8, 2013.

⁸ *Id.*

Goleta (805.452.7561). All shrubs should be placed on temporary drip irrigation for a period of three years until self-sufficient. The landowner could enlist the help of a local volunteer group to install and regularly care for these plants for a period of three years post-planting, when they can be taken off drip irrigation and the temporary drip lines removed. The drip irrigation system should be placed on a timer and maintained by the landowner.



If this mitigation is successfully implemented, it would obviate the need to prepare an EIR. Specifically, the MND should require implementation of the above restoration plan and: (1) annual monitoring for three to five years, including photographic surveys, measurement of percent survival and measurement of growth rates, all reported to the County's biologist; (2) for three years, replace vegetation that dies; (3) use drip irrigation for three to five years to support restoration; and (4) fence off the restoration area, and permanently protect it.

CONCLUSION

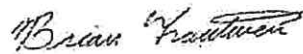
The MND is based on an inaccurate description of the environmental setting and inadequately analyzes Project impacts. The MND should acknowledge that the Project has resulted in significant impacts to biological and other resources and should require additional mitigation as described above.

Thank you for considering our recommendations.

Sincerely,



Nathan G. Alley, Staff Attorney



Brian Trautwein, Environmental Analyst / Watershed Program Coordinator

Cc: SB *CAN*

Attachments: Letter from Lawrence E. Hunt, Hunt and Associates Biological Consulting Services. November 8, 2013.

Letter from Lawrence E. Hunt, Hunt & Associates Biological Consulting Services. September 2, 2013.

**Lawrence E. Hunt
Consulting Biologist**

Brian Trautwein and Nathan Alley
Environmental Defense Center
906 Garden Street
Santa Barbara, California 93101

8 November 2013

Subject: Comments on Final Mitigated Negative Declaration (12NGD-00000-00024), 15 August 2013, for the Mosby Recreational Fields & Consistency Rezone Project, Santa Barbara County, California.

The comments in this letter are based on site observations and conclusions of my review of the Draft Mitigated Negative Declaration for this project summarized in my letter, dated 2 September 2013.

Final Mitigated Negative Declaration. The conclusions in the Final MND regarding potential impacts of the proposed project on biological resources are basically unchanged from those in the Draft MND. Although the Final MND uses both the “pre-grading” and “existing” condition of the parcel (APN 099-141-017), the condition of the parcel before unpermitted grading and vegetation removal occurred is not adequately described. Consequently, I believe the potential project-related impacts to wildlife resources in the area have been underestimated. The Conclusion section at the end of this letter contains an evaluation of potential impacts to wildlife resources caused by the unpermitted grading and conversion of the parcel.

Aerial Photographs: see following pages.

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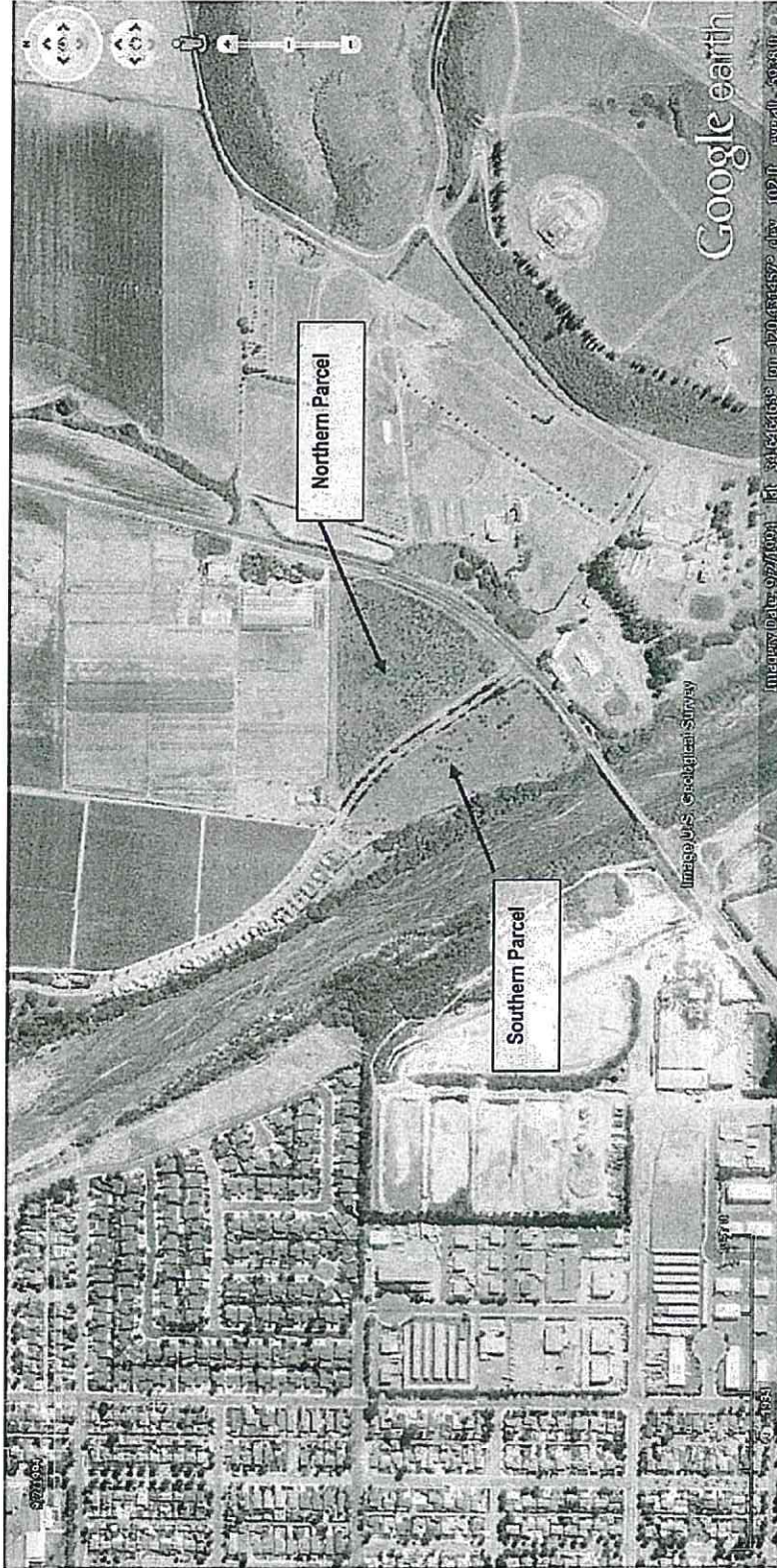
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January 1938: Subject parcels are indicated by circle in lower left portion of photo. The subject parcels are under cultivation at this time. Signs of recent overwash during flood events is evident. River Park Road does not exist; note location of Lompoc-Buellton Road bridge upstream of current position.

1964 (no photo; evaluation is based on aerial photograph base maps in: *Shipman, G.E. 1972. Soil survey of northern Santa Barbara County. Soil Conservation Service, Washington D.C.*): Same conditions as in 1938 photo—parcels are under cultivation. River Park Road and River Park do not exist.

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2 September 1994: The northern parcel appears to be vegetated with a variable cover of shrubs, probably coyote brush, herbaceous vegetation, and annual grasses. There are a few larger shrubs along the margin of Buellton-Lompoc Road that may be elderberry. The southern parcel is an open field, apparently vegetated with annual grasses and widely scattered clumps of shrubs, probably coyote brush and/or elderberry. River Park campground is visible in this photo.

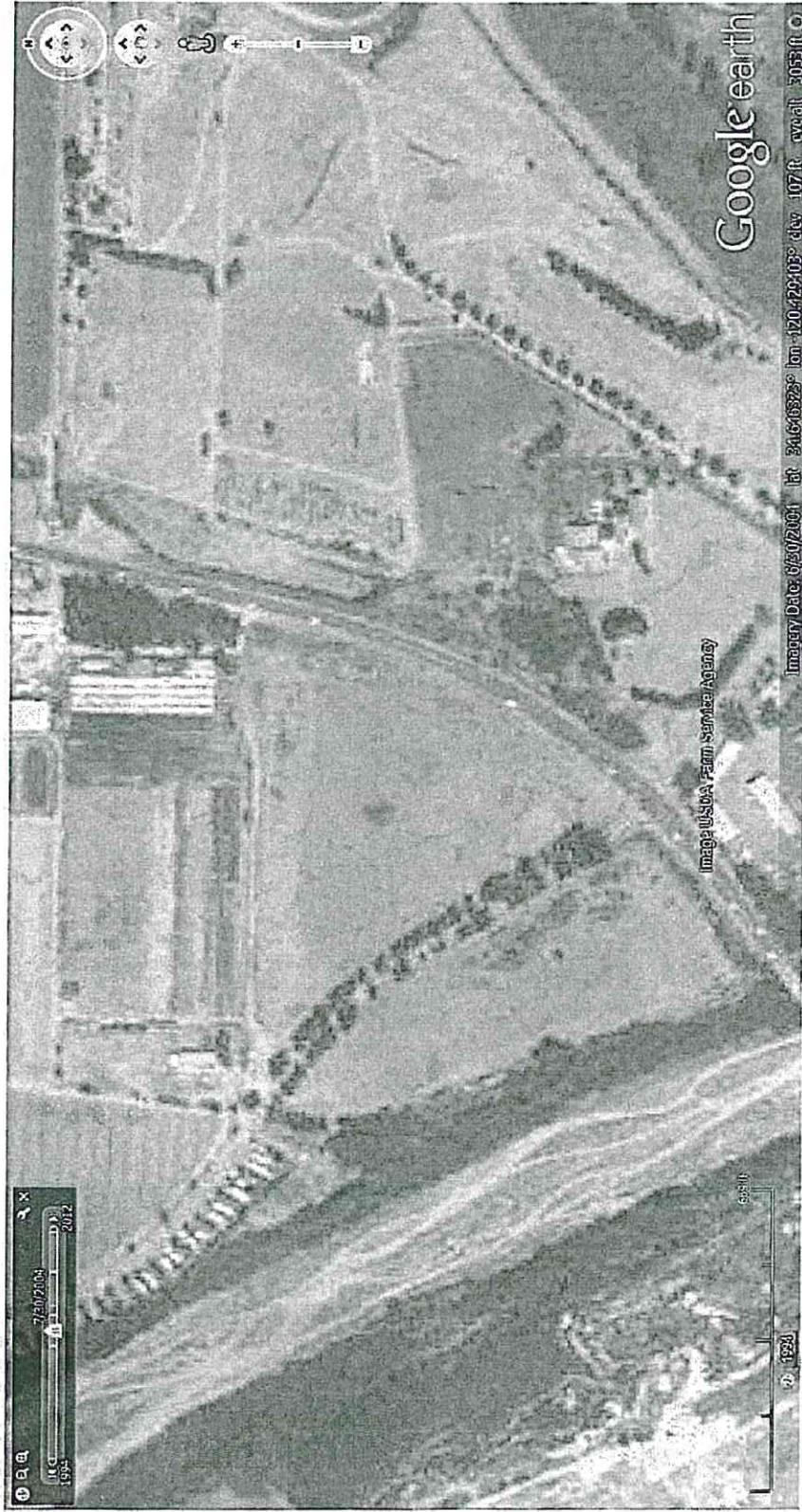
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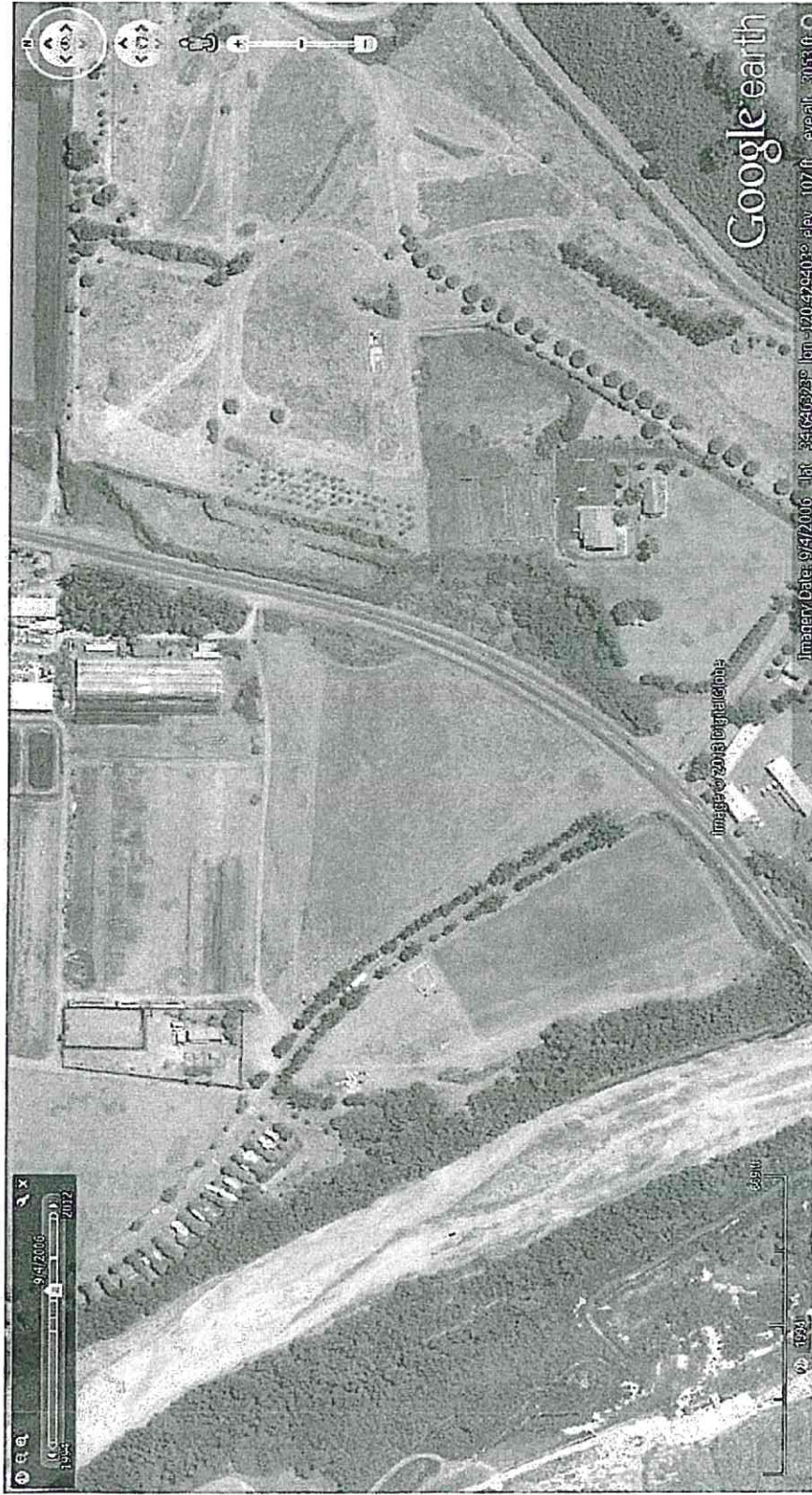
19 June 2003: Vegetation described in the 1994 photo of the northern parcel is denser and forms an almost continuous shrub canopy across most of the parcel. Shrubs are likely to be native coyote brush and coast goldenbush because these species occur today in lightly disturbed areas adjacent to this reach of Lompoc-Buelton Road. Compare conditions to the northern portions of this parcel, which have been cleared for agricultural use. The parcel south of River Park Road appears the same as in 1994, except that shrub cover has expanded since that time.

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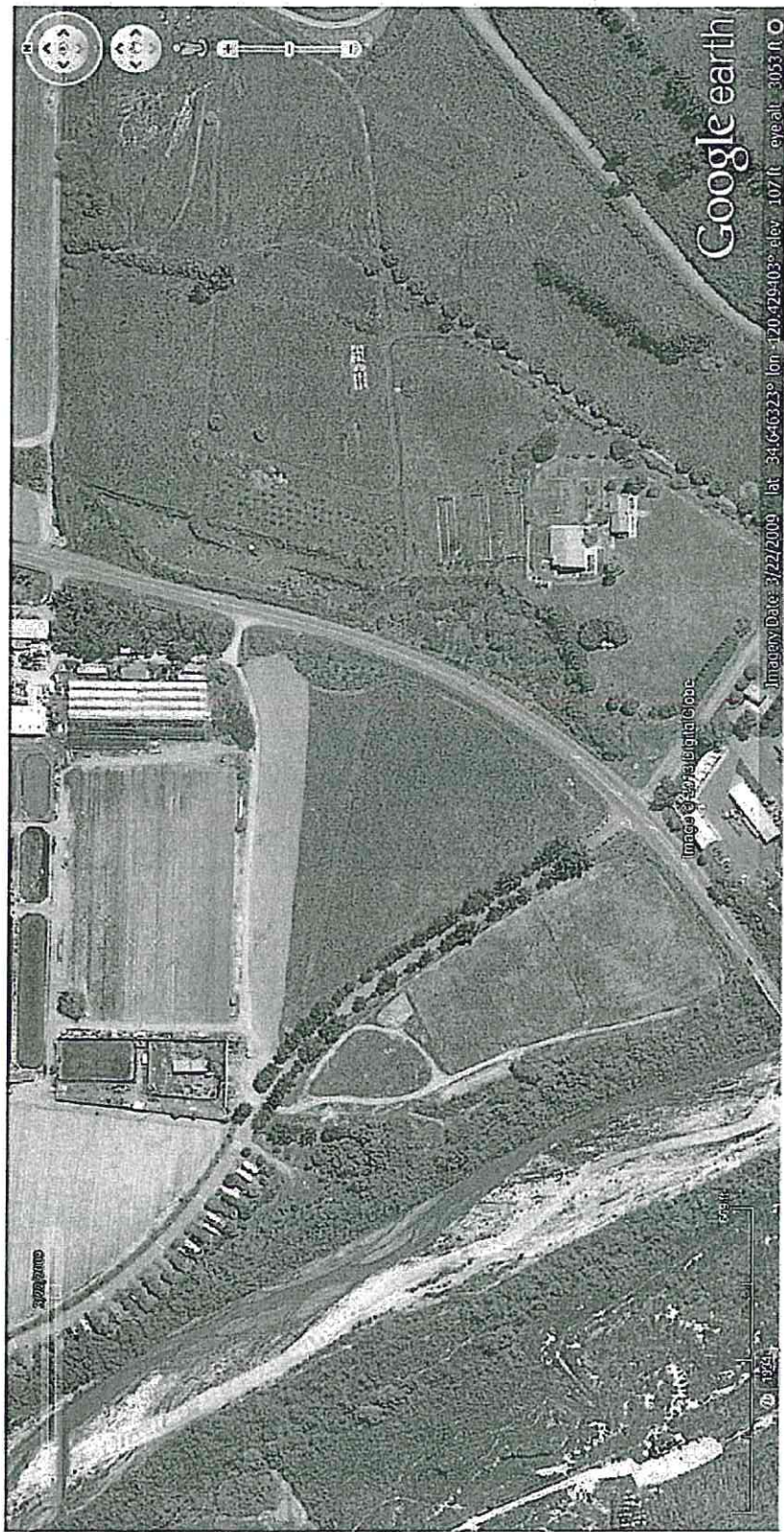
30 July 2004: The northern parcel has been cleared of shrub vegetation. The parcel south of River Park Road has been disked, but a small amount of shrub cover remains.

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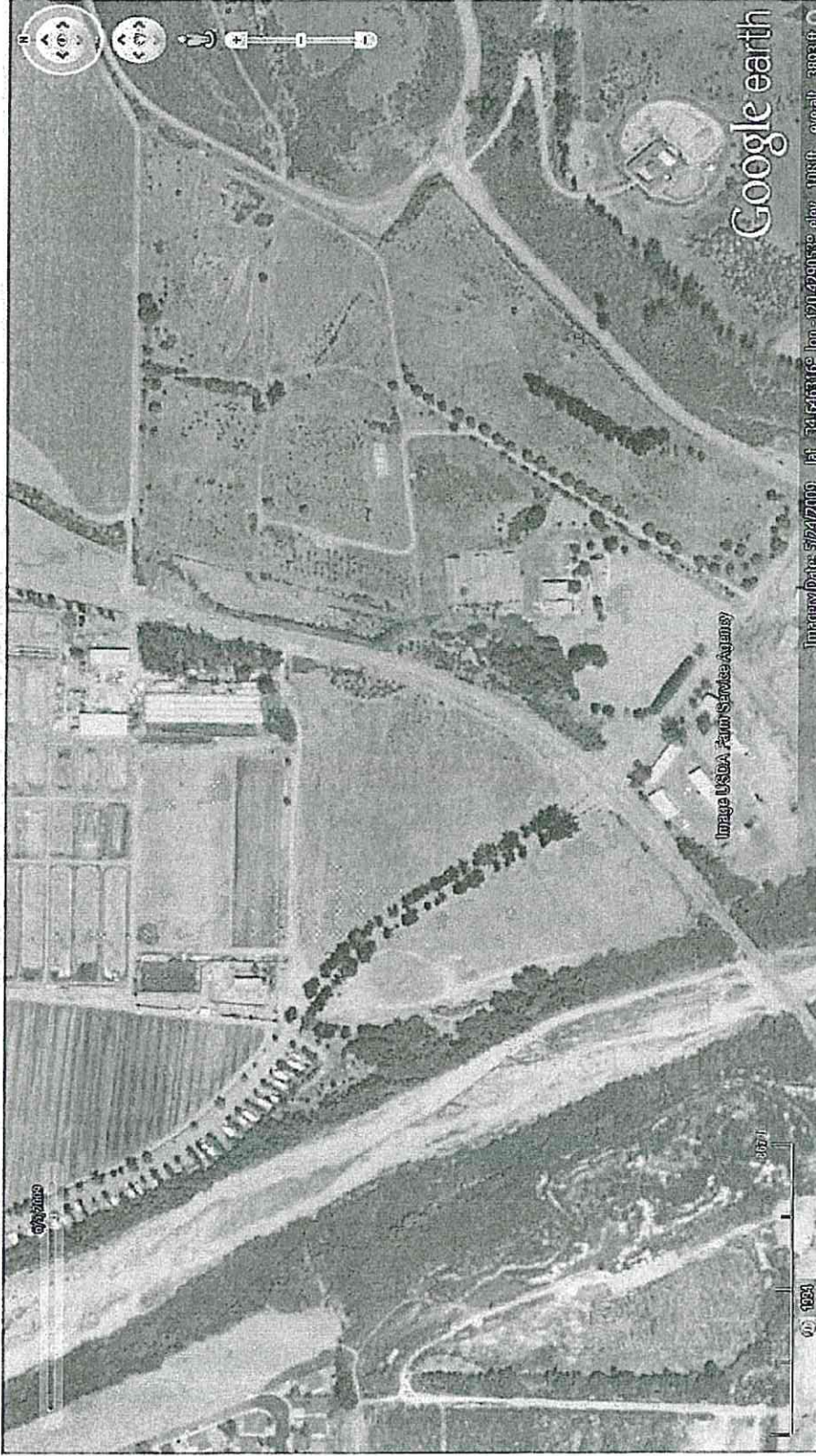
4 September 2006: The northern parcel appears to be vegetated with annual grasses; no shrubs. Note patch of shrubs, probably coyote bush and coast goldenbush, along east edge of this parcel along Lompoc-Buellton Road. The southern parcel has what appears to be a cover crop on the eastern three-quarters of the parcel (disking marks are evident). There are vehicles and a fence-like structure and bare soil on the western 25% of the southern parcel.

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22 March 2009: The northern parcel supports grass and sparse re-colonizing shrubs and herbaceous plants, probably coyote brush, coast goldenbush, and western ragweed. Note denser shrub cover in patch along Lompoc-Buellton Road. The northern portion of this parcel (same area as in 2003 and 2006 photo) is being farmed. On the southern parcel, the same area being farmed in the 2006 photo is under cultivation and has been heavily disked. A dirt road runs between these cultivated areas and the riparian corridor of the Santa Ynez River and connects to other dirt roads in the western portion of the parcel. The western quarter of the parcel appears to have a baseball diamond on it.

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5 June 2009: Same conditions as in the 22 March 2009 photo in dry season. Note shrubs in dry grass on northern parcel and denser shrub patch along Lompoc-Buellton Road (also visible in 2006 photo).

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6 June 2012: The northern parcel has been cleared of all vegetation and has been graded to create what appear to be a dirt bike track and other recreational areas. The parcel south of River Park Road is unchanged from the 2009 descriptions, except that baseball diamond has been removed.

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Conclusions. The Final MND concluded there was no native vegetation present on the northern parcel when it was converted for recreational purposes sometime between 2009 and 2012. The aerial photos show taken in 2009 show that this parcel likely supported non-native annual grasses and a sparse cover of native shrubs, probably coyote bush, western ragweed, and coastal goldenbush, which is present in relatively undisturbed areas along the eastern margin of this parcel adjacent to Lompoc-Buellton Road. The grass/shrub cover here would have provided foraging and nesting habitat for seed- and insect-eating birds and small mammals. Grading eradicated pocket gophers, ground squirrels, and other rodents that probably inhabited the parcel. These species are prey for a variety of raptorial birds, so grading potentially affected the foraging habits of raptors and larger mammals, including special-status species known to occur in the region, such as Cooper's hawk, northern harrier, white-tailed kite, long-billed curlew, burrowing owl, long-eared owl, loggerhead shrike, pallid bat, big-eared bat, and red bat. Grading in the context of converting the parcel to recreational use would have been considered a Class II impact in a Biological Assessment of the project. This impact could have been mitigated to less than significant levels by timing grading to avoid the breeding season for ground-nesting birds and raptors, pre-construction surveys and/or monitoring during initial vegetation grubbing, and by implementing some form of habitat restoration in the area between the southern parcel and the existing riparian canopy along the Santa Ynez River.

Additionally, the noise impacts generated by the project were evaluated in the Final MND solely in terms of its impact on sensitive human receptors, and did not consider impacts to sensitive wildlife receptors, such as birds, including a number of special-status species, that use the adjacent riparian corridor along the Santa Ynez River as foraging and nesting habitat. Increased noise in this area could cause birds to abandon this area as nesting habitat or significantly alter foraging patterns, a Class II impact.

Recommended After-the-Fact Mitigation. The riparian corridor of the Santa Ynez River adjacent to the southern parcel is restricted to the top-of-bank, bank, and the edges of the river channel and consists of a variable cover of mature arroyo willow (*Salix lasiolepis*), black cottonwood (*Populus balsamifera* subsp. *trichocarpa*), elderberry (*Sambucus mexicanus*), with a dense to sparse understory of shrubs dominated by coyote bush and mule-fat (*Baccharis salicifolia*). There is an opportunity to expand the width of the riparian corridor through habitat restoration of the grassy space between the existing edge of the riparian corridor and the radio-controlled vehicle track/BMX track (see following photo).

Habitat Enhancement Program: A minimum of 100 native riparian trees and 175 native riparian scrub shrubs of the following species and numbers should be planted in the area outlined in the following photo:

Trees: coast live oak (*Quercus agrifolia*)--25; black cottonwood (*Populus balsamifera* subsp. *trichocarpa*)—35; arroyo willow (*Salix lasiolepis*)—40. The

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trees should be 15-gallon stock and come from genetic sources within the Santa Ynez River watershed. Sources include: SB Natives, Inc., Goleta (805.698.4994) or Growing Solutions, Goleta (805.452.7561). All trees should be placed on temporary drip irrigation for a period of three years until self-sufficient.

Shrubs: coast goldenbush (*Hazardia squarrosa*)—50; elderberry (*Sambucus mexicana*)—25; mule-fat (*Baccharis salicifolia*)—50; toyon (*Heteromeles arbutifolia*)—25; lemonadeberry (*Rhus integrifolia*)—25. All shrubs should be 5-gallon stock and come from genetic sources within the Santa Ynez River watershed. Sources include: SB Natives, Inc., Goleta (805.698.4994) or Growing Solutions, Goleta (805.452.7561). All shrubs should be placed on temporary drip irrigation for a period of three years until self-sufficient.

The landowner could enlist the help of a local volunteer group to install and regularly care for these plants for a period of three years post-planting, when they can be taken off drip irrigation and the temporary drip lines removed. The drip irrigation system should be placed on a timer and maintained by the landowner.



Recommended Habitat Enhancement Site.

Lawrence E. Hunt

Lawrence E. Hunt

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**Lawrence E. Hunt
Consulting Biologist**

Brian Trautwein and Nathan Alley
Environmental Defense Center
906 Garden Street
Santa Barbara, California 93101

2 September 2013

Subject: Draft Review of Potential Biological Resources Affected by the Mosby Recreational Fields Project, Santa Barbara County, California.

Methods. The site and the surrounding parcels were surveyed on foot and from existing public roadways by Lawrence E. Hunt on 30 August 2013 to characterize existing conditions and land use within and around the subject parcels. I reviewed California Natural Diversity Data Base (CNDDB) records of special-status plants and animals known from the Lompoc, Lompoc Hills, and Santa Rita Hills quadrangles. Potential impacts to special-status plants and animals from the project also are based on 29 years of field experience in the vicinity of the project area.

Existing Conditions. The subject parcels (APN 099-141-017 and APN 099-141-016) are located northwest of the intersection of Buellton-Lompoc Road and River Park Road and east of the City of Lompoc. The parcels total approximately 19.5 acres and are situated on a former river terrace along the eastern edge of the Santa Ynez River floodplain. The northern parcel (017, north of River Park Road) is bounded on the north by agricultural fields, on the east by Buellton-Lompoc Road and additional agricultural acreage to the east, and on the south and west by River Park Road. The southern parcel (016) is bordered by River Park Road on the north, the riparian corridor along the eastern bank of the Santa Ynez River on the south, and Buellton-Lompoc Road on the east.

The eastern portions of the northern parcel have been disked or otherwise graded in the recent past to remove vegetation, and is now being re-colonized by ruderal vegetation that consists of a mixture of grasses, forbs, and shrubs that are adapted to disturbed conditions. Most of the species present are native (bolded) and include: **telegraph weed** (*Heterotheca grandiflora*), **western ragweed** (*Ambrosia psilostachya*), **dock** (*Rumex* sp.), **California croton** (*Croton californica*), annual brome grasses (*Bromus* sp.), **coyote brush** (*Baccharis pilularis*), **coast goldenbush** (*Hazardia squarrosa*), and **Russian thistle** (*Salsola tragus*). A play field and a paintball park occupy the western half of the northern parcel.

The margins of both sides of River Park Road are lined with mature Monterey pines (*Pinus radiata*). The northern portion of the southern parcel is being used as a parking

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lot for a radio-controlled car race track that has been created along the southern half of this field. The northwestern portion of the southern is lot supports ruderal vegetation (species similar to those described above). Separating the race track from the Santa Ynez River riparian corridor is an approximately 75-100 foot-wide disturbed expanse of brome grass and scattered, re-colonizing shrubs.

The riparian corridor of the Santa Ynez River adjacent to the southern parcel is restricted to the top-of-bank, bank, and the edges of the river channel and consists of a variable cover of mature arroyo willow (*Salix lasiolepis*), black cottonwood (*Populus balsamifera* subsp. *trichocarpa*), elderberry (*Sambucus mexicanus*), with a dense to sparse understory of shrubs dominated by coyote bush and mule-fat (*Baccharis salicifolia*). The river channel is mostly open with a relatively flat gradient that creates a braided flow configuration. Water was flowing continuously through the channel during the 30 August 2013 site visit as a result of upstream water releases from Bradbury Dam, but this reach of the river is frequently dry for several months in summer and fall. Bare ground covers at least 70% of the channel bed; the remainder is vegetated with mule-fat and herbaceous vegetation.

Review of Aerial Photography (1964-2012):

1964 (aerial photograph base maps in: Shipman, G.E. 1972. Soil survey of northern Santa Barbara County. Soil Conservation Service, Washington D.C.): Both the northern and southern parcels are under cultivation up to the edge of the riparian corridor along the top of bank of the Santa Ynez River. River Park Road and River Park do not exist.

2 September 1994: The northern parcel appears to be vegetated with a variable cover of shrubs, probably coyote bush, herbaceous vegetation, and annual grasses. There are a few larger shrubs along the margin of Bueilton-Lompoc Road that may be elderberry. The parcels to the north are under cultivation. The southern parcel is an open field, apparently vegetated with annual grasses and widely scattered clumps of shrubs, probably coyote brush and/or elderberry. River Park campground is visible in this photo.

19 June 2003: Vegetation described in the 1994 photo of the northern parcel is denser and forms an almost continuous shrub canopy across most of the parcel. The northern portions of this parcel have been cleared for agricultural use and removed shrubs and grassland vegetation in an area approximately 100 feet wide x 890 feet long (about 2 acres). The southern parcel appears the same as in 1994, except that shrub cover has expanded since that time.

30 July 2004: The northern parcel has been cleared of shrub vegetation. The southern parcel has been disked, but a small amount of shrub cover remains there.

13 December 2005: Both parcels are devoid of shrub vegetation and appear to be bare soil. Tire marks made by tractors are evident across both parcels.

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4 September 2006: The northern parcel appears to be vegetated with annual grasses; no shrubs. The southern parcel has what appears to be a cover crop on the eastern three-quarters of the parcel (disking marks are evident). There are vehicles and a fence-like structure and bare soil on the western 25% of the southern parcel.

22 March 2009: The northern parcel supports grass and sparse re-colonizing shrubs and herbaceous plants, probably coyote brush and coast goldenbush. The northern portion of this parcel (same area as in 2003 photo) is being farmed. On the southern parcel, the same area being farmed in the 2006 photo is under cultivation and has been heavily disked. A dirt road runs between these cultivated areas and the riparian corridor and connects to other dirt roads in the western portion of the parcel. The western quarter of the parcel appears to have a baseball diamond on it.

5 June 2009: Same conditions as in the 22 March 2009 photo.

6 June 2012: The northern parcel has been cleared of all vegetation and has been graded to create what appear to be a dirt bike track and other recreational areas. The southern parcel is unchanged from the 2009 descriptions, except that baseball diamond has been removed. The southern parcel would be characterized as heavily disturbed open space with no agricultural activity at this time. Remnants of the dirt road are evident in the western half of the southern parcel.

30 August 2013 (site visit): The eastern 75% of the southern parcel supports a radio-controlled car racetrack and a parking lot. Vegetation in the western 25% of the parcel consists of ruderal grasses, forbs, and shrubs that presumably covered the eastern portions of the parcel prior to grading. The western, less disturbed portions of the southern parcel support dense colonies of pocket gophers (*Thomomys bottae*), California ground squirrels (*Spermophilus beecheyi*), and other burrowing rodents that provide prey for raptors and other wildlife. These prey species presumably readily re-colonized both the southern and northern parcels when fallow.

Conclusions:

- The subject parcels have been put under cultivation several times over the past 50 years. However, their close proximity to important Santa Ynez River riverine and riparian habitats means that, when left fallow for extended periods of time and allowed to support native/non-native vegetation, they provide potential foraging habitat for one or more special-status wildlife species.

Based on analysis of aerial photographs, the subject parcels were under cultivation at various times between 1964 and the early 1990s. They were left fallow and reverted back to a mixture of native and non-native vegetation until sometime in 2003-2004 when they were again cleared of vegetation. In the

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intervening 10 years or so a shrub community developed on the parcels that likely supported generalist wildlife species and was likely used as foraging habitat by raptors and other birds nesting in the vicinity (e.g., the Santa Ynez River riparian corridor). During that ten-year period, from the early 1990s to the early 2000s, the parcel may have provided foraging, nesting, and/or cover habitat for the following special-status species. These species are known from the vicinity of the project, such as in Santa Ynez River riparian and aquatic habitats, and the subject parcels contained grassland and shrubland vegetation and sandy soils that could have been used by one or more of these species:

- Western pond turtle (*Actinemys marmorata*) – California Species of Special Concern (potential overwintering and/or nesting)
- Two-striped garter snake (*Thamnophis hammondi*) – California Species of Special Concern (foraging and cover habitat)
- Cooper's hawk (*Accipiter cooperii*) – Watch List (foraging habitat)
- Northern harrier (*Circus cyaneus*) – California Species of Special Concern (foraging habitat)
- White-tailed kite (*Elanus leucurus*) – Fully Protected (foraging habitat)
- Long-billed curlew (*Numenius americanus*) – California Species of Special Concern (foraging habitat)
- Burrowing owl (*Athene cunicularia*) - California Species of Special Concern (foraging and possible nesting habitat)
- Long-eared owl (*Asio otus*) - California Species of Special Concern (foraging habitat)
- Loggerhead shrike (*Lanius ludovicianus*) - California Species of Special Concern (foraging and possible nesting habitat)
- California horned lark (*Eremophila alpestris actia*) - California Species of Special Concern (foraging habitat)
- Bell's sage sparrow (*Amphispiza belli belli*) – Watch List (foraging and possible nesting habitat)
- Tricolored blackbird (*Agelaius tricolor*) - California Species of Special Concern (foraging habitat)
- Lawrence's goldfinch (*Carduelis lawrencei*) - California Species of Special Concern (foraging habitat)
- Pallid bat (*Antrozous pallidus*) - California Species of Special Concern (foraging habitat)
- Townsend's big-eared bat (*Corynorhinus townsendii*) - California Species of Special Concern (foraging habitat)
- Western red bat (*Lasiurus blossevillii*) - California Species of Special Concern (foraging habitat)
- San Diego black-tailed jackrabbit (*Lepus californicus bennettii*) - California Species of Special Concern (foraging and cover habitat).

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It is important to repeat however, that the condition of the subject parcels as wildlife habitat is an ephemeral occurrence because one or both parcels have been repeatedly converted to agriculture over the past 50 years.

- The width of the riparian corridor along the eastern side of the Santa Ynez River channel does not appear to have changed between 1964 and 2013, and does not appear to have been affected by the project.
- Removal of all vegetation and grading of the parcels in 2005 would have eradicated habitat for one or more of the aforementioned animals, if present. The largest impacts at that time would have occurred to species with limited dispersal ability, such as pond turtles and garter snakes, and to nesting birds if clearing occurred during the breeding season (nest abandonment and loss). None of these species would have occupied the subject parcels permanently at that time because of surrounding disturbance and their relatively small size. Whether or not these species occurred there seasonally at that time would have depended on the timing and intensity of surrounding land use, colonization of the parcels by prey species, and other factors.
- Conversion of the northern parcel from a fallow field to recreational uses sometime between 2009 and 2012 and conversion of the southern parcel sometime between June 2012 and August 2013 removed grasses, herbaceous vegetation, and shrubs and probably pocket gophers and ground squirrels that are common in such fallow fields. This activity potentially affected the foraging habits of the following special-status species: Cooper's hawk, northern harrier, white-tailed kite, long-billed curlew, burrowing owl, long-eared owl, loggerhead shrike, pallid bat, big-eared bat, and red bat. Conversion to recreational use probably would have been considered a Class II impact in a Biological Assessment of the project that could have been mitigated to less than significant levels by pre-construction surveys, construction monitoring, and/or timing constraints.
- No impacts to special-status plants are expected as a result of the project.

Lawrence E. Hunt

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Lompoc, CA 93436

Dear Chair Hartman and Planning Commissioners:

Thank you for the opportunity to provide comments regarding the Mosby operations. I have discussed the illegal activities occurring on this property with Planning staff since 2006.

The Planning Commission should deny all components of this project, especially the CUP which would create conflicts with adjacent agriculture. Not denying this project sets a precedent. It would send a message that the County will now allow intense urban uses on land zoned agriculture. This contradicts the County policy that agricultural land, the source of Santa Barbara's most valuable industry, must be protected.

I recently learned from a 1960s era Lompoc City Councilman that River Park was created using California State Green Belt Initiative funding. This buffer area was established using public money. River Park is a lovely passive recreation resource that was created more than 40 years ago to separate urban and agricultural uses. There is no active recreation on River Park; it is used for camping, walking, fishing, and other quiet passive recreational activities.

The applicant's illegal development has already negatively impacted this passive recreational community resource. Many long time Lompoc Valley residents have voiced dismay that the once rural approach to the Park has been destroyed by the illegal and intense uses the applicant has created with no permits.

I have read the staff report and final negative declaration and have attached a list of issues/concerns/errors that I hope are included in today's deliberation. I have discussed many of these with staff over the course of the past months. The revised documents do not adequately address many of the public's concerns.

Please deny this project. Uphold the County policies that have successfully protected agriculture in this County. The community looks forward to seeing these parcels restored to viable agricultural operations.

Respectfully,

Marell Brooks

AGENDA ITEMS

ITEM #: 1

MEETING

DATE: 11-13-13.

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Issues not adequately addressed in staff report or final Neg. Dec.

- *Inadequate site plan: Ingress/egress; no specific parking plan for 150 cars.
- *Use of Pine Trees
- *Food vendors/Trash: Monitoring?
- *Requirements for a sanctioned Remote Control Car operation (fire hazards)
- *Incomplete traffic analysis: new Mosby property access road not included.
- *Public Health issues: Inadequate number of restrooms too far from operations
- *City letter re restrooms not vetted through City Public Health.
- *Fire: Station 51 more than 5-6 minutes away.
- *Emergency evacuation of 150 cars/700 people not explained.
- *Temporary nature of kids motocross park
- *Visual Impacts: Paint ball corrugated walls. View from Park
- *Wording: 'made available for public use': Operations are private, for profit. No trespassing signs are posted. Anyone using the operations has to pay. (See website for Lompoc Remote Control Car Club: paying for owner's "permits")
- *Public Benefit: Need for these recreational uses: It is a private operation. City has more than adequate park space, to include the undeveloped Riverbend Park. (See Ron Fink editorial Lompoc Record October 2013).
- *Air quality: dust: Specific parking plan for 150 cars. Poison pellets used on soccer fields.
- *Grading: Field adjacent to 246 is now bowl-shaped dirt field c/ multiple tire tracks
- *Noise Impacts when RV park is extended in three years.
- *Illegal signage: Chronic issue, even during review period. (p. 36)
- * Parking requirements Striping? Adequate turn space, etc.

AGENDA ITEMS

November 8, 2013

RE: Mosby Rezone and Recreational Fields
11CUP-00000-00032; 12RZN-00000-00003

ITEM #: 1

MEETING

DATE: 11-13-13

Dear Chair Hartman and Members of the Planning Commission:

Thank you for allowing me to comment on the above project.

After considerable research, I have concluded:

- This project is inconsistent with current County policies
- The Staff Report underestimates or overlooks impacts to agriculture
- If approved, it would create a terrible precedent
- This project should be denied

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Problem #1: Inconsistent with LUDC allowable recreation use

The LUDC Article 35.42.240 defines allowable rural recreation use as "low-intensity recreational development." Paintball and sports fields are "high-intensity" recreational uses. For specific overview of paintball, please use link to article from the Santa Maria Times: "Paint wars: A Lompoc paintball venue provides a safe and legal home for high-adrenaline action." <http://www.santamariasun.com/sports-lead/6829/paint-wars/>

Problem #2: Inconsistent with LUDC rural recreation standard to not interfere with agricultural production on adjacent lots

The LUDC Article 35.42.240 states that rural recreation must comply with specific standards. This project fails to meet one of the standards:
Standard b. "Does not interfere with agricultural production on or adjacent to the lot on which it is located." According to statements by the Santa Barbara County Agricultural Commissioner at the November 6, 2013 meeting of the Santa Barbara County Agricultural Advisory Committee, this project could result in pesticide permit restrictions on adjacent parcels. Depending on the crop and the pesticide, fungicide, herbicide, and/or fumigant used, the farmer could be required to have a 25-foot to quarter mile buffer from the sports fields. Given the dimensions of adjacent fields, this could preclude growing specific crops altogether. This will obviously "interfere with agricultural production."

Problem #3: Inconsistent with Agricultural Element Policy to recognize freedom of choice of methods of cultivation and choice of crops

In addition to violating the above-sited LUDC standard, restrictions on adjacent properties violate The Agricultural Element Policy I.B. "The County shall recognize the rights of operation, freedom of choice as to the methods of cultivation, choice of crops or types of livestock, rotation of crops and all other functions within the traditional scope of agricultural management decisions." Issuing a discretionary land use permit that results in restricting pesticide permits abrogates adjacent

agriculturalists' freedom to choose methods of cultivation and their choice of crops.

Problem #4: Inconsistent with Agricultural Element Policy of discouraging conversion of highly productive agricultural lands

Approval of this project would violate The Agricultural Element Policy II.D.

"Conversion of highly productive agricultural lands whether urban or rural, shall be discouraged." This project encourages conversion of highly productive agricultural lands. Potential productivity can be verified by productivity of adjacent farmed lands. Lack of reversibility of conversion is discussed below.

Problem #5: Inconsistent with Agricultural Element Policy to discourage urban development if infill is available

Approval of this project would violate The Agricultural Element Policy III.A.

"Expansion of urban development into active agricultural areas outside of urban limits is to be discouraged, as long as infill development is available." In the case of Lompoc's need for recreational amenities, infill development is available. According to an editorial by Lompoc Planning Commissioner Ron Fink, the City of Lompoc "has more land for parks than is required by State law"

(http://www.lompocrecord.com/news/opinion/editorial/big-sports-park-plans-little-execution/article_de276a66-2a47-11e3-a674-0019bb2963f4.html). River Bend Park, a 30+ acre park located in northeast Lompoc, is available for development. A Master Plan for the park was approved and EIR certified in 2005. The Plan called for multi-use playing fields and 892 parking spaces. According to Fink, several soccer fields and a Babe Ruth field have been installed, but Little League fields and parking never materialized. Fink also indicates that the existing fields are in poor condition. The City reports having a balance of \$1,353,268.93 in Park Improvement Fees in their Annual Compliance Report 1600 for fiscal year ending June 30, 2013.

<http://www1.cityoflompoc.com/councilagenda/2013/130917/130917n06a06.pdf>. Lompoc has the land and the funds available for an infill recreational development.

Problem #6: Staff Report mischaracterizes surrounding parcels (which leads to overlooking impacts on adjacent agriculture)

The Staff Report does not accurately characterize the agricultural nature of surrounding parcels.

Staff Report Page 4. "Existing Setting: The project site is . . . bounded by a park and rural residential uses."

CORRECTION:

The project site is bounded by

099-141-007 – in active agriculture; according to statement by Ag Commissioner at Nov 6 AAD meeting, will be impacted by project by restrictions of pest control materials which will impact crop choices

099-141-015 – same as 007 (active agriculture potential restrictions); current ownership does not negate

099-150-054 – same as 007 (active agriculture potential restrictions)

099-150-057 – Bridgehouse homeless shelter

099-141-019 – County Yard; serves agricultural community by keeping roads clear

099-141-018 – River Park

Problem #7: Staff Report omits discussion of parcels that will be impacted

Under Physical Setting, the Staff Report fails to identify agricultural parcels that will be impacted by the project

Staff Report Page 6 Setting Physical (continued from previous page)

“The north, east, and west sides of the subject site are adjoin by parcels zoned agricultural ranging in size from approximately 10 to 100 acres. Though all of these adjacent parcels are zoned agriculturally, not all of them are used for agricultural purposes. The parcel to the south is River Park; the parcel to the east is the County’s Road yard; the parcel to the north is owned by the applicant and is used for aquaculture.”

CORRECTION:

The parcel to the north (099-141-015) is used for agricultural purposes (ownership irrelevant); one parcel to the west (99-141-007) is used for agricultural purposes; one parcel to the east (099-150-054) is used for agricultural purposes; one parcel to the east (099-150-057) is Bridgehouse homeless shelter which has the potential to engage residents in agricultural pursuits; one parcel to the west (099-141-???) is River Park; the parcel adjacent to the tip of the bottom of the triangular project parcel (099-141-019) is the County yard which provides services to the agricultural community.

Problem #8: The Staff Report inaccurately assesses potential for the subject parcels to return to agricultural use if project goes forward.

The Staff Report inaccurately assumes the viability of the land for future agriculture if this permit is granted and parking and high-intensity recreation ensue for undetermined time. The Staff Report does this in two instances:

Staff Report Page 6 Setting Physical (continued from previous page)

“With no structural development the subject lots would remain open space and have the potential to be easily converted back into cultivation by the current or any future owner.”

Staff Report Page 21 Land Use (continued from previous page)

“recreational use would not affect each parcels capability of being agriculturally suitable”

At the risk of being overly academic, I ask your indulgence to look at research that indicates that a project that will cause compaction from cars and stomping will not “be easily converted back into cultivation.”

In 2010, researchers at Rutgers University presented to the New Jersey Agriculture Development Committee a study titled “Assessment of Soil Disturbance on Farmland.”

<http://www.state.nj.us/agriculture/sadc/farmpreserve/postpres/rutgerssoildisturbancereport.pdf>

The authors note that soil compaction

- 1) destroys soil structure
- 2) negatively affects plant growth
- 3) circumvents natural hydrology
- 4) increases water runoff poses a water pollution hazard.
- 5) is not easily or rapidly remedied.

Parking and sports fields are likely to cause compaction into subsoil from weight (this is less impact than engineered compaction for load bearing construction but more impact than compacting for soil-seed contact or compacting from field operations).

The authors conclude:

- "Subsoil compaction is a long-term and possibly unsolvable problem; depending on degree of compaction, recovery may require from 3 to 9 or more years, or the damage may be permanent." (p 5)
- "Compaction that extends beyond the topsoil and into the subsoil may be beyond economically feasible remediation . . . *Subsoil compaction is normally considered permanent damage* (my emphasis), and may be manifested in reduced crop yields, impeded root growth, and decreased water percolation." (p 7)

Problem #9: Staff Report inaccurately assesses agricultural viability of the land if there is no project.

Pages 5-9 Agricultural Resources

The analysis is woefully inadequate. See my letter of February 7, 2013.

Problem #10: Staff did not consult with Agriculture Commissioner's Office regarding potential impacts on adjacent agricultural parcels

Page 29 Information Sources

If Staff had consulted with the Agriculture Commissioner's office, they would have known there would be impacts to adjacent properties in active agriculture.

Approving a Conditional Use Permit for a project with these flaws would set a terrible precedent. Others could demand the same exceptions. Agricultural zoning would be compromised and with it the long term health of agriculture in Santa Barbara County. This project would be better placed within urban boundaries.

Please vote to deny the CUP

Respectfully,

Sharyne Merritt, farmer



COUNTY OF SANTA BARBARA AGRICULTURAL ADVISORY COMMITTEE

November 7, 2013

Dr. Joan Hartmann, Chair
County of Santa Barbara Planning Commission
123 East Anapamu Street
Santa Barbara, CA 93101

AGENDA ITEMS
ITEM #: 1
MEETING
DATE: 11-13-13

RE: Mosby Rezone and Recreational Fields
11CUP-00000-00032; 12RZN-00000-00003

Dear Chair Hartman and Members of the Planning Commission:

On November 6, the Santa Barbara County Agricultural Advisory Committee discussed the impact of the Mosby Rezone and Recreational Fields project on agriculture and approved by unanimous vote the following:

Active recreational uses are not compatible with adjacent agricultural uses. We recommend denial of this CUP.

Sincerely,

Paul Van Leer, Chair

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Committee Members

Bradley Miles
Ron Caird
Sharyne Merritt
Mike Ruffoni
Ruth Jensen
Kari Campbell-Bohurd,
Claire Wineman
Paul Van Leer-Chair
June Van Wingerden
Lisa Bodrogi
Willy Chamberlin
Daren Gee

Representing

1st District Supervisor, Salud Carbajal
2nd District Supervisor, Janet Wolf
3rd District Supervisor, Doreen Farr
4th District Supervisor, Peter Adam
5th District Supervisor, Steve Lavignino
California Women for Agriculture
Grower-Shipper Vegetable Association
Santa Barbara County Farm Bureau
Santa Barbara Flower & Nursery Growers' Association
Central Coast Wine Growers Assn
Santa Barbara County Cattlemen's Assn.
Strawberry Commission

Email to:
dvillalo@co.santa-barbara.ca.us

attachment: Letter to PC re Mosby 11 6 13 email.doc

Dear Mr. Villalobos,

Please forward the attached letter to all of the Planning Commissioners.

Thank you,

Paul Van Leer, Chair
Santa Barbara County Agricultural Advisory Committee

Eady, Dana

From: MosbyEnterprises@aol.com
Sent: Tuesday, November 12, 2013 10:52 AM
To: Eady, Dana
Subject: urban limit line maps outdated

November 12, 2013

Dana Eady,
Planning and Development Department
County of Santa Barbara

Please be advised that the current maps recognizing the urban limit line on the eastern side of Lompoc are not correct. The maps that you are referencing are the old maps. The urban limit line was moved more than a decade ago (1997 I believe). The current urban limit line includes River Park and progresses eastward dividing parcels 099-141-016 & 099-141-017. Parcel 099-141-017 is within the urban limit line and has open space zoning with a park overlay. This is a very critical component of my project. This as well as the recent purchase of the neighboring parcel by the city of Lompoc shows the anticipated movement of the community.

Sincerely,

James Mosby