

ATTACHMENT 3: EIR REVISION LETTER DATED NOVEMBER 23, 2021



COUNTY OF SANTA BARBARA PLANNING AND DEVELOPMENT

MEMORANDUM

TO: Board of Supervisors

FROM: John Zorovich, Deputy Director, Planning & Development

STAFF CONTACT: Shannon Reese, Planner, (805) 934-6261

DATE: November 23, 2021

RE: Orcutt Key Site 18 (OASIS) Project
Final Environmental Impact Report
Revision Letter (supersedes previous revision letters)
SCH#2017041065

Project Case Nos. 14GPA-00000-00020, 16RMM-00000-00001, 16CUP-00000-00006, 16DVP-00000-00002, 16LLA-00000-00004, 17CUP-00000-00013, 18GOV-00000-00005

1.0 Introduction

The proposed project consists of the construction of a new, 15,661-square-foot Orcutt Area Seniors in Service (OASIS) facility, which includes a 14,069-square-foot main building and a 1,592-square-foot ancillary BBQ/crafts building. The project also includes the construction of a related access road, 143 parking spaces, landscaping, and private trails within the development area. The project includes associated development consisting of the construction of a section of the public multi-use Orcutt Creek Trail, and a request to modify the required number of parking spaces from 229 required spaces to 143 spaces.

The project site is approximately 5 acres and is located within the Orcutt Community Plan (OCP), identified as "Key Site 18/Southpoint" (KS 18). The OASIS property is comprised of two APNs (105-020-063, -064), which together are one legal lot. The OASIS property is part of an approximately 33-acre common open space lot (Lot 165), originally part of the original Southpoint Estates (SPE) subdivision. Project includes offsite components on APNs 105-020-041, 105-020-052, 105-020-053, and 105-020-060.

In addition to a Development Plan and Conditional Use Permits, the proposed OASIS development requires amendments to the General Plan, modifications to the Southpoint Estates Tract Map conditions of approval and recorded maps, and OASIS' acquisition of the property's

development rights previously deeded to the County as a part of the SPE subdivision. The project also includes a Lot Line Adjustment involving 0.12 acres. The project requests are proposed to allow the development and use of the OASIS Center on approximately five acres of Orcutt Community Plan Key Site 18.

An Environmental Impact Report (EIR) was completed for the project. The Draft EIR was circulated for public review from September 6 to October 21, 2019, and a public hearing to accept comments on the Draft EIR was held on October 3, 2019. In addition to comments relayed at the public hearing, 30 comments (letters and emails) were submitted during the public review period. The comments, responses to comments, and a summary of the October 3, 2019 hearing are included in OASIS EIR Section 9.0.

2.0 Requested Revision to FEIR

2.1. Proposed Project Revision

In September of 2021, after the Final EIR was released, the project applicant proposed changes to the trail system that deviated from the configurations analyzed in prior EIR Revision Letters (the backwards 'C' configurations on APNs 105-020-052 & 105-020-053). An additional trail/bikeway was proposed as part of the Development Plan on the adjacent parcel to the northwest, APN 105-020-060. The proposed alignment parallels the south side of Orcutt Creek. An unimproved perimeter road lies immediately to the north, between the trail alignment and the creek. OASIS proposes to construct a Class 1 Bikeway and trail in this location, and grant an easement to the County for those uses. See Figure 1 below.

Additionally, Impact REC-2 in the Final EIR identified that the proposed Orcutt Creek Trail including bikeway easement would be potentially infeasible and potentially inconsistent with the Orcutt Community Plan due to conflicts with existing recorded easements. The EIR identified Mitigation Measure REC-1, which required the existing access easements identified on a superseded OASIS site to plan be relinquished/terminated and/or relocated to another location to avoid conflicting with the proposed location of the Orcutt Creek Trail/Class I Bikeway easement. Both easements have since been quitclaimed, and the mitigation measure (Condition No. 41, Attachment 2a to the Board Agenda Letter dated November 23, 2021) has been updated to reflect this resolution.

Mitigation Measure REC-2 has been removed from the Conditions of Approval (Condition No. 42, Attachment 2a to the Board Agenda Letter dated November 23, 2021) because requirements for trail plan submittal, bonding, landscape/restoration plantings, and maintenance funding/responsibility are encompassed in other conditions of approval, including Condition Nos. 41 and 43 of Attachment 2a and Condition Nos. 7, 19, 21, 24 and 25 of Attachment 2c to the Board Agenda Letter dated November 23, 2021.

2.2 Environmental Analysis of the Proposed Project Revision

The project revisions addressed in this revision letter involve only the new trail/bikeway location visually depicted in red on APN 105-020-060 in Figure 1, and the revisions to Mitigation Measures Rec-1 and -2 discussed above. The proposed trail alignment is located on a parcel directly adjacent to the OASIS property. The project area for the proposed trail was included in the geological resources studied in the EIR. According to Figures 4.3-3 and 4.6-1 of the Final EIR, the composition of vegetation communities and soil types located on this adjacent parcel are similar to those located on the Oasis project site. As described in the Geological Resources Section of the EIR for the project, EIR Section 4.6, incorporated herein by reference, the geological analyses study area in OCP EIR Volume II included the OASIS property as well as all adjacent areas around the OASIS property that are located on Key Site 18, which includes APN 105-020-060.

A Supplemental Biological Resources Analysis was prepared by Storrer Environmental Services (October 2021, Attachment 3) to analyze potential impacts to biological resources that could result from construction of the multi-use trail extension onto APN 105-020-060. The proposed trail and bikeway alignment crosses annual brome grassland and no special status species were detected during the September 2021 field survey or in-season surveys completed for the Biological Assessment (SES 2016) in 2016. The proposed trail alignment is set back from the edge of the riparian canopy of Orcutt Creek a minimum of 50 feet, and confined largely to non-native vegetation. Removal of some coyote brush shrubs and a single coast live oak sapling of less than six inches diameter at breast height. The coyote brush does not constitute a species of special concern or protected habitat, and the oak sapling is not a mature tree. The analysis concludes that the extension of the public multi-use trail system as proposed would not result in significant impacts to biological resources with implementation of mitigation measures described in the Oasis Community Center FEIR. Further, the analysis concludes that annual brome grassland habitat that would be removed for construction of the trail does not support plant or animal species of special concern, and that the trail setback from existing riparian habitat associated with Orcutt Creek will provide an adequate buffer from the effects of trail construction and use.

Existing mitigation measures from the Final EIR apply to the proposed trail extension. For example, existing Mitigation Measure GEO-1 requires implementation of an erosion and sediment control plan and storm water pollution prevention plan and would ensure that storm water runoff is retained onsite and siltation/sedimentation impacts to Orcutt Creek are mitigated to a less than significant level. In addition, implementation of Biological Mitigation Measures and REC 1 identified in the Final EIR would reduce impacts biological sensitive species and fragmentation of open space areas to the maximum extent feasible. A list of specific mitigation measures from the Oasis Final EIR that would apply to the project is provided below.

- BIO-1 General Bio Protection
- BIO-2 Special Status Species Survey
- BIO-3 Worker Orientation

- BIO-4 Biological Monitor
- BIO-5 Tree Protection without a Tree Protection Plan
- BIO-6 Nesting Birds Preconstruction Surveys
- BIO-8 Habitat Setback
- BIO-9 Storm Water BMPs
- BIO-12 Habitat Restoration
- BIO-15 Trails
- BIO-16 Fence Design
- BIO-18 Fish and Wildlife
- GEO-1 Erosion and Sediment Control Plan
- GEO-2 (Slopes) Grading Plans

There are no new or additional resources that would be impacted by the proposed trail/bikeway, and therefore the trail/bikeway would not result in new significant impacts, would not require new mitigation measures to reduce impacts to less than significant levels and would not result in a substantial increase the severity of previously identified significant impacts. Further, the proposed project's impacts to biological and geologic resources would be substantially the same as the approved project. No additional mitigation measures are necessary.

Figure 1

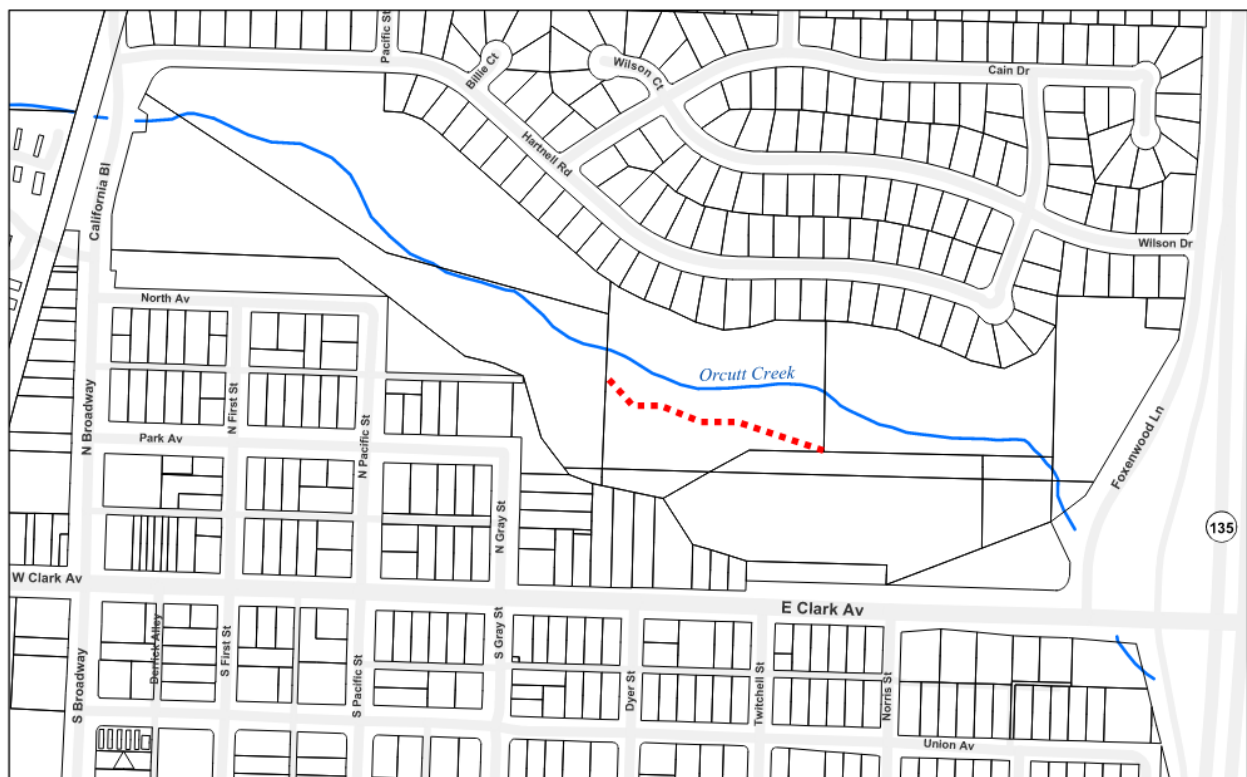


Figure 1: The red dashed line indicates the additional trail segment analyzed in this revision letter.

2.3 Other CEQA Issue Areas/Effects Found Not to be Significant

The Final SEIR determined that there is no substantial evidence the original project would cause or otherwise result in significant environmental effects in the following resource issue areas: Air Quality, Cultural Resources, Fire and Police Services, Geologic Processes, GHG/Climate Change, Noise, Water Resources. The conditions on the project site with respect to these issue areas would not change under the revised project such that new or previously unidentified significant impacts would occur. The additional trail segment for the revised project does not contain any significant agricultural land, hazardous materials sites, or existing recreational resources. Therefore, the revised project would also result in less than significant impacts to Air Quality, Cultural Resources, Fire and Police Services, Geologic Processes, GHG/Climate Change, Noise, and Water Resources, consistent with the Final SEIR.

3.0 Policy Consistency

The Final EIR includes an evaluation of the proposed Project’s consistency with applicable policies of the Santa Barbara County Comprehensive Plan. This evaluation concluded that Oasis proposed project would be potentially consistent with each of the identified policies. The additional trail segment does not create any new policy inconsistencies that were not analyzed in the policy consistency analysis in Section 6.2 of the Planning Commission staff report dated September 3, 2020, and updated in the table below:

<p>Policy PRT-O-4: <i>The County Park Department and other agencies or groups pursuing implementation of the trail system shall use the Orcutt Multiple Use Trails Plan and its Trail Siting and Design Guidelines to guide future trail development and implementation.</i></p> <p>Prog PRT-O-4.1: <i>Planning & Development and the County Park Department shall implement the Orcutt Multiple Use Trails Plan, including the Trail Siting Guidelines, by requiring, to the maximum extent feasible, development projects to dedicate, and where appropriate, construct designated trails. The County shall also pursue other methods to acquire and construct the trail system, including the use of grants and community volunteers.</i></p> <p>DevStd PRT-O-4.2: <i>Development shall comply with the Trail Siting Guidelines as set forth in the Orcutt Multiple Use Trails Plan.</i></p>	<p>Consistent: The project is consistent with the policies and development standards for trails. The project proposes to construct a segment of the proposed Class I Bikeway/Orcutt Creek Trail, between the west side of Foxenwood Lane near the project driveway entrance and the northwest corner of the OASIS property. Due to the site topography, a separated pedestrian path would be located south of the proposed driveway, and Class II bike lanes would be located within the paved access driveway (4’ bike lanes on each side of the driveway). Where the entrance driveway reaches OASIS’s eastern property line, the bikeway would cross the driveway and be located within a proposed 12-foot Class I Bikeway within a 25-foot wide multi-purpose trail easement, with the pedestrian component of the Orcutt Creek Trail proposed as two-foot shoulders on either side of the proposed 8-foot Class I Bikeway (the minimum allowed width). The route traverses along the</p>
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<p>DevStd PRT-O-4.3: <i>Development on sites with identified trail corridors (PRT-6 map) shall include, where appropriate, the construction and assurance of the fitness of designated trails for two years, at which time the County Park Department would assume maintenance responsibility. Where immediate construction is not required, a construction bond shall be required.</i></p> <p>Policy OS-O-5: <i>The County shall encourage public use of trails and recreation facilities within designated open space areas consistent with protection of natural resources. Such public trails and recreation facilities shall be sited and designed to reduce conflicts with adjacent private property through use of unobtrusive fencing, landscape screening, appropriate setbacks, signage, etc.</i></p>	<p>eastern and northern Oasis property line to the OASIS' western property line boundary, and then extends onto the adjacent parcel to the northwest, APN 105-020-060 (Knight) from that parcel's eastern to western property line. On the Knight parcel, a 12-foot Class I Bikeway is proposed within a minimum 12-foot wide multi-purpose trail easement, with the pedestrian component of the Orcutt Creek Trail proposed as two-foot shoulders on either side of the proposed 8-foot Class I Bikeway (the minimum allowed width).</p> <p>Conditions of approval have been included that would ensure restoration plantings and creek setback are consistent with the <i>Orcutt Multiple Use Trails Plan</i> and its Trail Siting and Design Guidelines, and that conflicts between the final location of the proposed trail and easements is adequately resolved. The project is also conditioned to ensure that the proposed plant palette is consistent with the Fire Department's vegetation fuel management requirements.</p> <p>Implementation of mitigation measures identified in Section 4.11 of the Final EIR would ensure feasibility of the OCP Class I Bike Path/Orcutt Creek Trail segment in a location that would be accessible to the public in the long-term. In order to minimize conflicts with adjacent property owners, the Class I bike-path/ trail has been sited on the Oasis property (along the Orcutt Creek corridor), immediately adjacent to the Oasis site within existing and proposed easements (Attachment 10 to the Board Agenda Letter for December 7, 2021, incorporated herein by reference).</p>
<p>DevStd BIO-O-5.3: <i>Multi-use trail construction should avoid removal of riparian vegetation to the maximum extent feasible. The Orcutt Creek multi-use trail shall be set back a minimum of 50 feet from the outside edge of riparian vegetation or the top-of-bank (whichever is further) unless this would make the multi-use trail link infeasible. Trail construction shall include riparian restoration between the edge of existing native vegetation and the bicycle path. Trail lighting should be directed</i></p>	<p>Consistent: The project is consistent with trail development standards because, with the exception of a short section of the multi-use trail/bikeway along the easternmost part of the improved access driveway, the trail/bikeway would be setback a minimum of 50 feet from the outside of riparian canopy. The section of the trail/bikeway along the proposed project driveway is located along an existing dirt road, consistent with DevStd BIO-O-5.4. This dirt road would be improved to</p>

<p><i>away from the creek.</i></p> <p>DevStd BIO-O-5.4: <i>Trails should follow existing dirt road and trail alignments and utilize existing bridges where feasible. Where this is not possible, prior to final trail alignment proposed trail routes should be surveyed and rerouted where necessary to avoid sensitive species, subject to final approval by P&D and the Park Department. All trails shall be sited and designed to avoid or minimize impacts to sensitive resources, areas of steep slopes and/or highly erosive/sandy soils, where feasible. Developers shall fund sign installation along certain trails (as identified in the Multi Use Trail Guidelines) providing educational and interpretive information and advising dog owners to keep their dogs out of sensitive habitats.</i></p>	<p>accommodate both the project driveway and the trail/bikeway.</p> <p>The additional Orcutt Creek Trail segment contemplated in this Revision Letter dated November 23, 2021, is set back from the edge of the riparian canopy of Orcutt Creek a minimum of 50 feet, and is located in an area with primarily non-native vegetation. Removal of some coyote brush shrubs and a single coast live oak sapling of less than six inches diameter at breast height. The coyote brush does not constitute a species of special concern or protected habitat, and the oak sapling is not a mature tree. The Supplemental Biological Resources Analysis (Attachment 3 to this Revision Letter, dated November 23, 2021) concludes that the extension of the public multi-use trail system as proposed would not result in significant impacts to biological resources with implementation of mitigation measures described in the Oasis Community Center FEIR. Further, the analysis concludes that annual brome grassland habitat that would be removed for construction of the trail does not support plant or animal species of special concern, and that the trail setback from existing riparian habitat associated with Orcutt Creek will provide an adequate buffer from the effects of trail construction and use. Therefore, the proposed new trail segment alignment has been designed to avoid sensitive species and resources.</p> <p>Additionally, existing Mitigation Measure GEO-1 would require implementation of an erosion and sediment control plan and storm water pollution prevention plan and would ensure that storm water runoff is retained onsite and siltation/sedimentation impacts to Orcutt Creek are mitigated to a less than significant level. In addition, implementation of Biological Mitigation Measures and REC 1 identified in the Final EIR would reduce impacts biological sensitive species and fragmentation of open space areas to the maximum extent feasible.</p>
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4.0 Mitigation Monitoring Program

The mitigation measures and mitigation monitoring program discussed in the Final EIR have been amended to include the additional trail/bikeway proposed as part of the Development Plan on the adjacent parcel to the east, APNs 105-020-052, -053, and all applicable mitigation measures will also apply to the Modified Project pursuant to the conditions of approval and the Mitigation Monitoring and Reporting Program, and would remain the same as the proposed Project.

5.0 Omitted Response to Comments – Ridolfi Letter

Staff omitted one EIR comment letter by Don and Lori Ridolfi, dated October 21, 2019 (Attachment 1). The Ridolfi EIR comment letter raised concerns on the following issues: timing of approvals, effects of special events, including noise, security, air quality, parking and economic viability. Staff provided a response to the comment letter (Attachment 2) and found that all of the issues raised in the Ridolfi comment letter were adequately addressed and/or mitigated in the Final EIR.

6.0 Conclusion

It is the finding of the Board of Supervisors that, based on revisions to the Final EIR as described above, impacts resulting from implementation of the OASIS Project would not otherwise result in a change in the levels of impact identified in the existing analysis contained in the Final EIR. As such, the revisions to that analysis incorporated into the EIR by this Revision Letter dated November 23, 2021, may be used to fulfill the environmental review requirements for the current project, and the information contained herein does not require recirculation pursuant to CEQA Guidelines Section 15088.5.

7.0 Attachments

- A. Comment letter, Don and Lori Ridolfi, October 21, 2019.
- B. Response to Ridolfi Comment Letter from County, September 4, 2020
- C. Supplemental Biological Resources Analysis – Oasis Meeting Facility/Senior Center Project (Orcutt Key Site 18), prepared by Storrer Environmental Services, October 11, 2021

Attachment A to Revision Letter

To: Planning & Development
Attn: Natasha Campbell
634 W. Foster Road
Santa Maria, CA 93455
ncampbell@co.santa-barbara.ca.us

From: Don & Lori Ridolfi
424 Hartnell Rd
Santa Maria CA 93455

Date: 21 October 19

Subject: Public Comment - OASIS Center Project – Draft EIR

FF-1 We have concerns regarding the OASIS Meeting Center Draft Environmental Impact Report (DEIR), dated September 2019. The DEIR is based on a best case optimistic evaluation of circumstances. As written, it is NOT an accurate, reliable and independent assessment of all relevant issues and impacts related to the proposed project. It contains inadequate mitigations. Described below are DEIR inadequacies and the Action needed to remedy the shortfall. Note: Our property borders the open space where the Oasis Center proposes to build.

FF-2 **One-Sided Consistency Analysis.** The consistency analysis discussion is one-sided and therefore incomplete. Table 4.8-2 Applicable General Plan / County Land Use and Development Code Preliminary Consistency Analysis only contains potentially consistent comments. An explanation of the inconsistencies is vital to understanding and evaluating if the proposed mitigations actually and adequately address the impacts.
ACTION: Table 4.8-2 must include a counterbalancing analysis of items that are potentially inconsistent.

FF-3 **Pending Approvals.** The pending Class I bikeway easement and driveway design standard exception decisions would drive significant redesign and/or plan adjustments if disapproved. The DEIR includes the following: 1) “Rec-1 Trail/Bikeway Location: The project development, including buildings, parking lot, landscaping, etc. shall be shifted/reoriented within the OASIS property to accommodate the Class I Bikeway/Orcutt Creek.”; 2) “TC-2 Transportation/Circulation. Driveway. The Owner/Applicant shall receive approval of exception from design standards for the proposed driveway.” and 3) “Impact TC-2 (Intersections): ... subject to approval of final roadway improvement plans. Therefore, the project would result in less than significant project specific traffic impacts.” Disapproval would also necessitate reassessment of multiple impact areas and potentially invalidate associated proposed mitigations upon which favorable approval depends. Disapproval of the driveway design standard exception would result in additional significant (Class I) specific traffic impacts.
ACTION: The EIR must not be published/approved until pending approval decisions are resolved. Update Mitigation TC-2 Plan Requirements to reflect “Prior to Planning Commission.” If the bikeway easement is disapproved, reassess/update applicable impacts/mitigations throughout the EIR.
ACTION: If the driveway design standard exception is disapproved: 1) Remove mitigation TC-2 (mentioned in multiple locations) and reassess/update applicable impacts/mitigations throughout the EIR. 2) Change Impact TC-2 to, “...the project would result in less than significant project specific traffic impacts (Class I).” and 3) Change the discussion of Transportation/Circulation (Section 4.12) Class II Impacts to a Class I impact discussion throughout the applicable EIR sections.

FF-4 **Maximum Attendance.** The proposed OASIS facility includes two buildings totaling approximately 15,333 square feet. Per the DEIR, “In response to neighborhood comments, the project description was revised to reduce the maximum allowed population onsite to 200 people including those working onsite, although the facility is designed to accommodate larger numbers of attendees. Although the physical improvements (structural development, parking areas) have not been reduced, the project description was revised to reduce maximum attendance levels to no more than 200 people (including workers onsite). This substantially reduces the number of people allowed at the OASIS facility at any given time, compared to the original project description, which allowed for 300-person events, plus 12 much larger events per year (e.g., concerts “in the park”, harvest festivals, etc.)” Multiple impacts and mitigations rely on the 200 person maximum attendance limit. As a condition of approval, future requests for increased attendance limits must be prohibited otherwise impacts/mitigations which rely on the 200 person maximum attendance limit are invalidated. It would also circumvent the response to neighborhood comments. **ACTION:** The EIR must stipulate, as a condition of approval, that future requests for increased attendance limits must be prohibited. (This must also be coupled with a requirement for facility size redesign/reduction to match the 200 person maximum limits). Without this action, reassess/update applicable impacts/mitigations throughout the EIR using the original 300 person limits.

FF-5 **Facility Size.** The new facility (15,333 ft) is approximately 5 times larger than the original facility (~3000 ft). As discussed under Maximum Attendance above, the facility is much larger than needed based on 200 person maximum attendance. The larger facility sets the stage for/makes possible a future request to increase maximum attendance which would invalidate mitigations which rely on the 200 person maximum attendance limit as well as circumvent response to neighborhood comments. A facility redesign to a size appropriate for the 200 person maximum attendance would prevent expansion beyond the 200 person maximum attendance limits evaluated in this EIR. This must be a condition of approval. **ACTION:** The EIR must stipulate, as a condition of approval, that the facility must be redesigned to reduce the size such that it is no bigger than needed to support the proposed 200 person maximum attendance. Without this action, reassess/update applicable impacts/mitigations throughout the EIR using the original 300 person limits.

FF-6 **Attendance limits.** Without controlled access (such as at a stadium) there is no safe, effective way to monitor and enforce attendance limits. Mitigations which rely on attendance limits are effectively invalidated since, without effective monitoring and enforcement (coupled with a larger than needed facility), attendance could easily exceed mitigated limits. This also puts the burden on the community to prove the attendance limits were exceeded. Given the significance of attendance limits in the proposed mitigations, the project needs a feasible method to monitor and enforce attendance limits during all activity (OASIS & non-OASIS). **ACTION:** The EIR must stipulate, as a condition of approval, that the applicant must provide a feasible method to monitor and enforce attendance limits during all activity (OASIS & non-OASIS). Without this action, characterize mitigations which rely attendance limits as invalid and reassess/update applicable impacts/mitigations throughout the EIR which rely on attendance limits.

FF-7 **Noise limits.** The proposed mitigations (NS-3 Special Noise Limiters, NS-4 Special Amplification and NS-7 Noise Contact) are insufficient to proactively prevent violations of noise limitations. This subjects the community (sensitive receptors) to potential repeated violations and inevitable delay/wait for resolution of complaints. See below.

FF-8 **Mitigation NS-3 Special Noise Limiters.** The proposed mitigation does not prevent noise violations and has no impact on unamplified noise. The DEIR states, “...many musical instruments and combinations of instruments (e.g., in rock, jazz, or mariachi bands) normally exceed the assumed 80.5 dBA noise level in the 1-hour averaged noise projections individually,

even without amplification...” The mitigation proposes, “For non-amplified music which exceeds this noise level, the music shall be performed indoors unless measures can be implemented that effectively limit the sound level of the music to no more than 80.5 dBA.” There is however no mechanism proposed to ensure unamplified outdoor activity including music (or any noise) doesn’t exceed noise limits.

ACTION: Mitigation NS-3 Special Noise Limiters. Restrict amplification of all outdoor activity (remove the exception for OASIS activity) and do not allow noisy outdoor activities, including loud acoustic music (e.g., bagpipes, horns, drums, etc.). Without this action, rate Noise as a Class I impact.

FF-9 **Mitigation NS-4 Special Amplification.** The DIER noise analysis section (based on the project description) states, “Amplification for OASIS activities, including for the spoken voice (e.g., instructor for outdoor exercise classes, DJ for a party, speaker at a celebration of life) and for instrumental or recorded music, would be permitted indoors and outdoors.” The mitigation’s proposed limits for “Amplification (e.g., voice, music, bullhorns, etc.) and loud acoustic music (e.g., bagpipes, horns, drums, etc.)” based on length of activity (“Maximum of three hours per day”) or time of day (“Sunday through Thursday, limited to the hours of 10:00 AM to 7:00 PM ... Friday and Saturday, limited to the hours of 10:00 AM to 9:00 PM”) do nothing to actually prevent noise violations.

ACTION: Mitigation NS-4 Special Amplification. Restrict amplification of all outdoor activity (remove the exception for OASIS activity) and do not allow noisy outdoor activities, including loud acoustic music (e.g., bagpipes, horns, drums, etc.). Without this action, rate Noise as a Class I impact.

FF-10 **Mitigation NS-7 Noise Contact:** This mitigation is reactive. There is no criteria for what constitutes promptly. The mitigation requires availability during rental activities but these violations could occur any time. Other than hours of operation violations (which should be readily apparent), there is no mechanism to measure noise levels or attendance numbers. Noise complaints are problematic for both parties. The noise makers may believe they are in compliance when sensitive receptors complain of excess noise. The noise contact may ask for proof of violation (noise or attendance) and the sensitive receptors would be unable to do so creating an unresolvable and therefore un-mitigatable conflict. In discussion with law enforcement, noise complaints are an unenforceable nuisance for the aforementioned reasons.

ACTION: Mitigation NS-7 Noise Contact. Change mitigation language to “The OASIS noise contact shall be available during ~~rental~~ all activities...” Define promptly as “within 15 minutes of notification” and change mitigation language to “...promptly (within 15 minutes of notification) address neighbor complaints and to ensure activities are consistent with identified noise mitigation...” Without this action, rate Noise as a Class I impact.

ACTION: The EIR must require the applicant to implement feasible, reliable and effective methods of measuring compliance with noise and attendance limits. Without this action, rate Noise as a Class I impact.

FF-11 **Noise Monitoring.** Per the project description, “All OASIS programs would comply with Santa Barbara County regulations, including the requirement that noise (from indoor or outdoor activities) would not result in noise levels of 60 dBA at the OASIS property line.” Compliance with noise limits in the DEIR relies on subjective assessment of the noise heard by sensitive

receptors. Without objective measuring devices at multiple locations on the border of the property, there is no effective way to monitor and enforce noise limits. Lack of objective monitoring puts the burden of proof on the community (sensitive receptors) to prove limits were exceeded. Without proactive monitoring, the community has to wait for a complaint/response to address the nuisance.

ACTION: The EIR must include the following requirements for noise monitoring. It must be real-time and include multiple sensors bordering the project at key points affecting sensitive receptors. The data (including date, time, location and sound level at each sensor indicating acceptable and highlighting unacceptable levels) must be tracked, stored and accessible to the public via internet to provide transparency and accountability. Without this action, rate Noise as a Class I impact.

FF-12 Air Quality. “Mitigation AQ-1 Special – Gas Fireplace/BBQ: Barbeques, fire pits, fireplaces, etc. shall be gas fired ...” is required to mitigate Impacts AQ-3, AQ-4 and Cumulative Air Quality to less than significant levels. This restriction is not specified for portable/transportable barbeques, fire pits, fireplaces, etc. (e.g. wood fired trailers used for Santa Maria BBQ prep).
ACTION: The EIR must specify a restriction for all activity (Rental agreement language for events/rentals shall include the requirement) that Barbeques, fire pits, fireplaces, etc. shall only be gas fired. Without this action, rate Air Quality (Impacts AQ-3, AQ-4 and Cumulative Air Quality) as a Class I impact.

FF-13 After-Hours Security. The site’s physical characters raise security concerns that demand an after-hours security plan. Per the DEIR, 1) “The OASIS portion of KS18 is less visible from some vantage points in the surrounding area, due to existing vegetation and off-site structures, and the OASIS site’s lower elevation.” and 2) “Due to the site’s elevation in the valley along Orcutt Creek, the property sits well below the elevation of surrounding developed properties and public roadways.” These physical characteristics along with lighting mitigations are likely to mask the presence of people on site when the facility is vacant. Without effective after-hours security, these conditions have the potential to invite unwanted/undesirable activity (e.g. trespassing, graffiti, drinking, crime, illegal drug use, etc.). The security plan must not burden the overtaxed Santa Barbara County Sheriff’s Office (SBSO). It must include an appropriate and sufficient combination of monitoring, on site presence, patrols etc. and be evaluated and approved by the SBSO or other competent authority.

ACTION: The EIR must stipulate, as a condition of approval, that the applicant must provide feasible, reliable and effective after-hours security which does not burden the SBSO and includes an appropriate and sufficient combination of monitoring, on site presence, patrols etc. and be evaluated and approved by the SBSO or other competent authority. Without this action, rate Police Services as a Class I impact.

FF-14 Security/Traffic Control. Per the SBSO, “A specific concern is that any large event at the OASIS site, whether it includes alcohol or not, that doesn’t have sufficient private/contracted security and appropriate traffic mitigation might severely impact the SBSO’s ability to respond to and administer to the rest of the community.” Given this comment, the security/traffic control mitigation (FP-1 Special- Event Contractor) is inadequate as written. The mitigation states, 1) “A contract for private security/traffic control shall be required for non-OASIS activities involving more than 100 people onsite.” 2) “For OASIS activities, OASIS shall provide adequate

security/traffic control themselves or may contract for this service.” and 3) “For OASIS activities involving more than 100 people onsite, OASIS shall coordinate with the SBSO to determine whether a SBSO permit and private security/traffic control will be needed.” The requirements for OASIS are insufficient and unacceptable because OASIS does not have sufficient staff (5 people) nor have they identified other available personnel capable of providing adequate security/traffic control. Therefore, the requirement for contract or private security/traffic control for events involving more than 100 people onsite must also apply to OASIS. Per the DEIR, “OASIS proposes that the 200-person maximum attendance restriction that is identified for special events also apply to regular activities onsite.” Since that attendance could occur anytime, the applicant must submit a plan to handle security/traffic control (via contract, dedicated staff or other qualified personnel) on a daily basis rather than burdening the SBSO to evaluate each activity. (By definition, OASIS would need to do this for lunch and daily given their 200 person anytime attendance.) It follows that if events over 100 people require security/traffic control and the daily anytime use allowed is 200 people, then logically the OASIS security/traffic control must be required for all “regular activities onsite”, especially since any event or combination of events including lunch (133 estimated attendees) could exceed 100 people.

ACTION: The EIR must stipulate, as a condition of approval, that the applicant must provide security/traffic control at all OASIS “regular activities onsite” Modify mitigation FP-1 to include this requirement as well as the requirement for contract or private security/traffic control at OASIS activities involving more than 100 people onsite. Without this action, rate Police Services as a Class I impact.

FF-15

Parking limits. The project description states that weekend/evening “Parking [will be] limited to onsite parking” It is an optimistic assumption that limiting events to onsite parking will prevent unsafe overflow offsite and into adjacent neighborhoods or limit attendance to the 200 person anytime limit. The proposed parking plan utilizes a parking study analysis that determined sufficient parking existed on site to preclude unsafe overflow parking off site or “spillover effects on the surrounding neighborhood.” This analysis is used to justify having only 155 parking spaces when the County Land Use and Development Code (LUDC) requires 228 on-site parking spaces (Impact TC-6). This analysis also depends on the 200 person limit being followed (though no method of monitoring and enforcement is proposed). The analysis does not preclude the occurrence of the significant impact and there is no mitigation proposed. It does not account for individuals who choose to park on the street or in adjacent neighborhoods when adequate parking exists. It is also optimistic and unrealistic to assume people will not be inclined to try to avoid the bottleneck of a single entrance close to a corner with known/acknowledged traffic issues. People choosing to park on the street cannot be precluded by an analysis and therefore must be rated significant. If the analysis is wrong then the overtaxed SBSO is burdened with enforcement and/or the community suffers with unsafe conditions. Having security/traffic control at all events (OASIS and Non-OASIS) should help mitigate unsafe offsite parking but likely not help with overflow into adjacent neighborhoods. There must also be a person to contact regarding parking violations similar to the mitigation NS-7 Noise Contact.

ACTION: The EIR must, as a condition of approval, require the applicant (Rental agreement language for events/rentals shall include the requirement) to have security/traffic control at all (OASIS and Non-OASIS) events and a person to contact regarding parking violations. Without this action, rate Impact TC-6 as a Class I impact.

FF-16 Alternatives. The CEQA Guidelines state that an “EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives.” The DEIR must state that alternatives #2 and 3 meet this criteria and are therefore also superior to the proposed project. While this could be discerned from Table 7-1 Project Alternatives – Impact Classification and Comparison with Proposed Project Impacts, stating it makes it easier for everyone involved (the public, decision makers etc.) to notice and consider when evaluating the alternatives.

ACTION: The EIR must state that alternative #2 (Existing OASIS Location/KS17) and alternative #3 (AquaCenter) also avoid all of the proposed project’s significant and unavoidable (Class I) impacts and are therefore also superior to the proposed project.

FF-17 Economic Viability. The DEIR does not assess the economic viability of the project. In defining feasibility of alternatives, the *CEQA Guidelines* state that “among the factors that may be taken into account when addressing the feasibility of alternatives are ... economic viability ...” Without an economic viability analysis, comparison of potential alternatives is incomplete. The DEIR must assess the impacts of the project and mitigations to determine if is too expensive to build and operate as proposed. **ACTION:** The EIR must include an economic assessment of the proposed project and mitigations. Without this action, rate Economic Viability as a Class I impact.

We look forward to your responses to our concerns.

//signed//
Don & Lori Ridolfi

Attachment B to Revision Letter

“FF” Don and Lori Ridolfi Letter 10/21/19

- FF-1** This comment identifies concern with the accuracy, adequacy and independent assessment of project impacts and mitigation. The comment also identifies the commenters’ residence bordering the open space. No additional response is required.
- FF-2** The policy consistency table identifies whether Planning and Development (P&D) considers the project to be potentially consistent or potentially inconsistent with applicable General Plan policies and development standards. The discussion and conclusions reflect P&D’s determinations and direction regarding the project’s consistency with the identified policies and development standards. P&D determined the project is consistent with all applicable General Plan policies and development standards, subject to the Board of Supervisors approving the four amendments that OASIS is proposing to the Orcutt Community Plan:
- DevStd KS18-1;
 - Open Space Area Map;
 - Parks, Recreation and Trails Map; and
 - Bikeways Map
- FF-3** This comment addresses a revised trail alignment and the driveway design exception. The mitigation timing for the design exception is changed in the Final EIR to prior to Planning Commission. In addition, the Design Exception was approved. The letter addressing the approved design exception (dated May 27, 2020) is included in Appendix D-12 of the Final EIR, available for review/download online from the OASIS project webpage www.countyofsb.org/pln/dev/projects/oasiscenter.sbc. The driveway will continue to include striped bike lanes in each direction (Class II bikeway within the approximately 300-foot section of driveway). Impact REC-2 and Mitigation Measure REC-1 have been revised to reflect revised plans for trail/bikeway easements. In addition to the updated impact discussion and mitigation language in the Final EIR, the revised plans will be included in the project staff report, so they will be available for public comment and for decision-maker consideration.
- FF-4** This comment questions feasibility of the 200-person maximum attendance onsite given structural development designed to the original project operation parameters for higher attendance. While P&D cannot limit the applicant’s ability to request a modification to an approved permit, any future requests to increase attendance would be subject to a separate discretionary review process including additional environmental review.
- FF-5** This comment recommends the project be conditioned to reduce the size of the facility, as the structural development was designed to accommodate higher attendance levels. P&D considered this comment and determined that a condition of approval that requires a reduction in the size of the proposed structures is not needed to ensure enforcement of the maximum attendance cap.
- FF-6** The comment requests that the applicant must provide a feasible method to monitor and enforce attendance limits during all activities. The project description limits attendance to 200 people. Exceedance of 200 people for an event would be a violation of permit conditions and would be subject to enforcement.

FF-7 In coordination with David Lord, who prepared the acoustical analysis for the project, P&D has determined that EIR noise mitigation measures, including required use of noise limiter on amplified instruments, would feasibly address excess noise issues. The noise limiter in particular will cut off amplification if noise levels are exceeded.

FF-8 This comment addresses loud acoustic music (bagpipes, drums, horns, etc.) which are not restricted to indoor areas. All noise-generating activity (either indoors or outdoors, OASIS related or not) is subject to Santa Barbara County regulations, including the requirement that noise would not result in levels of 60 dBA at the OASIS property line.

FF-9 This comment recommends that all loud activities be restricted to indoor areas. Planning and Development has determined that EIR MM# NS-4 is adequate to reduce noise impacts to adverse, but less than significant levels.

FF-10

This comment recommends a need to promptly address neighbor complaints of excessive noise. Planning and Development recommends that the following language be included, underlined. The staff report and EIR have been finalized. Staff will prepare a memo to the Planning Commission to recommend this change, underlined below:

NS-7 Noise Contact: OASIS shall identify a contact person to promptly respond to noise complaints, hours of operation and attendee numbers. **PLAN REQUIREMENTS AND TIMING:** OASIS shall designate a contact person to facilitate resolution of potential complaints involving noise levels, number of attendees (larger attendance increases noise levels) and hours of use (if activities extend past dusk outdoors and past 9:00 PM indoors). The contact information shall be listed in a prominent location on the OASIS website. The OASIS noise contact shall be available during rental activities to promptly within 15 minutes of notification address neighbor complaints and to ensure activities are consistent with identified noise mitigation, including use of noise limiters, door/window closures, hours of operation, etc. **MONITORING:** P&D shall confirm that a contact to address noise issues is included on the OASIS website and in a hand-out prior to zoning clearance. The hand-out shall be made available upon request to interested members of the public with noise concerns.

FF-11 This comment recommends installation/operation of multiple sensors bordering the project at key points affecting sensitive receptors and requirement that the data (including date, time, location and sound level at each sensor indicating acceptable and highlighting unacceptable levels) must be tracked, stored and accessible to the public via internet to provide transparency and accountability. Planning and Development has determined that existing EIR mitigation is adequate and that the measures recommended in this comment are not necessary to reduce noise impacts to less than significant levels.

FF-12 This comment recommends that Barbeques, fire pits, fireplaces, etc., shall only be gas fired. The comment states that this is required to mitigate Impacts AQ-3, AQ-4 and Cumulative Air quality to less than significant levels. The final comment letter from Santa Barbara County Air Pollution Control District dated May 26, 2020 does not identify an impact or suggest conditions to mitigate particulates, smoke or odor from these sources.

With the exception of the on-site permanent Barbeque, all wood fired, mobile or permanent fire pits, fireplaces, etc., shall be prohibited. Staff acknowledges that the wood-fueled

Barbeque may have the potential to create an odor nuisance. MM# AQ-3, Odor Abatement Plan is in place to address this concern and to mitigate this issue.

FF-13 The EIR incorporates the mitigation recommended by Santa Barbara County Sheriff's Office (SBSO). Therefore, this impact is identified as a Class II impact.

FF-14 Planning and Development defers to SBSO for safety issues. See Response to Comment FF-13.

FF-15 See Response to Comments FF-13 and FF-14.

FF-16 CEQA requires identification of the Environmentally Superior Alternative. In addition, referenced Table 7-1 as well as the discussion of each project alternative compare the impacts of each alternative with the proposed project.

FF-17 The reference to economic viability was considered in identifying the various project alternatives. The alternatives in the EIR were included as these alternatives appeared to be potentially feasible when the EIR was prepared. The CEQA findings in the staff report include additional information provided by the applicant regarding the economic feasibility of some of the project alternatives.

Attachment C to Revision Letter



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Jeff Wilson
Assistant Director
County of Santa Barbara
Planning & Development Department
123 E. Anapamu Street
Santa Barbara, CA 93101

October 11, 2021

Re: Supplemental Biological Resources Analysis – Oasis Meeting Facility/Senior Center Project (Orcutt Key Site 18)

Mr. Wilson:

This correspondence (Report) is a supplemental analysis of potential impacts to biological resources that could result from construction of a multi-use trail in association with the referenced project. The trail extension was not considered in the Final Environmental Impact Report (FEIR) prepared by the County (County 2020). The property is designated “Key Site 18” in the Orcutt Community Plan (County 2004) and is subject to the land use policies and guidelines contained therein.

Project Description

The proposed extension is part of the public “Orcutt Creek Trail” that connects with an existing trail segment on the adjacent property to the west (see attached figure). The trail extension is approximately 600 feet in length and 25 feet in width. It is set back from the edge of the riparian canopy of Orcutt Creek by at least 50 feet.

Method

In considering the possible effects of the trail extension, both the FEIR and Biological Assessment (SES 2016) prepared in support of the environmental document were reviewed. These provided both content and context relevant to the supplemental analysis. A field survey of the proposed trail alignment was conducted on September 21, 2021.

Results

The proposed alignment parallels the south side of Orcutt Creek. An unimproved perimeter road lies immediately to the north, between the trail alignment and the creek. This presumably provides access to the main trunk sewer line operated by Laguna County Sanitation District, which follows the south bank of the creek.

Vegetation on the trail alignment consists of primarily of annual brome grassland, as mapped and described in the Biological Assessment (SES 2016). This habitat is dominated by ripgut brome (*Bromus diandrus*) and wild oats (*Avena barbata*, *A. fatua*), with common occurrences of black mustard (*Brassica nigra*), filaree (*Erodium moschatum*, *E. botrys*, *E. cicutarium*), telegraph weed (*Heterotheca grandiflora*), turkey mullein (*Croton setigerus*), hairy vetch (*Vicia villosa* ssp. *villosa*), and arroyo lupine (*Lupinus succulentus*). A few mature coyote brush (*Baccharis pilularis*) shrubs are within the proposed trail easement (see attached figure). A single, multi-trunked coast live oak (*Quercus agrifolia*) sapling is adjacent to the proposed easement. The tree is approximately 4 inches in diameter-at-breast height (DBH).

Discussion

The proposed alignment crosses annual brome grassland. This plant community is dominated by introduced annual grasses and forbs, as described above. The field has more than likely been cultivated historically. Conditions along the alignment are as described in the Biological Assessment prepared for the project (SES 2016). The field survey was conducted in fall, when detection of most annual plant species is difficult, if not impossible. However, in-season surveys of the project site were completed for the Biological Assessment (SES 2016) and no special status plant species were found.

The following mitigation measures in the FEIR for the Oasis Community Project (County 2020) are applicable to the proposed trail extension:

BIO-1 General Bio Protection

BIO-2 Special Status Species Survey

BIO-3 Worker Orientation

BIO-4 Biological Monitor

BIO-5 Tree Protection without a Tree Protection Plan

BIO-6 Nesting Birds Preconstruction Surveys

BIO-8 Habitat Setback

BIO-9 Storm Water BMPs

BIO-15 Trails

The proposed trail alignment is set back from the edge of the riparian canopy of Orcutt Creek a minimum of 50 feet. The trail alignment is confined largely to non-native vegetation. There are a few coyote brush shrubs that would be removed. This is not a plant species of special concern, nor is it a protected habitat. The single coast live oak sapling appears to be outside (south) of the 25-foot trail as proposed. The tree is less than six inches

in DBH and does not meet the definition of “mature tree” as defined in the Comprehensive Plan Conservation Element Oak Tree Protection in the Inland Rural Areas of Santa Barbara County, Development Standard 1 (2009).

Conclusion

Extension of the public multi-use trail system as proposed would not result in significant impacts to biological resources, with implementation of mitigation measures described in the Oasis Community Center FEIR (County 2020). The annual brome grassland habitat that would be removed for construction of the trail does not support plant or animal species of special concern. The trail alignment is setback a minimum of 50 feet from the riparian habitat associated with Orcutt Creek. This will provide an adequate buffer from the effects of trail construction and use.

References

County of Santa Barbara Department of Planning and Development Division (County P&D). 2004. Orcutt Community Plan. Amended October 2004.

County of Santa Barbara Planning and Development Department (County P&D). 2009. Santa Barbara County Comprehensive Plan Conservation Element Oak Tree Protection in the Inland Rural Areas of Santa Barbara County. Adopted 2003. Republished May 2009.

County of Santa Barbara. 2020. Final Environmental Impact Report for the Oasis Community Center Project – 15EIR-00000-00003; SCH# 2017041065. August.

Storrer Environmental Services, LLC. 2016. Biological Resources Assessment for the Oasis Meeting Facility/Senior Center, Orcutt, Santa Barbara County, California. Prepared for the Santa Barbara County Planning and Development Department. November.

Please call me if you have any questions concerning the content or conclusion of the Report.

Sincerely,



John Storrer
Storrer Environmental Services, LLC

attachment: figure showing proposed trail extension

cc: John Zorovich, SB Co Planning & Development Department



2.5' WIDE CONC. TRAIL
EXHIBIT LOCATION

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N Gay St

Palmer Ave

Hawthorne Rd

Wilson St