

SANTA BARBARA COUNTY PLANNING COMMISSION
Staff Report for the Signorelli Appeal of the Jimenez Land Use Permit

Hearing Date: August 31, 2016
Staff Report Date: July 20, 2016
Case No. 15APL-00000-00019
Environmental Document: Notice of Exemption pursuant to Sections 15301 and 15304 of the CEQA Guidelines

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Division: Development Review
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This site is identified as Assessor's Parcel Number 083-280-024, located at 3927 Jalama Road, in the Lompoc area, Third Supervisorial District.

Land Use Permit Approved: October 1, 2015
Land Use Permit Appeal Submitted: October 12, 2015

1.0 REQUEST

Hearing on the request of Tom Signorelli, appellant, to consider Case No. 15APL-00000-00019 [application filed on October 12, 2015] in compliance with Chapter 35.102 of the County Land Use and Development Code, of the Director's decision to approve Case No. 14LUP-00000-00514, a Land Use Permit for grading of new ranch roads and maintenance of existing ranch roads, on property located in the AG-II-100 Zone; and to determine the project is exempt from the provisions of the State Guidelines for Implementation of the California Environmental Quality Act pursuant to State CEQA Guidelines Sections 15301 and 15304, included as Attachment C.

The application involves Assessor Parcel No. 083-280-024, located at 3927 Jalama Road, in the Lompoc area, Third Supervisorial District.

2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below and deny the appeal, Case No. 15APL-00000-00019, "Officially Accepted, County of Santa Barbara, June 29, 2016, County Planning Commission Attachments A-F", based upon the project's consistency with the Comprehensive Plan, and based on the ability to make the required County Land Use and Development Code findings.

Your Commission's motion should include the following:

1. Deny the appeal, Case No. 15APL-00000-00019;
2. Make the required findings for approval of the project, Case No. 14LUP-00000-00514, specified in Attachment A of this staff report, including CEQA findings;
3. Determine that the project, 14LUP-00000-00514, is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Sections 15301 and 15304, as specified in Attachment C; and
4. Grant *de novo* approval of the project, Case No. 14LUP-00000-00514, subject to the conditions included as Attachment B.

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

3.0 JURISDICTION

This project is being considered by the County Planning Commission based on Section 35.102.040.A.3.D (Appeals Procedures) of the Santa Barbara County Land Use and Development Code (LUDC) which states that any other action, decision, or determination made by the Director as authorized by this Development Code where the Director is the review authority, except when specifically provided that the action, decision, or determination is final and not subject to appeal, may be appealed to the Planning Commission.

4.0 ISSUE SUMMARY

Land Use Permit 14LUP-00000-00514 was approved on October 1, 2015 to permit the construction of three new dirt road segments, and to legalize the repair and maintenance of six existing road segments located on a 678-acre project site that is zoned AG-II-100. The proposed maintenance of existing and construction of new road segments would support ranch operation and maintenance activities, including but not limited to: providing access to a future water well

site, to facilitate property line fence maintenance; and to facilitate future harvesting of native coast live oak trees that have grown on the project site. The harvested trees are excavated from the ground, placed in boxes, and subsequently used as landscape trees at off-site locations

The on-going oak tree harvesting operation is not subject to any permit requirements and was not the subject of 14LUP-00000-00514. However, the appellant identifies removal of oak trees from the project site as an issue of the appeal. While responses to all of the appeal issues raised by the Appellant are provided below in Section 6.1, the issue areas subject to this appeal pertain only to the construction and maintenance of the road segments approved by 14LUP-00000-00514. Additional information regarding P&D’s determination that the oak tree harvesting operation that occurs on the project site is an agricultural operation is provided in Sections 5.4 and 6.4 of this staff report. P&D determined on July 10, 2014 that the removal of oak trees from the project site is an agricultural operation and not a nursery, and that determination was not appealed. Section 6.4 also provides the LUDC definition of agricultural uses allowed to be conducted on the project site.

5.0 PROJECT INFORMATION

5.1 Site Information

Site Information	
Comprehensive Plan Designation	Agricultural Commercial (AC)
Ordinance, Zone	County Land Use and Development Code, AG-II-100, Minimum Parcel Size: 100 acres
Site Size	678.10 acres
Present Use & Development	Agriculture, a single-family dwelling and a guest house, accessory agricultural structures
Surrounding Uses/Zone(s)	North: Open Space/Agriculture, AG-II-100 South: Open Space/Agriculture, AG-II-100 East: Open Space/Agriculture, AG-II-100 West: Open Space/Agriculture, AG-II-100
Access	Private Driveway off of Jalama Road
Public Services	Water Supply: Private well Sewage: Septic Systems Fire: Santa Barbara County Fire Protection District Police Services: County Sheriff

5.2 Setting

The property is located approximately 2,000 feet west of Jalama Road, approximately 1.25 miles west of Highway 1, and approximately 3.6 miles south of the City of Lompoc. The topography of the site varies but predominately consists of rolling to steep hillsides. Several unnamed streams are located on the project site and are tributaries to Salsipuedes Creek, which is generally

located on the east side of Jalama Road. The largest on-site creek is located along the eastern boundary of the project site. Two other on-site creeks extend from east to west and are located on the central and northern portions of the site.

An extensive network of dirt roads has been developed on the project site (see Attachment D), and many of the existing roads are visible on aerial photos from 2004 and 2010. Numerous areas that have been cleared of native vegetation are also visible on aerial photos from 2004 and 2010, and cleared areas on the eastern portion of the project site have been planted with olive, oak, redwood, palm and other types of trees that will eventually be harvested and sold for off-site landscaping use. Other vegetation on the project site includes non-native grasslands, coastal sage scrub, individual oak trees, oak woodland, and riparian habitat along the creeks.

5.3 Description

The project includes the construction of new ranch roads that are identified as segments 50, 70, and 71; and the maintenance of existing ranch roads that are identified as segments 47, 54, 64, 66, 67 and 69. The proposed new road segments and the proposed road maintenance segments are depicted on the Comprehensive Ranch Road Grading and Maintenance Plan, dated September, 2015 (Attachment D). The Road Grading and Maintenance Plan was prepared by the project applicant to depict all existing roads on the project site as well as the proposed new roads and road maintenance areas included in Land Use Permit 14LUP-00000-00514.

The proposed new road segments would be approximately 20 feet wide. Proposed road maintenance activities generally involve minor road scraping to remove vegetation that has grown on the road surface and the removal of rocks and dirt that have accumulated within the roadway. Proposed road maintenance and construction would result in approximately 250 cubic yards of excavation and 250 yards of fill. No soil would be imported or exported, and any rocks encountered during grading activities that are greater than 6-inches and not suitable for compaction within the proposed road segments would be stockpiled on the project site for future use on-site or export. All proposed grading would occur within the footprint of the proposed new and maintained road segments.

The Comprehensive Ranch Road Grading and Maintenance Plan also identifies project-specific erosion control measures that would be implemented at proposed road construction and maintenance sites. Proposed erosion control measures include the use of sand bags, straw bales and fiber rolls, and compliance with Grading Ordinance requirements. No grading would take place within the banks of any blue-line creeks.

The proposed new road segments and the proposed road maintenance segments are described on Table 1 below.

**Table 1
Proposed New and Modified Road Segments**

Road Segment Number (1)	Approximate Road Segment Length (feet)	Reason Grading Permit is Required	Notes
Proposed New Road Segments			
50	1,300	Approximately 250 feet of this road segment would be within 50 feet of a creek Approximately 40 feet of this road segment would be within 200 feet of a property line	
70	450	This road segment would be located on a slope with an average gradient of approximately 12%. However, the western portion of this road would be adjacent to slopes with a gradient of approximately 30%	
71	225	Approximately 100 feet of this road would be located on a slope with a gradient of approximately 30%	Construction of this segment would result in harvesting three oak trees
<i>Subtotal</i>	<i>1,975</i>	--	--
Proposed Maintenance of Existing Road Segments			
47	200	Within 200 feet of a property line Within 50 feet of a creek	Previous grading conducted on the southern portion of this existing road to remove a small amount of landslide debris resulted in a zoning and building violation
54	600	Within 200 feet of a property line	
64	450	Within 200 feet of a property line	
66	625	Within 50 feet of a creek	
67	225	Within 200 feet of a property line Within 50 feet of a creek	This road would facilitate the potential future development of a new water well
69	225	Within 200 feet of a property line	
<i>Subtotal</i>	<i>2,325</i>	--	--
TOTAL	4,300	--	--

(1) Refer to Comprehensive Ranch Road Grading & Maintenance Plan – Attachment D

5.4 Background Information

The project site is currently developed with two single family dwellings, three barns, implement shed, storage shed, and a guesthouse and recreational room. There are numerous buildings built

prior to adoption of the zoning ordinance and are considered legal, nonconforming. Provided below is a detailed list of existing structures on the project site.

- A single family dwelling built in 1918.
- A 60' x 66' hay barn built in 1925.
- A 12' x 24' storage shed built in 1925.
- A single family dwelling built in 1935.
- A 20' x 60' implement shed built in 1935.
- Two barns (60' x 66' and 25' x 15') unable to determine construction date of structures.
- On December 17, 2010, a land use permit was issued for grading (culvert repair and installation of drainage inlets, associated storm drain and detention basin to eliminate surface drainage across access road).
- On January 10, 2013, a Sign Certificate of Conformance was issued for two directional signs and one identification sign
- On January 23, 2013, a land use permit was issued for a 628 square foot as-built guesthouse with a 394 square foot attached recreational room.

Complaints were received by P&D in 2014 regarding unpermitted grading on the project site, and those complaints resulted in a zoning violation (14ZEV-00000-0012) and a building violation (14BDV-00000-00065). The unpermitted grading was conducted to remove a small amount of landslide debris from an existing road, which is identified as road segment No. 47 on Table 1 above. The Land Use Permit (14LUP-00000-00514) would abate the existing zoning and building violations.

A grading permit (14GRD-00000-00187) for the proposed new road segments and proposed road maintenance that would be authorized by Land Use Permit 14LUP-00000-00514 is pending based on the outcome of the Land Use Permit appeal. An application for an Erosion Control Permit (16GRD-00000-00064) has also been submitted to the Building & Safety Division. If approved, the requested grading permit would renew the project site's existing Erosion Control Permit.

In response to a zoning violation complaint received in 2014 related to the on-site native oak tree harvesting operation, on July 10, 2014 Planning & Development determined that the growing, harvesting, boxing, and the relocation of oak trees grown on the project site is an agricultural operation as defined by the Santa Barbara Land Use & Development Code (LUDC), and that determination was not appealed. Cultivated agriculture, which includes growing trees in the ground, is an allowed land use in the AG-II-100 zone. As such, the oak tree harvesting/agricultural operation has no land use permitting requirements. It was also determined that the tree harvesting conducted on the project site does not meet the definition of a nursery under the LUDC.

Section 14.8 of Chapter 14 of the Santa Barbara County Code (Grading Ordinance) includes standards for grading conducted for agricultural purposes. The Grading Ordinance states that grading for agricultural uses is generally exempt from permitting requirements unless such grading is proposed to occur under certain specified conditions. Staff determined that the

proposed grading for the construction of three new ranch road segments, and the proposed maintenance of six ranch road segments, would require the approval of a Land Use Permit and Grading Permit. This determination was based on the fact that those segments would be located in or near areas that have a gradient of over 30 percent, would result in more than fifty cubic yards of grading within 200 feet of a property line, and/or would result in grading located within 50 feet of the top of a creek bank.

Appendix A of the Grading Ordinance requires property owners that remove coast live oak trees (*Quercus agrifolia*) from a particular property for agricultural purposes to prepare and submit an oak tree management plan before cumulative live oak tree removals within a 30-year period exceed 15 percent of the oak tree canopy. The oak tree removal requirements of Appendix A of the Grading Ordinance are regulated by the Agricultural Commissioner, and required oak tree management plan are submitted to the Agricultural Commissioner's office for approval. An evaluation of aerial photographs from 2006 (the year the project site was obtained by Mr. Jimenez) and 2014 show that over that period, approximately 1.6 percent of the oak tree canopy on the project site was removed. Therefore, the project is not required to implement an oak tree management plan at this time. Most of the removed oak tree canopy area has occurred in areas where access roads exist on the property (Althouse and Meade, Inc., 2015).

6.0 PROJECT ANALYSIS

6.1 Appeal Issues

The application for the appeal of Land Use Permit 14LUP-00000-00514 is provided as Attachment E. The application includes a letter that presents a variety of appeal issues, which have been summarized below and are followed by staff's response.

Land Use Permit 14LUP-00000-00514 was approved for the construction and maintenance of nine (9) road segments and does not directly pertain to the oak tree harvesting operation that is conducted on the project site and that is an allowed land use in the AG-II-100 zone. The ongoing oak tree harvesting operation is not subject to any permit requirements and was not the subject of 14LUP-00000-00514. The appellant identifies both the project-related grading activities and issues associated with the removal of trees from the project site as the main issue areas that form the basis of the appeal. While responses to all of the appeal issues raised by the Appellant are provided below, the issue areas subject to this appeal pertain only to the construction and maintenance of the road segments approved by 14LUP-00000-00514.

Appeal Issue No. 1: Oak Tree Harvesting is not an Agricultural Operation.

The Appellant contends that roads are a major component of the oak tree harvesting operation and contends that the tree harvesting operation conducted on the project site does not promote agriculture. The Appellant also asserts that the trees removed from the project site are not removed in a manner that is similar to how trees are typically removed from agricultural land and the tree removal operation is a nursery rather than an agricultural operation.

Staff Response: As described above in Sections 5.4 and 6.4, Planning & Development has determined that the growing, harvesting, boxing, and relocation of trees grown on-site is an agricultural operation as defined by the Santa Barbara Land Use & Development Code (LUDC). P&D has also determined that the harvesting of trees from the project site does not meet the definition of a nursery.

The harvesting of oak trees from the project site is facilitated by the use of ranch roads, and the proposed new roads and the maintenance of existing road segments could facilitate the harvesting of additional trees from the site. In addition, the new road segments would provide more efficient circulation on the property (by allowing vehicles to avoid an existing hairpin turn that is formed by the intersection of road segments 36, 37 and 40) as well as provide access to facilitate fence maintenance. Therefore the proposed construction and maintenance of ranch road would promote the existing agricultural operations on the property.

Appeal Issue No. 2: Road construction and oak tree harvesting has resulted in environmental impacts that have not been studied.

The Appellant states that roads developed on the project site, and the excavation and removal of oak trees from the site, has resulted in significant environmental impacts that should be studied. The Appellant specifically indicates that roads and tree removals have resulted in aesthetic and grading-related impacts. Impacts that have resulted from the construction of existing roads and the previous removal of trees from the project site are not directly related to the approval of 14LUP-00000-00514, however, responses to those concerns are provided below.

Staff Response:

Environmental Impact Analysis Requirements. The proposed road construction and maintenance project that would be allowed by 14LUP-00000-00514 has been found to be categorically exempt from environmental review based upon Sections 15301 and 15304 of the CEQA Guidelines, which pertain to the maintenance of existing facilities and minor alterations to land, respectively. Additional information regarding the categorical exemptions are provided in Attachment C of this staff report which is incorporated herein by reference.

As indicated above in Sections 5.4 and 6.4 of this staff report, the harvesting of oak trees from the project site is an allowed agricultural land use and does not require the approval of a discretionary permit from the County. Therefore, the tree harvesting operation is not subject to the requirements of CEQA [CEQA Guidelines Section 15060(c)(1)]. CEQA Section 21083.4 includes requirements pertaining to the “conversion” of oak woodlands, however, Section 21083.4(d)(3) states that the conversion of oak woodlands on agricultural land that is used to produce or process plant and animal products for commercial purposes is exempt from those requirements.

Appeal Issue No. 3: Previous road construction and tree removals on the project site have resulted in flooding impacts.

The Appellant states that excessive road grading and tree removals at the project site have resulted in flooding impacts. These issues are not directly related to the approval of 14LUP-00000-00514 as the proposed new and maintained ranch roads would not substantially affect existing stormwater conveyance on or from the project site, however, a response to this issue is provided below.

Staff Response: In 2009 the Building and Safety Division investigated complaints that grading conducted on the project site resulted in bank erosion and drainage issues that had the potential to affect the road that provides access to the Appellant's property located immediately south of the project site. These issues were resolved with the construction of a new engineered drainage system, the installation of rip rap at the mouth of an existing culvert, and the construction of a sedimentation basin on the applicant's property. According to Building and Safety Division staff (personal communication with David Vyenielo, 2016) the access road's drainage system has operated adequately since the new drainage system was installed.

The road segments closest to the access road and creek that were subject to the 2009 complaint are proposed road segments 70 and 71. These two segments are located more than 2,500 feet west of the access road and creek and would not substantially contribute to the reported erosion and flooding impacts. Proposed new road segment 50 and road maintenance segment 47 are located within 50 feet of the creek, but are not located in an area with steep slopes (i.e., over 30 percent gradient). Therefore, the construction of these two road segments would not result in an increased potential for significant erosion-related impacts. In addition, erosion control measures included in the Comprehensive Ranch Road Grading & Maintenance Plan and the Grading Permit would be implemented at all proposed road construction and maintenance sites. Adherence to these erosion control provisions would ensure that grading-related impacts are minimized.

Appeal Issue No. 4: Oak tree harvesting is not an appropriate agricultural operation on an agricultural preserve.

The Appellant states that harvesting of oak trees from the project site is a nursery business rather than an agricultural operation, and the harvesting of trees does not promote agriculture.

Staff Response: Land Use Permit 14LUP-00000-00514 was approved for the construction and maintenance of nine (9) road segments on the project site.

On July 10, 2014, the Planning and Development Department determined that the harvesting of oak trees is an agricultural operation and not a nursery. That determination was not appealed and is not part of this appeal. The existing oak tree harvesting operation is not the subject of 14LUP-00000-00514 and is an allowed land use in the AG-II-100 zone. Also, please refer to staff report

Sections 5.4 and 6.4 for additional information regarding why Planning & Development determined that harvesting oak trees from the project site is an agricultural operation.

Appeal Issue No. 5: The project already has too many roads and no new roads are necessary.

The Appellant asserts that the project site “has more roads and grading than any other property that I have found in Santa Barbara County.”

Staff Response: As depicted on the Comprehensive Ranch Road Grading and Maintenance Plan an extensive network of dirt roads has been developed on the project site. The condition of the existing roads varies considerably as some roads appear to be used frequently while others appear to be used infrequently. The proposed roads would expand the existing road network on the project site by approximately 1,975 feet, and have been proposed to facilitate agriculture-related operations. For example, proposed road segment 71 would provide more efficient circulation on the property by allowing vehicles to avoid an existing hairpin turn that is formed by the intersection of road segments 36, 37 and 40. Proposed road segment No. 50 would provide access that would facilitate fence maintenance along the southeast perimeter of the project site. Therefore, the proposed roads are not considered to be excessive and would facilitate agricultural operations on the 678-acre project site.

Additional Appeal Issues

On July 18, 2016, the Appellant supplemented the appeal application by submitting a letter to P&D that describes additional concerns related to past and on-going conditions at the project site (Attachment E). This letter describes a variety of issues, including: the impacts of removing trees that have been planted on the project site; flooding and erosion conditions that occurred on the project site in 2009; and erosion from on-site agricultural fields that has affected a creek located along the eastern perimeter of the project site. The main appeal issues and staff’s responses are presented below.

Appeal Issue No. 6: Harvesting trees planted on the project site will result in significant environmental impacts.

The appellant indicates that the fields located on the eastern portion of the project site near the project site entrance have been planted with trees that will subsequently be removed for off-site transplant as landscape trees and that when the trees are removed the elevation of the fields will be lowered by approximately four feet. The resulting change in topography has the potential to result in significant drainage and safety impacts.

Staff Response: This issue is not directly related to the approval of 14LUP-00000-00514 for the proposed new and maintained ranch roads. However, a response to this concern is provided below.

The removal of planted landscape trees on the project site is conducted by excavating the tree from the ground, and using soil adjacent to the excavation to backfill the hole created by the removal of the tree. The size of the hole created by the removal of a tree, and the amount of soil required to fill the excavation, will vary based on the size of the tree. However, it is not expected that the amount of soil required to backfill excavation holes would be substantial, or that cumulative tree removal/backfilling operations would result in significant alterations to the topography of the fields being used to grow trees. Therefore, it is unlikely that future landscape tree removals will result in significant erosion-related impacts to downstream water courses.

Appeal Issue No. 7: Previous road construction and tree removals on the project site have resulted in flooding impacts.

The Appellant elaborates on past flooding events that have affected the project site. This issue is not directly related to the approval of 14LUP-00000-00514 as the proposed new and maintained ranch roads would not substantially affect existing stormwater conveyance on or from the project site. Please refer to the Staff Response for Appeal Issue No. 3, which pertains to past flooding impacts and corrective actions that have been implemented at the project site.

Appeal Issue No. 8: Erosion from project site has impacted a creek located along the eastern perimeter of the project site.

The Appellant states that erosion from agricultural fields located near the project site entrance has significantly impacted the creek located along the eastern edge of the project site. The Appellant also states that the failure of a slope created when project site road segment No. 47 was constructed could also impact the creek.

Staff Response: The issue of erosion from agricultural fields is not directly related to the approval of 14LUP-00000-00514, however, a response to this concern is provided. The agricultural fields near the project site entrance and the creek located on the eastern portion of the project site are relatively level. In addition to being planted with trees that are being grown for future removal as landscape trees, the fields are predominately covered with non-native grasses that reduce erosion potential during storm events. Furthermore, the existing agricultural operations conducted in the fields are required to implement the requirements of an Erosion Control Permit that has been approved by the Building & Safety Division. An application to renew the project site's existing Erosion Control Permit (16GRD-00000-00064) has been submitted to the Building & Safety Division.

Road maintenance activities that would be authorized with the approval of Land Use Permit 14LUP-00000-00514 generally consist of the removal of vegetation (mostly non-native grasses), dirt, and small- to moderately-sized rocks that have accumulated on the road. These types of activities would be conducted on the southern portion of road segment No. 47, which is located within 50 feet of the creek located on the eastern portion of the project site. The removal of the small amount of vegetation and debris that has accumulated on the roadway would not have the potential to adversely affect the stability of the adjacent slope.

6.2 Environmental Review

An exemption to the California Environmental Quality Act (CEQA) was prepared pursuant to CEQA Guidelines Sections 15301 (Existing Facilities) and 15304 (Minor Alterations to Land). Section 15301 exempts the repair, maintenance, or minor alterations of existing facilities or topographic features that result in negligible or no expansion of existing use. Section 15304 exempts minor alterations in the condition of land, water, and/or vegetation that do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. There is no substantial evidence that there are unusual circumstances (including future activities) resulting in (or which might reasonably result in) significant impacts that could threaten the environment. For additional information, see the attached Notice of Exemption (Attachment C).

6.3 Comprehensive Plan Consistency

REQUIREMENT	DISCUSSION
<p><i>Land Use Development Policy 4:</i> <i>Prior to issuance of a use permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e. water, sewer, roads, etc.) are available to serve the proposed development. The applicant shall assume full responsibility for costs incurred in service extensions or improvements that are required as a result of the proposed project. Lack of available public or private services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the land use plan.</i></p>	<p>Consistent: The project would result in the construction of approximately 1,975 feet of new roads and the maintenance of approximately 2,325 feet of existing roads on a 678 acre ranch property. The proposed new roads and the maintenance of existing roads would not result in an increased demand for water, require additional waste water disposal, increase traffic on off-site roads, or result in an increased demand for fire protection or law enforcement services. Therefore, the project is consistent with this policy.</p>
<p><i>Land Use Element Hillside and Watershed Protection Policy 1:</i> <i>Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.</i></p>	<p>Consistent: The proposed new roads and the proposed road maintenance would result in a total of approximately 250 cubic yards of cut and 250 yards of fill. The entire project would result in a relatively small (a total of 500 cubic yards of cut and fill) amount of grading and no single new road segment or proposed road maintenance operation would require earth movement that would result in extensive alterations to the natural terrain. Therefore, the proposed project would not result in excessive cutting or filling and is consistent with this policy.</p>

<p><i>Land Use Element Hillside and Watershed Protection Policy 3</i> For necessary grading operations on hillsides, the smallest practical area of land shall be exposed at any one time during development, and the length of exposure shall be kept to the shortest practicable amount of time. The clearing of land should be avoided during the winter rainy season and all measures for removing sediments and stabilizing slopes should be in place before the beginning of the rainy season.</p> <p><i>Hillside and Watershed Protection Policy #6:</i> Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as a result of development. Water runoff shall be retained onsite whenever possible to facilitate groundwater recharge.</p>	<p>Consistent: The proposed new road segments and the proposed road maintenance would result in approximately 250 cubic yards of cut and 250 cubic yards of fill. Proposed erosion control methods that would be implemented in graded areas include the installation of erosion and sedimentation control fiber rolls, straw bales and sandbag barriers. All of the roads on the project site are subject to provision of an approved agricultural erosion control permit, which is required to identify the types and locations of runoff and erosion control measures implemented at the project site. Any excess surface runoff would be directed to historic drainage areas on the project parcel. Therefore, the project is consistent with these policies.</p>
<p><i>Land Use Element Hillside and Watershed Protection Policy 7:</i> Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.</p>	<p>Consistent. Due to the limited amount of project-related grading that is proposed to occur on the project site, the potential for the project to result in an accidental discharge of construction-related pollutants would be very low. Ranch related traffic volumes on the proposed new on-site roads, and roads where maintenance activities would be conducted, would be very low. Therefore, the proposed new road segments and proposed road maintenance would not result in long-term uses that would have the potential to result in the discharge of automotive products or other pollutants that would adversely affect water quality. Therefore, the proposed project is consistent with this policy.</p>
<p><i>Historical and Archaeological Sites Policy 2.</i> When developments are proposed for parcels where archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible.</p>	<p>Consistent. All of the proposed new and maintained road segments that would be permitted by Land Use Permit 14LUP-00000-00514 were surveyed for the presence of cultural resources (Compass Rose, 2015). The survey report was peer reviewed by the County archaeologist, and the report concluded that no cultural resources have been previously</p>

	recorded within the project property and no cultural resources, either prehistoric or historical, were identified during the field investigation. Therefore, the proposed project is consistent with this policy.
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6.4 Zoning: Land Use and Development Code Compliance

Purpose of the AG-II Zone. The AG-II zone is applied to areas appropriate for agricultural land uses on prime and non-prime agricultural lands located within the Rural Area as shown on the Comprehensive Plan maps. The intent of the zone district is to preserve these lands for long-term agricultural use.

Agricultural Uses Allowed in the AG-II Zone. The County Land Use and Development Code (LUDC) defines “agriculture” as: *The production of food and fiber, the growing of plants, the raising and keeping of animals, aquaculture, and the preparation for sale and marketing of products in their natural form when grown on the premises, and the sale of products which are accessory and customarily incidental to the marketing of products in their natural form grown on the premises, and as allowed by Section 35.42.050 (Agricultural Product Sales), but not including a slaughter house, fertilizer works, commercial packaging or processing plant, or plant for the reduction of animal matter or any other similarly objectionable use.* (emphasis added)

The subject Land Use Permit was approved by the Planning and Development Department based on the project’s adherence to the provisions of the LUDC, and the Comprehensive Plan. The 678 acre project site is zoned Agriculture, AG-II-100. Growing oak trees (plants) and preparing them for sale off-site (boxing and transporting) is consistent with the LUDC definition of “agriculture.” As an agricultural operation, harvesting oak trees from the project site is consistent with the intent of, and uses allowed in, the AG-II zone district. The development and maintenance of on-site roads proposed by Land Use Permit 14LUP-00000-00514 would be an accessory use that is also consistent with the intent of, and uses allowed in, the AG-II zone.

7.0 APPEALS PROCEDURE

The action of the Planning Commission may be appealed to the Board of Supervisors within 10 calendar days of said action. The appeal fee to the Board of Supervisors is \$659.92.

ATTACHMENTS

- A. Findings for Approval
- B. Conditions of Approval
- C. CEQA Notice of Exemption
- D. Comprehensive Ranch Road Grading & Maintenance Plan
- E. Appeal Application and Supplemental Letter, Case No. 15APL-00000-00019
- F. APN Sheet

ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

1.1 CEQA Exemption

The Planning Commission finds that the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15301 and 15304. Please see Attachment C, Notice of Exemption.

2.0 ADMINISTRATIVE FINDINGS/LAND USE PERMIT FINDINGS

2.1 LAND USE PERMIT FINDINGS. I

In compliance with Section 35.30.100.A of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Land Use Permit the review authority shall first find, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (e.g., water, sewer, roads) are available to serve the proposed development.

The project would result in the construction of approximately 1,975 feet of new roads and the maintenance of approximately 2,325 feet of existing roads on a 678-acre ranch property. The proposed new roads and the maintenance of existing roads would not result in an increased demand for water, require additional waste water disposal, increase traffic on off-site roads, or result in an increased demand for fire protection or law enforcement services. Therefore, this finding can be made.

2.2 In compliance with Subsection 35.82.110.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Land Use Permit the review authority shall first make all of the following findings:

2.2.1 The proposed development conforms: a) To the applicable provisions of the Comprehensive Plan, including any applicable community or area plan; and b) With the applicable provisions of this Development Code or falls within the limited exception allowed in compliance with Chapter 35.101 (Nonconforming Uses, Structures, and Lots).

The Land Use Permit, Case No. 15LUP-00000-00514, consists of the approval of the construction of approximately 1,975 feet of new roads and the maintenance of approximately 2,325 feet of existing roads on a 678-acre property. As described in Section 6.3 and 6.4 of this staff report, dated July 20, 2016 and herein incorporated by reference, the project complies with the applicable policies of the Santa Barbara Comprehensive Plan and the Santa Barbara Land Use and Development Code. Therefore, this finding can be made.

2.2.2 The proposed development is located on a legally created lot.

Assessor Parcel number 083-280-024 was created by Record Map Book 9, page 38-49, dated February 3, 1919, as shown in Assessor's Map Book 083, page 28. Therefore, this finding can be made.

2.2.3 The subject property is in compliance with all laws, regulations, and rules pertaining to uses, subdivisions, setbacks and any other applicable provisions of this Development Code, and any applicable zoning violation enforcement fees and processing fees have been paid. This Subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Chapter 35.101 (Nonconforming Uses, Structures, and Lots).

As discussed in Section 6.4 of this staff report, dated July 20, 2016 and herein incorporated by reference, the proposed project complies with the applicable standards of the Santa Barbara County Land Use and Development Code.

There are currently active building and zoning enforcement cases (14BDV-00000-00065 and 14ZEV-00000-00112) on the project property related to unpermitted grading on road segment 47. Upon issuance of Land Use Permit 14LUP-00000-00514 and associated grading permit 14GRD-00000-00187, the subject property will be in compliance with all laws, rules, and regulations pertaining to zoning uses, subdivision, setback and any other applicable divisions of the Land Use and Development Code. To date, no zoning violation enforcement/processing fees have been assessed. As discussed in Section 6.4 of the staff report dated July 20, 2016, incorporated herein by reference, the project is consistent with all of the requirements of the Santa Barbara County Land Use and Development Code. Therefore, the project is consistent with this finding.



COUNTY OF SANTA BARBARA

Planning and Development

www.sbcountyplanning.org

LAND USE PERMIT NO.: 14LUP-00000-00514

Project Name: JIMENEZ GRADING FOR NEW AND EXISTING AGRICULTURAL ROADS
Project Address: 3927 JALAMA RD, LOMPOC, CA 934369500
A.P.N.: 083-280-024
Zone: AG-II-100

The Planning and Development Department hereby approves this Land Use Permit for the project described below based upon compliance with the required findings for approval and subject to the attached terms and conditions.

APPROVAL DATE: 8/31/2016
LOCAL APPEAL PERIOD BEGINS: 9/1/2016
LOCAL APPEAL PERIOD ENDS: 9/12/2016
DATE OF PERMIT ISSUANCE (if no appeal filed): 9/13/2016

APPEALS:

1. The approval of this Land Use Permit may be appealed to the County Planning Commission by the applicant, owner, or any aggrieved person. An aggrieved person is defined as any person who, either in person or through a representative, appeared at a public hearing in connection with this decision or action being appealed, or who by other appropriate means prior to a hearing or decision, informed the decision-maker of the nature of their concerns, or who, for good cause, was unable to do either. The appeal must be filed in writing and submitted in person to the Planning and Development Department at either 123 East Anapamu Street, Santa Barbara, or 624 West Foster Road, Suite C, Santa Maria, prior to 5:00 p.m. on or before the date that the local appeal period ends as identified above (CLUDC Chapter 35.102 Appeals).
2. Payment of a fee is required to file an appeal of the approval of this Land Use Permit.

PROJECT DESCRIPTION SUMMARY: Grading of new agricultural roads for the existing operation. The roads do not meet Chapter 14 requirements for the exemption of agricultural roads. Grading consisting approximately 250 cy of cut and 250 cy of fill. To receive additional information regarding this project and/or to view the application and/or plans, please contact John Zorovich at 624 West Foster Road, Suite C, Santa Maria, by email (Jzoro@co.santa-barbara.ca.us) or by phone ((805) 934-6297).

PROJECT SPECIFIC CONDITIONS: See Attachment "A"

ASSOCIATED CASE NUMBERS: 15APL-00000-00019

PERMIT ISSUANCE: This Land Use Permit will be issued following the close of the appeal period provided an appeal is not filed, or if appealed, the date of final action on the appeal which has the effect of upholding the approval of the permit. Issuance of this permit is subject to compliance with the following terms and conditions:

1. **Notice.** Notice of this project shall be posted on the project site by the applicant utilizing the language and form of the notice provided by the Planning and Development Department. The notice shall remain posted continuously until at least 10 calendar days following action on the permit, including an action on any appeal of this permit (CLUDC Chapter 35.106 Noticing and Public Hearings). The *Proof of Posting of Notice on Project Site* shall be signed and returned to the Planning and Development Department prior the issuance of the permit.
2. **Compliance with conditions.** All conditions that are required to be satisfied prior to issuance of the permit have been satisfied and the permit has been signed by the applicant or owner.
3. **Design Review.** If required, the project has been granted final approval by the appropriate Board of Architectural Review (BAR), and an appeal of that final approval has not been filed.

4. **Appeals.** An appeal of the approval of this permit, or an appeal of the final approval by the BAR, has not been filed with the County. If an appeal has been filed then the permit shall not be issued until final action on the appeal(s) has occurred which has the effect of upholding the approval of this permit, and, if applicable, the final approval by the BAR.
5. **Other approvals.** Any other necessary approvals required prior to issuance of this Land Use Permit have been granted.

PERMIT EXPIRATION AND EXTENSION: This permit shall remain valid only as long as compliance with all applicable requirements of the CLUDC and the permit continues, including the conditions of approval specific to this permit. Additionally:

1. The approval of this permit shall expire either 12 months from the effective date of the permit or other period allowed in compliance with an approved Time Extension, and shall be considered void and of no further effect unless the permit is either issued within the applicable period in compliance with the terms indicated above or a valid application for a Time Extension is submitted prior to the expiration of this 12 month period and is subsequently approved (CLUDC: Section 35.82.110).
2. This permit shall expire two years from the date of issuance and be considered void and of no further effect unless the use and/or structure for which the permit was issued has been lawfully established or commenced in compliance with the issued permit or an application for a Time Extension is submitted prior to the expiration of this two year period and is subsequently approved (CLUDC: Section 35.82.110).
3. The effective date of this permit shall be (a) the day following the close of any applicable appeal period provided an appeal is not filed, or (b) if appealed, the date of final action on the appeal which has the effect of upholding the approval, or (c) some other date as indicated in this permit (CLUDC: Section 35.82.020).

WORK PROHIBITED PRIOR TO PERMIT ISSUANCE: No work, development, or use intended to be authorized pursuant to this permit approval shall commence prior to issuance of this permit and/or any other required permit (e.g., building permit).

OWNER/APPLICANT ACKNOWLEDGMENT: Undersigned permittee acknowledges receipt of this approval and agrees to abide by all conditions and terms thereof. Undersigned permittee also acknowledges that issuance of this permit for this project does not allow construction or use outside of the project description, nor shall it be construed to be an approval of a violation of any provision of any County policy, ordinance or other governmental regulation.

_____/_____
Print name **Signature** **Date**

Land Use Approval By:

_____/_____
Director, Planning and Development **Date**

PERMIT ISSUANCE: The permit shall be issued and deemed effective on the date signed and indicated below.

Planning and Development Department Issuance By:

_____/_____
Planner **Date**

ATTACHMENT A: CONDITIONS OF APPROVAL

Project Description

1. **Proj Des-01 Project Description:** This Land Use Permit is based upon and limited to compliance with the project description, the Comprehensive Ranch Road Grading & Maintenance Plan dated September 2015 and all conditions of approval set forth below, and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The project includes the construction of new ranch roads that are identified as segments 50, 70, and 71; and the maintenance of existing ranch roads that are identified as segments 47, 54, 64, 66, 67 and 69. The proposed new road segments and the proposed road maintenance segments are depicted on the Comprehensive Ranch Road Grading and Maintenance Plan, dated September, 2015. The Road Grading and Maintenance Plan was prepared by the project applicant to depict all existing roads on the project site as well as the proposed new roads and road maintenance areas included in Land Use Permit 14LUP-00000-00514.

The proposed new road segments would be approximately 20 feet wide. Proposed road maintenance activities generally involve minor road scraping to remove vegetation that has grown on the road surface and the removal of rocks and dirt that have accumulated within the roadway. Proposed road maintenance and construction would result in approximately 250 cubic yards of excavation and 250 yards of fill. No soil would be imported or exported, and any rocks encountered during grading activities that are greater than 6-inches and not suitable for compaction within the proposed road segments would be stockpiled on the project site for future use on-site or export. All proposed grading would occur within the footprint of the proposed new and maintained road segments.

The Comprehensive Ranch Road Grading and Maintenance Plan also identifies project-specific erosion control measures that would be implemented at proposed road construction and maintenance sites. Proposed erosion control measures include the use of sand bags, straw bales and fiber rolls, and compliance with Grading Ordinance requirements. No grading would take place within the banks of any blue-line creeks.

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

County Rules and Regulations

3. **Rules-05 Acceptance of Conditions:** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.
4. **Rules-30 Plans Requirements:** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans

submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.

5. **Rules-33 Indemnity and Separation:** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.
6. **Rules-37 Time Extensions-All Projects:** The Owner / Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner / Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.

ATTACHMENT C: CEQA NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Steve Rodriguez, Planning & Development

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN: 083-280-024

Case Nos.: 15APL-00000-00019/14LUP-00000-00514

Location: 3927 Jalama Road, Lompoc, CA

Project Title: Signorelli Appeal of the Jimenez Land Use Permit

Project Description:

The project includes the construction of new ranch roads that are identified as segments 50, 70, and 71; and the maintenance of existing ranch roads that are identified as segments 47, 54, 64, 66, 67 and 69. The proposed new road segments and the proposed road maintenance segments are depicted on the Comprehensive Ranch Road Grading and Maintenance Plan, dated September, 2015.

The proposed new road segments would be approximately 20 feet wide. Proposed road maintenance activities generally involve minor road scraping to remove vegetation that has grown on the road surface, and the removal of rocks and dirt that have accumulated within the roadway. Proposed road maintenance and construction would result in approximately 250 cubic yards of excavation and 250 yards of fill. No soil would be imported or exported, and any rocks encountered during grading activities that are greater than 6-inches and not suitable for compaction within the proposed road segments would be stockpiled on the project site for future use on-site or export. All proposed grading would occur within the footprint of the proposed new and maintained road segments.

The Comprehensive Ranch Road Grading and Maintenance Plan also identifies project-specific erosion control measures that would be implemented at proposed road construction and maintenance sites. Proposed erosion control measures include the use of sand bags, straw bales and fiber rolls, and compliance with Grading Ordinance requirements. No grading would take place within the banks of any blue-line creeks.

The proposed new road segments and the proposed road maintenance segments are described on Table 1 below.

**Table 1
Proposed New and Modified Road Segments**

Road Segment Number (1)	Approximate Road Segment Length (feet)	Reason Grading Permit is Required	Notes
Proposed New Road Segments			
50	1,300	Approximately 250 feet of this road segment would be within 50 feet of a creek Approximately 40 feet of this road segment would be within 200 feet of a property line	
70	450	This road segment would be located on a slope with an average gradient of approximately 12%. However, the western portion of this road would be adjacent to slopes with a gradient of approximately 30%	
71	225	Approximately 100 feet of this road would be located on a slope with a gradient of approximately 30%	Construction of this segment would result in harvesting three oak trees
<i>Subtotal</i>	<i>1,975</i>	--	--
Proposed Maintenance of Existing Road Segments			
47	200	Within 200 feet of a property line Within 50 feet of a creek	Previous grading conducted on the southern portion of this existing road to remove a small amount of landslide debris resulted in a zoning and building violation
54	600	Within 200 feet of a property line	
64	450	Within 200 feet of a property line	
66	625	Within 50 feet of a creek	
67	225	Within 200 feet of a property line Within 50 feet of a creek	This road would facilitate the potential future development of a new water well
69	225	Within 200 feet of a property line	
<i>Subtotal</i>	<i>2,325</i>	--	--
TOTAL	4,300	--	--

(1) Refer to Comprehensive Ranch Road Grading & Maintenance Plan – Attachment D

Name of Public Agency Approving Project: County of Santa Barbara
Name of Person or Agency Carrying Out Project: Manuel Jimenez

Exempt Status: (Check one)

Ministerial
 Statutory Exemption
 Categorical Exemption
 Emergency Project
 Declared Emergency

Cite specific CEQA and/or CEQA Guideline Section: CEQA Guidelines Sections 15301 and 15304 - Minor Alterations to Land.

Reasons to support exemption findings: The project consists of the approval of a Land Use Permit for the construction of new ranch roads that are identified as segments 50, 70, and 71; and the maintenance of existing ranch roads that are identified as segments 47, 54, 64, 66, 67 and 69.

Section 15301 exempts the repair, maintenance, or minor alterations of existing facilities or topographic features that result in negligible or no expansion of existing use. Proposed road maintenance activities are proposed to occur on approximately 2,325 linear feet of existing roads (segments 47, 54, 64, 66, 67 and 69) located on the project site. Maintenance activities would generally consist of scraping the existing roads to remove accumulated dirt and rocks, and to remove vegetation that has grown on the roadway surface. The maintenance of the existing roads would not change or increase existing agricultural operations conducted on the project site such that there would be an increase in traffic traveling on the project site or on public roads located near the project site. The removal of vegetation (mostly non-native grasses) reduces the potential for vehicles to cause a vegetation fire.

Section 15304 allows for minor alterations in the condition of land, water, and/or vegetation that do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. The project includes maintenance activities on six existing road segments, which would consist mostly of the removal of vegetation that has grown in the roadway and minor road grading/clearing. The project also includes the construction of three new road segments. Segment 50 would have a total length of approximately 1,300 feet and a portion of the road approximately 250 feet in length would be located within 50 feet of a creek. Proposed segment 70 would be approximately 450 feet long and located on a slope that has an average gradient of approximately 12 percent. The western portion of proposed road segment 70 would be located adjacent to slopes that have a gradient of approximately 30 percent. Proposed road segment 71 would be approximately 225 feet in length and a portion of the road approximately 100 feet in length would be located on a slope with a gradient of approximately 30 percent.

The project would result in approximately 250 cubic yards of excavation and 250 cubic yards of fill, which would not substantially alter the visual character of the project site. The project site is

approximately 2,000 feet west of Jalama Road and approximately 1.25 miles west of Highway 1. Due to distance and intervening topography the proposed new roads and road maintenance activities would not be visible from Jalama Road, Highway 1, or other public roads in the project area. The construction of one of the proposed road segments (segment 71) would result in the removal of three live oak trees. However, these three trees would be harvested for transplant, similar to the existing agricultural tree harvesting operation that is conducted on the project site.

The project would implement proposed erosion control measures including the installation of erosion and sedimentation control fiber rolls, straw bales and sandbag barriers. In addition, all of the roads on the project site are subject to the provisions of an agricultural erosion control permit as required by Grading Ordinance Section 14.9-1. At minimum, an erosion control permit is required to provide the location and details of runoff control, drainage devices, sedimentation basins, revegetation, and other measures of erosion control. The erosion control permit also requires periodic inspections of work completed under the permit. The project would not result in a substantial change to the existing topography of the project site and would not have the potential to result in significant slope stability impacts. Therefore, the project would be exempt. There is no substantial evidence that there are unusual circumstances, including future activities, resulting in or that might reasonably result in, significant impacts that threaten the environment.

The exceptions to the categorical exemptions pursuant to Section 15300.2 of the State CEQA Guidelines are:

- (a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.**

The project includes the construction of approximately 1,975 linear feet of new ranch roads and maintenance along approximately 2,325 linear feet of existing ranch roads. Proposed road construction and maintenance activities would not impact designated critical habitat of any species, or result in the development of structures or uses that may be impacted by a mapped or designated hazard.

- (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.**

The project would result in the construction of approximately 1,975 feet of new roadways, which would supplement the existing road network that provides access through the 678-acre project site. Approximately 250 cubic yards of cut and 250 cubic yards of fill would be required for the construction of the proposed roadways and the

maintenance of other roadways on the project site. The proposed grading would not be cumulatively considerable and all roadways on the project site are required to implement the requirements of an approved erosion control permit. The applicant has filed an application (16GRD-00000-00064) to renew an existing erosion control permit. The proposed road segments would be developed consistent with applicable grading regulations and would not result in significant cumulative impacts. Therefore, the cumulative impact of successive projects of this type in the same place, over time, would not be significant.

- (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.**

There are no unusual circumstances associated with the proposed project where there is a reasonable possibility that the project would have a significant effect on the environment. The proposed road segments would be constructed to serve an existing agricultural operation; would not result in a substantial amount of grading; would implement appropriate erosion control measures; and would be developed pursuant to Grading Ordinance standards.

- (d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.**

The proposed project would not be visible from a designated scenic highway. The project would not result in damage to scenic resources, including but not limited to, trees, historic buildings, or rock outcroppings within a highway officially designated as a state scenic highway. Therefore, this exception does not apply.

- (e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.**

The project is not located on sites included on any list compiled pursuant to Section 65962.5 of the Government Code. Therefore, this exception does not apply.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

No historical resources are located on the subject parcel. All of the proposed new and maintained road segments that would be permitted by Land Use Permit 14LUP-00000-00514 were surveyed for the presence of cultural resources (Compass Rose, 2015). The survey report was peer reviewed by the County archaeologist, and the report concluded that no cultural resources have been previously recorded within the project property and no cultural resources, either prehistoric or historical, were identified during the field investigation. The proposed project would not result in any substantial adverse change in the significance of a historical resource. Therefore, this exception does not apply.

Lead Agency Contact Person: Steve Rodriguez

Phone #: (805) 682-3413

Department/Division Representative: _____ Date: _____

Acceptance Date: _____

Distribution: Hearing Support Staff

Project file (when P&D permit is required)

Date Filed by County Clerk: _____.

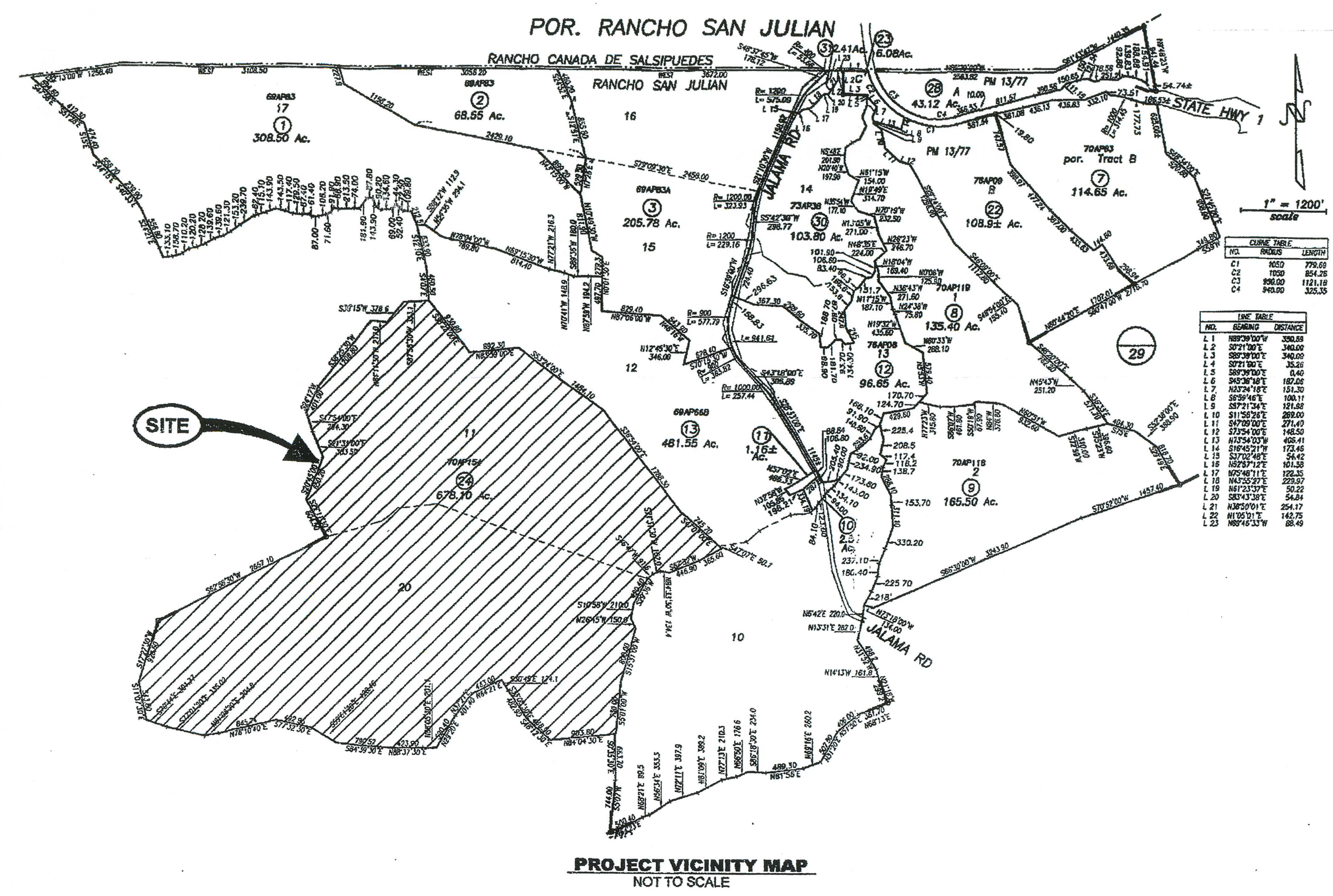
PROJECT INFORMATION

Owner: Manuel & Alicia Jimenez
 P.O. Box 80220
 Santa Barbara, CA 93150

Lot Size: 678.10 acres gross & net

Zone District: AG-II-100/County LUDC

- Scope of Project: Comprehensive ranch road grading plan for:
1. Documentation of all existing ranch roads, including roads that have been constructed under 10GRD-00000-00110 and 14GRD-00000-00066.
 2. Construction of new ranch road segments 50, 70, and 71. Erosion and sediment control measures will be provided as needed by fiber rolls and straw bales as detailed on Sheet 2.
 3. As-built repairs to portions of ranch road segments 47 & 50 as shown on plan to abate 14ZEV-00000-00112 and 14BDV-00000-00065. A small slide occurred and the debris was pushed to the side of the road to create a berm for erosion control.
 4. Stockpiling of rocks greater than 6-inches in diameter that are not suitable for compaction for future use on-site or export.
 5. Maintenance of existing ranch road segments 54, 64, 66, 67, and 69.



- AERIAL MAPPING AND BOUNDARY NOTES:**
- (1) THE BOUNDARY SHOWN HEREON IS FOR INFORMATIONAL PURPOSES ONLY. IT IS BASED ON MINIMAL MONUMENTATION RECOVERY AND RECORD DATA EITHER PROVIDED OR RECORDED. IT IS NOT INTENDED TO CONSTITUTE A BOUNDARY OF SURVEY.
 - (2) VERTICAL DATUM IS NAVD 88 PER NGS GPS POINT DZ1326. ELEVATION = 342.00 FEET.
 - (3) (R) = OFFICIAL RECORD 2006 0000893 ROTATED CLOCKWISE (1°40'40").
 - (4) AERIAL DATA PROVIDED BY CENTRAL COAST AERIAL MAPPING, INC. DATED 03-04-2010. CONTOUR INTERVAL IS 5 FEET.
 - (5) FOUND MONUMENTS ARE DENOTED ●

CARDENAS AND ASSOCIATES SURVEYING, INC.
 1815 CALLE CESAR CHAVEZ, STE. 100, SANTA BARBARA, CA 93101
 Phone: (805) 966-7713 Fax: (805) 966-2011

- UTILITY NOTES:**
1. WATER: PRIVATE WELL
 2. TELEPHONE: VERIZON
 3. GAS: PROPANE
 4. SEWER: SEPTIC SYSTEMS
 5. ELECTRICAL: PG&E

ROAD TYPE LEGEND	
	EXISTING PERMANENT RANCH ROAD
	ABANDONED RANCH ROAD (SEGMENT #59 ONLY)
	PROPOSED NEW RANCH ROAD
	EXISTING RANCH ROAD IN NEED OF MAINTENANCE
	PROPERTY LINE
	ROAD SEGMENT DESIGNATION
	ROAD SEGMENT BEGINNING/END

Souther Land Use Consulting
 P.O. Box 53423
 Santa Barbara, CA 93150
 (805) 695-0916
 syncooster@aol.com

SCALE: 1" = 300'

COMPREHENSIVE RANCH ROAD GRADING & MAINTENANCE PLAN
 SEPTEMBER 2015

JIMENEZ RANCH
 3927 JALAMA ROAD
 APN: 083-280-024
 COUNTY OF SANTA BARBARA, CALIFORNIA

BASE MAP BY FLOWERS & ASSOC. 2010 SHEET 1 OF 2

FLOWERS & ASSOCIATES, INC.
 CIVIL ENGINEERS
 201 N. Calle Cesar Chavez, Suite 100 Santa Barbara, CA 93103
 Telephone (805) 966-2224

BY: *Robert Flowers* DATE: 2/24/10



PLANNING & DEVELOPMENT
APPEAL FORM

SITE ADDRESS: 3927 JALAMA RD. LOMPOC

ASSESSOR PARCEL NUMBER: 083-280-024

Are there previous permits/applications? no yes numbers: 14WSP-00000-00514
(include permit# & lot # if tract)

Are there previous environmental (CEQA) documents? no yes numbers: _____

1. Appellant: TOM SIGNORELLI Phone: 805 916 4014 FAX: _____

Mailing Address: 1204 DUKAKTD. SB CA 93103 E-mail: BARSS@ADL.COM
Street City State Zip

2. Owner: LAWAL JIMENEZ Phone: _____ FAX: _____

Mailing Address: _____ E-mail: _____
Street City State Zip

3. Agent: _____ Phone: _____ FAX: _____

Mailing Address: _____ E-mail: _____
Street City State Zip

4. Attorney: _____ Phone: _____ FAX: _____

Mailing Address: _____ E-mail: _____
Street City State Zip

COUNTY USE ONLY

Case Number
Supervisorial
Applicable Zo
Project Plann
Zoning Desig

15APL-00000-00019
JIMENEZ GRADING APPEAL BY SIGNORELL
3927 JALAMA RD
LOMPOC
10/12/15
083-280-024

Companion Case Number: _____
Submittal Date: _____
Receipt Number: _____
Accepted for Processing _____
Comp. Plan Designation _____

RECEIVED

OCT 12 2015

S.B. COUNTY (NORTH)
PLANNING & DEVELOPMENT

Reason of grounds for the appeal – Write the reason for the appeal below or submit 8 copies of your appeal letter that addresses the appeal requirements listed on page two of this appeal form:

- A clear, complete and concise statement of the reasons why the decision or determination is inconsistent with the provisions and purposes of the County’s Zoning Ordinances or other applicable law; and
- Grounds shall be specifically stated if it is claimed that there was error or abuse of discretion, or lack of a fair and impartial hearing, or that the decision is not supported by the evidence presented for consideration, or that there is significant new evidence relevant to the decision which could not have been presented at the time the decision was made.

GRADING FOR ~~AN~~ PURPOSES TROADS
 FOR A PURPOSE THAT IS NOT ALG.

GRADING HAS OCCURRED WITHIN ELL AREAS

SEE ATTACHED

Specific conditions imposed which I wish to appeal are (if applicable):

- _____
- _____
- _____
- _____

Please include any other information you feel is relevant to this application.

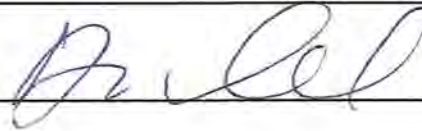
CERTIFICATION OF ACCURACY AND COMPLETENESS Signatures must be completed for each line. If one or more of the parties are the same, please re-sign the applicable line.

Applicant's signature authorizes County staff to enter the property described above for the purposes of inspection.

I hereby declare under penalty of perjury that the information contained in this application and all attached materials are correct, true and complete. I acknowledge and agree that the County of Santa Barbara is relying on the accuracy of this information and my representations in order to process this application and that any permits issued by the County may be rescinded if it is determined that the information and materials submitted are not true and correct. I further acknowledge that I may be liable for any costs associated with rescission of such permits.

Print name and sign – Firm

TOM SWANSON



Date

10-12-15

Print name and sign - Preparer of this form

Date

Print name and sign - Applicant

Date

Print name and sign - Agent

Date

Print name and sign - Landowner

Date

Land Use Permit No. 14LUP-00000-00514
Jimenez Grading of New and Existing Ag Roads

Intro

My name is Tom Signorelli. My parents live next door to the subject property where we have farmed and ranched for the past 50 years and still do. We are the family farm.

I became involved with this neighbor when I received a call from my mom telling me that it was flooding. That was about seven years ago.

Due to the questionable handling of the issue and that the cause of the flooding has never been addressed, I have questioning this nursery operation taking place on the property and our system.

For decades, this property was a cattle ranch with dry farm (bean), conforming to the other property's on Jalama Road. The roads that were located on the property were sufficient to run this cattle operation. This property shared the pristine beauty as the entire valley. I know, I grew up on Jalama.

In 2006 the property sold. The new, current owner explained that he purchased the property for the purpose of harvesting the oaks. We were assured by the then current ag commissioner that everything will be legal and that it will have no effect on us neighbors.

A few years later, I received that flood call from mom and I have been involved ever since. I do not agree with this operation that is occurring on the property and its slow deterioration of what it once was.

Roads and oak removal

Roads are a major component in a nursery removal and a impact from this type of operation. Especially when this operation takes place on mountainous ranch lands.

In 2003 a vineyard destroying trees and outcry from the public, the County enacted the Oak Laws. The purpose of the law was to protect the oaks and promote ag. It was intended to give the property owner the ability to remove a percentage of trees with no restrictions to improve their ag operation. Building a corral, install grapes, the promotion of ag.

Removing natural grown oak trees for no other reason than money does not promote Ag. It strips our lands of a natural resource.

Typical Ag removal of trees is done with a chainsaw or pulled out with a chain with very little impacts. For nursery, trees are dug out, placed in a 3' square box and requires a hole about a foot larger due to the bucket on the backhoe.

Our laws distinguish between the two, ag and nursery. Ag being more lenient, nursery being more restrictive. Our laws also state that to be considered a nursery, sales must take place on the property. Even though a property can operate as a nursery, have the same effect to the ground as a nursery, if there is not a cash register on the property, its not nursery. A cash register is the determining factor, not the action, not the impacts.

In our world, we have environmental laws and I have questioned them. I asked about an impact report that details the impact from nursery oak removal. Because this is not a permit activity, a EIR is not required. Even though the law says that if these impacts are substantial, we should know these impacts

before a project starts, we don't. The impacts of removing oak trees in a nursery fashion are unknown.

The Impacts

The county measures oaks by canopy. This property owner is allowed to remove 15% of his canopy.

In 2008 this property owner submitted to the county a plan that stated how many trees were removed. For the first four years of operation, he reported the nursery removal of a estimated 425 trees. No other year counts have been reported. This is an average removal of 106 trees a year, giving us a ballpark total of 1,009 trees removed to date.

Besides roads, tree removal requires holes. It takes the movement of aprox 10 cubic yards of dirt for each tree removal. After removal, the hole is covered with surrounding dirt.

To date, there has been the movement of over 10,000 cubic yards of dirt on this property. There is 1.5 holes for every acre on the entire property. This does not include the roads need for this removal. All of this removal is done with no restrictions, no oversight and absolutely no consideration for the environment. This movement and its related required roads are the source of the flooding that we experienced.

The impacts from these roads and tree removal are substantial.

Some of the first oaks that were removed were taken from the banks of a creek. This is a blue line stream and a protected creek.

I witness bulldozers on the banks and on the floor of this creek. I saw trees being pulled, vegetation killed. I saw the destruction of a protected creek. The creek left dead.

This is also the creek that had a hole dug out of the floor to pool water. Then the water was pumped to arrogate the nursery stock that has been planted in the previous bean fields.

This is also the creek that had dirt dumped into it. All of this contributing to the effects of this nursery operation.

Above this now dead creek is a mountain that is different than the rest of the mountains in the area. Before taking ownership, this mountain had a cow trail that traveled across it. This has been graded and now seeking permit.

Attached is photos of the creek. As you will see, it does not look like the rest of our County creeks. It has been severely damaged. While it was healing from this rape, the owner graded the road above it, undermining the creek from healing.

This creek, even though labeled as a protected creek, has not been protected. It has been destroyed and left dead. Allowing a road above it does not help to protect it.

More impacts.

We do not know the true impacts of a nursery operation of removing trees from mountain ranch lands and creeks. Even though these impacts are substantial and our laws state that we must know the true impacts before the start of a project, we don't.

We have witnessed some of these impacts. Flooding, excessive grading of roads, the decline of our

environment. These impacts are due to the moving of earth for tree removal and needed roads.

Since trees are measured in canopy, it is difficult to understand what is allowed for removal. The property owner reported to the county an amount of trees that had been removed. As I have shown, to date, approx 1,000 trees have been removed.

This summer the County Ag Commissioner did a count. It has been reported that 1.6% of this properties canopy has been removed. On this property the owner is allowed to remove 15% of his canopy. If you do the math, this property owner is allowed to remove 9,459 trees total from his property. Probably more trees that are even on the property.

This allows the property owner to move 94,590 cubic yards of dirt. All requiring roads. All done with no oversight, no restrictions and no consideration for the environment. All contributing to the already seen (but unknown) impacts.

The fields have been planted with nursery stock. These too will be removed as nursery. There is approx 2,000 trees and at 10cy each, this is an additional movement of 20,000 cy of dirt. Because these trees are so close to each other, removal would be similar to digging out the entire fields 4' deep and tossing the dirt in the air...hoping it lands in the right place. These fields are surrounded by creek. This removal is a threat.

In total, our failed laws allows this property owner the movement of a total 104,590 cubic yards of dirt and again, this movement can be done with no oversight, no restrictions and yea, no consideration for the environment.

NO government would ever allow this...except Santa Barbara County. No laws to stop it.

How much dirt is 104,590 cubic yards? I can even visualize it.

Roads are required for this impact.

Personal Impacts

Tree removal and grading of roads do have a personal impact. Our only access road is located through this property. When the flooding from the grading occurred, the neighbor first agreed to fix his problems. Then in October of the following year I receive a call telling me that they will not be fixing problems, its my problem. Even if I wanted to fix it, the flooding needed to be stopped. The County was called to verify where the problem lies. Grading.

During this time I had a sick dad and the only access was on a dirt road that if raining, flooded. The worse time of my life...ever.

The County required installation of drainage to control the flooding. Not stop it, control it. The source of the flooding is grading and tree removal which is currently occurring and allowed with no oversight.

This drainage system only covers a very small portion of the property and does not cover the entire length of the road.

As you know, we are in drought. Four years of no rain. This drainage system has never really been tested. There has also been four years of more grading of roads and removing trees all done with no oversight.

The violation record on this property is long. In the past this property owner has received violation for

among other things, grading of roads and tree removal from a slope. This shows a failed understanding of our grading and oak laws. He does what he wants.

This year they say rain will come and lots of it...lets hope so. However, the odds of us seeing flooding is great. Possibly imminent.

With this in mind, add two seniors, one turning 91 this month.

The road must be kept passable, even in a rain storm but our laws will not allow it. They allow the neighbor grading of roads and tree removal to threaten this. It allows this, again, with no oversight. We are not allowed to live in a safe, clean world because the neighbor has the right to grade up his property.

Grading of roads is required for tree removal and contributes to this impact.

Respecting he law

Our permit system is simple to understand. If you have a project and you believe that their maybe requirements, you check the law before the start of the project. By doing so, you will understand what is allowed and what is not. Your project may require a permit and because of this possible requirement, it will allow others to voice their concerns and possibly not allow your project to continue.

What I have learned from this property owner is that he does not follow the law in this order. Instead of asking before, he just does it. Eliminating the possibility of being denied the project. If the law comes knocking, he hires lawyers to defend his actions. People like me do not have the time, knowledge or money to voice those concerns. At the end, he may have had to pay for it but he ends up with what he wants.

Many of the new roads on the property have been done in this fashion. He grades the roads, then asks for approval.

The cow trail turned into a road above the dead creek is a perfect example. I believe that if he would have requested the construction of this new road, it would have been denied to protect the creek. Instead, he grades the road then fights it, as he is doing now.

I have seen him do this many times in the past years. His system works for him because he has the money to defend his action. Unfortunately his system does not work for the rest of us that do follow and respect the law.

Ag Preserve

If you are a property owner and operating a ag business, you have the opportunity to join into the Ag Preserve program. By being a good steward to the land and promoting ag, you are granted a discount on your property tax. An incentive for property owners to preserve their lands.

On this subject property the only operation taking place is nursery. The removal of trees and growing of nursery stock. There is no livestock, no production of the traditional ag food or fiber. Nature produces lawn ornaments for the rich. They do no nurture, mother nature did.

The goal of our oak laws is the protection of oaks and promotion of ag. I fail to understand on how removal of oak trees (requiring roads) for no other reason than money achieves this goal. It doesn't. It does the opposite. Placing a price tag on a tree does not protect it and it does not promote ag.

The county has labeled this removal as ag. Even though none of these trees have been nurtured by the property owner, they grow. And because of that, this action has been classified as ag.

Even though this action of grading excessive roads, taking of trees has negative impacts to the land and safety and lack the requirement of the ag preserve, this property owner is granted Ag Preserve status.

For all of the other property owners that are operating real ag, and being good stewards to the land, allowing this property owner to participate is unacceptable. While others are trying to preserve our lands, this property owner is destroying the lands with excessive grading and roads. Yet, he received the same benefits as others. Not right.

Out of Conformity

Santa Barbara has its gem, it is the Gaviota Coast and our government does everything possible to protect this gem.

Lompoc also has a gem, this is Jalama. This gem is being tarnished and our laws are allowing this tarnishment. Unlike Gaviota, Jalama does not receive the same attention. This because its Lompoc.

Since this property owner has taken ownership, his actions of removing trees and grading up the hills has proven the slow severe deterioration of our landscape and our environment.

All of the neighboring property share this pristine status. Even though this property shared this pristine at one time, it no longer does. It is no longer compatible with the surrounding properties.

I have yet to find a ag property in our county that has similar or more grading as this property. The extreme grading and its impacts are the reasons for the tarnishment of pristine. Allowing more roads will only increase this tarnishment.

All of the properties in the area are true ag. The production of cattle, grapes, raising of horses and crops. This property is the only nursery operation for miles. To allow this nursery operation to take place on this property is asinine. Very stupid idea. Nursery should be on flat land, not ranch land. Allowing grading of roads and the removal of trees on this topography is nothing more than inviting problems as we have seen. We have seen the impacts and if allowed to continue, we will see more.

Nature

Impacts from this oak nursery operation are substantial and alters our landscape forever. This property owner has shown his lack of respect of the land.

A property owner should understand the effects of their actions. This one does not. He believes that this is his property and he can strip the land of its trees for no other reason than the dollar. This with no consideration for the land.

There has been no permanent replacement trees planted on the property to offset this removal. All the trees that have been planted on the property is stock, to be removed (with more dirt movement). There has been absolutely no consideration of any kind for any of the effects being created on the property.

The Reason

Six years ago I walked into Ms Farris office and explained that flooding was occurring, causing damage

and it was due to the property owner removing trees. Since then, I have poked, begged...anything to get the County's attention.

In search of a resolution, last summer I wrote to both the property owner and his attorney explaining my concerns....no reply.

Last week I spoke at the Supervisors meeting oak review. I explained the impact that oak removal has caused and made them aware of potential impacts. I also made them aware that any flooding or sliding this winter, tree removal is the cause.

I am motivated because I do not like to see destruction. Especially on Jalama. I understand a property owner has rights but he does not have the right to destroy the environment and harm others. And that is what he is doing by removing trees through loopholes in the law. And it takes roads to remove trees.

My Appeal

Our oak tree laws were put into place to protect our oaks and promote ag. It doesn't. What it does do is allow a property owner to remove natural oak trees, trees that were not nurtured, for no other reason than the dollar. This is not protecting the oaks nor does it support ag.

This removal has shown that there is damage associated with this removal. Its visual. You can see excessive grading, a dead creek, the effects of this operation.

I have shown the impacts that have occurred on this property and impacts that are still possible. They are beyond substantial, they are crazy.

Our failed laws allow these impacts. But our laws also state that if there is a substantial impact, we must know this. These impacts must be identified and addressed before the start of a project. This has not happened and a violation against our right to know these impacts.

If we agree or not, our laws allow this destruction. This destruction is supported by roads. Many of them, Too many of them.

Allowing more roads would only be supporting this unknown destruction.

This property functioned properly as ag before this owner took ownership. The roads that existed at that time were sufficient for a true ag operation.

This permit is for new roads and repairs to existing roads. **I object to any new roads. I also object to the repair of any road that did not exist or impassable (historical) that have been added since this property owner took ownership.**

I have shown that the creek has taken a major hit with the potential of much more damage. The segment of road above this creek is substantial damage. This hill is shale and unstable. To allow a road above this creek is unacceptable. It would not be protecting the creek as our laws state. I would like to see it restored back to what it once was, a cow trail.

Thank you,

Tom Signorelli



Both photos take the same day, Dec 2013.

The top photo is of my parents creek. Lush and looks like all the other creeks in the county. The bottom photo is of the subject property. Only thing dividing them is the fence line. They are visibly different. The damage from the tree removal was severe, killing the willows and other vegetation, leaving it dying. Soon after the creek starts to heal, the owner grades the cow trail just above it. This hill above the creek is unique. Took thousands of years for nature to produce, only took the property owner one afternoon to destroy. This section of new road is included in this permit and I believe worse of all. If the hill falls its right into the creek, flooding our property just upstream. No environmental protection. Not safe.



A sign was erected on the property saying it is operating as a nursery. All of the equipment they use says that they are a nursery. Their actions are those of a nursery. The effects to the land are the same as a nursery. If anything says they are a nursery but not how.



The removal of trees require roads. This property has more roads and grading than any other property that I have found in Santa Barbara county. Excessive with no oversight. No ag that I know of requires this amount of roads....and roads that go in circles.



This is a photo of the subject property taken prior to the property owner taking ownership. I tried to recapture this photo but was unable, there is a chain link fence in the way. This is a sad photo. What it shows is the pristine beauty that this property once had. And what we have lost. This loss is what our failed laws and the quest for greed produce. Too much grading. This property is lacking protection.

Memorandum

DATE: June 30, 2008
TO: Mr. Bill Gillette, Santa Barbara County Agricultural Commissioner
FROM: Susan F. Petrovich
RE: Jimenez Oak Tree Removal and Mitigation Plan - 3927 Jalama Road

Susan F. Petrovich
805.882.1405 tel
805.965.4333 fax
spetrovich@bhfs.com

Brownstein Hyatt Farber Schreck represents Manuel Jimenez, owner of 3927 Jalama Road, Lompoc, CA. As you know, Mr. Jimenez is in the landscape business. One of his many talents is the successful transplanting of mature trees, including oaks. Because the Jimenez property is close to 700 acres in size located outside the Coastal Zone, with thousands of coast live oak trees and no deciduous oaks, Mr. Jimenez has no legal obligation to submit a report to the County regarding his voluntary oak tree mitigation program. Mr. Jimenez has agreed to cooperate with your office to provide an example of how native trees can be removed and transplanted elsewhere in the County to provide the amenity of a mature tree in an urban landscape, while regenerating oak trees on the property from which the mature trees were removed. His plan ensures that there will be thousands of live oak trees on the Jalama Road property into the distant future. Mr. Jimenez also plants native and non-native trees and other plants in containers, but he has a particularly unique talent that has made him famous in this area. He is able to transplant mature trees from the soil in one location to the soil in another location with an extraordinarily low mortality rate.

We enclose a list of the trees that Mr. Jimenez has removed from the Jalama property since 2006. We enclose a plot plan, designating areas of the property set aside for oak tree regeneration. These areas are in addition to new oak seedlings planted in the area left after a mature oak has been transplanted.

Although Mr. Jimenez initially planted 750 oak seedlings, deer and pig predation resulted in loss or severe damage to virtually all of the seedlings planted in the "New Oak Planting Area" and to some oak seedlings interplanted with the olive trees. To prevent further losses and to replace the dead or dying seedlings, Mr. Jimenez has installed appropriate exclusionary fencing as shown by the dashed lines on the plot plan. In the area designated as "New Oak Planting Area," this Fall he will plant approximately 300 seedlings presently being held in pots. He first will fence this area to exclude deer and pigs and will add an irrigation system to enhance the potential for successful establishment of these trees. As the oaks mature, they gradually will be weaned off the irrigation. Mr. Jimenez presently has no plans to further transplant any of the oaks planted in the "New Oak Planting Area." It is possible that, as these trees become established, he will move some of them elsewhere on the property. He may transplant some of them to other properties. If he does so, he will replace any such trees with new seedlings and will keep them irrigated until they can survive without supplemental water. The long-term plan for the oaks in the "New Oak Planting Area" is for the majority, if not all, to live out their lives in that area or elsewhere on the property. Mr. Jimenez is in the process of installing additional deer fencing so he can expand his tree planting acreage. As that occurs, we will send you an amendment to this report.

As you can see, Mr. Jimenez has transformed what once was primarily grazing land (with some dry farming) into acres of olives, oaks, and other trees, all planted in the ground. With the protective fencing and irrigation, these new trees are expected to thrive. The oaks interplanted with olives either will be transplanted within the property as they grow old enough to withstand predation or will become nursery stock and sold as part of the commercial agricultural operation on the site.

In addition to the oak trees described above, Mr. Jimenez has planted approximately 2200 olive trees of various varieties, approximately 250 pines, approximately 120 cedars, approximately 720 palms, and 350 mixed nursery plants. The olive trees will be used as nursery stock on an "as needed" basis. As they come into production, they may be leased to an olive farmer for olives or olive oil. How long they remain on the property will depend upon market demand. As older olives are removed and sold, new trees will be planted in their place. As you can see from the plantings, Mr. Jimenez tries to anticipate his market and plants trees far enough in advance that they have grown to desirable size by the time a customer orders them. For the high-end market, residential and commercial clients want mature plantings, not saplings or seedlings. Mr. Jimenez has discovered an ingenious way to meet this market demand. The types of trees planted in the future will depend on the prevailing market demand at any given time. For example, Mr. Jimenez will be planting 100 sequoia seedlings and 125 other nursery stock trees on this property this fall. He may add other nursery plantings as needed.

Mr. Jimenez plans to continue his oak tree regeneration program indefinitely into the future. At the same time, he will transplant a few mature trees each year to meet customer demand. To date, as you can see, he has transplanted approximately 100 trees in 2006, 2007 and 2008. In exchange, he has planted and irrigated, and annually will continue to plant, new oak seedlings in areas with protective fencing and irrigation.

- If you have any questions regarding the information that we have provided, please contact me.

Enclosures: Plot Plan and Jalama Oaks Availability List
SB 470574 v1:010809.0003

Memorandum

PRIVILEGED AND CONFIDENTIAL
Attorney-Client Privilege
(Evid. Code, § 950 et seq.)

Susan F. Petrovich
805.882.1405 tel
805.965.4333 fax
spetrovich@bhfs.com

DATE: July 7, 2009
TO: Bill Gillette, Santa Barbara County Agricultural Commissioner
FROM: Susan F. Petrovich
RE: Jimenez Oak Tree Removal and Mitigation Plan – 3927 Jalama Road – Update

This report constitutes a 2009 update of the June 30, 2008 Jimenez Oak Tree Removal and Mitigation Plan submitted to you last year.

The following represent plantings, within protective fencing and with drip irrigation, at 3927 Jalama Road of *Quercus agrifolia* since the June 30, 2008 submittal:

- October 2008 – 1175 5-gallon trees
- November 2008 – 910 5-gallon trees
- December 2008 – 50 5-gallon trees
- March 2009 – 350 5-gallon trees

The following number of mature *Quercus agrifolia* were transplanted from the property between June 30, 2008 and June 30, 2009: 125, varying size from 4" to 10" DBH.

If you have any questions regarding the contents of this updated report, please contact me.

2006	100
2007	100
2008	100
2009	125
<hr/>	
	425

SB 509835 v1.010509.0003

Michelle
2010, 2011, 2012, 2013
2014, 2015

JALAMA OAKS AVAILABILITY LIST

(SUBJECT TO INVENTORY ON HAND AT TIME OF ORDER)

Tel: 805-684-7955 Fax: 805-684-6274

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DESCRIPTION	SIZE	FORM	ARRIVAL DATE	SPTS	AVAIL	STATUS	LOCATION	QTY
Quercus agrifolia	144" box		2006		1	DEL-1/11/07	JA	
Quercus agrifolia	144" box		2006		1	DEL-2/6/07	JA	
Quercus agrifolia	144" box		2006		1	DEL-2/6/07	JA	
Quercus agrifolia(H1441001)	144" box	double	3/15/2007	38'x18'	1		JN	H
Quercus agrifolia	132" box		0/00/2007		1		JA	
Quercus agrifolia(D1321101)	132" box	multi	12/7/2007	33'x30'	1		JN	D
Quercus agrifolia(G1321001)	132" box	standard	5/26/2008	35'x24'	1		JN	G
Quercus agrifolia(G1321002)	132" box	standard	5/26/2008	33'x30'	1		JN	G
Quercus agrifolia(R1321001)	132" box	multi	3/15/2007	33'x33'	1		JN	R
Quercus agrifolia	120" box		0/00/2007		1		JA	
Quercus agrifolia	120" box		11/30/2007		1	DEL 11/30/07	JA	
Quercus agrifolia	120" box		2006		1	DEL-1/11/07	JA	
Quercus agrifolia	120" box		2006		1	DEL-10/18/06	JA	
Quercus agrifolia	120" box		2006		1	DEL-10/25/05	JA	
Quercus agrifolia	120" box		2006		1	DEL-11/16/06	JA	
Quercus agrifolia	120" box		2006		1	DEL-11/6/06	JA	
Quercus agrifolia	120" box		2006		1	DEL-8/9/06	JA	
Quercus agrifolia(A1201103)	120" box	double	4/30/2008	26'x23'	1		JN	A
Quercus agrifolia(B1201001)	120" box	standard	6/21/2006	36'x28'	1		JN	B
Quercus agrifolia(B1201002)	120" box	standard	2006	34'x24'	1		JN	B
Quercus agrifolia(B1201003)	120" box	low br	2006	21'x23'	1		JN	B
Quercus agrifolia(B1201105)	120" box	double	3/3/2007	33'x20'	1		JN	B
Quercus agrifolia(B1201106)	120" box	standard	3/3/2007	35'x23'	1		JN	B
Quercus agrifolia(B1201107)	120" box	standard	3/3/2007	33'x26'	1		JN	B
Quercus agrifolia(C1201003)	120" box	single	12/8/2006	34'x32'	1	STORM-DAM	JN	C
Quercus agrifolia(C1201053)	120" box	low br	6/25/2006	27'x26'	1	DEL-11/16/06	JN	C
Quercus agrifolia(C1201054)	120" box	standard	6/26/2006	25'x23'	1	DEL-12/13/06	JN	C
Quercus agrifolia(C1201101)	120" box	standard	3/3/2007	27'x31'	1		JN	C
Quercus agrifolia(C1201102)	120" box	standard	8/20/2007	37'x24'	1		JN	C
Quercus agrifolia(C1201102)	120" box	standard	3/3/2007	34'x25'	1		JN	C



ALTHOUSE AND MEADE, INC.

1602 Spring Street, Paso Robles, CA 93446
(805) 237-9626 • Fax (805) 237-9181 • www.althouseandmeade.com
Patrick J. Mock, PhD • Cell (619) 665-3218 • pat@alt-me.com

June 15, 2015
10:5 AM

Ms. Debbie Trupe
Compliance Coordinator
Santa Barbara County Agricultural Commissioner's Office
624 W. Foster Road, Suite F
Santa Maria, CA 93455

Subject: Desktop Assessment of Oak Canopy Distribution on a 678-acre parcel in the Lompoc area of Santa Barbara County, APN 083-280-024

Dear Ms. Trupe:

Per your request, Althouse and Meade conducted a desktop assessment of the oak canopy on the subject parcel. We used comparable aerial photographs from 2006 and 2014 to determine the percent reduction in oak canopy during this time period. The attached figure shows the 2006 oak distribution (74.39 acres) and the areas where oak canopy is apparently missing in 2014. As shown on the figure, the reduction in oak canopy is estimated at 1.6 percent, which represents 1.21 acres of oak canopy cover. **Most of the missing canopy is closely associated with new access road construction.**

Thank you for the opportunity to be of assistance. If you have any questions or concerns, please call me at 805-237-9626.

Sincerely,

Althouse & Meade, Inc.

Patrick J. Mock, PhD, CSE, CWB
Principal Biologist

Attachment

From: Vyenielo, David <dvyeni@co.santa-barbara.ca.us>

To: Natasha Lohmus <nlohmus@dfg.ca.gov>

Cc: Weber, Tammy <tweber@co.santa-barbara.ca.us>; Karamitsos, John <Johnk@co.santa-barbara.ca.us>; Thomas, Jeff <Jthomas@co.santa-barbara.ca.us>

Subject: FW: signorelli - jimenez

Date: Tue, Mar 10, 2009 4:47 pm

Attachments: creek.jpg (2023K), creek1.jpg (2051K), creek2.jpg (2522K), creek4.jpg (1972K), creek7.jpg (2215K)

Hello Natasha,

I have **2 issues** that I would like to bring to your attention. Both issues involve **streambed alteration and destruction of riparian habitat and associated species within a blue-line creek** off of Jalama Rd. in Lompoc..

Issue #1, I received these photos from the Signorelli's showing how their neighbor is pumping water out of the creek, located just outside and downstream from the Signorelli property line. It appears they removed willows and other riparian plant species and proceeded to dig out, widen and deepen an area of this blue-line creek. As you can see from the photos, watercress and other riparian plant species have started to reestablish themselves around the perimeter, with the willows obviously absent. The excavator/tractor has left some tell-tale signs of recent activity as evidenced by the uneven piles of dirt and denuded creek bank. According to the Signorelli's, Mr. Jimenez and/or his workers lower the plastic perforated garbage can (using the rope shown in the photo's) into the water hole, place the water pump inside the can and pump the water out through the large fire hose, (all shown in the photo's provided) and use for irrigation of his newly planted Olive trees.

Issue #2, I plan on visiting the Jimenez property in the near future to meet with Mr. Jimenez, his lawyer, a zoning enforcement representative, and Jeff Thomas, my supervisor, to address a legitimate complaint of dumping of large quantities of soil into the creek that has partially blocked a 6' culvert downstream from this pumping station in addition other issues such as illegal grading of hillside rds. and alteration of natural drainage..

I did not personally see the "pump station" location on my first visit since I couldn't enter the Jimenez property because of a locked gate but I did investigate the dumping of soil into the creek and the blocked culvert outside of the gate. I'm sure both of these issues would be of great concern to you and I thought it would be ideal to address our issues simultaneously. I have been unable to contact Mr. Jimenez up to this point but I have heard through Zoning Enforcement that he is letting his lawyer handle all the correspondence between interested parties and himself. I will let you know as soon as a firm meeting date and time has been established in addition to more details about location of these violations.

Thank you for your time,

DAVID VYENIELO
SENIOR GRADING INSPECTOR
PLANNING & DEVELOPMENT DEPT.
BUILDING & SAFETY DIVISION
624 WEST FOSTER RD., Suite C
SANTA MARIA, CA. 93455-3623
(805) 934-6233 Voice mail
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(805) 934-6258 Fax
Email: dvyeni@co.santa-barbara.ca.us

From: Vyeniolo, David <dvyeniol@co.santa-barbara.ca.us>

To: 'spetrovitch@bhfs.com' <spetrovitch@bhfs.com>

Cc: Zimmer, Mike <Mzimmer@co.santa-barbara.ca.us>; Matson, Mark <mmatson@co.santa-barbara.ca.us>; Anthony, Doug <Doug@co.santa-barbara.ca.us>; Karamitsos, John <Johnk@co.santa-barbara.ca.us>; Merlo, Analise <Analise@co.santa-barbara.ca.us>; Thomas, Jeff <Jthomas@co.santa-barbara.ca.us>; 'bar3s@aol.com' <bar3s@aol.com>; Black, Dianne <Dianne@co.santa-barbara.ca.us>; Bohnett, Tony <Tbohnet@co.santa-barbara.ca.us>

Subject: Emailing: 2009-12-21, Signorelli jimenez culvert

Date: Tue, Dec 22, 2009 11:01 am

Attachments: 2009-12-21,_signorelli_jimenez_culvert.lnk (990)

Dear Susan,

I paid a visit to Mr. & Mrs. Signorelli and their son Tom at 12:00pm, (12/15/09) to get an idea of the current site conditions. The berm and the riprap work at the South east end of the olive orchard appears to have worked adequately in directing most of the runoff away from the access rd. However, **since your latest visit on 9/29/09, site conditions have changed considerably to the point where a health and safety issue now exists at the culvert location.** The mouth of the culvert remains 40% occluded due to soil that was dumped over the bank, spilling into the blue-line creek and the mouth of the culvert. This soil has now firmly settled within the culvert and has vegetated, without signs of any of it washing away. The slope and the shoulder above the upstream side of the culvert has deteriorated significantly, prompting the Signorelli's to place traffic cones to direct vehicles away from the failed access road shoulder as they cross the culvert. They have also positioned a vehicle on the other side just in case the crossing narrows to a point where they can't get a vehicle across. Due to recent regrading of this access road by Mr. Jimenez prior to the recent rains, runoff from the latest series of storms has been conveyed toward and carried within a newly graded swale that empties onto the unprotected slope, taking soil and vegetation with it. It appears that Mr. Jimenez created a crown in the road by placing a layer of dirt over the road base, possibly derived from the excavated earthen swale. This has not only created a quagmire as a result of the recent rains, but has also eliminated the sheet flow across the road. Runoff has been concentrated and redirected into the newly graded earthen swale that parallels the access road and empties directly onto the unprotected bank above the culvert. This has accelerated the erosion of the bank above and adjacent to the culvert and has further compromised the access road that it supports. The deep eroding gully 60' North of the culvert continues to head cut back toward the road shoulder on the east side without any signs of attempted repair. **Please review the photos that I have attached that clearly show the rapid deterioration of the slopes and shoulder of the access road adjacent to the culvert**

THIS SITUATION IS SERIOUS AND WILL CERTAINLY AFFECT THE HEALTH AND SAFETY OF THE SIGNORELLI'S AND OTHERS THAT NEED ACCESS TO THE OTHER SIDE . FACED WITH A PREDICTED EL NINO, I CAN ASSURE YOU THAT IF LEFT AS IS, NOT ONLY WILL THE SIGNORELLI'S BE UNABLE TO CROSS THE CULVERT, BUT FIRE DEPARTMENT ACCESS WOULD BE SURELY COMPROMISED IF THEY HAVE TO RESPOND TO A FIRE OR MEDICAL EMERGENCY.

I am still relying on your affirmation at our site meeting back in March 2009 that "This will be fixed" , as we overlooked the impacted culvert. Nine months later nothing has been done and winter is upon us.

In an effort to work with Mr. Jimenez and allow him to address this issue in a timely manner, **Building and Safety is willing to offer an Emergency Grading Permit to encompass the culvert repair and extension in addition to the gully repair just North of the culvert**, independent of any of the other outstanding issues currently under review. This would allow him to commence the necessary work ASAP, following permit application and an expedited plan review of the work proposed.

To get a better idea of what this might cost, the Signorelli's did obtain a bid from a reputable contractor to extend the existing culvert 10' on the upstream side, and armor the face of the slope adjacent to the culvert opening with large riprap from top to bottom. This would not only mitigate the health and safety issue that currently exists but also benefit all parties by providing a more substantial crossing and greater usable width, without the concern of this washing out in the near future. Remember, the Signorelli's already have the 6'diameter X 10' piece of culvert pipe on site that they had purchased a while back with the handshake agreement that Mr. Jimenez would install it for them. I called Natasha Lohmus of the Department of Fish and Game to discuss the latest site conditions and the mitigation measures proposed. Based on my description, she agreed that the conditions at the culvert have deteriorated to a point where a Streambed Alteration permit would be required.

Fully aware of the urgency of this situation, **Natasha offered that the DFG has an option available that will expedite the lengthy permit process to accommodate such emergency situations.** Best case scenario could potentially allow work to start within a week or so as long as you follow the proper steps. Please contact Natasha Lohmus at 684-6281 to discuss the

simple process. Once the DFG have had a chance to review and approve a detailed description of what will take place and the materials that will be used, work can begin within a very short time frame, with the understanding that a filled out permit application be provided within fourteen days after the work has started.

An Emergency Grading Permit from Building and Safety coupled with the expedited Streambed Alteration Permit from DFG would surely allow Mr. Jimenez(or a contractor authorized by Mr. Jimenez)to complete this repair in a timely manner.

In light of the fact that nothing has been done to mitigate this health and safety issue, Building and Safety is requiring that you provide an acceptable plan of action by Wednesday afternoon, 12/23/09. This should include a reviewable plan with details along with a time line for completion. Also, because your client has failed to mitigate the grading violations and adhere to the time lines associated with the original NOV, Building and Safety will be issuing a Notice of Determination of Fines(NOD)for the first Notice of Violation(NOV)in addition to a second (NOV)with a 30 day deadline.

Thank you for your time.

David Vyeniolo
Senior Grading Inspector
Planning & Development
Building & Safety Division
(805)934-6233



County of Santa Barbara Planning and Development

Glenn S. Russell, Ph.D., Director
Dianne Black, Assistant Director

July 10, 2014

Mr. Signorelli
1204 Diana Road
Santa Barbara, CA 93103

Mr. Signorelli:

We have reviewed the zoning violation complaints you submitted on June 25, 2014 and additional correspondence with Planning & Development staff. The concerns you raise regarding classification of the activities occurring at 3927 Jalama Road have been extensively researched. It is Planning & Development's determination that the growing, harvesting, boxing and relocation of Coast Live Oak trees (*Quercus agrifolia*) grown onsite constitutes an agricultural operation as defined with the Santa Barbara Land Use & Development Code (LUDC) and the project site does not meet the definition of nursery under the LUDC.

The LUDC defines Agriculture as: *The production of food and fiber, the growing of plants, the raising and keeping of animals, aquaculture, and the preparation for sale and marketing of products in their natural form when grown on the premises, and the sale of products which are accessory and customarily incidental to the marketing of products in their natural form grown on the premises, and as allowed by Section 35.42.050 (Agricultural Product Sales), but not including a slaughter house, fertilizer works, commercial packing or processing plant, or plant for the reduction of animal matter or any other similarly objectionable use.* (emphasis added)

Growing oak trees (plants) and preparing them for sale offsite (boxing and transporting) is consistent with the definition above.

The LUDC defines a Plant Nursery as: *"A retail or commercial business where plants are grown in the ground or in containers for sale or propagation."* The property is not open to the public and retail sales/business activities are not conducted onsite. Further, there are no references to the site on any website for nursery or nursery supplies. Therefore the property is not classified as a nursery under the zoning ordinance. Other applicable laws/regulations governing the sale of plant productions (e.g., business license requirements) may define nursery differently and apply different standards as is appropriate to their regulatory authority. However, under County Code Chapter 35 (Zoning) the property is not subject to the zoning regulations governing such operations.

The Department's determination that the previously reported grading activities and oak tree removal are exempt from permit requirements is hereby upheld. Should you desire to challenge the Director's determination that the onsite activities described above qualify as agricultural operations (LUDC section 35.110.020, Agriculture as cited above), you may file an appeal pursuant to Section 35.102.040.A.3 of the LUDC. Please note that an appeal must be filed with

the appropriate appeal application (available at www.sbcountyplanning.org) and the appeal fee of \$608.26 within 10 calendar days from the date of this letter.

Regards,

A handwritten signature in black ink that reads "S. Mason". The signature is written in a cursive style with a large, looped initial "S".

Steve Mason
Administration and Operations Manager

C:
Petra Leyva, Planning and Development
Jeff Thomas, Planning and Development
file 14ZEV-00000-00134

Jalama Road Adventure

Jalama Beach has long held a mystique as one of California's saved surf spots, known for its "gnarly waves" and pristine beaches. Thus, my curiosity was piqued when I saw the turnoff for Jalama Road on my first drive from Lompoc to Santa Barbara. I detoured off Highway 1 for a journey down the fourteen-mile winding country road, past bucolic landscapes to the Jalama Beach County Park.

Once I turned onto Jalama Road, with its quick switchback at Devil's Elbow around a grove of old red oaks draped in lichen, I was as much in search of a tenant cottage as I was a drive to the beach. I sensed that I would soon be relocating to Santa Barbara County.

When I saw the sign for Jalama Ranch Headquarters, I stopped and knocked at a door. Then-ranch manager Brad Lundberg informed me that they did not have any rentals on the ranch but he suggested the long white wood house located on Jalama Road a couple of miles before Highway 1.

The house was in terrible disrepair and required extensive renovation. Yet, a year later I moved in and immediately began making my own contributions to the funky old house. Ten elm trees line the driveway leading to a heart shaped garden in front of the stately symmetrical building, which suggests a noteworthy history.

In fact, the house was the original Jalama Ranch Headquarters circa 1890s. It had been owned by Albert Dibblee, who was one of three Dibblee brothers in partnership with W.W. Hollister in the Rancho San Julian. The partnership split up in 1882, and Albert was allocated Tract C of Rancho San Julian in 1892.

Tract C became known as Jalama Ranch and was subdivided beginning in 1910. In 1939, the Bixby family purchased the 15,567 acres that remained of Jalama Ranch. Fred Bixby had purchased the adjacent 10,000-acre Cojo Ranch in 1913. The Bixby family still owns the 25,550-acre property known as Cojo-Jalama Ranch.

Oral history is all that remains for much of early Jalama but Peter Cargasacchi and the late Joey Cabral added to insight garnered from the Lompoc Valley Historical Society. The original Jalama Ranch included a ranch headquarters, mess hall, bunkhouse, hay barn, saddle shed, and a cow barn. The bunkhouse

has been removed and the road straightened out but an old schoolhouse circa 1920s remains nearby.

Swiss emigrant Candid Pata leased upper Jalama Valley beginning in 1912. By 1917, Pata began purchasing property in the Valley and he acquired the original ranch headquarters, barns, and schoolhouse in 1949. His descendants are currently the largest property owners in the Valley and three generations still live there. Brothers Richard and Kenny Pata continue the tradition of cattle ranching and dry farming of lima beans, using modern technology for a time-tested crop.



Joe & Sylvia Signorelli have been ranching in the Valley for almost fifty years. Their ranch, which is tucked away in a side canyon protected from the wind, is one of the most beautiful in the area. Across Jalama Road, the Jameson's grow immense pumpkins for Pumpkin Factory. Some of their pumpkins sell for \$50 each!

Newcomers to the Valley, the DeMayo family own Return to Freedom. Return to

Freedom is a 300-acre wild horse sanctuary that offers a wide spectrum of experiential education programs wherein youth and seniors alike learn through sensitive observation of the natural world. Through Living History Tours, Wild Horse Walks, and a variety of hands-on clinics, Return to Freedom offers the public the rare opportunity to experience wild horses in a natural environment and learn directly from "nature's classroom".

Across from Return to Freedom is the highly prized Cargasacchi-Jalama Vineyard, which provides grapes for popular pinot noir labels. Peter Cargasacchi represents the younger generation of a local family who took a risk and ventured away from the traditional crops of the Valley. His wine grapes and wine have

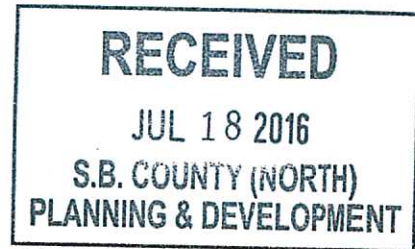
established a top quality reputation. In tribute to the vineyard's proximity to the maritime coastal landmark Point Conception and because it creates the special mesoclimate necessary for growing pinot grapes, Cargasacchi named his label Point Conception (sic). "I enjoy sharing the Italian tradition and pleasure of pairing food and wine at mealtime," says Cargasacchi.

Driving along Jalama Road one views some of the few remaining examples of an historic California coastal ranching landscape. Stewardship of the land by ranchers, farmers,

"I enjoy sharing the Italian tradition and pleasure of pairing food and wine at mealtime."

—Peter Cargasacchi

Land Use Permit No 14LUP-00000-00514
Jimenez Grading of New and Existing Ag Roads



The roads that are being applied for will be used to support the nursery operation taking place on this property. I have show that the impacts from this operation are substantial. The excessive grading, movement of excessive amounts of soil, the loss of pristine. All of these impacts have a effect on the property and others. Including my parents.

Lets take a trip down my parents driveway and look at some of these impacts that have and will effect them if this operation continues.

The only access to my parents property is by easement through this property. This road is dirt, about ½ mile long. On this property, about half of the road is located between fields. There are three culvert crossings on this road.

If you travel the road from its entrance the road is surrounded by fields. These field has been planted with trees that when mature, they will be removed. The field on the upslope side will be, in its entirety, dug down about 4'. This field drains into a small culvert that crosses the road into the lower field, into the creek,. If this culvert was to ever clog or if grading slants are not done properly, drainage would build and go over the road. Damaging property.

In the hills above the area trees have not been removed but I would assume planned for removal in the future. This would be more grading, more holes in the ground, more movement of dirt..

If you travel farther down the road, you cross the next culvert. This is located just to the left of the iron entrance gates. This culvert has never been a problem. The creek travels upstream between the fields. These fields will also be dug up in their entirety. Further up the creek, just above the residence, trees have been being removed for the past few years. These hillsides drain down into this creek. It has not rained, so any impacts that may occur in this area have not surfaced or occurred...yet.

The road travels further into the fields. This is the field that flooded. It has had drainage installed to control the flooding. The source of the flooding, tree removal and grading, still exists and flooding will occur. Now it will be controlled.

It has not rained. This drainage has never been tested.

This field, like the rest, will be dug up in its entirety, jeopardizing the slopes needed to capture the flooding.

Further down the road is another culvert. This is the culvert that was effected by the flooding.

This culvert was constructed in the 1960's. At that time, culverts consisted of old tires filled with gravel and posts. It was not the most attractive culvert and environmental friendly but it functioned. It kept the road safe for many years.

Two years of this operation and its damaged.

The neighbor was contacted and we were promised that they would repair their damage. After waiting months for this promised repair, no repairs were being made.

In October of that year, just before the rainy season, I received a phone call from the neighbor. I was

informed that they would not be repairing the culvert. That is was our property and our problem. I am told that if I have any problems with this, to contact their lawyer. I contacted the County.

The County comes in and issues grading violations. I am told that the law does not require the neighbor to repair the damage he created. That this is a civil issue. I was also told that because we have such a nice neighbor that they agreed to make the repairs.

The neighbor promised to make the repairs. When asked many times, the County informs me that this repair would consist of a rip rap wall on the upstream side, the addition of three foot of width that washed away and gravel added to the top.

The permit for all the repairs was a two year permit. Instead of seeing the urgency of making this repair, the neighbor waited until the very last month to make them.

This procrastination of these repairs was intentional. Our punishment for contacting the County.

These next few winters were the worst. We still had flooding and we still had a damaged culvert. I had a sick dad and a questionable road. Not a good situation.

When the repairs were finally done, they were nothing as promised. The repairs consisted of nothing more than lining the damage with rock. There was no rip rap wall, no addition of the three feet width, no top.

When I asked the County on why the repairs were not as promised, I am told that I must have misunderstood. That I am making things up. That the repairs done (lining of the damage) is up to county code. Any additional repair would be a civil issue.

The property owner made the repair promise to the County. Who, in turn, made us the promise. When the neighbor did not deliver on this promise to the County, the County had to break their promise with us. Again, this was intentional. Our continuing punishment for contacting the County.

The County claims that the repair up to code and safe. But is it?

Here is the County's response as for the repair

I was very clear in talking to your mom on Friday that we would not accept the current riprap installation at the culvert. They merely armored the eroded slope without making any repairs. Jimenez reps. said they would contact me early this week on how they intend on making this right.

These comments were made at the time of repair. Since these comments, there has been no additional repairs made. The culvert stands the same as it was when these comments were made.

If you read this comment it states the County would not accept the current installation of rock (rip rap). It was not be accept then but now it is.

It also states that there were no repairs made. If no repairs were made, it would still be broken. A broken culvert is not safe. Even though the County insists that the repairs are up to code and considered safe, its not. I have seen water raging down that creek and a few rocks on the side is not safe.

If we travel up stream from this culvert we will see what I refer to as the dead creek. This creek has received substantial damage from the removal of oaks from its banks. The whole one side had been graded and many of the willows are now dying from this grading and drought. These limbs will eventually rot and fall to the floor. With rain, these branches will then be carried down stream right into the poorly

repaired culvert. This will cause the culvert to clog and we will watch rock by rock be washed away and eventually the road will wash away.

On the other side of this creek is where the property owner graded a cow trail into a road. This is one of the roads that were graded without approval.

This road is a severe gouge in one of the most unique hillsides on the property. This hillside is shale. Because of this, it is slipping. I have witnessed large boulders falling from the hillside showing its unstable.

If this hillside was to fall, it would fall directly into the creek below. This would clog up the creek and it will flood. Since the property line is close, this flooding would effect our property.

A little further up the road, next to the property line, is where the swim hole was installed. This was grading done on the hillside and bed of the creek. A hole was dug to retain water to be pumped out for irrigation. In the past, this hillside has shown to be slipping. If it fails, it falls into the creek, plugging the creek and flooding on our property will occur.

Everything that I have mentioned is a direct result of the operation that is taking place on this property. The only section of the road that is not threaten is the portion of road just before our entrance. It is safe because it sits on a hillside above the field away from the creek., away from the grading. All of the rest of the road has threats.

Ten years ago none of these threats existed. We had a safe road. Due to our failed laws and the neighbors operation, it has created a ticking time bomb. With more grading, more tree removal, this ticking is getting loader. For a explosion, all that is needed is to add water. It will rain and because the cause of the flooding has never been controlled, flooding will occur. Installation of drainage does not stop flooding, it controls it. We hope. The more that is added to this ticking, the bigger the explosion.

With all of these threats, add a couple of seniors. Dad is 91, pushing 92 and mom is not far behind him. This road, that at one time was safe, is no longer safe. It is no longer safe because of the operation that is taken place on the property.

The County has told me many times that this tree removal is isolated. Ag tree removal consists of a chain saw, not digging and grading. This removal is unique, out of the normal removal. The impacts from this type of operation have not been identified and addressed. Because the impacts have not been identified, we run the risk of these impacts surfacing. Many of these impacts are know, many are not.

This operation is destroying our environment. It has produced flooding, damaged our property and is a threat to our safety.

The proposed roads that are being applied for contributes to this operation. They support this operation. It is more grading, more tree removal, more threats to us. We have had years of threats and it needs to end. Allowing these threats to compound will only increase these threats that already exist.

For many years I have kicked, screamed, begged and I have done everything possible to capture the County's attention. I am told "Mr. Signorelli, If you agree or not, these are our laws and we must all live by them". Then it's the slamming door.... Every time.

For many years I have watched the County support this property owners operation. Hiding behind broken laws. You need to remember, it was a Ag Commissioner that promised to my parents and their neighbors that there would be no effects from this operation. He lied.

It is very important that this road is accessible at all time. This includes rainy days when threats are at their peak. Allowing this operation to continue magnifies these threats substantially.

I am requesting that this permit not be issued. That if this project is to continue, all impacts, past and future, be identified and addressed. That these reports reflect the maximum impacts of the movement of over 100k cy of dirt and the excessive grading (including roads) associated with this operation on mountain ranch land. When these impacts are identified and we all feel comfortable with it, then the project can continue. Until then, we should not have more impacts placed onto us. The impacts that do exist are bad enough. We don't want more.

We have seen destruction of property and we have seen a threat life and if allowed to continue, we will see more.

Here is a law that we must all live by:

Sec. 14-15. - Denial of permit; restoration.

(a) A permit shall not be issued where the work proposed is likely to endanger human life or property

It has and it will again.

The County has gifted us these problem and the County must take them away. I want resolution. I want my parents to live in a world without these threats. The world that they lived in 10 years ago. The world that the County Ag Commissioner promised.

To sum it up. Keep the flooding, the grading, the treats away from our property and my parents. This is not a game, it is serious. The road must be kept clear at all times. Allowing the production of these impacts and allowing them to fester is not acceptable.

Tom Signorelli



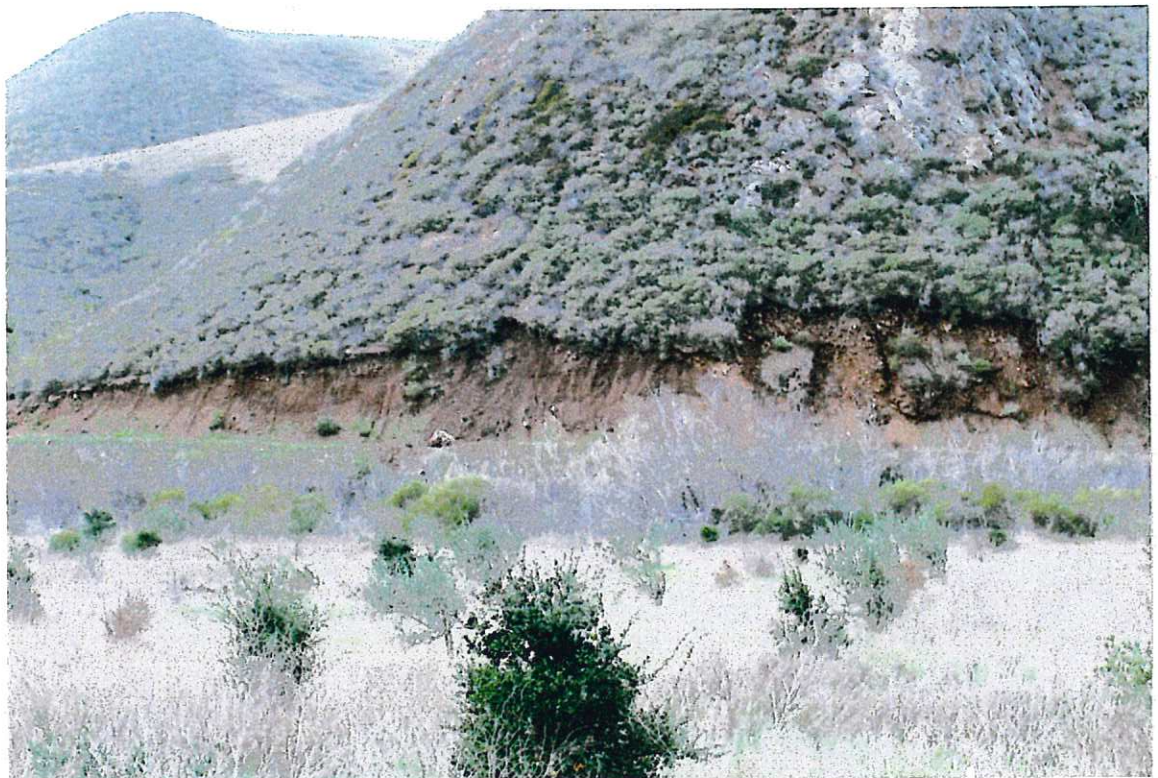
Flooding.



Damage and threat to life



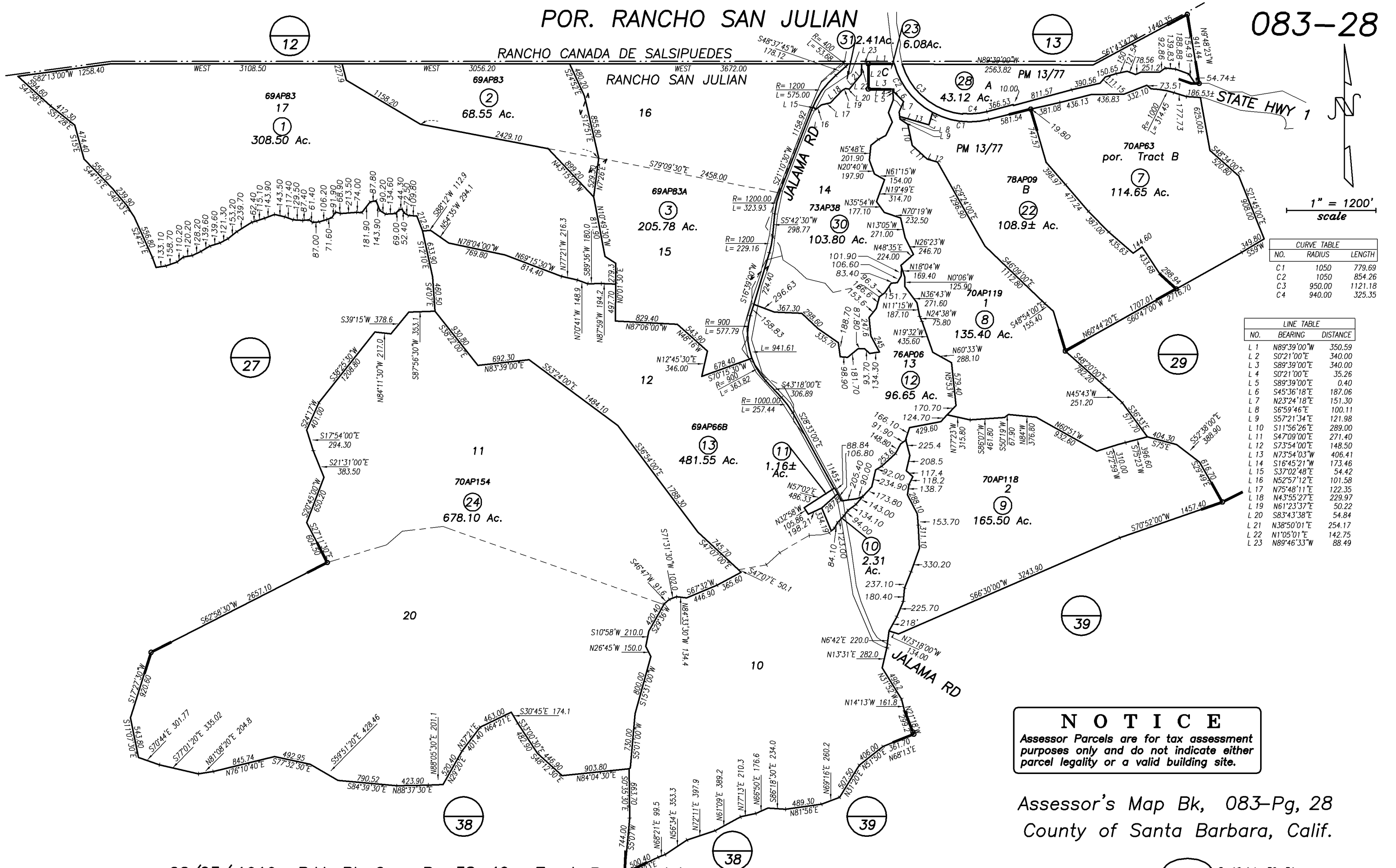
Lining of damage called a repair.



Dead willows and a cow trail.

POR. RANCHO SAN JULIAN

083-28



CURVE TABLE

NO.	RADIUS	LENGTH
C1	1050	779.69
C2	1050	854.26
C3	950.00	1121.18
C4	940.00	325.35

LINE TABLE

NO.	BEARING	DISTANCE
L 1	N89°39'00"W	350.59
L 2	S0°21'00"E	340.00
L 3	S89°39'00"E	340.00
L 4	S0°21'00"E	35.26
L 5	S89°39'00"E	0.40
L 6	S45°36'18"E	187.06
L 7	N23°24'18"E	151.30
L 8	S6°59'46"E	100.11
L 9	S57°21'34"E	121.98
L 10	S11°56'26"E	289.00
L 11	S47°09'00"E	271.40
L 12	S73°54'00"E	148.50
L 13	N73°54'03"W	406.41
L 14	S16°45'21"W	173.46
L 15	S37°02'48"E	54.42
L 16	N52°57'12"E	101.58
L 17	N75°48'11"E	122.35
L 18	N43°55'27"E	229.97
L 19	N61°23'37"E	50.22
L 20	S83°43'38"E	54.84
L 21	N38°50'01"E	254.17
L 22	N1°05'01"E	142.75
L 23	N89°46'33"W	88.49

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

Assessor's Map Bk, 083-Pg, 28
 County of Santa Barbara, Calif.