# SANTA BARBARA COUNTY PLANNING COMMISSION

**Staff Report for the Rancho La Laguna Tract Map & State Small Water System**

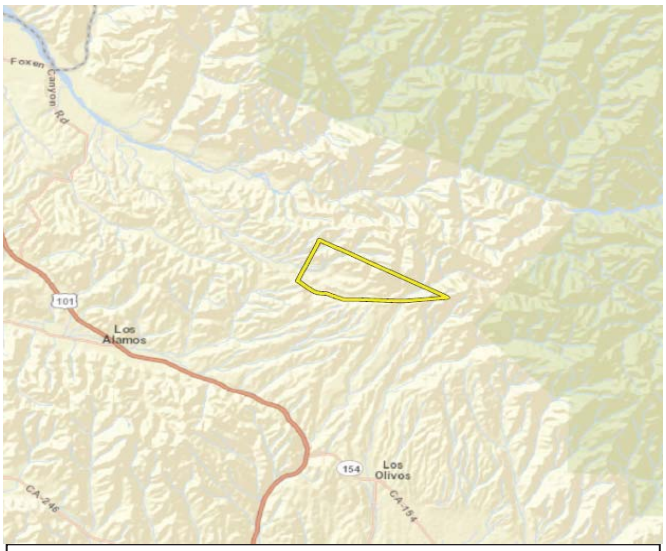
**Hearing Date:** January 25, 2017
**Staff Report Date:** January 5, 2017
**Case Nos.:** 06TRM-00000-00002/TM 14,709
16CUP-00000-00030
**Environmental Document:**
Environmental Impact Report (16-EIR-01)

**Deputy Director:** Jeff Wilson
**Division:** Development Review North
**Supervising Planner:** John Zorovich
**Supervising Planner Phone #:** 805-934-6297
**Staff Contact:** Dana Eady
**Staff Contact Phone #:** 805-934-6266

**OWNER / APPLICANT**
Mr. Charles V. Roven
Rancho La Laguna LLC
9200 Sunset Blvd., 10th Floor
Los Angeles, CA 90069

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

**AGENT / ATTORNEY:**
Ms. Susan F. Petrovich
Brownstein Hyatt Farber Schreck, LLP
1020 State Street
Santa Barbara, CA 93101-2711
(805) 882-1405




This site is identified as Assessor Parcel Numbers 133-080-026, -036, and a portion of -037, located approximately 7.5 miles north of the town of Los Olivos and 7.5 miles northeast of the town of Los Alamos, in the Third and Fifth Supervisorial Districts.

Application Complete: July 11, 2008
Processing Deadline: 180 days from certification of EIR

## 1.0 REQUEST

Hearing on the request of Susan Petrovich, agent/attorney for Rancho La Laguna LLC, and La Laguna Ranch Co. LLC, owners, to consider the following:

a) Case No. 06TRM-00000-00002 [application filed on July 25, 2006] for approval of a Vesting Tentative Tract Map in compliance with County Code Chapter 21 to subdivide 3,951 acres into 13 lots ranging in size from 160 acres to 605 acres, on property zoned AG-II-100;

b) Case No. 16CUP-00000-00030 [application filed on December 20, 2016] for approval of a Minor Conditional Use Permit for a state small water system with a total of 14

connections and the installation of appurtenant equipment and water utility lines in compliance with Section 35.82.060 of the County Land Use and Development Code, on property zoned AG-II-100; and to

certify the Environmental Impact Report (16-EIR-1) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of this project, significant but mitigable effects on the environment are anticipated in the following categories: Aesthetic/Visual resources; Biological Resources; Cultural Resources; and Geology.
The EIR and all documents referenced therein may be reviewed at the Planning and Development Department, 624 West Foster Road, Suite C, Santa Maria. The EIR is also available for review at the Solvang branch (1745 Mission Drive) and Orcutt branch (175 S Broadway St) libraries, and online at:
http://sbcountyplanning.org/projects/06TRM-00002RanchLaLaguna/Documents/RLL%20Final%20EIR%20110916.pdf (EIR),
http://sbcountyplanning.org/projects/06TRM-00002RanchLaLaguna/Documents/RLL%20Final%20EIR%20Appendices%20A-H.pdf (Appendices).

The application involves Assessor Parcel Nos. 133-080-026, 133-080-036, and a portion of 133-080-037, located approximately 7.5 miles north of the town of Los Olivos and 7.5 miles northeast of the town of Los Alamos, in the Third and Fifth Supervisorial Districts.

## 2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below and conditionally approve Case Nos. 06TRM-00000-00002 and 16CUP-00000-00030 marked "Officially Accepted, County of Santa Barbara January 25, 2017, County Planning Commission Attachments (A-G)", based upon the project's consistency with the Comprehensive Plan and based on the ability to make the required findings.

Your Commission's motion should include the following:

1. Make the required findings for approval of the project specified in Attachment A of this staff report, including CEQA findings.

2. Certify the Environmental Impact Report (16-EIR-01) included as Attachment C of this staff report and adopt the mitigation monitoring program contained in the conditions of approval.

3. Approve Case No. 06TRM-00000-00002 subject to the conditions included as Attachment B.1 of this staff report.

4. Approve Case No. 16CUP-00000-00030 subject to the conditions included as Attachment B.2 of this staff report.

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

# 3.0 JURISDICTION

This project is being considered by the County Planning Commission based on the following sections of the County Land Use and Development Code (LUDC), and Chapter 21 Subdivision Regulations:

**3.1** County Code 21-6 states that the Santa Barbara County Planning Commission shall be the decision maker for all applications that are not under the jurisdiction of the Zoning Administrator. Tentative Tract Maps are under the jurisdiction of the Planning Commission.

**3.2** LUDC Section 35.80.020, Authority for Land Use and Zoning Decisions, Table 8-1, Review Authority, states that the Zoning Administrator is the decision maker for minor conditional use permits.

**3.3** LUDC Section 35.80.020 states that when two or more discretionary applications are submitted that relate to the same development project and the individual applications are under the separate jurisdiction of more than one review authority, all other applications for the project shall be under the jurisdiction of the review authority with the highest jurisdiction. In this case, the tentative tract map application is under the jurisdiction of the Planning Commission while the minor conditional use permit is under the jurisdiction of the Zoning Administrator. Therefore, the Planning Commission is the review authority with the highest jurisdiction.

# 4.0 ISSUE SUMMARY

## *4.1 Project Overview*

The proposed project would allow for the subdivision of 3,951-acres of agriculturally zoned land (AG-II-100, 100-acre minimum lot size) into 13 legal lots ranging in size from 160-acres to 605-acres. Each lot would have a residential development envelope (RDE) within which all future residential development would be confined, including residential accessory development. Agricultural structures such as barns and agricultural employee dwellings would not be confined to the RDEs. Domestic water would be provided by a proposed State Small Water System. A Final Environmental Impact Report (16-EIR-01) has been prepared for the project to evaluate potentially significant impacts resulting from the proposed project (Attachment C). The Final EIR did not identify Class I impacts (significant and unavoidable) resulting from the proposed project. Mitigation measures reducing Class II impacts to less than significant levels have been included as project conditions of approval (Attachments B.1, B.2). As discussed below, the proposed lots were found to be agriculturally viable, and existing agricultural operations would not be significantly impacted.

*4.2 Agricultural Resources*

Section 4.2 (Agricultural Resources) of the Final EIR prepared for the project states that the proposed project would not significantly impair the long term agricultural suitability and productivity of the site. This conclusion is based on the results of the weighted point system scores which resulted in each lot scoring above the 60 point threshold included in the County's Environmental Thresholds and Guidelines Manual, which indicates that all of the newly created lots would be agriculturally viable.

Agricultural uses on the project site consist of a combination of cattle grazing (3,934-acres), and cultivated farmland (563-acres). Cultivated farmland located on proposed lots 1-9, and 11-13 are currently leased and includes a rotation of various irrigated row crops and dryland hay/grain crops. According to the EIR, proposed lots 1 through 8 provide sufficient area for vineyards for a commercially viable winery operation or farming operation. Proposed lots 9 through 13 are larger lots (369.07-acres to 604-acres) allowing for continued cattle grazing as well as prime production of row crops, orchards or vineyards.

The proposed project is designed with lots that are generally sized to conform to the lot sizes of adjacent lots. Specifically, lots 1-4 and 5-8 range in size from 160.01-acres to 259.01-acres which is similar in size to the lots located to the south which range from 85 to 400-acres in size. Lots 9-13 are larger lots which range in size from 369.07-acres to 604.73-acres. These lots are similar in size to lots located to the north, east and west of the site which range in size from 298-acres to 1,000-acres. The existing agricultural uses on the project site would remain, proposed access roads and driveways would follow existing agricultural roads, and RDE's would not be located in areas which contain cultivated agriculture.

*4.3 Williamson Act Contracts*

The purpose of the Williamson Act is the long-term conservation of agricultural and open space lands. The Act establishes a program to enroll land in Williamson Act or Farmland Security Zone contracts whereby the land is restricted to agricultural, open space, or recreational uses in exchange for reduced property tax assessments. Participation in the program is voluntary by the County and by the eligible landowners. The project site was previously enrolled in the Agricultural Preserve Program (67-AP-003B). However, a request for non-renewal became effective on December 31, 2006, and the Williamson Act contract for the property expired on December 31, 2016. The proposed project was reviewed by the Agricultural Preserve Advisory Committee (APAC) on October 8, 2008 and found to be consistent with the Uniform Rules for Agricultural Preserves and Farmland Security Zones.

All of the newly created lots are eligible to be enrolled under Williamson Act contracts. The project description proposes replacement contracts for lots 9-13, which are larger lots (369.07-acres to 604-acres) that would be primarily used as grazing land for cattle. The primary agricultural use on proposed lots 1-8 (160.01-acres to 259.01-acres) would continue to be cultivated agriculture. According to the applicant, this type of agricultural use does not offer the same benefits from the Agricultural Preserve Program as lots which are primarily used for

grazing land. However, these lots would be eligible for Williamson Act contracts if future land owners elect to enroll them in the program. The new contracts would be required to be reviewed and approved by the APAC to ensure that they are consistent with the Uniform Rules.

*4.4 Biological Resources*

The potential impacts to biological resources resulting from the proposed project have been analyzed in Section 4.4, Biological Resources, of the Environmental Impact Report (16-EIR-01) prepared for the project (Attachment C). Rincon Consultants, Inc. conducted site visits in April and May of 2015 to assess the potential for impacts to biological resources resulting from access road and driveway improvements, utility installation, and development within the RDEs. Rincon also conducted reconnaissance-level site surveys to assess current site conditions in areas which could be impacted by future development. Additional surveys which have been completed on the site include a Biological Impact Analysis (Padres Associates, Inc., 2009), surveys for special status species including the Least Bell's Vireo (Cardno-Entrix, 2014) and California Tiger Salamander (VJS Consulting, 2008 & 2010), and a Wetland Delineation Report (Entrix, 2010).

Special status animal species were not located on the project site during these surveys. However, according to the EIR, there is suitable habitat on the project site which could support these species. As a result, required mitigation measures incorporated as conditions of approval include consultation with USFWS and CDFW, protocol surveys prior to the approval of permits for development, habitat avoidance and compensatory mitigation, pre-construction surveys, and the implementation of a worker environmental awareness program. Additional mitigation measures address potential impacts to special status plants, drainages, oak trees, fire hazards, and weed abatement. Inclusion of these measures as conditions of approval (Attachment B) would mitigate potential impacts to biological resources to less than significant levels.

# 5.0 PROJECT INFORMATION

## 5.1 Site Information

| Site Information | |
|---|---|
| Comprehensive Plan Designation | Rural Area, Agricultural Commercial (AC) |
| Ordinance, Zone | Agriculture II, 100-acre minimum parcel size (AG-II-100), Land Use and Development Code |
| Site Size | 3,950.8 gross acres, 3,933.7 net acres |
| Present Use & Development | Grazing and farmland. Six existing structures (c. 1910) totaling 12,712 square feet located on APN 133-080-036:<br>• 2 barns (5,040 sq. ft., 4,500 sq. ft.)<br>• Ranch manager's residence (1,352 sq. ft.)<br>• Garage (336 sq. ft.)<br>• Machine shop (600 sq. ft.)<br>• Cabin (884 sq. ft.) |

| Site Information | |
|---|---|
| Surrounding Uses/Zone(s) | North: Grazing, and cultivated agriculture, Sisquoc River (AG-II-100)<br>South: Grazing, and cultivated agriculture (AG-II-100 and AG-II-320)<br>East: Grazing, and cultivated agriculture, Los Padres National Forest, Zaca Lake (AG-II-100 and 100-AG)<br>West: Grazing, and cultivated agriculture (AG-II-100) |
| Access | Existing private driveways off Foxen Canyon Road |
| Public Services | Water Supply: Onsite wells: 2 shared water systems (1 for domestic and 1 for agricultural use)<br>Sewage: private septic systems<br>Fire: Station 24 in Los Alamos (closest, 9 mi), Station 31 in Buellton (closest back-up)<br>Police Services: County Sheriff |

## 5.2 Setting

The Rancho La Laguna site is situated in the foothills and lower ridges of the San Rafael Mountains, which separate the watersheds of the Sisquoc and Santa Ynez rivers. Ground elevations range from 1,060 to 2,529 feet above mean sea level. The landscape of the site is oak savanna with grasses, herbs, and scattered valley oaks. Isolated stands of eucalyptus trees also occur along Foxen Canyon Road. Several drainages traverse the project site. Zaca Creek and Asphaltum Creek traverse the eastern and western portion of the subject property respectively. Asphaltum Creek runs in a generally east-west direction through the central part of the site.

The project site is characterized by relatively level farmland in the southerly portions of the property, gradually rising into more hilly grazing land to the north. Approximately 563 acres of the site is in irrigated crop production. These cultivated areas are primarily located in the southwestern portion of the property, with some farmland being located in the more northern areas of the property. Six existing structures that total approximately 12,700 square feet are located on the project site. These include an older barn (circa 1900), a newer hay barn, a ranch manager residence, a garage, and a machine shop, which are located in a central area on the western portion of the site. In addition, a wooden cabin is located on the eastern portion of the site. The project site contains multiple access points and roadways. In addition, 14 wells and 15 agricultural storage tanks are located on the project site. Surrounding lots are also zoned agricultural (AG-II-100, AG-II-320) and contain grazing uses as well as cultivated agriculture.

## 5.3 Description

The proposed project is a request by Brownstein Hyatt Farber Schreck, agent/attorney for the owners, Rancho La Laguna, LLC and La Laguna Ranch Co., LLC, for approval of a Tentative Tract Map to subdivide the 3,950.8-acre project site into 13 lots ranging in size from 160 acres to 605 acres.

**Lot sizes and RDEs.** Each of the thirteen proposed lots would have a designated residential development envelope (RDE), within which future residential development would be confined, including all residential accessory development. Agricultural structures, including agricultural employee dwellings, could be located outside of the RDEs. Approximately 563 acres of the project site, primarily in the southwestern portion of the site, but also in areas further north (on proposed lots 1 through 10), is in irrigated crop production. All of the proposed RDEs are within areas that are currently used for grazing. Neither the proposed subdivision nor future development within RDEs would affect existing ranch buildings. The existing cabin on proposed Lot 13 would also be preserved. The RDEs would limit the extent to which residential uses would impact existing agricultural activities and would limit the amount of area disturbed by non-agricultural development (i.e., grading, paving, lighting, etc.) as a result of the proposed subdivision.

**Proposed Lot and RDE Sizes**

| Proposed Lot | Gross Acreage | Net Acreage | Residential Development Envelope (Acres) | Net Acreage Remaining for Agricultural Operations |
|---|---|---|---|---|
| Lot 1 | 202.2 | 197.6 | 7.2 | 190.4 |
| Lot 2 | 166.4 | 161.8 | 9.6 | 152.2 |
| Lot 3 | 166.4 | 163.1 | 15.2 | 147.9 |
| Lot 4 | 191.6 | 191.1 | 2.7 | 188.4 |
| Lot 5 | 160.0 | 160.0 | 8.8 | 151.2 |
| Lot 6 | 161.2 | 161.2 | 6.5 | 154.7 |
| Lot 7 | 206.0 | 206.0 | 7.0 | 199.0 |
| Lot 8 | 259.0 | 259.0 | 3.6 | 255.4 |
| Lot 9 | 438.4 | 438.4 | 3.8 | 434.6 |
| Lot 10 | 596.8 | 596.8 | 5.5 | 591.3 |
| Lot 11 | 428.8 | 428.8 | 2.6 | 426.2 |
| Lot 12 | 369.1 | 369.1 | 2.6 | 366.5 |
| Lot 13 | 604.7 | 600.8 | 2.3 | 598.5 |
| **Total** | **3,950.8** | **3,933.7** | **77.3** | **3,856.4** |

**Site Access.** Access to the newly created lots would be provided by existing agricultural roads located throughout the site. Shared access easements would follow these existing agricultural roads and utilize existing creek crossings. Individual driveways would extend from these private shared access roads to serve each of the proposed RDEs. Rancho La Laguna Road is an existing two-mile, shared access road that traverses the site within a 60-foot-wide easement. The proposed access road and driveway widths are described in detail below. All access roads and individual driveways proposed to serve the project would be improved in conformity with applicable County Fire Department roadway standards.

**Access Road and Driveway Widths**

| Proposed Easement | Description | Classification | Required Improvement Width[1] |
|---|---|---|---|
| 1 | Proposed 30' wide unpaved and unimproved informal agricultural access and utilities easement across Lot 1 in favor of Lot 5 | Informal Agricultural Road | No improvements required |
| 2 | Proposed 30' wide access and utilities easement across Lots 5 and 6 in favor of Lot 1 | Driveway | 20 feet |
| 3 | Proposed 30' wide shared access and utilities easement across Lot 5 in favor of Lot 6 | Driveway | 16 feet |
| 4 | Existing 60' wide access and utilities easement in favor of Lots 1, 2, 6, 7, 8, 9 , and 10 | Access Road | 24 feet from Foxen Canyon Road though Lot 6<br>20 feet from Lot 6 to the Lot 9 driveway<br>16 feet from the Lot 9 driveway to the Lot 10 driveway |
| 5 | Proposed 30' wide shared access and utilities easement across Lot 7 in favor of Lot 8 | Driveway | 12 feet |
| 6 | Proposed 30' wide shared access and utilities easement across Lot 4 in favor of Lot 3 | Driveway | 16 feet |
| 7 | Proposed 30' wide shared access and utilities easement in favor of Lots 4, 11, 12, 13, and APNs 133-080-037, 133-050-014, and, 133-060-028 | Access Road | 24 feet from Foxen Canyon Road though the Lot 13 driveway |
| 8 | Proposed 30' wide shared access and utilities easement across Lots 4 and 12 in favor of Lot 11 | Driveway | 16 feet from Easement 7 to the Lot 4 driveway<br>12 feet from the Lot 4 driveway to the Lot 11 driveway |
| 9 | Proposed 30' wide shared access and utilities easement across Lot 13 in favor of APNs 133-080-037, 133-050-014, and, 133-060-028 | Existing Improved Access Road | No improvements required |
| 10 | Proposed 30' wide shared access and utilities easement across Lot 13 in favor of APNs 133-080-037, 133-050-014, and, 133-060-028 | Existing Improved Access Road | No improvements required |

[1] *Required widths indicate County Fire Department requirements, and do not include shoulders or turnouts.*

**Grading.** Grading would be required for the improvement of existing and proposed access roads and for future development within the RDEs. Five of the proposed driveways would require widening and may require grading to reduce slopes. An estimated 23,023 cubic yards of grading would be required for the access roads, including retaining walls up to 12 feet in height along the private driveway for proposed Lot 10. Preliminary grading plans have been provided for the private driveways associated with proposed Lots 4, 5, 6, 9, 10, and 13. Grading for driveways would be required to be constructed in accordance with Santa Barbara County Fire Department standards which allow for gradients of up to 20% with extenuating circumstances. In addition, an estimated 10,997 cubic yards of excavation would be required for the installation of proposed water cisterns. All grading volumes associated with access and infrastructure would be balanced on the property. In addition, grading would be required within the proposed RDEs for building pads. These sites are generally flat, with slopes less than 20%, and grading for future building pads would be expected to be balanced within the individual lots to correct erosion or level slopes for new agricultural uses.

**Infrastructure.** An existing shared water system utilizing Wells #13 (on the proposed Lot 12) and #14 (on the proposed Lot 4) would provide agricultural irrigation water to agricultural operations on each of the proposed lots. Shared water agreements would give each lot owner an equal right to the shared water systems for agricultural and domestic use. Shared access and utility easements would be provided as indicated on page 2 of 2 of the tract map.
The project includes a new domestic shared water system which would include two 35,000-gallon fire protection cisterns and approximately 35,430 linear feet of distribution lines, as well ancillary equipment customarily utilized in water systems (e.g., pumps, valves). These new shared water pipelines are required to be buried deep enough to have no less than three feet of cover, and would be placed within existing ranch roads, including those roads proposed to be used to access the RDEs. Shared water pipelines would vary in diameter from 6" to 12", depending upon their respective service demands. Each of the cisterns would occupy an approximate area of 30' x 30'. The estimated earth disturbance from the pipeline trenching is 10,497 cubic yards and the earth disturbance from the cistern construction is estimated to be 500 cubic yards, for a total estimated earth disturbance for the domestic shared water system of 10,997 cubic yards.

Underground utility conduits and water pipelines would be installed along access roads and driveways. All new water pipelines for the shared water systems would be placed within existing ranch roads, including those that are proposed to provide access to RDEs. Two shared water systems, one for domestic use and the other for agricultural use, would serve the project site. The shared water systems would rely on the existing on-site wells. A State Small Water System (SSWS) utilizing the existing Well #13 (on the proposed Lot 12) would provide domestic water service to each of the RDEs. For wastewater infrastructure, each of the proposed RDEs would be served by a private on-site septic system utilizing the leach line or drywell disposal method, as no public sewer is available in the project area. Utility easements would be co-located with proposed access roads.

## 5.4 Background Information

The three lots proposed to be subdivided were legally created by Certificate of Compliance (05-CC-22) on July 24, 2006. The existing development included in section 5.1 above is located on APN 133-080-036 (proposed lot 6), and was constructed prior to 1910.

# 6.0 PROJECT ANALYSIS

## 6.1 Environmental Review

A Final Environmental Impact Report (16-EIR-01) has been prepared for the project to evaluate potentially significant impacts resulting from the proposed project. The Final EIR includes mitigation measures to reduce impacts, and alternatives to the proposed project that would avoid or substantially lessen significant impacts. The Draft EIR was released for a 45-day public comment period on February 17, 2016. The comment period concluded on April 19, 2016. A

public hearing was held on March 16 to receive oral comments on the adequacy of the Draft EIR. The Final EIR provides a full discussion of all environmental issues, including the existing setting, potential project impacts, and required mitigation to reduce these identified impacts. Eight written comments were received on the Draft EIR. These letters are included in Section 9.0, Responses to Comments, of the Final EIR.

### *6.1.1 Impacts/Mitigation*

The Final EIR did not identify any significant but unavoidable (Class I) environmental impacts resulting from project implementation. Potentially significant but mitigable (Class II) impacts were identified in the issue areas of Aesthetics/Visual Resources, Biological Resources, Cultural Resources, and geology. Adverse, but less than significant (Class III) project impacts have been identified in the areas of Aesthetics/Visual Resources, Agricultural Resources, Air Quality, Cultural Resources, Fire Protection, Geology, Greenhouse Gas Emissions, Hazards/Hazardous Materials. Cumulative impacts resulting from the project were determined to be Class III, less than significant. The Executive Summary of the Final EIR (Attachment C) provides a complete summary of the impacts of the project and mitigation measures which would reduce Class II impacts to less than significant levels (Class III).

### *6.1.2 Alternatives*

As required under CEQA, the EIR evaluated a reasonable range of alternatives to the proposed project that would avoid or substantially lessen significant environmental effects. The EIR addresses three alternatives to the proposed project, which include: 1) a no project/no development alternative; 2) agricultural cluster alternative, and 3) reduced lots alternative.

*No Project/No Development Alternative*

Under this alternative, the project site would remain in its current state and no future development would occur. Impacts identified in association with the proposed project would be completely avoided. However, this alternative does not meet most of the project objectives which include subdividing the project site into 13 legal lots with RDEs that are sited to result in a balance between the existing agricultural operations and future residential uses on the lots. In addition, this alternative would not result in the creation of additional agriculturally zoned lots which future property owners could develop with additional types of agriculture including vineyards and orchards.

*Agricultural Cluster Alternative*

The agricultural cluster alternative would relocate all of the RDEs to two clusters, each in a central portion of the project site. Although this alternative would reduce the area required for access road, private driveway, and utility infrastructure improvements, it would not: 1) reduce the level of identified Class II (less than significant with mitigation) environmental impacts to Class III (less than significant) levels, or 2) meet the basic project objective of subdividing the

project site into 13 legal lots with RDEs located in areas that create a balance between the existing agricultural operations and future residential uses on the lots.

*Reduced Lots Alternative*

The reduced lots alternative would subdivide the project site into 8 lots rather than 13. While this alternative would reduce the area required for access road, driveway, utility infrastructure and RDE improvements, none of these changes would affect the project's impacts on the rural agricultural character of the site, scenic vistas, or light and glare impacts. The environmental impacts associated with this alternative would not be significantly reduced and none of the identified Class II impacts would be changed to Class III. Finally, this alternative would not meet the basic project objective to subdivide the project site into 13 legal lots.

## 6.2 Comprehensive Plan Consistency

| REQUIREMENT | DISCUSSION |
|---|---|
| **Comprehensive Plan Land Use Element** | |
| **Land Use Development Policies** | |
| ***Land Use Element Designation:*** *Commercial Agriculture (AC). AG-II-100 zone district under the Land Use & Development Code.* | **Consistent:** The proposed project is consistent with the Agricultural Commercial (AC) land use designation, which is for commercially farmed, privately owned land located within either Rural, Inner-Rural, Existing Developed Rural Neighborhoods or Urban Areas which are subject to a Williamson Act Contract or lots 40 acres or larger which are eligible for a Williamson Act Contract.<br><br>The project site is zoned AG-II-100, 100-acre minimum lot size. The proposed project would subdivide the 3,950.8-acre project site into 13 lots ranging in size from 160-acres to 605-acres which is consistent with the minimum lot size allowed in the AG-II-100 zone district. Future development within RDE's would consist of rural residential development that would be consistent with the existing agricultural zoning, and would be sited to retain the agricultural viability of the project site (refer to Section 4.2, Agricultural Resources of the Final EIR). Therefore, the proposed project would be consistent with the Commercial Agriculture (AC) Land Use Element designation. |

| | |
|---|---|
| ***Land Use Development Policy #2****. The densities specified in the Land Use Plan are maximums and may be reduced if it is determined that such reduction is warranted by conditions specifically applicable to a site, such as topography, geologic or flood hazards, habitat areas, or steep slopes. However, density may be increased only under programs of the Housing Element and the Residential Agricultural Unit (RAU) program.* | **Consistent:** The project site is zoned AG-II-100 which allows for lots with a minimum size of 100-acres. The project proposes to subdivide the existing 3,950.80 gross acre project site into 13 lots ranging in size from 160-acres to 604.7-acres in size. All of the proposed lots exceed the minimum lot size of 100-acres, and 8 of the proposed lots exceed 200-acres which is more than twice the size of the 100-acre minimum lot size. The EIR analyzed the potential environmental impacts resulting from the proposed project to existing topography, geologic or flooding hazards, habitat and steep slopes. The EIR determined that there would be no Class I significant and unavoidable impacts, and that any Class II impacts could be mitigated to less than significant levels. Therefore, the proposed density of lots is appropriate for the proposed project. Finally, the RAU program is no longer in effect. Therefore, the proposed project is consistent with this policy. |
| ***Land Use Development Policy #4.*** *Prior to issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development. The applicant shall assume full responsibility for costs incurred in service extensions or improvements that are required as a result of the proposed project. Lack of available public or private services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the land use plan.* | **Consistent:** Adequate services are available to serve future development associated with the proposed project.<br><br><u>Access:</u> Access to the project site would continue to be provided by an existing private driveway from Foxen Canyon Rd. Access to the newly created lots would be provided by existing access roads located on the project site. Shared access easements would follow these existing roads and would utilize existing creek crossings. Individual driveways would extend from these private shared access roads to serve each of the proposed RDEs. Shared access and utility easements would be provided as indicated on page 2 of 2 of the tract map (Attachment E).<br><br><u>Water:</u> The project site receives water from the San Antonio and Santa Ynez Uplands groundwater basins. According to the EIR (16-EIR-01), the proposed project would not |

| | |
|---|---|
| | result in a significant change in the quantity, quality, direction or rate of flow of groundwater. Based on the water demand estimate for the potential future development of 13 single-family dwellings calculated per the County Environmental Thresholds and Guidelines Manual, the estimated gross water demand for the proposed project is expected to be 14.95 acre feet per year (AFY). County thresholds indicate that a significant impact to the San Antonio groundwater basin may occur if new development generates a water demand of 23 AFY or more. The threshold of the Santa Ynez Uplands groundwater basin is 61 AFY per year. Therefore, the estimated total gross water demand for future potential residential development is below the County Threshold for both subject groundwater basins.<br><br>An existing water system would continue to provide water for agricultural uses. Domestic water would be provided by a proposed state small water system approved in conformance with Environmental Health Services (EHS) requirements. Water for the proposed water system would be provided by well #13 located on proposed lot 12. According to the Water Well Completion Report (Simmons, 2006) prepared for the proposed project, this well meets and exceeds the 39 gallons per minute (gpm) testing requirement for the proposed water system, and is adequate to provide water for the State Small Water System. In addition, the composition of the well water meets or exceeds the water chemical standards for drinking water as established by the State of California Department of Health. Shared water agreements would give each lot owner an equal right to each of the shared water systems for agricultural and domestic use.<br><br><u>Wastewater:</u> Sanitary services would be provided by proposed septic systems built in conformance with Environmental Health Services requirements, and are consistent with |

| | |
|---|---|
| | California Regional Water Quality Control Board requirements.<br><br><u>Fire Protection:</u> Fire protection would be provided by the Santa Barbara County Fire Department Station #24 located in Los Alamos (closest, 9 miles), and Station #31 in Buellton (closest back-up).<br><br><u>Police Protection:</u> Police protection would be provided by the Santa Barbara County Sheriff's Department.<br><br>Therefore, the proposed project is consistent with this policy. |
| **Hillside and Watershed Protection Policies** | |
| ***Policy 1:*** *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.*<br><br>***Policy 2:*** *All developments shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited to development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.*<br><br>***Policy 3:*** *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* | **Consistent:** The proposed project would require grading for improvements to existing access roadways and driveways, construction of new driveways to the RDEs, as well as the installation of utility lines. The RDEs are located in areas of the project site which do not contain steep slopes or unstable areas and are outside of flood zones. Therefore, any grading associated with future construction within the RDEs would be minimized to the maximum extent feasible. In addition, the proposed access roadways and utility alignments have been designed to minimize grading while meeting fire safety requirements (i.e., turning radius, roadway slope) for site access.<br><br>The water lines and infrastructure associated with the proposed water system would be located within existing roadways and in areas of the site which do not contain steep slopes. Any excess cut generated from grading activities would be used as additional fill to offset shrinkage and compaction of cut material, or to supplement grades elsewhere on the site. No offsite hauling of excess material is proposed.<br><br>As described in Section 4.4, Biological |

| | |
|---|---|
| *beginning of the rainy season.*<br><br>***Policy 5:*** *Temporary vegetation, seeding, mulching, or other suitable stabilization method shall be used to protect soils subject to erosion that have been disturbed during grading or development. All cut and fill slopes shall be stabilized as rapidly as possible with planting of native grasses and shrubs, appropriate non-native plants, or with accepted landscaping practices.*<br><br>***Policy 7:*** *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.*<br><br>***Streams and Creeks Policy 1:*** *All permitted construction and grading within stream corridors shall be carried out in such a manner as to minimize impacts from increased runoff, sedimentation, biochemical degradation, or thermal pollution.* | Resources of the Final EIR (Attachment C), mitigation measures provided in the EIR address the removal of native vegetation required for future residential development within the RDEs, and construction of the proposed access roadways and utility alignments. As a result, significant amounts of native vegetation would not be removed.<br><br>The proposed RDEs are located outside of drainages and stream corridors. However, the proposed access road alignments would cross existing drainages and stream corridors. Therefore, grading for development of access road improvements and construction of driveways accessing the proposed RDEs has the potential to impact onsite stream corridors/drainages. Mitigation measures which have been included as conditions of approval (Condition Nos. 23-27, 30 of Attachments B.1, and B.2), would mitigate any significant impacts to stream corridors and drainages to less than significant levels. These include avoidance measures where feasible, habitat restoration requirements, agency coordination, and the completion of a jurisdictional delineation if impacts to wetlands and drainages from roadway crossings cannot be avoided.<br><br>In order to prevent degradation of the water quality of groundwater basins, nearby streams, or wetlands, future grading and construction activities on the newly created lots would be required to adhere to standard County requirements including a Storm Water Pollution Prevention Plan (SWPPP), Best Management Practices, and Erosion Control Plans. These plans require exposed soils to be minimized, avoidance of grading and construction activities during the rainy season, slope stabilization, and erosion control. Compliance with these measures would ensure that pollutants are not discharged into or along coastal streams or wetlands either during or |

| | |
|---|---|
| | after construction. Therefore, the proposed project would be consistent with these policies. |
| **Historical and Archaeological Sites Policies** | |
| ***Policy 2:*** *When developments are proposed for lots where archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible.* | **Consistent:** A Phase I survey of the project site for the presence of cultural resources was completed for the proposed project (Dudek, 2014). The survey was limited to the RDEs, access roads, and areas where utility lines would be installed with slopes of 30 percent or less. No archaeological or cultural sites were identified within the areas surveyed. However, the possibility still exists that subsurface archaeological remains could be encountered during grading activities. Therefore, the Final EIR prepared for the project (Attachment C) includes a mitigation measure requiring all work to be stopped or redirected immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction related activities. The applicant shall retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with County Cultural Resource Guidelines provisions for Phase 2 and Phase 3 investigations. This requirement is included as Condition No. 33 of Attachments B.1 and B.2. Therefore the proposed project is consistent with these policies. |
| **Visual Resource Policies** | |
| ***Policy 2:*** *In areas designated as rural on the land use plan maps, the height, scale, and design of structures shall be compatible with the character of the surrounding natural environment, except where technical requirements dictate otherwise. Structures shall be subordinate in appearance to natural landforms; shall be designed to follow the natural contours of the landscape; and shall be sited so as not to intrude into the skyline as seen from public viewing places.* | **Consistent:** Future residential development on the newly created lots would be located entirely within proposed Residential Development Envelopes (RDEs), which contain slopes of less than 20%. Three of the 13 proposed RDEs would be located in portions of the site that are partially visible from public viewpoints. The RDEs on proposed lots 1 and 2 would be visible from both Foxen Canyon Road and Alisos Canyon Road. The RDE on proposed Lot 3 would be visible from Foxen Canyon Road. |

| | |
|---|---|
| ***Policy 5:*** *Utilities, including television, shall be placed underground in new developments in accordance with the rules and regulations of the California Public Utilities Commission, except where cost of undergrounding would be so high as to deny service.* | Mitigation measures from the Final EIR requiring Board of Architectural Review and approval for all future development within the RDEs and compliance with Land Use and Development Code requirements for Ridgeline and Hillside Development would ensure that the design of structures are compatible with the character of the surrounding natural environment, and subordinate in appearance to natural contours of the landscape. Any future development on-site that triggers the LUDC's guidelines for hillside and ridgeline development would also be subject to the LUDC hillside and ridgeline development standards.<br><br>The project is conditioned (Condition No. 41of Attachment B.1) to require all electrical utilities to be installed underground. The proposed water lines associated with the water system would be installed underground within the existing access roads and proposed driveways accessing the RDEs. Therefore, the proposed project is consistent with these policies. |
| **Agricultural Element** | |
| ***Land Use Element Regional Goal – Agriculture:*** *In rural areas, cultivated agriculture shall be preserved, and where conditions allow, expansion and intensification should be supported. Land with both prime and non-prime soils shall be reserved for agricultural uses.*<br><br>***Goal I:*** *Santa Barbara County shall assure and enhance the continuation of agriculture as a major viable production industry in Santa Barbara County. Agriculture shall be encouraged. Where conditions allow, (taking into account environmental impacts) expansion and intensification shall be supported.*<br><br>***Policy I.A:*** *The integrity of agricultural* | **Consistent: Consistent:** As described in Section 4.2, *Agricultural Resources*, of the Final EIR (Attachment C), the proposed project would not significantly impair the long term agricultural suitability and productivity of the site. This conclusion is based on the results of the weighted point system scores which resulted in each lot scoring above the 60 point threshold included in the County's *Environmental Thresholds and Guidelines Manual*, which indicates that all of the newly created lots would be agriculturally viable.<br><br>Agricultural uses on the project site consist of a combination of cattle grazing (3,934-acres), and cultivated farmland (563-acres). Cultivated farmland located on proposed lots 1-9, and 11- |

| | |
|---|---|
| *operations shall not be violated by recreational or other non-compatible uses.*<br><br>***Policy I.D:*** *The use of the Williamson Act (Agricultural Preserve Program) shall be strongly encouraged and supported. The County shall also explore and support other agricultural land protection programs.*<br><br>***Policy I.F:*** *The quality and availability of water, air, and soil resources shall be protected through provisions including but not limited to, the stability of Urban/Rural Boundary Lines, maintenance of buffer areas around agricultural areas, and the promotion of conservation practices.*<br><br>***Goal II:*** *Agricultural lands shall be protected from adverse urban influence.*<br><br>***Policy II.D:*** *Conversion of highly productive agricultural lands whether urban or rural, shall be discouraged. The County shall support programs which encourage the retention of highly productive agricultural lands.*<br><br>***Goal III:*** *Where it is necessary for agricultural lands to be converted to other uses, this use shall not interfere with remaining agricultural uses.*<br><br>***Policy III.A:*** *Expansion of urban development into active agricultural areas outside of urban limits is to be discouraged, as long as infill development is available.* | 13 are currently leased and includes a rotation of various irrigated row crops and dryland hay/grain crops. According to the EIR, proposed lots 1 through 8 provide sufficient area for vineyards for a commercially viable winery operation or farming operations which would ensure agricultural viability on these lots. Proposed lots 9 through 13 are larger lots (369.07-acres to 604-acres) allowing for continued cattle grazing as well as prime production of row crops, orchards or vineyards.<br><br>The proposed project is designed with lots that are generally sized to conform to the lot sizes of adjacent lots. Specifically, lots 1-4 and 5-8 range in size from 160.01-acres to 259.01-acres which is similar in size to the lots located to the south which range from 85 to 400-acres in size. Lots 9-13 are larger lots which range in size from 369.07-acres to 604.73-acres. These lots are similar in size to lots located to the north, east and west of the site which range in size from 298-acres to 1,000-acres.<br><br>The existing agricultural uses on the project site would remain, and there would be adequate area available for the expansion and intensification of onsite agricultural uses on each of the newly created lots. No recreational or non-compatible land uses are proposed. In addition, in order to avoid interference with existing agricultural uses on the site, the proposed access roads and driveways would follow existing agricultural roads, and RDE's would not be located in areas which contain cultivated agriculture.<br><br>The project site was previously enrolled in the Agricultural Preserve Program (67-AP-003B). However, a request for non-renewal became effective on December 31, 2006, and the Williamson Act contract for the property expired on December 31, 2016. The proposed project was reviewed by the Agricultural |

| | |
|---|---|
| | Preserve Advisory Committee (APAC) on October 8, 2008 and found to be consistent with the Uniform Rules for Agricultural Preserves and Farmland Security Zones.<br><br>All of the newly created lots are eligible to be enrolled under Williamson Act contracts. Participation in the program is voluntary by the County and by the eligible landowners. The project description proposes replacement contracts for lots 9-13, which are larger lots (369.07-acres to 604-acres) that would be primarily used as grazing land for cattle. The primary agricultural use on proposed lots 1-8 (160.01-acres to 259.01-acres) would continue to be cultivated agriculture. According to the applicant, this type of agricultural use does not offer the same benefits from the Agricultural Preserve Program as lots which are primarily used for grazing land. However, these lots would be eligible for Williamson Act contracts if future land owners elect to enroll them in the program. The new contracts would be required to be reviewed and approved by the APAC to ensure that they are consistent with the Uniform Rules.<br><br>The project site is located in a rural area. The proposed subdivision and future residential development within the RDEs would not be considered an urban use. As defined in the Land Use Element, (residential) urban development is defined as residential development at a density higher than one unit per five gross acres. The project would allow for the development of one residential unit on each lot, and the lot sizes range from 160-acres to 605-acres.<br><br>The quality and availability of air, water, and soil resources on the project site would not be adversely affected by the proposed subdivision since future residential development would be limited to one main residence and accessory structures located within the proposed RDE's, |

| | |
|---|---|
| | and the project does not include urban development (as defined by the Land Use Element) which would affect the stability of the Urban/Rural boundary line. Therefore, the proposed project is consistent with these policies and goals. |

## 6.3 Zoning: Land Use and Development Code Compliance

### *6.3.1 Compliance with Land Use and Development Code Requirements*

**Purpose of AG-II Zone District (35.21.020.B.1):** 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 is to preserve these lands for long-term agricultural use. The AG-II-100 zone district allows for the creation of new lots provided the new lots meet the 100 acre minimum lot size requirement. The proposed lots would range in size from 160 acres to 604.7 acres and would be consistent with the 100 acre minimum lot size.

**Water System:** The proposed state small water system (5 or more connections) is allowed with a Minor Conditional Use Permit per LUDC Section 35.21.040 (Table 2-1).

## 6.4 Chapter 21, County Code (Subdivision Regulations)

The proposed Tract Map would be consistent with the rules and regulations of the County's subdivision regulations as described in the findings (Attachment A). The proposed lots would conform to the following applicable configuration requirements as outlined in Chapter 21, Section 21-24:

*Lot depth. No lot shall be created the rear line of which is less than 100 feet from the front line of the lot, except that one sideline may be less than one hundred feet in length if it terminates at a corner curve or cul-de-sac turn-around curve. In the case of through lots or corner lots, at least one lot line must be parallel to and not less than one hundred feet distant from the street on which the lot fronts. The rear line of a lot shall be considered as any lot line other than a front line which does not intersect the right-of-way line of the street on which the lot fronts.*

Consistent: The proposed project would not create rear property lines which are less than 100 feet from the front line of the lot.

## 6.5 Subdivision/Development Review Committee

The project was reviewed by the Subdivision/Development Review Committee (SDRC) on August 17, 2006. Applicable County Departments have provided condition letters which have been included in the project conditions of approval (Condition No. 51, Attachment B.1, and Condition No. 43, Attachment B.2).

## 6.6 Agricultural Preserve Advisory Committee

The proposed project was reviewed by the Agricultural Preserve Advisory Committee (APAC) on October 3, 2008 where it was found to be consistent with the Uniform Rules for Agricultural Preserves. The minutes of the October 3, 2008 APAC meeting are included as Attachment G.

## 6.7 Development Impact Mitigation Fees

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

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

| **Estimated Countywide Development Impact Mitigation Fees** | | | |
|---|---|---|---|
| **Fee Program** | **Base Fee (per unit or 1,000 sf)** | **Estimated Fee** | **Fee due at** |
| Recreation (Parks) | $1,279.00 per new lot | $16,627.00 | Final Inspection |
| Transportation | $581.00 per PHT x 13 new potential single family dwellings | $7,553.00 | Final Inspection |

# 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
B. Conditions of Approval:
   B.1 Conditions of Approval for Case No. 06TRM-00000-00002 / TM 14,709
   B.2 Conditions of Approval for Case No. 16CUP-00000-00030
C. Final EIR (16-EIR-01) Executive Summary (entire document provided to the Planning Commission and available online at: http://www.sbcountyplanning.org/projects/06TRM-00002RanchLaLaguna/index.cfm)
D. APN Sheet
E. Tentative Tract Map 14,709
F. Water System Design
G. APAC Minutes (10/03/08)

# ATTACHMENT A: FINDINGS

## 1.0 CEQA FINDINGS

## 1.1 ENVIRONMENTAL IMPACT REPORTS

Findings pursuant to public resources code Section 21081 and the California Environmental Quality Act Guidelines Sections 15090 and 15091:

### 1.1.1 CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT

The Final Environmental Impact Report (16-EIR-1) was presented to the Planning Commission and the Planning Commission has reviewed and considered the information contained in the Final EIR (16-EIR-1) and its appendices [and any supplements or addenda] prior to approving the project. In addition, the Planning Commission have reviewed and considered testimony and additional information presented at or prior to public hearing on January 25, 2017. The Final EIR reflects the independent judgment and analysis of the Planning Commission and is adequate for this proposal.

### 1.1.2 FULL DISCLOSURE

The Planning Commission finds and certifies that the Final EIR (16-EIR-1) constitutes a complete, accurate, adequate and good faith effort at full disclosure under CEQA. The Planning Commission further finds and certifies that the Final EIR has been completed in compliance with CEQA.

### 1.1.3 LOCATION OF RECORD OF PROCEEDINGS

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

### 1.1.4 FINDINGS THAT CERTAIN UNAVOIDABLE IMPACTS ARE MITIGATED TO THE MAXIMUM EXTENT FEASIBLE

This finding is not applicable because the Final EIR (16-EIR-01) concluded that the project will not result in significant and unavoidable (Class I) impacts.

### 1.1.5 FINDINGS THAT IDENTIFIED PROJECT ALTERNATIVES ARE NOT FEASIBLE

The EIR analyzed three alternatives to the proposed project, which include: 1) a no project/no development alternative; 2) agricultural cluster alternative; and 3) reduced lots alternative. The EIR identified Alternative 3 as the environmentally superior alternative. This finding is not applicable to this project because findings rejecting alternatives are required only if one or more significant environmental effects will not be avoided or

substantially lessened by mitigation measures. The EIR concluded that no impacts of the project were significant and unavoidable; therefore, the Planning Commission need not make findings rejecting the alternatives described in the EIR. (Pub. Resources Code Section 21081; 14 CCR 15091.).

### 1.1.6 FINDINGS THAT CERTAIN IMPACTS ARE MITIGATED TO INSIGNIFICANCE BY CONDITIONS OF APPROVAL

The Final EIR (16-EIR-01) identifies several subject areas for which the project is considered to cause or contribute to significant, but mitigable environmental impacts (Class II). For each of these Class II impacts identified by the Final EIR (16-EIR-01), feasible changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects, as discussed below:

Aesthetics

Significant but mitigable impacts identified in the Aesthetic Resource analysis of the EIR include impacts resulting from the removal of mature oak trees which would result in the loss of scenic resources. Mitigation identified in the EIR requires the implementation of a tree replacement plan requiring that oak trees which are visible from public roadways and would need to be removed due to project construction shall be replaced with oak trees in locations that are visible from such roadways (AES-2). This measure would reduce Aesthetic impacts to less than significant.

Biological Resources

Significant but mitigable impacts identified in the Biological Resources analysis of the EIR include impacts to special status plant and animal species, sensitive habitats including riparian areas, wetlands, oak trees, wildlife movement, as a result of future development of access roads, infrastructure, and the RDEs.

According to Section 4.4, Biological Resources, of the Environmental Impact Report (16-EIR-01) prepared for the project, approval of the tentative tract map and subsequent development of the Residential Development Envelopes (RDE's), access roads and infrastructure may result in impacts to special status plant and animal species, sensitive habitats including riparian areas, wetlands, oak trees and wildlife movement. Specifically, there are twenty-two special status plant species which have the potential to be impacted. Mitigation measures from the EIR requiring pre-construction surveys for special status plant species (B-1(a)), avoidance, minimization and mitigation if special status plant species are found during pre-construction surveys (B-1(b)) will reduce impacts to special status plant species to less than significant.

In addition, there are twenty-one special status animal species which have the potential to be impacted by future development. These include the California tiger salamander

(CTS), California red-legged from (CRLF), and the Least bell's vireo. Mitigation measures include consultation with USFWS and CDFW (B-1(c)), protocol surveys prior to the approval of permits for development (B-1(d)), habitat avoidance and compensatory mitigation (B-1(g), B-1(e)), a Habitat Mitigation and Monitoring Program (B-1(f)), pre-construction surveys (B-1(i-o)), and the implementation of a worker environmental awareness program (B-1(p)). Additional mitigation measures address potential impacts to riparian habitat and drainages (B-3(a-e), B-5), weed control, oak trees and fire hazards (B-2(a-c), B-4(a,b), B-6(a,b). Therefore, mitigations applied to the project would reduce impacts to Biological Resources to less than significant.

Cultural Resources

The EIR finds potentially significant but mitigable impacts associated with Cultural Resources as previously unidentified subsurface archaeological resources may be unearthed during development of the project. Mitigation measure CR-2 requires the applicant and/or their agents, representatives or contractors to stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The applicant would retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with County Cultural Resource Guidelines Provisions for Phase 2 and Phase 3 investigations. Therefore, mitigation applied to the project would reduce impacts to Cultural Resources to less than significant.

Geology

Significant but mitigable impacts identified in the Geology analysis of the EIR include moderate liquefaction hazards, and structural instability resulting from soil types with at least moderate potential for expansiveness. Mitigation measures requiring site specific studies for liquefaction and expansive soils (G-3, G-6) would reduce geological impacts to less than significant.

### 1.1.7 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the reporting and monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

## 2.0 ADMINISTRATIVE FINDINGS

## 2.1 CONDITIONAL USE PERMITS

**Findings required for all Conditional Use Permits.** In compliance with Subsection 35.82.060.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Conditional Use Permit or Minor Conditional Use Permit the review authority shall first make all of the following findings, as applicable:

### 2.1.1 The site for the proposed project is adequate in terms of location, physical characteristics, shape, and size to accommodate the type of use and level of development proposed.

The 3,951 acre project site is adequate in terms of location, physical characteristics, shape and size to accommodate the proposed state small water system. The project site is located in a rural area of the County which is characterized by agricultural uses, and low intensity residential development. As discussed in Section 6.2 of the staff report dated January 5, 2017, incorporated herein by reference, the project will allow for the installation of a state small water system to provide water to 13 new lots associated with TM 14,709. Water lines and associated infrastructure will be installed from an existing water well out to the proposed lots. All new water pipelines will be placed within existing ranch roads, including those that are proposed to provide access to RDEs. These areas of the site do not contain steep slopes, and require minimal grading activities for installation of the water pipe lines. Any excess cut generated from grading activities will be used as additional fill to offset shrinkage and compaction of cut material, or to supplement grades elsewhere on the site. No offsite hauling of excess material is proposed. Therefore, this finding can be made.

### 2.1.2 Within the Inland area significant environmental impacts will be mitigated to the maximum extent feasible.

As discussed in the EIR prepared for the project (16-EIR-01), and Section 6.1 (Environmental Review) of the Planning Commission staff report dated January 5, 2017, and incorporated herein by reference, adverse environmental impacts are mitigated to the maximum extent feasible. Therefore, this finding can be made.

### 2.1.3 Streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.

The proposed project will allow for the development of a state small water system to serve 13 new lots created by TM 14,709. No traffic will be generated from the proposed water system. Access to the project site will continue to be provided by an existing driveway accessed from Foxen Canyon Road. Foxen Canyon Road is a public roadway that is maintained by the County and is adequate and properly designed to carry traffic

associated with construction and maintenance of the water system. According to the project description, proposed access roads and driveways serving the water system and future development within the RDE's will be constructed and improved in accordance with Santa Barbara County Fire Department requirements. Therefore this finding can be made.

**2.1.4 There will be adequate public services, including fire protection, police protection, sewage disposal, and water supply to serve the proposed project.**

As discussed in Section 6.2 of the Planning Commission staff report dated January 5, 2017, incorporated herein by reference, adequate ingress/egress, police and fire protection, infrastructure and public and private services are available to serve the site. The proposed state small water system will not create any significant environmental impacts or require additional services. Therefore, this finding can be made.

**2.1.5 The proposed project will not be detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood and will be compatible with the surrounding area.**

The proposed state small water system will be reviewed and approved by Environmental Health Services (EHS) to ensure that it is not detrimental to the health and safety of water system users and other surrounding residents and persons and is compatible with the surrounding area. The project is conditioned (Condition No. 43 of Attachment B.2) to require compliance with the EHS condition letter dated December 27, 2016. This letter states that Environmental Health Services must find the proposed shared water system to be in compliance with State regulations for domestic use prior to map recordation. Therefore, this finding can be made.

**2.1.6 The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan, including any applicable community or area plan.**

As discussed in Sections 6.2 and 6.3 of the Planning Commission staff report dated January 5, 2017, incorporated herein by reference, the project complies with all applicable requirements of the LUDC and the Comprehensive Plan. The project site is not subject to a community or area plan. Therefore, this finding can be made.

**2.1.7 Within rural areas as designated on the Comprehensive Plan maps, the proposed use will be compatible with and subordinate to the rural and scenic character of the area.**

The water system will provide water for future residential development associated with 13 new lots created by TM 14,709. In order to be compatible with and subordinate to the rural and scenic character of the area, water pipelines and infrastructure associated with the state small water system will be located within existing roadways on the project site

or in areas of the parcel that do not contain steep slopes. Therefore, the project is consistent with this finding.

## 2.2 TENTATIVE MAP FINDINGS (SUBDIVISION MAP ACT)

**A. Findings for all Tentative Maps.** In compliance with the Subdivision Map Act, the review authority shall make the following findings for the Rancho La Laguna Vesting Tentative Tract map, Case No. 06TRM-00000-00002:

**1. State Government Code §66473.1. The design of the subdivision for which a tentative map is required pursuant to §66426 shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.**

Future residential development located within the RDEs will be able to take advantage of solar exposure for natural heat and light and prevailing winds for natural cooling effects. There is sufficient northern, southern, eastern and western exposure for passive or natural heating or cooling opportunities within the RDEs. Therefore, this finding can be made.

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

As indicated in sections 6.2 and 6.3 of the staff report dated January 5, 2017, incorporated herein by reference, with the implementation of the recommended conditions of approval, the proposed project is consistent with the applicable policies of the Comprehensive Plan. Adequate ingress/egress, infrastructure and public and private services are available to serve the proposed lots. Therefore, this finding can be made.

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

**a. The proposed map is not consistent with applicable general and specific plans as specified in §66451.**

As discussed in Sections 6.2 and 6.3 of the staff report dated January 5, 2017 incorporated herein by reference, with compliance with the project description and conditions of approval identified in Attachment B.1, the project will be consistent with all applicable policies of the County's Comprehensive Plan, the Santa Barbara County Land Use and Development Code, and Chapter 21, the County Subdivision Ordinance. Therefore, this finding can be made.

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

As discussed in Sections 6.2 and 6.3 of the staff report dated January 5, 2017 incorporated herein by reference, with compliance with the project description and conditions of approval identified in Attachment B.1, future residential improvements of the subdivision will be consistent with the County's Comprehensive Plan. Therefore, this finding can be made.

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

The proposed project will subdivide the 3,951-acre project site into 13 legal lots ranging in size from 160-acres to 605-acres. The 3,951-acre project site is sufficient in size to accommodate the future development of 12 single family dwellings and accessory structures. As discussed in Sections 6.1 (Environmental Review), and 6.2 (Comprehensive Plan Consistency) of the staff report dated January 5, 2017 and incorporated herein by reference, adequate public and private services will be available to serve the newly created lots and associated development. In addition, environmental impacts associated with the project have been mitigated to the maximum extent feasible. Therefore, the site can be found suitable for the proposed subdivision and this finding can be made.

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

The 3,951-acre project site is zoned AG-II-100, with a 100-acre minimum lot size. The project is proposing to subdivide the project site into 13 legal lots ranging in size from 160-acres to 605-acres. As discussed in Section 6.2 of the Planning Commission staff report dated January 5, 2017, incorporated herein by reference, the proposed lot sizes are all larger than the minimum lot size of 100-acres, and therefore, the density of future development on the project site is less than the maximum allowable under the AG-II-100 zone district. Future residential development consisting of a single family dwelling and residential accessory structures will be confined to proposed RDEs. As discussed in Section 6.1 (Environmental Review) of the staff report dated January 5, 2017, incorporated herein by reference, the project site is sufficiently sized to accommodate the future residential development and associated infrastructure without creating significant environmental impacts on the environment. Therefore, this finding can be made.

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

As discussed in the EIR prepared for the project (16-EIR-01), and Section 6.1 (Environmental Review) of the Planning Commission staff report dated January

5, 2017, incorporated herein by reference, adverse environmental impacts are mitigated to the maximum extent feasible. As a result, the design of the subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat and this finding can be made.

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

The proposed subdivision has been designed to minimize the potential to cause serious public health problems. As discussed in Section 6.2 of the staff report dated January 5, 2017, incorporated herein by reference, adequate water, utilities, and access are available to serve the proposed parcels. The project site is not located within an area of historic flood hazards and has been reviewed by the County Fire Department, Flood Control District, Environmental Health Services, and Air Pollution Control District. There are no identified or likely public health problems or hazards associated with the project. Therefore, this finding can be made.

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

The project will not conflict with any public easements and there is no public use of the project site. Therefore, this finding can be made.

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

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

The project site is not subject to a contract entered into pursuant to the California Land Conservation Act of 1995, or any easements entered into pursuant to Section 51256.

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

The project site is not subject to an existing open space easement entered into pursuant to the Open Space Easement Act of 1974.

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

Division 10.2 of the Public Resources Code implements the Agricultural Lands Stewardship Program of 1995; Chapter 4 of this Division specifies the provisions of the Agricultural Conservation Easement. The subject parcel is not subject to an agricultural conservation easement. Therefore, these provisions do not apply.

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

Chapter 4 of Part 2 of Division 2 of the Civil Code includes provisions for conservation easements. The subject parcel is not subject to a conservation easement. Therefore, these provisions do not apply.

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

As discussed in Section 6.2 of the Planning Commission staff report dated January 5, 2017, incorporated herein by reference, the project site will be served by individual private septic systems that are built in conformance with Environmental Health Services requirements and are consistent with California Regional Water Quality Control Board requirements.

## 2.3. TENTATIVE MAP FINDINGS (COUNTY CODE CHAPTER 21)

**A. The following findings shall be cause for disapproval of a tentative map but the tentative map may nevertheless be approved in spite of the existence of such conditions where circumstances warrant.**

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

**grant such approvals within fourteen days from the date they were requested, they shall be deemed to have been refused. Appeal from refusal of the Director of Public Works to grant such approvals may be made in writing to the Board of Supervisors, which may overrule the Director of Public Works and grant such requested approvals in whole or in part.**

The project does not include any easements or rights-of-way across proposed county streets.

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

   The proposed subdivision has been designed so that lots resulting from the tentative map will not become landlocked. Roads will be adequately designed for ingress and egress, and have been reviewed by the County Fire Department and Public Works Transportation Division.

3. **Cuts or fills having such steep slopes or great heights as to be unsafe under the circumstances or unattractive to view.**

   The proposed project will require grading for future construction within the RDEs and access roadways and utilities. However, as discussed in the Planning Commission staff report dated January 5, 2017, incorporated herein by reference, the grading quantities will not be excessive because the residential development areas do not contain steep slopes, unstable areas, or flood zones, and the proposed access roadways and utility alignments have been designed to minimize grading while meeting fire safety requirements (i.e., turning radius, roadway slope) for site access.

   According to the EIR, portions of three proposed access roads will be visible from Foxen Canyon Road. These access roads and driveways to the proposed lots will add paved features to cultivated farmland and grazing lands on the project site. However, the linear access improvements will not substantially alter the predominant agricultural character of the site as seen from public viewpoints.

   The water lines and infrastructure associated with the proposed water system will be located within existing roadways and in areas of the site which do not contain steep slopes. Any excess cut generated from grading activities will be used as additional fill to offset shrinkage and compaction of cut material, or to supplement grades elsewhere on the site. No offsite hauling of excess material is proposed.

**4. Grading or construction work shall not be commenced prior to recordation of the final or parcel map without specific authority granted by and subject to conditions approved by the Board of Supervisors.**

The project is conditioned (Condition No. 46 of Attachment B.1) to not allow grading or construction work to be permitted prior to recordation of the tentative map.

**5. Potential creation of hazard to life or property from floods, fire, or other catastrophe.**

The Tentative Tract Map will not create any hazards to life or property from floods, fire, or other catastrophes. Future development will be required to meet County Fire Department standards for defensible space and water storage for fire suppression purposes. Additionally, the County Flood Control and Fire Departments have reviewed the project and have submitted conditions included in Attachments B.1, and B.2. Further, the areas identified for development are not located within any identified flood zones and setbacks from adjacent creeks and drainages will ensure that life and property are protected from flood hazards.

**6. Nonconformance with any adopted general plan of the County or with any alignment of a state highway officially approved or adopted by the Department of Transportation.**

As discussed in Sections 6.2, and 6.3 of the staff report dated January 5, 2017 incorporated herein by reference, compliance with the project description and required conditions of approval will ensure that the design and improvements of the subdivision and future development are consistent with the County's Comprehensive Plan, and the Land Use Development Code. The Tentative Tract Map would not affect the alignment of a state highway.

**7. Creation of a lot or lots which have a ratio depth to width in excess of 3 to 1.**

The project will not result in lots that have a ratio depth to width in excess of 3 to 1.

**8. Subdivision designs with lots backing up to watercourses.**

The proposed subdivision will not result in lots backing up to watercourses.

**B. Pursuant to Chapter 21-8 of the Santa Barbara County Code, a tentative map including tentative parcel map shall not be approved if the decision-maker finds that the map design or improvement of the proposed subdivision is not consistent with this Chapter, the requirements of the State Subdivision Map Act, California Government Code Section 66410 et seq.,**

**the County's Comprehensive Plan, the applicable zoning ordinance, or other applicable County regulations.**

The tentative map was evaluated for consistency with applicable County policies and ordinance requirements in Sections 6.2 and 6.3 of the staff report dated January 5, 2017, herein incorporated by reference. As discussed in these sections, the subdivision and associated infrastructure improvements (as modified by the conditions of approval) are consistent with the County's Comprehensive Plan, Santa Barbara County Land Use and Development Code, and Chapter 21 of the County Code, as well as the requirements of the State Subdivision Map Act. Finding 2.1 above, herein incorporated by reference, discusses the tentative map's consistency with applicable provisions of the State Subdivision Map Act.

# ATTACHMENT B.1: CONDITIONS OF APPROVAL

**Rancho La Laguna Tentative Tract Map**
**Case No. 06TRM-00000-00002 / TM 14,709**
**Date: January 25, 2017**

## I. PROJECT DESCRIPTION

**1. Proj Des-01 Project Description**. This Tract Map is based upon and limited to compliance with the project description, the hearing exhibits marked A-G, dated January 25, 2017, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations.

The proposed project is a request by Brownstein Hyatt Farber Schreck, agent/attorney for the owners, Rancho La Laguna, LLC and La Laguna Ranch Co., LLC, for approval of a Tentative Tract Map to subdivide the 3,950.8-acre project site into 13 lots ranging in size from 160 acres to 605 acres.

**Lot sizes and RDEs.** Each of the thirteen proposed lots would have a designated residential development envelope (RDE), within which future residential development would be confined, including all residential accessory development. Agricultural structures, including agricultural employee dwellings, could be located outside of the RDEs. Approximately 563 acres of the project site, primarily in the southwestern portion of the site, but also in areas further north (on proposed lots 1 through 10), is in irrigated crop production. All of the proposed RDEs are within areas that are currently used for grazing. Neither the proposed subdivision nor future development within RDEs would affect existing ranch buildings. The existing cabin on proposed Lot 13 would also be preserved. The RDEs would limit the extent to which residential uses would impact existing agricultural activities and would limit the amount of area disturbed by non-agricultural development (i.e., grading, paving, lighting, etc.) as a result of the proposed subdivision.

**Proposed Lot and RDE Sizes**

| Proposed Lot | Gross Acreage | Net Acreage | Residential Development Envelope (Acres) | Net Acreage Remaining for Agricultural Operations |
|---|---|---|---|---|
| Lot 1 | 202.2 | 197.6 | 7.2 | 190.4 |
| Lot 2 | 166.4 | 161.8 | 9.6 | 152.2 |
| Lot 3 | 166.4 | 163.1 | 15.2 | 147.9 |
| Lot 4 | 191.6 | 191.1 | 2.7 | 188.4 |
| Lot 5 | 160.0 | 160.0 | 8.8 | 151.2 |
| Lot 6 | 161.2 | 161.2 | 6.5 | 154.7 |
| Lot 7 | 206.0 | 206.0 | 7.0 | 199.0 |
| Lot 8 | 259.0 | 259.0 | 3.6 | 255.4 |
| Lot 9 | 438.4 | 438.4 | 3.8 | 434.6 |
| Lot 10 | 596.8 | 596.8 | 5.5 | 591.3 |
| Lot 11 | 428.8 | 428.8 | 2.6 | 426.2 |
| Lot 12 | 369.1 | 369.1 | 2.6 | 366.5 |
| Lot 13 | 604.7 | 600.8 | 2.3 | 598.5 |
| **Total** | **3,950.8** | **3,933.7** | **77.3** | **3,856.4** |

**Site Access.** Access to the newly created lots would be provided by existing agricultural roads located throughout the site. Shared access easements would follow these existing agricultural roads and utilize existing creek crossings. Individual driveways would extend from these private shared access roads to serve each of the proposed RDEs. Rancho La Laguna Road is an existing two-mile, shared access road that traverses the site within a 60-foot-wide easement. The proposed access road and driveway widths are described in detail below. All access roads and individual driveways proposed to serve the project would be improved in conformity with applicable County Fire Department roadway standards.

**Access Road and Driveway Widths**

| Proposed Easement | Description | Classification | Required Improvement Width[1] |
|---|---|---|---|
| 1 | Proposed 30' wide unpaved and unimproved informal agricultural access and utilities easement across Lot 1 in favor of Lot 5 | Informal Agricultural Road | No improvements required |
| 2 | Proposed 30' wide access and utilities easement across Lots 5 and 6 in favor of Lot 1 | Driveway | 20 feet |
| 3 | Proposed 30' wide shared access and utilities easement across Lot 5 in favor of Lot 6 | Driveway | 16 feet |
| 4 | Existing 60' wide access and utilities easement in favor of Lots 1, 2, 6, 7, 8, 9 , and 10 | Access Road | 24 feet from Foxen Canyon Road though Lot 6<br>20 feet from Lot 6 to the Lot 9 driveway<br>16 feet from the Lot 9 driveway to the Lot 10 driveway |
| 5 | Proposed 30' wide shared access and utilities easement across Lot 7 in favor of Lot 8 | Driveway | 12 feet |
| 6 | Proposed 30' wide shared access and utilities easement across Lot 4 in favor of Lot 3 | Driveway | 16 feet |
| 7 | Proposed 30' wide shared access and utilities easement in favor of Lots 4, 11, 12, 13, and APNs 133-080-037, 133-050-014, and, 133-060-028 | Access Road | 24 feet from Foxen Canyon Road though the Lot 13 driveway |
| 8 | Proposed 30' wide shared access and utilities easement across Lots 4 and 12 in favor of Lot 11 | Driveway | 16 feet from Easement 7 to the Lot 4 driveway<br>12 feet from the Lot 4 driveway to the Lot 11 driveway |
| 9 | Proposed 30' wide shared access and utilities easement across Lot 13 in favor of APNs 133-080-037, 133-050-014, and, 133-060-028 | Existing Improved Access Road | No improvements required |
| 10 | Proposed 30' wide shared access and utilities easement across Lot 13 in favor of APNs 133-080-037, 133-050-014, and, 133-060-028 | Existing Improved Access Road | No improvements required |

[1] *Required widths indicate County Fire Department requirements, and do not include shoulders or turnouts.*

**Grading.** Grading would be required for the improvement of existing and proposed access roads and for future development within the RDEs. Five of the proposed driveways would require widening and may require grading to reduce slopes. An estimated 23,023 cubic yards of grading would be required for the access roads, including

retaining walls up to 12 feet in height along the private driveway for proposed Lot 10. Preliminary grading plans have been provided for the private driveways associated with proposed Lots 4, 5, 6, 9, 10, and 13. Grading for driveways would be required to be constructed in accordance with Santa Barbara County Fire Department standards which allow for gradients of up to 20% with extenuating circumstances. In addition, an estimated 10,997 cubic yards of excavation would be required for the installation of proposed water cisterns. All grading volumes associated with access and infrastructure would be balanced on the property. In addition, grading would be required within the proposed RDEs for building pads. These sites are generally flat, with slopes less than 20%, and grading for future building pads would be expected to be balanced within the individual lots to correct erosion or level slopes for new agricultural uses.

**Infrastructure.** An existing shared water system utilizing Wells #13 (on the proposed Lot 12) and #14 (on the proposed Lot 4) would provide agricultural irrigation water to agricultural operations on each of the proposed lots. Shared water agreements would give each lot owner an equal right to the shared water systems for agricultural and domestic use. Shared access and utility easements would be provided as indicated on page 2 of 2 of the tract map. The project includes a new domestic shared water system which would include two 35,000-gallon fire protection cisterns and approximately 35,430 linear feet of distribution lines, as well ancillary equipment customarily utilized in water systems (e.g., pumps, valves). These new shared water pipelines are required to be buried deep enough to have no less than three feet of cover, and would be placed within existing ranch roads, including those roads proposed to be used to access the RDEs. Shared water pipelines would vary in diameter from 6” to 12”, depending upon their respective service demands. Each of the cisterns would occupy an approximate area of 30’ x 30’. The estimated earth disturbance from the pipeline trenching is 10,497 cubic yards and the earth disturbance from the cistern construction is estimated to be 500 cubic yards, for a total estimated earth disturbance for the domestic shared water system of 10,997 cubic yards.

Underground utility conduits and water pipelines would be installed along access roads and driveways. All new water pipelines for the shared water systems would be placed within existing ranch roads, including those that are proposed to provide access to RDEs. Two shared water systems, one for domestic use and the other for agricultural use, would serve the project site. The shared water systems would rely on the existing on-site wells. A State Small Water System (SSWS) utilizing the existing Well #13 (on the proposed Lot 12) would provide domestic water service to each of the RDEs. For wastewater infrastructure, each of the proposed RDEs would be served by a private on-site septic system utilizing the leach line or drywell disposal method, as no public sewer is available in the project area. Utility easements would be co-located with proposed access roads. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

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

## II. MITIGATION MEASURES FROM 16-EIR-01

### Aesthetics/Visual Resources

3. **AES-2. Oak Tree Replanting Within Public Viewsheds.** In addition to the requirements in Mitigation Measure B-4(b), the Tree Replacement Plan shall include a provision requiring that existing oak trees which are visible from public roadways and would need to be removed due to project construction shall be replaced with oak trees in locations that are visible from such roadways. **Plan Requirements and Timing**. The Oak Tree Replacement Plan shall be submitted to P&D for review and approval prior to issuance of grading permits. **Monitoring**. P&D shall oversee implementation of the Oak Tree Protection and Replacement Plan.

### Biological Resources

4. **B-1(a) Special Status Plant Species Pre- Construction Surveys**. Updated surveys for special status plants shall be completed by a County-approved biologist prior to construction of the access roads, infrastructure and development of the RDEs. The surveys shall be floristic in nature and shall be seasonally-timed to coincide with the target species. All plant surveys shall be conducted by a qualified biologist approved by the County no more than two years prior to initial ground disturbance. All special status plant species identified on-site shall be mapped onto a site-specific aerial photograph and topographic map. Surveys shall be conducted in accordance with the most current protocols established by the CDFW, USFWS, and the local jurisdictions if said protocols exist. A report of the survey results shall be submitted to the implementing agency, and the CDFW and/or USFWS, as appropriate, for review and approval. **Plan Requirements and Timing**. A report of the rare plant survey results shall be submitting to P&D for review prior to issuance of land use permits for RDE development as well as access road and infrastructure construction. Mapped locations of rare plants shall be shown on grading plans. **Monitoring**. P&D shall ensure that the rare plant surveys have been completed. Grading inspectors shall inspect as needed.

5. **B-1(b) Special Status Plant Species Avoidance, Minimization, and Mitigation**. If State listed or California Rare Plant Ranked species are found during special status plant surveys, a species and site-specific evaluation shall be prepared. The evaluation must identify locations and extent of special status plants within the proposed development site, and within the lot. The evaluation shall consider impacts to these plant species in the

context of populations at the state, regional, and local (i.e. survey area and immediate vicinity) levels. The report must also evaluate options for minimizing impacts to these plant species on the site. Development on the site shall be designed in coordination with a qualified biologist to avoid impacting these plant species. Rare plant occurrences that are not within the immediate disturbance footprint, but are located within 50 feet of disturbance limits shall have bright orange protective fencing installed at least 30 feet beyond their extent, or other distance as approved by a qualified biologist, to protect them from harm. If State listed species cannot be avoided, authorization for impacts must be obtained from CDFW, and all impacts shall be mitigated at a minimum ratio of 2:1 (number of acres/individuals restored to number of acres/individuals impacted) for each species as a component of habitat restoration.

If non-listed special status plants species cannot be avoided, impacts shall be mitigated for all impacts that could cause the regional population of any of these species to drop below self-sustaining levels, threaten to eliminate any plant community of which the species is a key part, or substantially reduce the number of occurrences or individuals or restrict the range of that species. The threshold for impacts above which mitigation must be implemented shall be impacts that remove over 10 percent of the local (onsite and immediate vicinity) population of any CRPR 1B species, or impacts more than 30 percent of the local (onsite and immediate vicinity) population of any CRPR 3 or 4 species that forms a unique vegetation type, is present in unusually large numbers, with implications for status of the species throughout its range, or is otherwise designated as locally rare. Impacts shall be mitigated at a minimum ratio of 1:1 (number of acres/individuals restored to number of acres/individuals impacted) for each species as a component of habitat restoration. A restoration plan shall be prepared and submitted to the County for approval. (Note: if a state listed plant species will be impacted, the restoration plan shall also be submitted to the CDFW for approval). The restoration plan shall include, at a minimum, the following components:

- Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type);
- Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved];
- Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values);
- Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan [including species to be used, container sizes, seeding rates, etc.]);
- Maintenance activities during the monitoring period, including weed removal and irrigation as appropriate (activities, responsible parties, schedule);
- Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports);

- Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation type for restoration plans that include establishment of a specific vegetation alliance, and minimum survival of two individuals /two acres occupied at the same density as baseline for each one individual or one acre of impacted CRPR 1B species, and minimum survival of one individual/one acre occupied at the same density for each individual or acre impacted for CRPR 3 and 4 species. Options for individuals or acreage are allowed because establishment of annual plants is often evaluated based on cover and density. Additionally, in no case shall density and cover of non-native species exceed baseline condition evaluated at the impact site prior to disturbance;
- An adaptive management program and remedial measures to address any shortcomings in meeting success criteria;
- Notification of completion of compensatory mitigation and agency confirmation; and
- Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).

**Plan Requirements and Timing**. Prior to approval of land use permits for the construction of access roads, infrastructure improvements and development within the RDEs, the applicant shall submit the results of the survey to P&D for review and approval. P&D shall inspect the site prior to initiation of ground disturbance activities to ensure the protective fencing is installed properly. If special status plants cannot be avoided, the applicant shall submit the restoration and monitoring plan to P&D for review and approval prior to approval of land use permits for development within the RDEs as well as access road and infrastructure construction. **Monitoring.** The protective fencing shall be monitored by P&D staff until construction is complete. P&D staff shall ensure that the proposed development avoids impacts to rare plant species or impacts are mitigated for per the requirements of this measure.

6. **B-1 (c) USFWS/CDFW Consultation**. Prior to approval of land use permits for the construction of access roads, infrastructure improvements and development within the RDEs, the applicant shall consult with USFWS and CDFW regarding potential impacts to CRLF, LBV, and CTS. The applicant shall obtain all necessary permits and approvals and shall implement measures as required by these permits and approvals. **Plan Requirements and Timing**. The applicant shall submit copies of correspondence and/or permits (as applicable) with applicable agencies to P&D prior to approval of land use permits for the construction of access roads, infrastructure improvements and development within the RDEs. **Monitoring**. P&D staff shall ensure that prior to land use permit-approval, the applicant has contacted USFWS and CDFW.

7. **B-1(d) California Tiger Salamander (CTS) and California Red-legged Frog (CRLF) Protocol Surveys**. Prior to approval of land use permits for the construction of the access roads, infrastructure improvements, and development within the RDEs, surveys for CTS

disturbance areas located within the distribution area of CTS (USFWS, 2010) and are within 1.24 miles of potential ponds shall be conducted. In addition, surveys shall be conducted within disturbance areas containing suitable aquatic habitat for the CRLF (e.g., Foxen Canyon/Jesus Canyon drainage). Surveys shall consist of aquatic and/or upland sampling as appropriate and in consultation with the USFWS and/or CDFW. Surveys shall follow the Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander (USFWS, 2003) and Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog (USFWS, 2005) or the current protocol established by the USFWS and CDFW at the time surveys are conducted. If CTS and/or CRLF are detected, mitigation measure B-1(e) would apply. If protocol surveys result in negative findings, mitigation measures B-1(e) and B-1(f) would not apply. Currently, the CRLF and CTS protocols listed above do not specify time periods in which results would remain valid. In the event that protocol surveys have already been completed and may apply to a parcel proposed for development, the project applicant shall consult with the USFWS and/or CDFW to determine whether a new protocol survey is required.

Alternatively, in lieu of conducting protocol surveys, the applicant may choose to assume CTS are present within disturbance areas located within the distribution of CTS in Santa Barbara (USFWS, 2010) and are within 1.24 miles of potential ponds and containing suitable habitat. The applicant may also choose to assume CRLF are present within disturbance areas containing suitable habitat (e.g., Foxen Canyon/Jesus Canyon drainage). If protocol surveys are not conducted and presence assumed based on suitable habitat, mitigation measure B-1(e) would apply. If protocol surveys for CTS & CRLF result in negative findings for the presence of the species, this mitigation measure, as it pertains to CTS & CRLF, shall not apply.

**Plan Requirements and Timing**. The applicant shall submit the results of the protocol surveys or a memorandum indicating that the applicant chooses to assume presence for each species based on suitable habitat prior to approval of land use permits for the construction of access roads, infrastructure improvements, and development within the RDEs. **Monitoring**. P&D staff shall ensure that documentation is received prior to approval of land use permits and shall oversee implementation of mitigation plans.

**8. B-1(e) California Tiger Salamander (CTS) and California Red-legged Frog (CRLF) Habitat Avoidance and Compensatory Mitigation**. If CTS or CRLF occupied or presumed occupied habitat would be impacted by the project, the applicant shall re-design development in coordination with a County-approved qualified biologist to avoid impacting occupied habitat. Disturbance limits shall have bright orange protective fencing installed at least 50 feet beyond their extent, or other distance as approved by a County-approved biologist, to protect occupied habitat. If occupied or presumed occupied habitat cannot be avoided, the applicant shall provide the County total acreages for habitat that would be impacted prior to the approval of land use permits for the construction of access roads, infrastructure improvements, and development within the RDEs. The applicant shall purchase credits at a USFWS and CDFW approved

conservation bank (There is currently one CDFW-approved bank for CTS with a service area that includes the project site, La Purisima Conservation Bank) and/or establish conservation easements or funds for acquisition of conservation easements as compensatory mitigation to offset impacts CTS and CRLF habitat.

The compensatory mitigation shall incorporate the conditions specified in incidental take permits that could be issued by CDFW and USFWS for this project, but shall meet the minimum standards specified in this measure. Compensatory mitigation shall be provided at a ratio of not less than 2:1 (area mitigated: area impacted). Compensatory mitigation may be combined/nested with special status plant species and sensitive community restoration where applicable.

If the applicant establishes conservation easement(s) (on- and/or off-site) to serve as compensatory mitigation for CTS and CRLF impacts, areas proposed for preservation must contain verified extant populations of the special status species that would be impacted by the project. Compensatory mitigation areas shall have a restrictive covenant prohibiting future development/disturbance and shall be managed in perpetuity to encourage persistence and enhancement of the preserved target species. Compensatory mitigation lands cannot be located on land that is currently held publicly for resource protection. The compensatory mitigation areas shall be managed by a conservation lands management entity or other qualified easement holder.

The CDFW and organizations approved by CDFW that meet the criteria below may be considered qualified easement holders for those species for which the CDFW has regulatory authority. To qualify as a “qualified easement holder” a private land trust must at a minimum have:

1. Substantial experience managing conservation easements that are created to meet mitigation requirements for impacts to special-status species;
2. Adopted the Land Trust Alliance’s Standards and Practices; and;
3. A stewardship endowment fund to pay for its perpetual stewardship obligations.

Other specific conditions for qualified easement holders may be outlined in incidental take permits that could be issued by CDFW and USFWS for this project. The County shall determine whether a proposed easement holder meets these requirements. The applicant shall also be responsible for donating to the conservation easement holder fees sufficient to cover administrative costs incurred in the creation of the conservation easement (appraisal, documenting baseline conditions, etc.) and funds in the form of a non-wasting endowment to cover the cost of monitoring and enforcing the terms of the conservation easement in perpetuity. The amount of these administrative and stewardship fees shall be determined by the conservation easement holder in consultation with the County.

Conservation easement(s) shall be held in perpetuity by a qualified easement holder (as defined above, and be subject to a legally binding agreement that shall: (1) Be recorded

with the County Recorder(s); and (2) Contain a succession clause for a qualified easement holder if the original holder is dissolved.

The following factors shall be considered in assessing the quality of potential mitigation habitat: (1) current land use, (2) location (e.g., habitat corridor, part of a large block of existing habitat, adjacency to source populations, proximity to potential sources of disturbance), (3) vegetation composition and structure, (4) slope, (5) soil composition and drainage, and (6) level of occupancy or use by all relevant species.

To meet the requirement that the mitigation habitat is of value equal to, or greater than, the habitat impacted on the project site, the mitigation habitat must be **considered** "suitable habitat" or "enhanced habitat" as described below:

*Suitable Habitat*. To meet the requirements for suitable habitat that provides equal or greater habitat value for listed animal species than the impacted habitat, the habitat must:

1. Provide habitat for special status animal species, such that special status animal species populations can regenerate naturally when disturbances are removed;
2. Not be characterized by (or adjacent to areas characterized by) high densities of invasive species, such as yellow star-thistle, or species that might jeopardize habitat recovery and restoration;
3. Not contain hazardous wastes that cannot be removed to the extent that the site could not provide suitable habitat; and
4. Not be located on land that is currently publicly held for resource protection.

*Enhanced Habitat*. If suitable habitat is unavailable, or in lieu of acquiring already suitable special status animal species habitat, the applicant may enhance potential habitat that:

1. Is within an area with potential to contribute to habitat connectivity and build linkages between populations;
2. Consists of actively farmed land or other land containing degraded habitat that will support enhancement;
3. Supports suitable soils, slope, and drainage patterns consistent with special status animal species requirements;
4. Cannot be located on land that is currently held publicly for resource protection; and
5. Does not contain hazardous wastes or structures that cannot be removed to the extent that the site could not provide suitable habitat.

*Enhanced Habitat Standards*. For enhanced habitat conditions to equal or exceed habitat conditions on the project site, the enhanced habitat shall meet the following habitat criteria. After five years, these sites must consist of suitable habitat or contain other habitat characteristics (e.g. small mammal burrows in upland habitat for CTS, etc.) that are consistent with the known ecology of the special status animal species to which compensatory mitigation is being applied. If protocol surveys for CTS & CRLF result in

negative findings for the presence of the species, this mitigation measure, as it pertains to CTS & CRLF, shall not apply.

**Plan Requirements and Timing**. The applicant shall calculate the total acreages required to meet all compensatory mitigation obligations and submit these totals to County P&D prior to approval of land use permits for the construction of access roads, infrastructure improvements, and development within the RDEs. The applicant shall then obtain County approval of the conservation bank and/or location of mitigation lands, the holder of conservation easements, and the restrictions contained in the easement(s) created for the permanent protection of these lands. Documentation of purchase of mitigation credits and/or recorded easement(s) shall be submitted to and approved by the County prior to the issuance of a land use permit. Verification of having met habitat mitigation requirements shall be reviewed and approved prior to final inspection. **Monitoring**: P&D shall review and approve documentation of compensatory mitigation land acquisition and associated restrictive covenant for consistency with conditions outlined in the measure. These lands may be identified through independent consultation with CDFW and/or USFWS. The applicant shall provide evidence to P&D of (a) conservation bank credits, or (b) establishment of a permanent conservation easement and maintenance endowment.

**9.** **B-1(f) Listed Species Habitat Mitigation and Monitoring Plan (HMMP)**. If protocol surveys for CTS & CRLF result in negative findings for the presence of the species, this mitigation measure, as it pertains to CTS & CRLF, shall not apply. If establishment of conservation easements (on- and/or off-site) pursuant to Mitigation Measure B-1(d) is required, the applicant shall retain a County-approved biologist to prepare a Habitat Mitigation and Monitoring Plan (HMMP) to ensure the success of compensatory mitigation sites required for compensation of permanent impacts to CTS and CRLF that are to be enhanced. If required, the HMMP shall be submitted to the County within 12 months after the approval of the land use permit. The HMMP shall include, at a minimum, the following information:

- A summary of habitat and species impacts and the proposed mitigation for each element;
- A description of the location and boundaries of the mitigation site(s) and description of existing site conditions;
- A description of any measures to be undertaken to enhance (e.g., through focused management) the mitigation site for special status species;
- Identification of an adequate funding mechanism for long-term management and identification of a conservation lands management entity to manage the conservation easement lands;
- A description of management and maintenance measures intended to maintain and enhance habitat for the target species (e.g., weed control, fencing maintenance);
- A description of habitat and species monitoring measures on the mitigation site, including specific, objective performance criteria, monitoring methods, data analysis, reporting requirements, monitoring schedule, etc.; monitoring shall

document compliance with each element requiring habitat compensation or management;

- A contingency plan for mitigation elements that do not meet performance or final success criteria within described periods; the plan shall include specific triggers for remediation if performance criteria are not met and a description of the process by which remediation of problems with the mitigation site (e.g., presence of noxious weeds) shall occur;
- A requirement that the applicant shall be responsible for monitoring, as specified in the HMMP, for at least five years post-construction; during this period, regular reporting shall be provided to the County;
- Reporting shall include:
  a. An annual monitoring report to be submitted to the County and applicable agencies; and
  b. Demonstration that the compensatory mitigation and management (1) will fully mitigate for any take of a CESA-listed species as defined by CESA, (2) minimize and mitigate any take of an FESA-listed species to the maximum extent practicable as defined by FESA, and (3) ensure that impacts from the project are not likely to jeopardize the listed species continued existence as defined by FESA.

**Plan Requirements and Timing**. The HMMP shall be submitted to P&D for review and approval prior to issuance of land use permits. If habitat restoration is to take place off-site, the above requirements shall also apply, and, in addition, proof of purchase or an easement controlling off-site acreage shall also be submitted to P&D prior to issuance of land use permits. **Monitoring**. The restoration shall be monitored by a County-approved biologist for five years. P&D shall oversee implementation of the HMMP through periodic monitoring and a final restoration site inspection upon completion.

10. **B-1(g) California Tiger Salamander (CTS) and California Red-legged Frog (CRLF) Avoidance and Minimization**. If protocol surveys for CTS & CRLF result in negative findings for the presence of the species, this mitigation measure, as it pertains to CTS & CRLF, shall not apply. The following measures shall be implemented during construction of access roads, infrastructure, and development within the RDEs:

    - Pre-construction surveys for CTS and CRLF shall be conducted where suitable habitat is present by a county-approved biologist not more than 48 hours prior to the start of construction activities. The survey area should include the proposed disturbance area and all proposed ingress/egress routes, plus a 100 foot buffer. If any life stage of CRLF or CTS is found within the survey area, the USFWS and/or CDFW should be consulted to determine the appropriate course of action or the appropriate measures implemented in accordance with the BO or HCP issued by the USFWS (relevant to CRLF and CTS) and/or the ITP issued by the CDFW (relevant to CTS).
    - Ground disturbance shall be limited to the minimum necessary to complete construction activities. Construction limits of disturbance shall be flagged. All equipment and material storage, parking, staging and other support areas shall be

identified prior to issuance of a grading permit. Areas of special biological concern within or adjacent to construction limits shall have highly visible orange construction fencing installed between said area and the limits of disturbance.

- All development activities occurring within/adjacent to aquatic habitats (including riparian habitats and wetlands) shall be completed between April 1 and October 31, to avoid impacts to sensitive aquatic species.
- To avoid encountering migrating CTS within range of potentially suitable aquatic habitat, construction within upland areas within the range of CTS should be limited to July 15 to October 15. Work should be postponed if chance of rain is greater than 70% based on the NOAA National Weather Service forecast or within 48 hours following a rain event greater than 0.1 inch. If work must occur during these conditions, a qualified biologist shall conduct a clearance sweep of work areas prior to the start of work.
- All work shall occur during daylight hours.
- All projects occurring within or adjacent to habitats that may support CTS or CRLF shall have a County approved biologist present during all initial ground disturbing/vegetation clearing activities.
- No CTS or CRLF shall be captured and relocated without expressed permission from the CDFW and/or USFWS.
- If at any time during construction CTS or CRLF enters the construction site or otherwise may be impacted by the project, all construction activities shall cease. A County-approved biologist shall document the occurrence and consult with the CDFW and/or USFWS as appropriate.
- Upon completion of construction all excess materials and debris shall be removed from the project site and disposed of appropriately.
- The work area shall remain clean. All food-related trash items shall be enclosed in sealed containers and removed from the site regularly.
- Pets shall be prohibited at the construction site.
- The work area shall be surrounded by a solid temporary exclusion fence (such as silt fence) that shall be buried into the ground and extend at least three feet above the ground and buried at least 6 inches to exclude CTS and CRLF from the work area. The location of the fencing shall be determined by a qualified biologist. The fencing shall be installed during the dry season prior to rain events that may stimulate movement of CTS and CRLF. The fence shall be inspected daily to assure that it is functioning properly to exclude CTS and CRLF from the work area. The fence shall remain in place throughout construction. Access roads shall be temporarily sealed off overnight using a section of fence that is anchored to the ground (e.g., fire hose filled with sand or sand bags can be used to anchor the bottom of the fence or the bottom must be buried). Installation of the exclusion fencing shall be monitored by a County-approved biologist to ensure that it is installed correctly.
- All vehicle maintenance/fueling/staging shall occur not less than 60 feet from any riparian habitat or water body. Suitable containment procedures shall be implemented to prevent spills from entering adjacent habitats. A minimum of one

spill kit shall be available at each work location near riparian habitat or water bodies.

- No equipment shall be permitted to enter wetted portions of any affected drainage channel unless previously approved by applicable regulatory agencies.
- All equipment operating within streams shall be in good conditions and free of leaks. Spill containment shall be installed under all equipment staged within stream areas and extra spill containment and clean up materials shall be located in close proximity for easy access.
- At the end of each work day, excavations shall be secured with cover or a ramp provided to prevent wildlife entrapment.
- All trenches, pipes, culverts or similar structures shall be inspected for animals prior to burying, capping, moving, or filling.
- If any CTS or CRLF are harmed, the County-approved biologist shall document the circumstances that led to harm and shall determine if project activities should cease or be altered in an effort to avoid additional harm to these species. Dead or injured special status species shall be disposed of at the discretion of the CDFW and USFWS. All incidences of harm shall be reported to the CDFW and USFWS within 48 hours.
- To ensure that diseases are not conveyed between work sites by the qualified biologist, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force should be followed at all times.

**Plan Requirements and Timing**. These measures are to be implemented during construction. **Monitoring**. The applicant shall maintain a County-approved biologist to monitor compliance with the above avoidance and minimization measures. The approved biologist shall submit maintenance reports to P&D compliance staff.

**11.** **B-1(h) Species of Special Concern Avoidance and Minimization**. A County-approved biologist shall be present during all initial ground disturbing activities, including vegetation removal to recover Species of Special Concern (western spadefoot, coast range newt, southern western pond turtle, two-striped garter snake, California legless lizard, and Blainville's horned lizard) that may be unearthed by construction activities. Individuals that are unearthed during excavation, if in good health, shall be immediately relocated to a designated relocation area to be determined by a County-approved biologist in coordination with CDFW. Individuals shall be relocated the shortest distance possible in a location that contains suitable habitat not likely to be affected by activities associated with the proposed project. The biologist(s) should maintain sufficiently detailed records of any individual observed, captured, relocated, etc., including size, coloration, any distinguishing features and photographs (preferably digital) to assist him or her in determining whether translocated animals are returning to the project site.. If injured, the animals shall be turned over to a CDFW-approved specialist until they are in a condition suitable for release into the designated release area, or deposited at an approved vertebrate museum. **Plan Requirements and Timing**. These measures are to be implemented during construction. **Monitoring**. The applicant shall maintain a County-

approved biologist to monitor compliance with the above avoidance and minimization measures.

12. **B-1(i) Preconstruction Surveys for Nesting Birds**. For construction activities occurring during the nesting season (generally February 1 to September 15), surveys for nesting birds covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a qualified biologist no more than 30 days prior to vegetation removal activities.

A qualified biologist shall conduct preconstruction surveys for raptors. The survey for the presence of golden eagles, shall cover all areas within of the disturbance footprint plus a 1-mile buffer where access can be secured. The survey area for all other nesting bird and raptor species shall include the disturbance footprint plus a 300-foot and 500-foot buffer, respectively.

If active nests (nests with eggs or chicks) are located, the qualified biologist shall establish an appropriate avoidance buffer ranging from 50 to 300 feet based on the species biology and the current and anticipated disturbance levels occurring in vicinity of the nest. The objective of the buffer shall be to reduce disturbance of nesting birds. All buffers shall be marked using high-visibility flagging or fencing, and, unless approved by the qualified biologist, no construction activities shall be allowed within the buffers until the young have fledged from the nest or the nest fails.

For golden eagle nests identified during the preconstruction surveys, an avoidance buffer of up to one mile shall be established on a case-by-case basis in consultation with the USFWS, and shall depend on the existing conditions and disturbance regime, relevant landscape characteristics, and the nature, timing, and duration of the expected development disturbance. The buffer shall be established between 1 February and 31 August; however, buffers may be relaxed earlier than 31 August if a qualified biologist/ornithologist determines that a given nest has failed or that all surviving chicks have fledged.

Potential habitat for the LBV occurring within 500 feet of the disturbance area shall be surveyed for active nests prior to the start of construction activities. Surveys shall be done in accordance with the Least Bells' Vireo Survey Guidelines (USFWS, 2001) or as agreed upon through discussion with the USFWS based upon site conditions at the time of construction. If an active LBV nest site is present, a 500-foot non-disturbance buffer shall be implemented around the nest during the breeding season (April 10 through July 30). Construction activities to potential LBV nesting habitat where the access roads to Lot 3 and Lot 12 cross or parallel the Foxen Canyon/Jesus Canyon drainage will be completed outside the breeding season to the greatest extent feasible.

**Plan Requirements and Timing**. These measures are to be implemented during construction. The survey results shall be submitted to P&D prior to land use permit approval for the construction of access roads, infrastructure improvements and

development within the RDEs. **Monitoring**. The applicant shall maintain a County-approved biologist to monitor compliance with the above avoidance and minimization measures.

13. **B-1(j) Burrowing Owl Avoidance and Minimization Measures**. Pre-construction surveys shall be conducted by a County-approved biologist for burrowing owls in accordance with CDFW-adopted survey protocols (California Burrowing Owl Consortium, 1993). This could entail surveys for winter residents in December and January, in addition to peak nesting season (April 15 through July 15) surveys. All suitable habitat, potential or known burrows, or burrowing owls identified within the disturbance footprint and 500 foot buffer shall be assessed and mapped. Survey results will be valid only for the season during which the survey is conducted. Surveys shall cover all suitable habitat within the disturbance footprint plus a 500-foot buffer where safely accessible. If no burrowing owls or habitat are detected, no further action is required.

    If, during pre-construction surveys, burrowing owls are detected on-site or within the survey area, all burrowing owls and occupied burrows shall be counted, mapped as stated above, and avoided by establishing a buffer around the occupied burrow(s). The buffer shall be a minimum of 300 feet around nest burrows and 100 feet around non-nest burrows. Buffers shall be demarcated with highly visible construction fencing and no ground disturbance activities shall occur within this buffer until the qualified biologist has determined that the burrow is no longer occupied. If an occupied burrow cannot be avoided, passive relocation may be implemented by the County-approved biologist with guidance from the CDFW. No burrowing owls may be trapped. Passive relocation shall be limited to the non-breeding season (typically outside of the period between April 15 and July 15). Passive relocation may involve installation of one-way doors at burrow entrances for a minimum of five days. Once the County-approved biologist has determined that the burrow is no longer occupied, the burrow may be hand excavated to prevent re-occupancy.

    **Plan Requirements and Timing**. The name, qualifications, scope of biological surveys, and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. The biologist implementing the above mitigation measure must also submit documentation of coordinating this effort with P&D prior to implementation. The results of the pre-construction surveys shall be submitted to Planning and Development staff prior to the approval of Land Use Permits for the construction of access roads, infrastructure improvements and development within the RDEs. The above impact avoidance measure shall be included on all grading, building, and land use plans prior to approval of land use permits for the construction of access roads, infrastructure improvements and development within the RDEs. A report on the implementation of impact avoidance measures used shall be submitted to P&D upon completion of the construction project. **Monitoring**. The applicant shall retain a qualified County-approved biologist to monitor all construction activities as warranted to ensure compliance. The approved biologist shall submit monitoring reports to P&D staff.

14. **B-1(k) American Badger Avoidance and Minimization Measures**. A minimum of two weeks prior to initiation of ground disturbing activities, a survey for badger burrows shall be conducted within the disturbance footprint by an approved biologist (a biologist familiar with, including identification of, the wildlife species in the region). Dens found within the survey area shall be mapped and monitored using a tracking medium, remote camera system, and/or spotlighting at night for a minimum of three days to assess the presence of badgers. Inactive dens shall be collapsed by hand with a shovel to prevent badgers from re-using them during construction. Active dens located within the survey area shall be avoided during the breeding season (March 1 through June 30). A minimum buffer of 50 feet around the active den within the proposed area of disturbance shall be demarcated by construction fencing. The fencing shall be installed one foot above ground to permit movement of badgers in and out of the buffer zone. Once the biologist has determined that active dens are no longer in use, the den shall be collapsed by shovel. Prior to grading activities occurring outside of the breeding season, badgers may be discouraged from using currently active dens by partially blocking the entrance of the den with sticks, debris, and soil for three (3) to five (5) days. Access to the den would be incrementally blocked to a greater degree over this period. This would cause the badger to abandon the den site and move elsewhere. After badgers have stopped using active dens within the project site, the dens would be collapsed by hand with a shovel.

    **Plan Requirements and Timing**. The name, qualifications, scope of biological surveys and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. A report of the results of the badger survey shall be submitted to P&D for review and approval prior to the approval of Land Use Permits for the construction of access roads, infrastructure improvements and development within the RDEs.
    **Monitoring**. P&D will review and approve the reports. A County-approved biologist shall be present during the initial ground-disturbing activity.

15. **B-1(l) San Diego Desert Woodrat Avoidance and Minimization Measures**. Not more than two weeks prior to the initiation of ground disturbing activities and/or vegetation removal, a County-approved biologist shall conduct a pre-construction survey prior to the onset of work activities, as well as surveys and/or monitoring during initial disturbance of potential San Diego desert woodrat habitat. If San Diego desert woodrat nests are discovered and are determined to be impacted by the project, the nests shall be relocated under the guidance and supervision of a County-approved biologist. Prior to relocation, the nest shall be agitated to encourage any woodrats occupying the nest to leave. Once the County-approved biologist is satisfied that the nest is unoccupied, the nest materials shall be placed outside of the impact area. The spacing between relocated nest materials or between relocated nest materials and existing stick nests shall not be less than 25 feet. Due to the potential for hazardous health conditions associated with the relocation of woodrat nests, procedures to minimize risk of contracting diseases associated with woodrats and woodrat houses needs to be addressed prior to relocation activities.

**Plan Requirements and Timing**. The name, qualifications, scope, and contact information for the surveying biologist must be submitted to P&D**,** and a report of the results of the relocation efforts shall be submitted to P&D for review prior to the approval of Land Use Permits for the construction of access roads, infrastructure improvements and development within the RDEs. **Monitoring**. P&D shall review the reports for compliance and shall inspect the site during construction to ensure compliance.

16. **B-1(m) California Legless Lizard, Blainville's Horned Lizard, Two-Striped Garter Snake, Western Spadefoot, and Coast Range Newt Pre-Construction Survey**. Not more than two weeks prior to initiation of ground disturbing activities and vegetation removal, a County-approved qualified biologist shall conduct a pre-construction survey for California legless lizard, Blainville's horned lizard, two-striped garter snake, western spadefoot and coast range newt. The survey area should include the project site and all proposed ingress/egress routes, plus a 100-foot buffer. Surveys for California legless lizards shall include raking of leaf litter under shrubs and trees in suitable habitat within the disturbance footprint to a minimum depth of eight inches.

    If these species are found and individuals are likely to be killed or injured by construction activities, a County-approved qualified biologist shall be allowed sufficient time to capture and relocate the animals from the project site before construction activities begin. Suitable relocation sites for release of captured animals shall be identified prior to commencement of construction activities and approved by the County. If California legless lizards are captured they shall be placed into containers with sand or moist paper towels and released in the pre-determined, County-approved off-site location for release of captured individuals within three hours of capture. The County-approved biologist shall relocate individuals the shortest distance possible to a location that contains suitable habitat not likely to be affected by activities associated with the proposed project. The biologist(s) should maintain sufficiently detailed records of any individual observed, captured, relocated, etc., including size, coloration, any distinguishing features and photographs (preferably digital) to assist him or her in determining whether translocated animals are returning to the project site. To ensure that diseases are not conveyed between work sites by the qualified biologist, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force should be followed at all times.

    **Plan Requirements and Timing**. The name, qualifications, scope of biological surveys, and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. Proposed relocation areas shall be identified and approved by P&D prior to the approval of a Land Use Permit for the construction of access roads, infrastructure and development within the RDEs. A report of the results of the capture and relocation efforts shall be submitted to P&D for review prior to the approval of a Land Use Permit for the construction of access roads, infrastructure improvements and development within the RDEs. Monitoring. P&D shall review the reports for compliance and shall inspect the site during construction to ensure compliance.

**17.** **B-1(n) Southern Western Pond Turtle Avoidance and Minimization Measures**. The following measures are designed to reduce the potential for impact to this species:

- A County-approved biologist shall conduct a pre-construction survey a minimum of two weeks prior to the onset of work activities, as well as surveys and/or monitoring during initial disturbance of potential southern western pond turtle habitat. In order to detect southern western pond turtle nests the County-approved biologist shall lightly rake the soil within potential nesting habitat in a careful manner in order to avoid damaging eggs. If this species is found and the individuals are likely to be injured or killed by work activities, the approved biologist shall be allowed sufficient time to move them from the project site before work activities begin. The biologist(s) must relocate any southern western pond turtle the shortest distance possible to a location that contains suitable habitat that is not likely to be affected by activities associated with the proposed project. The biologist(s) should maintain sufficiently detailed records of any individual observed, captured, relocated, etc., including size, coloration, any distinguishing features and photographs (preferably digital) to assist him or her in determining whether translocated animals are returning to the project site. See below for procedure on discovery of a clutch.

- If possible, schedule construction activities within suitable habitat outside of the typical nesting season for southern western pond turtle (April-August [Stebbins, 2003]). If work is conducted within the nesting period and a southern western pond turtle egg clutch is discovered during pre-construction surveys, the location shall be surrounded with high visibility fencing under the guidance of a County-approved qualified biologist. The nest shall be avoided by construction until a qualified biologist determines that the clutch has hatched. The CDFW shall also be contacted to provide additional guidance in the event that a southwestern pond turtle nest is discovered. If during construction, a southern western pond turtle nest is discovered, construction shall cease immediately upon the discovery and the qualified biologist notified. The same procedure described above shall then be applied.

**Plan Requirements and Timing**. The name, qualifications, scope of biological surveys, and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. Proposed relocation areas shall be identified and approved by P&D prior to beginning the work. A report of the results of the capture and relocation efforts shall be submitted to P&D for review prior to the approval of a Land use Permit for the construction of access roads, infrastructure improvements and development within the RDEs. **Monitoring**. P&D shall review the reports for compliance and shall inspect the site during construction to ensure compliance.

**18.** **B-1(o) Western Red Bat Avoidance and Minimization Measures**. The following measures are designed to reduce the potential for impact to this species:

- If possible, removal of suitable roosting trees shall be avoided during the time when western red bats may occupy their winter range (September –May).

- For construction activities occurring at a time when western red bats may occupy their winter range (September –May) surveys for roosting western red bats shall be conducted by a County-approved qualified biologist no more than 14 days prior to the initiation of ground disturbing activities and/or vegetation removal. The surveys shall include the entire area of disturbance area and focus on the trees located within the impact area. If active roosts are located, the locations shall be mapped, and a buffer ranging in size from 100 to 500 feet within the project site shall be determined and demarcated by the biologist with bright orange construction fencing. No construction activities shall occur within this buffer zone until May 1 or until a qualified biologist confirms that the bats have left the roost and it is no longer active.

- If night time construction work is required, night time work shall be kept to a minimum and lighting used shall be as dim as legally possible, and should be directed to where it is needed to avoid light spillage and any upward lighting should be minimized.

**Plan Requirements and Timing**. The name, qualifications, scope of biological surveys, and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. A report of the results of the bat survey shall be submitted to P&D for review and approval prior to the approval of a Land Use Permit for the construction of access roads, infrastructure improvements and development within the RDEs. **Monitoring.** P&D will review and approve the reports. A County-approved qualified biologist shall be present during the initial ground-disturbing activity within roosting habitat.

**19.** **B-1(p) Worker Environmental Awareness Program (WEAP)**. Prior to initiation of construction activities (including staging and mobilization), all personnel associated with project construction shall attend WEAP training, conducted by a County-approved qualified biologist, to aid workers in recognizing special status resources that may occur in the project area. The specifics of this program shall include identification of the sensitive species and habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employers, and other personnel involved with construction of the project. All employees shall sign a form provided by the trainer indicating they have attended the WEAP and understand the information presented to them.

**Plan Requirements and Timing**. P&D shall be notified by the applicant of the date and time the training is scheduled so that they may attend. Fact sheets shall be reviewed and approved by P&D prior to the approval of a Land Use Permit for construction of access roads, infrastructure improvements and development within the RDEs. **Monitoring**. P&D shall ensure that worker trainings occur prior to initiation of ground disturbance and construction activities.

**20. B-2(a) Sensitive Community Avoidance and Mitigation.** Impacts to sensitive communities shall be avoided through final design modifications to roadway and infrastructure, and through design of future development within RDEs to avoid the resource. Bright orange construction fencing shall be placed a minimum of 30 feet outside the edge of areas of sensitive communities that will be retained prior to any initiation of ground disturbance activities and shall remain in place until construction is complete. No vehicles, person, materials, or equipment will be allowed in protected areas. Grading plans shall show the location of these habitats and protective fencing.

If the applicant or project developer determines sensitive communities cannot be avoided, impacts shall be mitigated on-site at a ratio of 2:1 for impacted sensitive communities (habitat restored for habitat lost). The location of restoration shall be determined by a County-approved biologist. On-site restoration is preferable, however the County may approve off-site restoration if the applicant can demonstrate to the County's satisfaction that restoration on-site cannot be achieved. The restoration shall include locally-obtained native species approved by the County. A Habitat Restoration Plan shall be developed by a County-approved biologist pursuant to the requirements listed in Mitigation Measure B-2(b) below.

To mitigate for effects on sensitive vegetation from the project, the applicant shall hire a qualified biologist to develop a Sensitive Communities Restoration Plan with the goal of restoring impacted sensitive habitats at a minimum ratio of 2:1 onsite (habitat restored to habitat impacted) per the requirements below. Upon final design of the access roads, drainage crossings and infrastructure (including staging areas, etc.), the applicant's biologist shall determine the final impacts to sensitive communities and the subsequent amount of acreage needed for restoration for the project. The restoration plan shall be implemented for a period of not less than five years, or until restoration has been completed successfully in conformance with the success criteria stated below. Off-site habitat acquisition and off-site restoration and/or enhancement may be considered if onsite restoration is determined as unachievable to the satisfaction of the County, as long as the off-site proposals result in equal compensatory value. Replacement ratios for off-site mitigation may be different than those required for onsite mitigation. The plan shall include, at a minimum, the following components:

- Description of the project/impact site (i.e. location, responsible parties, areas to be impacted by habitat type);
- Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved];
- Description of the proposed compensatory mitigation-site (location and size, ownership status, existing functions and values of the compensatory mitigation-site);
- Implementation plan for the compensatory mitigation-site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan [including plant species to be used, container sizes, seeding rates, etc.]);

- Maintenance activities during the monitoring period, including weed removal and irrigation as appropriate (activities, responsible parties, schedule);
- Monitoring plan for the compensatory mitigation-site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports);
- Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation type, or success criteria can be based on quantitative sampling of restoration sites compared with quantitative sampling of impact sites prior to disturbance. If sampling is used to establish success criteria, the sampling method must be a scientifically valid published method suitable for evaluating vegetation. To achieve success, data must illustrate the restoration site is comparable or better than baseline conditions within ten percent of total cover of the baseline plots, within 10 percent of or exceeding absolute native cover of the baseline plots, and within ten percent of or less of non-native cover in the baseline plots. Additionally, restoration sites must meet the membership rules in the Manual of California vegetation 2nd Edition (or current update at time of restoration) for the type being established;
- An adaptive management program and remedial measures to address negative impacts to restoration efforts;
- Notification of completion of compensatory mitigation and agency confirmation; and
- Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).

**Plan Requirements and Timing**. Grading plans showing the location of sensitive communities, as well as the Sensitive Communities Restoration Plan shall be submitted to P&D for review and approval prior to approval of land use permits for grading for access road improvements, infrastructure improvements and development within the RDEs. **Monitoring**. P&D staff shall inspect the site prior to initiation of ground disturbance activities, and shall inspect the site a minimum of once per week to ensure protective fencing is in place. P&D staff shall oversee implementation of the Sensitive Communities Restoration Plan.

**21. B-2(b) Invasive Weed Prevention Best Management Practices.** The following shall be implemented to prevent the introduction of invasive weed species:

- During construction, the project will make all reasonable efforts to limit the use of imported soils for fill. Soils currently existing on-site should be used for fill material. If the use of imported fill material is necessary, the imported material must be obtained from a source that is known to be free of invasive plant species; or the material must consist of purchased clean material such as crushed aggregate, sorted rock, or other similar substances.
- Vehicles, equipment, and worker shoes and clothing must be free of weed seeds and caked-on soil when mobilized onto the site to minimize potential for introduction of invasive species.

- To avoid the spread of invasive species, the contractor shall: stockpile topsoil and redeposit the stockpiled soil after construction**.** Topsoil containing weed seeds that cannot be re-deposited on site must be transported to a certified landfill for disposal if the soil is removed from Rancho La Laguna.
- The erosion control/ restoration plans for the project must emphasize the use of native species that are expected to occur in the area and that are considered suitable for use at the project site.
- All erosion control materials including straw bales, straw wattles, or mulch used on-site must be free of invasive species seed.
- Exotic and invasive plant species will be excluded from any erosion control seed mixes and/or landscaping plant palettes associated with the proposed project.

**Plan Requirements and Timing**. These measures are to be implemented during construction. **Monitoring**. The applicant shall maintain a County-approved biologist to monitor compliance with the above avoidance and minimization measures.

**22.** **B-2(c) Biologist Review of Landscape Plans.** Landscape plans for future development shall be reviewed and approved by a P&D approved biologist. The applicant shall use primarily native, locally collected plant species for landscaping purposes. The use of non-native invasive species shall be prohibited. **Plan Requirements and Timing**. The plans shall be approved by County staff prior to approval of land use permits for future residential development. **Monitoring**. P&D permit compliance shall monitor implementation in the field.

**23.** **B-3(a) Avoidance of Impacts to Drainages.** Impacts to drainages shall be avoided through the use of span bridges or other crossing options that would not disturb the bed and bank. Construction of crossings shall occur during the low-flow period of the year when water within drainages is minimal or absent. In addition, all utilities shall either be attached to the underside of crossing structures or shall be drilled under the creek beds such that trenching through drainages is avoided. If utilities are drilled or bored under the creek beds, the chosen construction method shall be evaluated to determine if there is a risk of frac-out. If so, a County-approved biologist shall be present during crossing construction as well as when drilling beneath the creek bed, if this method is chosen, to ensure that frac-out (excessive drilling pressure causing drilling mud to breach the surface) does not occur.

**Plan Requirements and Timing**: The applicant shall submit bridge designs and copies of the SAA, 401 Certification or Waste discharge requirements, or Section 404 permit (if applicable) and restoration plan (if applicable) to P&D prior to land use permit approval. **Monitoring**. P&D shall oversee implementation of the applicable permits and restoration plan as well as shall inspect the bridge to ensure compliance. P&D staff and/or a County-approved biologist shall be present during all bridge construction and utility installation activities.

**24.** **B-3(b) Wetland and Drainage Mitigation.** If avoidance of impacts to jurisdictional wetlands and drainages is determined to the satisfaction of the County as unachievable, impacts shall be mitigated at a minimum ratio of 2:1 (acres of habitat restored to acres impacted), and shall occur on-site or as close to the impacted habitat as possible. Upon final design of the access roads, drainage crossings and infrastructure (including staging areas, etc.), the applicant's biologist shall determine the final impacts to sensitive communities and the subsequent amount of acreage needed for restoration for the project. A mitigation and monitoring plan shall be developed by a County-approved biologist in accordance with Mitigation Measure B-2(a) above and shall be implemented for no less than five years after construction, or until the local jurisdiction and/or the permitting authority (e.g., USACE) has determined that restoration has been successful.

**Plan Requirements and Timing**. The applicant shall submit the restoration plan to P&D for review and approval prior to approval of land use permits for RDE development as well as access road and infrastructure construction. **Monitoring**. P&D staff shall ensure that the proposed development avoids impacts to jurisdictional areas or are properly mitigated for.

**25.** **B-3(c) Jurisdictional Delineation.** If impacts to wetlands and drainages from roadway crossings cannot be avoided and occurs within or adjacent to wetland, drainages, riparian habitats, or other areas that may fall under the jurisdiction of the CDFW, USACE, and/or RWQCB, the applicant shall retain a qualified biologist to complete a jurisdictional delineation. The jurisdictional delineation shall determine the extent of the jurisdiction for each of these agencies and shall be conducted in accordance with the requirement set forth by each agency and the County. The result shall be a preliminary jurisdictional delineation report that shall be submitted to the implementing agency, USACE, RWQCB, and CDFW, as appropriate, for review and approval. If jurisdictional areas are expected to be impacted, then the RWQCB would require a Waste Discharge Requirements (WDR) permit and/or Section 401 Water Quality Certification (depending upon whether or not the feature falls under federal jurisdiction). If CDFW asserts its jurisdictional authority, then a Streambed Alteration Agreement pursuant to Section 1600 et seq. of the California Fish and Game Code would also be required prior to construction within the areas of CDFW jurisdiction. If the USACE asserts its authority, then a permit pursuant to Section 404 of the Clean Water Act would likely be required. **Plan Requirements and Timing**. The applicant shall submit a Jurisdictional Delineation Report to P&D prior to approval of land use permits. **Monitoring**. P&D shall ensure that a jurisdictional delineation is completed.

**26.** **B-3(d) Agency Coordination.** Impacts to drainages as a result of access roads and infrastructure may require permits from USACE, RWQCB, and CDFW. The applicant shall obtain correspondence from applicable state and federal agencies regarding compliance of the proposed development with state and federal laws. **Plan Requirements and Timing**. The applicant shall submit copies of correspondence and/or permits (as applicable) with applicable agencies to P&D prior to approval of land use

permits. **Monitoring**. P&D shall review agency correspondence and shall ensure that the project meets any requirements outlined by the agencies.

**27.** **B-3(e) Jurisdictional Areas Best Management Practices During Construction.** The following best management practices shall be required for development within or adjacent to jurisdictional areas:

- Access routes, staging, and construction areas shall be limited to the minimum area necessary to achieve the project goal and minimize impacts to other waters including locating access routes and ancillary construction areas outside of jurisdictional areas.
- To control sedimentation during and after project implementation, appropriate erosion control materials shall be deployed to minimize adverse effects on jurisdictional areas in the vicinity of the project.
- Project activities within the jurisdictional areas should occur during the dry season (typically between June 1 and November 1) in any given year, or as otherwise directed by the regulatory agencies. Deviations from this work window can be made with permission from the relevant regulatory agencies.
- During construction, no litter or construction debris shall be placed within jurisdictional areas. All such debris and waste shall be picked up daily and properly disposed of at an appropriate site.
- All project-generated debris, building materials, and rubbish shall be removed from jurisdictional areas and from areas where such materials could be washed into them.
- Raw cement, concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic species resulting from project-related activities, shall be prevented from contaminating the soil and/or entering jurisdictional areas.
- All refueling, maintenance, and staging of equipment and vehicles shall occur at least 60 feet from bodies of water and in a location where a potential spill would not drain directly toward aquatic habitat (e.g., on a slope that drains away from the water source). Prior to the onset of work activities, a plan must be in place for prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should an accidental spill occur.

**Plan Requirements and Timing**. These measures are to be implemented during construction. **Monitoring**. The applicant shall maintain a County-approved biologist to monitor compliance with the above measures.

**28.** **B-4(a) Oak Tree Avoidance and Protection**. The applicant shall submit a Tree Protection Plan (TPP) prepared by a P&D-approved biologist and/or arborist designed to protect existing oak trees through final design modifications to roadway and infrastructure, and through design of future development within RDEs to avoid this resource. Protected oak trees to be considered shall be those species and sizes specified in Tree Protection Development Standards 1 and 2 of the Santa Barbara County

Comprehensive Plan Conservation Element – Oak Tree Protection in the Inland Rural Areas of Santa Barbara County**.** The applicant shall modify proposed development to either incorporate and/or avoid these protected oak trees. The following shall be implemented to protect existing oak trees:

- Prior to the onset of any construction activities highly visible orange construction fencing shall be installed around existing stands and individuals that are to be retained at a buffer/extent radius of six feet beyond the canopy dripline, wherever the topography allows for such fencing or otherwise marked in the field to protect them from harm during development of the RDEs as well as access road and infrastructure construction.
- No construction equipment shall be parked, or stored within 25 feet of any oak tree dripline that is not proposed for removal, i.e. retained oaks. Construction activities within 25 feet of protected trees shall be the minimum necessary. The Tree Protection Plan shall specify all situations in which activities must be monitored by a County-approved biologist or arborist.
- No fill soil, rocks, or construction materials shall be stored or placed within 25 feet of the dripline of a specimen oak tree.
- No artificial surface, pervious or impervious, shall be placed within 25 feet of the dripline of any oak tree, except for County-approved project access roads.
- Any roots encountered that are one inch in diameter or greater shall be cleanly cut. This shall be done under the direction of a County-approved arborist/biologist.
- Any trenching or ground disturbing construction activity required within three feet of protected (i.e. retained) oak tree's dripline shall be done with hand tools.
- No permanent irrigation shall occur within the dripline of any existing oak tree.
- Only designated trees shall be removed. All grading and construction plans shall clearly delineate those trees to be removed and those to remain.

**Plan Requirements and Timing**. The applicant shall: (1) submit the TPP; (2) Include all applicable components in Tree Replacement Plan and/or Landscape and Irrigation Plans if these are required; (3) include as notes or depictions all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures. The applicant shall comply with this measure prior to approval of a land use permit. Plan components shall be included on all plans prior to the issuance of grading permits. The applicant shall install tree protection measures onsite prior to issuance of grading/building permits and pre-construction meeting. **Monitoring**. The applicant shall demonstrate to P&D staff that trees identified for protection were not damaged or removed or, if damage or removal occurred, that correction is completed as required by the TPP prior to final building inspection clearance.

**29.** **B-4(b) Tree Replacement Plan**. If development within RDEs or construction of proposed access roads or infrastructure must remove protected oak trees specified as those species and sizes described in Tree Protection Development Standards 1, 2, or 3 of

the Santa Barbara County Comprehensive Plan Conservation Element – Oak Tree Protection in the Inland Rural Areas of Santa Barbara County, a Tree Replacement Plan shall be prepared by a certified arborist, qualified biologist with restoration experience, or landscape architect. The tree replacement plan shall be designed to replace native trees removed by the proposed project at a ratio of 10:1 (trees planted: trees impacted). Replacement plantings shall rely locally obtained valley oaks. Upon final design of the access roads, drainage crossings and infrastructure (including staging areas, etc.), the applicant's biologist shall determine the final impacts to oak trees and the subsequent number of replacement plantings needed for restoration for the project. Replacement trees shall be installed on-site or at an approved off-site location. Monitoring of planted trees shall be for a minimum of five years or until stasis has been determined by certified arborist. The plan shall include the following components at a minimum:

- Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type);
- Goal(s) of the compensatory mitigation project;
- Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values);
- Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan [including species to be used and container sizes]);
- Maintenance activities during the monitoring period, including weed removal and irrigation as appropriate (activities, responsible parties, schedule);
- Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports);
- Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants;
- Replacement trees must survive in good health for at least one year without supplemental irrigation prior to completion;
- An adaptive management program and remedial measures to address any shortcomings in meeting success criteria;
- Notification of completion of compensatory mitigation; and
- Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).

**Plan Requirements and Timing**. The Oak Tree Replacement Plan shall be submitted to P&D for review and approval prior to approval of land use permits for the construction of access roads, infrastructure improvements and development within the RDEs. Oak tree mitigation planting for development within RDEs shall be incorporated into landscaping plans for individual lots, where feasible**.** The applicant shall post a performance security to ensure installation prior to final building inspection clearance and maintenance for a minimum of five years. **Monitoring**. The applicant shall demonstrate to P&D staff that

all required components of the approved plan(s) are in place as required prior to final inspection clearance and maintained throughout the maintenance period. P&D compliance monitoring staff signature is required to release the installation security upon satisfactory installation of all items in approved plans and maintenance security upon successful implementation of this plan.

**30.** **B-5 Maintain Connectivity in Drainages**. No permanent structures shall be placed within the channel that would impede wildlife movement (i.e., the preference is that no hardened caps, pipelines, or other structures in the stream channel perpendicular to stream flow be left exposed or at depth with moderate to high risk for exposure as a result of natural bed scour during high flow events and thereby potentially create impediments to passage). In addition, upon completion of construction within any drainage, areas of stream channel and banks that are temporarily impacted shall be returned to pre-construction contours and in a condition that allows for unimpeded passage through the area once the work has been complete. **Plan Requirements and Timing**. Final crossing and utility plans shall be provided to County P&D for approval prior to the approval of land use permits for grading. **Monitoring**. P&D staff shall conduct an inspection upon completion of construction to ensure compliance.

**31.** **B-6(a) Buffer from Sensitive Habitat**. All future residences, guest houses and other habitable structures must be positioned so that the 100-foot fuel modification zones (30 feet for native grasslands) will not encroach within sensitive native habitat as depicted on Figure 4.4-1 and 4.4-2a through 4.4-2c and listed in Table 4.4-4 of the EIR, and as determined in the field by a County-qualified biologist at the time of future development. Based on the field survey and vegetation maps, fuel management activities shall not encroach into sensitive habitat areas. **Plan Requirements and Timing**. Prior to recordation of the Final Map, this requirement shall be included on an Informational Sheet attached to the Final Map and shall be reviewed and approved by P&D. This requirement shall be included on all building and grading plans submitted for future residential development. **Monitoring**. P&D shall review and approve prior to recordation. P&D shall ensure plans for future development comply with the minimum buffer requirements. Permit Compliance shall site inspect during construction of future structures to ensure compliance.

**32.** **B-6(b) Fuel Management Plan**. The applicant shall prepare a Fuel Management Plan to ensure that avoidance is accomplished and to ensure that fuel management is balanced with sensitive resource protection. The Fuel Management Plan shall include the following:

- The goal of the plan would be to meet the dual goals of public safety and protection of sensitive vegetation.
- The plan shall depict fuel management zones (i.e., Zone 1, 2, and 3) wherever required and shall include specific habitat and rare species protection and fuel management measures to be used in each management zone and for each habitat type.

Onsite vegetation management shall be limited to the zones and clearance requirements/percentages conceptually described.

- Impacts to native grasslands and special status plant and animal species shall be minimized. Zone 2 clearance of shrub cover shall not exceed 50% of shrub cover and shall be created in a mosaic pattern. Mowing of native bunchgrass shall occur in such a manner that at least 4 inches of height of each plant remains after mowing. Pre-mowing surveys within the fuel management zones to ensure no ground-dwelling birds are nesting shall be conducted if mowing occurs during the nesting season (February 1 to August 15).

**Plan Requirements and Timing**. The Fuel Management Plan shall be reviewed and approved by P&D prior to approval of land use permits for future residential development. Site plans shall show any proposed fuel management zones and measures to protect any sensitive habitat occurring within the zones. Vegetation clearance within the fuel management zones shall be conducted in compliance with the Fuel Management Plan. **Monitoring**. P&D permit compliance staff shall monitor implementation of the Fuel Management Plan and respond to complaints.

**Cultural Resources**

**33.** **CR-2. Stop Work at Encounter**. The applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. Cultural resource remains may include artifacts, shell, bone, features, foundations, and trash pits, etc. The applicant shall retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with County Cultural Resource Guidelines provisions for Phase 2 and Phase 3 investigations. **Plan Requirements and Timing**. This condition shall be printed on all building and grading plans. **Monitoring**. P&D staff shall check plans prior to approval of land use permit for grading and subdivision improvements, and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

**Geology**

**34.** **G–3 Site-Specific Liquefaction Studies and Hazard Minimization.** Prior to **approval** of Land Use Permits for future residential development in the RDEs on proposed Lots 2 and 3, a site-specific geotechnical study shall be prepared by a licensed geologist and/or geotechnical engineer to identify any areas that could be subject to liquefaction hazards. If such hazards are identified, residential development shall be designed in compliance with the recommendations of the geotechnical survey and in conformance with Sections 10-2.2.1 and 10-2.2.2 of the Santa Barbara County Code. Measures in the geotechnical survey to mitigate structural hazards from liquefiable soils may include, but are not limited to:

- Avoidance of sites with liquefiable soils;

- Removal and replacement of liquefiable soils with non-liquefiable soils;
- Dynamic compaction and densification of liquefiable soils;
- Installation of subsurface drains to improve the drainage ability of liquefiable soils; and/or
- Securing foundation elements together to reduce shear forces in structural elements that rest on the foundations.

**Plan Requirements and Timing**. These studies/reports shall be prepared by a licensed geologist and/or geotechnical engineer and shall be submitted to P&D for review and approval prior to approval of Land Use Permits for any site development on proposed Lots 2 and 3. All recommendations shall be incorporated into grading and building designs and included on all grading and building plans. **Monitoring**. Planning and Development shall review and approve applicable studies prior to approval of Land Use Permits. P&D shall site inspect to ensure that construction is in accordance with the approved plans.

**35. G–6. Site-Specific Expansive Soil Studies and Hazard Minimization.** Prior to the approval of land use permits for residential development in the proposed RDEs on Lots 1 through 9, 12, and 13, a site-specific geotechnical study shall be prepared by a licensed geologist and/or geotechnical engineer to identify any areas that could be subject to structural hazards from expansive soils. If such hazards are identified, residential development shall be designed in compliance with the recommendations of the geotechnical survey and in conformance with Sections 10-2.2.1 and 10-2.2.2 of the Santa Barbara County Code. At a minimum, exposed expansive soils where structures will be built shall be kept moist by occasional sprinkling during grading, and building foundations shall be designed to accommodate movements caused by shrinking and swelling sub-grade soils. **Plan Requirements and Timing**. The studies/report shall be prepared by a licensed geologist and/or geotechnical engineer and shall be submitted to P&D for review and approval prior to approval of Land Use Permits for any site development in proposed Lots 1 through 9, 12, and 13. All recommendations shall be incorporated into grading and building designs and included on all grading and building plans. **Monitoring**. Planning and Development shall review and approve applicable studies prior to approval of Land Use Permits. P&D shall site inspect to ensure that construction is in accordance with the approved plans.

## III. CONDITIONS UNIQUE TO TENTATIVE TRACT MAP 14,709

**36. Map-01 Maps-Info.** Prior to recordation of the tentative map and subject to P&D approval as to form and content, the Owner/Applicant shall include all of the mitigation measures, conditions and agreements associated with or required by this project approval on a separate informational sheet(s) to be recorded with the Final Map. All applicable conditions and mitigation measures of the project shall be printed on grading and/or building plans and shall be graphically illustrated where feasible.

**37.** **Map-01a Maps-Future Lots**. Any lot created by the recordation of this Tentative Map is subject to the conditions of this Tentative Map during any future grading or construction activities and during any subsequent development on any lot created by the recordation of this Tentative Map, each set of plans accompanying any permit for development shall contain the conditions of this Tentative Map.

**38.** **Map-01b Maps-Not Retroactive**. If Land Use Permits are obtained prior to recordation, Tentative Map conditions will not apply retroactively to the previously issued permit.

**39.** **Map-04 TPM, TM, LLA Submittals**. Prior to recordation of the Final Map, the Owner/Applicant shall submit a Final Map prepared by a licensed land surveyor or Registered Civil Engineer to the County Surveyor. The Map shall conform to all approved exhibits, the project description and conditions of approval as well as all applicable Chapter 21-Land Division requirements, as well as applicable project components required as part of recorded project conditions.

**40.** **Map-09 Access Easement**. The Owner/Applicant shall enter into and record an agreement in a form acceptable to and approved by County Counsel and the Planning and Development to reserve the access easements depicted on sheet 2 of TM 14,709 at the time of conveyance of the lots. This agreement is to be recorded with the appropriate instruments as determined by the County Surveyor.

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

**42.** **Map-11 Electrical Utilities**. Electrical utilities shall be installed underground.

## IV. COUNTY RULES AND REGULATIONS

**43.** **Rules-01 Effective Date-Not Appealable to CCC.** This Vesting Tentative Tract Map shall become effective upon the date of the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the final review authority on the appeal. No entitlement for the use or development shall be granted before the effective date of the planning permit [LUDC §35.82.020].

**44.** **Rules-03 Additional Permits Required.** The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary planning and building permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant

has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.

**45.** **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.

**46.** **Rules-06 Recorded Map Required**. Tentative Map 14,709 shall be recorded prior to issuance of any permits for development, including grading.

**47.** **Rules-08 Sale of Site.** The project site and any portions thereof shall be sold, leased or financed in compliance with the exhibit(s), project description and the conditions of approval including all related covenants and agreements.

**48.** **Rules-19 Maps/LLA Revisions**. If the unrecorded Tentative Map is proposed to be revised, including revisions to the conditions of approval, the revisions shall be approved in the same manner as the originally approved Tentative Map.

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

**50.** **Rules-25 Signed Agreement to Comply**. Prior to recordation, the Owner/Applicant shall provide evidence that they have recorded a signed Agreement to Comply with Conditions that specifies that the Owner of the property agrees to comply with the project description, approved exhibits and all conditions of approval. This form may be obtained from the P&D office. Owners of lots resulting from this land division shall record such agreements prior to zoning clearance issuance for future development.

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

a. Air Pollution Control District dated December 8, 2015
b. Fire Department dated January 12, 2017
c. Flood Control Water Agency dated January 9, 2017
d. Community Services Department, Parks Division dated December 29, 2016
e. Transportation Division dated December 30, 2016
f. County Surveyor's Office dated December 22, 2016
g. Environmental Health Services dated December 27, 2016

**52.** **DIMF-24e DIMF Fees-Parks.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Parks Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. The total Parks DIMF amount is currently estimated to be $16,627.00 (January 25, 2017). **TIMING:** Parks

DIMFs shall be paid to the County Parks Department prior to land use clearance for construction on each individual lot and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

**53.** **DIMF-24g DIMF Fees-Transportation**. In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for transportation. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. The total DIMF amount for Transportation is currently estimated to be $7,553.00 (13 potential new single family dwellings x 1 PHT/dwelling x $581/PHT). **TIMING:** Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

**54.** **Rules-31 Mitigation Monitoring Required.** The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the Owner/Applicant shall:

a. Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;

b. Pay fees prior to approval of Land Use Permits as authorized by ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute;

c. Note the following on each page of grading and building plans "This project is subject to Mitigation Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval, and mitigation measures from the Final Environmental Impact Report 16-EIR-01;

d. Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.

**55.** **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.

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

**57.** **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.

## V. PROJECT SPECIFIC CONDITIONS

**58.** **Erosion and Sediment Control Plan**. Where required by the latest edition of the California Green Code and/or Chapter 14 of the Santa Barbara County Code, a Storm Water Pollution Prevention Plan (SWPPP), Storm Water Management Plan (SWMP) and/or an Erosion and Sediment Control Plan (ESCP) shall be implemented as part of the project. Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until re-graded areas have been stabilized by structures, long-term erosion control measures or permanent landscaping. The Owner/Applicant shall submit the SWPPP, SWMP or ESCP) using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The SWPPP or ESCP shall be a part of the Grading Plan submittal and will be reviewed for its technical merits by P&D. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (http://sbcountyplanning.org/building/grading.cfm) refer to Erosion and Sediment Control Plan Requirements; and in the California Green Code for SWPPP (projects < 1 acre) and/or SWMP requirements. **PLAN REQUIREMENTS**: The grading and SWPPP, SWMP and/or ESCP shall be submitted for review and approved by P&D prior to approval of land use clearances. The plan shall be designed to address erosion, sediment and pollution control during all phases of development of the site until all disturbed areas are permanently stabilized. **TIMING**: The SWPPP requirements shall

be implemented prior to the commencement of grading and throughout the year. The ESCP/SWMP requirements shall be implemented between November 1st and April 15th of each year, except pollution control measures shall be implemented year round. **MONITORING**: P&D staff shall perform site inspections throughout the construction phase.

**59.** **WatConv-01 Sediment and Contamination Containment**. The Owner/Applicant shall prevent water contamination during construction by implementing the following construction site measures:

a. All entrances/exits to the construction site shall be stabilized using methods designed to reduce transport of sediment off site. Stabilizing measures may include but are not limited to use of gravel pads, steel rumble plates, temporary paving, etc. Any sediment or other materials tracked off site shall be removed the same day as they are tracked using dry cleaning methods. Entrances/exits shall be maintained until graded areas have been stabilized by structures, long-term erosion control measures or landscaping.
b. Apply concrete, asphalt, and seal coat only during dry weather.
c. Cover storm drains and manholes within the construction area when paving or applying seal coat, slurry, fog seal, etc.
d. Store, handle and dispose of construction materials and waste such as paint, mortar, concrete slurry, fuels, etc. in a manner which minimizes the potential for storm water contamination.

**PLAN REQUIREMENTS:** The Owner/Applicant shall ensure all above construction site measures are printed as notes on plans. **TIMING**: Stabilizing measures shall be in place prior to commencement of construction. Other measures shall be in place throughout construction. **MONITORING**: The Owner/Applicant shall demonstrate compliance with these measures to P&D compliance monitoring staff as requested during construction.

**60.** **WatConv-03 Erosion and Sediment Control Re-vegetation**. The Owner/Applicant shall re-vegetate graded areas upon completion of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Use hydroseed, straw blankets, other geotextile binding fabrics or other P&D approved methods as necessary to hold slope soils until vegetation is established. P&D may require the reseeding of surfaces graded for the placement of structures if construction does not commence within 30 days of grading. **PLAN REQUIREMENTS:** Include this measure as a note on all grading and building plans. **TIMING:** The Owner/Applicant shall re-vegetate graded areas upon completion of grading activities. **MONITORING:** The Owner/Applicant shall demonstrate compliance to grading and building inspectors in the field.

**61.** **WatConv-04 Equipment Storage-Construction**. The Owner/Applicant shall designate a construction equipment filling and storage area(s) within the designated Residential Development Envelope to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches,

creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, water body or sensitive biological resources. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all land use, grading, and building and safety plans. **TIMING**: The Owner/Applicant shall install the area prior to commencement of construction. **MONITORING**: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

**62.** **WatConv-05 Equipment Washout-Construction.** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site daily. The area shall be located at least 100 feet from any storm drain, water body or sensitive biological resources. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all land use, grading, and building permit plans. **TIMING:** The Owner/Applicant shall install the area prior to commencement of construction. **MONITORING**: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

**63.** **Special Condition - Aest-04 BAR Required.** The applicant/owner shall obtain Board of Architectural Review (BAR) approval for all future development located within the RDE's on lots 1, 2, and 3. Future development located within the RDEs on lots 4-13 may be subject to BAR review in accordance with Santa Barbara County Land Use and Development Code requirements. Future agricultural development (e.g. barns, agricultural employee dwellings) located outside of the RDEs on lots 1-13 may be subject to BAR review in accordance with the Santa Barbara County Land Use and Development Code requirements. All project elements (e.g., design, scale, character, colors, materials and lighting plan) shall be compatible with vicinity development. **TIMING:** The applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to Land Use Clearance. Grading plans, if required, shall be submitted to P&D concurrent with or prior to BAR plan filing.

**MONITORING:** The applicant shall demonstrate to P&D compliance monitoring staff that the project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.

**64.** **Aest-10 Lighting.** The Owner/Applicant shall ensure any exterior night lighting installed on the project site is dark sky compliant. All lighting shall be of low intensity, low glare design, minimum height, and shall be fully hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. The Owner/Applicant shall install timers or otherwise ensure lights are dimmed after 10 p.m. **PLAN REQUIREMENTS**: The Owner/Applicant shall develop a Lighting Plan for BAR approval incorporating these requirements and showing locations and height of all exterior lighting fixtures with arrows showing the direction of light being cast by each fixture. **TIMING**: Lighting

shall be installed in compliance with this measure prior to Final Building Inspection Clearance. **MONITORING:** P&D and/or BAR shall review a Lighting Plan for compliance with this measure prior to approval of a Land Use Permit for structures. P&D Permit Compliance staff shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan.

Santa Barbara County
Air Pollution Control District

December 8, 2015

John Zorovich
Santa Barbara County
Planning and Development
624 W. Foster Road
Santa Maria, CA 93455

**Re: APCD Suggested Conditions on Rancho La Laguna Tentative Tract Map, 06TRM-00000-00002**

Dear Mr. Zorovich:

The Air Pollution Control District (APCD) has reviewed the referenced project, which consists of the subdivision of an existing 3,951-acre property into 13 lots ranging in size from 160 acres to 605 acres. Each lot would have a residential development envelope (RDE), within which all future residential development would be confined, including all residential accessory development. Agricultural structures, including agricultural worker dwellings, would be located outside the RDEs. The subject property, a 3,951-acre parcel zoned AG-II-100 and identified in the Assessor Parcel Map Book as APN 133-080-026, 133-080-036, and a portion of 133-080-037, is located at the intersection of Alisos Canyon Road and Foxen Canyon Road in an unincorporated rural area in northern Santa Barbara County.

Air Pollution Control District staff offers the following suggested conditions on future development of the proposed lots within the proposed Tentative Tract Map, as they are applicable:

1. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to issuance of grading/building permit issuance.

2. The State of California considers particulate matter emitted by diesel engines carcinogenic. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of particulate matter from diesel equipment as well as of ozone precursors.

3. Prior to building permit issuance, **APCD Authority to Construct permits** must be obtained for all equipment that requires an APCD permit. Proof of receipt of the required APCD permits shall be submitted by the applicant to planning staff. APCD Authority to Construct permits are required for diesel engines rated at 50 bhp and greater (e.g., firewater pumps and emergency standby generators) and boilers/large water heaters whose combined heat input rating exceeds 2.0 million BTUs per hour.

4. All portable diesel-fired construction engines rated at 50 bhp or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to grading/building permit issuance. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.

5. Spark ignition piston-type internal combustion engines (e.g., gasoline or propane-fired) used exclusively for emergency electrical power generation or emergency pumping of water for flood control or firefighting are exempt from permit requirements pursuant to APCD Rule 202, Section F.1.d., provided the engine operates no more than 200 hours per calendar year and a record is maintained and is available to the District upon request. The record shall list the identification number of the equipment, the number of operating hours on each day the engine is operated and the cumulative total hours.

6. All agricultural diesel engines rated at 50 brake-horsepower or greater must be registered with the APCD. Please refer to APCD's website at www.ourair.org/ag-diesel-registration/ for additional information.

7. Advisory: The applicant should determine whether any structure(s) proposed for demolition or renovation contains asbestos that is friable or has the potential to become friable during demolition or disposal. If any structure does contain friable asbestos, the asbestos should be removed by a contractor that is state certified for asbestos removal. For additional information regarding asbestos in construction, please refer to APCD's website at www.ourair.org/asbestos/.

8. Prior to building permit issuance, the proposed winery shall apply for, and obtain, either **written permit exemptions or Authority to Construct permits** from the APCD for winery-related equipment (fermentation and storage tanks, emergency/standby generators, fire water pumps and boilers) as required by APCD Rules and Regulations. The application forms can be downloaded from www.ourair.org/wineries/. Proof of receipt of the required APCD permit or permit exemption shall be submitted by the applicant to planning staff. *The APCD permit process can take several months. To avoid delay, the applicant is encouraged to submit their Authority to Construct permit application to the APCD as soon as possible.*

9. Natural gas-fired fan-type central furnaces with a rated heat input capacity of less than 175,000 Btu/hr and water heaters rated below 75,000 Btu/hr must comply with the emission limits and certification requirements of APCD Rule 352. Please see www.ourair.org/wp-content/uploads/rule352.pdf for more information.

10. Small boilers and water heating units (rated between 75,000 and 2.0 million Btu/hr) must comply with the emission limits and certification requirements of APCD Rule 360. Combinations of units totaling 2.0 million Btu/hr or greater are required to obtain a District permit prior to building permit issuance. Please see www.ourair.org/wp-content/uploads/rule360.pdf for more information and a list of certified boilers (note: any units fired on fuel(s) other than natural gas must be certified by the SBCAPCD on a case-by-case basis, even if the unit is certified when fired on natural gas).

11. At a minimum, prior to occupancy, any feasible greenhouse gas reduction measures from the following sector-based list should be applied to the project:
    - Energy use (energy efficiency, low carbon fuels, renewable energy)
    - Water conservation (improved practices and equipment, landscaping)
    - Waste reduction (material re-use/recycling, composting, waste diversion/minimization)
    - Architectural features (green building practices, cool roofs)

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

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

Sincerely,

Krista Nightingale,
Air Quality Specialist
Technology and Environmental Assessment Division

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

cc: Susan F. Petrovich, Brownstein Hyatt Farber Schreck
TEA Chron File

Santa Barbara County
Air Pollution Control District

## ATTACHMENT A
### FUGITIVE DUST CONTROL MEASURES

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

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.

- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.

- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.

- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.

- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.

- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure:

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

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

Santa Barbara County
Air Pollution Control District

ATTACHMENT B
DIESEL PARTICULATE AND $NO_x$ EMISSION MEASURES

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

The following measures are required by state law:

- All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.

- Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.

- All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.

The following measures are recommended:

- Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.

- Diesel powered equipment should be replaced by electric equipment whenever feasible.

- If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.

- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.

- All construction equipment shall be maintained in tune per the manufacturer's specifications.

- The engine size of construction equipment shall be the minimum practical size.

- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.

- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

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

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

# MEMORANDUM

DATE: January 12, 2017

TO: Dana Eady
Planning and Development
Santa Maria

FROM: Glenn Fidler, Captain
Fire Department

SUBJECT: APN: 133-080-036/-026/-037 Permit: 06TRM-00002, TRM 14,709
Site: 10550 Foxen Canyon Road, Santa Ynez
Project: 13 Lot Subdivision, Tentative Tract Map, Rancho Laguna

***This Condition Memorandum Supersedes the Previous Condition Memorandum Dated July 22, 2009***

---

The above project is located within the jurisdiction of the Santa Barbara County Fire Department.

## THE FOLLOWING CONDITIONS ARE FOR THE TRACT MAP

The Fire Prevention Division must be notified of any changes to the project proposal. A change in the project description may cause modifications to these conditions.

## PRIOR TO MAP RECORDATION
## THE FOLLOWING CONDITIONS MUST BE MET

1. All access ways to all buildable envelopes shall be installed and made serviceable or bonded for.
   - Access shall be as shown on plans received July 2, 2009.
   - Roads and driveways shall be designed and maintained to support the imposed loads of fire apparatuses at time of installation and shall be provided with a surface as to provide all-weather driving capabilities.
   - Road and driveways shall be capable of supporting a 75,000 pound vehicle per the California Code of Regulation, Title 14.
   - Surface shall be all-weather or paved.
   - All portions of the access exceeding 10 percent in slope shall be paved.
   - All portions of the access exceeding 15 percent in slope shall be engineered concrete.
   - Maximum allowable grade for access way shall not exceed 20 percent in slope.
   - Access ways shall be unobstructed and extended to within 150 feet of all portions of the exterior walls of the first story of any existing building.
   - Dead-end access exceeding 150 feet shall terminate with a Fire Department approved turnaround.
   - A minimum of 15 feet of vertical clearance shall be provided and maintained for the life of the project for emergency apparatus access.

- Access plans shall require civil engineering design and installation certification.
- Reference Santa Barbara County Fire Department Development Standard #1.*

2. Bridges are required for this project. Bridges shall conform to the following standards.
   - Bridges shall be installed and made serviceable or bonded for.
   - Bridges shall have a minimum rated load-bearing capacity equal to the access ways.
   - Bridge width shall be equal to approved access width.
   - Plans shall be certified and stamped by a civil engineer as meeting all applicable standards for load baring capacity and construction.
   - Bridge plans shall be approved by the Fire Department prior to installation.
   - Both ends of bridge shall have signage indicating load-bearing capacity.
   - Lettering and numbers shall be a minimum height of three inches, reflective, and a color contrasting to the background color.
   - Signage shall be elevated at least three feet from the ground and shall be visible from the access road when traveling in either direction.
   - Bridge railings shall not exceed three feet in height.
   - Reference Santa Barbara County Fire Department Development Standard #1.
   - All other aspects of bridge construction, including certification, shall conform to standards set forth by the Santa Barbara County Public Works Department, Road Division.
3. A road name will be required for this project
4. Forty foot (40') easements shall be properly shown for each buildable envelope.

These conditions apply to the project as currently described. Future changes, including, but not limited to further division, change or occupancy, intensification of use, or increase in hazard classification, may require additional mitigation to comply with applicable development standards in effect at the time of change

## ADVISORY

5. Proposed lot 6 shall retain the address 10550 Foxen Canyon Road.

## THE FOLLOWING CONDITIONS FOR FUTURE DEVELOPMENT ARE ADVISORY AT THIS TIME

We submit the following with the understanding that the Fire Protection Certificate application(s) may involve modifications, which may determine additional conditions.

## PRIOR TO BUILDING PERMIT ISSUANCE THE FOLLOWING CONDITIONS MUST BE MET

6. A Fire Protection Certificate shall be required for each structure.
7. Recorded addressing is required by the fire department.

8. Plans for a stored water fire protection system shall be approved by the fire department.
   - Actual water storage quantity shall be determined at time of development
   - If a water system is developed which serves five or more parcels, a mutual water company shall be formed and the fire protection system shall comply with Title 10 of the California Code of Regulations.

9. Access plans shall be approved by the Fire Department.

## PRIOR TO CONSTRUCTION OF THE STRUCTURE(S) THE FOLLOWING CONDITIONS SHALL BE MET

10. All access ways shall be installed, made serviceable and maintained for the life of the project.
    - Fire Department inspection required.
    - Access ways shall require civil engineering design and installation certification.

11. The water fire protection system shall be installed, made serviceable and maintained for the life of the project.
    - Fire Department inspection required.

12. Create a defensible space of 100 feet (or to the property line, whichever is nearer) around the proposed structures and any existing structures on this property.
    - Fire Department inspection required.
    - Reference Santa Barbara County Fire Department Development Standard #6* and Defensible Space Check List.

13. Street sign(s) shall be installed.
    - The private road flag shall be blue with white letters.
    - The public rad flag shall be brown with white letters.
    - Reference Santa Barbara County Engineering Design Standards, Standard Details 6-060.

## PRIOR TO OCCUPANCY CLEARANCE THE FOLLOWING CONDITIONS SHALL BE MET

14. Propane tanks must be installed per current adopted California Fire Code.

15. An automatic fire sprinkler system shall be installed in all structures except exempt U occupancy structures.
    - Fire sprinkler plans shall be approved by the Fire Department prior to installation.
    - Reference Santa Barbara County Fire Department Standard #4.*

16. Access way entrance gates shall conform to Fire Department requirements.

17. When access ways are gated, a Fire Department approved Knox locking system shall be installed. Reference Santa Barbara County Development Standard #7.*

18. The applicant will be required to pay Fire Department Development Impact Mitigation Fees. In accordance with Chapter 15 of the Santa Barbara County Code, the fee shall be computed per square foot of occupied space in each new building.
    - Payment shall be made according to the schedule of fees in place on the date fees are paid.
    - Contact the fire department for current fee information.*

As always, if you have any questions or require further information, please call me at 805-681-5528 or 805-681-5523.

GF:mkb/sss

*Information is posted at sbcfire.com. Select "Planning and Engineering (Development)" under the Doing Business Section. To have information provided, telephone 805-681-5523.

Santa Barbara County Public Works Department
Flood Control ♦ Water Agency ♦ Project Clean Water

01/09/2017

Dana Eady, Planner
County of Santa Barbara
Planning & Development Department
624 W. Foster Rd.
Santa Maria, CA 93455

**Re: 06TRM-00000-00002; Rancho La Laguna Tract Map**
**APN: 133-080-026/036/037; Santa Ynez**

Dear Ms. Eady:

This condition letter supersedes the previously issued letter dated August 15, 2006.

The District has no conditions on the subject project tract map.

The District recommends that prior to the approval of a land use permits for new development on any of the lots created by this tract map shall be subject to the following conditions:

1. General
   a. The applicant shall comply with the Santa Barbara County Flood Control District Standard Conditions of Approval dated January 2011 (http://www.countyofsb.org/uploadedFiles/pwd/Water/Development/StdConditionsJan2011.pdf )
   b. The applicant shall provide a site plan of the proposed development following the guidelines provided in the Standard Conditions of Approval.
2. Design
   a. Projects near a watercourse shall be designed in compliance with the setback requirements described in Chapter 15B of the Santa Barbara County Code.
   b. The applicants for projects within these three existing parcels shall submit all improvement plans, grading plans, drainage plans, drainage studies, and landscape plans for each project to the District for review and approval.
   c. For Projects within the FEMA marked Special Flood Hazard Area
      i. A narrow strip of zone A is marked over two existing parcels.
      ii. A Base Flood Elevation (BFE) must be established by the applicant and approved by the District for projects within Zone A.



Naomi Schwartz Building
Scott D. McGolpin
Public Works Director
130 E. Victoria Street, Suite 200, Santa Barbara, California 93101
PH: 805 568-3440 FAX: 805 568-3434 http://cosb.countyofsb.org/pwd/water/
Thomas D. Fayram
Deputy Public Works Director

d. The applicant shall sign the Agreement for Payment of Plan Check Fees (attached to the Standard Conditions of Approval) and pay the appropriate plan check fee deposit at the time of the initial submittal of maps, plans and studies.
e. The applicant shall submit to the District electronic drawings in PDF format of the approved grading plans, improvement plans, drainage plans, drainage studies and landscape plans on a compact disc.

3. Prior to Occupancy Clearance
   a. The engineer of record shall submit a Drainage Improvement Certification (attached to the Standard Conditions of Approval).
   b. The applicant shall submit an Elevation Certificate (FEMA Form 81-31) to the District's Floodplain Manager for all structures located in the Special Flood Hazard Area.

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

By: Y. Thierumaran

Yoganathan Thierumaran, P.E.
Development Review Engineer

Community Services Department

George Chapjian, Director, Community Services
Brian Yanez, Deputy Director, Parks Division
Dinah Lockhart, Deputy Director, Housing & Community Development
Ryder Bailey, CPA, Chief Financial Officer, Community Services
Angela Hacker, Division Chief, Division of Energy & Sustainability Initiatives
Sarah York Rubin, Executive Director, Office of Arts & Culture

December 29, 2016

TO: Dana Eady, Planner
Planning & Development

FROM: Claude Garciacelay, Park Planner

RE: **06TRM-002 / TM 14,709 Rancho La Laguna**
**APN**

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

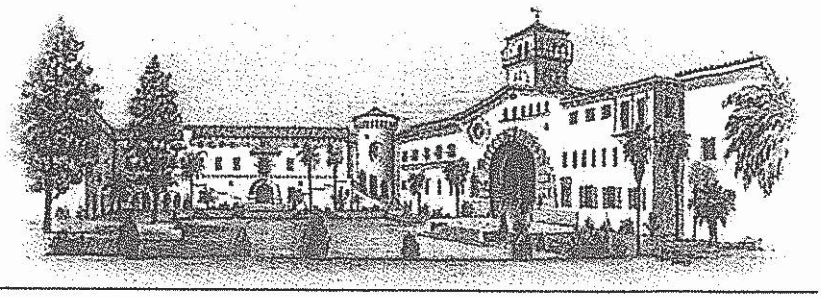
1) Pursuant to the provisions of Santa Barbara County Ordinance 4317 (Quimby Ordinance) and the appurtenant fee resolution for the recreational demand area, the applicant will be required to pay a fee for each generated lot or dwelling unit. The purpose of the fee is to provide park and recreational facilities within the recreational demand area.

Based on the current fee schedule, the total fee for the proposed project would be **$16,627.00** ($1,279 x13 lot(s)/dwelling unit(s)). Fees are due prior to land use clearance for construction on each individual lot. The actual fee shall be based on the fee schedule in effect when payment is made. Fee schedules are subject to adjustment on an annual basis. Please phone this office prior to payment to verify the final fee required. This office will not accept or process a payment prior to project approval by the decision maker.

Fees are payable to the COUNTY OF SANTA BARBARA, and may be paid in person or mailed to: Santa Barbara County Parks Administration, 123 East Anapamu St., 2nd floor, Santa Barbara CA 93101.

C: Agent:
Susan Petrovich
Brownstein Hyatt Farber Schreck LLP
1020 State Street
Santa Barbara CA 93101-2711

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



December 30, 2016

TO: Dana Eady, Planner
Development Review

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

SUBJECT: **Conditions of Approval (7 pages)**
**Rancho La Laguna Tract Map**
**06TRM-00000-00002, TM 14,709**
**APN: 133-080-026, -036, -037**
**10550 Foxen Canyon, Santa Ynez**
**13 New Buildable Single Family Residential Lots**

Notice to Buyer

1. The Owner/Applicant shall record with the FINAL MAP a buyer notification on a separate instrument that reads as follows: ***"IMPORTANT: BUYER NOTIFICATION***: This property, pursuant to Ordinance No. 4270 regarding Transportation Impact Fees, is required to pay a fee for each newly generated peak hour trip (PHT), for the purpose of funding transportation facilities within the County. Transportation development impact mitigation fees (DIMFs) shall be paid to the County Public Works Department-Transportation Division prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st)."

Traffic Mitigation Fees

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

   Based on the current fee schedule, the total estimated fee for the proposed project is **$7,553** (13 potential new single family dwellings x 1 PHT/dwelling x $581/PHT). **Fees are due prior to occupancy clearance and shall be based on the fee schedule in effect when paid.** This office will not accept payment or process a check received prior to project approval.

Fees are payable to the County of Santa Barbara, and may be paid in person or mailed to: Santa Barbara County Transportation Division, 123 E. Anapamu St., 1st Floor, Santa Barbara, CA 93101 or Santa Barbara County Transportation Division North, 620 West Foster Road, Santa Maria, CA 93455. Please phone this office prior to payment if unsure as to the final fee required.

Standard Conditions of Approval

3. **Prior to recordation of the Final Map**, the applicant shall comply with all Standard Conditions for Tentative Tract Map Approval, dated January 1991, as attached or the most current, adopted version available.

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

Sincerely,

William T. Robertson — 12/30/2016

William T. Robertson — Date

cc: 133-080-02, -036, -037, 06TRM-00000-00002
Gary Smart, Traffic Section Manager, County of Santa Barbara, Public Works Department
F:\Group\Transportation\Traffic\Transportation Planning\Development Review\Santa Ynez\Rancho La Laguna Tract Map 06TRM-Cond.doc

# COUNTY OF SANTA BARBARA

# DEPARTMENT OF PUBLIC WORKS

## Standard Conditions for Tentative Tract Map Approval

1. Construction of all improvements required by the Public Works Department in the approval of the Tentative Map shall be in accordance with County Subdivision Ordinance No. 1722, the Geometric Design Standards contained in the Engineering Design Standards Manual, the applicable portions of the California Department of Transportation Standard Specifications of current date and the Standard Detail contained in Appendix 4 of the Engineering Design Standards Manual.

2. Design of all improvements to be constructed as part of this development shall be performed by a Civil Engineer registered in the State of California. Specifications and plan and profile drawings, completed in accordance with Department of Public Works Standards shall be submitted to the Public Works Department and appropriate officials of other departments for their approval, and all bonds and fees shall be posted prior to recordation of the final development map.

3. Prior to recordation of the Final Map and start of any construction, the Developer shall designate to the Department of Public Works the road or roads he intends for construction access to the development to the extent to which subject roads will be used as haul roads. The Public Works Department may, at its option, designate an alternate off-site access or may require a security for the repair or reconstruction in the event subject road is damaged by construction traffic.

4. The Structural road section for all proposed public roads shall consist of the following:

   Aggregate Base conforming to the provisions in Section 26, "Aggregate Bases", of the Standard Specifications shall be placed with a minimum thickness of 0.50 feet on all public roads. The actual thickness of the aggregate base shall be determined by "R" Values from Test Method 301- F, California Department of Transportation Specifications. When the Traffic Index is less than 5.5 the minimum section will be 0.2 feet of A.C. and 0.5 feet of A.B. When the Traffic Index is 5.5 or greater, the minimum section will be 0.3 feet A.C. and 0.5 feet Class II Base.

5. All underground utilities shall be extended to development boundaries and laterals stubbed out to the property lines clear of zone at each lot before the placement of concrete surfacing. Prior to release of the Road Improvement Security and acceptance of the roads within the development, it will be necessary for the Developer to have each utility company certify in writing that the above has been accomplished.

6. Prior to release of the Road Improvement Security, the Registered Civil Engineer or Licensed Land Surveyor who performed the construction staking for the development shall certify in writing, that all curbs, gutters, storm drains, and other related street work have been staked in the field accordance with the plan and profile drawings by the Director of Public Works.

7. Prior to approval of plan and profile drawings by the Department of Public Works, the Developer shall post Sureties and provide inspection fees in amounts to be determined by the Department of Public Works to insure required improvements within the road right of way

8. Hydraulic studies indicating drainage flows to be anticipated from the entire watershed within which the development is located shall be submitted to the Public Works Department and Flood Control Engineer for review and approval. Detailed hydraulic studies of storm water run-off to be carried in each gutter of each street shall be submitted by the Developer's Engineer for approval by the Public Works Department. The amount of storm water runoff to be carried in a street section shall be computed on the basis of a 10 year frequency storm. Special drainage facilities will be required when the capacity of the street section has been reached. The drainage facility design shall be prepared in conformance with Section 13 and Appendix 12 of the Engineering Design Standards Manual, and submitted for approval by the Department of Public Works and Flood Control Engineer. Design criteria for underground drainage facilities will be based on a minimum storm frequency of 25 years. Actual design frequency will be determined by the Department of Public Works or the Flood Control Engineer.

9. Developer shall furnish and install any required road name signs, traffic control signs. *And striping* to County standards. *All traffic control signs shall be installed after roads are paved and prior to being opened up to traffic, including construction traffic.*

10. All off-tract drainage and flood control facilities and installations shall be installed and completed prior to grading of subject development.

11. Developer shall offer for dedication as easement to the County, at no cost to the County, all road rights of way shown within the boundaries of subject development map, except roads proposed to be private roads. All read rights of way offered for dedication to the County shall be free and clear of any easements prior to recordation of the Final Map, unless approved otherwise by the Department of Public Works.

12. A denied access strip one foot wide shall be offered for dedication in fee to the County as a separate parcel of land, not part of the road right of way, and standard Public Works Department road barricades constructed across the end of all public roads extending to the tract boundaries of any unit of the tract, except where they are extensions of existing improved public roads.

13. Prior to approval of plan and profile drawings by the Public Works Department, the following utilities shall be shown on the plans and approved by an authorized representative of the utility:

    1. Sewer System
    2. Water Distribution System
    3. Gas Distribution System
    4. Storm Drains required by Flood Control

    Additionally, a preliminary plan showing underground electrical, telephone and Cable T.V. service shall be submitted by each agency.

14. All plan and profile drawings presented to the Public Works Department for approval shall be in conformance with the requirements of the Engineering Design Standards Manual. All road widths shall be as specified in this Manual. Roadway classifications are as specified in the Circulation Element of the General Plan.

15. Water for compaction and dust control shall be made available within the boundaries of the development prior to starting any earth moving operations other than necessary for the installation of subject water source. Applicant shall provide a water availability letter from the appropriate water supply agency.

16. Prior to start of any earth moving or improvements within the development the Developer shall obtain a Road Excavation ad Encroachment Permit from the Public Works Department as required by Board of Supervisors Ordinance No. 1491, dated November 26, 1963, and/or shall obtain a County Grading Permit per Santa Barbara County Ordinance No. 1795 dated May 20, 1967.

17. The program for reconstruction of any existing County road being used by public traffic shall be presented in writing to the Public Works Department a minimum of 4 working days ahead of the proposed starting date. The Progress Schedule of proposed work shall be approved prior to start of construction. After construction on any existing County road commences, the project shall be pursued continuously to completion. Any delay will provide good cause for issuance of a stop order on all other portions of the development.

18. The following utilities and services, both existing and proposed, shall be installed underground in the roads pursuant to Resolution No. 24416 and connected to each dwelling unit where housed are built, or stubbed out to each lot where lots only are sold: Gas, Water, Cable T.V., Telephone, Sanitary Sewer and Electrical Power.

19. After Sign-off by the Public Works Department Inspector, and prior to release of final security, the Developer's Engineer shall add "Record Drawing" information to the original tracings in red or orange ink and sign them as "RECORD DRAWING".

20. *On any proposed streets where curbs, gutters and sidewalks are required, the sidewalks shall have a total distance from curb face to back of sidewalk as prescribed in the Standard Details contained in Appendix 3 and 4 of the Engineering Design Standards Manual. Existing streetlights or fire hydrants within the sidewalk area shall be relocated behind the sidewalk, and any proposed streetlights or fire hydrants placed behind the sidewalk.*

21. Any double frontage lot (lots having a street both front and rear) shall have denied access to the rear street.

22. Concrete masonry block walls, if required by the Resource Management Department shall be constructed to the design and standards of the Building and Safety Division of the Public Works Department. Walls adjacent to road rights of way shall be shown on the Department of Public Works plan and profile drawings. A Building Permit may be required for such walls.

23. Developer shall comply with the Department of Public Works policy relating to Subdivision Street Trees and Utility Service Laterals on all subdivision streets.

24. Chain link fences, if required by the Resource Management Department of Flood Control, shall be constructed to Cal Trans Standard Plans. Subject fences shall be shown on the Department of Public Works plan and profile drawings if adjacent to County road rights of way.

25. Developer shall post Security and provide plan-checking fees in amounts to be determined by the Public Works Department to insure proper construction of all private streets within the development. Security will be released upon certification of a Civil Engineer registered in the State of California that subject streets have been constructed to approved standards.

26. Occupancy of any building within the development will be denied until all street improvements and drainage facilities are completed.

27. The developer's engineer *of record, as specified in these conditions,* shall certify to the Public Works Department *prior to release of any securities* that all private streets within the subject development are constructed according to approved plans prior to occupancy of any dwelling unit within the tract, *and that all rough grading has been completed in substantial conformance with the tract grading plan.*

28. Upon completion of construction and prior to occupancy, the entire road right o way abutting this project will be cleaned to allow Public Works Department Inspectors to check for damage to curbs, gutters, or sidewalks caused by construction traffic. Any damage will e repaired by the Developer prior to occupancy.

29. The Developer shall comply with the current Bikeway Element of the General Plan as to the dedication and construction of bikeways.

30. All roads shall be kept clear of mud *and/or other construction debris* during construction.

31. The Developer will be responsible for and fees required for materials retesting.

32. The Developer may be required by the Public Works Department to overlay *or chip seal a road, as determined by the Public Works Department,* after construction work has been completed if it is determined by the County that local patching is insufficient to mitigate project related construction and utility trenching damage.

33. Subdivider shall submit a Grading Plan acceptable to the Public Works Department for all streets and building pads prior to submitting the Final Map for approval. The Grading Plan shall show all lots draining to the street on which they front unless otherwise approved by the Public Works Department. The Grading Plan shall also show method and degree of compaction and proposed method of stabilizing exposed slopes. Subdivider shall plant and maintain all cut and fill slopes and maintenance shall be continued until the lot is occupied.

34. A preliminary Soils Report of the area, prepared by a Civil Engineer experienced in soil mechanics and slope stability, and registered in the State of California, will be required prior to the issuance of Grading Permits. The report shall include data regarding the distribution, stability and expansive nature of existing souls and conclusions and recommendations fro grading procedures and design criteria for corrective measures.

35. All grading shall comply with the provisions of County Grading Ordinance No. 1795, and to Public Works Department standards.

36. Grading shall be designed so that natural drainage from off-tract property is not obstructed.

37. Provision shall be made to prevent off-tract drainage from being received by lots. Tract drainage shall not be drained to a public street gutter that does not have storm drainage inlets and where the tract drainage could, after being carried along the road gutter for some distance, be dumped into another tract.

38. No grading can be done prior to Final Map recordation except in compliance with County Code Chapter 21-8-C4.

39. All underground utility trench backfills on private property and in private roads shall be compacted and tested to a minimum of 90%, or to the satisfaction of the Public Works Director. Compaction test reports shall be submitted before and grading is finalized.

40. The Subdivider shall furnish one copy of the Final Tract Map to the Public Works Department prior to approval.

41. All debris, liter, and other construction waste generated by this development shall be removed from the site or adjacent property. Occupancy clearance of any building will be denied until debris removal is acceptable to the Public Works

42. Since certain areas of Santa Barbara County are prone to accelerated seasonal erosion by either wind or water, and acceptable Erosion Control Plan, with timing, may be required with the project Grading Plan.

43. Any tract which is to be graded out (mass graded) and developed as a Phased Build-Out will require a detailed engineered Erosion Control Plan which will apply to all graded areas which are not built out. This plan shall be maintained until the respective tract phases are built out. *This condition shall also apply to Lot Sale Subdivisions.*

44. *On lot sale subdivisions, no building permits shall be issued for any lot until all required utilities, rough grading, drainage facilities, and street improvements have been completed, unless otherwise approved by the Director of Public Works. This condition must be shown on the Final Map, along with the time allowed by the Subdividers Contract for the developer to complete said improvements.*

45. *Prior to issuance of any road construction and/or grading permits, the applicant shall verify to the Department of Public Works, in writing, that a registered civil engineer has been retained to act as the Engineer of Record during construction and testing operations. This engineer shall be responsible for any and all observation during construction, which he deems necessary to certify those aspects of construction requiring certification pursuant to these conditions. Where possible, the engineer whose signature and stamp appear on the tract plans should be retained as the Engineer of Record.*

46. *Regardless of all review and/or acceptance of tract plans, specifications, calculations, and reports by Public Works or other County departments, the registered civil engineer whose signature and stamp appear on the tract grading and road improvement plans is responsible for the accuracy and integrity of the design and base information relating to the plans and calculations. Design conflicts which arise during construction may result in work being stopped until discrepancies are resolved.*

COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT
123 East Anapamu Street
Santa Barbara, CA 93101
805\568-3000 FAX 805\568-3019

SCOTT D. MCGOLPIN
Director

December 22, 2016

County Subdivision Committee
123 East Anapamu Street
Santa Barbara, CA 93101

**RE:** Tentative Tract Map No. 14,709 (06TRM-00000-00002)
Rancho La Laguna

**Owner:** Charles V. roven
Rancho La Laguna LLC
9200 Sunset Boulevard, 10th Floor
Los Angeles, CA 90069

**Agent:** Patricia "Tish" Beltranena, MNS Engineers
201 Industrial Way,
Buellton, CA 93110

**Requirements of the County Surveyor's Office**

Pursuant to Section 66441 of the State Subdivision Map Act and County Subdivision Regulations Chapter 21, Section 21-9, the Final Tract Map **shall be based upon a field survey** made in conformity with the Professional Land Surveyors Act. Furthermore, property lines **shall be monumented** in accordance with Section 21-16 of said County Code.

LICENSED LAND SURVEYOR
E. TENELL MATLOVSKY
12/22/2016
PLS 8629
STATE OF CALIFORNIA

Very truly yours,
E. Tenell Matlovsky

Deputy for:
Aleksandar Jevremovic
County Surveyor

TI4709_subreview.doc

Santa Barbara County
PUBLIC Health
DEPARTMENT

Environmental Health Services

225 Camino del Remedio • Santa Barbara, CA 93110
805/681-4900 • FAX 805/681-4901

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

Takashi M. Wada, MD, MPH *Director*
Suzanne Jacobson, CPA *Chief Financial Officer*
Susan Klein-Rothschild, MSW *Deputy Director*
Douglas Metz, DPM, MPH *Deputy Director*
Polly Baldwin, MD, MPH *Medical Director*
Charity Dean, MD, MPH *Health Officer*

Lawrence Fay *Director of Environmental Health*

TO: Dana Eady, Planner
Planning & Development Dept.
Development Review Division

From: David Brummond
Environmental Health Services

Date: December 27, 2016

Subject: Case No. 06 TRM 00000-00002 / TM14,709 Los Alamos Area

Applicant: Rancho La Laguna LLC
La Laguna Ranch Company LLC

Assessor's Parcel No. 133-080-026, 133-080-036 – 037

Zoned: AG II-100 Located at 10550 Foxen Canyon Rd.

Case No. 006TRM-00000-00002/TM 14,709 is a request to subdivide 3 existing parcels (133-080-026, 133-080-036 & 133-080-037) into 13 proposed lots. The proposed lots would range from 142 acres to 604 acres in size. Residential development envelopes (RDEs) have been designated on each of the proposed lots.

Domestic water is proposed to be provided by a State Small water system utilizing an existing well that is located on proposed lot 4. Sewage disposal would be provided by private septic systems.

Environmental Health Services (EHS) has been provided soil borings and percolation test results for each of the proposed parcels. Those test results indicate perc rates ranging from extremely fast to essentially impermeable. However, due to the large size of the proposed parcels, it is reasonable to conclude that onsite wastewater treatment systems could be installed on each lot.

EHS has been provided a copy of the Water Well Completion report for the source of potable water for the water system. The well produces an adequate volume of water for the proposed development.

In 2006, when the well was drilled and developed, a laboratory analysis conducted at the time indicates that the water appears to meet all primary (health related) drinking water standards but does not meet all secondary (non health related) standards due to excess concentrations of iron. However, a standard for Chromium 6 has been codified since the initial water analysis. Consequently, the water must be sampled again to determine compliance with all primary standards. In addition, this analysis is ten years old and as a result of the current drought, the water quality may have changed. Consequently, a complete, updated water quality analysis will be necessary.

The applicant has provided EHS with a preliminary engineering report for a single water system to provide domestic water to all 13 parcels. While a State Small Water System is feasible, due to the large size of the parcels involved and the length of the water lines that would be required to serve each parcel, it may not be advisable. While EHS was only provided data for a single well within the project area, the groundwater production rates across the area should be comparable to this well and thus EHS expects that additional, suitable water sources could be developed. Therefore, in lieu of a State Small water system, EHS would permit a private water system for each individual parcel, or multiple parcel water systems that would serve 2 – 4 residences on several parcels.

Provided the Decision Maker grants approval of the applicant's request, Environmental Health Services recommends the following Conditions of Approval:

If the applicant decides to construct a State Small Water System to serve 5 or more of the subsequent residences:

Prior to Recordation, water sources that are not already constructed but are necessary in order to complete a suitable water system design, must be developed in accordance with the provisions of Ch. 34A of the County Code.

Prior to Recordation, A completed application for a Domestic Water Supply Permit shall be reviewed and approved By Environmental Health Services. The application shall include final detailed engineering plans and specifications for the proposed water supply system.

Prior to Issuance of Building Permit, the owner of the proposed water system shall be in possession of a valid Domestic Water Supply Permit pursuant to Ch. 34 B of the County Code and Article 3 of Title 22 California Code of Regulations and the approved water system constructed, installed and fully operational.

Prior to Occupancy, a potability clearance must be obtained from this department stating in writing that the water system is capable of delivering potable water.

If the applicant decides to construct several Multiple Parcel Water Systems that would serve 2-4 subsequent residences on multiple parcels:

Prior to Recordation, water sources that are not already constructed must be developed in accordance with the provisions of Ch. 34A of the County Code.

Prior to Recordation, completed application(s) for multiple parcel water system(s), shall be reviewed and approved by Environmental Health Services. The application(s) shall include detailed engineered plans and specifications as well as surveyed easements and water rights for each of the parcels served by the water system.

Concurrent with Recordation, the applicant shall record easements and water rights for all parcels served by the water system.

Prior to Issuance of Building Permit, the owner(s) of the proposed water system(s) shall be in possession of a valid Multiple Parcel Water System Permit pursuant to Ch. 34B of the County Code.

Prior to Occupancy, the approved water supply system shall be constructed and fully operational.

Prior to Occupancy, Environmental Health Services shall inspect the water system and issue an Occupancy Clearance notice for the water system.

If it is decided to construct a private water system for each proposed parcel:

Prior to Issuance of Building Permit: The owner of each parcel shall submit a completed application for a single parcel water system to Environmental Health Services for review and approval. The application shall be completed in accordance with the provisions in Ch. 34B of the County Code

Prior to Issuance of Building Permit, the owner of each property shall be in possession of a valid Single Parcel Water System Permit pursuant to Ch. 34B of the County Code.

Prior to Occupancy, Environmental Health Services shall inspect the water system and issue an Occupancy Clearance notice for the water system.

Prior to Recordation, the applicant shall provide a copy of the final map to Environmental Health Services.

Prior to Issuance of Building Permit, the owner of each parcel shall submit an application for an Onsite Wastewater Treatment System to Environmental Health Services for review and approval. The application shall be completed in accordance with the provisions of Ch.18C of the County Code.

Prior to Issuance of Building Permit, the owner of each parcel shall be is possession of a valid Onsite Wastewater Treatment System permit pursuant to Ch.18C of the County Code.

Prior to Occupancy Clearance, Environmental Health Services shall inspect and issue an occupancy clearance notice for the onsite wastewater treatment system

David Brummond
Supervising Environmental Health Specialist

cc: Leo Hanly, Charles Roven Applicants
Susan Petrovich, Agent
Massoud Abolhada, Planning and Development Dept., Building and Safety Div.
Alek Jevremovic, Office of the County Surveyor
Deanna Talerico, Environmental Health Services

LU 5269

# ATTACHMENT B.2: Conditions of Approval

**Rancho La Laguna State Small Water System**
**Case No. 16CUP-00000-00030**
**Date: January 25, 2017**

## I. PROJECT DESCRIPTION

**1. Proj Des-01 Project Description.** This Conditional Use Permit is based upon and limited to compliance with the project description, the hearing exhibits marked A-G, dated January 25, 2017, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations.

**The project description is as follows:**

Hearing on the request of Susan Petrovich, attorney/agent for Rancho La Laguna, LLC and La Laguna Ranch Co., LLC, owners for approval of a Minor Conditional Use Permit (Case No. 16CUP-00000-00030) to allow for the installation of a State Small Water System (SSWS) with a maximum of 14 connections. Water for the proposed SSWS would be provided by Well #13 located on proposed lot 12. Two 35,000 gallon fire protection cisterns and approximately 35,430 feet of water distribution pipelines as well as ancillary equipment customarily utilized in water systems (e.g., pumps, valves) would be installed. The utility conduits and water pipelines would be installed underground along existing access roads and driveways, including those that are proposed to provide access to RDEs. Proposed water pipelines would vary in diameter from 6" to 12", depending upon their respective service demands. Each of the cisterns would occupy an approximate are of 900 sq. ft. The water pipelines are required to be buried deep enough to have no less than three feet of cover. The estimated earth disturbance from the pipeline trenching is 10,497 cubic yards and the earth disturbance from the cistern construction is estimated to be 500 cubic yards, for a total estimated earth disturbance for the domestic shared water system of 10,997 cubic yards.

**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.

## II. MITIGATION MEASURES FROM 16-EIR-01

**Aesthetics/Visual Resources**

3. **AES-2. Oak Tree Replanting Within Public Viewsheds.** In addition to the requirements in Mitigation Measure B-4(b), the Tree Replacement Plan shall include a provision requiring that existing oak trees which are visible from public roadways and would need to be removed due to project construction shall be replaced with oak trees in locations that are visible from such roadways. **Plan Requirements and Timing**. The Oak Tree Replacement Plan shall be submitted to P&D for review and approval prior to issuance of grading permits. **Monitoring**. P&D shall oversee implementation of the Oak Tree Protection and Replacement Plan.

**Biological Resources**

4. **B-1(a) Special Status Plant Species Pre- Construction Surveys**. Updated surveys for special status plants shall be completed by a County-approved biologist prior to construction of the access roads, infrastructure and development of the RDEs. The surveys shall be floristic in nature and shall be seasonally-timed to coincide with the target species. All plant surveys shall be conducted by a qualified biologist approved by the County no more than two years prior to initial ground disturbance. All special status plant species identified on-site shall be mapped onto a site-specific aerial photograph and topographic map. Surveys shall be conducted in accordance with the most current protocols established by the CDFW, USFWS, and the local jurisdictions if said protocols exist. A report of the survey results shall be submitted to the implementing agency, and the CDFW and/or USFWS, as appropriate, for review and approval. **Plan Requirements and Timing**. A report of the rare plant survey results shall be submitting to P&D for review prior to issuance of land use permits for RDE development as well as access road and infrastructure construction. Mapped locations of rare plants shall be shown on grading plans. **Monitoring**. P&D shall ensure that the rare plant surveys have been completed. Grading inspectors shall inspect as needed.

5. **B-1(b) Special Status Plant Species Avoidance, Minimization, and Mitigation**. If State listed or California Rare Plant Ranked species are found during special status plant surveys, a species and site-specific evaluation shall be prepared. The evaluation must identify locations and extent of special status plants within the proposed development site, and within the lot. The evaluation shall consider impacts to these plant species in the context of populations at the state, regional, and local (i.e. survey area and immediate vicinity) levels. The report must also evaluate options for minimizing impacts to these plant species on the site. Development on the site shall be designed in coordination with a qualified biologist to avoid impacting these plant species. Rare plant occurrences that are not within the immediate disturbance footprint, but are located within 50 feet of disturbance limits shall have bright orange protective fencing installed at least 30 feet beyond their extent, or other distance as approved by a qualified biologist, to protect them from harm. If State listed species cannot be avoided, authorization for impacts must be obtained from CDFW, and all impacts shall be mitigated at a minimum ratio of 2:1 (number of acres/individuals restored to number of acres/individuals impacted) for each species as a component of habitat restoration.

If non-listed special status plants species cannot be avoided, impacts shall be mitigated for all impacts that could cause the regional population of any of these species to drop below self-sustaining levels, threaten to eliminate any plant community of which the species is a key part, or substantially reduce the number of occurrences or individuals or restrict the range of that species. The threshold for impacts above which mitigation must be implemented shall be impacts that remove over 10 percent of the local (onsite and immediate vicinity) population of any CRPR 1B species, or impacts more than 30 percent of the local (onsite and immediate vicinity) population of any CRPR 3 or 4 species that forms a unique vegetation type, is present in unusually large numbers, with implications for status of the species throughout its range, or is otherwise designated as locally rare. Impacts shall be mitigated at a minimum ratio of 1:1 (number of acres/individuals restored to number of acres/individuals impacted) for each species as a component of habitat restoration. A restoration plan shall be prepared and submitted to the County for approval. (Note: if a state listed plant species will be impacted, the restoration plan shall also be submitted to the CDFW for approval). The restoration plan shall include, at a minimum, the following components:

- Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type);
- Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved];
- Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values);
- Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan [including species to be used, container sizes, seeding rates, etc.]);
- Maintenance activities during the monitoring period, including weed removal and irrigation as appropriate (activities, responsible parties, schedule);
- Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports);
- Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation type for restoration plans that include establishment of a specific vegetation alliance, and minimum survival of two individuals /two acres occupied at the same density as baseline for each one individual or one acre of impacted CRPR 1B species, and minimum survival of one individual/one acre occupied at the same density for each individual or acre impacted for CRPR 3 and 4 species. Options for individuals or acreage are allowed because establishment of annual plants is often evaluated based on cover and density. Additionally, in no case shall density and cover of non-native species exceed baseline condition evaluated at the impact site prior to disturbance;

- An adaptive management program and remedial measures to address any shortcomings in meeting success criteria;
- Notification of completion of compensatory mitigation and agency confirmation; and
- Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).

**Plan Requirements and Timing**. Prior to approval of land use permits for the construction of access roads, infrastructure improvements and development within the RDEs, the applicant shall submit the results of the survey to P&D for review and approval. P&D shall inspect the site prior to initiation of ground disturbance activities to ensure the protective fencing is installed properly. If special status plants cannot be avoided, the applicant shall submit the restoration and monitoring plan to P&D for review and approval prior to approval of land use permits for development within the RDEs as well as access road and infrastructure construction. **Monitoring.** The protective fencing shall be monitored by P&D staff until construction is complete. P&D staff shall ensure that the proposed development avoids impacts to rare plant species or impacts are mitigated for per the requirements of this measure.

6. **B-1 (c) USFWS/CDFW Consultation**. Prior to approval of land use permits for the construction of access roads, infrastructure improvements and development within the RDEs, the applicant shall consult with USFWS and CDFW regarding potential impacts to CRLF, LBV, and CTS. The applicant shall obtain all necessary permits and approvals and shall implement measures as required by these permits and approvals. **Plan Requirements and Timing**. The applicant shall submit copies of correspondence and/or permits (as applicable) with applicable agencies to P&D prior to approval of land use permits for the construction of access roads, infrastructure improvements and development within the RDEs. **Monitoring**. P&D staff shall ensure that prior to land use permit-approval, the applicant has contacted USFWS and CDFW.

7. **B-1(d) California Tiger Salamander (CTS) and California Red-legged Frog (CRLF) Protocol Surveys**. Prior to approval of land use permits for the construction of the access roads, infrastructure improvements, and development within the RDEs, surveys for CTS disturbance areas located within the distribution area of CTS (USFWS, 2010) and are within 1.24 miles of potential ponds shall be conducted. In addition, surveys shall be conducted within disturbance areas containing suitable aquatic habitat for the CRLF (e.g., Foxen Canyon/Jesus Canyon drainage). Surveys shall consist of aquatic and/or upland sampling as appropriate and in consultation with the USFWS and/or CDFW. Surveys shall follow the Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander (USFWS, 2003) and Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog (USFWS, 2005) or the current protocol established by the USFWS and CDFW at the time surveys are conducted. If CTS and/or CRLF are detected, mitigation measure B-1(e) would apply. If protocol surveys result in negative findings, mitigation measures B-1(e) and B-1(f) would not apply. Currently, the CRLF and CTS protocols listed above do

not specify time periods in which results would remain valid. In the event that protocol surveys have already been completed and may apply to a parcel proposed for development, the project applicant shall consult with the USFWS and/or CDFW to determine whether a new protocol survey is required.

Alternatively, in lieu of conducting protocol surveys, the applicant may choose to assume CTS are present within disturbance areas located within the distribution of CTS in Santa Barbara (USFWS, 2010) and are within 1.24 miles of potential ponds and containing suitable habitat. The applicant may also choose to assume CRLF are present within disturbance areas containing suitable habitat (e.g., Foxen Canyon/Jesus Canyon drainage). If protocol surveys are not conducted and presence assumed based on suitable habitat, mitigation measure B-1(e) would apply. If protocol surveys for CTS & CRLF result in negative findings for the presence of the species, this mitigation measure, as it pertains to CTS & CRLF, shall not apply.

**Plan Requirements and Timing**. The applicant shall submit the results of the protocol surveys or a memorandum indicating that the applicant chooses to assume presence for each species based on suitable habitat prior to approval of land use permits for the construction of access roads, infrastructure improvements, and development within the RDEs. **Monitoring**. P&D staff shall ensure that documentation is received prior to approval of land use permits and shall oversee implementation of mitigation plans.

8. **B-1(e) California Tiger Salamander (CTS) and California Red-legged Frog (CRLF) Habitat Avoidance and Compensatory Mitigation**. If CTS or CRLF occupied or presumed occupied habitat would be impacted by the project, the applicant shall re-design development in coordination with a County-approved qualified biologist to avoid impacting occupied habitat. Disturbance limits shall have bright orange protective fencing installed at least 50 feet beyond their extent, or other distance as approved by a County-approved biologist, to protect occupied habitat. If occupied or presumed occupied habitat cannot be avoided, the applicant shall provide the County total acreages for habitat that would be impacted prior to the approval of land use permits for the construction of access roads, infrastructure improvements, and development within the RDEs. The applicant shall purchase credits at a USFWS and CDFW approved conservation bank (There is currently one CDFW-approved bank for CTS with a service area that includes the project site, La Purisima Conservation Bank) and/or establish conservation easements or funds for acquisition of conservation easements as compensatory mitigation to offset impacts CTS and CRLF habitat.

   The compensatory mitigation shall incorporate the conditions specified in incidental take permits that could be issued by CDFW and USFWS for this project, but shall meet the minimum standards specified in this measure. Compensatory mitigation shall be provided at a ratio of not less than 2:1 (area mitigated: area impacted). Compensatory mitigation may be combined/nested with special status plant species and sensitive community restoration where applicable.

If the applicant establishes conservation easement(s) (on- and/or off-site) to serve as compensatory mitigation for CTS and CRLF impacts, areas proposed for preservation must contain verified extant populations of the special status species that would be impacted by the project. Compensatory mitigation areas shall have a restrictive covenant prohibiting future development/disturbance and shall be managed in perpetuity to encourage persistence and enhancement of the preserved target species. Compensatory mitigation lands cannot be located on land that is currently held publicly for resource protection. The compensatory mitigation areas shall be managed by a conservation lands management entity or other qualified easement holder.

The CDFW and organizations approved by CDFW that meet the criteria below may be considered qualified easement holders for those species for which the CDFW has regulatory authority. To qualify as a "qualified easement holder" a private land trust must at a minimum have:

1. Substantial experience managing conservation easements that are created to meet mitigation requirements for impacts to special-status species;
2. Adopted the Land Trust Alliance's Standards and Practices; and;
3. A stewardship endowment fund to pay for its perpetual stewardship obligations.

Other specific conditions for qualified easement holders may be outlined in incidental take permits that could be issued by CDFW and USFWS for this project. The County shall determine whether a proposed easement holder meets these requirements. The applicant shall also be responsible for donating to the conservation easement holder fees sufficient to cover administrative costs incurred in the creation of the conservation easement (appraisal, documenting baseline conditions, etc.) and funds in the form of a non-wasting endowment to cover the cost of monitoring and enforcing the terms of the conservation easement in perpetuity. The amount of these administrative and stewardship fees shall be determined by the conservation easement holder in consultation with the County.

Conservation easement(s) shall be held in perpetuity by a qualified easement holder (as defined above, and be subject to a legally binding agreement that shall: (1) Be recorded with the County Recorder(s); and (2) Contain a succession clause for a qualified easement holder if the original holder is dissolved.The following factors shall be considered in assessing the quality of potential mitigation habitat: (1) current land use, (2) location (e.g., habitat corridor, part of a large block of existing habitat, adjacency to source populations, proximity to potential sources of disturbance), (3) vegetation composition and structure, (4) slope, (5) soil composition and drainage, and (6) level of occupancy or use by all relevant species.

To meet the requirement that the mitigation habitat is of value equal to, or greater than, the habitat impacted on the project site, the mitigation habitat must be **considered** "suitable habitat" or "enhanced habitat" as described below:

*Suitable Habitat*. To meet the requirements for suitable habitat that provides equal or greater habitat value for listed animal species than the impacted habitat, the habitat must:

1. Provide habitat for special status animal species, such that special status animal species populations can regenerate naturally when disturbances are removed;
2. Not be characterized by (or adjacent to areas characterized by) high densities of invasive species, such as yellow star-thistle, or species that might jeopardize habitat recovery and restoration;
3. Not contain hazardous wastes that cannot be removed to the extent that the site could not provide suitable habitat; and
4. Not be located on land that is currently publicly held for resource protection.

*Enhanced Habitat*. If suitable habitat is unavailable, or in lieu of acquiring already suitable special status animal species habitat, the applicant may enhance potential habitat that:

1. Is within an area with potential to contribute to habitat connectivity and build linkages between populations;
2. Consists of actively farmed land or other land containing degraded habitat that will support enhancement;
3. Supports suitable soils, slope, and drainage patterns consistent with special status animal species requirements;
4. Cannot be located on land that is currently held publicly for resource protection; and
5. Does not contain hazardous wastes or structures that cannot be removed to the extent that the site could not provide suitable habitat.

*Enhanced Habitat Standards*. For enhanced habitat conditions to equal or exceed habitat conditions on the project site, the enhanced habitat shall meet the following habitat criteria. After five years, these sites must consist of suitable habitat or contain other habitat characteristics (e.g. small mammal burrows in upland habitat for CTS, etc.) that are consistent with the known ecology of the special status animal species to which compensatory mitigation is being applied. If protocol surveys for CTS & CRLF result in negative findings for the presence of the species, this mitigation measures, as it pertains to CTS & CRLF, shall not apply.

**Plan Requirements and Timing**. The applicant shall calculate the total acreages required to meet all compensatory mitigation obligations and submit these totals to County P&D prior to approval of land use permits for the construction of access roads, infrastructure improvements, and development within the RDEs. The applicant shall then obtain County approval of the conservation bank and/or location of mitigation lands, the holder of conservation easements, and the restrictions contained in the easement(s) created for the permanent protection of these lands. Documentation of purchase of mitigation credits and/or recorded easement(s) shall be submitted to and approved by the County prior to the issuance of a land use permit. Verification of having met habitat mitigation requirements shall be reviewed and approved prior to final inspection. **Monitoring**: P&D shall review and approve documentation of compensatory mitigation

land acquisition and associated restrictive covenant for consistency with conditions outlined in the measure. These lands may be identified through independent consultation with CDFW and/or USFWS. The applicant shall provide evidence to P&D of (a) conservation bank credits, or (b) establishment of a permanent conservation easement and maintenance endowment.

9. **B-1(f) Listed Species Habitat Mitigation and Monitoring Plan (HMMP)**. If protocol surveys for CTS & CRLF result in negative findings for the presence of the species, this mitigation measure, as it pertains to CTS & CRLF, shall not apply. If establishment of conservation easements (on- and/or off-site) pursuant to Mitigation Measure B-1(d) is required, the applicant shall retain a County-approved biologist to prepare a Habitat Mitigation and Monitoring Plan (HMMP) to ensure the success of compensatory mitigation sites required for compensation of permanent impacts to CTS and CRLF that are to be enhanced. If required, the HMMP shall be submitted to the County within 12 months after the approval of the land use permit. The HMMP shall include, at a minimum, the following information:

- A summary of habitat and species impacts and the proposed mitigation for each element;
- A description of the location and boundaries of the mitigation site(s) and description of existing site conditions;
- A description of any measures to be undertaken to enhance (e.g., through focused management) the mitigation site for special status species;
- Identification of an adequate funding mechanism for long-term management and identification of a conservation lands management entity to manage the conservation easement lands;
- A description of management and maintenance measures intended to maintain and enhance habitat for the target species (e.g., weed control, fencing maintenance);
- A description of habitat and species monitoring measures on the mitigation site, including specific, objective performance criteria, monitoring methods, data analysis, reporting requirements, monitoring schedule, etc.; monitoring shall document compliance with each element requiring habitat compensation or management;
- A contingency plan for mitigation elements that do not meet performance or final success criteria within described periods; the plan shall include specific triggers for remediation if performance criteria are not met and a description of the process by which remediation of problems with the mitigation site (e.g., presence of noxious weeds) shall occur;
- A requirement that the applicant shall be responsible for monitoring, as specified in the HMMP, for at least five years post-construction; during this period, regular reporting shall be provided to the County;
- Reporting shall include:
  c. An annual monitoring report to be submitted to the County and applicable agencies; and

d. Demonstration that the compensatory mitigation and management (1) will fully mitigate for any take of a CESA-listed species as defined by CESA, (2) minimize and mitigate any take of an FESA-listed species to the maximum extent practicable as defined by FESA, and (3) ensure that impacts from the project are not likely to jeopardize the listed species continued existence as defined by FESA.

**Plan Requirements and Timing**. The HMMP shall be submitted to P&D for review and approval prior to issuance of land use permits. If habitat restoration is to take place off-site, the above requirements shall also apply, and, in addition, proof of purchase or an easement controlling off-site acreage shall also be submitted to P&D prior to issuance of land use permits. **Monitoring**. The restoration shall be monitored by a County-approved biologist for five years. P&D shall oversee implementation of the HMMP through periodic monitoring and a final restoration site inspection upon completion.

10. **B-1(g) California Tiger Salamander (CTS) and California Red-legged Frog (CRLF) Avoidance and Minimization**. If protocol surveys for CTS & CRLF result in negative findings for the presence of the species, this mitigation measure, as it pertains to CTS & CRLF, shall not apply. The following measures shall be implemented during construction of access roads, infrastructure, and development within the RDEs:

- Pre-construction surveys for CTS and CRLF shall be conducted where suitable habitat is present by a county-approved biologist not more than 48 hours prior to the start of construction activities. The survey area should include the proposed disturbance area and all proposed ingress/egress routes, plus a 100 foot buffer. If any life stage of CRLF or CTS is found within the survey area, the USFWS and/or CDFW should be consulted to determine the appropriate course of action or the appropriate measures implemented in accordance with the BO or HCP issued by the USFWS (relevant to CRLF and CTS) and/or the ITP issued by the CDFW (relevant to CTS).
- Ground disturbance shall be limited to the minimum necessary to complete construction activities. Construction limits of disturbance shall be flagged. All equipment and material storage, parking, staging and other support areas shall be identified prior to issuance of a grading permit. Areas of special biological concern within or adjacent to construction limits shall have highly visible orange construction fencing installed between said area and the limits of disturbance.
- All development activities occurring within/adjacent to aquatic habitats (including riparian habitats and wetlands) shall be completed between April 1 and October 31, to avoid impacts to sensitive aquatic species.
- To avoid encountering migrating CTS within range of potentially suitable aquatic habitat, construction within upland areas within the range of CTS should be limited to July 15 to October 15. Work should be postponed if chance of rain is greater than 70% based on the NOAA National Weather Service forecast or within 48 hours following a rain event greater than 0.1 inch. If work must occur during these conditions, a qualified biologist shall conduct a clearance sweep of work areas prior to the start of work.

- All work shall occur during daylight hours.
- All projects occurring within or adjacent to habitats that may support CTS or CRLF shall have a County approved biologist present during all initial ground disturbing/vegetation clearing activities.
- No CTS or CRLF shall be captured and relocated without expressed permission from the CDFW and/or USFWS.
- If at any time during construction CTS or CRLF enters the construction site or otherwise may be impacted by the project, all construction activities shall cease. A County-approved biologist shall document the occurrence and consult with the CDFW and/or USFWS as appropriate.
- Upon completion of construction all excess materials and debris shall be removed from the project site and disposed of appropriately.
- The work area shall remain clean. All food-related trash items shall be enclosed in sealed containers and removed from the site regularly.
- Pets shall be prohibited at the construction site.
- The work area shall be surrounded by a solid temporary exclusion fence (such as silt fence) that shall be buried into the ground and extend at least three feet above the ground and buried at least 6 inches to exclude CTS and CRLF from the work area. The location of the fencing shall be determined by a qualified biologist. The fencing shall be installed during the dry season prior to rain events that may stimulate movement of CTS and CRLF. The fence shall be inspected daily to assure that it is functioning properly to exclude CTS and CRLF from the work area. The fence shall remain in place throughout construction. Access roads shall be temporarily sealed off overnight using a section of fence that is anchored to the ground (e.g., fire hose filled with sand or sand bags can be used to anchor the bottom of the fence or the bottom must be buried). Installation of the exclusion fencing shall be monitored by a County-approved biologist to ensure that it is installed correctly.
- All vehicle maintenance/fueling/staging shall occur not less than 60 feet from any riparian habitat or water body. Suitable containment procedures shall be implemented to prevent spills from entering adjacent habitats. A minimum of one spill kit shall be available at each work location near riparian habitat or water bodies.
- No equipment shall be permitted to enter wetted portions of any affected drainage channel unless previously approved by applicable regulatory agencies.
- All equipment operating within streams shall be in good conditions and free of leaks. Spill containment shall be installed under all equipment staged within stream areas and extra spill containment and clean up materials shall be located in close proximity for easy access.
- At the end of each work day, excavations shall be secured with cover or a ramp provided to prevent wildlife entrapment.
- All trenches, pipes, culverts or similar structures shall be inspected for animals prior to burying, capping, moving, or filling.

- If any CTS or CRLF are harmed, the County-approved biologist shall document the circumstances that led to harm and shall determine if project activities should cease or be altered in an effort to avoid additional harm to these species. Dead or injured special status species shall be disposed of at the discretion of the CDFW and USFWS. All incidences of harm shall be reported to the CDFW and USFWS within 48 hours.
- To ensure that diseases are not conveyed between work sites by the qualified biologist, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force should be followed at all times.

**Plan Requirements and Timing**. These measures are to be implemented during construction. **Monitoring**. The applicant shall maintain a County-approved biologist to monitor compliance with the above avoidance and minimization measures. The approved biologist shall submit maintenance reports to P&D compliance staff.

**11.** **B-1(h) Species of Special Concern Avoidance and Minimization**. A County-approved biologist shall be present during all initial ground disturbing activities, including vegetation removal to recover Species of Special Concern (western spadefoot, coast range newt, southern western pond turtle, two-striped garter snake, California legless lizard, and Blainville's horned lizard) that may be unearthed by construction activities. Individuals that are unearthed during excavation, if in good health, shall be immediately relocated to a designated relocation area to be determined by a County-approved biologist in coordination with CDFW. Individuals shall be relocated the shortest distance possible in a location that contains suitable habitat not likely to be affected by activities associated with the proposed project. The biologist(s) should maintain sufficiently detailed records of any individual observed, captured, relocated, etc., including size, coloration, any distinguishing features and photographs (preferably digital) to assist him or her in determining whether translocated animals are returning to the project site.. If injured, the animals shall be turned over to a CDFW-approved specialist until they are in a condition suitable for release into the designated release area, or deposited at an approved vertebrate museum. **Plan Requirements and Timing**. These measures are to be implemented during construction. **Monitoring**. The applicant shall maintain a County-approved biologist to monitor compliance with the above avoidance and minimization measures.

**12**. **B-1(i) Preconstruction Surveys for Nesting Birds**. For construction activities occurring during the nesting season (generally February 1 to September 15), surveys for nesting birds covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a qualified biologist no more than 30 days prior to vegetation removal activities.

A qualified biologist shall conduct preconstruction surveys for raptors. The survey for the presence of golden eagles, shall cover all areas within of the disturbance footprint plus a 1-mile buffer where access can be secured. The survey area for all other nesting bird and

raptor species shall include the disturbance footprint plus a 300-foot and 500-foot buffer, respectively.

If active nests (nests with eggs or chicks) are located, the qualified biologist shall establish an appropriate avoidance buffer ranging from 50 to 300 feet based on the species biology and the current and anticipated disturbance levels occurring in vicinity of the nest. The objective of the buffer shall be to reduce disturbance of nesting birds. All buffers shall be marked using high-visibility flagging or fencing, and, unless approved by the qualified biologist, no construction activities shall be allowed within the buffers until the young have fledged from the nest or the nest fails.

For golden eagle nests identified during the preconstruction surveys, an avoidance buffer of up to one mile shall be established on a case-by-case basis in consultation with the USFWS, and shall depend on the existing conditions and disturbance regime, relevant landscape characteristics, and the nature, timing, and duration of the expected development disturbance. The buffer shall be established between 1 February and 31 August; however, buffers may be relaxed earlier than 31 August if a qualified biologist/ornithologist determines that a given nest has failed or that all surviving chicks have fledged.

Potential habitat for the LBV occurring within 500 feet of the disturbance area shall be surveyed for active nests prior to the start of construction activities. Surveys shall be done in accordance with the Least Bells' Vireo Survey Guidelines (USFWS, 2001) or as agreed upon through discussion with the USFWS based upon site conditions at the time of construction. If an active LBV nest site is present, a 500-foot non-disturbance buffer shall be implemented around the nest during the breeding season (April 10 through July 30). Construction activities to potential LBV nesting habitat where the access roads to Lot 3 and Lot 12 cross or parallel the Foxen Canyon/Jesus Canyon drainage will be completed outside the breeding season to the greatest extent feasible.

**Plan Requirements and Timing**. These measures are to be implemented during construction. The survey results shall be submitted to P&D prior to land use permit approval for the construction of access roads, infrastructure improvements and development within the RDEs. **Monitoring**. The applicant shall maintain a County-approved biologist to monitor compliance with the above avoidance and minimization measures.

13. **B-1(j) Burrowing Owl Avoidance and Minimization Measures**. Pre-construction surveys shall be conducted by a County-approved biologist for burrowing owls in accordance with CDFW-adopted survey protocols (California Burrowing Owl Consortium, 1993). This could entail surveys for winter residents in December and January, in addition to peak nesting season (April 15 through July 15) surveys. All suitable habitat, potential or known burrows, or burrowing owls identified within the disturbance footprint and 500 foot buffer shall be assessed and mapped. Survey results will be valid only for the season during which the survey is conducted. Surveys shall

cover all suitable habitat within the disturbance footprint plus a 500-foot buffer where safely accessible. If no burrowing owls or habitat are detected, no further action is required.

If, during pre-construction surveys, burrowing owls are detected on-site or within the survey area, all burrowing owls and occupied burrows shall be counted, mapped as stated above, and avoided by establishing a buffer around the occupied burrow(s). The buffer shall be a minimum of 300 feet around nest burrows and 100 feet around non-nest burrows. Buffers shall be demarcated with highly visible construction fencing and no ground disturbance activities shall occur within this buffer until the qualified biologist has determined that the burrow is no longer occupied. If an occupied burrow cannot be avoided, passive relocation may be implemented by the County-approved biologist with guidance from the CDFW. No burrowing owls may be trapped. Passive relocation shall be limited to the non-breeding season (typically outside of the period between April 15 and July 15). Passive relocation may involve installation of one-way doors at burrow entrances for a minimum of five days. Once the County-approved biologist has determined that the burrow is no longer occupied, the burrow may be hand excavated to prevent re-occupancy.

**Plan Requirements and Timing**. The name, qualifications, scope of biological surveys, and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. The biologist implementing the above mitigation measure must also submit documentation of coordinating this effort with P&D prior to implementation. The results of the pre-construction surveys shall be submitted to Planning and Development staff prior to the approval of Land Use Permits for the construction of access roads, infrastructure improvements and development within the RDEs. The above impact avoidance measure shall be included on all grading, building, and land use plans prior to approval of land use permits for the construction of access roads, infrastructure improvements and development within the RDEs. A report on the implementation of impact avoidance measures used shall be submitted to P&D upon completion of the construction project. **Monitoring**. The applicant shall retain a qualified County-approved biologist to monitor all construction activities as warranted to ensure compliance. The approved biologist shall submit monitoring reports to P&D staff.

**14.** **B-1(k) American Badger Avoidance and Minimization Measures**. A minimum of two weeks prior to initiation of ground disturbing activities, a survey for badger burrows shall be conducted within the disturbance footprint by an approved biologist (a biologist familiar with, including identification of, the wildlife species in the region). Dens found within the survey area shall be mapped and monitored using a tracking medium, remote camera system, and/or spotlighting at night for a minimum of three days to assess the presence of badgers. Inactive dens shall be collapsed by hand with a shovel to prevent badgers from re-using them during construction. Active dens located within the survey area shall be avoided during the breeding season (March 1 through June 30). A minimum buffer of 50 feet around the active den within the proposed area of disturbance shall be demarcated by construction fencing. The fencing shall be installed one foot above ground

to permit movement of badgers in and out of the buffer zone. Once the biologist has determined that active dens are no longer in use, the den shall be collapsed by shovel. Prior to grading activities occurring outside of the breeding season, badgers may be discouraged from using currently active dens by partially blocking the entrance of the den with sticks, debris, and soil for three (3) to five (5) days. Access to the den would be incrementally blocked to a greater degree over this period. This would cause the badger to abandon the den site and move elsewhere. After badgers have stopped using active dens within the project site, the dens would be collapsed by hand with a shovel.

**Plan Requirements and Timing**. The name, qualifications, scope of biological surveys and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. A report of the results of the badger survey shall be submitted to P&D for review and approval prior to the approval of Land Use Permits for the construction of access roads, infrastructure improvements and development within the RDEs. **Monitoring**. P&D will review and approve the reports. A County-approved biologist shall be present during the initial ground-disturbing activity.

15. **B-1(l) San Diego Desert Woodrat Avoidance and Minimization Measures**. Not more than two weeks prior to the initiation of ground disturbing activities and/or vegetation removal, a County-approved biologist shall conduct a pre-construction survey prior to the onset of work activities, as well as surveys and/or monitoring during initial disturbance of potential San Diego desert woodrat habitat. If San Diego desert woodrat nests are discovered and are determined to be impacted by the project, the nests shall be relocated under the guidance and supervision of a County-approved biologist. Prior to relocation, the nest shall be agitated to encourage any woodrats occupying the nest to leave. Once the County-approved biologist is satisfied that the nest is unoccupied, the nest materials shall be placed outside of the impact area. The spacing between relocated nest materials or between relocated nest materials and existing stick nests shall not be less than 25 feet. Due to the potential for hazardous health conditions associated with the relocation of woodrat nests, procedures to minimize risk of contracting diseases associated with woodrats and woodrat houses needs to be addressed prior to relocation activities.

**Plan Requirements and Timing**. The name, qualifications, scope, and contact information for the surveying biologist must be submitted to P&D**,** and a report of the results of the relocation efforts shall be submitted to P&D for review prior to the approval of Land Use Permits for the construction of access roads, infrastructure improvements and development within the RDEs. **Monitoring**. P&D shall review the reports for compliance and shall inspect the site during construction to ensure compliance.

16. **B-1(m) California Legless Lizard, Blainville's Horned Lizard, Two-Striped Garter Snake, Western Spadefoot, and Coast Range Newt Pre-Construction Survey**. Not more than two weeks prior to initiation of ground disturbing activities and vegetation removal, a County-approved qualified biologist shall conduct a pre-construction survey for California legless lizard, Blainville's horned lizard, two-striped garter snake, western spadefoot and coast range newt. The survey area should include the project site and all

proposed ingress/egress routes, plus a 100-foot buffer. Surveys for California legless lizards shall include raking of leaf litter under shrubs and trees in suitable habitat within the disturbance footprint to a minimum depth of eight inches.

If these species are found and individuals are likely to be killed or injured by construction activities, a County-approved qualified biologist shall be allowed sufficient time to capture and relocate the animals from the project site before construction activities begin. Suitable relocation sites for release of captured animals shall be identified prior to commencement of construction activities and approved by the County. If California legless lizards are captured they shall be placed into containers with sand or moist paper towels and released in the pre-determined, County-approved off-site location for release of captured individuals within three hours of capture. The County-approved biologist shall relocate individuals the shortest distance possible to a location that contains suitable habitat not likely to be affected by activities associated with the proposed project. The biologist(s) should maintain sufficiently detailed records of any individual observed, captured, relocated, etc., including size, coloration, any distinguishing features and photographs (preferably digital) to assist him or her in determining whether translocated animals are returning to the project site. To ensure that diseases are not conveyed between work sites by the qualified biologist, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force should be followed at all times.

**Plan Requirements and Timing**. The name, qualifications, scope of biological surveys, and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. Proposed relocation areas shall be identified and approved by P&D prior to the approval of a Land Use Permit for the construction of access roads, infrastructure and development within the RDEs. A report of the results of the capture and relocation efforts shall be submitted to P&D for review prior to the approval of a Land Use Permit for the construction of access roads, infrastructure improvements and development within the RDEs. Monitoring. P&D shall review the reports for compliance and shall inspect the site during construction to ensure compliance.

17. **B-1(n) Southern Western Pond Turtle Avoidance and Minimization Measures**. The following measures are designed to reduce the potential for impact to this species:

- A County-approved biologist shall conduct a pre-construction survey a minimum of two weeks prior to the onset of work activities, as well as surveys and/or monitoring during initial disturbance of potential southern western pond turtle habitat. In order to detect southern western pond turtle nests the County-approved biologist shall lightly rake the soil within potential nesting habitat in a careful manner in order to avoid damaging eggs. If this species is found and the individuals are likely to be injured or killed by work activities, the approved biologist shall be allowed sufficient time to move them from the project site before work activities begin. The biologist(s) must relocate any southern western pond turtle the shortest distance possible to a location that contains suitable habitat that is not likely to be affected by activities associated with the proposed project. The biologist(s) should maintain sufficiently detailed

records of any individual observed, captured, relocated, etc., including size, coloration, any distinguishing features and photographs (preferably digital) to assist him or her in determining whether translocated animals are returning to the project site. See below for procedure on discovery of a clutch.

- If possible, schedule construction activities within suitable habitat outside of the typical nesting season for southern western pond turtle (April-August [Stebbins, 2003]). If work is conducted within the nesting period and a southern western pond turtle egg clutch is discovered during pre-construction surveys, the location shall be surrounded with high visibility fencing under the guidance of a County-approved qualified biologist. The nest shall be avoided by construction until a qualified biologist determines that the clutch has hatched. The CDFW shall also be contacted to provide additional guidance in the event that a southwestern pond turtle nest is discovered. If during construction, a southern western pond turtle nest is discovered, construction shall cease immediately upon the discovery and the qualified biologist notified. The same procedure described above shall then be applied.

**Plan Requirements and Timing**. The name, qualifications, scope of biological surveys, and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. Proposed relocation areas shall be identified and approved by P&D prior to beginning the work. A report of the results of the capture and relocation efforts shall be submitted to P&D for review prior to the approval of a Land use Permit for the construction of access roads, infrastructure improvements and development within the RDEs. **Monitoring**. P&D shall review the reports for compliance and shall inspect the site during construction to ensure compliance.

**18.** **B-1(o) Western Red Bat Avoidance and Minimization Measures**. The following measures are designed to reduce the potential for impact to this species:

- If possible, removal of suitable roosting trees shall be avoided during the time when western red bats may occupy their winter range (September –May).

- For construction activities occurring at a time when western red bats may occupy their winter range (September –May) surveys for roosting western red bats shall be conducted by a County-approved qualified biologist no more than 14 days prior to the initiation of ground disturbing activities and/or vegetation removal. The surveys shall include the entire area of disturbance area and focus on the trees located within the impact area. If active roosts are located, the locations shall be mapped, and a buffer ranging in size from 100 feet to 500 feet within the project site shall be determined and demarcated by the biologist with bright orange construction fencing. No construction activities shall occur within this buffer zone until May 1 or until a qualified biologist confirms that the bats have left the roost and it is no longer active.

- If night time construction work is required, night time work shall be kept to a minimum and lighting used shall be as dim as legally possible, and should be directed

to where it is needed to avoid light spillage and any upward lighting should be minimized.

**Plan Requirements and Timing**. The name, qualifications, scope of biological surveys, and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. A report of the results of the bat survey shall be submitted to P&D for review and approval prior to the approval of a Land Use Permit for the construction of access roads, infrastructure improvements and development within the RDEs. Monitoring. P&D will review and approve the reports. A County-approved qualified biologist shall be present during the initial ground-disturbing activity within roosting habitat.

19. **B-1(p) Worker Environmental Awareness Program (WEAP)**. Prior to initiation of construction activities (including staging and mobilization), all personnel associated with project construction shall attend WEAP training, conducted by a County-approved qualified biologist, to aid workers in recognizing special status resources that may occur in the project area. The specifics of this program shall include identification of the sensitive species and habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employers, and other personnel involved with construction of the project. All employees shall sign a form provided by the trainer indicating they have attended the WEAP and understand the information presented to them.

**Plan Requirements and Timing**. P&D shall be notified by the applicant of the date and time the training is scheduled so that they may attend. Fact sheets shall be reviewed and approved by P&D prior to the approval of a Land Use Permit for construction of access roads, infrastructure improvements and development within the RDEs. **Monitoring**. P&D shall ensure that worker trainings occur prior to initiation of ground disturbance and construction activities.

20. **B-2(a) Sensitive Community Avoidance and Mitigation.** Impacts to sensitive communities shall be avoided through final design modifications to roadway and infrastructure, and through design of future development within RDEs to avoid the resource. Bright orange construction fencing shall be placed a minimum of 30 feet outside the edge of areas of sensitive communities that will be retained prior to any initiation of ground disturbance activities and shall remain in place until construction is complete. No vehicles, person, materials, or equipment will be allowed in protected areas. Grading plans shall show the location of these habitats and protective fencing.

If the applicant or project developer determines sensitive communities cannot be avoided, impacts shall be mitigated on-site at a ratio of 2:1 for impacted sensitive communities (habitat restored for habitat lost). The location of restoration shall be determined by a County-approved biologist. On-site restoration is preferable, however the County may

approve off-site restoration if the applicant can demonstrate to the County's satisfaction that restoration on-site cannot be achieved. The restoration shall include locally-obtained native species approved by the County. A Habitat Restoration Plan shall be developed by a County-approved biologist pursuant to the requirements listed in Mitigation Measure B-2(b) below.

To mitigate for effects on sensitive vegetation from the project, the applicant shall hire a qualified biologist to develop a Sensitive Communities Restoration Plan with the goal of restoring impacted sensitive habitats at a minimum ratio of 2:1 onsite (habitat restored to habitat impacted) per the requirements below. Upon final design of the access roads, drainage crossings and infrastructure (including staging areas, etc.), the applicant's biologist shall determine the final impacts to sensitive communities and the subsequent amount of acreage needed for restoration for the project. The restoration plan shall be implemented for a period of not less than five years, or until restoration has been completed successfully in conformance with the success criteria stated below. Off-site habitat acquisition and off-site restoration and/or enhancement may be considered if onsite restoration is determined as unachievable to the satisfaction of the County, as long as the off-site proposals result in equal compensatory value. Replacement ratios for off-site mitigation may be different than those required for onsite mitigation. The plan shall include, at a minimum, the following components:

- Description of the project/impact site (i.e. location, responsible parties, areas to be impacted by habitat type);
- Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved];
- Description of the proposed compensatory mitigation-site (location and size, ownership status, existing functions and values of the compensatory mitigation-site);
- Implementation plan for the compensatory mitigation-site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan [including plant species to be used, container sizes, seeding rates, etc.]);
- Maintenance activities during the monitoring period, including weed removal and irrigation as appropriate (activities, responsible parties, schedule);
- Monitoring plan for the compensatory mitigation-site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports);
- Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation type, or success criteria can be based on quantitative sampling of restoration sites compared with quantitative sampling of impact sites prior to disturbance. If sampling is used to establish success criteria, the sampling method must be a scientifically valid published method suitable for evaluating vegetation. To achieve success, data must illustrate the restoration site is comparable or better than

baseline conditions within ten percent of total cover of the baseline plots, within 10 percent of or exceeding absolute native cover of the baseline plots, and within ten percent of or less of non-native cover in the baseline plots. Additionally, restoration sites must meet the membership rules in the Manual of California vegetation 2nd Edition (or current update at time of restoration) for the type being established;

- An adaptive management program and remedial measures to address negative impacts to restoration efforts;
- Notification of completion of compensatory mitigation and agency confirmation; and
- Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).

**Plan Requirements and Timing**. Grading plans showing the location of sensitive communities, as well as the Sensitive Communities Restoration Plan shall be submitted to P&D for review and approval prior to approval of land use permits for grading for access road improvements, infrastructure improvements and development within the RDEs. **Monitoring**. P&D staff shall inspect the site prior to initiation of ground disturbance activities, and shall inspect the site a minimum of once per week to ensure protective fencing is in place. P&D staff shall oversee implementation of the Sensitive Communities Restoration Plan.

**21. B-2(b) Invasive Weed Prevention Best Management Practices.** The following shall be implemented to prevent the introduction of invasive weed species:

- During construction, the project will make all reasonable efforts to limit the use of imported soils for fill. Soils currently existing on-site should be used for fill material. If the use of imported fill material is necessary, the imported material must be obtained from a source that is known to be free of invasive plant species; or the material must consist of purchased clean material such as crushed aggregate, sorted rock, or other similar substances.
- Vehicles, equipment, and worker shoes and clothing must be free of weed seeds and caked-on soil when mobilized onto the site to minimize potential for introduction of invasive species.
- To avoid the spread of invasive species, the contractor shall: stockpile topsoil and redeposit the stockpiled soil after construction**.** Topsoil containing weed seeds that cannot be re-deposited on site must be transported to a certified landfill for disposal if the soil is removed from Rancho La Laguna.
- The erosion control/ restoration plans for the project must emphasize the use of native species that are expected to occur in the area and that are considered suitable for use at the project site.
- All erosion control materials including straw bales, straw wattles, or mulch used on-site must be free of invasive species seed.
- Exotic and invasive plant species will be excluded from any erosion control seed mixes and/or landscaping plant palettes associated with the proposed project.

**Plan Requirements and Timing**. These measures are to be implemented during construction. **Monitoring**. The applicant shall maintain a County-approved biologist to monitor compliance with the above avoidance and minimization measures.

**22.** **B-2(c) Biologist Review of Landscape Plans.** Landscape plans for future development shall be reviewed and approved by a P&D approved biologist. The applicant shall use primarily native, locally collected plant species for landscaping purposes. The use of non-native invasive species shall be prohibited. **Plan Requirements and Timing**. The plans shall be approved by County staff prior to approval of land use permits for future residential development. **Monitoring**. P&D permit compliance shall monitor implementation in the field.

**23.** **B-3(a) Avoidance of Impacts to Drainages.** Impacts to drainages shall be avoided through the use of span bridges or other crossing options that would not disturb the bed and bank. Construction of crossings shall occur during the low-flow period of the year when water within drainages is minimal or absent. In addition, all utilities shall either be attached to the underside of crossing structures or shall be drilled under the creek beds such that trenching through drainages is avoided. If utilities are drilled or bored under the creek beds, the chosen construction method shall be evaluated to determine if there is a risk of frac-out. If so, a County-approved biologist shall be present during crossing construction as well as when drilling beneath the creek bed, if this method is chosen, to ensure that frac-out (excessive drilling pressure causing drilling mud to breach the surface) does not occur.

**Plan Requirements and Timing**: The applicant shall submit bridge designs and copies of the SAA, 401 Certification or Waste discharge requirements, or Section 404 permit (if applicable) and restoration plan (if applicable) to P&D prior to land use permit approval. **Monitoring**. P&D shall oversee implementation of the applicable permits and restoration plan as well as shall inspect the bridge to ensure compliance. P&D staff and/or a County-approved biologist shall be present during all bridge construction and utility installation activities.

**24.** **B-3(b) Wetland and Drainage Mitigation.** If avoidance of impacts to jurisdictional wetlands and drainages is determined to the satisfaction of the County as unachievable, impacts shall be mitigated at a minimum ratio of 2:1 (acres of habitat restored to acres impacted), and shall occur on-site or as close to the impacted habitat as possible. Upon final design of the access roads, drainage crossings and infrastructure (including staging areas, etc.), the applicant's biologist shall determine the final impacts to sensitive communities and the subsequent amount of acreage needed for restoration for the project. A mitigation and monitoring plan shall be developed by a County-approved biologist in accordance with Mitigation Measure B-2(a) above and shall be implemented for no less than five years after construction, or until the local jurisdiction and/or the permitting authority (e.g., USACE) has determined that restoration has been successful.

**Plan Requirements and Timing**. The applicant shall submit the restoration plan to P&D for review and approval prior to approval of land use permits for RDE development as well as access road and infrastructure construction. **Monitoring**. P&D staff shall ensure that the proposed development avoids impacts to jurisdictional areas or are properly mitigated for.

**25.** **B-3(c) Jurisdictional Delineation.** If impacts to wetlands and drainages from roadway crossings cannot be avoided and occurs within or adjacent to wetland, drainages, riparian habitats, or other areas that may fall under the jurisdiction of the CDFW, USACE, and/or RWQCB, the applicant shall retain a qualified biologist to complete a jurisdictional delineation. The jurisdictional delineation shall determine the extent of the jurisdiction for each of these agencies and shall be conducted in accordance with the requirement set forth by each agency and the County. The result shall be a preliminary jurisdictional delineation report that shall be submitted to the implementing agency, USACE, RWQCB, and CDFW, as appropriate, for review and approval. If jurisdictional areas are expected to be impacted, then the RWQCB would require a Waste Discharge Requirements (WDR) permit and/or Section 401 Water Quality Certification (depending upon whether or not the feature falls under federal jurisdiction). If CDFW asserts its jurisdictional authority, then a Streambed Alteration Agreement pursuant to Section 1600 et seq. of the California Fish and Game Code would also be required prior to construction within the areas of CDFW jurisdiction. If the USACE asserts its authority, then a permit pursuant to Section 404 of the Clean Water Act would likely be required. **Plan Requirements and Timing**. The applicant shall submit a Jurisdictional Delineation Report to P&D prior to approval of land use permits. **Monitoring**. P&D shall ensure that a jurisdictional delineation is completed.

**26.** **B-3(d) Agency Coordination.** Impacts to drainages as a result of access roads and infrastructure may require permits from USACE, RWQCB, and CDFW. The applicant shall obtain correspondence from applicable state and federal agencies regarding compliance of the proposed development with state and federal laws. **Plan Requirements and Timing**. The applicant shall submit copies of correspondence and/or permits (as applicable) with applicable agencies to P&D prior to approval of land use permits. **Monitoring**. P&D shall review agency correspondence and shall ensure that the project meets any requirements outlined by the agencies.

**27.** **B-3(e) Jurisdictional Areas Best Management Practices During Construction.** The following best management practices shall be required for development within or adjacent to jurisdictional areas:

- Access routes, staging, and construction areas shall be limited to the minimum area necessary to achieve the project goal and minimize impacts to other waters including locating access routes and ancillary construction areas outside of jurisdictional areas.
- To control sedimentation during and after project implementation, appropriate erosion control materials shall be deployed to minimize adverse effects on jurisdictional areas in the vicinity of the project.

- Project activities within the jurisdictional areas should occur during the dry season (typically between June 1 and November 1) in any given year, or as otherwise directed by the regulatory agencies. Deviations from this work window can be made with permission from the relevant regulatory agencies.
- During construction, no litter or construction debris shall be placed within jurisdictional areas. All such debris and waste shall be picked up daily and properly disposed of at an appropriate site.
- All project-generated debris, building materials, and rubbish shall be removed from jurisdictional areas and from areas where such materials could be washed into them.
- Raw cement, concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic species resulting from project-related activities, shall be prevented from contaminating the soil and/or entering jurisdictional areas.
- All refueling, maintenance, and staging of equipment and vehicles shall occur at least 60 feet from bodies of water and in a location where a potential spill would not drain directly toward aquatic habitat (e.g., on a slope that drains away from the water source). Prior to the onset of work activities, a plan must be in place for prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should an accidental spill occur.

**Plan Requirements and Timing**. These measures are to be implemented during construction. **Monitoring**. The applicant shall maintain a County-approved biologist to monitor compliance with the above measures.

**28.** **B-4(a) Oak Tree Avoidance and Protection**. The applicant shall submit a Tree Protection Plan (TPP) prepared by a P&D-approved biologist and/or arborist designed to protect existing oak trees through final design modifications to roadway and infrastructure, and through design of future development within RDEs to avoid this resource. Protected oak trees to be considered shall be those species and sizes specified in Tree Protection Development Standards 1 and 2 of the Santa Barbara County Comprehensive Plan Conservation Element – Oak Tree Protection in the Inland Rural Areas of Santa Barbara County**.** The applicant shall modify proposed development to either incorporate and/or avoid these protected oak trees. The following shall be implemented to protect existing oak trees:

- Prior to the onset of any construction activities highly visible orange construction fencing shall be installed around existing stands and individuals that are to be retained at a buffer/extent radius of six feet beyond the canopy dripline, wherever the topography allows for such fencing or otherwise marked in the field to protect them from harm during development of the RDEs as well as access road and infrastructure construction.
- No construction equipment shall be parked, or stored within 25 feet of any oak tree dripline that is not proposed for removal, i.e. retained oaks. Construction activities

within 25 feet of protected trees shall be the minimum necessary. The Tree Protection Plan shall specify all situations in which activities must be monitored by a County-approved biologist or arborist.

- No fill soil, rocks, or construction materials shall be stored or placed within 25 feet of the dripline of a specimen oak tree.
- No artificial surface, pervious or impervious, shall be placed within 25 feet of the dripline of any oak tree, except for County-approved project access roads.
- Any roots encountered that are one inch in diameter or greater shall be cleanly cut. This shall be done under the direction of a County-approved arborist/biologist.
- Any trenching or ground disturbing construction activity required within three feet of protected (i.e. retained) oak tree's dripline shall be done with hand tools.
- No permanent irrigation shall occur within the dripline of any existing oak tree.
- Only designated trees shall be removed. All grading and construction plans shall clearly delineate those trees to be removed and those to remain.

**Plan Requirements and Timing**. The applicant shall: (1) submit the TPP; (2) Include all applicable components in Tree Replacement Plan and/or Landscape and Irrigation Plans if these are required; (3) include as notes or depictions all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures. The applicant shall comply with this measure prior to approval of a land use permit. Plan components shall be included on all plans prior to the issuance of grading permits. The applicant shall install tree protection measures onsite prior to issuance of grading/building permits and pre-construction meeting. **Monitoring**. The applicant shall demonstrate to P&D staff that trees identified for protection were not damaged or removed or, if damage or removal occurred, that correction is completed as required by the TPP prior to final building inspection clearance.

**29.** **B-4(b) Tree Replacement Plan**. If development within RDEs or construction of proposed access roads or infrastructure must remove protected oak trees specified as those species and sizes described in Tree Protection Development Standards 1, 2, or 3 of the Santa Barbara County Comprehensive Plan Conservation Element – Oak Tree Protection in the Inland Rural Areas of Santa Barbara County, a Tree Replacement Plan shall be prepared by a certified arborist, qualified biologist with restoration experience, or landscape architect. The tree replacement plan shall be designed to replace native trees removed by the proposed project at a ratio of 10:1 (trees planted: trees impacted). Replacement plantings shall rely locally obtained valley oaks. Upon final design of the access roads, drainage crossings and infrastructure (including staging areas, etc.), the applicant's biologist shall determine the final impacts to oak trees and the subsequent number of replacement plantings needed for restoration for the project. Replacement trees shall be installed on-site or at an approved off-site location. Monitoring of planted trees shall be for a minimum of five years or until stasis has been determined by certified arborist. The plan shall include the following components at a minimum:

- Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type);
- Goal(s) of the compensatory mitigation project;
- Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values);
- Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan [including species to be used and container sizes]);
- Maintenance activities during the monitoring period, including weed removal and irrigation as appropriate (activities, responsible parties, schedule);
- Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports);
- Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants;
- Replacement trees must survive in good health for at least one year without supplemental irrigation prior to completion;
- An adaptive management program and remedial measures to address any shortcomings in meeting success criteria;
- Notification of completion of compensatory mitigation; and
- Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).

**Plan Requirements and Timing**. The Oak Tree Replacement Plan shall be submitted to P&D for review and approval prior to approval of land use permits for the construction of access roads, infrastructure improvements and development within the RDEs. Oak tree mitigation planting for development within RDEs shall be incorporated into landscaping plans for individual lots, where feasible**.** The applicant shall post a performance security to ensure installation prior to final building inspection clearance and maintenance for a minimum of five years. **Monitoring**. The applicant shall demonstrate to P&D staff that all required components of the approved plan(s) are in place as required prior to final inspection clearance and maintained throughout the maintenance period. P&D compliance monitoring staff signature is required to release the installation security upon satisfactory installation of all items in approved plans and maintenance security upon successful implementation of this plan.

**30.** **B-5 Maintain Connectivity in Drainages**. No permanent structures shall be placed within the channel that would impede wildlife movement (i.e., the preference is that no hardened caps, pipelines, or other structures in the stream channel perpendicular to stream flow be left exposed or at depth with moderate to high risk for exposure as a result of natural bed scour during high flow events and thereby potentially create impediments to passage). In addition, upon completion of construction within any drainage, areas of stream channel and banks that are temporarily impacted shall be returned to pre-

construction contours and in a condition that allows for unimpeded passage through the area once the work has been complete. **Plan Requirements and Timing**. Final crossing and utility plans shall be provided to County P&D for approval prior to the approval of land use permits for grading. **Monitoring**. P&D staff shall conduct an inspection upon completion of construction to ensure compliance.

**31.** **B-6(a) Buffer from Sensitive Habitat**. All future residences, guest houses and other habitable structures must be positioned so that the 100-foot fuel modification zones (30 feet for native grasslands) will not encroach within sensitive native habitat as depicted on Figure 4.4-1 and 4.4-2a through 4.4-2c and listed in Table 4.4-4 of the EIR, and as determined in the field by a County-qualified biologist at the time of future development. Based on the field survey and vegetation maps, fuel management activities shall not encroach into sensitive habitat areas. **Plan Requirements and Timing**. Prior to recordation of the Final Map, this requirement shall be included on an Informational Sheet attached to the Final Map and shall be reviewed and approved by P&D. This requirement shall be included on all building and grading plans submitted for future residential development. **Monitoring**. P&D shall review and approve prior to recordation. P&D shall ensure plans for future development comply with the minimum buffer requirements. Permit Compliance shall site inspect during construction of future structures to ensure compliance.

**32.** **B-6(b) Fuel Management Plan**. The applicant shall prepare a Fuel Management Plan to ensure that avoidance is accomplished and to ensure that fuel management is balanced with sensitive resource protection. The Fuel Management Plan shall include the following:

- The goal of the plan would be to meet the dual goals of public safety and protection of sensitive vegetation.
- The plan shall depict fuel management zones (i.e., Zone 1, 2, and 3) wherever required and shall include specific habitat and rare species protection and fuel management measures to be used in each management zone and for each habitat type. Onsite vegetation management shall be limited to the zones and clearance requirements/percentages conceptually described.
- Impacts to native grasslands and special status plant and animal species shall be minimized. Zone 2 clearance of shrub cover shall not exceed 50% of shrub cover and shall be created in a mosaic pattern. Mowing of native bunchgrass shall occur in such a manner that at least 4 inches of height of each plant remains after mowing. Pre-mowing surveys within the fuel management zones to ensure no ground-dwelling birds are nesting shall be conducted if mowing occurs during the nesting season (February 1 to August 15).

**Plan Requirements and Timing**. The Fuel Management Plan shall be reviewed and approved by P&D prior to approval of land use permits for future residential development. Site plans shall show any proposed fuel management zones and measures to protect any sensitive habitat occurring within the zones. Vegetation clearance within

the fuel management zones shall be conducted in compliance with the Fuel Management Plan. **Monitoring**. P&D permit compliance staff shall monitor implementation of the Fuel Management Plan and respond to complaints.

**Cultural Resources**

**33.** **CR-2. Stop Work at Encounter**. The applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. Cultural resource remains may include artifacts, shell, bone, features, foundations, and trash pits, etc. The applicant shall retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with County Cultural Resource Guidelines provisions for Phase 2 and Phase 3 investigations. **Plan Requirements and Timing**. This condition shall be printed on all building and grading plans. **Monitoring**. P&D staff shall check plans prior to approval of land use permit for grading and subdivision improvements, and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

## III. CONDITIONS UNIQUE TO CONDITIONAL USE PERMITS

**34.** **Rules-12 CUP Expiration.** The Owner/Applicant shall obtain the required zoning clearance within 10 years following the effective date of this Conditional Use Permit. If the required zoning clearance is not issued within the 10 years following the effective date of this Conditional Use Permit, or within such extended period of time as may be authorized in compliance with Section 35.84.030 of the County Land Use and Development Code and an application for an extension has not been submitted to the Planning and Development Department, then Conditional Use Permit shall be considered void and of no further effect.

**35.** **Rules-17 CUP-Void.** This Conditional Use Permit shall become void and be automatically revoked if the development and/or authorized use allowed by this Conditional Use Permit is discontinued for a period of more than 12 months, or within such extended period of time as may be authorized in compliance with Section 35.84.030 of the County Land Use and Development Code. Any use authorized by this Conditional Use Permit shall immediately cease upon expiration or revocation of this Conditional Use Permit. Any zoning clearance issued pursuant to this Conditional Use Permit shall expire upon expiration or revocation of the Conditional Use Permit. Conditional Use Permit renewals must be applied for prior to expiration of the Conditional Use Permit. [LUDC §35.82.060 & §35.84.060].

**36.** **Rules-18 CUP and DVP Revisions**. The approval by the Planning Commission of a revised Conditional Use Permit shall automatically supersede any previously approved Conditional Use Permit upon the effective date of the revised permit.

**37.** **Rules-21 CUP Revisions-Change of Use**. Any change of use in the proposed structure shall be subject to appropriate environmental analysis and review by the County including Building Code compliance.

## IV. COUNTY RULES AND REGULATIONS/LEGAL REQUIREMENTS

**38.** **Rules-01 Effective Date-Not Appealable to CCC.** This Conditional Use Permit shall become effective upon the date of the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the final review authority on the appeal. No entitlement for the use or development shall be granted before the effective date of the planning permit. [LUDC §35.82.020].

**39.** **Rules-03 Additional Permits Required**. The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary planning and building permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.

**40**. **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.

**41.** **Rules-08 Sale of Site.** The project site and any portions thereof shall be sold, leased or financed in compliance with the exhibit(s), project description and the conditions of approval including all related covenants and agreements.

**42.** **Rules-23 Processing Fees Required**. Prior to issuance of zoning clearance the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.

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

a. Air Pollution Control District dated December 8, 2015
b. Fire Department dated January 12, 2017
c. Flood Control Water Agency dated January 9, 2017
d. Environmental Health Services dated December 27, 2016

**44.** **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.

**45.** **Rules-31 Mitigation Monitoring Required.** The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the Owner/Applicant shall:

a. Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;

b. Pay fees prior to zoning clearance issuance as authorized by ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute;

c. Note the following on each page of grading and building plans "This project is subject to Mitigation Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval, and mitigation measures from the Final Environmental Impact Report 16-EIR-01;

d. Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.

**46.** **Rules-32 Contractor and Subcontractor Notification**. The Owner/Applicant shall ensure that potential contractors are aware of County requirements. Owner / Applicant shall notify all contractors and subcontractors in writing of the site rules, restrictions, and Conditions of Approval and submit a copy of the notice to P&D compliance monitoring staff.

**47.** **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.

**48.** **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/measures are imposed.

## V. PROJECT SPECIFIC CONDITIONS

**49.** **Erosion and Sediment Control Plan**. Where required by the latest edition of the California Green Code and/or Chapter 14 of the Santa Barbara County Code, a Storm Water Pollution Prevention Plan (SWPPP), Storm Water Management Plan (SWMP) and/or an Erosion and Sediment Control Plan (ESCP) shall be implemented as part of the project. Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until re-graded areas have been stabilized by structures, long-term erosion control measures or permanent landscaping. The Owner/Applicant shall submit the SWPPP, SWMP or ESCP) using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The SWPPP or ESCP shall be a part of the Grading Plan submittal and will be reviewed for its technical merits by P&D. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (http://sbcountyplanning.org/building/grading.cfm) refer to Erosion and Sediment Control Plan Requirements; and in the California Green Code for SWPPP (projects < 1 acre) and/or SWMP requirements. **PLAN REQUIREMENTS**: The grading and SWPPP, SWMP and/or ESCP shall be submitted for review and approved by P&D prior to approval of land use clearances. The plan shall be designed to address erosion, sediment and pollution control during all phases of development of the site until all disturbed areas are permanently stabilized. **TIMING**: The SWPPP requirements shall be implemented prior to the commencement of grading and throughout the year. The ESCP/SWMP requirements shall be implemented between November 1st and April 15th of each year, except pollution control measures shall be implemented year round. **MONITORING**: P&D staff shall perform site inspections throughout the construction phase.

**50.** **WatConv-01 Sediment and Contamination Containment**. The Owner/Applicant shall prevent water contamination during construction by implementing the following construction site measures:

a. All entrances/exits to the construction site shall be stabilized using methods designed to reduce transport of sediment off site. Stabilizing measures may include but are not limited to use of gravel pads, steel rumble plates, temporary paving, etc. Any

sediment or other materials tracked off site shall be removed the same day as they are tracked using dry cleaning methods. Entrances/exits shall be maintained until graded areas have been stabilized by structures, long-term erosion control measures or landscaping.

b. Apply concrete, asphalt, and seal coat only during dry weather.
c. Cover storm drains and manholes within the construction area when paving or applying seal coat, slurry, fog seal, etc.
d. Store, handle and dispose of construction materials and waste such as paint, mortar, concrete slurry, fuels, etc. in a manner which minimizes the potential for storm water contamination.

**PLAN REQUIREMENTS:** The Owner/Applicant shall ensure all above construction site measures are printed as notes on plans. **TIMING**: Stabilizing measures shall be in place prior to commencement of construction. Other measures shall be in place throughout construction. **MONITORING**: The Owner/Applicant shall demonstrate compliance with these measures to P&D compliance monitoring staff as requested during construction.

**51.** **WatConv-03 Erosion and Sediment Control Re-vegetation**. The Owner/Applicant shall re-vegetate graded areas upon completion of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Use hydroseed, straw blankets, other geotextile binding fabrics or other P&D approved methods as necessary to hold slope soils until vegetation is established. P&D may require the reseeding of surfaces graded for the placement of structures if construction does not commence within 30 days of grading. **PLAN REQUIREMENTS:** Include this measure as a note on all grading and building plans. **TIMING:** The Owner/Applicant shall re-vegetate graded areas upon completion of grading activities. **MONITORING:** The Owner/Applicant shall demonstrate compliance to grading and building inspectors in the field.

**52.** **WatConv-04 Equipment Storage-Construction**. The Owner/Applicant shall designate a construction equipment filling and storage area(s) within the designated Residential Development Envelope to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, water body or sensitive biological resources. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all land use, grading, and building and safety plans. **TIMING**: The Owner/Applicant shall install the area prior to commencement of construction. **MONITORING**: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

**53.** **WatConv-05 Equipment Washout-Construction.** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be

contained in this area and removed from the site daily. The area shall be located at least 100 feet from any storm drain, water body or sensitive biological resources. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all land use, grading, and building permit plans. **TIMING:** The Owner/Applicant shall install the area prior to commencement of construction. **MONITORING**: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

December 8, 2015

John Zorovich
Santa Barbara County
Planning and Development
624 W. Foster Road
Santa Maria, CA 93455

**Re: APCD Suggested Conditions on Rancho La Laguna Tentative Tract Map, 06TRM-00000-00002**

Dear Mr. Zorovich:

The Air Pollution Control District (APCD) has reviewed the referenced project, which consists of the subdivision of an existing 3,951-acre property into 13 lots ranging in size from 160 acres to 605 acres. Each lot would have a residential development envelope (RDE), within which all future residential development would be confined, including all residential accessory development. Agricultural structures, including agricultural worker dwellings, would be located outside the RDEs. The subject property, a 3,951-acre parcel zoned AG-II-100 and identified in the Assessor Parcel Map Book as APN 133-080-026, 133-080-036, and a portion of 133-080-037, is located at the intersection of Alisos Canyon Road and Foxen Canyon Road in an unincorporated rural area in northern Santa Barbara County.

Air Pollution Control District staff offers the following suggested conditions on future development of the proposed lots within the proposed Tentative Tract Map, as they are applicable:

1. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to issuance of grading/building permit issuance.

2. The State of California considers particulate matter emitted by diesel engines carcinogenic. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of particulate matter from diesel equipment as well as of ozone precursors.

3. Prior to building permit issuance, **APCD Authority to Construct permits** must be obtained for all equipment that requires an APCD permit. Proof of receipt of the required APCD permits shall be submitted by the applicant to planning staff. APCD Authority to Construct permits are required for diesel engines rated at 50 bhp and greater (e.g., firewater pumps and emergency standby generators) and boilers/large water heaters whose combined heat input rating exceeds 2.0 million BTUs per hour.

4. All portable diesel-fired construction engines rated at 50 bhp or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to grading/building permit issuance. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.

5. Spark ignition piston-type internal combustion engines (e.g., gasoline or propane-fired) used exclusively for emergency electrical power generation or emergency pumping of water for flood control or firefighting are exempt from permit requirements pursuant to APCD Rule 202, Section F.1.d., provided the engine operates no more than 200 hours per calendar year and a record is maintained and is available to the District upon request. The record shall list the identification number of the equipment, the number of operating hours on each day the engine is operated and the cumulative total hours.

6. All agricultural diesel engines rated at 50 brake-horsepower or greater must be registered with the APCD. Please refer to APCD's website at www.ourair.org/ag-diesel-registration/ for additional information.

7. Advisory: The applicant should determine whether any structure(s) proposed for demolition or renovation contains asbestos that is friable or has the potential to become friable during demolition or disposal. If any structure does contain friable asbestos, the asbestos should be removed by a contractor that is state certified for asbestos removal. For additional information regarding asbestos in construction, please refer to APCD's website at www.ourair.org/asbestos/.

8. Prior to building permit issuance, the proposed winery shall apply for, and obtain, either **written permit exemptions or Authority to Construct permits** from the APCD for winery-related equipment (fermentation and storage tanks, emergency/standby generators, fire water pumps and boilers) as required by APCD Rules and Regulations. The application forms can be downloaded from www.ourair.org/wineries/. Proof of receipt of the required APCD permit or permit exemption shall be submitted by the applicant to planning staff. *The APCD permit process can take several months. To avoid delay, the applicant is encouraged to submit their Authority to Construct permit application to the APCD as soon as possible.*

9. Natural gas-fired fan-type central furnaces with a rated heat input capacity of less than 175,000 Btu/hr and water heaters rated below 75,000 Btu/hr must comply with the emission limits and certification requirements of APCD Rule 352. Please see www.ourair.org/wp-content/uploads/rule352.pdf for more information.

10. Small boilers and water heating units (rated between 75,000 and 2.0 million Btu/hr) must comply with the emission limits and certification requirements of APCD Rule 360. Combinations of units totaling 2.0 million Btu/hr or greater are required to obtain a District permit prior to building permit issuance. Please see www.ourair.org/wp-content/uploads/rule360.pdf for more information and a list of certified boilers (note: any units fired on fuel(s) other than natural gas must be certified by the SBCAPCD on a case-by-case basis, even if the unit is certified when fired on natural gas).

11. At a minimum, prior to occupancy, any feasible greenhouse gas reduction measures from the following sector-based list should be applied to the project:
    - Energy use (energy efficiency, low carbon fuels, renewable energy)
    - Water conservation (improved practices and equipment, landscaping)
    - Waste reduction (material re-use/recycling, composting, waste diversion/minimization)
    - Architectural features (green building practices, cool roofs)

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

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

Sincerely,

Krista Nightingale,
Air Quality Specialist
Technology and Environmental Assessment Division

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

cc: Susan F. Petrovich, Brownstein Hyatt Farber Schreck
TEA Chron File

Santa Barbara County
Air Pollution Control District

ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

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

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.

- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.

- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.

- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.

- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.

- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure:

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

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

Santa Barbara County
Air Pollution Control District

ATTACHMENT B
DIESEL PARTICULATE AND $NO_x$ EMISSION MEASURES

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

The following measures are required by state law:

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

The following measures are recommended:

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

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

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

# MEMORANDUM

DATE: January 12, 2017

TO: Dana Eady
Planning and Development
Santa Maria

FROM: Glenn Fidler, Captain
Fire Department

SUBJECT: APN: 133-080-036/-026/-037 Permit: 06TRM-00002, TRM 14,709
Site: 10550 Foxen Canyon Road, Santa Ynez
Project: 13 Lot Subdivision, Tentative Tract Map, Rancho Laguna

***This Condition Memorandum Supersedes the Previous Condition Memorandum Dated July 22, 2009***

---

The above project is located within the jurisdiction of the Santa Barbara County Fire Department.

## THE FOLLOWING CONDITIONS ARE FOR THE TRACT MAP

The Fire Prevention Division must be notified of any changes to the project proposal. A change in the project description may cause modifications to these conditions.

## PRIOR TO MAP RECORDATION
## THE FOLLOWING CONDITIONS MUST BE MET

1. All access ways to all buildable envelopes shall be installed and made serviceable or bonded for.
   - Access shall be as shown on plans received July 2, 2009.
   - Roads and driveways shall be designed and maintained to support the imposed loads of fire apparatuses at time of installation and shall be provided with a surface as to provide all-weather driving capabilities.
   - Road and driveways shall be capable of supporting a 75,000 pound vehicle per the California Code of Regulation, Title 14.
   - Surface shall be all-weather or paved.
   - All portions of the access exceeding 10 percent in slope shall be paved.
   - All portions of the access exceeding 15 percent in slope shall be engineered concrete.
   - Maximum allowable grade for access way shall not exceed 20 percent in slope.
   - Access ways shall be unobstructed and extended to within 150 feet of all portions of the exterior walls of the first story of any existing building.
   - Dead-end access exceeding 150 feet shall terminate with a Fire Department approved turnaround.
   - A minimum of 15 feet of vertical clearance shall be provided and maintained for the life of the project for emergency apparatus access.

- Access plans shall require civil engineering design and installation certification.
- Reference Santa Barbara County Fire Department Development Standard #1.*

2. Bridges are required for this project. Bridges shall conform to the following standards.
   - Bridges shall be installed and made serviceable or bonded for.
   - Bridges shall have a minimum rated load-bearing capacity equal to the access ways.
   - Bridge width shall be equal to approved access width.
   - Plans shall be certified and stamped by a civil engineer as meeting all applicable standards for load baring capacity and construction.
   - Bridge plans shall be approved by the Fire Department prior to installation.
   - Both ends of bridge shall have signage indicating load-bearing capacity.
   - Lettering and numbers shall be a minimum height of three inches, reflective, and a color contrasting to the background color.
   - Signage shall be elevated at least three feet from the ground and shall be visible from the access road when traveling in either direction.
   - Bridge railings shall not exceed three feet in height.
   - Reference Santa Barbara County Fire Department Development Standard #1.
   - All other aspects of bridge construction, including certification, shall conform to standards set forth by the Santa Barbara County Public Works Department, Road Division.

3. A road name will be required for this project

4. Forty foot (40') easements shall be properly shown for each buildable envelope.

These conditions apply to the project as currently described. Future changes, including, but not limited to further division, change or occupancy, intensification of use, or increase in hazard classification, may require additional mitigation to comply with applicable development standards in effect at the time of change

## ADVISORY

5. Proposed lot 6 shall retain the address 10550 Foxen Canyon Road.

## THE FOLLOWING CONDITIONS FOR FUTURE DEVELOPMENT ARE ADVISORY AT THIS TIME

We submit the following with the understanding that the Fire Protection Certificate application(s) may involve modifications, which may determine additional conditions.

## PRIOR TO BUILDING PERMIT ISSUANCE THE FOLLOWING CONDITIONS MUST BE MET

6. A Fire Protection Certificate shall be required for each structure.

7. Recorded addressing is required by the fire department.

8. Plans for a stored water fire protection system shall be approved by the fire department.
   - Actual water storage quantity shall be determined at time of development
   - If a water system is developed which serves five or more parcels, a mutual water company shall be formed and the fire protection system shall comply with Title 10 of the California Code of Regulations.

9. Access plans shall be approved by the Fire Department.

## PRIOR TO CONSTRUCTION OF THE STRUCTURE(S) THE FOLLOWING CONDITIONS SHALL BE MET

10. All access ways shall be installed, made serviceable and maintained for the life of the project.
    - Fire Department inspection required.
    - Access ways shall require civil engineering design and installation certification.

11. The water fire protection system shall be installed, made serviceable and maintained for the life of the project.
    - Fire Department inspection required.

12. Create a defensible space of 100 feet (or to the property line, whichever is nearer) around the proposed structures and any existing structures on this property.
    - Fire Department inspection required.
    - Reference Santa Barbara County Fire Department Development Standard #6* and Defensible Space Check List.

13. Street sign(s) shall be installed.
    - The private road flag shall be blue with white letters.
    - The public rad flag shall be brown with white letters.
    - Reference Santa Barbara County Engineering Design Standards, Standard Details 6-060.

## PRIOR TO OCCUPANCY CLEARANCE THE FOLLOWING CONDITIONS SHALL BE MET

14. Propane tanks must be installed per current adopted California Fire Code.

15. An automatic fire sprinkler system shall be installed in all structures except exempt U occupancy structures.
    - Fire sprinkler plans shall be approved by the Fire Department prior to installation.
    - Reference Santa Barbara County Fire Department Standard #4.*

16. Access way entrance gates shall conform to Fire Department requirements.

17. When access ways are gated, a Fire Department approved Knox locking system shall be installed. Reference Santa Barbara County Development Standard #7.*

18. The applicant will be required to pay Fire Department Development Impact Mitigation Fees. In accordance with Chapter 15 of the Santa Barbara County Code, the fee shall be computed per square foot of occupied space in each new building.
    - Payment shall be made according to the schedule of fees in place on the date fees are paid.
    - Contact the fire department for current fee information.*

As always, if you have any questions or require further information, please call me at 805-681-5528 or 805-681-5523.

GF:mkb/sss

*Information is posted at sbcfire.com. Select "Planning and Engineering (Development)" under the Doing Business Section. To have information provided, telephone 805-681-5523.

Santa Barbara County Public Works Department
Flood Control & Water Agency & Project Clean Water

01/09/2017

Dana Eady, Planner
County of Santa Barbara
Planning & Development Department
624 W. Foster Rd.
Santa Maria, CA 93455

**Re: 06TRM-00000-00002; Rancho La Laguna Tract Map**
**APN: 133-080-026/036/037; Santa Ynez**

Dear Ms. Eady:

This condition letter supersedes the previously issued letter dated August 15, 2006.

The District has no conditions on the subject project tract map.

The District recommends that prior to the approval of a land use permits for new development on any of the lots created by this tract map shall be subject to the following conditions:

1. General
   a. The applicant shall comply with the Santa Barbara County Flood Control District Standard Conditions of Approval dated January 2011 (http://www.countyofsb.org/uploadedFiles/pwd/Water/Development/StdConditionsJan2011.pdf )
   b. The applicant shall provide a site plan of the proposed development following the guidelines provided in the Standard Conditions of Approval.
2. Design
   a. Projects near a watercourse shall be designed in compliance with the setback requirements described in Chapter 15B of the Santa Barbara County Code.
   b. The applicants for projects within these three existing parcels shall submit all improvement plans, grading plans, drainage plans, drainage studies, and landscape plans for each project to the District for review and approval.
   c. For Projects within the FEMA marked Special Flood Hazard Area
      i. A narrow strip of zone A is marked over two existing parcels.
      ii. A Base Flood Elevation (BFE) must be established by the applicant and approved by the District for projects within Zone A.



Naomi Schwartz Building
Scott D. McGolpin
Public Works Director
130 E. Victoria Street, Suite 200, Santa Barbara, California 93101
PH: 805 568-3440 FAX: 805 568-3434 http://cosb.countyofsb.org/pwd/water/
Thomas D. Fayram
Deputy Public Works Director

d. The applicant shall sign the Agreement for Payment of Plan Check Fees (attached to the Standard Conditions of Approval) and pay the appropriate plan check fee deposit at the time of the initial submittal of maps, plans and studies.
e. The applicant shall submit to the District electronic drawings in PDF format of the approved grading plans, improvement plans, drainage plans, drainage studies and landscape plans on a compact disc.

3. Prior to Occupancy Clearance
   a. The engineer of record shall submit a Drainage Improvement Certification (attached to the Standard Conditions of Approval).
   b. The applicant shall submit an Elevation Certificate (FEMA Form 81-31) to the District's Floodplain Manager for all structures located in the Special Flood Hazard Area.

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

By: Y. Thierumaran

Yoganathan Thierumaran, P.E.
Development Review Engineer

Santa Barbara County
PUBLIC Health
DEPARTMENT

Environmental Health Services

225 Camino del Remedio • Santa Barbara, CA 93110
805/681-4900 • FAX 805/681-4901

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

Takashi M. Wada, MD, MPH *Director*
Suzanne Jacobson, CPA *Chief Financial Officer*
Susan Klein-Rothschild, MSW *Deputy Director*
Douglas Metz, DPM, MPH *Deputy Director*
Polly Baldwin, MD, MPH *Medical Director*
Charity Dean, MD, MPH *Health Officer*

Lawrence Fay *Director of Environmental Health*

TO: Dana Eady, Planner
Planning & Development Dept.
Development Review Division

From: David Brummond
Environmental Health Services

Date: December 27, 2016

Subject: Case No. 06 TRM 00000-00002 / TM14,709 Los Alamos Area

Applicant: Rancho La Laguna LLC
La Laguna Ranch Company LLC

Assessor's Parcel No. 133-080-026, 133-080-036 – 037

Zoned: AG II-100 Located at 10550 Foxen Canyon Rd.

Case No. 006TRM-00000-00002/TM 14,709 is a request to subdivide 3 existing parcels (133-080-026, 133-080-036 & 133-080-037) into 13 proposed lots. The proposed lots would range from 142 acres to 604 acres in size. Residential development envelopes (RDEs) have been designated on each of the proposed lots.

Domestic water is proposed to be provided by a State Small water system utilizing an existing well that is located on proposed lot 4. Sewage disposal would be provided by private septic systems.

Environmental Health Services (EHS) has been provided soil borings and percolation test results for each of the proposed parcels. Those test results indicate perc rates ranging from extremely fast to essentially impermeable. However, due to the large size of the proposed parcels, it is reasonable to conclude that onsite wastewater treatment systems could be installed on each lot.

EHS has been provided a copy of the Water Well Completion report for the source of potable water for the water system. The well produces an adequate volume of water for the proposed development.

In 2006, when the well was drilled and developed, a laboratory analysis conducted at the time indicates that the water appears to meet all primary (health related) drinking water standards but does not meet all secondary (non health related) standards due to excess concentrations of iron. However, a standard for Chromium 6 has been codified since the initial water analysis. Consequently, the water must be sampled again to determine compliance with all primary standards. In addition, this analysis is ten years old and as a result of the current drought, the water quality may have changed. Consequently, a complete, updated water quality analysis will be necessary.

The applicant has provided EHS with a preliminary engineering report for a single water system to provide domestic water to all 13 parcels. While a State Small Water System is feasible, due to the large size of the parcels involved and the length of the water lines that would be required to serve each parcel, it may not be advisable. While EHS was only provided data for a single well within the project area, the groundwater production rates across the area should be comparable to this well and thus EHS expects that additional, suitable water sources could be developed. Therefore, in lieu of a State Small water system, EHS would permit a private water system for each individual parcel, or multiple parcel water systems that would serve 2 – 4 residences on several parcels.

Provided the Decision Maker grants approval of the applicant's request, Environmental Health Services recommends the following Conditions of Approval:

If the applicant decides to construct a State Small Water System to serve 5 or more of the subsequent residences:

Prior to Recordation, water sources that are not already constructed but are necessary in order to complete a suitable water system design, must be developed in accordance with the provisions of Ch. 34A of the County Code.

Prior to Recordation, A completed application for a Domestic Water Supply Permit shall be reviewed and approved By Environmental Health Services. The application shall include final detailed engineering plans and specifications for the proposed water supply system.

Prior to Issuance of Building Permit, the owner of the proposed water system shall be in possession of a valid Domestic Water Supply Permit pursuant to Ch. 34 B of the County Code and Article 3 of Title 22 California Code of Regulations and the approved water system constructed, installed and fully operational.

Prior to Occupancy, a potability clearance must be obtained from this department stating in writing that the water system is capable of delivering potable water.

If the applicant decides to construct several Multiple Parcel Water Systems that would serve 2-4 subsequent residences on multiple parcels:

Prior to Recordation, water sources that are not already constructed must be developed in accordance with the provisions of Ch. 34A of the County Code.

Prior to Recordation, completed application(s) for multiple parcel water system(s), shall be reviewed and approved by Environmental Health Services. The application(s) shall include detailed engineered plans and specifications as well as surveyed easements and water rights for each of the parcels served by the water system.

Concurrent with Recordation, the applicant shall record easements and water rights for all parcels served by the water system.

Prior to Issuance of Building Permit, the owner(s) of the proposed water system(s) shall be in possession of a valid Multiple Parcel Water System Permit pursuant to Ch. 34B of the County Code.

Prior to Occupancy, the approved water supply system shall be constructed and fully operational.

Prior to Occupancy, Environmental Health Services shall inspect the water system and issue an Occupancy Clearance notice for the water system.

If it is decided to construct a private water system for each proposed parcel:

Prior to Issuance of Building Permit: The owner of each parcel shall submit a completed application for a single parcel water system to Environmental Health Services for review and approval. The application shall be completed in accordance with the provisions in Ch. 34B of the County Code

Prior to Issuance of Building Permit, the owner of each property shall be in possession of a valid Single Parcel Water System Permit pursuant to Ch. 34B of the County Code.

Prior to Occupancy, Environmental Health Services shall inspect the water system and issue an Occupancy Clearance notice for the water system.

Prior to Recordation, the applicant shall provide a copy of the final map to Environmental Health Services.

Prior to Issuance of Building Permit, the owner of each parcel shall submit an application for an Onsite Wastewater Treatment System to Environmental Health Services for review and approval. The application shall be completed in accordance with the provisions of Ch.18C of the County Code.

Prior to Issuance of Building Permit, the owner of each parcel shall be is possession of a valid Onsite Wastewater Treatment System permit pursuant to Ch.18C of the County Code.

Prior to Occupancy Clearance, Environmental Health Services shall inspect and issue an occupancy clearance notice for the onsite wastewater treatment system

David Brummond
Supervising Environmental Health Specialist

cc: Leo Hanly, Charles Roven Applicants
Susan Petrovich, Agent
Massoud Abolhada, Planning and Development Dept., Building and Safety Div.
Alek Jevremovic, Office of the County Surveyor
Deanna Talerico, Environmental Health Services

LU 5269

# EXECUTIVE SUMMARY

This section summarizes the characteristics of the proposed project and the project alternatives, the environmental impacts associated with the project and alternatives, and required ~~and recommended~~ mitigation measures.

## PROJECT SYNOPSIS

### Lead Agency

County of Santa Barbara
Planning & Development Department
624 W. Foster Road
Santa Maria, CA 93455

### Project Applicant Representative

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

### Project Description

The proposed project is a Tentative Tract Map application to subdivide an existing 3,951-acre property into 13 lots ranging in size from 160 acres to 605 acres. Each lot would have a residential development envelope (RDE), within which all future residential development would be confined, including all residential accessory development. Agricultural structures, including agricultural worker dwellings, would be located outside of the RDEs. The property consists of Assessor's Parcel Numbers (APNs) 133-080-026, 133-080-036, and a portion of 133-080-037.

## ALTERNATIVES

This EIR addresses three alternatives to the proposed project, which include:

1. No Project/No Development Alternative
2. Agricultural Cluster Alternative
3. Reduced Lots Alternative

The No Project/No New Development Alternative (Alternative 1) would be environmentally superior overall, since no new development would occur on the project site, and all environmental impacts would be less than significant. This alternative avoids several impacts that were identified as potentially significant requiring mitigation: impacts to scenic resources, impacts to special status plants and animals, riparian habitat disturbance, impacts to federally-protected wetlands, oak tree removal, impacts to wildlife movement, cumulative habitat loss, potential impacts to unknown cultural resources, cumulative cultural resources impacts, liquefaction hazards, expansive soils, and impacts associated with septic systems. However, this alternative would not satisfy any of the project objectives.

Among the remaining alternatives, the Reduced Lots Alternative (Alternative 3) would result in the fewest significant impacts as compared to the proposed project, because it would eliminate development (and associated impacts and mitigation) on Lots 9, 10, 11, 12, and 13, which represent nearly one-fourth of the acreage proposed as RDE, and over half of the total project site. Therefore, Alternative 3 would be considered environmentally superior among the remaining alternatives. As described in the analysis above, the Reduced Lots Alternative would also result in reduced impacts to aesthetic/visual resources, air quality, agricultural resources, and greenhouse gas emissions when compared to the proposed project. However, none of these slightly reduced impacts would eliminate the need for the mitigation measures described in Sections 4.1, *Aesthetic/Visual Resources*, 4.4, *Biological Resources*, 4.5, *Cultural Resources*, or 4.7, *Geology*.

Furthermore, the Reduced Lots Alternative does not present any new significant impacts that were determined to be less than significant in the analysis of the proposed project nor would it increase the severity of impacts identified for the proposed project. For these reasons, the Reduced Lots Alternative (Alternative 3) is identified as the Environmentally Superior Alternative among the remaining alternatives.

# SUMMARY OF IMPACTS AND MITIGATION MEASURES

Table ES-1 summarizes the identified environmental impacts for each issue area studied in the EIR, required mitigation measures (if any), and the level of significance after mitigation. Table ES-1 contains the project-specific impacts organized by impact level, followed by the cumulative impacts. Class I impacts are defined as significant and unavoidable adverse impacts, which require a statement of overriding considerations to be made per Section 15093 of the State CEQA Guidelines if the project is approved. Class II impacts are significant, adverse impacts that can be feasibly mitigated to a less than significant level, and which require findings to be made under Section 15091 of the State CEQA Guidelines. Class III impacts are considered less than significant impacts. Potential project-specific and cumulative impacts are listed below in summary form.

**Class I – Significant and Unavoidable Impacts**

- *None identified*

**Class II – Significant Impacts that Can Be Mitigated to Less than Significant Levels**

- *Scenic views*
- *Special Status Plant and Animal Species*
- *Sensitive habitats*
- *Wetlands*
- *Oak trees*
- *Wildlife corridors*
- *Cumulative biological resources impacts*
- *Unknown archaeological resources*
- *Cumulative cultural resources impacts*
- *Liquefaction/soil stability*
- *Expansive soils*
- *Septic systems*

### Class III – Less than Significant Impacts

- *Visual character*
- *Light and glare*
- *Cumulative impacts to scenic views*
- *Construction air quality emissions*
- *Operational air quality emissions*
- *Clean Air Plan consistency*
- *Cumulative air quality impacts*
- *Known cultural resources*
- *Fire protection services*
- *Local fire flow requirements*
- *Wildland fire hazards*
- *Cumulative fire protection services*
- *Fault Displacement*
- *Groundshaking*
- *Slope stability*
- *Soil erosion*
- *Cumulative geological impacts*
- *Cumulative greenhouse gas emissions*
- *Hazard/hazardous materials impacts*
- *Cumulative wildland fire hazards*
- *Cumulative hazard/hazardous materials impacts*

**Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation**

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| **CLASS II PROJECT-SPECIFIC IMPACTS (Less than Significant with Mitigation)** | | |
| **4.1 Aesthetics/Visual Resources** | | |
| **Impact AES-2.** Although future residential structures, access roads, and infrastructure improvements on the project site would not substantially obstruct public vistas of scenic ridgelines and agricultural lands, the removal of mature oak trees would result in the loss of scenic resources. | **AES-2. Oak Tree Replanting Within Public Viewsheds.** In addition to the requirements in Mitigation Measure B-4(b), the Tree Replacement Plan shall include a provision requiring that existing oak trees which are visible from public roadways and would need to be removed due to project construction shall be replaced with oak trees in locations that are visible from such roadways.<br><br>**Plan Requirements and Timing**. The Oak Tree Replacement Plan shall be submitted to P&D for review and approval prior to issuance of grading permits. **Monitoring**. P&D shall oversee implementation of the Oak Tree Protection and Replacement Plan. | Even though development may involve the removal of mature oak trees visible from public viewpoints, Mitigation Measures B-4(a) and B-4(b), in combination with Mitigation Measure AES-2, would minimize long-term impacts to public views of scenic resources on the project site. Therefore, implementation of the above mitigation measures would reduce impacts to scenic views and resources to a less than significant level (Class II). |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| **4.4 Biological Resources** | | |
| **Impact B-1.** Approval of the tentative tract map and subsequent development of the RDEs, proposed access roads and infrastructure may result in impacts to special status plant and animal species. | **B-1(a) Special Status Plant Species Pre-Construction Surveys**. Updated surveys for special status plants shall be completed by a County-approved biologist prior to construction of the access roads, infrastructure and development of the RDEs. The surveys shall be floristic in nature and shall be seasonally-timed to coincide with the target species. All plant surveys shall be conducted by a qualified biologist approved by the County no more than two years prior to initial ground disturbance. All special status plant species identified on-site shall be mapped onto a site-specific aerial photograph and topographic map. Surveys shall be conducted in accordance with the most current protocols established by the CDFW, USFWS, and the local jurisdictions if said protocols exist. A report of the survey results shall be submitted to the implementing agency, and the CDFW and/or USFWS, as appropriate, for review and approval.<br><br>**Plan Requirements and Timing**. A report of the rare plant survey results shall be submitting to P&D for review prior to issuance of land use permits for RDE development as well as access road and infrastructure construction. Mapped locations of rare plants shall be shown on grading plans. **Monitoring**. P&D shall ensure that the rare plant surveys have been completed. Grading inspectors shall inspect as needed.<br><br>**B-1(b) Special Status Plant Species Avoidance, Minimization, and Mitigation**. If State listed or California Rare Plant Rank**ed** ~~List 1B~~ species are found during special status plant surveys**, an evaluation of impacts shall be prepared. The impact analysis must identify locations and extent of special status plants within the proposed development site, and within the lot. The analysis shall consider impacts in the context of populations at the state, regional, and local (i.e. survey area and immediate vicinity) levels. The report must also evaluate options for minimizing impacts.** ~~then~~ **D**evelopment shall be re-designed in coordination with a qualified biologist to avoid impacting these plant species. Rare plant occurrences that are not within the immediate disturbance footprint, but are located within 50 feet of disturbance limits shall have bright orange protective fencing installed at least 30 feet beyond their extent, or other distance as approved by a qualified biologist, to protect them from harm.<br><br>**If State listed species cannot be avoided, authorization for impacts must be obtained from CDFW, and** ~~If special status plants species cannot be avoided,~~ all impacts shall be mitigated at a minimum ratio of 2:1 (number of acres/individuals restored to number of acres/individuals impacted) for each species as a component of habitat restoration. | Implementation of the above mitigation measures would reduce impacts to special status species to less than significant levels (Class II). |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | **If non-listed special status plants species cannot be avoided, impacts shall be mitigated for all impacts that could cause the regional population of any of these species to drop below self-sustaining levels, threaten to eliminate any plant community of which the species is a key part, or substantially reduce the number of occurrences or individuals or restrict the range of that species. The threshold for impacts above which mitigation must be implemented shall be impacts that remove over 10 percent of the local (onsite and immediate vicinity) population of any CRPR 1B species, or impacts more than 30 percent of the local (onsite and immediate vicinity) population of any CRPR 3 or 4 species that forms a unique vegetation type, is present in unusually large numbers, with implications for status of the species throughout its range, or is otherwise designated as locally rare. Impacts shall be mitigated at a minimum ratio of 1:1 (number of acres/individuals restored to number of acres/individuals impacted) for each species as a component of habitat restoration.** A restoration plan shall be prepared and submitted to the County for approval. (Note: if a state listed plant species will be impacted, the restoration plan shall also be submitted to the CDFW for approval). The restoration plan shall include, at a minimum, the following components:<br>• Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type);<br>• Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved];<br>• Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values);<br>• Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan [including species to be used, container sizes, seeding rates, etc.]);<br>• Maintenance activities during the monitoring period, including weed removal and irrigation as appropriate (activities, responsible parties, schedule);<br>• Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports);<br>• Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | type **for restoration plans that include establishment of a specific vegetation alliance, and minimum survival of two individuals /two acres occupied at the same density as baseline for each one individual or one acre of impacted CRPR 1B species, and minimum survival of one individual/one acre occupied at the same density for each individual or acre impacted for CRPR 3 and 4 species. Options for individuals or acreage are allowed because establishment of annual plants is often evaluated based on cover and density. Additionally, in no case shall density and cover of non-native species exceed baseline condition evaluated at the impact site prior to disturbance;**<br>• An adaptive management program and remedial measures to address any shortcomings in meeting success criteria;<br>• Notification of completion of compensatory mitigation and agency confirmation; and<br>• Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).<br><br>**Plan Requirements and Timing**. Prior to approval of land use permits for ~~future~~ **the** construction **of access roads, infrastructure improvements and development within the RDEs**, the applicant shall submit the results of the survey to P&D for review and approval. P&D shall inspect the site prior to initiation of ground disturbance activities to ensure the protective fencing is installed properly. If special status plants cannot be avoided, the applicant shall submit the restoration and monitoring plan to P&D for review and approval prior to ~~issuance~~ **approval** of ~~grading~~ **land use** permits for ~~RDE~~ development **within the RDEs** as well as access road and infrastructure construction. **Monitoring**. The protective fencing shall be monitored by P&D **staff** until construction is complete. P&D **staff** shall ensure that the proposed development avoids impacts to rare plant species or impacts are mitigated for per the requirements of this measure.<br><br>**B-1 (c) USFWS/CDFW Consultation**. Prior to ~~issuance~~ **approval** of land use **permits for the construction of access roads, infrastructure improvements and development within the RDEs**, the applicant shall consult with USFWS and CDFW regarding potential impacts to CRLF, **LBV,** and CTS. The applicant shall obtain all necessary permits and approvals and shall implement measures as required by these permits and approvals.<br><br>**Plan Requirements and Timing**. The applicant shall submit copies of correspondence and/or permits (as applicable) with applicable agencies to P&D prior to ~~issuance~~ **approval** of ~~grading~~ **land use** permits **for the construction of access roads, infrastructure improvements and development within the RDEs**. **Monitoring**. P&D ~~compliance monitoring~~ staff shall | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | ensure that prior to land use permit~~/zoning~~ approval, the applicant has contacted USFWS and CDFW.<br><br>**B-1(d) California Tiger Salamander (CTS) and California Red-legged Frog (CRLF) Protocol Surveys**. Prior to ~~issuance~~ **approval** of ~~grading~~ **land use** permits for **the** construction of the access roads, infrastructure **improvements,** and **development within the** RDEs, surveys for CTS ~~and CRLF shall be conducted where~~ disturbance areas ~~are~~ located within the distribution **area** of CTS ~~in Santa Barbara~~ (USFWS, 2010) and are within 1.24 miles of potential ponds **shall be conducted. In addition, surveys shall be conducted within** ~~as well as~~ disturbance areas containing suitable **aquatic** habitat for the CRLF (e.g., Foxen Canyon/Jesus Canyon drainage). Surveys shall consist of aquatic and/or upland sampling as appropriate and in consultation with the USFWS and/or CDFW. Surveys shall follow the Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander (USFWS, 2003) and Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog (USFWS, 2005) or the current protocol established by the USFWS and CDFW at the time surveys are conducted. If CTS and/or CRLF are detected, mitigation measure B-1(e) would apply. If protocol surveys result in negative findings, mitigation measures B-1(e) and B-1(f) would not apply. Currently, the CRLF and CTS protocols listed above do not specify time periods in which results would remain valid. In the event that protocol surveys have already been completed and may apply to a parcel proposed for development, the project applicant shall consult with the USFWS and/or CDFW to determine whether a new protocol survey is required.<br><br>Alternatively, in lieu of conducting protocol surveys, the applicant may choose to assume CTS are present within disturbance areas located within the distribution of CTS in Santa Barbara (USFWS, 2010) and are within 1.24 miles of potential ponds and containing suitable habitat. The applicant may also choose to assume CRLF are present within disturbance areas containing suitable habitat (e.g., Foxen Canyon/Jesus Canyon drainage). If protocol surveys are not conducted and presence assumed based on suitable habitat, mitigation measure B-1(e) would apply.<br><br>**Plan Requirements and Timing**. The applicant shall submit the results of the protocol surveys or a memorandum indicating that the applicant chooses to assume presence for each species based on suitable habitat prior to ~~application~~ **approval** of ~~grading~~ **land use** permits for **the construction of access roads, infrastructure improvements, and development within the** RDE**s** ~~development as well as access road and infrastructure construction~~. **Monitoring**. P&D **staff** shall ensure that documentation is received prior to | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | ~~initiation~~ **approval** of ~~construction activities~~ **land use permits** and shall oversee implementation of mitigation plans.<br><br>**B-1(e) California Tiger Salamander (CTS) and California Red-legged Frog (CRLF) Habitat Avoidance and Compensatory Mitigation**. If CTS or CRLF occupied or presumed occupied habitat would be impacted by the project, the applicant shall re-design development in coordination with a **County-approved** qualified biologist to avoid impacting occupied habitat. Disturbance limits shall have bright orange protective fencing installed at least 50 feet beyond their extent, or other distance as approved by a ~~qualified~~ **County-approved** biologist, to protect occupied habitat. If occupied or presumed occupied habitat cannot be avoided, the applicant shall provide the County total acreages for habitat that would be impacted prior to the~~ issuance~~ **approval** of ~~grading~~ **land use** permits **for the construction of access roads, infrastructure improvements, and development within the RDEs**. The applicant shall purchase credits at a USFWS and CDFW approved conservation bank (There is currently one CDFW-approved bank for CTS with a service area that includes the project site, La Purisima Conservation Bank) and/or establish conservation easements or funds for acquisition of conservation easements as compensatory mitigation to offset impacts CTS and CRLF habitat.<br><br>The compensatory mitigation shall incorporate the conditions specified in incidental take permits that could be issued by CDFW and USFWS for this project, but shall meet the minimum standards specified in this measure. Compensatory mitigation shall be provided at a ratio of not less than 2:1 (area mitigated: area impacted). Compensatory mitigation may be combined/nested with special status plant species and sensitive community restoration where applicable.<br><br>If the applicant establishes conservation easement(s) (on- and/or off-site) to serve as compensatory mitigation for CTS and CRLF impacts, areas proposed for preservation must contain verified extant populations of the special status species that would be impacted by the project. Compensatory mitigation areas shall have a restrictive covenant prohibiting future development/disturbance and shall be managed in perpetuity to encourage persistence and enhancement of the preserved target species. Compensatory mitigation lands cannot be located on land that is currently held publicly for resource protection. The compensatory mitigation areas shall be managed by a conservation lands management entity or other qualified easement holder.<br><br>The CDFW and organizations approved by CDFW that meet the criteria below may be considered qualified easement holders for those species for which the | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | CDFW has regulatory authority. To qualify as a "qualified easement holder" a private land trust must at a minimum have:<br>1. Substantial experience managing conservation easements that are created to meet mitigation requirements for impacts to special-status species;<br>2. Adopted the Land Trust Alliance's Standards and Practices; and;<br>3. A stewardship endowment fund to pay for its perpetual stewardship obligations.<br><br>Other specific conditions for qualified easement holders may be outlined in incidental take permits that could be issued by CDFW and USFWS for this project.<br><br>The County shall determine whether a proposed easement holder meets these requirements. The applicant shall also be responsible for donating to the conservation easement holder fees sufficient to cover administrative costs incurred in the creation of the conservation easement (appraisal, documenting baseline conditions, etc.) and funds in the form of a non-wasting endowment to cover the cost of monitoring and enforcing the terms of the conservation easement in perpetuity. The amount of these administrative and stewardship fees shall be determined by the conservation easement holder in consultation with the County.<br><br>Conservation easement(s) shall be held in perpetuity by a qualified easement holder (as defined above, and be subject to a legally binding agreement that shall: (1) Be recorded with the County Recorder(s); and (2) Contain a succession clause for a qualified easement holder if the original holder is dissolved.<br><br>The following factors shall be considered in assessing the quality of potential mitigation habitat: (1) current land use, (2) location (e.g., habitat corridor, part of a large block of existing habitat, adjacency to source populations, proximity to potential sources of disturbance), (3) vegetation composition and structure, (4) slope, (5) soil composition and drainage, and (6) level of occupancy or use by all relevant species.<br><br>To meet the requirement that the mitigation habitat is of value equal to, or greater than, the habitat impacted on the project site, the mitigation habitat must be **considered** ~~either~~ "suitable habitat" or "enhanced habitat" as described below:<br><br>*Suitable Habitat*. To meet the requirements for suitable habitat that provides equal or greater habitat value for listed animal species than the impacted habitat, the habitat must:<br>1. Provide habitat for special status animal species, such that special status animal species populations can regenerate naturally when disturbances are removed; | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | 2. Not be characterized by (or adjacent to areas characterized by) high densities of invasive species, such as yellow star-thistle, or species that might jeopardize habitat recovery and restoration;<br>3. Not contain hazardous wastes that cannot be removed to the extent that the site could not provide suitable habitat; and<br>4. Not be located on land that is currently publicly held for resource protection.<br><br>*Enhanced Habitat*. If suitable habitat is unavailable, or in lieu of acquiring already suitable special status animal species habitat, the applicant may enhance potential habitat that:<br>1. Is within an area with potential to contribute to habitat connectivity and build linkages between populations;<br>2. Consists of actively farmed land or other land containing degraded habitat that will support enhancement;<br>3. Supports suitable soils, slope, and drainage patterns consistent with special status animal species requirements;<br>4. Cannot be located on land that is currently held publicly for resource protection; and<br>5. Does not contain hazardous wastes or structures that cannot be removed to the extent that the site could not provide suitable habitat.<br><br>*Enhanced Habitat Standards*. For enhanced habitat conditions to equal or exceed habitat conditions on the project site, the enhanced habitat shall meet the following habitat criteria. After five years, these sites must consist of suitable habitat or contain other habitat characteristics (e.g. small mammal burrows in upland habitat for CTS, etc.) that are consistent with the known ecology of the special status animal species to which compensatory mitigation is being applied.<br><br>**Plan Requirements and Timing**. The applicant shall calculate the total acreages required to meet all compensatory mitigation obligations and submit these totals to County P&D prior to ~~the issuance~~ **approval** of ~~grading~~ **land use** permits **for the construction of access roads, infrastructure improvements, and development within the RDEs**. The applicant shall then obtain County approval of the conservation bank and/or location of mitigation lands, the holder of conservation easements, and the restrictions contained in the easement(s) created for the permanent protection of these lands. Documentation of purchase of mitigation credits and/or recorded easement(s) shall be submitted to and approved by the County prior to the ~~first of the project's final inspections, or within 12 months after issuance of grading permits, whichever comes first~~ **issuance of a land use permit**. Verification of having met habitat mitigation requirements shall be reviewed and approved prior to final inspection. **Monitoring**: P&D | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | shall review and approve documentation of compensatory mitigation land acquisition and associated restrictive covenant for consistency with conditions outlined in the measure. These lands may be identified through independent consultation with CDFW and/or USFWS. The applicant shall provide evidence to P&D of (a) conservation bank credits, or (b) establishment of a permanent conservation easement and maintenance endowment.<br><br>**B-1(f) Listed Species Habitat Mitigation and Monitoring Plan (HMMP)**. If establishment of conservation easements (on- and/or off-site) pursuant to Mitigation Measure B-1(d) is required, the applicant shall retain a ~~qualified~~ **County-approved** biologist to prepare a Habitat Mitigation and Monitoring Plan (HMMP) to ensure the success of compensatory mitigation sites required for compensation of permanent impacts to CTS and CRLF that are to be enhanced. If required, the HMMP shall be submitted to the County within 12 months after the ~~issuance~~ **approval** of the ~~grading~~ **land use** permit. The HMMP shall include, at a minimum, the following information:<br>• A summary of habitat and species impacts and the proposed mitigation for each element;<br>• A description of the location and boundaries of the mitigation site(s) and description of existing site conditions;<br>• A description of any measures to be undertaken to enhance (e.g., through focused management) the mitigation site for special status species;<br>• Identification of an adequate funding mechanism for long-term management and identification of a conservation lands management entity to manage the conservation easement lands;<br>• A description of management and maintenance measures intended to maintain and enhance habitat for the target species (e.g., weed control, fencing maintenance);<br>• A description of habitat and species monitoring measures on the mitigation site, including specific, objective performance criteria, monitoring methods, data analysis, reporting requirements, monitoring schedule, etc.; monitoring shall document compliance with each element requiring habitat compensation or management;<br>• A contingency plan for mitigation elements that do not meet performance or final success criteria within described periods; the plan shall include specific triggers for remediation if performance criteria are not met and a description of the process by which remediation of problems with the mitigation site (e.g., presence of noxious weeds) shall occur;<br>• A requirement that the applicant shall be responsible for monitoring, as specified in the HMMP, for at least five years post-construction; during this period, regular reporting shall be provided to the County;<br>• Reporting shall include: | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | a. An annual monitoring report to be submitted to the County **and applicable agencies**; and<br>b. Demonstration that the compensatory mitigation and management (1) will fully mitigate for any take of a CESA-listed species as defined by CESA, (2) minimize and mitigate any take of an FESA-listed species to the maximum extent practicable as defined by FESA, and (3) ensure that impacts from the project are not likely to jeopardize the listed species continued existence as defined by FESA.<br><br>**Plan Requirements and Timing**. The HMMP shall be submitted to P&D for review and approval prior to issuance of ~~Grading~~ **land use p**ermits. If habitat restoration is to take place off-site, the above requirements shall also apply, and, in addition, proof of purchase or an easement controlling off-site acreage shall also be submitted to P&D prior to issuance of ~~Grading~~ **land use** permits. **Monitoring**. The restoration shall be monitored by a ~~qualified~~ **County-approved** biologist for five years. P&D shall oversee implementation of the HMMP through periodic monitoring and a final restoration site inspection upon completion.<br><br>**B-1(g) California Tiger Salamander <u>(CTS)</u> and California Red-legged Frog <u>(CRLF)</u> Avoidance and Minimization**. The following measures shall be implemented during construction of access roads, infrastructure, and **development within the** RDEs.<br>• Pre-construction surveys for CTS and CRLF shall be conducted where suitable habitat is present by a county-approved biologist not more than 48 hours prior to the start of construction activities. The survey area should include the proposed disturbance area and all proposed ingress/egress routes, plus a 100 foot buffer. If any life stage of CRLF or CTS is found within the survey area, the USFWS and/or CDFW should be consulted to determine the appropriate course of action or the appropriate measures implemented in accordance with the BO **or HCP** issued by the USFWS (relevant to CRLF and CTS) and/or the ITP issued by the CDFW (relevant to CTS).<br>• Ground disturbance shall be limited to the minimum necessary to complete construction activities. Construction limits of disturbance shall be flagged. All equipment and material storage, parking, staging and other support areas shall be identified prior to issuance of a grading permit. Areas of special biological concern within or adjacent to construction limits shall have highly visible orange construction fencing installed between said area and the limits of disturbance.<br>• All development activities occurring within/adjacent to aquatic habitats (including riparian habitats and wetlands) shall be completed between April 1 and October 31, to avoid impacts to sensitive aquatic | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | species.<br>• To avoid encountering migrating CTS within range of potentially suitable aquatic habitat, construction within upland areas within the range of CTS should be limited to July 15 to October 15. Work should be postponed if chance of rain is greater than 70% based on the NOAA National Weather Service forecast or within 48 hours following a rain event greater than 0.1 inch. If work must occur during these conditions, a qualified biologist shall conduct a clearance sweep of work areas prior to the start of work.<br>• All work shall occur during daylight hours.<br>• All projects occurring within or adjacent to habitats that may support CTS or CRLF shall have a County approved biologist present during all initial ground disturbing/vegetation clearing activities.<br>• No CTS or CRLF shall be captured and relocated without expressed permission from the CDFW and/or USFWS.<br>• If at any time during construction CTS or CRLF enters the construction site or otherwise may be impacted by the project, all construction activities shall cease. A County-approved biologist shall document the occurrence and consult with the CDFW and/or USFWS as appropriate.<br>• Upon completion of construction all excess materials and debris shall be removed from the project site and disposed of appropriately.<br>• The work area shall remain clean. All food-related trash items shall be enclosed in sealed containers and removed from the site regularly.<br>• Pets shall be prohibited at the construction site.<br>• The work area shall be surrounded by a solid temporary exclusion fence (such as silt fence) that shall be buried into the ground and extend at least three feet above the ground and buried at least 6 inches to exclude CTS and CRLF from the work area. The location of the fencing shall be determined by a qualified biologist. The fencing shall be installed during the dry season prior to rain events that may stimulate movement of CTS and CRLF. The fence shall be inspected daily to assure that it is functioning properly to exclude CTS and CRLF from the work area. The fence shall remain in place throughout construction ~~and operation~~. Access roads shall be temporarily sealed off overnight using a section of fence that is anchored to the ground (e.g., fire hose filled with sand or sand bags can be used to anchor the bottom of the fence or the bottom must be buried). Installation of the exclusion fencing shall be monitored by a County-approved biologist to ensure that it is installed correctly.<br>• All vehicle maintenance/fueling/staging shall occur not less than 60 feet from any riparian habitat or water body. Suitable containment procedures shall be implemented to prevent spills **from entering adjacent habitats**. A minimum of one spill kit shall be available at each work location near riparian | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | habitat or water bodies.<br>• No equipment shall be permitted to enter wetted portions of any affected drainage channel **unless previously approved by applicable regulatory agencies**.<br>• All equipment operating within streams shall be in good conditions and free of leaks. Spill containment shall be installed under all equipment staged within stream areas and extra spill containment and clean up materials shall be located in close proximity for easy access.<br>• At the end of each work day, excavations shall be secured with cover or a ramp provided to prevent wildlife entrapment.<br>• All trenches, pipes, culverts or similar structures shall be inspected for animals prior to burying, capping, moving, or filling.<br>• If any CTS or CRLF are harmed, the County-approved biologist shall document the circumstances that led to harm and shall determine if project activities should cease or be altered in an effort to avoid additional harm to these species. Dead or injured special status species shall be disposed of at the discretion of the CDFW and USFWS. All incidences of harm shall be reported to the CDFW and USFWS within 48 hours.<br>• To ensure that diseases are not conveyed between work sites by the qualified biologist, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force should be followed at all times.<br><br>**Plan Requirements and Timing**. These measures are to be implemented during construction. **Monitoring**. The applicant shall maintain a County-approved biologist to monitor compliance with the above avoidance and minimization measures. The approved biologist shall submit maintenance reports to P&D compliance staff.<br><br>**B-1(h) Species of Special Concern Avoidance and Minimization**. A County-approved biologist shall be present during all initial ground disturbing activities, including vegetation removal to recover Species of Special Concern (western spadefoot, coast range newt, southern western pond turtle, two-striped garter snake, California legless lizard, and Blainville's horned lizard) that may be unearthed by construction activities. Individuals that are unearthed during excavation, if in good health, shall be immediately relocated to a designated relocation area to be determined by a County-approved biologist in coordination with CDFW. Individuals shall be relocated the shortest distance possible in a location that contains suitable habitat not likely to be affected by activities associated with the proposed project. The biologist(s) should maintain sufficiently detailed records of any individual observed, captured, relocated, etc., including size, coloration, any distinguishing features and photographs (preferably | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | digital) to assist him or her in determining whether translocated animals are returning to the project site.. If injured, the animals shall be turned over to a CDFW-approved specialist until they are in a condition suitable for release into the designated release area, or deposited at an approved vertebrate museum.<br><br>**Plan Requirements and Timing**. These measures are to be implemented during construction. **Monitoring**. The applicant shall maintain a County-approved biologist to monitor compliance with the above avoidance and minimization measures.<br><br>**B-1(i) Preconstruction Surveys for Nesting Birds**. For construction activities occurring during the nesting season (generally February 1 to September 15), surveys for nesting birds covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a qualified biologist no more than 30 days prior to vegetation removal activities.<br><br>A qualified biologist shall conduct preconstruction surveys for raptors. The survey for the presence of golden eagles, shall cover all areas within of the disturbance footprint plus a 1-mile buffer where access can be secured. The survey area for all other nesting bird and raptor species shall include the disturbance footprint plus a 300-foot and 500-foot buffer, respectively.<br><br>If active nests (nests with eggs or chicks) are located, the qualified biologist shall establish an appropriate avoidance buffer ranging from 50 to 300 feet based on the species biology and the current and anticipated disturbance levels occurring in vicinity of the nest. The objective of the buffer shall be to reduce disturbance of nesting birds. All buffers shall be marked using high-visibility flagging or fencing, and, unless approved by the qualified biologist, no construction activities shall be allowed within the buffers until the young have fledged from the nest or the nest fails.<br><br>For golden eagle nests identified during the preconstruction surveys, an avoidance buffer of up to one mile shall be established on a case-by-case basis in consultation with the USFWS, and shall depend on the existing conditions and disturbance regime, relevant landscape characteristics, and the nature, timing, and duration of the expected development disturbance. The buffer shall be established between 1 February and 31 August; however, buffers may be relaxed earlier than 31 August if a qualified **biologist/**ornithologist determines that a given nest has failed or that all surviving chicks have fledged.<br><br>Potential habitat for the LBV occurring within 500 feet of the disturbance area shall be surveyed for active nests prior to the start of construction activities. Surveys shall be done in accordance with the Least Bells' Vireo Survey Guidelines (USFWS, 2001) or as | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | agreed upon through discussion with the USFWS based upon site conditions at the time of construction. If an active LBV nest site is present, a 500-foot non-disturbance buffer shall be implemented around the nest during the breeding season (April 10 through July 30). **Construction activities to potential LBV nesting habitat where the access roads to Lot 3 and Lot 12 cross or parallel the Foxen Canyon/Jesus Canyon drainage will be completed outside the breeding season to the greatest extent feasible.**<br><br>**Plan Requirements and Timing**. These measures are to be implemented during construction. ~~The approved biologist shall contact P&D at the conclusion of the field surveys to inform P&D in writing of the results of the surveys~~ **The survey results shall be submitted to P&D prior to land use permit approval for the construction of access roads, infrastructure improvements and development within the RDEs**.<br>**Monitoring**. The applicant shall maintain a County-approved biologist to monitor compliance with the above avoidance and minimization measures.<br><br>**B-1(j) Burrowing Owl Avoidance and Minimization Measures**. Pre-construction surveys shall be conducted **by a County-approved biologist** for burrowing owls in accordance with CDFW-adopted survey protocols (California Burrowing Owl Consortium, 1993). This could entail surveys for winter residents in December and January, in addition to peak nesting season (April 15 through July 15) surveys. All suitable habitat, potential or known burrows or burrowing owls identified **within the disturbance footprint and 500 foot buffer** ~~on-site~~ shall be assessed and mapped. Survey results will be valid only for the season during which the survey is conducted. Surveys shall cover all suitable habitat ~~on-site~~ **within the disturbance footprint** plus a 500-foot buffer where safely accessible. If no burrowing owls or habitat are detected, no further action is required.<br><br>If, during pre-construction surveys, burrowing owls are detected on-site or within the survey area, all burrowing owls and occupied burrows shall be counted, mapped as stated above, and avoided by establishing a buffer around the occupied burrow(s). The buffer shall be a minimum of 300 feet around nest burrows and 100 feet around non-nest burrows. Buffers shall be demarcated with highly visible construction fencing and no ground disturbance activities shall occur within this buffer until the qualified biologist has determined that the burrow is no longer occupied. If an occupied burrow cannot be avoided, passive relocation may be implemented by the County-approved biologist with guidance from the CDFW. No burrowing owls may be trapped. Passive relocation shall be limited to the non-breeding season (typically **outside of the period** between April 15 and July 15). Passive relocation may involve installation of one-way | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | doors at burrow entrances for a minimum of five days. Once the County-approved biologist has determined that the burrow is no longer occupied, the burrow may be hand excavated to prevent re-occupancy.<br><br>**Plan Requirements and Timing**. The name, qualifications, scope **of biological surveys**, and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. The biologist implementing the above mitigation measure must also submit documentation of coordinating this effort with P&D prior to implementation. **The results of the pre-construction surveys shall be submitted to Planning and Development staff prior to the approval of Land Use Permits for the construction of access roads, infrastructure improvements and development within the RDEs.** The above impact avoidance measure shall be included on all grading**, building,** and ~~construction~~ **land use** plans prior to approval of land use permits **for the construction of access roads, infrastructure improvements and development within the RDEs**. A report on the implementation of impact avoidance measures used shall be submitted to P&D upon completion of the construction project. **Monitoring**. ~~P&~~ The applicant shall retain a qualified County-approved biologist to monitor all construction activities as warranted to ensure compliance. The approved biologist shall submit monitoring reports to P&D **staff**.<br><br>**B-1(k) American Badger Avoidance and Minimization Measures**. A minimum of two weeks prior to initiation of ground disturbing activities, a survey for badger burrows shall be conducted within the disturbance footprint by a ~~qualified~~ **County-approved** biologist (a biologist familiar with, including identification of, the wildlife species in the region). Dens found within the survey area shall be mapped and monitored using a tracking medium, remote camera system, and/or spotlighting at night for a minimum of three days to assess the presence of badgers. Inactive dens shall be collapsed by hand with a shovel to prevent badgers from re-using them during construction. Active dens located within the survey area shall be avoided during the breeding season (March 1 through June 30). A minimum buffer of 50 feet around the active den within the **proposed area of disturbance** ~~project site/action area/action area~~ shall be demarcated by construction fencing. The fencing shall be installed one foot above ground to permit movement of badgers in and out of the buffer zone. Once the biologist has determined that active dens are no longer in use, the den shall be collapsed by shovel. Prior to grading activities occurring outside of the breeding season, badgers may be discouraged from using currently active dens by partially blocking the entrance of the den with sticks, debris, and soil for three (3) to five (5) days. Access to the den would be incrementally blocked to a greater degree over this period. This would cause the badger to abandon the | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | den site and move elsewhere. After badgers have stopped using active dens within the project site, the dens would be collapsed by hand with a shovel.<br><br>**Plan Requirements and Timing**. The name, qualifications, scope **of biological surveys**, and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. A report of the results of the badger survey shall be submitted to P&D for review and approval prior to ~~initiation of ground-disturbing activities~~ **the approval of Land Use Permits for the construction of access roads, infrastructure improvements and development within the RDEs**. **Monitoring**. P&D will review and approve the reports. A ~~qualified~~ **County-approved** biologist shall be present during the initial ground-disturbing activity.<br><br>**B-1(l) San Diego Desert Woodrat Avoidance and Minimization Measures**. **Not more than two weeks prior to the initiation of ground disturbing activities and/or vegetation removal, a** County-approved biologist shall conduct a pre-construction survey prior to the onset of work activities, as well as surveys and/or monitoring during initial disturbance of potential San Diego desert woodrat habitat. If San Diego desert woodrat nests are discovered and are determined to be impacted by the project, the ~~houses~~ **nests** shall be relocated under the guidance and supervision of a County-approved biologist. Prior to relocation, the nest shall be agitated to encourage any woodrats occupying the ~~house~~ **nest** to leave. Once the County-approved biologist is satisfied that the ~~house~~ **nest** is unoccupied, the nest materials shall be placed outside of the impact area. The spacing between relocated ~~house~~ **nest** materials or between relocated ~~house~~ **nest** materials and existing stick ~~houses~~ **nests** shall not be less than 25 feet. Due to the potential for hazardous health conditions associated with the relocation of woodrat ~~houses~~ **nests**, procedures to minimize risk of contracting diseases associated with woodrats and woodrat houses needs to be addressed prior to relocation activities.<br><br>**Plan Requirements and Timing**. The name, qualifications, scope, and contact information for the surveying biologist must be submitted to P&D**, and a report of the results of the relocation efforts shall be submitted to P&D for review prior to the approval of Land Use Permits for the construction of access roads, infrastructure improvements and development within the RDEs** ~~in advance of the surveys. Proposed relocation areas shall be identified and approved by P&D prior to beginning the work. A report of the results of the relocation efforts shall be submitted to P&D for review prior to initiation of ground-disturbing activities~~. **Monitoring**. P&D shall review the reports for compliance and shall inspect the site during construction to ensure compliance. | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | **B-1(m) California Legless Lizard, Blainville's Horned Lizard, Two-Striped Garter Snake, Western Spadefoot, and Coast Range Newt Pre-Construction Survey**. Not more than two weeks prior to initiation of ground disturbing activities and vegetation removal, a **County-approved** qualified biologist shall conduct a pre-construction survey for California legless lizard, Blainville's horned lizard, two-striped garter snake, western spadefoot and coast range newt. The survey area should include the project site and all proposed ingress/egress routes, plus a 100-foot buffer. Surveys for California legless lizards shall include raking of leaf litter under shrubs and trees in suitable habitat within the disturbance footprint to a minimum depth of eight inches.<br><br>If these species are found and individuals are likely to be killed or injured by construction activities, a **County-approved** qualified biologist shall be allowed sufficient time to capture and relocate the animals from the project site before construction activities begin. **Suitable relocation sites for release of captured animals shall be identified prior to commencement of construction activities and approved by the County.** If California legless lizards are captured they shall be placed into containers with sand or moist paper towels and released in ~~a~~ **the pre-determined,** County-approved off-site location for release of captured individuals within three hours **of capture**. The **County-approved** ~~qualified~~ biologist shall relocate individuals the shortest distance possible to a location that contains suitable habitat not likely to be affected by activities associated with the proposed project. The biologist(s) should maintain sufficiently detailed records of any individual observed, captured, relocated, etc., including size, coloration, any distinguishing features and photographs (preferably digital) to assist him or her in determining whether translocated animals are returning to the project site.<br><br>To ensure that diseases are not conveyed between work sites by the qualified biologist, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force should be followed at all times.<br><br>**Plan Requirements and Timing**. The name, qualifications, scope **of biological surveys**, and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. Proposed relocation areas shall be identified and approved by P&D prior to ~~beginning the work~~ **the approval of a Land Use Permit for the construction of access roads, infrastructure and development within the RDEs**. A report of the results of the capture and relocation efforts shall be submitted to P&D for review prior to ~~initiation of ground-disturbing activities~~ **the approval of a Land Use Permit for the construction of access roads, infrastructure improvements and development within the RDEs**. **Monitoring**. P&D | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | shall review the reports for compliance and shall inspect the site during construction to ensure compliance.<br><br>**B-1(n) Southern Western Pond Turtle Avoidance and Minimization Measures**. The following measures are designed to reduce the potential for impact to this species.<br>• A County-approved biologist shall conduct a pre-construction survey **a minimum of two weeks** prior to the onset of work activities, as well as surveys and/or monitoring during initial disturbance of potential southern western pond turtle habitat. **In order to detect southern western pond turtle nests the County-approved biologist shall lightly rake the soil within potential nesting habitat in a careful manner in order to avoid damaging eggs.** If this species is found and the individuals are likely to be injured or killed by work activities, the approved biologist shall be allowed sufficient time to move them from the project site before work activities begin. The biologist(s) must relocate ~~the~~ any southern western pond turtle the shortest distance possible to a location that contains suitable habitat that is not likely to be affected by activities associated with the proposed project. The biologist(s) should maintain sufficiently detailed records of any individual observed, captured, relocated, etc., including size, coloration, any distinguishing features and photographs (preferably digital) to assist him or her in determining whether translocated animals are returning to the project site. **See below for procedure on discovery of a clutch.**<br>• If possible, schedule construction activities within suitable habitat outside of the typical nesting season for southern western pond turtle (April-August [Stebbins, 2003]). If work is conducted within the nesting period and a southern western pond turtle egg clutch is discovered during pre-construction surveys, the location shall be surrounded with high visibility fencing under the guidance of a **County-approved** qualified biologist. The nest shall be avoided by construction until a qualified biologist determines that the clutch has hatched. The CDFW shall also be contacted to provide additional guidance in the event that a southwestern pond turtle nest is discovered. If during construction a ~~northern~~ **southern** western pond turtle nest is discovered, construction shall cease immediately upon the discovery and the qualified biologist notified. The same procedure described above shall then be applied.<br><br>**Plan Requirements and Timing**. The name, qualifications, scope **of biological surveys**, and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. Proposed relocation areas shall be identified and approved by P&D prior to beginning the work. A report of the results | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | of the capture and relocation efforts shall be submitted to P&D for review prior to ~~initiation of ground-disturbing activities~~ **the approval of a Land use Permit for the construction of access roads, infrastructure improvements and development within the RDEs**. **Monitoring**. P&D shall review the reports for compliance and shall inspect the site during construction to ensure compliance.<br><br>**B-1(o) Western Red Bat Avoidance and Minimization Measures**. The following measures are designed to reduce the potential for impact to this species.<br>• If possible, removal of suitable roosting trees shall be avoided during the time when western red bats may occupy their winter range (September –May).<br>• For construction activities occurring at a time when western red bats may occupy their winter range (September –May) surveys for roosting western red bats shall be conducted by a **County-approved** qualified biologist no more than 14 days prior to **the initiation of ground disturbing activities and/or** vegetation removal. The surveys shall include the entire area of disturbance area and focus on the trees located within the impact area. If active roosts are located, all construction work shall be conducted outside a buffer zone from the roost to be determined by the qualified biologist. The buffer area(s) shall be closed to all construction personnel and equipment until May 1 **or until a qualified biologist confirms that the bats have left the roost and it is no longer active**.<br>• If night time construction work is required, night time work shall be kept to a minimum and lighting used shall be as dim as legally possible, and should be directed to where it is needed to avoid light spillage and any upward lighting should be minimized.<br><br>**Plan Requirements and Timing**. The name, qualifications, scope **of biological surveys**, and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. A report of the results of the bat survey shall be submitted to P&D for review and approval prior to ~~initiation of ground-disturbing activities~~ **the approval of a Land Use Permit for the construction of access roads, infrastructure improvements and development within the RDEs**. **Monitoring**. P&D will review and approve the reports. A **County-approved** qualified biologist shall be present during the initial ground-disturbing activity within roosting habitat.<br><br>**B-1(p) Worker Environmental Awareness Program (WEAP)**. Prior to initiation of construction activities (including staging and mobilization), all personnel associated with project construction shall attend WEAP training, conducted by a **County-approved** qualified biologist, to aid workers in recognizing special | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | status resources that may occur in the project area. The specifics of this program shall include identification of the sensitive species and habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employers, and other personnel involved with construction of the project. All employees shall sign a form ~~documenting~~ provided by the trainer indicating they have attended the WEAP and understand the information presented to them.<br><br>**Plan Requirements and Timing**. P&D shall be notified by the applicant of the date and time the training is scheduled so that they may attend. Fact sheets shall be reviewed and approved by P&D prior to ~~conducting the training. All employees shall sign a sheet documenting their attendance~~ **the approval of a Land Use Permit for construction of access roads, infrastructure improvements and development within the RDEs**. **Monitoring**. P&D shall ensure that worker trainings occur prior to initiation of ground disturbance and construction activities. | |
| **Impact B-2.** Approval of the tentative tract map and subsequent development of the RDEs, proposed access roads and infrastructure may result in impacts to sensitive habitats, including riparian areas. | **B-2(a) Sensitive Community Avoidance and Mitigation.** Impacts to sensitive communities shall be avoided through final design modifications to roadway and infrastructure, and through design of future development within RDEs to avoid ~~this~~ **the** resource. Bright orange construction fencing shall be placed a minimum of 30 feet outside the edge of areas of sensitive communities that will be retained prior to any initiation of ground disturbance activities and shall remain in place until construction is complete. No vehicles, person, materials, or equipment will be allowed in protected areas. Grading plans shall show the location of these habitats and protective fencing.<br><br>If the applicant or project developer determines sensitive communities cannot be avoided, impacts shall be mitigated on-site at a ratio of 2:1 for impacted sensitive communities (habitat restored for habitat lost). The location of restoration shall be determined by a County-approved biologist. On-site restoration is preferable, however the County may approve off-site restoration if the applicant can demonstrate to the County's satisfaction that restoration on-site cannot be achieved. The restoration shall include locally**-obtained** native species approved by the County. A Habitat Restoration Plan shall be developed by a County-approved biologist pursuant to the requirements listed in Mitigation Measure B-2(b) below.<br><br>To mitigate for effects on sensitive vegetation from the project, the applicant shall hire a qualified biologist to develop a Sensitive Communities Restoration Plan with the goal of restoring impacted sensitive habitats at | Implementation of the above mitigation measures would reduce impacts to sensitive communities to less than significant levels (Class II). |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | a minimum ratio of 2:1 onsite (habitat restored to habitat impacted) per the requirements below. Upon final design of the access roads, drainage crossings and infrastructure (including staging areas, etc.), the applicant's biologist shall determine the final impacts to sensitive communities and the subsequent amount of acreage needed for restoration for the project. The restoration plan shall be implemented for a period of not less than five years, or until restoration has been completed successfully as determined by P&D. Off-site habitat acquisition and off-site restoration and/or enhancement may be considered if onsite restoration is determined as unachievable to the satisfaction of the County, as long as the off-site proposals result in equal compensatory value. Replacement ratios for off-site mitigation may be different than those required for onsite mitigation. The plan shall include, at a minimum, the following components:<br>• Description of the project/impact site (i.e. location, responsible parties, areas to be impacted by habitat type);<br>• Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved];<br>• Description of the proposed compensatory mitigation-site (location and size, ownership status, existing functions and values of the compensatory mitigation-site);<br>• Implementation plan for the compensatory mitigation-site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan [including plant species to be used, container sizes, seeding rates, etc.]);<br>• Maintenance activities during the monitoring period, including weed removal and irrigation as appropriate (activities, responsible parties, schedule);<br>• Monitoring plan for the compensatory mitigation-site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports);<br>• Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation type**, or success criteria can be based on quantitative sampling of restoration sites compared with quantitative sampling of impact sites prior to disturbance. If sampling is used to establish success criteria, the sampling method must be a scientifically valid published method suitable for evaluating vegetation. To achieve success, data must illustrate the restoration site is comparable or better than** | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | **baseline conditions within ten percent of total cover of the baseline plots, within 10 percent of or exceeding absolute native cover of the baseline plots, and within ten percent of or less of non-native cover in the baseline plots. Additionally, restoration sites must meet the membership rules in the Manual of California vegetation 2nd Edition (or current update at time of restoration) for the type being established;**<br>• An adaptive management program and remedial measures to address negative impacts to restoration efforts;<br>• Notification of completion of compensatory mitigation and agency confirmation; and<br>• Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).<br><br>**Plan Requirements and Timing**. Grading plans showing the location of sensitive communities, as well as the Sensitive Communities Restoration Plan shall be submitted to P&D for review and approval prior to ~~issuance~~ **approval** of land use permits for grading ~~and subdivision improvements. The applicant shall submit the restoration plan to P&D for review and approval prior to issuance of land use permits for RDE development as well as access road and infrastructure construction~~ **for access road improvements, infrastructure improvements and development within the RDEs**. **Monitoring**. P&D **staff shall** inspect the site prior to initiation of ground disturbance **activities,** and shall inspect the site a minimum of once per week to ensure protective ~~fence~~ **fencing** is in place. P&D **staff** shall oversee implementation of the Sensitive Communities Restoration Plan.<br><br>**B-2(b) Invasive Weed Prevention Best Management Practices.** The following shall be implemented to prevent the introduction of invasive weed species:<br>• During construction, the project will make all reasonable efforts to limit the use of imported soils for fill. Soils currently existing on-site should be used for fill material. If the use of imported fill material is necessary, the imported material must be obtained from a source that is known to be free of invasive plant species; or the material must consist of purchased clean material such as crushed aggregate, sorted rock, or other similar substances.<br>• **Vehicles, equipment, and worker shoes and clothing must be free of weed seeds and caked-on soil when mobilized onto the site to minimize potential for introduction of invasive species.**<br>• To avoid the spread of invasive species, the contractor shall: stockpile topsoil and redeposit the stockpiled soil after construction**. Topsoil containing weed seeds that cannot be** | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | **redeposited on site must be** transported to a certified landfill for disposal **if the soil is removed from Rancho La Laguna.**<br>• The erosion control/ restoration plans for the project must emphasize the use of native species that are expected to occur in the area and that are considered suitable for use at the project site.<br>• All erosion control materials including straw bales, straw wattles, or mulch used on-site must be free of invasive species seed.<br>• Exotic and invasive plant species will be excluded from any erosion control seed mixes and/or landscaping plant palettes associated with the proposed project.<br><br>**Plan Requirements and Timing**. These measures are to be implemented during construction. **Monitoring**. The applicant shall maintain a County-approved biologist to monitor compliance with the above avoidance and minimization measures.<br><br>**B-2(c) Biologist Review of Landscape Plans.** Landscape plans for future development shall be reviewed and approved by ~~the~~ P&D staff ~~biologist.~~ The applicant shall use primarily native, locally collected plant species for landscaping purposes. The use of non-native invasive species shall be prohibited.<br><br>**Plan Requirements and Timing**. The plans shall be approved by ~~the~~ **County** staff ~~biologis~~t prior to approval of land use permits for future residential development. **Monitoring**. P&D permit compliance shall monitor implementation in the field. | |
| **Impact B-3.** Approval of the tentative tract map and subsequent development of the RDEs as well as proposed access roads and infrastructure may impact federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. | **B-3(a) Avoidance of Impacts to Drainages.** Impacts to drainages shall be avoided through the use of span bridges or other crossing options that would not disturb the bed and bank. Construction of crossings shall occur during the low-flow period of the year when water within drainages is minimal or absent. In addition, all utilities shall either be attached to the underside of crossing structures or shall be drilled under the creek beds such that trenching through drainages is avoided. If utilities are drilled **or bored** under the creek beds, **the chosen construction method shall be evaluated to determine if there is a risk of frac-out. If so**, a County-approved biologist shall be present during crossing construction as well as when drilling beneath the creek bed, if this method is chosen, to ensure that frac-out (excessive drilling pressure causing drilling mud to breach the surface) does not occur.<br><br>**Plan Requirements and Timing**: The applicant shall submit bridge designs and copies of the SAA, 401 Certification or Waste discharge requirements, or Section 404 permit (if applicable) and restoration plan (if applicable) to P&D prior to ~~issuance of grading permits~~ **land use permit approval**. **Monitoring**. P&D shall oversee implementation of the applicable permits and restoration plan as well as shall inspect the bridge | Implementation of the above mitigation measures would reduce impacts to jurisdictional areas to less than significant levels (Class II). |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | to ensure compliance. P&D **staff** and/or a County-approved biologist shall be present during all bridge construction and utility installation activities.<br><br>**B-3(b) Wetland and Drainage Mitigation.** If avoidance of impacts to jurisdictional wetlands and drainages is determined to the satisfaction of the County as unachievable, impacts shall be mitigated at a minimum ratio of 2:1 (acres of habitat restored to acres impacted), and shall occur on-site or as close to the impacted habitat as possible. Upon final design of the access roads, drainage crossings and infrastructure (including staging areas, etc.), the applicant's biologist shall determine the final impacts to sensitive communities and the subsequent amount of acreage needed for restoration for the project. A mitigation and monitoring plan shall be developed by a County-approved biologist in accordance with ~~m~~**M**itigation ~~m~~**M**easure B-2(~~b~~**a**) above and shall be implemented for no less than five years after construction, or until the local jurisdiction and/or the permitting authority (e.g., USACE) has determined that restoration has been successful.<br><br>**Plan Requirements and Timing**. The applicant shall submit the restoration plan to P&D for review and approval prior to ~~issuance~~ **approval** of land use permits for RDE development as well as access road and infrastructure construction. **Monitoring**. P&D **staff** shall ensure that the proposed development avoids impacts to jurisdictional areas or are properly mitigated for.<br><br>**B-3(c) Jurisdictional Delineation.** If impacts to wetlands and drainages from roadway crossings cannot be avoided and occurs within or adjacent to wetland, drainages, riparian habitats, or other areas that may fall under the jurisdiction of the CDFW, USACE, and/or RWQCB, the applicant shall retain a qualified biologist to complete a jurisdictional delineation. The jurisdictional delineation shall determine the extent of the jurisdiction for each of these agencies and shall be conducted in accordance with the requirement set forth by each agency and the County. The result shall be a preliminary jurisdictional delineation report that shall be submitted to the implementing agency, USACE, RWQCB, and CDFW, as appropriate, for review and approval. If jurisdictional areas are expected to be impacted, then the RWQCB would require a Waste Discharge Requirements (WDR) permit and/or Section 401 Water Quality Certification (depending upon whether or not the feature falls under federal jurisdiction). If CDFW asserts its jurisdictional authority, then a Streambed Alteration Agreement pursuant to Section 1600 et seq. of the California Fish and Game Code would also be required prior to construction within the areas of CDFW jurisdiction. If the USACE asserts its authority, then a permit pursuant to Section 404 of the Clean Water Act would likely be required. | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | **Plan Requirements and Timing**. The applicant shall submit a Jurisdictional Delineation Report to P&D prior to ~~issuance~~ **approval** of land use permits. **Monitoring**. P&D shall ensure that a jurisdictional delineation is completed.<br><br>**B-3(d) Agency Coordination.** Impacts to drainages as a result of access roads and infrastructure may require permits from USACE, RWQCB, and CDFW. The applicant shall obtain correspondence from applicable state and federal agencies regarding compliance of the proposed development with state and federal laws.<br><br>**Plan Requirements and Timing**. The applicant shall submit copies of correspondence and/or permits (as applicable) with applicable agencies to P&D prior to ~~issuance~~ **approval** of ~~grading~~ **land use** permits. **Monitoring**. P&D shall review agency correspondence and shall ensure that the project meets any requirements outlined by the agencies.<br><br>**B-3(e) Jurisdictional Areas Best Management Practices During Construction.** The following best management practices shall be required for development within or adjacent to jurisdictional areas:<br>• Access routes, staging, and construction areas shall be limited to the minimum area necessary to achieve the project goal and minimize impacts to other waters including locating access routes and ancillary construction areas outside of jurisdictional areas.<br>• To control sedimentation during and after project implementation, appropriate erosion control materials shall be deployed to minimize adverse effects on jurisdictional areas in the vicinity of the project.<br>• Project activities within the jurisdictional areas should occur during the dry season (typically between June 1 and November 1) in any given year, or as otherwise directed by the regulatory agencies. Deviations from this work window can be made with permission from the relevant regulatory agencies.<br>• During construction, no litter or construction debris shall be placed within jurisdictional areas. All such debris and waste shall be picked up daily and properly disposed of at an appropriate site.<br>• All project-generated debris, building materials, and rubbish shall be removed from jurisdictional areas and from areas where such materials could be washed into them.<br>• Raw cement, concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic species resulting from project-related activities, shall be prevented from contaminating the soil and/or entering jurisdictional areas. | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | • All refueling, maintenance, and staging of equipment and vehicles shall occur at least 60 feet from bodies of water and in a location where a potential spill would not drain directly toward aquatic habitat (e.g., on a slope that drains away from the water source). Prior to the onset of work activities, a plan must be in place for prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should an accidental spill occur.<br><br>**Plan Requirements and Timing**. These measures are to be implemented during construction.<br>**Monitoring**. The applicant shall maintain a County-approved biologist to monitor compliance with the above measures. | |
| **Impact B-4.** Approval of the tentative tract map and subsequent development of the RDEs as well as proposed access roads and infrastructure may result in impacts to oak trees. | **B-4(a) Oak Tree Avoidance and Protection**. The applicant shall submit a Tree Protection Plan (TPP) prepared by a P&D-approved biologist and/or arborist designed to avoid impacts to oak trees through final design modifications to roadway and infrastructure, and through design of future development within RDEs to avoid this resource. **Protected oak trees to be considered shall be those species and sizes specified in Tree Protection Development Standards 1 and 2 of the Santa Barbara County Comprehensive Plan Conservation Element – Oak Tree Protection in the Inland Rural Areas of Santa Barbara County.** The applicant shall modify proposed development to either incorporate and/or avoid **these protected** oak trees. The following shall be implemented to protect existing oak trees.<br>• Prior to the onset of any construction activities highly visible orange construction fencing shall be installed around existing stands and individuals that are to be retained at a buffer/extent radius of six feet beyond the canopy dripline, wherever the topography allows for such fencing or otherwise marked in the field to protect them from harm during development of the RDEs as well as access road and infrastructure construction.<br>• No construction equipment shall be parked~~,~~ **or** stored~~, or operated~~ within 25 feet of any oak tree dripline **that is not proposed for removal, i.e. retained oaks. Construction activities within 25 feet of protected trees shall be the minimum necessary. The Tree Protection Plan shall specify all situations in which activities must be monitored by a County-approved biologist or arborist.**<br>• No fill soil, rocks, or construction materials shall be stored or placed within 25 feet of the dripline of a specimen oak tree.<br>• No artificial surface, pervious or impervious, shall be placed within 25 feet of the dripline of any oak tree, except for County-approved project access roads.<br>• Any roots encountered that are one inch in diameter or greater shall be cleanly cut. This shall | Implementation of the above mitigation measures would reduce impacts to oak trees to less than significant levels (Class II). |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | be done under the direction of a County-approved arborist/biologist.<br>• Any **trenching or ground disturbing** construction activity required within three feet of ~~an~~ **protected (i.e. retained)** oak tree's dripline shall be done with hand tools.<br>• No permanent irrigation shall occur within the dripline of any existing oak tree.<br>• Only designated trees shall be removed. All grading and construction plans shall clearly delineate those trees to be removed and those to remain.<br><br>**Plan Requirements and Timing**. The applicant shall: (1) submit the TPP; (2) Include all applicable components in Tree Replacement Plan and/or Landscape and Irrigation Plans if these are required; (3) include as notes or depictions all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures. The applicant shall comply with this measure prior to approval of a land use permit. Plan components shall be included on all plans prior to the issuance of grading permits. The applicant shall install tree protection measures onsite prior to issuance of grading/building permits and pre-construction meeting. **Monitoring**. The applicant shall demonstrate to P&D ~~compliance monitoring~~ staff that trees identified for protection were not damaged or removed or, if damage or removal occurred, that correction is completed as required by the TPP prior to final building inspection clearance.<br><br>**B-4(b) Tree Replacement Plan**. If development within RDEs or construction of proposed access roads or infrastructure must remove **protected** oak trees **specified as those species and sizes described in Tree Protection Development Standards 1, 2, or 3 of the Santa Barbara County Comprehensive Plan Conservation Element – Oak Tree Protection in the Inland Rural Areas of Santa Barbara County**, a Tree Replacement Plan shall be prepared by a certified arborist, **qualified biologist with restoration experience**, or landscape architect. The tree replacement plan shall be designed to replace native trees removed by the proposed project at a ratio of 10:1 (trees planted: trees impacted). **Replacement plantings shall rely locally obtained valley oaks, where feasible**. Upon final design of the access roads, drainage crossings and infrastructure (including staging areas, etc.), the applicant's biologist shall determine the final impacts to oak trees and the subsequent number of replacement plantings needed for restoration for the project. Replacement trees shall be installed on-site or at an approved off-site location. Monitoring of planted trees shall be for a minimum of ~~seven~~ **five** years or until stasis has been determined by certified arborist. The plan shall include the following components at a minimum: | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | • Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type);<br>• Goal(s) of the compensatory mitigation project;<br>• Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values);<br>• Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan [including species to be used and container sizes]);<br>• Maintenance activities during the monitoring period, including weed removal and irrigation as appropriate (activities, responsible parties, schedule);<br>• Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports);<br>• Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants;<br>• **Replacement trees must survive in good health for at least one year without supplemental irrigation prior to completion;**<br>• An adaptive management program and remedial measures to address any shortcomings in meeting success criteria;<br>• Notification of completion of compensatory mitigation; and<br>• Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).<br><br>**Plan Requirements and Timing**. The Oak Tree Replacement Plan shall be submitted to P&D for review and approval prior to ~~issuance~~ **approval** of land use permits **for the construction of access roads, infrastructure improvements and development within the RDEs. Oak tree mitigation planting for development within RDEs shall be incorporated into landscaping plans for individual lots, where feasible.** The applicant shall post a performance security to ensure installation prior to final building inspection clearance and maintenance for a minimum of five years. **Monitoring**. The applicant shall demonstrate to P&D ~~compliance monitoring~~ staff that all required components of the approved plan(s) are in place as required prior to final inspection clearance and maintained throughout **the** maintenance period. P&D compliance monitoring staff signature is required to release the installation security upon satisfactory installation of all items in approved plans and maintenance security upon successful implementation of this plan. | |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| **Impact B-5.** Approval of the tentative tract map and subsequent development of the RDEs as well as proposed access roads and infrastructure may impact wildlife movement. | **B-5 Maintain Connectivity in Drainages**. No permanent structures shall be placed within the channel that would impede wildlife movement (i.e., the preference is that no hardened caps, pipelines, or other structures in the stream channel perpendicular to stream flow be left exposed or at depth with moderate to high risk for exposure as a result of natural bed scour during high flow events and thereby potentially create impediments to passage).<br><br>In addition, upon completion of construction within any drainage, areas of stream channel and banks that are temporarily impacted shall be returned to pre-construction contours and in a condition that allows for unimpeded passage through the area once the work has been complete.<br><br>**Plan Requirements and Timing**. Final crossing and utility plans shall be provided to County P&D for approval prior to the ~~issuance~~ **approval** of land use permits for grading. **Monitoring**. P&D **staff** shall conduct an inspection upon completion of construction to ensure compliance. | Implementation of the above mitigation measures would reduce impacts to wildlife movement to a less than significant level (Class II). |
| **Impact B-6.** Approval of the tentative tract map and subsequent development of the RDEs as well as proposed access roads and infrastructure may result in removal and degradation of environmentally sensitive vegetation for fuel management purposes. | **B-6(a) Buffer from Sensitive Habitat**. All future residences, guest houses and other habitable structures must be positioned so that the 100-foot fuel modification zones (30 feet for native grasslands) will not encroach within sensitive native habitat as depicted on Figure 4.4-1 and 4.4-2a through 4.4-2c **and listed in Table 4.4-4** of ~~**this**~~ the EIR, and as determined in the field by a County-qualified biologist at the time of future development. Based on the field survey and vegetation maps, fuel management activities shall not encroach into sensitive habitat areas.<br><br>**Plan Requirements and Timing**. Prior to recordation of the Final Map, this requirement shall be included on an Informational Sheet attached to the Final Map and shall be reviewed and approved by P&D. This requirement shall be included on all building and grading plans submitted for future residential development. **Monitoring**. P&D shall review and approve prior to recordation. P&D shall ensure plans for future development comply with the minimum buffer requirements. Permit Compliance shall site inspect during construction of future structures to ensure compliance.<br><br>**B-6(b) Fuel Management Plan**. The applicant shall prepare a Fuel Management Plan to ensure that avoidance is accomplished and to ensure that fuel management is balanced with sensitive resource protection. The Fuel Management Plan shall include the following:<br>• The goal of the plan would be to meet the dual goals of public safety and protection of ~~significant~~ **sensitive** vegetation.<br>• The plan shall depict fuel management zones (i.e., Zone 1, 2, and 3) wherever required and shall | Establishing and maintaining a 100-foot fuel management buffer outside of sensitive habitats would protect sensitive environmental vegetation and habitat areas from vegetation clearing. With implementation of the identified mitigation, this impact would be less than significant (Class II). |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | include specific habitat and rare species protection and fuel management measures to be used in each management zone and for each habitat type. Onsite vegetation management shall be limited to the zones and clearance requirements/percentages conceptually described.<br>• Impacts to native grasslands and special status plant and animal species shall be minimized. Zone 2 clearance of shrub cover shall not exceed 50% of shrub cover and shall be created in a mosaic pattern. Mowing of native bunchgrass shall occur in such a manner that at least 4 inches of height of each plant remains after mowing. Pre-mowing surveys within the fuel management zones to ensure no ground-dwelling birds are nesting shall be conducted if mowing occurs during the nesting season (February 1 to August 15).<br><br>**Plan Requirements and Timing**. The Fuel Management Plan shall be reviewed and approved by P&D prior to approval of land use permits for future residential development. Site plans shall show any proposed fuel management zones and measures to protect any sensitive habitat occurring within the zones. Vegetation clearance within the fuel management zones shall be conducted in compliance with the Fuel Management Plan. **Monitoring**. P&D permit compliance staff shall monitor implementation of the Fuel Management Plan and respond to complaints. | |
| **4.5 Cultural Resources** | | |
| **Impact CR-2.** Previously unidentified, subsurface archaeological resources may be unearthed during development of the project. | **CR-2. Stop Work at Encounter**. The applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. Cultural resource remains may include artifacts, shell, bone, features, foundations, and trash pits, etc. The applicant shall retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with County Cultural Resource Guidelines provisions for Phase 2 and Phase 3 investigations.<br><br>**Plan Requirements and Timing**. This condition shall be printed on all building and grading plans. **Monitoring**. P&D ~~permit processing planner~~ **staff** shall check plans prior to ~~issuance~~ **approval** of land use permit for grading and subdivision improvements, and P&D compliance monitoring staff shall spot check in the field throughout grading and construction. | Implementation of Mitigation Measure CR-1 would ensure impacts associated with the potential to unearth unknown archaeological resources during grading and construction would be less than significant with mitigation (Class II). |
| **4.7 Geology** | | |
| **Impact G-3**. Future residences built within the RDEs in proposed Lots 2 and 3 on the project site could be subject to moderate liquefaction hazards. | **G–3 Site-Specific Liquefaction Studies and Hazard Minimization.** Prior to ~~issuance~~ **approval** of Land Use Permits for future residential development in the RDEs on proposed Lots 2 and 3, a site-specific geotechnical study shall be prepared by a licensed geologist and/or geotechnical engineer to identify any areas that could be subject to liquefaction hazards. If | Implementation of site-specific geotechnical studies and minimization of liquefaction hazards, along with adherence to the requirements of the Santa Barbara County Code, would |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | such hazards are identified, residential development shall be designed in compliance with the recommendations of the geotechnical survey and in conformance with Sections 10-2.2.1 and 10-2.2.2 of the Santa Barbara County Code. Measures in the geotechnical survey to mitigate structural hazards from liquefiable soils may include, but are not limited to:<br>• Avoidance of sites with liquefiable soils;<br>• Removal and replacement of liquefiable soils with non-liquefiable soils;<br>• Dynamic compaction and densification of liquefiable soils;<br>• Installation of subsurface drains to improve the drainage ability of liquefiable soils; and/or<br>• Securing foundation elements together to reduce shear forces in structural elements that rest on the foundations.<br><br>**Plan Requirements and Timing**. These studies/reports shall be prepared by a licensed geologist and/or geotechnical engineer and shall be submitted to P&D for review and approval prior to approval of Land Use Permits for any site development on proposed Lots 2 and 3. All recommendations shall be incorporated into grading and building designs and included on all grading and building plans. **Monitoring**. Planning and Development shall review and approve applicable studies prior to approval of Land Use Permits. P&D shall site inspect to ensure that construction is in accordance with the approved plans. | reduce hazards from liquefaction to a less than significant level (Class II). |
| **Impact G-6**. The project site has 17 soil types with at least moderate potential for expansiveness. Future residences constructed on expansive soils could be subject to structural instability. | **G–6 Site-Specific Expansive Soil Studies and Hazard Minimization.** Prior to ~~issuance of grading permits~~ **the approval of land use permits** for ~~future~~ residential development in the proposed RDEs ~~in~~ **on** Lots 1 through 9, 12, and 13, a site-specific geotechnical study shall be prepared by a licensed geologist and/or geotechnical engineer to identify any areas that could be subject to structural hazards from expansive soils. If such hazards are identified, residential development shall be designed in compliance with the recommendations of the geotechnical survey and in conformance with Sections 10-2.2.1 and 10-2.2.2 of the Santa Barbara County Code. At a minimum, exposed expansive soils where structures will be built shall be kept moist by occasional sprinkling during grading, and building foundations shall be designed to accommodate movements caused by shrinking and swelling subgrade soils.<br><br>**Plan Requirements and Timing**. The studies/report shall be prepared by a licensed geologist and/or geotechnical engineer and shall be submitted to P&D for review and approval prior to approval of Land Use Permits for any site development in proposed Lots 1 through 9, 12, and 13. All recommendations shall be incorporated into grading and building designs and included on all grading and building plans. **Monitoring**. Planning and Development shall review and approve applicable studies prior to approval of Land Use | Impacts related to expansive soils would be less than significant after mitigation (Class II). |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | Permits. P&D shall site inspect to ensure that construction is in accordance with the approved plans. | |
| ~~**Impact G-7**. The proposed RDEs would be served by private on-site septic systems using the leach line or drywell disposal method.~~ | ~~**G-7 Percolation Testing and Septic System Design.** Future residential development in the proposed RDEs shall proceed in accordance with the recommendations in the *On-Site Septic System Percolation Testing Report* prepared by MNS Engineers, Inc. for each proposed lot. Where recommended, a qualified engineer shall conduct additional percolation testing to locate suitable sites for leach lines, which have soil absorption rates that exceed the 1997 Uniform Plumbing Code's minimum acceptable rate of 0.83 gallons/square foot/day and groundwater at a depth that would not be adversely affected by wastewater discharge. Upon excavation for the installation of septic systems, a qualified engineer shall be present to verify that the soil zones encountered are those which are represented by previously conducted percolation tests. For leach line systems, positive surface drainage shall be provided away from the leach field area. The location of sewage effluent disposal fields also shall conform to the following requirements for minimum horizontal and vertical setbacks:<br>• Buildings or structures: 8 feet;<br>• Property lines: 5 feet;<br>• Water wells: 100 feet;<br>• Streams: 100 feet;<br>• Distribution boxes: 5 feet;<br>• Ground water: 20 feet; and<br>• Water main: 10 feet<br><br>During excavation for the installation of septic systems, a qualified engineer shall be present to verify that the soil zones encountered are those which are represented by previously conducted percolation tests.<br><br>**Plan Requirements and Timing**. Final grading and building plans shall be submitted to Environmental Health Services and P&D for review and approval that they incorporate the requirements from the *On-Site Septic System Percolation Testing Report* prepared by MNS Engineers, Inc. **Monitoring**. P&D shall verify that final grading and building plans for development on the RDEs comply with the requirements from the *On-Site Septic System Percolation Testing Report* prepared by MNS Engineers, Inc.~~ | ~~With implementation of Mitigation Measure G-7, sewage treatment with either leach fields or drywells could be safely accommodated on the proposed RDEs. Each RDE is large enough that it has adequate space to install one of these septic systems in a suitable location (Paul Jenzen, Santa Barbara County Environmental Health Services, personal communication, July 24, 2015). Impacts related to septic systems would be less than significant with mitigation (Class II).~~ |
| **CLASS II CUMULATIVE IMPACTS (Less than Significant with Mitigation)** | | |
| **4.5 Biological Resources** | | |
| **Cumulative Impacts to Biological Resources** | Potential impacts to biological resources would be addressed on a project-by-project basis through site-specific investigations and surveys as well as the development of the assessment of potential impacts and prescription of appropriate mitigation. The project-specific mitigation discussed throughout this section would ensure that the project's contribution to cumulative impacts would be less than significant with mitigation. Mitigation applied for individual development projects in the region would reduce | Less than significant with mitigation (Class II). |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| | cumulative impacts to biological resources to a less than significant level. No additional mitigation measures are required, and cumulative impacts are less than significant with mitigation (Class II). | |
| **4.5 Cultural Resources** | | |
| **Cumulative Impacts to Cultural Resources** | Potential impacts to cultural resources would be addressed on a case-by-case basis through site-specific investigations and, if necessary, surveys, assessment, and documentation or other appropriate mitigation. ~~Recommended~~**Required** mitigation as discussed above would ensure that the project's contribution to cumulative impacts would be less than significant. Mitigation applied for each specific development project in the area would reduce cumulative impacts to cultural resources to a less than significant level. No additional mitigation measures are required, and cumulative impacts are less than significant with mitigation (Class II). | Less than significant with mitigation (Class II). |
| **CLASS III PROJECT-SPECIFIC IMPACTS (Less than Significant)** | | |
| **4.1 Aesthetics/Visual Resources** | | |
| **Impact AES-1**. Future development in the proposed RDEs would marginally alter the rural visual character of the project site. However, residential development would be limited to approximately 2% of the site (not including access roads) and would adhere to County policies and design standards for visual compatibility with surrounding areas. | With the exception of new residential structures within the 13 proposed RDEs, access roads and driveways, and two cisterns, the vast majority of farmland within Foxen Canyon on the project site would remain unchanged by the proposed project. No mitigation measures are required. | Less than significant (Class III) |
| **Impact AES-3**. Light fixtures associated with future residences and accessory structures in the proposed RDEs could produce light and glare that would adversely affect nighttime views in the area. However, compliance with lighting requirements in the Santa Barbara County Inland Zoning Ordinance would ensure that impacts related to light and glare would remain less than significant. | Given the rural atmosphere and lack of lighting on the project site and surrounding properties, new entry lights, interior lights, exterior lights, and landscape lights have the potential to result in ambient light pollution at nighttime. Section 35-288 of the Santa Barbara County Inland Zoning Ordinance would require that all exterior lighting be hooded and that no unobstructed beam of exterior light be directed toward any area with residential development. Any exterior lights associated with future residential structures on the project site would be located at least 850 feet away from public view on Foxen Canyon Road. No mitigation measures are required. | Less than significant (Class III) |
| **4.2 Agricultural Resources** | | |
| **Impact AG-1.** The proposed subdivision and future residential development would result in the direct conversion of prime agricultural land to non-agricultural use. However, the project would not | The project would not convert prime agricultural land to non-agricultural use based on the WPS scores (with each lot scoring above the 60-point threshold), and would not convert agricultural land to non-agricultural use based on compliance with existing zoning regulations and future Williamson Act contracts, where applicable. Further, the potential conversion of grazing land or crop land to higher yield crops would not impair | Less than significant (Class III) |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| significantly impair the long-term agricultural suitability and productivity of the site, based on application of the County's adopted weighted points system and other site-specific considerations. | agricultural land productivity, and may actually increase productivity. Future property owners may also elect not to enter into Williamson Act contract (for Lots 1 through 8) or to fallow their properties. However, these are typical agricultural practices and occur regularly throughout the County. Neither the lack of a Williamson Act contract nor the fallowing of a property would be considered a non-agricultural use. Lastly, for those parcels enrolled in a replacement Williamson Act contract, compliance with the County's Uniform Rules would ensure that each parcel may not compromise the long-term productive agricultural capability of the parcel, nor displace or impair current or reasonably foreseeable agricultural operations on the parcel. Therefore, overall, potential impacts associated with conversation of prime agricultural land to non-agricultural use would be less than significant. No mitigation measures would be required. | |
| **Impact AG-2.** The project site contains approximately 237 acres of unique or locally important farmland. However, the proposed RDEs would be located outside of these areas and therefore would not convert these lands to urban use. | The proposed RDEs and driveways would be located outside farmland designated as Unique Farmland or Farmland of Local Importance. Because these designated farmlands would not be converted to non-agricultural use, impacts to unique or locally important farmlands would be less than significant. No mitigation measures would be required. | Less than significant (Class III) |
| **Impact AG-3.** The proposed project would not impair the agricultural operations on neighboring properties, but could result in land use conflicts between existing on-site agricultural land uses and the proposed residential uses, which may indirectly impair agricultural operations and productivity. | Compliance with the County's Right-to-Farm Ordinance and Uniform Rules would ensure that impacts related to conflicts between residences and agricultural operations remain less than significant. The Right-to-Farm Ordinance would ensure that future residential development on proposed Lot 5 would not impair the agricultural operations on neighboring properties. The oversight and regulation of their use provided by the County Agricultural Commissioner's Office would minimize any potential for pesticide drift or inadvertent exposure. No mitigation measures would be required. | Less than significant (Class III) |
| **4.3 Air Quality** | | |
| **Impact AQ-1.** Project construction would generate temporary increases in localized air pollutant emissions. These emissions would not contribute substantially to an existing or projected air quality violation or exposure sensitive receptors to substantial pollutant concentrations. | Compliance with these standard SBCAPCD dust and emissions control measures would ensure that any construction-related air quality impacts remain less than significant. | Less than significant (Class III) |
| **Impact AQ-2.** The project would result in an increase in operational air pollutant emissions from the development of 13 new single-family residences and the associated energy use needs and increased | No County thresholds would be exceeded. No mitigation measures would be required. | Less than significant (Class III) |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| vehicular traffic. These emissions would not exceed long-term quantitative thresholds for $NO_X$ and ROC and would not contribute substantially to an existing or projected air quality violation or expose sensitive receptors to substantial pollutant concentrations. | | |
| **Impact AQ-3.** The proposed project would be consistent with the SBCAPCD 2013 Clean Air Plan because it would not generate population in excess of that used in the CAP to forecast population-related emissions and would be consistent with the policies in the *Air Quality Supplement of the County's Land Use Element*. | The proposed project would be consistent with the growth assumptions within the 2013 CAP and the policies within the *Air Quality Supplement of the County's Land Use Element*. No mitigation measures would be required. | Less than significant (Class III) |
| **4.5 Cultural Resources** | | |
| **Impact CR-1.** Construction of the proposed project would not adversely affect known prehistoric, historic archeological resources on the project site. | Based on the absence of apparent cultural resources during the Phase 1 Investigation, the ground disturbing activities associated with the proposed project would not adversely affect any known prehistoric or historic archeological resources on the project site. No mitigation measures would be required. | Less than significant (Class III) |
| **4.6 Fire Protection** | | |
| **Impact FP-1.** The proposed development would add 13 new lots for residential development, which would be located within moderate, high, and very high fire hazard areas. The proposed water distribution system would be sufficient to provide fire flow pressure that meets Santa Barbara County Fire Department standards. Compliance with standard SBCFD requirements would ensure that the project would not expose people or structures to significant risks associated with wildland fires. | Minimum fire flow pressure would meet the SBCFD minimum standard of 20 psi. Compliance with standard SBCFD requirements would ensure that the project would not expose people or structures to significant risks associated with wildland fires. No mitigation measures would be required. | Less than significant (Class III) |
| **Impact FP-2.** The proposed project would not result in a reduction in the level of fire protection services. | With the payment of the required fire mitigation fees, the potential environmental impacts to fire protection services would be less than significant. No mitigation measures would be required. | Less than significant (Class III) |
| **4.7 Geology** | | |
| **Impact G-1**. The project site does not overlie any active faults that have had surface displacement within the past | Any residential structures built in the RDEs within the proposed Lots 1, 2, 3, 4, 12, and 13, which are located ~~in~~ near the southern border of the site, could be located above the potentially active Garey fault. | Less than significant (Class III) |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| 11,000 years. Therefore, project residents or structures would not be exposed to significant risks associated with fault displacement. | However, because the Garey fault has not been active within the last 11,000 years (i.e., during Holocene time), these residential structures on-site would not be vulnerable to surface displacement from active faults. No mitigation measures would be required. | |
| **Impact G-2**. The project site may be subject to strong groundshaking, which has the potential to cause fill material to settle, destabilize slopes, and cause physical damage to structures, property, utilities, road access, and people. However, new habitable structures on the project site would be required to adhere to seismic standards in the California Residential Code. | Pursuant Section 10-2.2.1 of the Santa Barbara County Code, which adopts the 2013 California Residential Code (CRC) by reference, future residential development within the proposed RDEs would be designed and engineered to withstand the expected ground acceleration that may occur at the site. Modifications of seismic requirements in the CRC, as set in Section 10-2.2.2 of the County Code, also would apply to future residences on-site. With adherence to local requirements and the CRC, no mitigation measures would be required. | Less than significant (Class III) |
| **Impact G-4.** Although the majority of the project site has a high potential for landslides, the proposed RDEs do not contain slopes exceeding 20%. Future habitable structures within the RDEs would not be built on steep slopes subject to slope instability. | The proposed RDEs are not located in portions of the project site with slopes exceeding 20%, which indicate steep areas more vulnerable to landslides. The construction of future residences and accessory structures in the RDEs would not require grading on slopes exceeding 20%. Furthermore, the RDEs are not situated adjacent to 20% slopes that may be subject to slope failure and landslides. No mitigation measures would be required. | Less than significant (Class III) |
| **Impact G-5.** Cut and fill of soils on the project site during grading on the proposed RDEs could result in substantial erosion or loss of topsoil. However, future development within the RDEs would be required to adhere to the County's standard requirements for erosion and dust control. | Standard conditions applied to future development would ensure that such measures are appropriately developed and implemented. With the development and implementation of best management practices, these long-term impacts would be less than significant. No mitigation measures would be required. | Less than significant (Class III) |
| **Impact G-7. The proposed RDEs would be served by private on-site septic systems using the leach line or drywell disposal method.** | **Compliance with standard EHS requirements is required as a condition of approval for all applicable residential development, including the proposed project. If percolation testing indicates that any RDE cannot be developed as located, the property owner would be required to apply for a relocated RDE, which would be a discretionary act requiring subsequent environmental review. As a result of compliance with these standard EHS requirements, septic systems would not result in contamination of surface or groundwater resources, and this impact would be less than significant. No mitigation measures would be required.** | **Less than significant (Class III)** |
| **4.8 Greenhouse Gas Emissions** | | |
| **Impact GHG-1**. The project would generate short-term as well as long-term GHG | The project does not proposed a change to the existing land use designation or zoning. Therefore, growth anticipated under the project is consistent with | Less than significant (Class III) |

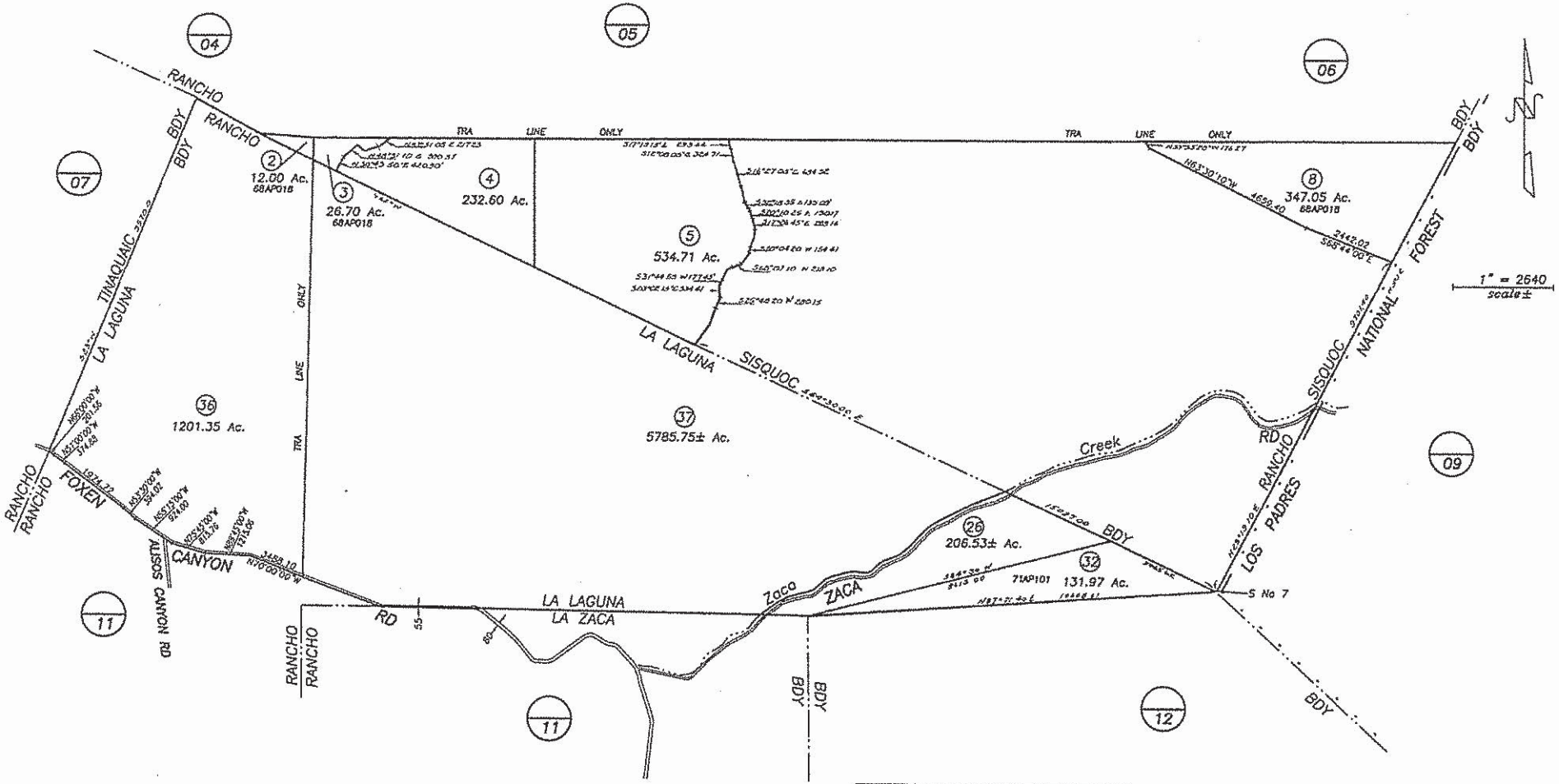
| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| emissions. Project generated emissions would not hinder or delay achievement of state GHG reduction targets established by AB 32. | the ECAP's growth projections and forecasted GHG emissions. **The ECAP was adopted to assist the County with reducing GHG emissions consistent with AB 32.** Since the project was forecasted in the County's ECAP, it may tier from the ECAP's EIR for its cumulative impact analysis of GHG emissions and would not result in any considerable cumulative GHG impacts. No mitigation measures are required. | |
| **4.9 Hazards/Hazardous Materials** | | |
| **Impact HAZ-1**. Historical use of the property included hazardous materials sites including five identified oil and gas wells. However, all five wells are plugged or dry holes, and would be required to be in compliance with DOGGR standards. No potential hazards or hazardous materials were identified on the project site during the site reconnaissance. | The proposed roadways and pipelines would be located a sufficient distance from the existing on-site wells to allow for future re-abandonment. There is no indication that any of the disturbance area for the proposed RDEs, roadways, or pipelines has been previously developed. There are no existing structures on any of the RDEs. ŧThe proposed project would not result in a change to existing uses and activities at the existing ranch headquarters. No pools of liquid, standing surface water, or sumps containing liquids likely to be hazardous substances or petroleum products were observed during the site reconnaissance. No mitigation measures are required. | Less than significant (Class III) |
| **CLASS III CUMULATIVE IMPACTS (Less than Significant)** | | |
| **4.1 Aesthetics/Visual Resources** | | |
| **Cumulative Impact to Aesthetics** | The absence of subdivisions in the recent past, the lack of current cumulative projects, and the protections in zoning for large agricultural parcels indicate that cumulative development would have less than significant impacts on visual character and scenic resources in the vicinity of the project site. No mitigation measures are required. | Less than significant (Class III) |
| **4.2 Agricultural Resources** | | |
| **Cumulative Impacts to Agricultural Resources** | Single family residences are principally permitted uses within agriculturally-zoned properties and the act of developing a single family residence on rural agricultural land does not, in and of itself, necessarily result in a significant physical impact on the agricultural productivity or viability of the site or surrounding lands. The Right-to-Farm Ordinance and pesticide regulation by the County Agricultural Commissioner's Office would help to minimize potential indirect conflicts and ensure that the future viability and productivity of the area's agriculture is protected. While estate-style residential development is likely to occur within the Third and Fifth Districts, it is expected that agricultural uses would continue and sufficient land would continue to be available for agriculture. No mitigation measures are required. | Less than significant (Class III) |
| **4.3 Air Quality** | | |
| **Cumulative Impacts to Air Quality** | The 2013 CAP is the adopted state air quality plan for the County and cumulative development was determined to be less than significant without mitigation. The project would not result in a significant increase in operational air pollutant emissions that would cause an exceedance of current federal and state Ambient Air Quality Standards. No mitigation measures are required. | Less than significant (Class III) |

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|---|
| **4.6 Fire Protection** | | |
| **Cumulative Impacts to Fire Protection Services** | With the payment of the required fair share mitigation fees, the project's contribution to cumulative impacts to fire protection services would be adverse but less than significant. New fire protection facilities would be subject to CEQA environmental analysis and any identified mitigation measures, if such facilities were determined to be necessary. No mitigation measures are required. | Less than significant (Class III) |
| **Cumulative Impacts to Wildland Fire Protection** | Impacts associated with individual developments will be addressed on a case-by-case basis as needed, in part by the application of development standards or mitigation measures for development in high fire hazards to reduce such risks. Through such development standards and mitigation measures, the proposed development would be expected to mitigate its contribution to cumulative wildland fire hazards. Assuming that all hazards are adequately addressed for each individual development proposal, cumulative human health or wildland fire impacts would be less than significant. No mitigation measures are required. | Less than significant (Class III) |
| **4.7 Geology** | | |
| **Cumulative Impacts to Geologic Resources** | Any specific geologic hazards associated with each individual site would be limited to that site without affecting other areas. County regulations and policies (including compliance with California Building Code requirements) would be expected to reduce seismic and geologic hazards to acceptable levels. Seismic and geologic hazards would be addressed on a case-by-case basis and would not result in cumulatively considerable impacts. No mitigation measures are required. | Less than significant (Class III) |
| **4.8 Greenhouse Gas Emissions** | | |
| **Cumulative Greenhouse Gas Emissions Impacts** | The project complies with the requirements of the ECAP and, as provided in CEQA Guidelines 15183.5(b), its incremental contribution to the cumulative effect is not cumulatively considerable and would not have a significant impact on the environment. No mitigation measures are required. | Less than significant (Class III) |
| **4.9 Hazards/Hazardous Materials** | | |
| **Cumulative Impacts to Hazards/Hazardous Materials** | Cumulative impacts associated with hazards and hazardous materials are fairly site-specific. As required under applicable laws and regulations, potential impacts associated with cumulative developments would be addressed on a case-by-case basis and appropriate mitigation would be designed to mitigate impacts resulting from individual projects, depending upon the type and severity of hazards present. The project also would have less than significant project-specific impacts related to hazards. Therefore, the proposed project would not make a cumulatively considerable contribution to cumulative impacts. No mitigation measures are required. | Less than significant (Class III) |

ATTACHMENT D

# POR. RANCHOS LA LAGUNA & SISQUOC

133–08



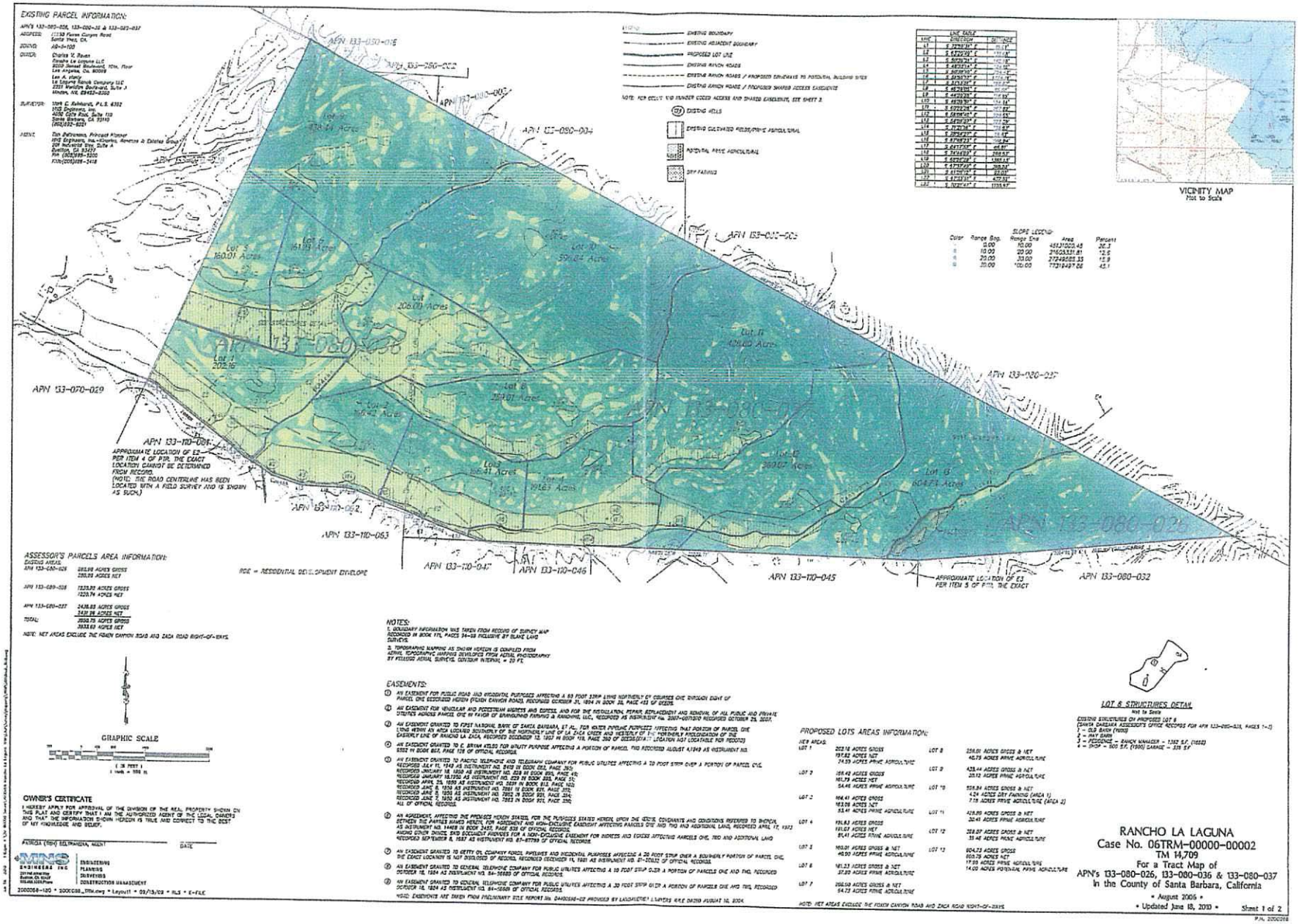

**NOTICE**

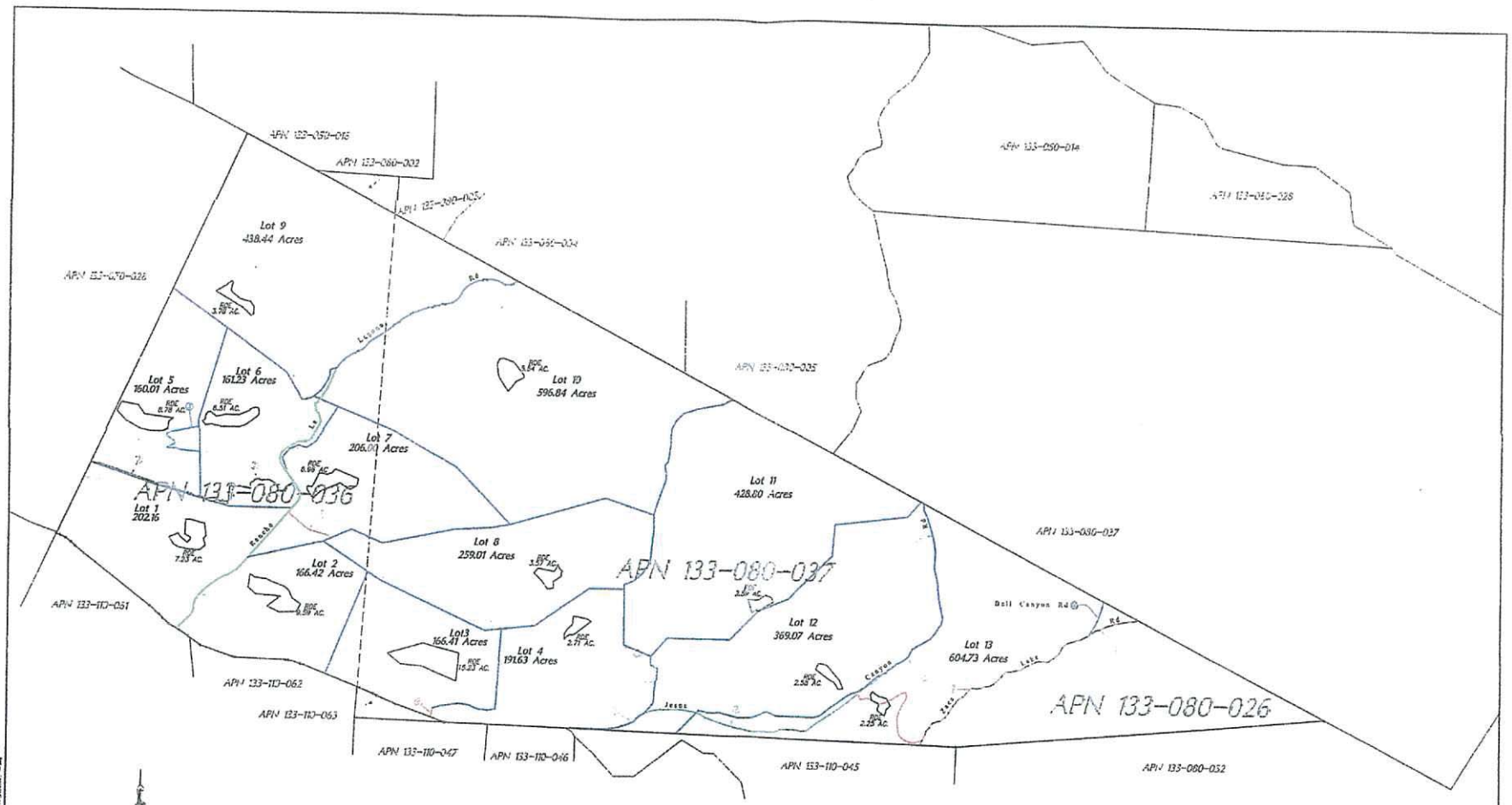
*Assessor Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.*

Assessor's Map Bk, 133–Pg, 08
County of Santa Barbara, Calif.

LD/16 26, 36 & 37 Remove Ag. Preserve #

ATTACHMENT E






MNS ENGINEERS INC
ENGINEERS &
PLANNERS
SURVEYING
CONSTRUCTION MANAGEMENT

2000066-100 • 2000066_TRM.dwg • Layout2 • 06/30/09 • RLS • E-FILE

# PROPOSED ACCESS PLAN
## RANCHO LA LAGUNA
Case No. 06TRM-00000-00002
TM 14,709
For a Tract Map of
APN's 133-080-026, 133-080-036 & 133-080-037
In the County of Santa Barbara, California
• August 2006 •
• Updated June 30, 2009 •

Sheet 2 of 2
P.N. 2000066

LEGEND

- EXISTING ROADS
- EXISTING PROPERTY LINES
- PROPOSED LOT LINES
- PROPOSED DISTRIBUTION MAIN
- PROPOSED WATER LATERAL
- PROPOSED STORAGE TANK
- PROPOSED WATER SOURCE WELL
- PROPOSED IRRIGATION WELL
- PROPOSED PRESSURE REDUCER

APN 133-080-036

APN 133-080-037

APN 133-080-026

Zone I Tank

Ex. Dwelling Unit

Pressure Reducer for Zone IA

Zone II Pumps

Zone I Tank

2006 West Well

lot 1

lot 2

lot 3

lot 4

lot 5

lot 6

lot 7

lot 8

lot 9

lot 10

lot 11

lot 12

lot 13

150' Protection Zone Setback

GRAPHIC SCALE

2000' 1000' 0' 1000' 2000'

( IN FEET )

1 inch = 2000 ft.

MNS ENGINEERS INC

ENGINEERS ▪ SURVEYORS ▪ CONSTRUCTION MANAGERS

*Quality Infrastructure Services*

201 INDUSTRIAL WAY, BUELLTON, CA 93427

TELEPHONE (805) 688.5200 FAX. (805) 686.5418

SCALE:

1" = 2000 FT

RANCHO LA LAGUNA

COUNTY OF SANTA BARBARA

# EXHIBIT A

PROPOSED WATER SYSTEM

WORK ORDER NO.

12470

SHEET 1

OF 1 SHEETS

ATTACHMENT G.



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

**2. 86-AP-043 Jones Ag Preserve Replacement Contract #2 Santa Ynez**

08AGP-00000-00036 Florence Trotter-Cadena, Planner (805) 934-6253

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

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

**3. 75-AP-012 Orp Limited New Ag Preserve Contract Summerland**

08AGP-00000-00037 Sarah Clark, Planner (805) 568-2059

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

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

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

**4. 67-AP-003B Rancho La Laguna Tentative Tract Map Santa Ynez**

06TRM-00000-00002 Brian Tetley, Planner (805) 934-6589

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

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

## VI. DISCUSSION ITEMS:

**5. Mosby Ag Preserve Contract Los Alamos**

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