

**POLICY CONSISTENCY ANALYSIS**

PRELIMINARY DRAFT  
SANTA BARBARA COUNTY

**SANTA BARBARA RANCH PROJECT**

**POLICY CONSISTENCY ANALYSIS**  
**Applicable Policies and Facts Supporting Findings**

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
<b>Land Use Element (LU)</b>	
<b>LU: LAND USE DEVELOPMENT Policy – 2</b> The densities specified in the Land Use Plan are maximums and may be reduced if it is determined that such a 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 the programs of the Housing Element and the Residential Agricultural Unit (RAU) program. <i>(amended by 98-GP-12, Res. 99-269, 7/6/99)</i>	<b>NTS Designation and Zoning: Consistent.</b> The Alternative 1B proposal presents a unique circumstance in which a rural agricultural area contains a large number of legal non-conforming lots (i.e., 219 legal lots on 485 acres in the SBR property) that could result in development far exceeding the present CLUP land use designation of A-II-100, 100-acre parcels (i.e., up to 4 lots on 495 acres under the present designation for the SBR property). As discussed under Policy 2-13 above, a different land use designation and permitted uses and higher land use density was contemplated for the Naples town site in the event that the TDR program is determined to be infeasible. Given the limited feasibility of the TDR program, the Alternative 1B proposal would create and implement new NTS land use designations (Coastal and inland). CLUP Policy 2-13 reconciles the fact that the existing density of legal lots exceeds that specified by the CLUP designation of A-II-100. The proposed NTS designation and zoning, by limiting development to that shown in the accompanying Development Plan, and by limiting their application to the Naples town site, will establish a new limitation on development potential. The proposed NTS designation and zoning provides the mechanism to implement Policy 2-13 in a way that is more protective of significant coastal resources than taking no action or denying the Alternative 1B application leaving the existing pattern of legal lots intact. <b>Alternative 1B is Consistent.</b> The new NTS designation establishes a new and increased maximum density specific to this portion of the Naples town site and any adjacent or adjoining lots that relocate potential development from this portion of the Naples town site. The number of allowable residential units is limited by the overall project Development Plan and by the pattern of re-configured lots created by the proposed lot mergers, lot line adjustments, and land subdivision. The resulting number of new single family residences, 71, would result in a higher density than defined by the current A-II-100 designation. The overall density would be lower, however, than that expected given the existing pattern of legal lots on the property. The purpose of the proposed NTS designations and implementing zoning ordinance is to establish development standards that balance low density residential development with public access and recreational opportunities, open space, and habitat preservation while minimizing potential impacts to surrounding agricultural lands. Under these unique circumstances, Alternative 1B would be consistent with the maximum density afforded under the proposed NTS designations.
<b>LU: LAND USE DEVELOPMENT Policy – 3</b> No urban development shall be permitted beyond boundaries of land designated for urban uses except in neighborhoods in rural areas.	<b>NTS Designation and Zoning: Consistent.</b> As discussed under CLUP Policy 2-13, the County and Coastal Commission contemplated a possible increase in the present 100-acre density in order to balance the concerns over increased residential densities at this site, and thus resolve the long-standing dispute related to the Naples town site. A TDR Study was conducted in order to determine the extent to which the proposed residential development density could be transferred to urban receiver sites. Based on the results of the TDR Study, the development potential from a limited number of lots could be transferred to urban receiver sites. If this transfer of development is implemented, then

Requirement	Preliminary Consistency Determination
	<p>although it would be limited in scope in comparison to the entire project, it would further the Policy of preventing urban development beyond boundaries of land designated for urban uses, thus preventing scattered urban development, and encouraging a balance between housing and jobs. The remaining development to be located on the SBR and DPR properties would be regulated in accordance with the new NTS land use designation and implementing ordinance. The purpose of the proposed NTS designation and implementing zoning ordinance would be to establish development standards that balance a higher density residential development (as compared to the present 100-acre requirement in the AG-II-100 zoning) with public access and recreational opportunities, open space, and habitat preservation, while minimizing potential impacts to surrounding agricultural lands.</p> <p><b>Alternative 1B is Consistent.</b> Alternative 1B as proposed does not involve urban densities or uses. Although the proposed density would be higher than the existing A-II-100 designation, the Alternative 1B overall density is equivalent to one unit per 44 acres. Even if the large remainder parcel (DP-11 with 2,003 acres) is not considered in computing the average density of Alternative 1B, the average lot size for the new residences would be over 13 acres. Water service already exists in the area, and will not be expanded beyond the existing service area of the Naples town site and the Santa Barbara and Dos Pueblos Ranches. Sewer service would be provided by onsite septic systems (limited to DPR south of Hwy 101) or a packaged treatment plant sized to serve only the development proposed. The Alternative 1B design contains substantial areas of open space and agricultural conservation easements. Given the unique circumstances of the project site, Alternative 1B, including creation of the NTS designation and other design features, legislative changes, and recommended mitigation measures would reduce the potential development that would be located beyond the urban boundary, compared to the potential grid build-out of the existing legal lots.</p>
<p><b>LU: LAND USE DEVELOPMENT Policy – 4</b> 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. Affordable housing projects proposed pursuant to the Affordable Housing Overlay regulations, special needs housing projects or other affordable housing projects which include at least 50% of the total number of units for affordable housing or 30% of the</p>	<p><b>Alternative 1B is Consistent.</b> With the implementation of the recommended mitigation measures, adequate public or private services and resources (i.e., water, sewer, roads, etc.) would be available to serve the proposed development. As discussed above under Policy 2-2, adequate water entitlements exist to serve the project's water demand. As discussed in Section 2.15 of the FEIR, Public Services, fire service and sewer service are limiting factors. In order to address the Fire Department's concerns related to fire response time from existing fire stations, this RDEIR identifies mitigation measures that involve a combination of actions by the City of Goleta to provide a new fire station location with funding contributions from impact fees from this and other projects in the area, the developer will contribute a one-time payment for the construction of Fire Station 10 in western Goleta. As discussed under Policies 2-10 and 2-13, the Alternative 1B proposal includes package sewage treatment plants (STPs) for Coastal Zone lots and inland lots, and would use individual septic systems only on the large DPR lots south of Highway 101.</p> <p>Existing roads are adequate to serve the project; the applicant would fund the necessary repairs on the County road easements that would provide emergency secondary access to the project from Calle Real north of Highway 101, and would provide minor improvements to the Dos Pueblos Canyon Road interchange. Highway 101 and the Dos Pueblos Canyon Road interchange are presently operating well below capacity and the project traffic impacts would not substantially degrade present levels of service in the project area.</p>

Requirement	Preliminary Consistency Determination
<p>total number of units affordable at the very low income level shall be presumed to be consistent with this Policy if the project has, or is conditioned to obtain all necessary can and will serve letters at the time of final map recordation, or if no map, prior to issuance of land use permits. <i>(Amended by 93-GP-10, Res. 93-624, 11/23/93)</i></p>	
<p><b>LU: PLANNED DEVELOPMENT Policy 4</b> - Permitted uses shall include:</p> <ul style="list-style-type: none"> <li>a. residential units, either attached or detached;</li> <li>b. recreational facilities, including but not limited to tennis courts, swimming pools, playgrounds, and parks for the private use of the prospective residents and/or public; and</li> <li>c. open space; and in developments of 200 residential units or greater, conditionally permitted uses may include: <ul style="list-style-type: none"> <li>d. commercial recreational facilities (private and public) that are compatible with the proposed residential units;</li> <li>e. convenience establishments of a commercial and service nature such as a neighborhood store, provided: <ul style="list-style-type: none"> <li>(1) such convenience establishments are an integral part of the general plan of development for the Planned Development and provide services related to the needs of the prospective residents;</li> <li>(2) such convenience establishments and their parking areas will not collectively occupy more than one (1) acre per two hundred (200) dwelling units;</li> <li>(3) such convenience establishments will be located, designed, and operated primarily to serve trade and service needs of persons residing in the Planned Development and not persons residing elsewhere;</li> <li>(4) such convenience establishments will not by reason of their location, construction, manner</li> </ul> </li> </ul> </li> </ul>	<p><b>Not Applicable.</b> The Naples Town Site (NTS) land use and zoning are codified as a "Special Purpose" designation, not as residential zone.</p>

Requirement	Preliminary Consistency Determination
<p>or timing of operations, signs, lighting, parking arrangements, or other characteristics have adverse effects on residential uses within or adjoining the development, or create traffic congestion or hazards to vehicular or pedestrian traffic.</p>	
<p><b>LU: HILLSIDE AND WATERSHED PROTECTION Policy - 1.</b> 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.</p>	<p><b>Alternative 1B is Consistent.</b> Proposed development north side of Highway 101 would be located on gently to moderately sloped terrain and would require additional grading to accommodate the home sites, roads, and other structures, as compared to the area south of Highway 101. However, building envelopes are largely located on ridge terraces, would follow existing contours and not require excessive grading. Mitigation measures would require review and approval of the detailed grading and drainage plans to ensure that grading is minimized and that water quality BMPs are used during design, construction and occupancy. BMPs will include requirements to minimize the area and duration of grading, collect and treat sediment onsite, and avoid extensive grading during the rainy season. BMPs during grading and construction would include the use of temporary vegetation and other stabilization measures to prevent erosion and sedimentation. The Landscaping Plan would include provisions for stabilization plantings.</p>
<p><b>LU: HILLSIDE AND WATERSHED PROTECTION Policy - 2.</b> 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.</p>	<p>BMPs would be installed and maintained during the initial grading operations, and sediment would be collected and treated onsite during the life of the project. Mitigation measures would also require that septic systems be eliminated from the inland lots proposed in the project in order to avoid potential impacts to groundwater and surface water from septic system discharges. Areas of the site that have known soils, geologic, flood, erosion, or other hazards would remain in open space. One or more sewer lift/pump stations are anticipated as part of the proposed sewer system. Similarly, it is also expected that one more seepage pits may be needed to serve as a backup disposal method for reclaimed water that is produced as part of the package Sewer Treatment Plants ("STP's"). The exact size and location of these parts of the project's utility infrastructure are design details to be determined as part of the final engineering at the point of building plan check and subject to approval by the Regional Water Quality Control Board. To further assure that these components of the infrastructure conform with applicable watershed, biological and water quality policies of the County, the following measures are included in the conditions of approval: (i) except as provided herein, all components of the utility infrastructure system (including utility pump and lift stations) shall be contained within development envelopes, utility corridors and/or roadways as shown on the Final Development Plans; (ii) seepage pits (if any are proposed) and utility support equipment (including sewer lift/pump stations) shall be sited outside of known sensitive cultural resource areas, a minimum of 50 feet from any minor stream or drainage course, and 100 feet from any major stream, wetland or environmentally sensitive habitat, and shall be screened from public view; and (iii) final design plans for the entire sewer system (including STPs, lift/pump stations, water reclamation facilities and seepage pits) shall be submitted to and approved by the Regional Water Quality Control Board and County EHS prior, and as a conditions precedent, to obtaining Final Planning Approval for any aspect of the Project.</p>
<p><b>LU: HILLSIDE AND WATERSHED PROTECTION Policy - 3.</b> For necessary grading operations on hillsides, the smallest practical area of land shall be exposed at any one time during development, and the length of exposure shall be kept to the shortest practicable amount of time. The clearing of land should be avoided during the winter rainy season and all measures for removing sediments and stabilizing slopes should be in place before the beginning of the rainy season.</p>	
<p><b>LU: HILLSIDE AND WATERSHED PROTECTION Policy - 4.</b> Sediment basins (including debris basins, desilting basins, or silt traps) shall be installed on the project site in conjunction with the initial grading operations and maintained through the</p>	

Requirement	Preliminary Consistency Determination
<p>development process to remove sediment from runoff waters. All sediment shall be retained on site unless removed to an appropriate dumping location.</p> <p><b>LU: HILLSIDE AND WATERSHED PROTECTION Policy - 5.</b></p> <p>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.</p>	
<p><b>LU: HILLSIDE AND WATERSHED PROTECTION Policy - 6.</b></p> <p>Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as a result of development. Water runoff shall be retained onsite whenever possible to facilitate groundwater recharge.</p>	<p><b>Alternative 1B is Consistent.</b> Mitigation measures require BMPs to ensure that surface water is conducted to storm drains, and other water quality BMPs are used during design, construction and occupancy. BMPs would include requirements to retain water runoff onsite whenever possible.</p>
<p><b>LU: HILLSIDE AND WATERSHED PROTECTION Policy - 7.</b></p> <p>Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.</p>	<p><b>Alternative 1B is Consistent.</b> Mitigation measures require BMPs to ensure that pollutants would not be discharged during or after construction. Site design changes are recommended in order to avoid grading in wetlands, and to avoid grading in streams.</p>
<p><b>LU: HILLSIDE AND WATERSHED PROTECTION Policy - 8.</b> On any lands not Comprehensive Planned and zoned for agriculture, grading and "brushing" shall require a permit. Exceptions shall be grading of 50 cubic yards or less and "brushing" within a radius of 100 yards of a residential structure for fire purposes.</p>	<p><b>Alternative 1B is Consistent.</b> No vegetation thinning or clearing, beyond that necessary for fire protection, is proposed.</p>

Requirement	Preliminary Consistency Determination
<p><b>LU: HILLSIDE AND WATERSHED PROTECTION Policy - 9.</b> Where agricultural development and/or agricultural improvements will involve the construction of service roads and the clearance of natural vegetation for orchard and vineyard development and/or improvements on slopes of 30 percent or greater, cover cropping or any other comparable means of soil protection, which may include alternative irrigation techniques, shall be utilized to minimize erosion until orchards and vineyards are mature enough to form a vegetative canopy over the exposed earth, or as recommended by the County Public Works Department.</p>	<p><b>Alternative 1B is Consistent.</b> Agricultural access roads will be maintained and natural vegetation clearing for orchard and vineyard development would be implemented in compliance with this Policy under the terms of an ACE.</p>
<p><b>LU: STREAMS AND CREEKS POLICIES - 1.</b> 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.</p>	<p><b>Alternative 1B is Consistent.</b> Mitigation measures minimize potential impacts to streams and other State and federal jurisdictional waters by requiring design modifications, construction BMPs, and landscape maintenance limitations throughout the project site.</p>
<p><b>LU: FLOOD HAZARD AREA POLICIES - 1.</b> All development, including construction, excavation, and grading, except for flood control projects and non-structural agricultural uses, shall be prohibited in the floodway unless off-setting improvements in accordance with HUD regulations are provided. If the proposed development falls within the floodway fringe, development may be permitted, provided creek setback requirements are met and finish floor elevations are above the projected 100-year flood elevation, as specified in the Flood Plain Management Ordinance.</p>	<p><b>Alternative 1B is Consistent.</b> The proposed project avoids development in floodways.</p>
<p><b>LU: FLOOD HAZARD AREA POLICIES - 2.</b> Permitted development shall not cause or contribute to flood hazards or lead to expenditure of public funds for flood control works, i.e., dams, stream channelizations, etc.</p>	<p><b>Alternative 1B is Consistent.</b> The proposed project avoids development in floodways and would not cause or contribute to flood hazards. Increased impervious surfaces (e.g., roads, paved areas, and structures) and landscape development on hillsides north of Highway 101 have the potential to result in accelerated surface runoff and erosion if these developments are not properly designed, constructed and maintained. Long-term increases in surface runoff and accumulation of debris in local drainages could contribute to flood hazards to existing and proposed residences located downstream of the proposed residences. Mitigation measures would require the use of BMPs in the design, construction and maintenance of the proposed developments.</p>



Requirement	Preliminary Consistency Determination
<p><b>LU: PARKS/RECREATION POLICIES - 1.</b> Bikeways shall be provided where appropriate for recreational and commuting use.</p>	<p><b>Alternative 1B is Consistent.</b> Alternative 1B proposes to construct and maintain a public coastal access trail system that includes a new segment of the Coastal Trail and Juan Bautista de Anza Historic Trail, with pedestrian, equestrian, and bicycle trails, public parking and restrooms in an area of the Gaviota Coast highly desirable and where equestrian trails, and bicycle trails are desirable and no convenient trails or access currently exists.</p>
<p><b>LU: PARKS/RECREATION POLICIES - 4.</b> Opportunities for hiking and equestrian trails should be preserved, improved, and expanded wherever compatible with surrounding uses.</p>	<p><b>Alternative 1B is Consistent.</b> Alternative 1B proposes to construct and maintain a public coastal access trail system that includes a new segment of the Coastal Trail and Juan Bautista de Anza Historic Trail, with pedestrian, equestrian, and bicycle trails, public parking and restrooms in an area of the Gaviota Coast highly desirable and where equestrian trails, and bicycle trails are highly desirable and no convenient trails or access currently exists.</p>
<p><b>LU: OTHER OPEN LANDS GOALS -</b> Certain areas may be unsuited for agricultural uses due to poor or unstable soil conditions, steep slopes, flooding or lack of adequate water. These open lands have importance as grazing, watershed, wildlife habitat, mineral resources, recreation, and scenic qualities. These lands are usually so located that they are not necessary or desirable for urban uses. There is no basis for the proposition that all land, no matter where situated or whatever the need, must be planned for urban purposes if they cannot be put to some other profitable economic use.</p>	<p><b>Alternative 1B is Consistent.</b> The Alternative 1B proposal would maintain grazing and other agricultural operations through the use of agricultural conservation easements, and protection of open areas that are particularly important to wildlife habitat and watershed maintenance, through the use of agricultural easements and open space conservation easements.</p>
<p><b>LU: VISUAL RESOURCES POLICIES - 2.</b> 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.</p>	<p><b>Alternative 1B is Consistent.</b> The CEQA analysis in Section 9.9 of the FEIR addresses visual impacts based on the methodology that is described in that section. Applicable policy considerations are incorporated into the CEQA methodology and the findings that visual impacts may be mitigated to a level of insignificance. Alt 1B eliminates all but 11 structures north of Hwy 101 from public view (Lots 104, 105, 107A, 134 and 135 from KOP #1B; Lot 210 and DP-4 as seen from KOP #2; Lots 185 and 210 from KOP #4; Lots 51 and 215 from KOP #5; and Lot 108 from KOP #6A). Of these, five have the potential of extending above the background ridgelines (Lots 51, 107A, 134, 135 and 215), while the visibility of DP-4 is insignificant given its distance from Hwy 101 and the intervening topography. Taking into account: (i) the quality of setting, duration of visibility, expectation of viewer or degree of impact, (ii) the potential consequences of Grid buildout, (iii) the harmonizing provisions of CLUP Policy 2-13, and (iv) the proposed conditions of approval, Alternative 1B is deemed consistent with Visual Resource Policy 2. Conditions of approval expressly provide that: "...the site and architectural design of buildings proposed on Lots 51, 104, 105, 107A, 108, 134, 135, 185, 210 and 215 shall be scrutinized for in conjunction with Preliminary and Final Design Review by CBAR. In specific regard to Lots 51, 107A, 134, 135 and 215, every reasonable measure shall be taken to avoid (if feasible) or minimize (if not feasible) the silhouetting of structures into the skyline. Such measures include, but are not necessarily limited to, lowering of structure height, reduction of grade elevations, contouring of the site, relocation of development envelopes, use of landscaping, reduction of building sizes, or any combination thereof. In regard to Lots 104, 105, 108, 185, and 210, every reasonable measure shall be taken to further diminish the visibility of development by application of</p>

Requirement	Preliminary Consistency Determination
<p><b>LU: VISUAL RESOURCES POLICIES - 4.</b> Signs shall be of size, location, and appearance so as not to detract from scenic areas or views from public roads and other viewing points.</p>	<p>the Design Guidelines and introduction of foreground landscaping.”</p> <p><b>Alternative 1B is Consistent.</b> A recommended mitigation measure and standard condition of approval require design review and approval by the County, including a review of the size, location, and appearance of proposed signs (e.g., trail identification/direction signs, etc.).</p>
<p><b>LU: VISUAL RESOURCES POLICIES - 5.</b> 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.</p>	<p><b>Alternative 1B is Consistent.</b> Proposed electric lines and water and sanitary service pipelines would be placed underground. Above-ground water and utility-related structures would include one existing and four proposed water storage tanks, and the existing water treatment facility (screened from public view by mature trees). Mitigation measures require that above-ground structures use color treatments that blend with the surrounding environment.</p>
<p><b>Agriculture Element (AE)</b></p>	
<p><b>AE - GOAL I.</b> 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.</p>	<p><b>Alternative 1B is Consistent.</b> As covered in the discussion under Coastal Act § 30242 and CLUP Policy 8-2, the proposed conversion of agricultural land to non-agricultural uses would occur in parallel with a program to preserve both prime and non-prime agricultural land through the creation of the ACE designation. Alternative 1B includes the creation of a new Williamson Act contract and new ACE to be established in exchange for the removal of the current Williamson Act Contract over the DPR property north of Highway 101. Alternative 1B would also result in increased agricultural capital expenditures and a professional agricultural management program on the SBR property. The intensification of agricultural production within the ACE may be limited by the potential biological impacts that could occur with intensification of agricultural operations, specifically on existing grazing lands. Any proposed expansion or intensification of agriculture would need to follow the guidelines and mitigation set forth in the EIR for biological impacts, including restrictions on the conversion of existing grazing land to row crops south of Highway 101 and other measures designed to minimize impacts to habitat and wildlife movement opportunities.</p>
<p><b>AE - Policy IA.</b> The integrity of agricultural operations shall not be violated by recreational or other non-compatible uses. Imposition of any condition requiring an offer of dedication of a recreational trail or other recreational easement shall be discretionary (determined on a case-by-case basis), and in exercising its discretion, the County shall consider the impact of such an easement upon agricultural production of all lands affected by and adjacent to said trail or other easement.</p> <p>1. On lands which are in agricultural production and have a zoning or Comprehensive Plan designation for agriculture, provisions for recreational trails or other recreational easements</p>	<p><b>Alternative 1B is Consistent.</b> The project proposes new public recreational uses, including public parking, on-road and off-road bicycle, equestrian and pedestrian trails, public restroom facility, and bluff trails. The public recreation facilities would be sited in an Open Space Conservation Easement (OSCE), and would not compromise the integrity of agricultural operations or expose the public to ongoing agricultural operations. Trails within proximity to agricultural operations would be designed to minimize impacts and restrict access into these areas (e.g., with appropriately designed fencing, signs, setbacks, etc.).</p> <p>The proposed residential uses would be compatible with continued agricultural use on surrounding lands. Mitigations measures require implementation of the right-to-farm buyer notification. NTS development standards such as fencing requirements and restrictions would further reduce land use conflicts between residential uses and agricultural operations.</p>



Requirement	Preliminary Consistency Determination
<p>defined in the Comprehensive Plan may be imposed by the County as a condition for a discretionary permit or land division only in the following circumstances:</p> <ol style="list-style-type: none"> <li>a. The area in which the trail is proposed to be located is land which is not under cultivation or being grazed or is not part of a rotation program, or is not an integral part of the agricultural operations on the parcel; or,</li> <li>b. The land use permit requested is not for a use which is compatible with agricultural production on the property, as defined in the County Agricultural Preserve Uniform Rules. In this instance, the recreational trail or other recreational use shall be required to be located only on the portion of the property taken out of agricultural production for the permit; or,</li> <li>c. The land division requested requires a rezoning of the property to a more intensive zone district than that applied to the property prior to the application.</li> </ol> <p>2. A recreational trail or other recreational use shall not be required as a condition for a discretionary permit (except a land division or a rezone which permits a smaller minimum parcel size than that permitted on the property at the time of the application) on lands which are in agricultural production and have a zoning or Comprehensive Plan designation for agriculture, in the following circumstances:</p> <ol style="list-style-type: none"> <li>a. The permit requested is for a lot line adjustment or Minor Conditional Use Permit only; or,</li> <li>b. The discretionary permit requested is compatible with the agricultural use of the land, as defined in the County Agricultural Preserve Uniform Rules.</li> </ol> <p>3. The following trails shall not be subject to paragraphs 1 and 2 above due to their historic and recreational significance:</p> <ol style="list-style-type: none"> <li>a. Franklin Trail</li> </ol>	

Requirement	Preliminary Consistency Determination
<p>b. Arroyo Burro Trail  c. Fremont Trail  d. San Antonio Canyon Trail  4. Where trails are required, they shall be sited to minimize the impacts to prime soils, agricultural operations, public safety, and environmentally sensitive areas.</p>	<p><b>Alternative 1B is Consistent.</b> Adverse urban influences that could affect future agricultural operations both onsite and in neighboring properties include:</p> <ul style="list-style-type: none"> <li>• Disturbance of livestock by increased traffic, noise, and harassment by people and pets</li> <li>• Illegal violation of agricultural property, such as trespassing, vandalism, camping, or theft of agricultural produce</li> <li>• Nuisance effects typically associated with certain agricultural operations, such as dust or odor, that result in complaints from project residents or the public, and thus require further actions to restrict agricultural operations</li> <li>• Pollution from siltation, flooding, urban stormwater and non-stormwater discharges</li> <li>• Expansion of urban spheres of influence and encroachment of urban uses on adjacent agricultural land uses</li> <li>• Conversion of highly productive agricultural lands to non-agricultural uses</li> </ul> <p>The proposed public recreation facilities would be concentrated in a designated OSCE in the southeast corner of the SBR bluff property. These facilities would be fenced and set back from ongoing agricultural operations, except where the Coastal Trail would parallel the PACE in the Equestrian Village between the railroad and Dos Pueblos Canyon Road. This would minimize impacts from trespassing and harassment by people and pets.</p> <p>The proposed residential uses would be compatible with continued agricultural use on surrounding lands. Recommended mitigations would require implementation of the right-to-farm buyer notification. NTS development standards such as fencing requirements and restrictions would further reduce land use conflicts between residential uses and agricultural operations.</p> <p>County standards for development of the infrastructure would minimize impacts from siltation and flooding. The project increases the net acreage of protected prime agricultural lands. While the project creates a new land use designation and zone district of more development intensity than the current rural environment, the project resolves land use conflicts as directed by Policy 2-13 without expanding an urban sphere.</p>
<p><b>AE: Policy II.C.</b> Santa Barbara County shall discourage the extension by the Local Agency Formation Commission (LAFCO) of urban spheres of influence into productive agricultural lands designated Agriculture II (A-II) or Commercial Agriculture (AC) under the Comprehensive Plan.</p>	<p><b>Alternative 1B is Consistent.</b> As discussed above under Coastal Act § 30242 and CLUP Policy 8-2, Alternative 1B would introduce residential development approximately two miles beyond the urban boundary. However, the residential development introduced as part of implementation of Policy 2-13 does not require any sphere of influence determination by LAFCO or any other LAFCO action.</p>
<p><b>AE: Policy II.D.</b> 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.</p>	<p><b>Alternative 1B is Consistent.</b> As described above under Coastal Act § 30242 and CLUP Policy 8-2, the proposed conversion of agricultural land to non-agricultural uses would occur in parallel with a program to preserve both prime and non-prime agricultural land through the ACE designation. Alternative 1B includes the creation of a new Williamson Act contract and new ACE to be established in exchange for the removal of the current Williamson Act Contract over the DPR property north of Highway 101. The ACE will result in net increase of preserved land (by 118 acres) and an increase in the area of preserved prime agricultural land from 517 acres to 612 acres. The Alternative</p>

Requirement	Preliminary Consistency Determination
<p><b>AE: GOAL III.</b> Where it is necessary for agricultural lands to be converted to other uses, this use shall not interfere with remaining agricultural operations.</p>	<p>1B proposal would also result in increased agricultural capital expenditures and a professional agricultural management program on the SBR property.</p> <p><b>Alternative 1B is Consistent.</b> Alternative 1B would retain agricultural operations. The proposed residential uses would be compatible with continued agricultural use on surrounding lands. Recommended mitigations would require implementation of the right-to-farm buyer notification. NTS development standards such as fencing requirements and restrictions would further reduce land use conflicts between residential uses and agricultural operations.</p>
<p><b>AE: Policy III.A.</b> Expansion of urban development into active agricultural areas outside of urban limits is to be discouraged, as long as infill development is available.</p>	<p><b>Alternative 1B is Consistent.</b> As described above under Coastal Act § 30242 and CLUP Policy 8-2, the proposed conversion of agricultural land to non-agricultural uses would occur in parallel with a program to transfer a portion of the density that is proposed for residential uses to urban receiver sites, and preserve both prime and non-prime agricultural land through the ACE designation. Alternative 1B would also result in increased agricultural capital expenditures and a professional agricultural management program on the SBR property. While the project creates a new land use designation and zone district of more development intensity than the current rural environment, the project resolves land use conflicts as directed by Policy 2-13 without expanding an urban sphere.</p>
<p><b>AE: Policy III.B.</b> It is a County priority to retain blocks of productive agriculture within Urban Areas where reasonable, to continue to explore programs to support that use, and to recognize the importance of the objectives of the County's Right to Farm Ordinance.</p>	<p><b>Alternative 1B is Consistent.</b> Alternative 1B is not located within an urban area. However, the project would retain a substantial amount of contiguous land in productive agricultural use in perpetuity through the ACE, and with recommended mitigation would meet the objectives of the County's Right-To-Farm Ordinance.</p>
<p><b>AE: GOAL IV.</b> Recognizing that agriculture can enhance and protect natural resources, agricultural operations should be encouraged to incorporate such techniques as soil conservation and sound fire risk reduction practices.</p>	<p><b>Alternative 1B is Consistent.</b> Alternative 1B includes design features that would protect the site's natural resources, including riparian stream corridors, and encouragement of sound agricultural practices to prevent erosion. The project includes the designation of OSCEs, in addition to the ACE, to preserve wildlife habitats. These easement areas and open space areas on individual lots would not restrict the appropriate clearing of vegetation needed to reduce fire risks. The following Comprehensive Plan policies relate to commercial aspects of agricultural operations, and are addressed in a common response.</p>
<p><b>AE: GOAL V.</b> Santa Barbara County shall allow areas and installations for those supportive activities needed as an integral part of the production and marketing process on and/or off the farm.</p> <p><b>AE: Policy V.A.</b> Santa Barbara County shall permit on-farm supportive installations for product handling and selling as prescribed in the Uniform Rules of the County's Agricultural Preserve Program.</p> <p><b>AE: Policy V.B.</b> Santa Barbara County should allow areas for supportive agricultural services within reasonable distance and access to the farm user.</p> <p><b>AE: GOAL VI.</b> The County should</p>	<p><b>Alternative 1B is Consistent.</b> Alternative 1B includes construction of a new agricultural support facility (within Lot 97) and other capital improvements to support the ongoing agricultural operations.</p>

Requirement	Preliminary Consistency Determination
make effective provision for access to agricultural areas and for the necessary movement of agricultural crops and equipment.	
<b>CIRCULATION ELEMENT (CE)</b>	
<b>CE: Circulation:</b> Bike paths, bridle paths, and pedestrian ways should be provided for commuting and recreational use.	<b>Alternative 1B is Consistent.</b> Alternative 1B proposes to construct and maintain a public coastal access trail system that includes a new segment of the Coastal Trail and Juan Bautista de Anza Historic Trail, with pedestrian, equestrian, and bicycle trails, public parking and restrooms, where no convenient trails or access currently exist.
<b>Energy Element (EE)</b>	
<b>EE: GOAL 3 TRANSPORTATION AND LAND USE -</b> Provide a composition of land-uses and transportation programs that reduces dependency on automobiles.	<b>Alternative 1B is Consistent.</b> The project includes an on-site employee duplex within the Santa Barbara Ranch area of the project. The larger complex of Dos Pueblos Ranch also includes on-site employee housing.
<b>EE: Policy 3.1 Alternative Transportation and Support Facilities -</b> Enhance opportunities for alternative transportation.	<b>Alternative 1B is Consistent.</b> The project includes multi-use trails consistent with County plans. Since the project is in a rural area, the opportunity for other alternative transportation facilities is limited.
<b>EE: Policy 3.9 Housing Density Near Mass Transit -</b> The County shall coordinate high density residential developments with mass transit service and existing or proposed bikeways.	<b>Not Applicable.</b> This policy does not apply to the Alternative 1B proposal since the project site is in a rural area and not near any mass transit facilities.
<b>EE: GOAL 4 WATER AND SOLID WASTE -</b> Increase the efficiency of water and resource use to reduce energy consumption associated with various phases of using resources (pumping, distribution, treatment, heating, etc.).	<b>Alternative 1B is Consistent.</b> The project includes measures to re-use treated wastewater and to conserve water use in landscaping. Solid waste collection services will subject residences to the Source Reduction and Recycling programs applicable to all unincorporated areas.
<b>Conservation Element (COE)</b>	
<b>COE: Policy 2.1 -</b> Where feasible, in cooperation with local purveyors and other groundwater users, the County shall act to protect groundwater quality where quality is acceptable, improve quality where degraded, and discourage degradation of quality below acceptable levels.	<b>Alternative 1B is Consistent.</b> The project Water Management Plan implements the applicant's commitment to rely on imported water for potable uses, and to re-use treated wastewater for irrigation and include other water conservation measures. Surface and groundwater quality in the area is not degraded, and the EIR identifies measures to ensure that project effects on water quality remain less than significant.
<b>COE: Policy 3.5 -</b> In coordination with any applicable groundwater management plan(s), the County shall not allow, through its land use permitting decisions, any basin to become seriously overdrafted on a prolonged basis.	<b>Not Applicable.</b> There is no adopted groundwater management plan for the project area, and there is no evidence of overdraft conditions for the groundwater in the Dos Pueblos Creek portion of the Gaviota Coast watershed.
<b>COE: Policy 3.6 -</b> The County shall not make land use decisions which would lead to the substantial over-commitment of any groundwater basin.	<b>Alternative 1B is Consistent.</b> The project does not represent an over-commitment of groundwater resources. For the Alternative 1B design with 71 new residences, the projected increase in water consumption is 80.23 afy. This estimate is based on factors of 300 gallons/day per residence for domestic consumption (24.3 afy domestic consumption) and 0.8 afy per year for each acre of irrigated landscaping within

Requirement	Preliminary Consistency Determination
	development envelopes (9.6 inches of irrigation water per year). The total estimated consumption is 1.13 afy/residence. Higher and lower consumption rates are possible. Adding the resulting estimate of 80.23 afy to the current 58 afy deliveries of the NWC, results in a total domestic and landscaping use of 138.23 afy for the 71-unit Alternative 1B design (as described in Impact PS-9).For further discussion see Section 13.4.5 Projected Water Consumption of the FEIR.
<b>COE: Policy 3.7</b> - New urban development shall maximize the use of effective and appropriate natural and engineered recharge measures within project design, as defined in design guidelines to be prepared by the Santa Barbara County Flood Control and Water Conservation District (SBCFCWCD) in cooperation with P&D ( <i>conceptual</i> examples of such design guidelines are presented in Appendix B).	<b>Not Applicable.</b> The project is not located in an urban area, and does not represent an urban level of development.
<b>HAZARDOUS WASTE (HW)</b>	
<b>HW: Policy 1-2</b> - The County and cities shall work together to develop and implement programs that reduce the amount and hazard of the hazardous wastes generated in the County.	<b>Not Applicable.</b> This is a policy applicable to the County, not to specific development projects.
<b>HW: Policy 1-3</b> - The County shall continue its involvement with the Southern California Hazardous Waste Management Authority to establish comprehensive and equitable hazardous waste management on a regional basis.	<b>Not Applicable.</b> This is a policy applicable to the County, not to specific development projects.
<b>HW: Policy 4-3</b> – All new or modified land use permits for facilities that generate hazardous waste shall incorporate waste minimization techniques to the maximum extent economically and technically feasible. New applicants shall be required to submit this information as part their permit application. This policy shall apply to both discretionary and ministerial land use permits.	<b>Alternative 1B is Consistent.</b> The project includes three separate sewage package treatment plants (two inland and one coastal) that includes biological breakdown of solids and reclamation of liquids to supplement surface and subservice agricultural irrigation.
<b>SAFETY ELEMENT SUPPLEMENT (SE)</b>	
<b>Noise Element (NE)</b>	
<b>NE: Policy 1</b> - In the planning of land use, 65 dB Day-Night Average Sound Level should be regarded as the maximum exterior noise exposure compatible with noise-sensitive uses unless noise mitigation features are included in project designs.	<b>Alternative 1B is Consistent.</b> The Alternative 1B design would result in residential uses, including exterior living spaces (i.e., private yards) that are adequately set back from noise sources, including the UPRR railroad and Highway 101. The project construction could cause temporary increases in ambient noise at nearby existing residences. Recommended mitigations would limit noise-generating construction activities as appropriate to avoid impacts to existing residential uses.

Requirement	Preliminary Consistency Determination
<b>Housing Element</b>	
<p><b>HE: Goal 1 - Enhanced Diversity and Quantity of Housing Supply</b> Promote the development of new housing with a diversity of types, sizes, tenures, densities, and locations in the necessary quantities to meet the needs of all economic segments of the community.</p>	<p><b>Alternative 1B is Consistent.</b> This and the following related listed goals and policies regarding housing apply throughout the unincorporated areas of the County. The project includes an employee duplex, and the existing Dos Pueblos Ranch properties include worker housing. By its nature, however, the project is rural and does not include a broad diversity of housing types and opportunities. The project applicant will, however, be required to pay in lieu fees to the County's housing program to contribute towards the provision of a range of housing opportunities.</p>
<p><b>HE: Policy 1.3:</b> Fees paid in lieu of providing affordable housing pursuant to the Inclusionary Housing Program shall be deposited in the county's Housing Trust Fund and used for the development and/or rehabilitation of affordable housing and special needs housing within the HMAs from which they are collected.</p>	<p><b>Alternative 1B is Consistent.</b> Conditions of approval require contribution of in lieu fees in compliance with HE: Policy 1.3. <b>Not Applicable.</b> The Alternative 1B design entails an internal transfer of development rights to areas outside of the Coastal Zone, resulting in: (i) an overall reduction of 164 lots under the Official Map of Naples (235 legal lots – 71 total lots proposed for development proposed = 164 lot reduction); (ii) 52 less dwellings that what is deemed buildable at Santa Barbara Ranch alone (125 buildable SBR lots – 73 total dwellings proposed for development = 52 less dwellings). Under Development Standard 1.2.1 of the County's Housing Element Implementation Guidelines, the provision of affordable housing is required for all housing projects with five or more <i>net</i> new lots or units. Furthermore, Development Standard 1.2.4 expressly exempts <i>existing</i> legal units or lots from the computation of affordable housing requirements.</p>
<p><b>HE: Policy 1.9 -</b> The county shall ensure adequate sites zoned at densities that accommodate the county's "fair share" housing needs for the current planning period (January 2001-July 2008) at all income levels and in all HMAs as defined by the Regional Housing Needs Assessment (RHNA) for Santa Barbara County (adopted December 2002).</p>	<p><b>Not Applicable.</b> The project site has not been identified as a candidate site for affordable housing.</p>
<p><b>HE: Goal 5 - Efficient Government</b> Identify and, where feasible, eliminate or reduce governmental constraints to the development of affordable and/or special needs housing. <b>HE: Policy 5.1 -</b> The county shall give high priority and/or provide exemptions for the development of affordable housing when preparing and amending land use and/or community plans, growth management plans, and zoning ordinance amendments, particularly with regard to policies and development standards related to the allocation of limited services and resources, including but not limited to water, sewage treatment capacity, and roadway and intersection capacity.</p>	<p><b>Not Applicable.</b> This is a policy applicable to the County, not to specific development projects.</p>



Requirement	Preliminary Consistency Determination
<p><b>HE: Policy 5.5</b> - Applicable county departments shall provide incentives for the development of affordable, special needs, and rental housing.</p> <p><b>HE: Goal 7 - Open and Fair Housing Opportunities</b> Promote equal opportunity in all housing types (ownership and rental, market rate and assisted) and for all persons.</p> <p><b>HE: Policy 9.1</b> - The county shall actively pursue and use various sources of revenue in order to assist the development, acquisition, and rehabilitation of affordable housing and provide financing assistance to first time homebuyers.</p> <p><b>HE: Policy 9.4</b> - The county shall make the provision of affordable and/or special needs housing a priority when considering the future use or sale of county-owned land.</p>	
<b>Coastal Land Use Plan (CLUP)</b>	
<p><b>CLUP: Policy 1-1</b> – The County shall adopt the policies of the Coastal Act as the guiding policies of the land use plan.</p>	<p><b>Alternative 1B is Consistent.</b> Provisions of the Coastal Act, as incorporated into the certified CLUP, have been applied in the design, review, and formulation of conditions for Alternative 1B.</p>
<p><b>CLUP: Policy 1-2</b> - Where policies within the land use plan overlap, the Policy which is the most protective of coastal resources shall take precedence.</p>	<p><b>Alternative 1B is Consistent.</b> This policy, which provides direction for reconciling overlapping policies, has been used in the design, review, and formulation of conditions for Alternative 1B.</p>
<p><b>CLUP: Policy 1-3</b> - Where there are conflicts between the policies set forth in the coastal land use plan and those set forth in any element of the County's Comprehensive Plan or existing ordinances, the policies of the coastal land use plan shall take precedence.</p>	<p><b>Not Applicable.</b> Since CLUP Policies 1-2, 1-3, and 1-4, which address overlapping policies, conflicting policies between the CLUP and the Comprehensive Plan, and overall consistency with adopted plans and policies, respectively.</p>
<p><b>CLUP: Policy 1-4</b> - Prior to the issuance of a coastal development permit, the County shall make the finding that the development reasonably meets the standards set forth in all applicable land use plan policies.</p>	<p><b>Alternative 1B is Consistent.</b> Alternative 1B would reasonably conform to the applicable land use policies related to land use density, conversion of agricultural land, and extension of urban services. This determination can be made based on a consideration of Alternative 1B's consistency with Policy 2-13 as it applies to development of a portion of the Naples town site, and based on a consideration of other general land use policies, as discussed further in Section 10.6 of the FEIR. In addition, Alternative 1B would create the new NTS land use designation and ordinance, and the design of the project would be consistent with the standards specified in that new ordinance. As originally designed and submitted, Alternative 1B would have had several potential impacts on environmentally sensitive habitats. The design was revised to avoid or minimize the potential effects. In particular, the agricultural support facility was removed from Lot 57 where it would have impacted native grassland habitat, and the</p>

Requirement	Preliminary Consistency Determination
	access roadways and lot configuration for the equestrian village area south of Highway have been revised to provide better preservation and buffer areas for seasonal water bodies. Other minor changes in lot configuration provide larger setbacks from native grasslands and coastal scrub areas that will be preserved. Specific resource policies are addressed in Sections 10.7 through 10.16 of the FEIR.
<p><b>Coastal Act Policy 30250 -</b>            (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases, for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.            (b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.            (c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.</p>	<p><b>Alternative 1B is Consistent.</b> Although the project location is in a rural area, the location and pattern of potential development are influenced by the pattern of pre-existing legal lots. CLUP Policy 2-13 was adopted to address and provide for a resolution to the potential development pattern. Alternative 1B provides this resolution for both the Santa Barbara Ranch and the Dos Pueblos Ranch properties. See discussion under CLUP Policies 2-12 and 2-13.</p>
<p><b>Coastal Act Policy 30252 -</b> The location and amount of new development should maintain and enhance public access to the coast by: (1) facilitating the provision or extension of transit service; (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads; (3) providing non-automobile circulation within the development; (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation; (5) assuring the potential for public transit for high-intensity uses such as high-rise</p>	<p><b>Alternative 1B is Consistent.</b> Alternative 1B would provide and maintain access to the coast, and provide a segment of the Coastal Trail through the SBR and DPR properties. The proposed project, combined with recommended mitigation measures, would provide non-automobile circulation within the development (i.e., hiking, biking and equestrian trails) and adequate public parking facilities. Public transit does not currently serve other public coastal access points on the rural Gaviota Coast and public transit service is not proposed to serve the project. The nearest public transit service to public coastal access is located near the City of Goleta's Ellwood Mesa property, near the western boundary of the City of Goleta, approximately 2.5 miles east of the project site.</p>

Requirement	Preliminary Consistency Determination
<p>office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of on-site recreational facilities to serve the new development.</p>	
<p><b>Coastal Act Policy 30254</b> - New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal-dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.</p>	<p><b>Alternative 1B is Consistent.</b> The project would include a public owned and operated package sewage treatment plant (STP). The STP would be adequately sized to accommodate the planned development, including the private residences, agricultural support facility, and public restroom facility. No special districts would be expanded; however, to maintain independence from the Homeowners Association, a Community Facilities District (or equivalent) will be formed to own and operate the STPs as recommended by the Regional Water Quality Control Board. As discussed under CLUP Policy 2-2, adequate water entitlements are in place to service the project. Planning is underway for a new fire station in Goleta, and the project would contribute impact fees as required by County policies. Implementation of Alternative 1B would not displace or preclude any coastal dependent or other land uses in the region.</p>
<p><b>CLUP Policy 2-1</b> - In order to obtain approval for a division of land, the applicant shall demonstrate that adequate water is available to serve the newly created parcels except for parcels designated "Not a Building Site" on the recorded final or parcel map.</p>	<p><b>Alternative 1B is Consistent.</b> As discussed in Policy 2-2 below, an adequate water supply is available to serve Alternative 1B through the existing water entitlements of the Naples Water Company, which serves the area.</p>
<p><b>CLUP: Policy 2-2</b> - The long term integrity of groundwater basins or sub-basins located wholly within the coastal zone shall be protected. To this end, the safe yield as determined by competent hydrologic evidence of such a groundwater basin or sub-basin shall not be exceeded except on a temporary</p>	<p><b>Alternative 1B is Consistent.</b> The Naples Water Company (NWC), which serves the Alternative 1B area, has existing entitlements that will be used to serve the project, including a contracted 200 acre feet per year (AFY) allotment of raw (untreated) water from the State Water Project (SWP), which is delivered pursuant to a contract between NWC and the Central Coast Water Authority (CCWA). NWC currently draws between approximately 54 and 58 AFY from the SWP to service the existing domestic connections (about 24 AFY) and to irrigate the 20-acre avocado orchard on SBR immediately north of Highway 101 (about 30 AFY in average years and 34 AFY in dry years). NWC also has an allocation of 252 AFY surface run-off, creek diversions, and</p>

Requirement	Preliminary Consistency Determination
<p>basis as part of a conjunctive use or other program managed by the appropriate water district. If the safe yield of a groundwater basin or sub-basin is found to be exceeded for reasons other than a conjunctive use program, new development, including land division and other use dependent upon private wells, shall not be permitted if the net increase in water demand for the development causes basin safe yield to be exceeded, but in no case shall any existing lawful parcel be denied development of one single family residence. This Policy shall not apply to appropriators or overlying property owners who wish to develop their property using water to which they are legally entitled pursuant to an adjudication of their water rights.</p>	<p>well water sources stored in reservoirs. The SWP allocation is delivered by means of an existing 33-inch water transmission line (“highline”) owned by the Goleta Water District (GWD) through the Goleta West Conduit under the operation of a water delivery contract between Naples Water Company and GWD. The Alternative 1B water demand of 80.23 AFY is well below the entitlement amount, and the project will rely upon the CCWA’s allocation of water to the Naples Water Company, as well as on-site shale wells to service the project. Section 13.4 in the General Responses of the Final EIR, and the updated Water Management Plan provided by the Applicant, provide more detail regarding the water supply system. Three deeper wells in the system are capable of providing from 100 to 200 AFY, but have only been used for 50 AFY on average. As summarized in Table 13-3, the water system is capable of supplying the existing agricultural and domestic uses, and the proposed project, without substantially affecting surface flows in Dos Pueblos Creek. The Water Management Plan and project conditions will require that any new domestic use be supplied by the NWC through its CCWA allotment. Section 13.4.6 notes that there is no evidence of overdraft or excessive use of the groundwater basin. The project will not adversely affect surface or groundwater supplies, and is, therefore, consistent with this policy.</p>
<p><b>CLUP: Policy 2-3</b> - In the furtherance of better water management, the County may require applicants to install meters on private wells and to maintain records of well extraction for use by the appropriate water district.</p>	<p><b>Alternative 1B is Consistent.</b> As a condition of project approval, the Alternative 1B private water wells would be metered to maintain records of well extractions for use by the Naples Water Company.</p>
<p><b>CLUP: Policy 2-4</b> - Within designated urban areas, new development other than that for agricultural purposes shall be serviced by the appropriate public sewer and water district or an existing mutual water company, if such service is available.</p>	<p><b>Not Applicable.</b> The proposed project is not within a designated urban area.</p>
<p><b>CLUP: Policy 2-5</b> - Water conserving devices shall be used in all new developments.</p>	<p><b>Alternative 1B is Consistent.</b> The Alternative 1B design incorporates water conserving devices including use of reclaimed domestic wastewater for orchard irrigation. Mitigation measures would ensure that water conservation measures are implemented for both interior and exterior water uses.</p>
<p><b>CLUP: Policy 2-6</b> - 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</p>	<p><b>Alternative 1B is Consistent.</b> With the implementation of the mitigation measures, adequate public or private services and resources (i.e., water, sewer, roads, etc.) would be available to serve the proposed development. As discussed above under Policy 2-2, adequate water entitlements exist to serve the project’s water demand. As discussed in Section 2.15 of the FEIR, Public Services, fire service and sewer service are limiting factors. In order to address the Fire Department’s concerns related to fire response time from existing fire stations, this RDEIR identifies mitigation measures that involve a combination of actions by the City of Goleta to provide a new fire station location with funding contributions from impact fees from this and other projects in the area. As discussed under Policies 2-10 and 2-13, the Alternative 1B proposal includes package sewage treatment plants (STPs) for Coastal Zone lots and inland lots, and would use individual septic systems only on the large DPR lots south of Highway 101. Existing roads are adequate to serve the project; the applicant would fund the necessary repairs on the County road easements that would provide emergency secondary access</p>

Requirement	Preliminary Consistency Determination
<p>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. Where an affordable housing project is proposed pursuant to the Affordable Housing Overlay regulations, special needs housing or other affordable housing projects which include at least 50% of the total number of units for affordable housing or 30% of the total number of units affordable at the very low income level are to be served by entities that require can-and-will-serve letters, such projects shall be presumed to be consistent with the water and sewer service requirements of this Policy if the project has, or is conditioned to obtain all necessary can-and-will-serve letters at the time of final map recordation, or if no map, prior to issuance of land use permits. <i>(amended by 93-GP-11)</i></p>	<p>to the project from Calle Real north of Highway 101, and would provide minor improvements to the Dos Pueblos Canyon Road interchange. Highway 101 and the Dos Pueblos Canyon Road interchange are presently operating well below capacity and the project traffic impacts would not substantially degrade present levels of service in the project area.</p>
<p><b>CLUP: Policy 2-8 - a.</b> The County shall give equal priority to the following land uses in the coastal zone of Montecito and Summerland: Expansion of public recreational opportunities; Visitor serving commercial uses; Low and moderate income housing; and Agricultural expansion.</p> <p>b. In Goleta, the County shall give highest priority to low and moderate income housing and agricultural expansion followed by public recreation and visitor-serving commercial uses.</p>	<p><b>Not Applicable.</b> This policy applies to areas outside of the Naples Townsite.</p>
<p><b>CLUP: Policy 2-10 -</b> Annexation of a rural area to a sanitary district or extension of sewer lines into rural area as defined on the land use plan maps shall not be permitted unless required to prevent adverse impacts on an environmentally sensitive habitat, to protect public health, or as a logical extension of services.</p>	<p><b>Alternative 1B is Consistent.</b> Reliance on the proposed package STPs would have the benefit of reducing the potential water quality impacts associated with the use of individual septic systems in the particular geologic formations that are found in the project area. The Goleta West Sanitary District (GWSD) boundary is located approximately 1.75 miles east of the project site, near the urban/rural boundary. Extension of services from the GWSD is not proposed. If such an extension were proposed, the extension would be considered inconsistent with this Policy because it would represent a significant expansion of urban services into a rural area, and would thus not represent a logical extension of services. The project's reliance on package STPs could be regarded as an extension of urban services in the context of CLUP Policy 2-10 because the STPs would have the capacity to treat and dispose a large volume of wastewater (with the potential to expand beyond the present project needs) and thus have the same effect as an extension of sewer services. However, as discussed in FEIR Section 9.3, Hydrology and Water Quality, and Section 9.15, Public Services, the use of</p>

Requirement	Preliminary Consistency Determination
	individual septic systems over the entire project is not desirable due to the potential for water quality impacts. Therefore, reliance on STPs for most of the proposed project would avoid adverse impacts to water quality, and thus would not be considered inconsistent with Policy 2-10. The capacity of the STP units would be limited to the proposed development through recommended mitigation and conditions of approval.
<p><b>CLUP: Policy 2-11</b> - All development, including agriculture, adjacent to areas designated on the land use plan or resource maps as environmentally sensitive habitat area shall be regulated to avoid adverse impacts on habitat resources. Regulatory measures include, but are not limited to, setbacks, buffer zones, grading controls, noise restrictions, maintenance of natural vegetation, and control of runoff.</p>	<p><b>Alternative 1B is Consistent.</b> The Alternative 1B design and recommended mitigation measures would ensure that there are adequate setbacks, buffer zones, grading controls, and other provisions to avoid or minimize potential impacts to sensitive habitat areas. Design measures include preservation of native grassland on Lot 57 and along coastal drainages found in the coastal terrace lots, and preservation of coastal drainages and wetland areas with adequate buffers. The riparian corridors of Dos Pueblos Creek and the eastern tributary to Dos Pueblos Creek downstream from the ranch reservoir, are the only areas on the property mapped by the County as an environmentally sensitive habitat area (ESHA). This area extends slightly into Lots 48 and 103, and occupies the center of Lot 57 south of Highway 101. Through the biological surveys done for this project, ESH areas have been identified on or adjacent to the property. These include: minor stream corridors including Tomate Canada Creek in the eastern portion of SBR north of Highway 101, and small incised drainages near the coastal bluff; isolated wetland areas; and native grassland habitat on Lot 57 and along the margins of several small drainages near the coastal bluff; eucalyptus windrows that provide roost sites for Monarch butterflies; rocky and sandy beach at the base of the coastal bluff; shoreline intertidal areas associated with Naples Reef; and a harbor seal haul-out on the beach east of the project site. Refer to the discussion of Coastal Act § 30240 and CLUP Policy 9-1 for additional Policy discussion that summarizes the major types of habitat resources found on the site, and the design features and recommended mitigation measures that would be implemented to avoid and protect these resources.</p>
<p><b>CLUP: Policy 2-12</b> - The densities specified in the land use plan are maximums and shall 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 for affordable housing projects provided such projects are found consistent with all applicable policies and provisions of the Local Coastal Program. <i>(amended by 93-GP-11)</i></p>	<p><b>NTS Designation and Zoning: Consistent.</b> The Alternative 1B proposal presents a unique circumstance in which a rural agricultural area contains a large number of legal non-conforming lots (i.e., 219 legal lots on 485 acres in the SBR property) that could result in development far exceeding the present CLUP land use designation of A-II-100, 100-acre parcels (i.e., up to 4 lots on 495 acres under the present designation for the SBR property). As discussed under Policy 2-13 below, a different land use designation and permitted uses and higher land use density was contemplated for the Naples town site in the event that the TDR program is determined to be infeasible. Given the limited feasibility of the TDR program, the Alternative 1B proposal would create and implement new NTS land use designations (Coastal and inland). CLUP Policy 2-13 reconciles the fact that the existing density of legal lots exceeds that specified by the CLUP designation of A-II-100. The proposed NTS designation and zoning, by limiting development to that shown in the accompanying Development Plan, and by limiting their application to the Naples town site, will establish a new limitation on development potential. The proposed NTS designation and zoning provides the mechanism to implement Policy 2-13 in a way that is more protective of significant coastal resources than taking no action or denying the Alternative 1B application leaving the existing pattern of legal lots intact.</p> <p><b>Alternative 1B is Consistent.</b> The new NTS designation would establish a new and increased maximum density specific to this portion of the Naples town site and any adjacent or adjoining lots that relocate potential development from this portion of the Naples town site. The number of allowable residential units would be limited by the overall project Development Plan and by the pattern of re-configured lots created by the proposed lot mergers, lot line adjustments, and land subdivision. The resulting number of new single family residences, 71, would result in a higher density than defined by the current A-II-100 designation. The overall density would be lower, however, than that expected given the existing pattern of legal lots on the property. The purpose of the proposed NTS designations and implementing zoning ordinance would be to establish development standards that balance low density residential development with public</p>



Requirement	Preliminary Consistency Determination
<p><b>CLUP: Policy 2-13</b> - The existing townsite of Naples is within a designated rural area and is remote from urban services. The County shall discourage residential development of existing lots. The County shall encourage and assist the property owner(s) in transferring development rights from the Naples townsite to an appropriate site within a designated urban area which is suitable for residential development. If the County determines that transferring development rights is not feasible, the land use designation of AG-II-100 should be re-evaluated.</p>	<p>access and recreational opportunities, open space, and habitat preservation while minimizing potential impacts to surrounding agricultural lands. Under these unique circumstances, Alternative 1B would be consistent with the maximum density afforded under the proposed NTS designations.</p> <p><b>NTS Designation and Ordinance are Consistent.</b> As discussed above, the steps that the County has taken prior to consideration of the NTS designation and ordinance have been consistent with this Policy. The County discouraged development within the Naples town site for over 20 years, but has not prevailed in litigation and has recognized the legality of over 200 lots within the SBR portion of the Alternative 1B area, and another 16 Naples town site lots in the DPR property. The County has completed (and revised) a Transfer of Development Rights study that has determined (and confirmed) that it is not feasible to transfer development rights from all of the proposed (or existing) lots to other areas. The proposed NTS designation and ordinance provide the mechanism to re-evaluate the allowable density and the zoning of the Naples town site.</p> <p><b>Alternative 1B is Consistent.</b> As discussed in Section 11.0 of the FEIR, Alternatives, between 114 and 124 residential units could be built over time on the SBR property under the grid development scenario if no action is taken on the present application. This estimate is based on the number of legal Naples town site lots specific to the SBR property (219), adjusted downward due to the likely consolidation of certain lots based on County Policy constraints and the number of small sliver lots that could not be individually developed. The major Policy constraints include setbacks from coastal bluffs and other biological resources. The potential build-out under the grid development scenario exceeds the Alternative 1B development of 71 new single family residences on the SBR and DPR properties.</p> <p>Policy 2-13 reflects the Coastal Commission's and County's prior considerations of potential development on the Naples town site and the unique circumstances of the site's potential build-out over time of the existing legal non-conforming lots. Policy 2-13 applies only to the Naples town site and establishes a process to re-evaluate the present A-II-100 land use designation in the event that the County determines that transferring development rights in exchange for continued open space and agricultural uses within the Naples town site is not feasible. This Policy contemplates the possibility that the present 100-acre agricultural land use designation could be changed to reflect a higher land use density.</p> <p>In compliance with CLUP Policy 2-13, Santa Barbara County completed a Transfer of Development Rights (TDR) Study (Solimar Research Group, 2006) for two development scenarios: the MOU Project and Alternative 1A (proposed for review by the landowners at a project-level detail for purposes of evaluating alternatives under CEQA). The TDR Study was prepared in parallel with this EIR and is available under separate cover. The study explained the methodology of a TDR program, necessary economics, and identified and evaluated potential receiver sites that would be suitable for residential development within designated urban and rural areas. In summary, the TDR process implemented a screening process to identify candidate receiver sites in several jurisdictions, including the unincorporated urban areas of the South Coast and North County, and the Cities of Goleta, Santa Barbara, Carpinteria, Lompoc, and Buellton. The March 2006 TDR Study indicates that most of the evaluated locations are not feasible as receiver sites for the following reasons: remoteness from the Naples town site, lack of common interest and issues between the Naples town site and potential receiver sites, and the disparity between very high land and development values on the Gaviota Coast when compared with inland urbanized areas. The March 2006 TDR Study concludes that a full extinguishment of development rights is not feasible. An update to the TDR study was prepared in 2007 to consider transfer scenarios based on the value of the existing pattern of lots and the development potential described in this RDEIR as "Alternative 3A," the No Project alternative resulting in a grid pattern of development using the existing legal lots. The updated findings of the TDR study confirmed that full extinguishment of development rights is not feasible, but that it may be possible to</p>

Requirement	Preliminary Consistency Determination
	<p data-bbox="565 226 1435 346">purchase some development rights in specific areas. The County staff report prepared in conjunction with the updated TDR study provides additional information, including a more detailed review of the County's compliance with Policy 2-13 (County of Santa Barbara 2007:14-18).</p> <p data-bbox="565 346 1435 562">Given the limited potential for TDR, it is not feasible to transfer all of the density off of the SBR property and onto appropriate urban receiver sites. Therefore, in accordance with Policy 2-13, the County is re-evaluating the A-II-100 land use designation. The re-evaluation includes legislative changes and design features and that, with conclusions in the TDR Study, are intended to address conflicts that could arise as a result of the potential build-out under the legal lot configuration and conversion of agricultural lands to non-agricultural uses. These legislative changes and design features include:</p> <ul data-bbox="565 562 1435 1243" style="list-style-type: none"> <li data-bbox="565 562 1435 718">• Creation of a new NTS land use designation and implementing zoning ordinance that would establish low density residential development standards specific to the Naples town site lots. The NTS standards would apply to the Naples town site lots within SBR, or to land immediately adjacent, which is identified for the reduction or relocation of development rights from existing Naples town site lots.</li> <li data-bbox="565 718 1435 781">• Creation of a new Agricultural Conservation Easement (ACE) that would result in 2,684 acres of agricultural lands preserved for agriculture in perpetuity.</li> <li data-bbox="565 781 1435 871">• Recommended mitigation requiring implementation of a Right to Farm buyer notification program; this program would ensure that lands converted to residential use would be compatible with continued agricultural use on surrounding lands.</li> <li data-bbox="565 871 1435 966">• Other recommended mitigations and NTS standards such as fencing requirements and restrictions would further reduce land use conflicts between residential uses and agricultural operations.</li> <li data-bbox="565 966 1435 1087">• Public recreation and coastal access features would be provided, including vertical bluff access and new trail segments for the California Coastal Trail (the federal Juan Bautista de Anza Historic Trail). These would have direct access off of agricultural areas.</li> <li data-bbox="565 1087 1435 1182">• Other recommended mitigations would reduce the Alternative 1B potential visual resources impacts; protect and enhance onsite biological resources and water quality; and address other resource constraints.</li> <li data-bbox="565 1182 1435 1243">• An increase in agricultural capital expenditures and establishment of a professional agricultural management program on the SBR property.</li> </ul> <p data-bbox="565 1243 1435 1516">Each of these project features is discussed further in Sections 8.2 through 8.15 of FEIR. In summary, Policy 2-13 requires the preparation and implementation of a TDR program as a first step. Then, as a second step in the event that the TDR program is not feasible, Policy 2-13 contemplates a possible increase in the allowable density in order to resolve the discrepancy between the A-II-100 acre minimum lot size and the existing size and number of legal lots within the property. The measures described above would reduce the potential for future land use conflicts to the maximum extent feasible given the limited potential for offsite transfer of development. Specifically, the Alternative 1B proposal would:</p> <ul data-bbox="565 1516 1435 1892" style="list-style-type: none"> <li data-bbox="565 1516 1435 1579">• Increase the amount of land that is to be kept in agricultural use in perpetuity as compared to the present condition in which no agricultural easement exists</li> <li data-bbox="565 1579 1435 1642">• Reduce the amount of land conversion from agriculture to residential use as compared to the potential build-out of the existing legal lots</li> <li data-bbox="565 1642 1435 1705">• Incorporate measures to minimize potential conflicts between residential and agricultural uses</li> <li data-bbox="565 1705 1435 1768">• Enhance agricultural production through capital improvements and professional management</li> <li data-bbox="565 1768 1435 1831">• Incorporate various measures to increase public coastal access and reduce potential impacts to resources</li> <li data-bbox="565 1831 1435 1892">• Incorporate development standards in accordance with the new NTS land use designation and implementing zoning ordinances</li> </ul>

Requirement	Preliminary Consistency Determination
	<p>Based on these factors, the Alternative 1B proposal is consistent with Policy 2-13. Given the circumstances surrounding the Naples town site, the County has determined that the most protective course of action involves proceeding in accordance with the CLUP Policy 2-13, described above.</p> <ul style="list-style-type: none"> <li>• Policy 2-13 provides that development shall be discouraged in the Naples area, which is consistent with Coastal Act 30250. The County has discouraged development in the Naples area by attempting to require lot mergers as conditions of other permits, and through other means, over the last 20 years.</li> <li>• Policy 2-13 states that the County shall encourage and assist the property owner(s) in transferring development rights from the Naples town site to an appropriate site within a designated urban area which is suitable for residential development. The County completed a TDR study in 2006, revised it in 2007, and prepared a draft Enabling Ordinance (County of Santa Barbara, September 26, 2007) for the program.</li> <li>• Policy 2-13 states that if transferring development rights is not feasible, the land use designation of AG-II-100 should be re-evaluated. The TDR studies conclude that it is not feasible to transfer all development rights from the Naples town site to other areas, so the current land use designation should be re-evaluated. The re-evaluation has led the County to consider the NTS designation and ordinance, and the proposed Alternative 1B development, as being the most appropriate way to resolve the discrepancy between the existing number of legal lots in the area and the allowed development density in the existing A-II-100 designation. The proposed NTS designation and ordinance provide the mechanism to reconcile this difference for the Naples town site area. The definition of the NTS designation proposed will restrict this solution to a defined area. Proposed Policies 2-29 and 2-30, also ensure that this mechanism restricts services to the minimum necessary to support the proposed limited development in NTS area.</li> </ul> <p>An alternate course of action, rejecting the NTS designation and ordinance and denying Alternative 1B, would ultimately lead to a protracted series of lot-by-lot development proposals over the hundreds of lots within the Naples town site. The end result of this process would not be as protective of coastal resources and as responsive to Coastal Act policies as the proposed project.</p> <p>In addition to the NTS land use designation noted above, Alternative 1B would include several design features and mitigation measures to reduce the potential for future land use conflicts to the maximum extent feasible given the limited potential for offsite transfer of development. Specifically, the project would:</p> <ul style="list-style-type: none"> <li>• Reduce the amount of land conversion from agriculture to residential use as compared to the potential build-out of the existing legal lots;</li> <li>• Increase the degree of protection afforded land to be used for agricultural purposes, since there is no easement or other mechanism in place on the Santa Barbara Ranch property to preserve agricultural land;</li> <li>• Incorporate measures to minimize potential conflicts between residential and agricultural uses;</li> <li>• Enhance agricultural production through capital improvements and professional management; and</li> <li>• Incorporate various measures to increase public coastal access and reduce potential impacts to resources.</li> </ul>
<p><b>CLUP: Policy 2-24</b> - All greenhouse and greenhouse related development of 20,000 sq. ft. or greater, cumulative per parcel, within the Carpinteria Valley area shall be located within, contiguous with, or in close proximity to any existing</p>	<p><b>Not Applicable.</b> Alternative 1B is not located in Carpinteria, therefore this Policy does not apply.</p>

Requirement	Preliminary Consistency Determination
<p>greenhouse development to preserve the scenic values and rural character of the Carpinteria Valley. (Added by Case No. 04GPA-00000-00003, Resol. 04-098, 4/20/04)</p>	
<p><b>CLUP: Policy 2-26</b> (Renumbered to Policy 2-27 with adoption of NTS)</p>	<p><b>NTS Designation and Zoning are Consistent.</b> See discussion under LU: Policy – 2, LU: Policy – 3, LU: Visual Resources Policy – 2 and Coastal Act Policy 30251.</p>
<p><b>CLUP: Policy 2-27</b> (Renumbered to Policy 2-28 with adoption of NTS)</p>	<p><b>NTS Designation and Zoning are Consistent.</b> See discussion under LU: Policy – 2, LU: Policy – 3, Coastal Act Policy 30242 and CLUP Policy 8-2.</p>
<p><b>Coastal Act Policy 30236 -</b> Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects; (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or; (3) developments where the primary function is the improvement of fish and wildlife habitat.</p>	<p><b>Alternative 1B is Consistent.</b> The project does not involve channelization, dams, or substantial alternation of streams. The one stream crossing proposed in the Coastal Zone would use a spanning bridge structure.</p>
<p><b>CLUP: Policy 3-1 -</b> Seawalls shall not be permitted unless the County has determined that there are no other less environmentally damaging alternatives reasonably available for protection of existing principal structures. The County prefers and encourages non-structural solutions to shoreline erosion problems, including beach replenishment, removal of endangered structures and prevention of land divisions on shorefront property subject to erosion; and, will seek solutions to shoreline hazards on a larger geographic basis than a single lot circumstance. Where permitted, seawall design and construction shall respect to the degree possible natural landforms. Adequate provision for lateral beach access shall be made and the project shall be designed to minimize visual impacts by the use of appropriate colors and materials.</p>	<p><b>Alternative 1B is Consistent.</b> Alternative 1B does not propose to construct a seawall. The project would, however, construct up to nine single family residences, the proposed home sites are set back from the top of the bluff and set back from the tops of banks associated with shallow incised drainages in the bluff area. As discussed in Section 9.2 of the FEIR, the proposed setbacks are consistent with County requirements and adequate to avoid accelerating coastal erosion, and implementation of recommended mitigation measures would ensure that the residential and trail uses are properly maintained to avoid excess runoff.</p>

Requirement	Preliminary Consistency Determination
<p><b>CLUP: Policy 3-2</b> - Revetments, groins, cliff retaining walls, pipelines and outfalls, and other such construction that may alter natural shoreline processes shall be permitted when designed to eliminate or mitigate adverse impacts on local shoreline sand supply and so as not to block lateral beach access.</p> <p><b>CLUP: Policy 3-3</b> - To avoid the need for future protective devices that could impact sand movement and supply, no permanent above-ground structures shall be permitted on the dry sandy beach except facilities necessary for public health and safety, such as lifeguard towers, or where such restriction would cause the inverse condemnation of the parcel by the County.</p>	<p><b>Alternative 1B is Consistent.</b> The Alternative 1B proposal would not construct cliff retaining walls, pipelines, outfalls, or other such construction that would alter natural shoreline processes. The trail and beach access on the Santa Barbara Ranch project has been deleted, and an alternative vertical beach access is proposed on nearby property (Las Varas Ranch). In the event that beach access at Las Varas Ranch is not pursued, then it is possible that the beach access stairway proposed on Santa Barbara Ranch may be reconsidered by decision makers. If constructed, the stairway on Santa Barbara Ranch would not involve a revetment, groin, or cliff retaining wall. The beach access structure would measure approximately 10 feet by 20 feet on the beach. This structure could cause a small and seasonally variable amount of sand to accumulate at the base of the structure. Sand supply in the project area is highly variable from year to year and seasonally, and at certain periods of the year there is very little sand at the base of the bluff. Based on the relative small size of the structure and the wide variability of sand movement throughout the project area, this structure would not be large enough to adversely impact the local shoreline sand supply in such a way as to cause the need for future protective devices.</p>
<p><b>CLUP: Policy 3-4</b> - In areas of new development, above-ground structures shall be set back a sufficient distance from the bluff edge to be safe from the threat of bluff erosion for a minimum of 75 years, unless such standard will make a lot unbuildable, in which case a standard of 50 years shall be used. The County shall determine the required setback. A geologic report shall be required by the County in order to make this determination. At a minimum, such geologic report shall be prepared in conformance with the Coastal Commission's adopted Statewide Interpretive Guidelines regarding "Geologic Stability of Blufftop Development."</p>	<p><b>Alternative 1B is Consistent.</b> The project would construct up to nine single family residences proposed home sites are set back from the top of the bluff and setback from the tops of banks associated with shallow incised drainages in the bluff area. As discussed in Section 9.2 of the FEIR, Geology, Geologic Hazards, and Soils, the proposed residences are set back a sufficient distance from the bluff edge to be safe from the threat of bluff erosion for a minimum of 75 years, in accordance with the recommendations of a geologic report prepared for the site. The geologic report was prepared in conformance with applicable standards.</p>
<p><b>CLUP: Policy 3-5</b> - Within the required blufftop setback, drought-tolerant vegetation shall be maintained. Grading, as may be required to establish proper drainage or to install landscaping, and minor improvements, i.e., patios and fences that do not impact bluff stability, may be permitted. Surface water shall be directed away from the top of the bluff or be handled in a manner satisfactory to prevent damage to the bluff by surface and percolating water.</p>	<p><b>Alternative 1B is Consistent.</b> Drought-tolerant vegetation would be maintained in the bluff setback, in accordance with an approved Landscape Plan. Required minimum structural setbacks and development envelope (i.e., landscaping area) setbacks from the bluff edge and from the top of banks would minimize potential impacts to bluff stability. The preliminary grading and drainage plan provides for controlled runoff into the surface drainages that flow to the bluff. Mitigation measures include use of Best Management Practices (BMPs) to ensure that surface runoff does not adversely impact bluff area erosion.</p>

Requirement	Preliminary Consistency Determination
<p><b>CLUP: Policy 3-6</b> - Development and activity of any kind beyond the required blufftop setback shall be constructed to insure that all surface and subsurface drainage shall not contribute to the erosion of the bluff face or the stability of the bluff itself.</p>	<p><b>Alternative 1B is Consistent.</b> Required minimum structural setbacks and development envelope (i.e., landscaping area) setbacks from the bluff edge and from the top of banks would minimize potential impacts to bluff stability. The preliminary grading and drainage plan provides for controlled runoff into the surface drainages that flow to the bluff. Mitigation measures include use of BMPs to ensure that surface runoff does not adversely impact bluff area erosion.</p> <p>The trail and beach access on Santa Barbara Ranch has been deleted, and an alternative vertical beach access is proposed on nearby property (Las Varas Ranch). In the event the spur trail and beach access at Las Varas Ranch is not pursued, then it is possible that the beach access stairway proposed on Santa Barbara Ranch may be reconsidered by decision makers. The proposed beach access stairway would be constructed as a free-standing structure in an existing narrow canyon that provides drainage from the bluff top to the beach. Construction would involve placement of several concrete pilings into bedrock in order to avoid construction in the highly erosive canyon walls and bluff face. Drainage and erosion control features would be installed to avoid excessive runoff. Mitigation measures would require that the design be reviewed and approved by a registered geotechnical engineer to ensure that the structure does not contribute to or accelerate bluff or beach erosion.</p>
<p><b>CLUP: Policy 3-7</b> - No development shall be permitted on the bluff face, except for engineered staircases or accessways to provide beach access, and pipelines for scientific research or coastal dependent industry. Drainpipes shall be allowed only where no other less environmentally damaging drain system is feasible and the drainpipes are designed and placed to minimize impacts to the bluff face, toe, and beach. Drainage devices extending over the bluff face shall not be permitted if the property can be drained away from the bluff face.</p>	<p><b>Alternative 1B is Consistent.</b> The trail and beach access on Santa Barbara Ranch has been deleted, and an alternative vertical beach access is proposed on nearby property (Las Varas Ranch). In the event the spur trail and beach access at Las Varas Ranch is not pursued, then it is possible that the beach access stairway proposed on Santa Barbara Ranch may be reconsidered by decision makers. If constructed on Santa Barbara Ranch, this beach access stairway would be a free-standing structure in an existing narrow canyon that provides drainage from the bluff top to the beach. Construction would involve placement of several vertical concrete pilings into bedrock in order to avoid construction in the highly erosive canyon walls and bluff face. Drainage and erosion control features would be installed to avoid excessive runoff. Diversion of drainage away from the bluff (i.e., upland) is not practical given the local topography. The structure would include a drainage pipe from the top of the structure to the beach. Mitigation measures would require that the design of the access stairs and drainpipes be reviewed and approved by a registered geotechnical engineer to ensure that the structure does not contribute to or accelerate bluff or beach erosion.</p>
<p><b>CLUP: Policy 3-8</b> - Applications for grading and building permits, and applications for subdivision shall be reviewed for adjacency to, threats from, and impacts on geologic hazards arising from seismic events, tsunami runup, landslides, beach erosion, or other geologic hazards such as expansive soils and subsidence areas. In areas of known geologic hazards, a geologic report shall be required. Mitigation measures shall be required where necessary.</p>	<p><b>Alternative 1B is Consistent.</b> The proposed single family residence sites are set back from the top of the bluff and set back from the tops of banks associated with shallow incised drainages in the bluff area. As discussed in Section 9.2 of the FEIR, Geology, Geologic Hazards, and Soils, the proposed setbacks are adequate to avoid accelerating coastal erosion, and implementation of recommended mitigation measures would ensure that the residential and trail uses are properly maintained to avoid excess runoff.</p>
<p><b>CLUP: Policy 3-9</b> -Water, gas, sewer, electrical, or crude oil transmission and distribution lines which cross fault lines, shall be subject to additional safety</p>	<p><b>Alternative 1B is Consistent.</b> All utility lines would be constructed in compliance with applicable seismic code standards.</p>



Requirement	Preliminary Consistency Determination
standards, including emergency shutoff where applicable.	
<b>CLUP: Policy 3-10:</b> Major structures, i.e., residential, commercial, and industrial, shall be sited a minimum of 50 feet from a potentially active, historically active, or active fault. Greater setbacks may be required if local geologic conditions warrant.	<b>Alternative 1B is Consistent.</b> There are no potentially active, historically active, or active faults on the Alternative 1B development area.
<b>CLUP: Policy 3-11:</b> All development, including construction, excavation, and grading, except for flood control projects and non-structural agricultural uses, shall be prohibited in the floodway unless off-setting improvements in accordance with HUD regulations are provided. If the proposed development falls within the floodway fringe, development may be permitted, provided creek setback requirements are met and finish floor elevations are above the projected 100-year flood elevation, as specified in the Flood Plain Management Ordinance.	<b>Alternative 1B is Consistent.</b> The proposed project avoids development in floodways.
<b>CLUP: Policy 3-12 -</b> Permitted development shall not cause or contribute to flood hazards or lead to expenditure of public funds for flood control work, i.e., dams, stream channelizations, etc.	<b>Alternative 1B is Consistent.</b> The proposed project avoids development in floodways and would not cause or contribute to flood hazards. Increased impervious surfaces (e.g., roads, paved areas, and structures) and landscape development on hillsides north of Highway 101 have the potential to result in accelerated surface runoff and erosion if these developments are not properly designed, constructed and maintained. Long-term increases in surface runoff and accumulation of debris in local drainages could contribute to flood hazards to existing and proposed residences located downstream of the proposed residences. Mitigation measures would require the use of BMPs in the design, construction and maintenance of the proposed developments.
<b>Coastal Act Policy 30231 -</b> The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of wastewater discharges and entrainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface waterflow, encouraging wastewater reclamation, maintaining natural vegetation buffer areas that	<b>Alternative 1B is Consistent.</b> Alternative 1B would generally avoid direct impacts to streams, riparian corridors, coastal waters, and aquatic habitats and would designate these areas within an Open Space Conservation Easement. Certain project elements could impact aquatic habitats, including the proposed vehicular span bridge that would cross a seasonal drainage at Tomate Canada Creek, and minor culvert crossings for access to northern lots on the DPR property. The project design has been modified to preserve all identified wetlands in the Coastal Zone with 100 foot buffers from any new development. Additional mitigation measures are recommended that would require strict controls of surface water runoff and sediment runoff during and after construction.

Requirement	Preliminary Consistency Determination
protect riparian habitats, and minimizing alteration of natural streams.	
<p><b>Coastal Act Policy 30251</b> - The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.</p>	<p><b>Alternative 1B is Consistent.</b> Alternative 1B extinguishes development rights to all Naples lots within the Coastal Zone, north of Hwy 101. Views to the south are largely obscured by existing trees and topography. Also see discussion in response to LU: Visual Resources Policy – 2.</p>
<p><b>CLUP: Policy 3-13</b> - 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.</p>	<p><b>Alternative 1B is Consistent.</b> The Alternative 1B development south of Highway 101 would be located on level terrain and would require minimal cut and fill. Proposed development north of Highway 101 would be located on gently to moderately sloped terrain and would require additional grading to accommodate the home sites, roads, and other structures, as compared to the area south of Highway 101. The proposed structures north of Highway 101 would follow existing contours and would not require excessive grading.</p> <p>Mitigation measures would require review and approval of the detailed grading and drainage plans to ensure that grading is minimized and that water quality BMPs are used during design, construction and occupancy. BMPs will include requirements to minimize the area and duration of grading, collect and treat sediment onsite, and avoid extensive grading during the rainy season. BMPs during grading and construction would include the use of temporary vegetation and other stabilization measures to prevent erosion and sedimentation. The Landscaping Plan would include provisions for stabilization plantings.</p> <p>BMPs would be installed and maintained during the initial grading operations, and sediment would be collected and treated onsite during the life of the project.</p> <p>Mitigation measures would also require that septic systems be eliminated from the inland lots proposed in the project in order to avoid potential impacts to groundwater and surface water from septic system discharges. Areas of the site that have known soils, geologic, flood, erosion, or other hazards would remain in open space.</p>
<p><b>CLUP: Policy 3-14</b> - All development 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</p>	<p><b>Alternative 1B is Consistent.</b> The Alternative 1B development south of Highway 101 would be located on level terrain and would require minimal cut and fill. Proposed development north of Highway 101 would be located on gently to moderately sloped terrain and would require additional grading to accommodate the home sites, roads, and other structures, as compared to the area south of Highway 101. The proposed structures north of Highway 101 would follow existing contours and would not require excessive grading.</p> <p>Mitigation measures would require review and approval of the detailed grading and drainage plans to ensure that grading is minimized and that water quality BMPs are used during design, construction and occupancy. BMPs will include requirements to minimize</p>

Requirement	Preliminary Consistency Determination
<p>extent feasible. Areas of the site which are not suited for development because of known soils, geologic, flood, erosion, or other hazards shall remain in open space.</p>	<p>the area and duration of grading, collect and treat sediment onsite, and avoid extensive grading during the rainy season. BMPs during grading and construction would include the use of temporary vegetation and other stabilization measures to prevent erosion and sedimentation. The Landscaping Plan would include provisions for stabilization plantings.</p> <p>BMPs would be installed and maintained during the initial grading operations, and sediment would be collected and treated onsite during the life of the project.</p> <p>Mitigation measures would also require that septic systems be eliminated from the inland lots proposed in the project in order to avoid potential impacts to groundwater and surface water from septic system discharges. Areas of the site that have known soils, geologic, flood, erosion, or other hazards would remain in open space.</p>
<p><b>CLUP: Policy 3-15</b> - For necessary grading operations on hillsides, the smallest practical area of land shall be exposed at any one time during development, and the length of exposure shall be kept to the shortest practicable amount of time. The clearing of land should be avoided during the winter rainy season and all measures for removing sediments and stabilizing slopes should be in place before the beginning of the rainy season.</p>	<p><b>Alternative 1B is Consistent.</b> The project involves minimal grading, and requires the use of Low Impact Development (LID) practices during construction to minimize the potential for erosion, sedimentation, and other water quality effects.</p>
<p><b>CLUP: Policy 3-17</b> - 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 immediately with planting of native grasses and shrubs, appropriate nonnative plants, or with accepted landscaping practices.</p>	<p><b>Alternative 1B is Consistent.</b> The Alternative 1B development south of Highway 101 would be located on level terrain and would require minimal cut and fill. Proposed development north of Highway 101 would be located on gently to moderately sloped terrain and would require additional grading to accommodate the home sites, roads, and other structures, as compared to the area south of Highway 101. The proposed structures north of Highway 101 would follow existing contours and would not require excessive grading.</p> <p>Mitigation measures would require review and approval of the detailed grading and drainage plans to ensure that grading is minimized and that water quality BMPs are used during design, construction and occupancy. BMPs will include requirements to minimize the area and duration of grading, collect and treat sediment onsite, and avoid extensive grading during the rainy season. BMPs during grading and construction would include the use of temporary vegetation and other stabilization measures to prevent erosion and sedimentation. The Landscaping Plan would include provisions for stabilization plantings.</p> <p>BMPs would be installed and maintained during the initial grading operations, and sediment would be collected and treated onsite during the life of the project.</p> <p>Mitigation measures would also require that septic systems be eliminated from the inland lots proposed in the project in order to avoid potential impacts to groundwater and surface water from septic system discharges. Areas of the site that have known soils, geologic, flood, erosion, or other hazards would remain in open space.</p>
<p><b>CLUP: Policy 3-18</b> - Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as result of development. Water runoff shall be</p>	<p><b>Alternative 1B is Consistent.</b> Mitigation measures would require BMPs to ensure that surface water is conducted to storm drains, and other water quality BMPs are used during design, construction and occupancy. BMPs would include requirements to retain water runoff onsite whenever possible.</p>

Requirement	Preliminary Consistency Determination
retained onsite whenever possible to facilitate groundwater recharge.	
<b>CLUP: Policy 3-19</b> - 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.	<b>Alternative 1B is Consistent.</b> Mitigation measures would require BMPs to ensure that pollutants would not be discharged during or after construction. Site design changes are recommended in order to avoid grading in wetlands, and to avoid grading in streams.
<b>CLUP: Policy 4-1</b> - Areas within the coastal zone which are now required to obtain approval from the County Board of Architectural Review, because of the requirements of the "D"-Design Supervision Combining Regulations or because they are within the boundaries of Ordinance #453, shall continue to be subject to design review. In addition, developments in all areas designated on the land use plan maps as Commercial, Industrial, or Planned Development and residential structures on bluff top lots shall be required to obtain plan approval from the County BAR.	<b>Alternative 1B is Consistent.</b> The new NTS zone district regulations require Board of Architecture review for new structures in excess of 500 square feet of gross floor area.
<b>CLUP: Policy 4-2</b> - All commercial, industrial, planned development, and greenhouse projects shall be required to submit a landscaping plan to the County for approval.	<b>Alternative 1B is Consistent.</b> The draft NTS ordinance (which would apply to all projects in the NTS designation) would require that the applicant submit a detailed landscape plan for review and approval by the County. In addition, recommended mitigation measures include site-specific measures for screening of specific development features.
<b>CLUP Policy 4-3</b> - 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.	<b>Alternative 1B is Consistent.</b> See discussion in response to LU: Visual Resources Policy 2 and Coastal Act Policy 30251.
<b>CLUP: Policy 4-5</b> - In addition to that required for safety (see Policy 3-4), further bluff setbacks may be required for oceanfront structures to minimize or avoid impacts on public	<b>Alternative 1B is Consistent.</b> Building setbacks from the edge of bluff exceed the minimum requirements prescribed by law. Photo simulations show that such structures are not visible from the beach adjacent to the site.

Requirement	Preliminary Consistency Determination
views from the beach. Blufftop structure shall be set back from the bluff edge sufficiently far to insure that the structure does not infringe on views from the beach except in areas where existing structures on both sides of the proposed structure already impact public views from the beach. In such cases, the new structure shall be located no closer to the bluff's edge than the adjacent structures.	
<b>CLUP: Policy 4-6</b> - Signs shall be of size, location, and appearance so as not to detract from scenic areas or views from public roads and other viewing points.	<b>Alternative 1B is Consistent.</b> The proposed design guidelines include measures to retain and minimize intrusion into public views. Conditions of project approval require that a Master Sign Program be submitted to the County BAR for review and approval.
<b>CLUP: Policy 4-7</b> - 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 the cost of undergrounding would be so high as to deny service.	<b>Alternative 1B is Consistent.</b> Proposed electric lines and water and sanitary service pipelines would be placed underground. Above-ground water and utility-related structures would include one existing and four proposed water storage tanks, and the existing water treatment facility (screened from public view by mature trees). Mitigation measures would require that above-ground structures use color treatments that blend with the surrounding environment.
<b>CLUP: Policy 4-8</b> - The County shall request the State of California to designate that portion of Highway 101 between Winchester Canyon and Gaviota State Park as a "Scenic Highway."	<b>Alternative 1B is Consistent.</b> A consistency determination with this Policy is not applicable, however, the following is provided as pertinent background information. The Scenic Highways Element of the Comprehensive Plan notes that the entire length of Highway 101 is eligible for "Scenic Highway" designation under the State's master plan for scenic highways. At this time, the request for designation of Highway 101 as a Scenic Highway is not fulfilled.
<b>CLUP: Policy 4-9</b> - Structures shall be sited and designed to preserve unobstructed broad views of the ocean from Highway 101, and shall be clustered to the maximum extent feasible.	<b>Alternative 1B is Consistent.</b> Existing windrows obscure most views of the ocean from Highway 101 within the project area, and the proposed development does not substantially obstruct views towards the ocean from the highway. The number of residential units proposed is much lower than that anticipated under the existing pattern of legal lots.
<b>CLUP: Policy 4-10</b> – A landscaping plan shall be submitted to the County for approval. Landscaping when mature, shall not impede public views.	<b>Alternative 1B is Consistent.</b> A preliminary landscape plan has been submitted and conditions of approval require final documents to be prepared and approved in conjunction with Preliminary and Final Design Review through the Board of Architectural Review.
<b>CLUP: Policy 4-11</b> - Building height shall not exceed one story or 15 feet above average finished grade, unless an increase in height would facilitate clustering of development and result in greater view protection, or a height in excess of 15 feet would not impact public views to the ocean.	<b>Not Applicable.</b> This policy pertains to areas contained with a View Corridor Overlay and does not apply to the project area.

Requirement	Preliminary Consistency Determination
<p><b>CLUP: Policy 5-3</b> - Demolition of existing low and moderate income housing of four or more units shall not be permitted unless:</p> <ul style="list-style-type: none"> <li>a. demolition is necessary for health and safety reasons; or</li> <li>b. the units are beyond reasonable repair (i.e., the costs of rehabilitation exceed 50 percent of the value of the unit in its present deteriorated condition); or</li> <li>c. demolition of such units will provide new housing opportunities because the land use plan designation and zoning would permit an increase in the number of housing units on the same parcel.</li> </ul> <p>Where such demolition is permitted under a or b, all affordable units shall be replaced on a one-for-two basis. Where permitted under c, replacement shall be on a one-for-one basis. Replacement of affordable units shall be within the same planning area. Such affordable replacement units may be rental or sale units, subject to controls to assure continued affordability. This Policy concerning demolition and replacement shall not be required when units are demolished pursuant to an abatement order from the County in accordance with PRC Section 30005.</p>	<p><b>Not Applicable.</b> No existing low or moderate income homes are proposed for demolition as part of the project.</p>
<p><b>CLUP: Policy 5-4</b> - Conversion of apartment complexes of five units or more to condominiums or stock cooperatives shall not be permitted unless:</p> <ul style="list-style-type: none"> <li>a) comparable rental units are available within the same housing market area for displaced low or moderate income persons, as evidenced by a five percent rental vacancy factor for six months preceding conversion; or</li> <li>b) at least one-third of the converted units are provided and maintained as affordable low or moderate income units, subject to controls to assure continued affordability; or</li> <li>c) the number of units that have been converted as well as the number of units proposed for conversion within the calendar year</li> </ul>	<p><b>Not Applicable.</b> No apartment complexes with five or more units are proposed to be demolished; therefore this Policy is not applicable.</p>



Requirement	Preliminary Consistency Determination
<p>do not exceed the number of new rental units that have been constructed in the coastal zone and have occupancy permits in the same calendar year. The units for conversion shall be counted at the time of project approval and not at the time of actual conversion. Any conversion approved according to a, b, or c shall be subject to the following:</p> <ol style="list-style-type: none"> <li>1) tenants shall be given notice of intent to convert at least 180 days prior to conversion and first option to purchase the proposed condominiums and</li> <li>2) current low or moderate income tenant will be assured affordable monthly rental payments and not be displaced for a period of five years following the conversion, as provided in the County Code.</li> </ol>	
<p><b>CLUP: Policy 5-5</b> - In large residential developments of 20 units or more, housing opportunities representative of all socioeconomic sectors of the community shall be preferred. Such developments would include a range of apartment sizes (studios, one, two, three, and four bedroom units) and a mix of housing types (apartments, condominiums, and single family detached) to provide for balanced housing opportunities, where feasible.</p>	<p><b>Alternative 1B is Consistent.</b> Alternative 1B would construct a low-density, private, gated, rural residential, estate community in the Naples town site area that balances agricultural, open space, recreational and residential uses within Santa Barbara Ranch consistent with the Coastal Act, Coastal Land Use Plan (CLUP), and MOU. An employee duplex would be included in the project.</p> <p>The County currently implements an Inclusionary Housing Program for all projects of five or more units. Any housing developments of five units or more in the Coastal Zone will contribute to the affordable housing supply in the coastal area. Developers who build units affordable to moderate and workforce income households onsite receive a density increase through the Inclusionary Housing Program. Developers can also opt to pay in-lieu fees under limited circumstances, and the county can use the fees to produce affordable housing elsewhere in the same housing market area (HMA), however, maintaining affordable housing in the Coastal Zone is a county priority. Where potential housing sites are severely constrained by resources protected in other Comprehensive Plan Elements or by a lack of infrastructure and services, developers may pay in-lieu fees to meet Inclusionary Program requirements. To comply with the County's housing Policy, the project applicant will be required to pay in-lieu fees, which will be dedicated towards providing low and moderate income housing in existing County programs.</p>
<p><b>CLUP: Policy 5-6</b> - Review and evaluation of proposed residential developments necessary to carry out the policies set forth in this housing component shall be performed by the planning analyst who is responsible for implementation of the County's Housing Element. The duties of this staff position shall include: (1) staff analysis of proposed residential projects in the coastal zone to determine appropriate incentives for the applicant to construct new low and moderate income housing; (2)</p>	<p><b>Not Applicable.</b> This is a policy applicable to the County, not to specific development projects.</p>

Requirement	Preliminary Consistency Determination
<p>requirements or conditions of approval to obtain the necessary number of low and moderate income units; and (3) mechanisms for ensuring that low and moderate income units are retained as affordable units over the long term.</p>	
<p><b>CLUP: Policy 5-8</b> - To provide for a balanced housing mix that will accommodate all economic segments of the community, review and approval of new development in the coastal zone, i.e., agriculture, coastal dependent industry, visitor-serving commercial, etc., shall include an assessment of its growth-inducing impacts on housing needs. The provision of adequate housing should be a necessary corollary to new growth-inducing developments.</p>	<p><b>Alternative 1B is Consistent.</b> Alternative 1B would construct a low-density, private, gated, rural residential, estate community in the Naples town site. The project will also include a new duplex unit for on-site employees. Ongoing and future agricultural operations on SBR are not anticipated to require additional farm worker housing. Proposed residential second units would be available to provide housing for service and agricultural workers. Therefore, any growth-inducing effect from on-going agricultural operations would be accommodated onsite under the proposed project.</p>
<p><b>CLUP: Policy 5-10</b> - Because of Isla Vista's location adjacent to the University of California and the critical need to provide affordable housing opportunities for the student population, which forms the majority of the community's residents, the following requirements shall be met in new residential developments of five units or more:</p> <ul style="list-style-type: none"> <li>a. Twenty-five percent of the total units in the project shall be affordable to persons of low or moderate income, depending on the size of the unit as follows:</li> <li>b. Affordable units required pursuant to this Policy shall be provided on site and maintained as affordable units for a period of twenty-five years, consistent with Policy 5-5(c). <i>[note that reference to 5.5c obsolete based upon deletion of old Policy 5.5 with the 1993 Housing Element; will be fixed in 1995.]</i></li> </ul>	<p><b>Not Applicable.</b> The proposed project is not located within Isla Vista.</p>
<p><b>CLUP: Policy 6-1</b> - To assist the Petroleum Administrator in granting permits for petroleum wells in the coastal zone, a plan shall be prepared by the applicant and approved by the County. This plan shall consist of an Exploratory Plan for an exploratory well and a Development Plan for development wells. The purpose of the</p>	<p><b>Not Applicable.</b> The proposed project does not involve petroleum or energy production.</p>

Requirement	Preliminary Consistency Determination
<p>Exploratory Plan is to enable the Petroleum Administrator to make a preliminary assessment of potential coastal resource impacts, since the presence of oil or gas, and its depth and location, would be unknown. The Exploratory Plan would be less detailed than the Development Plan, but would address the same issues as the Development Plan.</p>	
<p><b>CLUP: Policy 7-1</b> - The County shall take all necessary steps to protect and defend the public's constitutionally guaranteed rights of access to and along the shoreline. At a minimum, County actions shall include:</p> <ul style="list-style-type: none"> <li>(a) Initiating legal action to acquire easements to beaches and access corridors for which prescriptive rights exist consistent with the availability of staff and funds.</li> <li>(b) Accepting offers of dedication which will increase opportunities for public access and recreation consistent with the County's ability to assume liability and maintenance costs.</li> <li>(c) Actively seeking other public or private agencies to accept offers of dedications, having them assume liability and maintenance responsibilities, and allowing such agencies to initiate legal action to pursue beach access.</li> </ul>	<p><b>Alternative 1B is Consistent.</b> Alternative 1B includes a dedicated trail easement, completion of the Coastal Trail for lateral access through the property, a trail system and vertical access to the bluff.</p>
<p><b>CLUP: Policy 7-2</b> - For all development**** between the first public road and the ocean granting of an easement to allow vertical access to the mean high tide line***** shall be mandatory unless:</p> <ul style="list-style-type: none"> <li>(a) Another more suitable public access corridor is available or proposed by the land use plan within a reasonable distance of the site measured along the shoreline, or</li> <li>(b) Access at the site would result in</li> </ul>	<p><b>Alternative 1B is Consistent.</b> A dedicated trail easement and public access improvements are included in the project. Vertical access stops at the top of bluff to protect sensitive marine resources at Naples reef and nearby seal haul out.</p>

\*\*\*\*Policies 7-2 and 7-3 shall not apply to developments excluded from the public access requirements of the Coastal Act by PRC Section 30212 or to development incidental to an existing use on the site.

\*\*\*\*\*The mean high tide line (ordinary high water mark) is an ambulatory line which may vary over time as a result of climatic and other influences. The line is the normal or average inland extent of tidal influence.

Requirement	Preliminary Consistency Determination
<p>unmitigable adverse impacts on areas designated as "Habitat Areas" by the land use plan, or</p> <p>(c) Findings are made, consistent with Section 30212 of the Act, that access is inconsistent with public safety, military security needs, or that agriculture would be adversely affected, or</p> <p>(d) The parcel is too narrow to allow for an adequate vertical access corridor without adversely affecting the privacy of the property owner. In no case, however, shall development interfere with the public's right of access to the sea where acquired through use unless an equivalent access to the same beach area is guaranteed. The County may also require the applicant to improve the access corridor and provide bike racks, signs, parking, etc.</p>	
<p><b>CLUP: Policy 7-3</b> - For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory. In coastal areas, where the bluffs exceed five feet in height, all beach seaward of the base of the bluff shall be dedicated. In coastal areas where the bluffs are less than five feet, the area to be dedicated shall be determined by the County, based on findings reflecting historic use, existing and future public recreational needs, and coastal resource protection. At a minimum, the dedicated easement shall be adequate to allow for lateral access during periods of high tide. In no case shall the dedicated easement be required to be closer than 10 feet to a residential structure. In addition, all fences, no trespassing signs, and other obstructions that may limit public lateral access shall be removed as a condition of development approval.</p>	<p><b>Alternative 1B is Consistent.</b> The bluffs in the Alternative 1B area exceed five feet in height. The beach along the base of the bluffs is narrow and impassable during high tide. A proposed Coastal Trail segment would traverse the upland portion of the SBR and DPR properties, allowing alternate lateral access and future connections to other Coastal Trail segments and other present and future beach access points located to the east and west of the project site. Conditions of approval require the dedication of all land which extends from the edge of bluff seaward to the Property line.</p>
<p><b>CLUP: Policy 7-4</b> - The County, or appropriate public agency, shall determine the environmental carrying capacity for all existing and proposed recreational areas sited on</p>	<p><b>Not Applicable.</b> The project is in a rural area, and will not involve the development of intensive recreational facilities, such as campgrounds, active play areas, or intensive parking immediately adjacent to beach or coastal resource areas.</p>

Requirement	Preliminary Consistency Determination
<p>or adjacent to dunes, wetlands, streams, tidepools, or any other areas designated as "Habitat Areas" by the land use plan. A management program to control the kinds, intensities, and locations of recreational activities so that habitat resources are preserved shall be developed, implemented, and enforced. The level of facility development (i.e., parking spaces, camper sites, etc.) shall be correlated with the environmental carrying capacity.</p>	
<p><b>CLUP: Policy 7-6</b> - Recreational uses on oceanfront lands, both public and private, that do not require extensive alteration of the natural environment (i.e., tent campgrounds) shall have priority over uses requiring substantial alteration (i.e., recreational vehicle campgrounds).</p>	<p><b>Alternative 1B is Consistent.</b> The proposed visitor serving parking, trailhead facilities (restrooms, interpretive signs, kiosk) and trails would not substantially alter existing natural features. No campsites or intensive recreational uses are proposed.</p>
<p><b>CLUP: Policy 7-13</b> - In order to protect natural and visual resources of the coastal zone between Ellwood and Gaviota, development of recreational facilities shall not impede views between U.S. 101 and the ocean, shall minimize grading, removal of vegetation, and paving, and be compatible with the rural character of the area. Existing natural features shall remain undisturbed to the maximum extent possible, and landscaping shall consist of drought-tolerant species.</p>	<p><b>Alternative 1B is Consistent.</b> Potential visual resources impacts are considered significant but feasibly mitigated (Class II) from KOP 8. KOP 8 is the view from the beach and nearshore waters at Naples Reef toward the project site. A proposed beach stairs structure was originally proposed to provide blufftop access to the beach below, but this was determined to be visually obtrusive. As a consequence, and in consideration of the sensitive marine resources in the area, the beach stair structure was eliminated from the project.</p>
<p><b>CLUP: Policy 7-14</b> - Campgrounds and ancillary facilities sited south of U.S. 101 between Ellwood and Gaviota shall be set back as far as feasible from the beach in order to reserve near-shore areas for day use. Where feasible, new recreational facility development, particularly campgrounds and parking lots, shall be located north of U.S. 101.</p>	<p><b>Alternative 1B is Consistent.</b> The project does not include campgrounds or related facilities. The proposed visitor serving parking and trailhead would be sited south of Highway 101 and north of the United Pacific Railroad (UPRR) tracks, approximately 0.3 miles from the top of the coastal bluff. The public access easement on the bluff area south of the UPRR tracks would be reserved for passive recreational daytime uses.</p>
<p><b>CLUP: Policy 7-17</b> - Since existing parks in the Ellwood to Gaviota area already provide extensive facilities for recreational vehicle camping, priority in future development shall be for campgrounds that would be accessible by bicycle and pedestrian</p>	<p><b>Alternative 1B is Consistent.</b> The proposed trail components would be limited to day use, and would be accessible to bicycle and pedestrian users. Campgrounds or hostels are not proposed.</p>

Requirement	Preliminary Consistency Determination
trails only and for hostels.	
<p><b>CLUP: Policy 7-18</b> - Expanded opportunities for access and recreation shall be provided in the Gaviota coast planning area.</p> <p>Implementing Actions:</p> <p>a. In order to maximize access to the beaches, vertical easements connecting the proposed coastal bicycle trail (linking Santa Barbara and Gaviota) to the beach shall be acquired by a public agency at the following locations:</p> <ul style="list-style-type: none"> <li>(1) Haskell's Beach (near Bell Canyon)</li> <li>(2) Dos Pueblos Canyon</li> <li>(3) Edwards (near Gato Canyon)</li> <li>(4) Tajiguas Creek</li> <li>(5) Arroyo Quemado</li> <li>(6) Arroyo Hondo</li> <li>(7) Canada de Guillermo</li> <li>(8) Canada del Molino</li> <li>(9) Canada San Onofre</li> </ul> <p>The trails connecting the bicycle path to the beach shall be well-marked and bicycle racks shall be provided. Where necessary, stairways from the top of the bluffs shall be provided. Public parking and other facility development, other than staircases, fences, improved trails, bicycle racks, and picnic tables, shall not be permitted at these accessways except as specified in section b.</p>	<p><b>Alternative 1B is Consistent.</b> The proposed trail components would enhance public opportunities for coastal recreation in eastern portion of the Gaviota Coast, an area where no public access currently exists.</p>
<p><b>CLUP: Policy 7-19</b> - In order to protect the marine resources of Naples Reef and the adjacent beach as a hauling out area for harbor seals, intensive recreational use shall not be encouraged. Access to the site should continue to be by way of boats.</p>	<p><b>Alternative 1B is Consistent.</b> The Naples Reef and nearby beach area are presently accessed by both recreational boaters and by pedestrians (surfers, joggers, and other recreational beach-goers). Pedestrian access is either laterally from beach access points such as Haskell's Beach, or by informal access paths (i.e., without officially recognized access easements) through the nearby properties. Use of the beach is not intensive, and is highly variable from day to day and seasonally. On many days, very few pedestrians access the beach area near Naples Reef. Pedestrians and joggers typically access the site from neighboring properties and from existing beach access points located in western Goleta (e.g., at Haskell's Beach near Bacara Resort). Alternative 1B incorporates a trail design to provide a new segment of the Coastal (De Anza) Trail across the property with linkage to future trail segments on either side. In addition, Alternative 1B includes a parallel spur trail along the south side of Highway 101 to connect the Coast Trail with a vertical access trail on the Las Varas Ranch project, leading to the beach.</p> <p>Access to the offshore areas of Naples Reef would continue to be by way of boats.</p>



Requirement	Preliminary Consistency Determination
<p><b>CLUP: Policy 7-25</b> - Easements of trails shall be required as a condition of project approval for that portion of the trail crossing the parcel upon which the project is proposed.</p>	<p><b>Alternative 1B is Consistent.</b> A dedicated trail easement would be required as a condition of project approval for all of the proposed public access trail areas.</p>
<p><b>Coastal Act Policy 30213</b> - Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. Neither the commission nor any regional commission shall either: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private land; or (2) establish or approve any method for the identification of low and moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.</p>	<p><b>Alternative 1B is Consistent.</b> Alternative 1B would provide public recreational opportunities. The open space trails would be available for passive recreation to visitors at no cost.</p>
<p><b>CLUP: Policy 7-29</b> - Visitor-serving commercial recreational development in rural areas should be limited to low intensity uses, i.e., campgrounds, that are designed to protect and enhance visual resources, and minimize impacts on topography habitats, and water resources.</p>	<p><b>Alternative 1B is Consistent.</b> The proposed equestrian center is considered a low intensity visitor serving use and conditions of approval would minimize impacts.</p>
<p><b>Coastal Act Policy 30241</b> - The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:</p> <ul style="list-style-type: none"> <li>(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban uses.</li> <li>(b) By limiting conversions of agricultural lands around the periphery or urban areas to the lands where the viability of existing agricultural use is already</li> </ul>	<p><b>Alternative 1B is Consistent.</b> See discussion under CLUP Policy 2-13, as those measures when incorporated in to Alternative 1B help fulfill Coastal Act Policy 30241.</p>

Requirement	Preliminary Consistency Determination
<p>severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.</p> <p>(c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.</p> <p>(d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.</p> <p>(e) By assuring that public service and facility expansions and non-agricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.</p> <p>(f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b) of this section, and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.</p>	
<p><b>Coastal Act Policy 30242</b> - All other lands suitable for agricultural use shall not be converted to non-agricultural uses unless: (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.</p> <p><b>CLUP: Policy 8-2</b> - If a parcel is designated for agricultural use and is located in a rural area not contiguous with the urban/rural boundary, conversion to non-agricultural use shall not be permitted unless such conversion of the entire parcel would allow for another priority use under the coastal Act, e.g., coastal dependent industry, recreation and access, or protection of an</p>	<p><b>NTS Designation, Zoning and Alternative 1B: Consistent.</b> The NTS designation and Alternative 1B propose a combination of residential, open space, and agricultural components that would result in a conversion of some agricultural land to residential use, and a concurrent dedication of 2,684 acres of agricultural land in perpetuity through the creation of a new Agricultural Conservation Easement (ACE), increasing preservation compared with the existing Williamson Act contract (2,566 acres). The proposed project would also allow for priority recreational uses and public access, and would protect environmentally sensitive habitat areas as provided in Policy 8-2. More significantly, the project would implement Policy 2-13, which is more specific to Naples than Coastal Act Policy 30242. As discussed under Policy 2-13, the TDR Study has identified an opportunity to move some of the proposed project density from the project site. Alternative 1B would also include design features, legislative changes, and recommended mitigation measures that, in combination with the partial transfer of density, would reduce the potential residential build-out of the site, as compared to the potential build-out of the existing legal lots. These measures would also address conflicts between ongoing agricultural operations and future residential uses. The legislative changes, design features, and recommended mitigations relevant to these agricultural compatibility policies include:</p> <ul style="list-style-type: none"> <li>• Creation of a new Naples Townsite (NTS) land use designation and implementing zoning ordinance would establish rural residential development standards specific to the Naples town site lots.</li> <li>• NTS development standards would address issues such as fencing requirements and restrictions to reduce land use conflicts between residential uses, open space</li> </ul>

Requirement	Preliminary Consistency Determination
<p>environmentally sensitive habitat. Such conversion shall not be in conflict with contiguous agricultural operations in the area, and shall be consistent with Section 30241 and 30242 of the Coastal Act.</p>	<p>restoration areas, and agricultural operations.</p> <ul style="list-style-type: none"> <li>• A recommended mitigation measure would require implementation of a Right to Farm buyer notification program; this program would ensure that lands converted to residential use would be compatible with continued agricultural use on surrounding lands.</li> <li>• Agricultural capital expenditures would be increased and a professional agricultural management program would be implemented on the SBR property.</li> </ul> <p>The proposed conversion of agricultural land would be compatible with continued agricultural use on surrounding lands, with implementation of the right-to-farm buyer notification mitigation measure. This notification would ensure that any buyer of the property would be informed that their property is located adjacent to property zoned for agriculture and is located in an area that has been planned for agricultural uses, therefore any inconvenience or discomfort from properly conducted agricultural operations, including noise, odors, dust, and chemicals, would not be deemed a nuisance.</p> <p>In summary, although Alternative 1B would result in conversion of some existing agriculturally designated land to residential uses not regarded as a priority use under the Coastal Act beyond the urban/rural boundary, it would be accomplished through implementation of Policy 2-13, which governs this site due to its unique history. Moreover, the proposed conversion of agricultural land to non-agricultural uses would occur in parallel with a program to preserve both prime and non-prime agricultural land through the ACE designation. Therefore, Alternative 1B is consistent with the intent of Coastal Act § 30242 and CLUP Policy 8-2 because the project would both reduce the potential for agricultural land conversion, as compared to the potential build-out of the existing legal lots, and increase the amount of land that is to be kept in agricultural use in perpetuity (an increase of 68 acres of agriculture in easement). It would also introduce priority recreational and public access uses, and preserve environmentally sensitive habitats consistent with Policy 8-2.</p>
<p><b>Coastal Act Policy 30242</b> - The long-term productivity of soils and timberlands shall be protected, and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of non-commercial size shall be limited to providing for necessary timber processing and related facilities.</p>	<p><b>Not Applicable.</b> Those portions of the property within the Coastal Zone are devoid of timberlands for commercial purposes.</p>
<p><b>Coastal Act Policy 30230</b> - Marine resources shall be maintained, enhanced, and, where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.</p>	<p><b>Alternative 1B is Consistent.</b> The project would not substantially change use of coastal areas or adversely affect marine resources.</p>
<p><b>Coastal Act Policy 30231</b> - The</p>	<p><b>Alternative 1B is Consistent.</b> The project will not affect biological productivity or quality</p>

Requirement	Preliminary Consistency Determination
<p>biological productivity and the quality of coastal water, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.</p>	<p>of coastal waters, and incorporates principles of Low Impact Development (LID) to avoid any adverse effects on water quality.</p>
<p><b>Coastal Act Policy 30240:</b>            (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.            (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.</p>	<p><b>Alternative 1B is Consistent.</b> The project, as originally proposed, was inconsistent with these policies because the proposed Agricultural Support Facility on Lot 57 (between Highway 101 and Dos Pueblos Canyon Road) would have resulted in significant and unavoidable impacts to native grassland habitats. However, the proposal was redesigned by relocating the agricultural facility to a site where it would not adversely affect native grassland or other sensitive biological resources (Lot 97). ESH areas have been identified on or adjacent to the SBR property, including a major riparian corridor and oak woodland habitat associated with Dos Pueblos Creek and its tributaries upstream and downstream of the agricultural reservoir; minor stream corridors including Tomate Canada Creek in the eastern portion of the SBR property north of Highway 101 and small incised drainages near the coastal bluff; isolated wetland areas; native grassland habitat on Lot 57 and in several small drainages near the coastal bluff; eucalyptus windrows that provide roost sites for Monarch butterflies; rocky and sandy beach at the base of the coastal bluff; shoreline intertidal areas associated with Naples Reef; and a harbor seal haul-out on the beach east of the project site. Each of these habitat areas is summarized below.</p> <p><b>Riparian Corridors and Minor Streams.</b> With the exception of Dos Pueblos Creek and the Dos Pueblos Creek tributary crossing Lot 57, all of the drainages within Alternative 1B are considered minor streams. A minimum buffer of 50 feet from the top of bank of each stream corridor has been incorporated into the project design to protect riparian habitats. In most cases, these designed setbacks provide at least a 100-foot buffer from the streambed to the nearest building or improvement footprint. These stream corridor setbacks would be included in the proposed Open Space Conservation Easement, or would be designated within Agricultural Conservation Easement areas, except in limited cases where development envelopes would result in landscaped areas within the 50-foot buffer (e.g., in the coastal bluff area). In no case would the structural footprint be sited within the 50-foot stream corridor setback, and in no case would the landscape development envelope be sited within the top of bank. Mitigation measures include the use of BMPs during grading and construction, including the use of temporary vegetation and other stabilization measures to prevent erosion and sedimentation into stream corridors.</p> <p><b>Oak Woodlands.</b> Oak woodland habitats are found primarily in the major riparian corridor associated with Dos Pueblos Creek and tributaries to this creek. Smaller areas of coast live oak woodland are found in the northern part of the DPR property (on and adjacent to Lot DP-03). The riparian corridors with oak riparian woodland will not be directly affected by Alternative 1B. Very small areas of coast live oak woodland will be filled to construct access drives, but only shrub vegetation in the understory will be</p>

Requirement	Preliminary Consistency Determination
	<p>affected; no mature trees will be removed. Mitigation measures would require vegetation restoration and implementation of water quality best management practices.</p> <p><b>Isolated Wetlands.</b> The project design has been modified to preserve and to provide 100 foot buffer areas (or maximum feasible buffers areas where less than 100 feet due to existing structures within the buffer) around all wetlands. This buffer requirement does not apply to minor structures such as fences and public access drives and trails. Wetland areas would not be accessible to vehicle traffic from the residential development or from the public access areas. Recommended mitigations would provide for appropriate setbacks, fencing, and enforcement of vehicular access in wetlands. Grazing and other agricultural uses would be limited to the ACE areas in Alternative 1B and would be setback at least 100 feet from the border of identified wetlands.</p> <p><b>Native Grassland.</b> Alternative 1B's only potential impact to Native Grassland is associated with drainage line installation. The drainage line installation has been designed to protect Native Grasslands consistent with LCP Policy 9-18. The drainage lines will be construed through a trenching process, and once completed, the area of disturbance will be re-seeded with native grasses and then protected to keep invasive non-native grasses from encroaching and to ensure the successful growth of the native grasses. Accordingly, development under Alternative 1B ensures that all native grassland areas are protected.</p> <p><b>Butterfly Roost Sites.</b> There are no major over wintering eucalyptus groves within the SBR property, but groves on the DPR property south of Highway 101 are used by monarch butterflies. Within the SBR property, eucalyptus windrows that may be used as autumnal roosting sites are located along the UPRR right-of-way and along the eastern perimeter of the SBR property south of Highway 101. The Alternative 1B proposal was redesigned to provide an increased setback of at least 50 feet between all buildings and all eucalyptus groves or windrows. The project also includes a mitigation measure to require preconstruction survey and clearance to avoid construction in the vicinity of monarch roosting sites.</p> <p><b>Coastal Terrace Forage Habitat and Wildlife Corridor.</b> The Final EIR addresses this area and its relative habitat value compared to larger areas of non-native grassland on intermediate slopes throughout the Gaviota Coast. The localized, non-native or annual grassland areas are not designated as ESHA, however, as explained in 13.5.3.2.7. The coastal terrace south of Highway 101 extending from Eagle Canyon westward to approximately Las Llagas Canyon, including the project area, is the broadest and most contiguous section of coastal terrace remaining as open space south of Highway 101 along the Goleta-Gaviota coastline.</p> <p>The Alternative 1B design was modified to improve the continuity of this habitat within the property. The configuration of lots in the equestrian village area was altered, the building and development envelopes on lots 39 and 91 were shifted to avoid any direct effects on native grassland areas, and the configuration of access drives and driveways was altered to retain larger contiguous areas of non-native grassland in the area south of Highway 101. The project design also has several measures to minimize the barrier effects of the development. These include the use of rolled curbs and natural stone lined drainage improvements, and prohibitions and specifications related to fencing that will avoid the use of fences along property lines and allow wildlife movement through open space and pasture areas.</p> <p><b>Rocky and Sandy Beach, Intertidal Areas, and Seal Haul-out.</b> The rocky and sandy shoreline extends along the length of the coastal bluff. The harbor seal haul-out is located on the beach approximately one-quarter mile east of the SBR property. Increased public use of the beach could result in damage and disturbance to the intertidal zone habitat and disturbance to the seals; however, a stairway structure originally proposed for the project has been eliminating, making beach access extremely difficult.</p>

Requirement	Preliminary Consistency Determination
<p><b>CLUP: Policy 9-1</b> - Prior to issuance of a development permit, all projects on parcel shown on the land use plan and/or resource maps with a Habitat Area overlay designation or within 250 feet of such designation or projects affecting an environmentally sensitive habitat area shall be found to be in conformity with the applicable habitat protection policies or the land use plan. All development plans, grading plans, etc., shall show the precise location of the habitat(s) potentially affected by the proposed project. Projects which could adversely impact an environmentally sensitive habitat area may be subject to a site inspection by a qualified biologist to be selected jointly by the County and the applicant.</p>	<p><b>Alternative 1B is Consistent.</b> Please see Coastal Act § 30240 discussion.</p>
<p><b>CLUP Policy 9-9</b> - A buffer strip, a minimum of 100 feet in width, shall be maintained in natural condition along the periphery of all wetlands. No permanent structures shall be permitted within the wetland or buffer area except structures of a minor nature, i.e., fences, or structures necessary to support the uses in Policy 9-10.</p>	<p><b>Alternative 1B is Consistent.</b> The Alternative 1B design has been modified to avoid encroachment into any wetland areas. The design includes a minimum 100-foot setback of permanent structures from the limits of wetland areas, in all areas where such a buffer is feasible. In two areas, existing improvements (the UPRR tracks, and the existing easement or alignments for existing roadways) will allow buffers of about 70 to 80 feet. Wetland areas would not be accessible to vehicle traffic from the residential development or from the public access areas.</p>
<p><b>CLUP: Policy 9-10</b> - Light recreation such as birdwatching or nature study and scientific and educational uses shall be permitted with appropriate controls to prevent adverse impacts.</p>	<p><b>Alternative 1B is Consistent.</b> Alternative 1B would allow passive recreational use of the blufftop and beach areas, accessed laterally from beach access points provided on other properties (Las Varas Ranch to the west and Makar to the east). Mitigation measures include access restrictions and public education.</p>
<p><b>CLUP: Policy 9-11</b> - Wastewater shall not be discharged into any wetland without a permit from the Regional Water Quality Control Board finding that such discharge improves the quality of the receiving water.</p>	<p><b>Alternative 1B is Consistent.</b> Wastewater from the Alternative 1B development would be treated in package STPs, or in individual septic systems for the DPR property south of Highway 101. Reclaimed wastewater from the STPs would then be reused for irrigation. Reclaimed water from the STPs, or effluent from the individual septic systems, could potentially seep into streams and wetlands, and reach the ocean. The project would be subject to waste discharge requirements that would be issued by the Regional Water Quality Control Board (RWQCB) for the STP, and for any individual septic systems.</p>
<p><b>CLUP: Policy 9-13</b> - No unauthorized vehicle traffic shall be permitted in wetlands and pedestrian traffic shall be regulated and incidental to the permitted uses.</p>	<p><b>Alternative 1B is Consistent.</b> Project design includes a minimum 100-foot set back from the limits of isolated wetland areas for permanent structures, excluding minor structures such as fences and public access trails. Wetland areas would not be accessible to vehicle traffic from the residential development or from the public access areas.</p>
<p><b>CLUP: Policy 9-14</b> - New development adjacent to or in close proximity to wetlands shall be compatible with the continuance of the habitat area and shall not result</p>	<p><b>Alternative 1B is Consistent.</b> New development would be setback at least 100 feet from the border of identified wetlands and riparian corridors, where feasible. In two areas, the existing improvements are oriented in a way that will limit the buffer distances to 70-80 feet. Wetland areas would not be accessible to vehicle traffic from the residential development or from the public access areas. Mitigation measures required</p>



Requirement	Preliminary Consistency Determination
in a reduction in the biological productivity or water quality of the wetland due to runoff (carrying additional sediment or contaminants), noise, thermal pollution, or other disturbances.	for Hydrology and Water Quality will ensure use of Best Management Practices to minimize the potential for erosion and sedimentation.
<b>Coastal Plan Policy 9-15:</b> Mosquito abatement practices shall be limited to the minimum necessary to protect health and prevent damage to natural resources. Spraying shall be avoided during nesting seasons to protect wildlife, especially the endangered light-footed clapper rail and Belding's savannah sparrow. Biological controls are encouraged.	<b>Alternative 1B is Consistent.</b> There are no perennial water courses on the project. There is no habitat for light-footed clapper rail or Belding's savannah sparrow on the Alternative 1B site.
<b>Coastal Plan Policy 9-16a</b> - No grazing or other agricultural uses shall be permitted in coastal wetlands.	<b>Alternative 1B is Consistent.</b> Grazing and other agricultural uses would be permitted only within the designated ACE areas. Grazing on the property has occurred for many decades, and was an established use before adoption of the CLUP. Coastal wetlands—estuaries or points where creeks discharge to the ocean—are not subject to grazing on the property, and approval of Alternative 1B would not permit an expansion of grazing.
<b>CLUP: Policy 9-17</b> - Grazing shall be managed to protect native grassland habitat.	<b>Alternative 1B is Consistent.</b> Grazing and other agricultural uses would be permitted only within the designated ACE areas. Areas mapped as native grasslands along the coastal terrace will be retained within the Open Space and Conservation Easement. Grazing and other agricultural uses within the ACE area over Lot 57 will be maintained at existing levels, which pre-date adoption of the CLUP. There will be no increase in grazing intensity or areas affected by grazing.
<b>CLUP: Policy 9-18</b> - Development shall be sited and designed to protect native grassland areas.	<b>Alternative 1B is Consistent.</b> Alternative 1B was redesigned to move the proposed agricultural support facility from Lot 57, where it would have impacted native grasslands to the equestrian center on Lot 97. The remaining native grassland that has been identified as meeting the County's threshold for significant impacts is located within the stream bank setbacks. Planned development would be adequately set back from these resources.
<b>CLUP: Policy 9-19</b> - No mosquito control activity shall be carried out in vernal pools unless it is required to avoid severe nuisance.	<b>Alternative 1B is Consistent.</b> There are no perennial streams in the Alternative 1B area, and the seasonal water bodies where water ponds in portions of the nonnative grassland pastures do not contain vernal pool characteristics.
<b>CLUP: Policy 9-20:</b> Grass cutting for fire prevention shall be conducted to such a manner as to protect vernal pools. No grass cutting shall be allowed within the vernal pool area or within a buffer zone of five feet or greater.	<b>Alternative 1B is Consistent.</b> Seasonal water bodies in the nonnative pasture areas do not contain vernal pool species and do not have vernal pool characteristics.
<b>CLUP: Policy 9-21</b> - Development shall be sited and designed to avoid vernal pool sites as depicted on the resource maps.	<b>Alternative 1B is Consistent.</b> No vernal pools have been identified in the area of proposed development. Design features and recommended mitigation measures related to wetlands are described above under Coastal Act § 30240 and CLUP Policy 9-1. The following two policies are related to butterfly trees. These policies are addressed in a single response.
<b>CLUP Policy 9-22</b> - Butterfly trees shall not be removed except where they pose a serious threat to life or property, and shall not be pruned during roosting and nesting season.	<b>Alternative 1B is Consistent.</b> There are no major over-wintering eucalyptus groves within the SBR property. Groves on the DPR property south of Highway 101 are used by monarch butterflies and eucalyptus windrows that may be used as autumnal roosting sites are located along the UPRR right-of-way and along the eastern perimeter of the SBR property south of Highway 101. Alternative 1B was redesigned to provide an

Requirement	Preliminary Consistency Determination
<p><b>CLUP: Policy 9-23</b> - Adjacent development shall be set back a minimum of 50 feet from the trees.</p>	<p>increased setback of at least 50 feet between all buildings and the eucalyptus groves and windrow. The project also includes a mitigation measure to require preconstruction survey and clearance to avoid construction in the vicinity of monarch roosting sites in the windrow.</p>
<p><b>CLUP: Policy 9-24</b> - Recreational activities near or on areas used for marine mammal hauling grounds shall be carefully monitored to ensure continued viability of these habitats.</p> <p><b>CLUP: Policy 9-25</b> - Marine mammal rookeries shall not be altered or disturbed by recreational, industrial, or any other uses during the times of the year when such areas are in use of reproductive activities, i.e., mating, pupping, and pup care.</p>	<p><b>Alternative 1B is Consistent.</b> The rocky and sandy shoreline extends along the length of the coastal bluff, and to the north (upcoast) and south (downcoast) of the project site. Naples Reef is a regionally significant reef complex with offshore shallow reefs, and an extensive intertidal area that is exposed at low tide. This intertidal area is located immediately seaward of the length of the SBR bluff area and to the south of the site. The harbor seal haul-out is located on the beach approximately one-quarter mile east of the SBR property.</p> <p>These areas are presently accessed from existing coastal access points (e.g., Haskell's beach), and via a network of informal trails on the surrounding properties. Alternative 1B incorporates a trail design to provide a new segment of the Coastal (De Anza) Trail across the property with linkage to future trail segments on either side. In addition, Alternative 1B includes a parallel spur trail along the south side of Highway 101 to connect the Coast Trail with a vertical access trail on the Las Varas Ranch project, leading to the beach.</p> <p>In the event that beach access at Las Varas Ranch cannot be implemented, then it is possible that beach access originally proposed at Santa Barbara Ranch may be reconsidered by decision makers. Under this option, a mitigation measure (Bio-4) has been identified to prohibit dogs and other pets from the beach area and to restrict beach access during specific months to avoid times of high use at the seal haul out area and to minimize effects by visitors on the beach and reef areas.</p> <p>No unauthorized vehicles would be allowed on beaches adjacent to the intertidal areas. The following two policies are related to protection of oak trees and other native trees in the project area. These policies are addressed in a single response.</p>
<p><b>CLUP: Policy 9-26</b> - There shall be no development including agricultural development, i.e., structures, roads, within the area used for roosting and nesting.</p>	<p><b>Not Applicable.</b> Policies 9-26 through 9-29 deal specifically with designated environmentally sensitive habitat associated with white tailed kite foraging area on More Mesa. Nonetheless, the FEIR appropriately identified a potential Class II Impact (Bio-11) relating to White-tailed Kite foraging areas. The FEIR concludes that, given the design features in Alternative 1, developed to minimize these potential effects, and the implementation of Mitigation Measures Bio-1(a), Bio-2a, Bio-3 and Bio-9, any adverse effects on grassland foraging by raptors such as White-tailed Kites are mitigated to a less than significant level. These measures are consistent with LCUP Policy 9-29 which does not preclude development in White-tailed Kite foraging areas determined to be ESH. Instead, it requires only that the maximum feasible area shall be retained in grassland to provide feeding areas for the Kites. Under Alternative 1B, 570 acres of non-native grasslands within the Coastal Zone will remain and be contained within private agricultural easements or protected open space. Further, the one roosting pair of White-tailed Kites located in the vicinity of Alternative 1B is located on the site known as the Makar Property, and has an area of over 200 acres to forage within, which is more than appropriate pursuant to the LCP standard of 30 -125 acres per roosting pair.</p>
<p><b>CLUP: Policy 9-27</b> - Recreational use of the roosting and nesting area shall be minimal, i.e., walking, bird watching. Protective measures for this area should include fencing and posting so as to restrict, but not exclude, use by people.</p>	
<p><b>CLUP: Policy 9-28</b> - Any development around the nesting and roosting area shall be set back sufficiently far as to minimize impacts on the habitat area.</p>	
<p><b>Coastal Plan Policy 9-29:</b> In addition to preserving the ravine plant communities on More Mesa for nesting and roosting sites, the maximum feasible area shall be retained in grassland to provide feeding area for the kites.</p>	

Requirement	Preliminary Consistency Determination
<p><b>CLUP: Policy 9-30</b> - In order to prevent destruction of organisms which thrive in intertidal areas, no unauthorized vehicles shall be allowed on beaches adjacent to intertidal areas.</p> <p><b>CLUP: Policy 9-31</b> - Only light recreational use shall be permitted on public beaches which include or are adjacent to rocky points or intertidal areas.</p> <p><b>CLUP: Policy 9-32</b> - Shoreline structures, including piers, groins, breakwaters, drainages, and seawalls, and pipelines, should be sited or routed to avoid significant rocky points and intertidal areas.</p> <p><b>Coastal Plan Policy 9-33</b> - Naples reef shall be maintained primarily as a site for scientific research and education. Recreational and commercial uses shall be permitted as long as such uses do not result in depletion of marine resources. If evidence of depletion is found, the County shall work with the Department of Fish and Game and sport and commercial fishing groups to assess the extent of damage and implement mitigation measures.</p>	<p><b>Alternative 1B is Consistent.</b> The rocky and sandy shoreline extends along the length of the coastal bluff, and to the north and south of the project site. Naples Reef is a regionally significant reef complex with offshore shallow reefs, and an extensive intertidal area that is exposed at low tide. This intertidal area is located immediately seaward along the length of the SBR bluff area and to the south of the site. The harbor seal haul-out is located on the beach approximately one-quarter mile east of the SBR property. These areas are presently accessed from existing coastal access points (e.g., Haskell's beach), and via a network of informal trails on the surrounding properties. The trail and beach access stairway on Santa Barbara Ranch has been deleted, and an alternative vertical beach access is to proposed on property to the west (Las Varas Ranch).</p> <p>In the event that beach access at Las Varas Ranch is not pursued, then it is possible that the stairway proposed on Santa Barbara Ranch may be reconsidered by decision makers. If constructed, the stairway on Santa Barbara Ranch would not affect any significant rock points or intertidal areas. This scenario would result in increased public use of the beach as compared to present use patterns. Increased use could result in damage to the intertidal zone habitat (e.g., trampling, collecting, or harassment of wildlife) and disturbance to the seals. A mitigation measure (Bio-4) has been identified to prohibit dogs and other pets from the beach area and to restrict beach access during specific months to avoid times of high use at the seal haul out area and to minimize effects by visitors on the beach and reef areas. No dogs, pets, horses or unauthorized vehicles would be allowed on beaches adjacent to the intertidal areas.</p>
<p><b>CLUP Policy 9-35</b> - Oak trees, because they are particularly sensitive to environmental conditions, shall be protected. All land use activities, including cultivated agriculture and grazing, should be carried out in such a manner as to avoid damage to native oak trees. Regeneration of oak trees on grazing lands should be encouraged.</p>	<p><b>Alternative 1B is Consistent.</b> Oak woodland habitats are found primarily in the major riparian corridor associated with Dos Pueblos Creek and tributaries to this creek. For the Alternative 1B, Dos Pueblos Creek runs across Lot DP-11 and then through the DPR property south of Highway 101. The eastern tributary of Dos Pueblos Creek is found within the project boundaries, where it runs between Lots 48 and 104, and then crosses Lot 57, south of Highway 101. These streambeds and a 100 foot buffer would be located within an agricultural conservation easement. Other mitigation measures will ensure that Best Management Practices are followed during grading and construction to minimize the potential for erosion and sediment production.</p>
<p><b>CLUP: Policy 9-36</b> - When sites are graded or developed, areas with significant amounts of native vegetation shall be preserved. All development shall be sited, designed, and constructed to minimize impacts of grading, paving, construction of roads or structures, runoff, and erosion on native vegetation. In particular, grading and paving shall not adversely affect root zone aeration and stability of native trees.</p>	<p><b>Alternative 1B is Consistent.</b> Oak woodland habitats are found primarily in the major riparian corridor associated with Dos Pueblos Creek and tributaries to this creek. For the Alternative 1B, Dos Pueblos Creek runs across Lot DP-11 and then through the DPR property south of Highway 101. The eastern tributary of Dos Pueblos Creek is found within the project boundaries, where it runs between Lots 48 and 104, and then crosses Lot 57, south of Highway 101. These streambeds and a 100 foot buffer would be located within an agricultural conservation easement. Other mitigation measures will ensure that Best Management Practices are followed during grading and construction to minimize the potential for erosion and sediment production.</p>

Requirement	Preliminary Consistency Determination
<p><b>CLUP: Policy 9-37</b> - The minimum buffer strip for major streams in rural areas, as defined by the land use plan, shall be presumptively 100 feet, and for streams in urban areas, 50 feet. These minimum buffers may be adjusted upward or downward on a case-by-case basis. The buffer shall be established based on an investigation of the following factors and after consultation with the Department of Fish and Game and Regional Water Quality Control Board in order to protect the biological productivity and water quality of streams:</p> <ul style="list-style-type: none"> <li>a. soil type and stability of stream corridors</li> <li>b. how surface water filters into the ground</li> <li>c. slope of the land on either side of the stream</li> <li>d. location of the 100-year flood plain boundary</li> </ul> <p>Riparian vegetation shall be protected and shall be included in the buffer. Where riparian vegetation has previously been removed, except for channelization, the buffer shall allow for the reestablishment of riparian vegetation to its prior extent to the greatest degree possible. (p. 136)</p>	<p><b>Alternative 1B is Consistent.</b> With the exception of Dos Pueblos Creek and its tributary crossing Lot 57, all of the drainages within the Alternative 1B area are considered minor streams. A minimum buffer of 50 feet from the top of bank of each stream corridor has been incorporated into the project design to protect riparian habitats. In most cases, these designed setbacks provide at least a 100-foot buffer from the streambed to the nearest building or improvement footprint. These stream corridor setbacks would be included in the proposed Open Space Conservation Easement, except in limited cases where development envelopes would result in landscaped areas within the 50-foot buffer (e.g., in the coastal bluff area). In no case would the structural footprint be sited within the 50-foot stream corridor setback, and in no case would the landscape development envelope be sited within the top of bank. Riparian vegetation is located within the designated OSCE areas. Any sensitive habitat located within the ACE areas, including riparian vegetation, would be subject to open space conservation easement restrictions. Grazing and other agricultural uses would be limited to the ACE areas and would be set back at least 100 feet from the border of identified wetlands or stream corridors. Mitigation measures include the use of BMPs during grading and construction, including the use of temporary vegetation and other stabilization measures to prevent erosion and sedimentation into stream corridors.</p>
<p><b>CLUP: Policy 9-38</b> - No structures shall be located within the stream corridor except: public trails, dams for necessary water supply projects, flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development; and other development where the primary function is for the improvement of fish and wildlife habitat. Culverts, fences, pipelines, and bridges (when support structures are located outside the critical habitat) may be permitted when no alternative route/location is feasible. All development shall incorporate the best mitigation measures feasible.</p>	<p><b>Alternative 1B is Consistent.</b> No dredging, filling, grading activities or structures are proposed within stream corridors on the SBR property. However, a vehicular span bridge is proposed to be constructed over Tomate Canada Creek to access the proposed lots on the easternmost portion of the SBR property north of Highway 101. This bridge would avoid direct impacts to the narrow seasonal stream channel. A potentially feasible alternative access to these homesites that would avoid this span bridge would be from the existing gate and Calle Real frontage road north of Highway 101, at the southeast corner of the property. This access is currently proposed for emergency use only, and would require resurfacing and other upgrades along Calle Real, a county road. If this access were to be used as a primary access, then a secondary emergency ingress/egress would still be required for these homes. Construction of another roadway would likely result in impacts to other areas of the site, and potentially require a separate stream crossing. In addition, the span bridge would not directly affect the Tomate Canada Creek streambed due to its design and dimensions in relation to the narrow stream channel and relative lack of riparian habitat. Construction and occupancy BMPs would be implemented and monitored.</p> <p>A small culvert extension will also occur at the north end of Lot 63, where an existing ranch road will be widened to provide a minimum width driveway to three lots. The stream crossing is about 100 feet upstream from the nearest mapped wetland portion of the stream, and the crossing is designed to minimize environmental effects. Two similar small culvert crossings will be installed for the access drive between Lots DP-04 and DP-05.</p>

Requirement	Preliminary Consistency Determination
	Recommended mitigations would require the construction in or near stream corridors to implement water quality BMPs to prevent erosion, sedimentation, loss of vegetation, or pollutant loading in coastal streams. Additional BMPs would be implemented and monitored during occupancy to ensure that impacts from increased runoff, sedimentation, biochemical degradation, or thermal pollution are avoided.
<b>Coastal Plan Policy 9-39</b> - Dams or other structures that would prevent upstream migration of anadromous fish shall not be allowed in streams targeted by the California Department of Fish and Game unless other measures are used to allow fish to bypass obstacles. These streams include: San Antonio Creek (Los Alamos area), Santa Ynez River, Jalama Creek, Santa Anita Creek, Gaviota Creek, and Tecolote Creek.	<b>Not Applicable.</b> The project area does not have any of the listed streams.
<b>CLUP: Policy 9-40</b> - All development, including dredging, filling, and grading within stream corridors, shall be limited to activities necessary for the construction of uses specified in Policy 9-38. When such activities require removal of riparian plant species, revegetation with local native plants shall be required except where undesirable for flood control purposes. Minor clearing of vegetation for hiking, biking, and equestrian trails shall be permitted.	<b>Alternative 1B is Consistent.</b> See response to CLUP Policy 9-38 above.
<b>CLUP: Policy 9-41</b> - 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.	<b>Alternative 1B is Consistent.</b> See response to CLUP Policy 9-38 above.
<b>CLUP: Policy 9-42</b> - The following activities shall be prohibited within stream corridors: cultivated agriculture, pesticide applications, except by a mosquito abatement or flood control district, and installation of septic tanks.	<b>Alternative 1B is Consistent.</b> Project design features and recommended mitigation measures, including the new NTS designation and zoning district, the ACE, and the OSCE restrictions on the use of pesticides and mosquito abatement, would ensure that no prohibited uses take place within stream corridors. In Alternative 1B, all lots would tie into one of the packaged treatment plants, with the exception of the DPR lots south of Highway 101. The location of one STP is within 100 feet of Tomate Canada Creek stream channel. This facility would be subject to RWQCB Waste Discharge Requirements. These requirements would include monitoring of the STP, and provisions to respond to any water quality impacts that could arise from STP operations.
<b>CLUP: Policy 9-43</b> - Other than projects that are currently approved and/or funded, no further concrete channelization or other major alterations of streams in the coastal zone shall be permitted unless	<b>Alternative 1B is Consistent.</b> No concrete channelization or other major alterations of streams in the coastal zone are proposed. Drainage designs for Alternative 1B include the use of natural stone lined channels and naturally vegetated channels where surface water is collected. Recommended mitigations would further minimize potential impacts to streams and other state and federal jurisdictional waters by requiring and construction BMPs in all areas where these resources could be affected by construction or long-term



Requirement	Preliminary Consistency Determination
consistent with the provisions of Section 30236 of the Coastal Act.	occupancy.
<p><b>Coastal Act Policy 30244:</b> Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.</p>	<p><b>Alternative 1B is Consistent.</b> Based on field investigations and a review of available studies conducted for this project, grading, trenching and other ground disturbance activities associated with construction within Alternative 1B is expected to affect CRHR-eligible archaeological resources on the Dos Pueblos Ranch, including CA-SBA-78 and -79. Mitigation measures (see FEIR Section 9.11.3.3) would avoid and greatly reduce direct impacts. These measures include but are not limited to project redesign to move some development to areas where previous subsurface testing has demonstrated a lack of significant deposits; reduction in the size of the areas of potential impact (also known as development envelopes); use of construction techniques that minimize subsurface disturbance; co-location of buried utilities to the extent allowed by existing building codes; capping where feasible; and additional archaeological testing and data recovery of archaeological deposits that cannot be avoided. Because different lots may be developed at different times by different owners (applicants), all site-specific mitigation plans would be guided by a Cultural Resource Program Plan to ensure that all mitigation investigations are conducted in a consistent fashion. See FEIR Section 9.11.3.3 (Mitigation Measure-2) for details. In addition to measures to mitigate direct impacts, a measure would increase homeowner awareness of the importance of protecting cultural resources (Mitigation Measure Cultural-8).</p> <p>The applicant has agreed to implement and fully fund all required mitigation measures. Ground disturbance outside of known sites could encounter unanticipated archaeological deposits and/or human remains. EIR Mitigation Measures Cultural-2, --5 and -6 described in FEIR Section 9.11.3.3 require preparation and implementation of a County-approved Cultural Resources Construction Monitoring Plan that shall require that a qualified archaeologist and Native American monitor all ground disturbances on Alternative 1B. The Monitoring Plan shall specify procedures that would be implemented in the event that unanticipated archaeological materials or human remains are discovered during construction. These procedures shall be consistent with CEQA § 15064.5 and applicable County Guidelines.</p> <p>If unanticipated resources are discovered during construction, the resources would be avoided if feasible through design modification, or, second, through protective measures. If the resource cannot be avoided, the project archaeologist shall make a determination of resource significance in accordance with the Cultural Resources Construction Monitoring Plan. If it is determined that the resource is significant, then measures to mitigate impacts would be implemented in accordance with provisions in the Cultural Resource Construction Monitoring Plan. Prior to construction, the archaeologist and Native American would hold an educational workshop to ensure that construction personnel understand roles and responsibilities of the monitors and prohibitions against the unauthorized collection of artifacts. .</p> <p>Alternative 1B would affect two historic resources, including Langtry Avenue and the historic El Camino Real/Stage Coach Road/Highway 101 fragment. The project would widen and re-surface these road segments to comply with County Fire Department requirements. These actions would not affect the historic alignments or other significant features of these roads and impacts are considered less than significant. Mitigation measures are not required for such impacts. However, a measure is recommended to prepare DPR record forms for these and all other historic resources within Alternative 1B in order to complete documentation to California Office of Historic Preservation standards. As noted, the applicant has agreed to fully fund required mitigation measures.</p>
<p><b>Coastal Plan Policy 10-1:</b> All available measures, including purchase, tax relief, purchase of development rights, etc., shall be explored to avoid development on significant historic, prehistoric,</p>	<p><b>Alternative 1B is Consistent.</b> Based on field investigations and a review of available studies conducted for this project, grading activities associated with construction on the SBR property would avoid direct impacts to known cultural resources that are potentially eligible for the CRHR. Therefore, consideration of purchase, tax relief, and purchase of development rights would not be necessary for the purpose of preserving cultural resources.</p>



Requirement	Preliminary Consistency Determination
archaeological, and other classes of cultural sites.	Depending on exact location and degree of prior disturbance, the grading for new home construction on DPR south of Highway 101 is likely to affect archaeological sites SBA-78 and -79. However, Alternative 1B embodies the establishment of a large Agricultural Conservation Easement that would protect almost all site deposits from future development (existing agricultural use would continue). The only archaeological impacts would occur as a result of construction and occupation of three residences for family members; tax relief, purchase of development rights and other measures that would preclude construction of the family residences are not considered acceptable. The recommended mitigation measures include extensive measures to avoid and minimize direct impacts (see FEIR Mitigation Measure Cultural-1). Moreover, under Alternative 1B most of the sites would be included within a new Agricultural Conservation Easement and protected from further development. Fencing would be used to restrict heavy equipment to approved construction areas near and within known cultural resource sites and construction monitoring by a qualified archaeologist and Native American would ensure unanticipated discoveries would be avoided or adequately mitigated.
<b>CLUP: Policy 10-2</b> - When developments are proposed for parcels where archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible.	<b>Alternative 1B is Consistent.</b> Mitigation Measure Cultural-1 (FEIR Section 9.11.3.3) includes a number of design specifications to avoid and minimize impacts, including but not limited to moving proposed development to areas where intact deposits are lacking or deposits are very low in artifact density and diversity; restricting development of one home site to the footprint of an existing residence; use of construction techniques that minimize subsurface disturbance; and co-location of buried utilities to the extent allowed by code.
<b>CLUP: Policy 10-3</b> - When sufficient planning flexibility does not permit avoiding construction on archaeological or other types of cultural sites, adequate mitigation shall be required. Mitigation shall be designed in accord with guidelines of the State Office of Historic Preservation and the State of California Native American Heritage Commission.	<b>Alternative 1B is Consistent.</b> Mitigation measures in FEIR Section 9.11.3.3 specify that they would be consistent with and embody technical advice and guidance provided by OHP's technical publications as well as the Secretary of the Interior's Standards and Guidelines (see Mitigation Measure Cultural-2). NAHC guidelines regarding the management of unanticipated discovery of human remains would be followed (see Mitigation Measure Cultural-7). The applicant has agreed to fully fund all required mitigation measures identified in the FEIR.
<b>CLUP: Policy 10-4:</b> Off-road vehicle use, unauthorized collecting of artifacts, and other activities other than development which could destroy or damage archaeological or cultural sites shall be prohibited.	<b>Alternative 1B is Consistent.</b> The project mitigations would prohibit off-road vehicle use (except where off-road use is required for agricultural operations) and construction workers and homeowners shall be informed about penalties associated with unauthorized collecting of artifacts (see Mitigation Measures Cultural-5 and -8).
<b>CLUP: Policy 10-5:</b> Native Americans shall be consulted when development proposals are submitted which impact significant archaeological or cultural sites.	<b>Alternative 1B is Consistent.</b> Ongoing consultations with local Native Americans are continuing pursuant to SB-18. Recommended mitigations would require that all initial grading or excavation be monitored by an archaeologist and a Native American Monitor, and that Native American consultation be conducted for any subsequent investigations.
<b>Coastal Act Policy 30210</b> - In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs	<b>Alternative 1B is Consistent.</b> The Alternative 1B design proposes to construct and maintain a public coastal access trail system that includes parking, and restrooms. Alternative 1B incorporates a trail design to provide a new segment of the Coastal (De Anza) Trail across the property with linkage to future trail segments on either side. In addition, Alternative 1B includes a parallel spur trail along the south side of Highway 101 to connect the Coast Trail with a vertical access trail on the Las Varas Ranch project, leading to the beach. Access for disabled persons would be accommodated between the parking facility and the coastal bluff. The trail system would traverse a newly created public easement through private land,

Requirement	Preliminary Consistency Determination
and the need to protect public rights, rights of private property owners and natural resource areas from overuse.	and would be maintained by the property owner or Homeowner's Association. A draft open space and habitat management plan (OSHMP) has been submitted, as required by the proposed NTS zoning, and the OSHMP will be reviewed by P&D to ensure that natural resources and agricultural operations of the project area, including the coastal bluffs and blufftop vegetation, grazing areas, beaches, and the Naples reef area, are not adversely affected by overuse.
<p><b>Coastal Act § 30211:</b> Development shall not interfere with the public's right of access to the sea where acquired through use, custom, or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.</p>	<p><b>Alternative 1B is Consistent.</b> Alternative 1B proposes to construct and maintain a public coastal access trail system that includes parking, and restrooms. The originally proposed beach access stairway on Santa Barbara Ranch has been deleted, and an alternative vertical beach access is proposed on nearby property (Las Varas Ranch). Discussion of the proposed access is provided above under Coastal Act § 30210.</p> <p>No public beach access currently exists on the DPR property, and none is proposed. A proposed Coastal Trail segment would traverse the SBR and DPR properties along Dos Pueblos Canyon Road and adjacent to Highway 101, allowing future connections to other Coastal Trail segments and other present and future beach access points located to the east and west of the combined properties.</p>
<p><b>Coastal Act § 30212:</b> (a) Public access from the nearest public roadway to the shoreline land along the coast shall be provided in new development projects except where (1) it is inconsistent with public safety, military security needs, or the protection or fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway. ... (c) Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.</p>	<p><b>Alternative 1B is Consistent.</b> Alternative 1B proposes to construct and maintain a public coastal access trail system that includes parking, and restrooms. Additional discussion of the proposed access features and future maintenance/liability issues is provided above under Coastal Act § 30210.</p>
<p><b>Coastal Act § 30212.5:</b> Wherever appropriate and feasible, public facilities, including parking areas of facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, or overcrowding or overuse by the public of any single area.</p>	<p><b>Alternative 1B is Consistent.</b> Alternative 1B proposes to construct and maintain a public coastal access trail system that includes parking, and restrooms. Additional discussion of the proposed access features and future open space management and habitat protection issues is provided above under Coastal Act § 30210.</p>

Requirement	Preliminary Consistency Determination
<p><b>Coastal Act § 30221:</b> Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.</p>	<p><b>Alternative 1B is Consistent.</b> Alternative 1B proposes to construct and maintain a public coastal access trail system that includes parking, and restrooms. Alternative 1B incorporates a trail design to provide a new segment of the Coastal (De Anza) Trail across the property with linkage to future trail segments on either side. In addition, Alternative 1B includes a parallel spur trail along the south side of Highway 101 to connect the Coast Trail with a vertical access trail on the Las Varas Ranch project, leading to the beach.</p> <p>The oceanfront land is suitable for recreational use and is already currently used by surfers, divers, joggers, and other recreational beach-goers.</p>
<p><b>Coastal Act § 30214:</b> (a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following: (1) Topographic and geologic site characteristics; (2) The capacity of the site to sustain use and at what level of intensity; (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses; (4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter. (b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. (c) In carrying out the public access policies of this article, the commission, regional commissions, and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would</p>	<p><b>Alternative 1B is Consistent.</b> Alternative 1B would provide public recreational opportunities, and would not generate significant impacts to other regional recreational facilities. A draft OSHMP has been submitted, as required by the proposed NTS zoning, and the OSHMP will be reviewed by P&amp;D to ensure that appropriate public uses are identified and enforced, and to ensure that natural resources and agricultural operations of the project area, including the coastal bluffs and blufftop vegetation, grazing areas, beaches, and the Naples reef area, are not impacted from overuse.</p> <p>The project area is not served by public transportation and public transportation is not proposed. Therefore, the new coastal access will generally be available to motor vehicles (parking lot), and to hikers, bicyclists and equestrians. Alternative 1B incorporates a trail design to provide a new segment of the Coastal (De Anza) Trail across the property with linkage to future trail segments on either side. In addition, Alternative 1B includes a parallel spur trail along the south side of Highway 101 to connect the Coast Trail with a vertical access trail on the Las Varas Ranch project, leading to the beach.</p>

Requirement	Preliminary Consistency Determination
<p>minimize management costs and encourage the use of volunteer programs.</p>	
<p><b>Coastal Act § 30223:</b> Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.</p>	<p><b>Alternative 1B is Consistent.</b> Alternative 1B proposes to construct and maintain a public coastal access trail system that includes parking, and restrooms in the upland area of the Santa Barbara Ranch, accessible from Highway 101. Alternative 1B incorporates a trail design to provide a new segment of the Coastal (De Anza) Trail across the property with linkage to future trail segments on either side. In addition, Alternative 1B includes a parallel spur trail along the south side of Highway 101 to connect the Coast Trail with a vertical access trail on the Las Varas Ranch project, leading to the beach.</p>