

Attachment-8:

Planning Commission Staff Report, dated February 21, 2013

SANTA BARBARA COUNTY PLANNING COMMISSION
Paradiso del Mare Ocean and Inland Estates Coastal Zone Staff Report

Hearing Date: March 20, 2013

Staff Report Date: February 21, 2013

**Case No.: 06CDH-00000-00038, 06CDH-00000-00039,
07CUP-00000-00065, 09CDP-00000-00045**

10CUP-00000-00039, 10CDP-00000-00094

Environmental Document: 09EIR-00000-00003

Deputy Director: Alice McCurdy

Division: Development Review

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VICINITY MAP



This site is identified as Assessor Parcel Numbers 079-200-004 and 079-200-008, located south of Highway 101 approximately one mile west of the City of Goleta in the Gaviota area, Third Supervisorial District

Application Complete: September 19, 2011

Processing Deadline: 180 days from certification of EIR

1.0 REQUEST

Hearing on the request of Brooks Street to consider the following:

Case No. 06CDH-00000-00038, [application filed on July 27, 2006; REVISED September 19, 2011] for a Coastal Development Permit in compliance with Section 35-169 of the Article II Coastal Zoning Ordinance, on property zoned AG-II-100 (APN: 079-200-004, known as the

ocean lot) to allow construction of a 5,806 square foot residence with an attached 1,421 square foot garage/mechanical space, a detached 800 square foot guesthouse, 651 square foot guesthouse garage and pool;

Case No. 06CDH-00000-00039, [application filed on July 28, 2006; REVISED September 19, 2011] for a Coastal Development Permit in compliance with Section 35-169 of the Article II Coastal Zoning Ordinance, on property zoned AG-II-100 (APN: 079-200-008, known as the inland lot) to allow construction of a residence 7,326 (gross) square feet in size with an attached 1,837 square foot basement and garage/mechanical space, a detached 800 square foot guesthouse and pool;

Case No. 07CUP-00000-00065, [application filed on August 9, 2007] for a Minor Conditional Use Permit in compliance with Section 35-172 of the Article II Coastal Zoning Ordinance, on property zoned AG-II-100; to allow construction of two water lines, an 8-10 inch potable line and a 4 inch reclaimed line, that would extend west from an existing Goleta Water District water line located near the Bacara Resort, to APN 079-200-004 (the Ocean Estate) and APN 079-200-008 (the Inland Estate). The water line would cross the adjacent parcel, APN 079-200-005, situated between the Bacara Resort and the project site, through a proposed utility corridor that would be 20 feet in width. The water line would be privately owned and sized to only accommodate the proposed residential and agricultural development on the Ocean and Inland Estates. The extended water line to serve the Ocean and Inland Estates would measure approximately 7,500 feet in length;

Case No. 09CDP-00000-00045, [application filed on July 21, 2009] for a Coastal Development Permit in compliance with to 35-169 of the Article II Coastal Zoning Ordinance, on property zoned AG-II-100; allow construction of two water lines, an 8-10 inch potable line and a 4 inch reclaimed line, that would extend west from an existing Goleta Water District water line located near the Bacara Resort, to APN 079-200-004 (the Ocean Estate) and APN 079-200-008 (the Inland Estate). The water line would cross the adjacent parcel, APN 079-200-005, situated between the Bacara Resort and the project site, through a proposed utility corridor that would be 20 feet in width. The water line would be privately owned and sized to accommodate the proposed residential and agricultural development on the Ocean and Inland Estates. The extended water line to serve the Ocean and Inland Estates would measure approximately 7,500 feet in length;

Case No. 10CUP-00000-00039, [application filed on November 12, 2010] for a Major Conditional Use Permit in compliance with Section 35-172 of the Article II Coastal Zoning Ordinance, on property zoned AG-II-100; to allow construction of a portion of the Coastal Trail across APN 079-200-004 (the Ocean Estate). The constructed portion of the Coastal Trail would measure approximately 1,600 feet in length;

Case No. 10CDP-00000-00094, [application filed on November 12, 2010] for a Coastal Development Permit in compliance with to 35-169 of the Article II Coastal Zoning Ordinance, on property zoned AG-II-100; allow construction of a portion of the Coastal Trail across APN

079-200-004 (the Ocean Estate). The constructed portion of the Coastal Trail would measure approximately 1,600 feet in length;

and to certify the Environmental Impact Report (09EIR-00000-00003, Revised February 2013) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. The proposed project includes public access and open space dedications. A complete project description is provided in Section 5.3 of this report.

As a result of this project, significant unavoidable effects on the environment are anticipated in the following categories: Aesthetics (cumulative) and Cultural Resources (direct and cumulative). The EIR and all documents referenced therein may be reviewed at the Planning and Development Department, 123 E. Anapamu St., Santa Barbara. The EIR is also available for review at the Central Branch of the City of Santa Barbara Library, 40 E. Anapamu St., Santa Barbara and on the County of Santa Barbara Planning and Development website at <http://www.sbcountyplanning.org>. The applications involve AP No's. 079-200-004, 079-200-005, and 079-200-008, located south of Highway 101 approximately one mile west of the City of Goleta in the Gaviota area, Third Supervisorial District.

2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below and conditionally approve Case Numbers 06CDH-00000-00038, 06CDH-00000-00039, 09CDP-00000-00045, 07CUP-00000-00065, and 10CUP-00000-00039, 10CDP-00000-00094 marked "Officially Accepted, County of Santa Barbara (March 20, 2013) Planning Commission Attachment's G-H," based upon the project's consistency with the Comprehensive Plan, including the Coastal Land Use Plan, and based on the ability to make the required findings.

Your Commission's motion should include the following:

1. Make the required findings for approval of the project specified in Attachment-A of this staff report, including CEQA findings;
2. Certify the Environmental Impact Report (09EIR-00000-00003, EIR Executive Summary included as Attachment-C) and adopt the mitigation monitoring program contained in the conditions of approval; and,
3. Approve the project, Case Numbers 06CDH-00000-00038, 06CDH-00000-00039, 09CDP-00000-00045, 07CUP-00000-00065, 10CUP-00000-00039, and 10CDP-00000-00094 subject to the conditions included as Attachment-B.

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

3.0 JURISDICTION

Pursuant to Article II, Section 35-169.4.2.c., the decision-maker for the Coastal Development Permits with Hearings is the Zoning Administrator. However, the decision-maker for the Major Conditional Use Permit for construction of the trail is the Planning Commission pursuant to Article II, Section 35-172.3.1, which states: *“The Zoning Administrator shall have jurisdiction for all Minor Conditional Use Permits and the Planning Commission shall have jurisdiction for all Major Conditional Use Permits.”* Pursuant to Article II, Section 35-144B., *“when two or more applications are submitted that relate to the same development project and the individual applications would be under the separate jurisdiction of more than one decision-maker, all applications for the project shall be under the jurisdiction of the decision-maker with the highest jurisdiction”*. In the instant case, therefore, the decision-maker for the project is the Planning Commission. In reference to Coastal Development Permits processed in conjunction with a Conditional Use Permit (as is the case with the proposed project) Article II, Section 35-169.4 3.b, states, *“The decision-maker for the Conditional Use Permit or Final Development Plan as applicable shall be the decision-maker for the Coastal Development Permit.”* Therefore, because the Coastal Development Permits are being processed in conjunction with the Conditional Use Permit, the decision-maker for the Coastal Development Permits is also the Planning Commission.

4.0 ISSUE SUMMARY

The project site located on the Gaviota Coast and is bordered by US Highway 101 on the north, and by the Pacific Ocean on the south. Oil and gas production and storage occurred on the site beginning in the 1940's and continued until the early 1990's when ARCO submitted an application for development of a public golf course (ARCO Dos Pueblos Golf Links). This project was approved by the County, ultimately denied by the Coastal Commission, and subsequently litigated. This litigation resulted in a “Standstill and Settlement Agreement,” which provided for the current application and for reservation of the right to reactivate the Golf Links project. Please refer to Section 5.4 (Background Information) for additional background details.

On July 28, 2006, the property owner submitted Coastal Development Permit (CDH) applications for two single family dwellings with guest houses. That project was analyzed under a Draft Environmental Impact Report (DEIR) 09EIR-00000-00003 which was published in September 2009 and circulated for public comment. Subsequently, in response to public comment, the applicant modified the project design to relocate the development on the lots to the currently proposed locations and to add the proposed public access and open space dedications to the project. The site placement and orientation of the proposed project components was driven by the environmental review process. Key factors considered included visual resource impacts and constraints presented by biological resources, cultural resources, hazardous materials and geologic features.

The currently proposed project (described in detail in Section 5.3) includes the development of two residences with guesthouses and appurtenant structures, an access driveway and bridge, extension of Goleta Water District water lines to serve the proposed residences, dedications for

public access easements and construction of a portion of the coastal trail, an open space conservation area, and on-site habitat restoration.

Aesthetics

The proposed structures have been clustered on the western end of the property and have been designed to protect public blue-water views from Highway 101. In addition, the majority of the site would remain in a 91-acre open space conservation easement; the project includes 23.56 acres of proposed habitat restoration; structures are of a low-slung design with colors and materials designed to blend with the surrounding landscaping; and future design refinement would occur through review by the Central Board of Architectural Review. Please refer to Section 6.1 (Environmental Review) for a discussion of potential aesthetic impacts.

Agriculture

The lots were farmed and grazed for a number of seasons in the 19th and early 20th centuries in association with the larger Dos Pueblos Ranch. The project site is zoned AG-II-100 (Agriculture) however, it is not currently under agricultural production and is not independently considered viable for agriculture given the size of the site and composition of site soils. Please refer to Section 6.1 (Environmental Review) for a discussion of potential agricultural impacts.

Biological Resources

The site supports numerous biological resources including; white-tailed kite nesting and foraging habitat; monarch butterfly habitat; red-legged frog, tidewater goby and western pond turtle habitat; native grassland, wetlands, tarplant, and large expanses of antive vegetation. A seal haul-out is located off-site to the west, near Naples surf break. Please refer to Section 6.1 (Environmental Review) for a discussion of potential biological resource impacts.

Cultural Resources

Sensitive archeological sites have been documented on-site and within the area of the proposed off-site utility corridor. Please refer to Section 6.1 (Environmental Review) for a discussion of potential cultural resource impacts.

Recreation

Surfers and other recreationists have gained unauthorized access across the site and to the beach below since the late 1960's according to several emails received from members of the public in response to the revised Draft EIR (please refer to Appendix-3.13 of the final EIR for these emails). Upon build-out, the project would eliminate one of the most heavily used existing

unauthorized trails on the project site, visible in aerial photos since 1983. However, the proposed project includes a number of easement dedications that would provide legal public access through the site and to the shoreline for a variety of recreational users. In addition, the applicant would construct 1,600 lineal feet of coastal trail. In providing easements for the Coastal Trail and public access to and along the beach, the project would constitute an important step toward achieving State and County public recreation and coastal access goals for the Gaviota Coast. Please refer to Section 6.1 (Environmental Review) for a discussion of potential recreational impacts.

Environmental effects of the currently proposed project have been analyzed in the Final EIR (09EIR-00000-00003 Revised, February 2013) which identifies significant but mitigable effects on the environment in the areas of Aesthetics, Biological Resources, Energy, Fire Protection, Geologic Processes, Hazardous Materials, Public Facilities, Transportation, and Water and Flooding and significant and unmitigable effects in the area of Aesthetics (cumulative) and Cultural Resources (direct and cumulative). Please refer to Section 6.1 for a more detailed summary of impacts). The FEIR also identifies growth inducing impacts associated with the extension of Goleta Water District lines to the site because, while the site is already annexed to the Goleta Water District, the size of waterlines serving the project and the quantity of water allocated to the project are both greater than typically required for the development of two residential estates.

As discussed in Section 6.0 (Alternatives) of the FEIR, the proposed project would result in lesser impacts overall, and would therefore continue to be preferable in comparison to the Alternatives. As discussed in Sections 6.2 and 6.3 of this staff report, as mitigated, the project would be consistent with all applicable requirements of the Comprehensive Plan, including the Coastal Land Use Plan, and the requirements of the Article II Coastal Zoning Ordinance.

5.0 PROJECT INFORMATION

5.1 Site Information

Site Information	
Comprehensive Plan Designation	Coastal Zone, Rural, AG-II
Zone	Article II, AG-II-100, Agriculture, 100-acre minimum lot size, Coastal Commission Appeals Jurisdiction
Site Size	64 acres (APN: 079-200-004, Ocean Estate) 78 acres (APN: 079-200-008, Inland Estate)
Present Use & Development	Undeveloped except for deteriorated roadways and disturbed soils associated with past oil production activities on-site
Surrounding Uses/Zoning	<i>North:</i> US Highway 101 <i>South:</i> Pacific Ocean <i>East:</i> Undeveloped, RR-40 <i>West:</i> Undeveloped, AG-II-100

Site Information	
Access	Private driveway from HWY 101
Public Services	Water Supply: Goleta Water District Sewage: Private Septic Fire: Santa Barbara County Fire Police: Santa Barbara County Sherriff

5.2 Setting

The project site is bordered by US Highway 101 on the north, the Pacific Ocean on the south, and is surrounded by lands comprised of different parcel sizes and zoned for a mix of rural residential and agricultural uses. Adjacent properties are generally undeveloped and support a mix of grassland, coastal sage or bluff scrub habitats with intermittent drainages vegetated with native riparian vegetation or non-native eucalyptus. Large rural agricultural parcels and smaller lots on a portion of the historic Naples Townsite north of the highway are zoned Agriculture II with a minimum parcel size of 100 acres. To the east are two parcels (Gaviota Holdings) of approximately 22 and 38 acres zoned Rural Residential (with a minimum parcel size of 40 acres). The latter parcel contains an access road, parking area and pier used by Veneco, Inc., to service offshore oil facilities. Approximately 0.4 mile east of the project site, within the City of Goleta, is the Bacara Resort and Spa, a 350-room resort hotel located on approximately 69 acres. To the west of the project site lie the smaller parcels (mostly 4 acres or less) of the historic Naples Townsite, currently zoned Agriculture II with a minimum parcel size of 100 acres. The Naples lots are held by Brooks Street and are not a part of Santa Barbara Ranch, which is located north and west of the subject property.

The approximately 143-acre project site (composed of a 64-acre ocean lot and 78-acre inland lot) extends for almost 1 mile from east to west along the coast, and ranges from 900 to 2,000 feet in width between US Highway 101 and the bluff top. The site is generally level with overall slope and drainage toward the south or to the seven large and intermittent small streams, creeks, and drainages which drain from north to south. The largest of these drainages, respectively, Eagle Creek and Tomate Canyon, define the site's eastern and western boundaries. The smaller drainages are generally shallow over most of the site, except where three of these features grow to deep ravines on the western half of the coastal bluff parcel. The site ranges from 50 to 105 feet above mean sea level (msl), with the majority of the ocean lot fronted by steep coastal bluffs of 60 to 80 feet in height, punctuated by the five deeper canyons and ravines. On-site vegetation reflects almost a century of oil development and limited agricultural use, and consists predominantly of annual non-native grassland, but includes significant areas of native riparian vegetation along several of the drainages, particularly Tomate Canyon and Eagle Creek. Scattered pockets of native coastal sage scrub, bluff scrub, tarplant and native grasses also exist, along with a number of groves of eucalyptus, pine, cypress, and other non-native trees.

Access to the site is available via one gated driveway off US Highway 101. This driveway links to a series of formerly paved (now partially deteriorated) and dirt roads associated with the

former oil and gas operation that traverse the site, totaling approximately 3.4 miles. On the inland lot, such roads are confined to the eastern portion of the parcel between the existing access driveway and Eagle Canyon. Access to the Ocean Estate across the UPRR (Union Pacific Railroad) is provided via an existing arched wooden bridge and a partial at-grade crossing (authorized use by UPRR only). These access points connect to an approximately 1-mile-long system of east-west roads in varying condition on the ocean parcel. This road system provides access to Eagle Canyon approximately 75 feet from the beach, the Naples site to the west, and contains a number of partially overgrown loop roads to areas overlooking the bluff.

Although the site is currently vacant and undeveloped (except for existing roads), it has a long history of development of oil and gas facilities and associated petroleum production and processing. ARCO (The Atlantic Richfield Company) obtained Coastal Development Permits and began decommissioning these facilities more than 10 years ago, and work plans have been developed to decommission the remaining oil and gas infrastructure and to remediate contaminated soils.

5.3 Description

Ocean and Inland Estates

The proposed Ocean Estate residence would be 5,806 (gross) square feet in size, with an attached 1,421 square foot garage/mechanical space, a detached 800 square foot guesthouse with attached 651 square foot garage, and a pool. Future structural development and earth disturbance associated with the proposed Ocean Estate would be limited to a 1.9-acre development envelope. The proposed Ocean Estate would also include designation of a 1.7-acre envelope which would allow agricultural activities such as orchards, row crops, and horse/livestock keeping. The maximum height of the proposed residence and garage is 20 feet and the maximum height of the proposed guest house and attached garage is 21 feet.

The proposed Inland Estate residence would be 7,326 (gross) square feet in size with an attached 1,837 square foot basement and garage/mechanical space, a detached 800 square foot guesthouse and a pool. Future structural development and earth disturbance associated with the proposed Inland Estate would be limited to a 2.5-acre development envelope. The proposed Inland Estate would also include designation of a 16.3-acre envelope which would allow agricultural activities such as orchards, row crops, and horse/livestock keeping. The maximum height of all proposed Inland Estate development is 22 feet, and is designed to be a minimum of 11 feet, 10 inches below the road grade of Highway 101 to maintain public horizon and blue water views over the development.

Total project grading would include approximately 16,890 cubic yards (cy) of cut and approximately 13,280 cy of fill. One blue gum eucalyptus and two Monterey pine trees would be removed. Landscaping includes native and drought tolerant species including six 36-inch-box oaks and 4.7-acres of citrus orchard.

Services and Infrastructure

The Ocean and Inland Estates would be served by a new shared access driveway. The driveway would enter the site via the existing site entrance off of US Highway 101 at the east side of the property and extend west through the property to the Inland Estate. The driveway would then extend from the Inland Estate, over the UPRR (Union Pacific Railroad) tracks via a new bridge, to the Ocean Estate. The driveway would be 1.6 acres in total area.

The bridge would be 215 feet long and 17.25 feet wide and would be supported on either side by bridge embankments. Grading for the bridge embankments on the ocean lot would include approximately 110 cy of cut and 9,100 cy of fill, and for the Inland lot approximately 75 cy of cut and 3,160 cy of fill. Bridge abutments would be supported on a 3:1 slope on the inland lot and a 2:1 slope on the ocean lot. The bridge will be constructed of weathered steel with wood rail cap and wood decking over a poured concrete deck. The applicant has received design approval and approval of a private easement for the bridge.

Water would be obtained from the Goleta Water District. The proposed project would include construction of two private water lines, an 8 to 10 inch potable water line and a 4 inch reclaimed water line, extending from the existing Goleta Water District line to serve the Ocean and Inland Estates. Currently, the Goleta Water District service line terminates off-site near the Bacara Resort. The water line would be extended through an existing 20 foot easement across the adjacent Gaviota Holdings property (APN: 079-200-005) to the project site. The water line would be privately owned and would serve the proposed residential and agricultural development on the ocean and inland lots. The complete water line to serve the Ocean and Inland Estates would be approximately 7,500 feet in length. Sanitary service would be provided through private septic systems as approved by Environmental Health Services. Fire service would be provided by Santa Barbara County Fire.

Public Access Dedications

The project includes a number of offers to dedicate (OTD) easements for both vertical and lateral public access and recreation facilities, contingent on approval of the proposed project as depicted on the Proposed Project and Open Space Conservation Easement site plan (included as Attachment-H). Proposed easements on the ocean lot include: an easement for a trail network including a loop trail and a portion of the California Coastal Trail bounded by the UPRR on the north, the coastal bluff on the south, Eagle Canyon on the east, and the property line on the west; an easement for an ocean overlook; vertical access to the beach within a "floating" easement extending along the bluff from Drainage 5 to Eagle Canyon; and, a lateral easement along the beach as measured from the base of the bluff to the mean high tide line for the entirety of the property's ocean frontage. Proposed easements on the inland lot include: an easement area that would allow for vertical vehicular access from the existing site entrance at Highway 101 to a future public parking lot (up to 20 spaces); and; pedestrian access from the future parking lot and over the UPRR tracks to the loop and California Coastal Trails on the Coastal Lot. In addition, the project would include the construction of 1,600 lineal feet of Coastal Trail. This trail would

be located within a 20 foot easement and would be a multi-use trail consisting of a 6 foot wide decomposed granite path with two foot shoulders and low native vegetation plantings. Construction of this portion of the Coastal Trail would be completed concurrently with the installation of utility lines and would be fully completed prior to final occupancy of the first residence constructed. With the exception of 1,600 feet of Coastal Trail, which is proposed to be constructed by the applicant, the exact location of future trails, parking, vertical beach access and access over the UPRR tracks (including UPRR and PUC [Public Utilities Commission] easement and design approval) will be determined at a future date based upon the mutual agreement of the landowner, the County of Santa Barbara, and the eventual easement holder.

Open Space Conservation Easement and Habitat Restoration

The project includes a proposed approximately 91.0 acre Open Space Conservation Easement extending over both the ocean and inland lots from Eagle Canyon to Drainage #5 on the west as depicted on the Proposed Project and Open Space Conservation Easement site plan (included as Attachment-H). Aside from the future construction of public access improvements, no development would occur within the Open Space Conservation Easement area, in perpetuity. The proposed project includes habitat restoration as identified in the Conceptual Upland and Riparian Mitigation and Monitoring Plan (Dudek, January 2012). This restoration would occur within a 23.56 acre portion of the Open Space Conservation Easement area.

5.4 Background Information

Both subject lots have Certificates of Compliance and are legal lots of record. Parcel validity for both lots was established by Certificates of Compliance on September 15, 2006 (Grant Deed to CPH Dos Pueblos Associates, recorded December 3, 1998, Instrument No. 1998-094141, County of Santa Barbara). In the 19th and early 20th centuries, the lots were farmed for a few seasons in association with the larger Dos Pueblos Ranch. Drilling, production, storage and distribution of oil and gas occurred on the site beginning in the 1940's and ending with decommissioning in 1996-1997; the site was known as the western portion of the Ellwood Oil Fields. In the early 1990's, under ownership by ARCO, applications were submitted to the County for development of a public day-fee 18-hole "links" style golf course, nine-hole par 3 golf course, driving range, putting green, turf farm, clubhouse, cart barn, maintenance building and parking. That project was analyzed under an EIR that was certified in March 1993 and was approved by the County in August 1993. In November 1994, the project was approved on appeal by the Coastal Commission, with modifications. The Coastal Commission's approval was upheld by the Santa Barbara Superior Court in March 1996 and by the Court of Appeal in January 1997. The expiration of the Coastal Development Permit with hearing (CDH) was extended to January 28, 1999 to account for the time spent in litigation. However, the CDH expired and extension of the approved CDH was delayed while US Fish and Wildlife reviewed new biological surveys which identified California red-legged frogs on the site. Subsequently, the California Coastal Commission nullified its 1994 approval and denied the ARCO Dos Pueblos Golf Links Project due to "changed circumstances" which included the presence of California red-legged frog and concerns about the adequacy of mitigation for disturbance of white-tailed kite nests. The parcels

changed ownership and the new owners petitioned the court for a Writ of Mandate against the California Coastal Commission for declaratory and injunctive relief. In an effort to resolve the litigation, the parties entered into mediation and produced a “Standstill and Settlement Agreement” which provided for the current application and for reservation of the right to reactivation of the Golf Links project.

On July 28, 2006, the property owner submitted applications for two CDHs for two single family dwellings with guest houses. That project was analyzed under a DEIR, 09EIR-00000-00003, that was published in September 2009. Subsequently, in response to comments received from the public, the applicant modified the project design to relocate the development on the lots to the locations indicated in the current design and to add public access dedications to the project. The currently proposed project is described in detail in Section 5.3 (Description) of this report. Environmental review for the currently proposed project was completed with a revised Environmental Impact Report, (09EIR-00000-00003) as discussed in Section 6.1 (Environmental Review) of this report.

6.0 PROJECT ANALYSIS

6.1 Environmental Review

6.1.1 Impacts and Mitigation

A revised Environmental Impact Report, 09EIR-00000-00003, has been prepared for this project to evaluate potentially significant impacts under CEQA and to identify mitigation measures to reduce impacts and alternatives to the proposed project that would avoid or substantially lessen significant impacts. The Draft Revised EIR was released for a 45-day public comment period on September 12, 2012. A public workshop to introduce the project was held on September 20, 2012. A public hearing was held on October 18, 2012 to receive oral comments on the adequacy of the Draft EIR. The most significant issues raised in the oral comments and in comment letters pertain to direct impacts to recreation and the loss of historic public access to the beach, cumulative impacts to visual resources/land use associated with the conversion of the Gaviota Coast from a rural agricultural area to one dominated by estate type development, as well as the precedent setting nature of the project at the “Gateway to the Gaviota Coast.” Other key issues raised in the public comments pertain to cultural resources, agricultural resources and biological resources. A summary of the key environmental impacts (and associated mitigation measures) discussed in the EIR and raised as issues of concern by public comments is provided below. Overall, the project would result in three significant unavoidable (Class I) impacts: Cumulative Aesthetic Resource impacts and Direct and Cumulative impacts to Cultural Resources. All other impacts identified in the EIR would be reduced to less than significant levels with the incorporation of appropriate mitigation measures.

Aesthetic Resources

The EIR concludes that the project would result in a significant and unavoidable (Class I) cumulative impact to the aesthetic resources of the Gaviota Coast associated with residential development of the two subject lots, in combination with residential development of the adjacent Naples Townsite lots owned by the applicant and other pending development along the Gaviota Coast (e.g. Santa Barbara Ranch and Las Varas Ranch). While mitigation was developed to address the four other identified visual impacts, none of this mitigation would reduce the cumulative aesthetic impact to less than significant. A statement of overriding considerations will need to be made to approve the project given the identified Class I impact. Other (Class II) impacts identified in the Aesthetic Resource analysis of the EIR include: impacts to scenic vistas from Highway 101 and the Union Pacific Railroad (UPRR); impacts associated with development adjacent to scenic resources; impacts associated with addition of new elements into the undeveloped landscape; and nighttime lighting. Mitigations identified in the EIR would: restrict site grading such that surficial recontouring of the site would not noticeably affect the topography of the site; require preparation and submittal of landscape plans that address maintenance of the developed areas, orchards and open spaces on the lots; require use of dwarf and semi-dwarf citrus only in the designated orchard areas to maintain blue ocean views for the public; require review of development by the Central Board of Architectural Review; restrict development to within designated envelopes; limit new structures to a maximum height of 22 feet above natural or finished grade, whichever results in a lower building height; require use of building materials and colors consistent with the surrounding environment; and restrict lighting design to ensure that any exterior lighting is of low intensity and low glare design. Identified mitigations would reduce direct impacts to less than significant levels.

Air Quality

The EIR finds less than significant (Class III) impacts associated with air quality. The project would not: conflict with or obstruct implementation of the applicable air quality attainment plan; violate any air quality standard or contribute substantially to an existing or projected air quality violation; result in a cumulatively considerable net increase of any criteria pollutant; expose sensitive receptors to substantial pollutant concentrations; create objectionable odors; or generate significant greenhouse gas emissions. Impacts are less than significant. No mitigation was found to be necessary.

Agricultural Resources

The EIR concludes that development of the Inland and Ocean Estates would result in the loss or over-covering of approximately 1.0 acre of Class II prime (when irrigated) soils due to the construction of access driveways, homes and outbuildings, and utilities. However, prime soils on-site are disjunct in nature and constrained for farming due to the characteristics of the particular soil type (Diablo clay soils). Diablo clay soils are high in clay content, are compacted, and increase the potential for soil borne pathogens such as root rot. In addition, agricultural uses have not occurred on the project site in more than 20 years and the site has never been farmed as

a “stand alone” viable farming unit, but rather only as a part of the former Dos Pueblos Ranch. Finally, under County’s weighted point system for determining agricultural viability, neither the ocean nor inland parcel were determined to be agriculturally viable. This lack of viability is based upon the parcel size, lack of a developed water supply, moderate agricultural suitability for crops, lack of existing agriculture, unfavorable soil conditions and inability to qualify for the agricultural preserve program. Therefore, the EIR determined that project impacts associated with Agricultural Resources would be less than significant (Class III).

Biological Resources

The EIR identifies the following sensitive biological resources as present, or potentially present, on the project site: wetlands, riparian corridors, Southern Tarplant, special status wildlife species including California red-legged frogs, southwestern pond turtles and tidewater gobies, monarch butterfly autumnal and overwintering habitat, perching trees, foraging area, and potential nest sites for white-tailed kites, and a harbor seal haul out adjacent to Naples reef. Various elements of the project could result in potentially significant impacts to biological resources both during construction and following residency on the site. Mitigation to reduce impacts to a less than significant (Class II) level include: avoidance or restoration of Southern Tarplant following field surveys; avoidance of wetlands through provisions of appropriate buffers; development of a final revised Conceptual Upland and Riparian Mitigation and Monitoring Plan for the proposed restoration areas; habitat restoration for direct loss of arroyo willow thicket located within riparian corridors; preconstruction surveys for California red-legged frogs, tidewater goby and southwestern pond turtle with protocol for measures to be taken in the event these wildlife are discovered on the site and in the area of proposed disturbance; surveys for overwintering monarch roosts and timing of construction to avoid the resource if present; development of conservation easement management provisions for white tailed kite habitat enhancement and maintenance within the 91-acre conservation easement area; installation of replacement trees to provide potential future perches for white tailed kite; review of future landscape planting plans by a biologist to eliminate any invasive exotic species and to ensure the use of locally collected native plant and seed materials for all native species used within or adjacent to open space areas; elimination of vertical access leading to the seal haul out area with provision for future access further east along the coast; closure of the beach within 300 yards of the seal haul out area during the harbor seal pupping/breeding season; informational signage for the public regarding white-tailed kites, harbor seals and the sensitive resources present at Naples reef; yearly surveys and trail closures, as appropriate, to prevent impacts to white-tailed kite nests; restrictions against future use of rodenticides; and limitations on night sky lighting.

Cultural Resources

The EIR concludes that the project would result in significant and unavoidable (Class I) direct and cumulative impacts to cultural resources as a result of placing the proposed utility corridor across a significant prehistoric archaeological site (CA-SBA-76). Mitigation to require additional consultation with the Santa Ynez Tribal Elders Council, a data collection program, the

placement of utility lines in a sterile fill cap on top of a geotextile matting, funding of an ethnohistorian to prepare an ethnohistory and descendents genealogy of the archaeological site area, and monitoring of all earth disturbing activities by an archaeologist and a Native American consultant would reduce the project impacts but residual impacts after mitigation would remain significant. Statements of overriding considerations will need to be made to approve the project given the identified Class I impacts. Other Class II impacts identified in the Cultural Resource analysis include the potential for future site development to impact four other prehistoric archaeological sites (CA-SBA-1323, CA-SBA-1322, CA-SBA-2440 and CA-SBA-2442H) and impacts to CA-SBA-2441 from utility corridor installation. Mitigation to reduce these impacts to less than significant levels includes: additional data collection; placement of sterile fill over geotextile matting; revegetation of the fill soils with an appropriate mix of native species; monitoring of all earth disturbing activities by an archaeologist and a Native American consultant; and imposition of buffers around the previously mapped boundaries of four of the resource sites.

Energy

The EIR identifies potentially significant but mitigable (Class II) impacts associated with potential future use of non-renewable resources in a wasteful or inefficient manner either during construction or following occupancy of the residences. Mitigations included provisions for shutting off construction vehicles when not in use and compliance with all adopted County policies regarding energy consumption.

Fire Protection

The EIR finds potentially significant but mitigable (Class II) impacts associated with Fire Protection. Specifically, the EIR finds that the proposed project would require fire protection services in the future, thereby potentially adversely affecting the Fire Department's ability to serve. Mitigation to reduce impacts to a less than significant level comprises the payment of development impact mitigation fees. The EIR finds that the project could place homes and residents in an area with the potential for wildland fires. Mitigation to reduce impacts to less than significant levels includes: Fire Department review of any future landscape planting plans; removal of any dead or dying branches on any existing trees located within 100 feet of future development; fire safe construction techniques, including, e.g., Class A or B roofing; provision of adequate access to future structural development; and installation of an adequate number of fire hydrants at 750 gallons per minute.

Geologic Process

The EIR finds that the proposed project could expose people or structures to potentially significant impacts associated with seismicity or seismically induced hazards and unstable soil conditions. Mitigations to reduce impacts to less than significant (Class II) levels include: geotechnical investigation to provide recommendations for construction and required adherence to these recommendations; adherence to applicable sections of the California Building Code and

the County of Santa Barbara Building Code; and incorporation of soils engineering design recommendations addressing expansive soils and differential settlement.

Hazardous Materials

The EIR identifies the subject site as the western portion of the Ellwood Oil Fields. Drilling, production, storage and distribution of oil and gas occurred on the site beginning in the 1940's and ending with decommissioning in 1996-1997. Identified potentially significant (Class II) impacts are associated with risks to soil, groundwater, surface water and human health during construction activities and potential exposure of workers and future occupants to unknown or improperly abandoned oil and gas wells. Mitigations to reduce impacts to less than significant levels include the development and implementation of a County approved remedial action plan (RAP); inspection and review by Santa Barbara County Fire of all abandoned oil wells to determine adequacy of abandonment; cessation of construction activities in the event of the discovery of a previously unexpected well or piping with action taken for appropriate remediation; and cessation of construction activities and contact with the Santa Barbara County Fire in the event of detection of visual contamination or chemical odors during construction, with action taken for appropriate remediation.

Land Use

The EIR identifies potentially significant but mitigable (Class II) impacts as a result of: introduction of new land uses or structures that would be incompatible with the existing surrounding character of the Gaviota coast; and cumulatively considerable land use incompatibilities or policy inconsistencies. Mitigations pertaining to aesthetic and cultural resource impacts enumerated in the EIR would reduce these land use impacts to less than significant levels.

Noise

The EIR identifies less than significant (Class III) impacts associated with noise, including exposure of sensitive receptors to excessive noise levels, groundborne vibration or noise, and permanent or temporary increase in ambient noise levels. No mitigation is required as impacts are of less than significant levels.

Public Facilities

The EIR identifies potentially significant but mitigable (Class II) impacts to Public Facilities related to increase in water use on the subject lots and the installation of private wastewater disposal systems on the lots. Mitigations to reduce impacts to less than significant levels include measures to reduce water consumption (efficient irrigation systems, water-conserving plumbing, etc.) and requirements for the location and design of future wastewater disposal systems.

Recreation

The project includes a number of offers to dedicate (OTD) easements for both vertical and lateral public access and recreation facilities. Proposed easements on the ocean lot include: an easement for a trail network including a loop trail and a portion of the California Coastal Trail bounded by the UPRR on the north, the coastal bluff on the south, Eagle Canyon on the east, and the Coastal Estate on the west; an easement for an ocean overlook; vertical access to the beach within a “floating” easement extending along the bluff from Drainage 5 to Eagle Canyon; and, lateral easement along the beach as measured from the base of the bluff to the mean high tide line. Proposed easements on the inland lot include: an easement area that would allow for vertical vehicular access from the existing site entrance at Highway 101 to a future public parking lot (up to 20 spaces); and, pedestrian access from the future parking lot and over the UPRR tracks to the loop and California Coastal Trails on the Coastal Lot. In addition, the project would include the construction of 1,600 lineal feet of Coastal Trail. This trail would be located within a 20 foot easement and would be a multi-use trail consisting of a 6 foot wide decomposed granite path with two foot shoulders and low native vegetation plantings. The public benefits of these public access offerings were considered in the EIR compared to the effects of the project associated with increased residency on the site, blockage of unauthorized historic access to Burmah Beach and the Naples Reef surf break, and increased public use of the future recreational facilities. Considering the benefits of the proposed easements and facilities, project impacts are determined to be less than significant. The EIR also finds that the proposed project could increase access to the eastern portion of the Gaviota Coast and would include a segment of the California Coastal Trail. Impacts as a result of increased public access were determined to be beneficial (Class IV).

Transportation and Traffic

The EIR finds that with implementation of a traffic control plan as mitigation, potentially significant impacts associated with construction traffic would be mitigated to less than significant levels (Class II).

Water and Flooding

The EIR concludes that the proposed project would result in short term, potentially significant but mitigable (Class II) impacts to surface water quality due to polluted waters during construction. Mitigation to comply with the California State Water Resources Control Board Storm Water Permit Unit to implement best management practices during construction in respect to construction site runoff would reduce impacts to less than significant. The EIR also identifies potentially significant, but mitigable, impacts associated with: long-term increase in stormwater runoff due to increased impermeable surfaces on the lot; excavation of basements resulting in potential groundwater pollution; potential groundwater and ocean pollution due to the proposed on site wastewater treatment systems; and cumulative impacts to surface water and groundwater quality due to construction activities and residency on the lots. Mitigation measures including implementation of low impact development techniques such as rain gardens and bioswales, engineered designs for basements, and implementation of wastewater treatment system mitigation required under public facilities would reduce impacts to less than significant levels.

6.1.2 Growth Inducement

Project implementation would result in the extension of private water service and other utilities (electrical, telephone, and cable) approximately one mile from the western boundary of the City of Goleta (also the urban-rural boundary line), though the adjacent property to the east (APN 079-200-005), onto the project site. The Grant of Easement that the applicant has obtained through the adjacent property also contains a provision allowing future water service to the adjacent property to the east from the waterline extension associated with the proposed project.

The diameter of the proposed water lines (8-10-inch potable and 4-inch reclaimed water) is required due to the length of the water line extensions (almost 1.5 miles) and County Fire regulations that require 750 gallons of flow per minute to meet fire-flow standards. Nonetheless, the project has the potential to create substantial growth-inducing impacts because the size of the water lines and the available water supply provided to the project are both larger than typically required to serve two single family dwellings. Allocation of water to the project site could facilitate future extension of water service to the undeveloped lots of the Naples Townsite immediately to the west and to the adjacent property to the east.

6.1.3 Alternatives

As required under CEQA, the EIR evaluated a reasonable range of alternatives to the proposed project that would avoid or substantially lessen significant environmental effects. The EIR evaluated four alternatives: the Coastal Commission Inland Estate Site; the Coastal Commission Inland Estate Site and Ocean Estate Alternative Site; the East-Side Inland Estate Site and Ocean Estate Alternative Site; and the No Project alternative. These Alternatives, together with site constraints and on-site drainages are illustrated in Attachment-I (Constraints Map and Alternative sites).

Coastal Commission Inland Estate Site Alternative (Alternative 1)

Under this alternative, the Inland Estate development envelope would be moved east to a more centralized location on the project site just west of Drainage #1, and would be served by a new separate access road from the existing access point on Highway 101. The development envelope would measure 2.5 acres. A 10 acre agricultural envelope would be associated with the Inland Estate under this alternative. However, this alternative would include neither the proposed public access dedications nor the 91-acre conservation easement. Finally, under this alternative, the entire perimeter of the site would be fenced with exclusionary fencing. All other components of the alternative would remain the same as the proposed project.

Impacts associated with Agricultural Resources, Air Quality, Cultural Resources, Energy, Fire Protection, Geological Processes, Hazardous Materials, Land Use, Public Facilities, Transportation and Traffic, and Water and Flooding would be similar to the proposed project. Aesthetic impacts under this alternative would be greater than with the proposed project due to the prominent visual location of the Inland Estate site as viewed by the public both from

Highway 101 and from the UPRR. Under this alternative, blue water views would be affected to some extent as would the scenic quality of the existing vistas over the site. Biological impacts associated with non-sensitive plant communities, monarch butterfly habitat and attraction of human-tolerant wildlife species would be similar to the proposed project. However, this alternative would result in less than significant impacts to special status wildlife species in Eagle Canyon, to harbor seals and to Naples Reef due to the elimination of any public access dedications. Impacts to white-tailed kite foraging habitat would be greater than in the proposed project due to the location of the Inland Estate development squarely within a known foraging area on the site resulting in cumulatively considerable impacts to white-tailed kite, and habitat loss. Impacts to native purple needlegrass grassland could also be greater under this alternative than the proposed project because the access driveway would be located proximate to a population of native grasses located north of the UPRR. Finally, beneficial biological impacts associated with the Conservation Easement would be absent from this alternative. Because the Inland Estate development envelope would be located closer than 1,600 feet to the closest sensitive receptor, the Bacara Resort, construction related noise impacts would be greater under the alternative than under the proposed project. Finally, because this alternative does not include public access offerings, there would be no recreational benefit to the public as there would be under the proposed project.

Coastal Commission Inland Estate Site and Ocean Estate Alternative Site Alternative (Alternative 2)

This alternative would relocate both the Inland and Ocean Estate development envelopes to more central locations on the site, with the Inland Estate development envelope located between Drainages #2 and #3 and the Ocean Estate development envelope between Drainages #3 and #4. The alternative would include a new access road from the existing access point on Highway 101 and a new private vehicular access bridge over the UPRR approximately 600 feet west of the existing wooden bridge. The existing wooden bridge would remain in place. This alternative would include neither the proposed public access dedications nor the 91-acre conservation easement. The single family dwelling included in the Coastal Estate's 1.7-acre development envelope would measure 6,814 s.f. and the guest house would measure 725 s.f. Development in the Inland Estate's 2.5-acre development envelope would contain a residence and guesthouse of roughly the same size as under the proposed project. The 10-acre agricultural envelope would be located west of the Inland Estate development envelope. Grading would be lesser under this alternative on the Coastal Estate than in the proposed project as a result of a shorter driveway. Grading for the Inland Estate development would be roughly the same as under the proposed project.

Under this alternative, impacts associated with Agricultural Resources, Air Quality, Cultural Resources, Energy, Fire Protection, Geological Processes, Hazardous Materials, Land Use, Public Facilities, Transportation and Traffic, and Water and Flooding would be similar to the proposed project. The changed impacts levels under Aesthetics, Biological Resources, Noise and Recreation resulting from the relocated Inland Estate would be the same as recited in Alternative 1 above. However, aesthetic and noise impacts would be further exacerbated under

this alternative due to the relocated development envelope on the Ocean Estate as well as on the Inland Estate. Under Alternative 2, two homes would be located in visually prominent locations on the site thereby adversely affecting public views and the scenic quality of the existing vistas over the site. Additionally, both development envelopes would be located nearer to the Bacara Resort and the noise sensitive receptors there resulting in noise impacts. In respect to biological resources, under this alternative, the Ocean Estate development envelope would be located in an area where white-tailed kite has been seen nest building. Therefore disturbance to white-tailed kite under this alternative will be roughly equivalent to the proposed project (which locates the coastal trail through this area) and less than under Alternative 1. Impacts to special-status plant species would be more severe than the proposed project due to the location of the Ocean Estate residential development envelope in an area of a small population of tarplant and location of the Inland Estate residential development envelope near a population of purple needlegrass. As with Alternative 1, Alternative 2 would cause cumulatively considerable impacts to white-tailed kite and their habitat. Additionally, as with Alternative 1, beneficial biological impacts associated with the Conservation Easement would be absent from Alternative 2. Finally, because this alternative does not include public access offerings, there would be no recreational benefit to the public as there would be under the proposed project.

East-Side Inland Estate Site and Ocean Estate Alternative Site Alternative (Alternative 3)

Under this alternative, the Ocean Estate development envelope would be in the same location and would be of the same size as under Alternative 2. The Inland Estate development envelope would measure 2.3 acres and would be shifted east to where the easement for the 20 space public parking lot is located in the proposed project. Proposed residential development and grading of the Ocean Estate would be the same as in Alternative 2 but proposed residence for the Inland Estate would measure 8,273 s.f. and the guesthouse would measure 620 s.f.. Total grading quantities on the Inland Estate would comprise 1,505 c.y. of cut and 265 c.y. of fill. A 14.8-acre agricultural envelope would be located west of the entrance driveway on the Inland Estate parcel. This alternative would include a new private vehicular bridge over the UPRR located approximately 500 feet west of the existing wooden bridge. The existing wooden bridge would remain. This alternative would include neither the proposed public access dedications nor the 91-acre conservation easement.

Under this alternative, impacts associated with Agricultural Resources, Air Quality, Cultural Resources, Energy, Fire Protection, Geological Processes, Land Use, Public Facilities, Transportation and Traffic, and Water and Flooding would be similar to the proposed project. The changed impacts levels under Aesthetics, Biological Resources, Hazardous Materials, Noise and Recreation resulting from the relocated Ocean Estate would be the same as recited in Alternative 2 above. Under this alternative, however, development within the Inland Estate development envelope would be screened to some extent from public view from Highway 101 by virtue of the existing surrounding trees. The Inland Estate would not be expected to obstruct ocean views or other important aspects of a scenic vista. The development would however be visible from the UPRR, although these views are not of high quality. Therefore, as most viewers would be likely to see less of the Inland Estate than under the proposed project, aesthetic impacts

would be reduced under this alternative. In respect to biological resources, Alternative 3 would result in greater impacts to special-status plant species because the Inland Estate and Ocean Estate residential development envelopes would be located within the largest on-site population for southern tarplant on the site and within an area supporting purple needlegrass. As with Alternatives 1 and 2, Alternative 3 would result in cumulatively considerable impacts to white-tailed kites and their habitat. Additionally, as with Alternatives 1 and 2, beneficial biological impacts associated with the Conservation Easement would be absent from Alternative 3. In respect to Hazardous Materials, under this alternative, both the Inland and the Ocean Estate would be located on former oil field operations sites. While impacts related to the removal of impacted soils would be mitigated pursuant to mitigation for the proposed project, the impacts would be greater than under the proposed project due simply to the increased quantity of soils requiring remediation. Finally, because this alternative does not include public access offerings, there would be no recreational benefit to the public as there would be under the proposed project.

No Project Alternative

For the Paradiso del Mare project two no project alternatives have been considered. Under the first, the parcels would remain undeveloped. Under the second, the ARCO Dos Pueblos Golf Links would be developed. Under the first no project alternative, impacts identified in association with the proposed project would be completely avoided. Under the second no project alternative, with construction of the Golf Links project, impacts to agriculture, water and flooding, aesthetics, biological, geological, and cultural resources would all be substantially more severe as a result of much more extensive site disturbance, grading, planting of non-native vegetation and increased public access.

6.2 Comprehensive Plan Consistency

REQUIREMENT	DISCUSSION
Services	
<p>CLUP Policy 2-6: 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 . . .</p>	<p>Consistent: Access to the Ocean and Inland Estates would be provided by a new shared access driveway. The driveway would enter the site via the existing site entrance off of US Highway 101 at the east side of the property and extend west through the property to the Inland Estate. The driveway would then extend from the Inland Estate, over the UPRR (Union Pacific Railroad) tracks via a new bridge, to the Ocean Estate.</p>
<p>CLUP Policy 2-10: Annexation of a rural area to a sanitary district or extensions of sewer</p>	<p>Water would be obtained from the Goleta Water District. The proposed project would include construction of two private water lines,</p>

REQUIREMENT	DISCUSSION
<p>lines into rural areas 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>an 8-10 inch potable line and a 4 inch reclaimed water line, extending from the existing Goleta Water District line to serve the Ocean and Inland Estates. The water line would be privately owned and designed to serve and provide adequate fire flows to the proposed residential and agricultural development on the ocean and inland lots. A Water Use Agreement was entered into by the applicant and the Goleta Water District in 1998. In addition, the Goleta Water District issued a definitive letter, dated September 15, 2004 providing a commitment to deliver water to the property.</p> <p>The project does not propose to extend sewer lines or annex to a sanitary district. Sanitary service would be provided through private septic systems as approved by Environmental Health Services (EHS). EHS provided a condition letter, dated February 23, 2012, noting that drywell performance tests were provided which established the feasibility of wastewater disposal for the ocean and inland lots. Fire service would be provided by Santa Barbara County Fire and police protection would be provided by the Santa Barbara County Sheriff. Therefore, the project would be consistent with these policies.</p>
Aesthetics	
<p>Coastal Act Sec. 30251: 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, to minimize the alteration of natural landforms, to be visually compatible with the character of the surrounding area and, where feasible, to restore and enhance visual quality in visually degraded areas.</p>	<p>Consistent: Proposed development on the site would be visible from the US Highway 101, but would not obstruct blue water views. The proposed residences and accessory structures are clustered on the western edge of the property and would be limited to development envelopes of 1.9 acres (Ocean Estate) and 2.5 acres (Inland Estate). MM-AES-3b and condition no. 7 requires that all proposed and future development of structures be limited to these envelopes. The homes would be one</p>

REQUIREMENT	DISCUSSION
<p>CLUP Policy 4-3: 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>CLUP Policy 4-9: 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.</p>	<p>story in height and would not exceed the height of the existing trees on the project site. On the Ocean Estate, the maximum height of the proposed residence and garage is 20 feet and the maximum height of the proposed guest house and attached garage is 21 feet. The maximum height of all proposed Inland Estate development is 22 feet. All Inland and Ocean Estate structures have been designed to be a minimum of 11 feet, 10 inches below the road grade of US Highway 101 to maintain public horizon and blue water views over the development. In addition, MM AES-3c (condition 8), requires future structures and any revisions to currently proposed structures to be restricted to 22 feet in height. Both homes and related structures would be designed to be subordinate to the existing landscape. Appropriate design would be further ensured by measures MM-AES-1b, MM-AES-3a, MM-AES-3d and MM-AES-4 (conditions 4, 9, and 10), which require review and approval of the final home and landscaping designs by the Central Board of Architectural Review (CBAR), use of building materials and colors compatible with the surrounding environment and lighting restrictions to ensure that lighting is low intensity and low glare.</p> <p>Additionally, the project includes the proposed planting of new dwarf and semi-dwarf citrus orchards between the proposed new estate developments and the highway. These orchards would provide screening of the homes from HWY 101. MM-AES-1c (condition no. 5) requires maintenance of the proposed orchards to ensure that the trees are maintained at a height below the grade of HWY 101 and that the orchard is maintained for the life of the project.</p> <p>The proposed project would result in the disturbance of approximately 10 acres on the</p>

REQUIREMENT	DISCUSSION
	<p>143-acre site, including a 1.9 acre Ocean Estate development envelope, 1.7 acre Inland Estate development envelope, 1.6 acres of driveway disturbance and 4.7 acres of orchard. The remainder of the site would be maintained as open space. One blue gum eucalyptus and two Monterey pine trees would be removed to accommodate development of the Ocean Estate. The development envelope would be landscaped with primarily drought tolerant native or Mediterranean grasses, plants and Mediterranean shrubs. In addition, MM BIO-11 (condition no. 17) mandates the use of locally occurring native plant materials. This would ensure an aesthetic in the decorative landscaping consistent with the natural context of the Gaviota coast. Therefore, the project would be consistent with these policies.</p>
Agricultural Resources	
<p>CLUP Policy 8-2: If a parcel is designated for agricultural use and is located in a rural area not contiguous with the urban/rural boundary, conversion to nonagricultural 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 environmentally sensitive habitat). Such conversion shall not be in conflict with contiguous agricultural operations in the area, and shall be consistent with Sections 30241 and 30242 of the California Coastal Act.</p> <p>Agricultural Element, Goal I: Santa Barbara County shall assure and enhance the continuation of agriculture as a major viable production industry in Santa Barbara County. Agriculture shall be encouraged. Where conditions allow (taking into account environmental impacts), expansion and intensification shall be supported.</p>	<p>Consistent: The proposed project site is zoned for agriculture (AG-II-100) and development of the Inland and Ocean Estate would result in the loss or over-covering of approximately 1.0 acre of Class II prime (when irrigated) soils due to the construction of access driveways, homes and outbuildings, and utilities.</p> <p>However, agricultural uses have not occurred on the project site in more than 20 years and the site has never been farmed as a “stand alone” viable farming unit, but rather only as a part of the former Dos Pueblos Ranch. Class II prime (when irrigated) soils on-site are disjunct in nature and constrained for farming due to the characteristics of the particular soil type (Diablo clay soils). Diablo clay soils are high in clay content, are compacted, and increase the potential for soil borne pathogens such as root rot. Pursuant to the County’s Weighted Point System for determining agricultural viability, neither the ocean nor inland parcel was determined to be agriculturally viable.</p>

REQUIREMENT	DISCUSSION
<p>Agricultural Element, Policy II.C: 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>Agricultural Element, Policy II.D: Conversion of highly productive agricultural lands whether urban or rural, shall be discouraged. The County shall support programs which encourage the retention of highly productive agricultural lands.</p>	<p>This lack of viability is due to the parcel size, lack of a developed water supply, moderate agricultural suitability for crops, lack of existing agriculture and inability to qualify for the agricultural preserve program.</p> <p>Furthermore, the project is not proposing the conversion of agriculture to another use, as development of single-family homes is an allowed use within the AG-II-100 zone under the Coastal Zoning Ordinance, the property would remain zoned for agricultural use and both parcels would have areas specified for agricultural uses. Therefore, the project would be consistent with these policies.</p>
Biological Resources	
<p>CLUP Policy 9-9: 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, etc.).</p> <p>CLUP Policy 9-14: New development adjacent to or in close proximity to wetlands shall be compatible with the continuance of the habitat area and shall not result 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.</p> <p>CLUP Policy 9-21: Development shall be sited and designed to avoid vernal pool sites as depicted on the resource maps.</p> <p>CLUP Policy 9-18: Development shall be sited and designed to protect native grassland areas.</p>	<p>Consistent: The project site supports nine isolated wetlands in addition to wetlands occurring within Eagle Canyon, Drainage #3 and Tomate Canyon. The proposed project avoids impacts to all wetlands with the exception of a potential impact to .002 acres of Creeping Spike Rush Marsh wetland (isolate wetland #6) as a result of the utility corridor. However, in the Conceptual Upland and Riparian Mitigation and Monitoring Plan (John Davis, Dudek, January 2012) included as part of the proposed project, this potential impact would be mitigated at a ratio of 4:1 In order to protect the wetland, Mitigation Measure (MM) BIO-5 (condition no. 12) requires that the utility line be attached to the underside of the future public access bridge that would cross the UPRR tracks at the east side of the property and by realigning the utility corridor by approximately 30 feet in the area adjacent to the wetland. Utilities would be attached to the underside of the existing on-site bridge and therefore, although the wetland cannot be completely avoided, the portion of the utility line located within the buffer would be minor</p>

REQUIREMENT	DISCUSSION
	<p>in nature.</p> <p>The utility corridor would impact 0.02 acre of arroyo willow thicket. MM BIO-6 (condition no. 13) requires restoration at a minimum 3:1 ratio in the proposed conservation easement. In addition, compliance with standard NPDES water quality requirements will prevent sedimentation from impacting Drainage #5.</p> <p>Approximately 1.5 acres of purple needlegrass grassland is located on-site. This grassland occurs in 16 isolated patches throughout the site. The project would not result in the removal of purple needlegrass grassland. Therefore, the project would be consistent with these policies.</p>
<p>CLUP Policy 9-22: 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.</p> <p>CLUP Policy 9-23: Adjacent development shall be set back a minimum of 50 feet from [butterfly] trees.</p>	<p>Consistent: The proposed project would avoid the trees used by overwintering monarch butterflies located in Eagle Creek Canyon to the east, and all proposed project development would occur outside the minimum 50-foot setback. Therefore the proposed project would be consistent with this policy. In addition, MM-BIO-8 (condition no. 15) requires that, upon identification of the location of the future public access improvements (vertical beach access, parking lot) construction of the future improvements shall avoid the monarch butterfly roosting/overwintering season. Therefore, the project would be consistent with these policies.</p>
<p>CLUP Policy 9-26: There shall be no development including agricultural development, i.e., structures, roads, within the area used for roosting and nesting.</p> <p>CLUP Policy 9-27: Recreational use of the roosting and nesting areas shall be minimal, i.e., walking, bird watching. Protective measures for this area should include fencing</p>	<p>Consistent: There are historic records of white-tailed kite nesting on the project site and kites could be expected to use the habitat for nesting in the future. The proposed project would not result in impacts to any of the trees that have been identified as confirmed or potential nest sites on the project site. However, one Monterey pine which has been used by white-tailed kites for perching would</p>

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<p>and posting so as to restrict, but not exclude use by people.</p> <p>CLUP Policy 9-28: Any development around the nesting and roosting area shall be set back sufficiently far as to minimize impacts on the habitat area.</p> <p>CLUP Policy 9-29: In addition to preserving 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>	<p>be removed on the Ocean Lot to accommodate the proposed new single family dwelling. Aside from removal of this perching tree, project development would not occur within roosting/nesting areas and would be set back approximately 300 feet from historic perches. In addition, the project includes the planting of six 36-inch-box coast live oak trees which could be used for future perching and nesting by white-tailed kites.</p> <p>Available white tailed kite foraging habitat on-site has fluctuated throughout the years and has declined measurably (approximately 60%) since 2004. This decline is attributed to a change in maintenance activities on-site. Regular mowing of the site was discontinued, resulting in an increase in highly invasive black mustard and dense shrub habitats that do not provide high-quality kite foraging habitat.</p> <p>As a result of the proposed project, the total available suitable foraging habitat on-site would decrease from 33.7 to approximately 27.82 acres, thus resulting in a net decrease of 5.88 acres of suitable foraging habitat for white-tailed kites. However, the project as proposed includes a 91-acre open space conservation easement, and MM-BIO-10 (condition no. 16) requires additional measures to protect and enhance white tailed kite foraging habitat. Those measures include long-term maintenance of the conservation easement to remove and prevent the intrusion of black mustard, establishment of 5.88 acres of high quality white-tailed kite foraging habitat, and management of restoration areas identified in the proposed Conceptual Upland and Riparian Mitigation and Monitoring Plan to ensure maintenance of kite habitat. Therefore, the project would be consistent with these policies.</p>
<p>CLUP Policy 9-24 Recreational activities near</p>	<p>Consistent: A harbor seal haulout area is</p>

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<p>or on areas used for marine mammal hauling grounds shall be carefully monitored to ensure continued viability of these habitats.</p> <p>CLUP Policy 9-25: Marine mammal rookeries shall not be altered or disturbed by recreation, industrial, or any other uses during the times of the year when such areas are in use for reproductive activities, i.e., mating, pupping, and pup care.</p> <p>CLUP Policy 9-33: 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.</p> <p>CLUP Policy 7-19: 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>CLUP Policy 7-4: The County, or appropriate agency, shall determine the environmental carrying capacity for all existing and proposed recreational areas sited on 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>located near the western end of the property on the coast at the mouth of Tomate Canyon. This haulout is a regionally important site for breeding and resting of harbor seals. Seals at the haulout are currently subject to disturbance from surfers and other recreational users who obtain unauthorized access to the beach at this point via existing trails that lead directly to the haulout.</p> <p>The proposed project includes an offer to dedicate easements for the future development of public trails including a portion of the California Coastal Trail, a loop trail and public access to and along the beach. Eventual full public access to the Coastal Trail and loop trails and vertical access to the beach could result in increased disturbance to seals from dogs and people. This increase in use would be at least partially offset by the anticipated closure of the existing unauthorized access to the mouth of Tomate Canyon by future homeowners. Closure of this unauthorized trail would eliminate the most direct existing source of disturbance to seals using the haulout. In addition, MM-BIO-12 (condition no. 18) requires that access to the beach be closed 300 yards in each direction of the harbor seal haulout during the harbor seal pupping/breeding season, posting of informational signage, and restriction of the development of future vertical beach access to the eastern portion of the ocean lot. With the inclusion of these protective measures, the project would be consistent with these policies.</p>
<p>CLUP Policy 9-37: The minimum buffer strip for major streams in rural areas, as defined by the land use plan, shall be presumptively 100</p>	<p>Consistent: The proposed project would result in the encroachment of project components and associated fuel clearance into environmentally</p>

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<p>feet, and for streams in urban areas, 50 feet. These minimum buffers may be adjusted upward or downward on a case-by-case basis.</p> <p>CLUP Policy 9-1: Prior to the issuance of a development permit, all projects on parcels 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 of 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>CLUP Policy 2-11: All development, including agriculture, adjacent to areas designated on the land use plan or resource maps as environmentally sensitive habitat areas, shall be regulated to avoid adverse impacts on the habitat resources. Regulatory measures include, but are not limited to, setbacks, buffer zones, grading controls, noise restriction, maintenance of natural vegetation, and control of runoff.</p> <p>CLUP Policy 9-40: 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 (i.e., public trails, flood control projects, etc.).</p> <p>CLUP Policy 9-38: No structures shall be located within the stream corridor except public trails, dams for necessary water supply projects, flood control projects where no other</p>	<p>sensitive habitat buffer areas for a number of on-site streams. The utility corridor and driveway would need to cross stream corridors in a number of locations because alternative alignments to avoid on-site stream corridors would not be feasible. However, development has been sited, designed, and constructed to minimize impacts of grading, paving, construction, runoff, and erosion on native vegetation to the maximum extent feasible and conditions/mitigation measures have been applied to further minimize impacts.</p> <p>There are a total of 7 drainages on-site. Tomato Canyon is located at the far western end of the property and Eagle Canyon is located at the far eastern end of the property. Drainages in the middle of the property have been identified as Drainages No. 1 through No. 5. Applicable buffers for Tomato Canyon, Eagle Canyon, and Drainage No. 4 are 100 feet. Applicable buffers for Drainage No. 1 through No. 3 and Drainage No. 5 have been determined to be 50 feet under the allowance for case-by-case buffer reductions under CLUP Policy 9-37. This buffer reduction was established under the certified Environmental Impact Report for ARCO Dos Pueblos Golf Links Project (92-EIR-16).</p> <p>Vegetation management for fire protection for the Ocean Estate would encroach into the buffer areas for Drainage No. 6 and Tomato Canyon for a combined total of 0.08 acres of coastal sage scrub and coyote brush scrub. No buffer encroachment would occur as a result of fire protection vegetation management activities for the Inland Estate. Construction of the proposed driveway, and fire protection vegetation management activities for the driveway, would encroach into the buffer areas for Drainage No. 4 and Drainage No. 5 for a combined total of 0.32 acres of primarily non-</p>

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<p>method is necessary for public safety or to protect existing development; and other development were 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>native mustard, but also including small quantities of poison oak scrub and, coyote bush, monterey cypress and annual grassland. Fuel clearance activities would be divided into two “zones.” The first zone (from 0-30 feet from structures) would require vegetation removal and the planting of irrigated landscape. The second zone (from 30-100 feet from structures) would require selective thinning of shrubs and removal of deadwood. No “zone 1” clearance would impact the buffer areas. Therefore, not only would a small amount of mostly non-native buffer vegetation be impacted by fuel clearance activities, but fuel clearance activities would only require selective thinning and would therefore result in negligible impacts to buffer vegetation. In addition, a number of mitigation measures/conditions applied to the project would require buffer zones, grading controls, noise restriction, maintenance of natural vegetation, and control of runoff/erosion. Specifically, MM-WAT-1 and MM-WAT-2 (conditions 52 and 53) include implementation of a storm water pollution prevention plan (SWPPP), incorporation of bioswales to filter runoff, and relocation of development outside of wetland buffers.</p> <p>Direct impacts to .002 acres of wetland vegetation and .02 acres of riparian vegetation would occur as a result of construction of the utility corridor and a portion of the Coastal Trail. However, the Conceptual Upland and Riparian Mitigation Plan included as a part of the proposed project would mitigate this impact at a ratio of 3:1. In addition, MM-BIO-5 and MM-BIO-6 (conditions 12 and 13) require project design to avoid impacts to wetland vegetation to the maximum extent feasible, revegetation of impacted areas, protection of existing hydrologic and topographic features and removal of non-native</p>

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	species to further restore impacted areas. Therefore, the project would be consistent with these policies.
<p>CLUP Policy 9-36: 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>CLUP Policy 9-41: 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>Consistent: All areas of the project site not designated within the proposed development envelopes, used for access roads (approximately 6 acres), or located within the 16.9-acres agricultural use areas would be maintained as open space and would not subject to future development. Therefore, the majority of the 143-acre site would remain in open space and vegetation in these areas would be preserved. In addition, the proposed project includes 23.56 acres of native habitat restoration. Therefore, significant amounts of native vegetation would be preserved.</p> <p>In addition, MM-WAT-1 and MM-WAT-2 (conditions 52 and 53) include implementation of a storm water pollution prevention plan (SWPPP) and incorporation of bioswales to filter runoff in order to avoid minimize erosion and runoff impacts and condition no. 58 (Tree Protection Plan – Construction Component) requires that construction occur in a manner that will ensure that grading and paving does not adversely affect root zone aeration and stability of native trees. Therefore, the project would be consistent with these policies.</p>
Cultural Resources	
<p>CLUP Policy 10-1: All available measures, including purchase, tax relief, purchase of development rights, etc., shall be explored to avoid development on significant historic, prehistoric, archaeological, and other classes of cultural sites.</p> <p>CLUP Policy 10-2: When developments are proposed for parcels where archaeological or other cultural sites are located, project design</p>	<p>Consistent: A number of cultural resources were identified within the Paradiso del Mare project area and the off-site utility corridor. Four archaeological sites (CA-SBA-1322, CA-SBA-1323, CA-SBA-2440 and CA-SBA-2442H) are not located within the currently proposed development areas. However, future development on-site, including landscaping, could result in impacts to these sites. In order to provide long-term protection of these sites,</p>

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<p>shall be required which avoids impacts to such cultural sites if possible.</p> <p>CLUP Policy 10-3: When sufficient planning flexibility does not permit avoiding construction on archeological 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.</p>	<p>MM-CR-2a MM-CR-2b and MM-CR-4 (conditions 28, 29 and 35) require a nondevelopable open space buffer of 100 feet around the boundaries of each of these sites. Another site, CA-SB-3945, is partly located within the off-site utility corridor. This site was evaluated and determined to be not significant and not eligible for the California Register of Historical Resources.</p> <p>A portion of the proposed utility corridor and a portion of the easement area to be dedicated for future construction of a Coastal Trail would cross prehistoric archaeological site CA-SBA-2441. As proposed, no excavation would occur in the area of CA-SBA-2441, but a fill cap containing the utility line would be placed over a portion of the site. Due to constraints presented by the location of the site in proximity to the coastal bluff, UPRR tracks, other archaeological sites, and sensitive biological resources, relocation of the utility corridor and Coastal Trail easement to avoid CA-SBA-2441 is not feasible. However, Mitigation Measures CR-1a, -1b, -1c and -1d (conditions 24-27) require pre-construction survey and data collection at the site consistent with California Register of Historic Resources (CRHR) criteria and the placement of geotextile matting followed by clean chemically neutral fill and site re-vegetation at the fill cap.</p> <p>The proposed off-site utility corridor would be placed across prehistoric archaeological site CA-SBA-76. This site is a large Middle-Late Period Native American village site where archaeologists have found a variety of cultural remains and features. CA-SBA-76 is considered particularly important due to its size, the density of cultural remains, the site's potential to provide substantial archaeological data, and well-known and significant Native</p>

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	<p>American concerns. During consultation, Tribal representatives expressed considerable concern for the protection of this site and stated that any further disturbance of this particular site should be avoided. In an attempt to avoid the need to place a fill cap over a portion of CA-SBA-76, the project applicant explored a number of potential alternative locations including realignment of the utility corridor on private property north of HWY 101, realignment within the HWY 101 CalTrans right-of-way, and realignment within the UPRR right-of-way. In addition, the applicant consulted with two different owners of the property to the east (where the utility corridor and impact to CA-SBA-76 would occur) in order to attempt to negotiate realignment of the utilities easement on that property. Ultimately, these attempts resulted in denial of the requests by CalTrans and UPRR and documented refusal by the northern and eastern property owners for utility corridor realignment. Therefore, consistent with CLUP Policies 10-1 and 10-2, all feasible options to avoid impacts to CA-SBA-76 have been attempted. In order to reduce impacts to CA-SBA-76, Mitigation Measures CR-3a through 3e (conditions 30-34) require a data collection, reporting, and curation program, monitoring, additional consultations with Native American representatives, preparation of an ethnohistory and descendant genealogy, and fill placement followed by revegetation. Therefore, the project would be consistent with these policies.</p>
<p>CLUP Policy 10-5: Native Americans shall be consulted when development proposals are submitted which impact significant archaeological or cultural sites.</p>	<p>Consistent: Consultation was conducted with Native Americans regarding the proposed project, and specifically, regarding impacts to CA-SBA-76. On March 24, 2010, a visit was made to the project site for the purpose of discussing the proposed revised project with respect to cultural resources. Among the attendees were Native American</p>

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	<p>representatives from the Santa Ynez Band of Chumash Indians, the Coastal Band of Chumash, and Native Chumash Community members. At the site visit, the Native American representatives expressed concern about placement of the waterline within fill over CA-SBA-76. On November 9, 2010 another meeting was held to discuss Native American concerns. The meeting was attended by representatives of the Coastal Commission, Dudek (the consultant for the applicant), the applicant, the County, and the Chumash. Several other Chumash representatives submitted letters. These letters, together with summary of the March 24, 2010 site visit and the November 9, 2010 meeting are included the Confidential Cultural Resources Technical Appendix of the Final EIR. Native American concerns shared at these meetings and expressed in these letters informed the conclusion within the Revised EIR that cultural resource impacts pertaining to CA-SBA-76 would be Class I. The consultation and letters also influenced the contents of a number of mitigation measures, including MM-CR-3c (condition no. 32) which requires that an ethnohistorian prepare an ethnohistory and descendant genealogy of the CA-SBA-76 archaeological site. Therefore, the project would be consistent with this policy.</p>
Geologic Processes	
<p>CLUP Policy 3-4: 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.</p>	<p>Consistent: Two bluff retreat studies were prepared for the project site, one in 2004 by MACTEC Engineering and Consulting and one in 2008 by Earth Systems Pacific. A more conservative 75-year setback was identified by the 2004 study, which identified an 85.5 foot required setback. The proposed development envelope for the Ocean lot is located more than 150 feet from the top of the bluff, and the proposed Ocean lot residence is located more than 200 feet from the top of the bluff,</p>

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<p>CLUP Policy 3-6: development and activity of any kind beyond the required blufftop setback shall be constructed to ensure 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>CLUP Policy 4-5: In addition to that required for safety, further bluff setbacks may be required for oceanfront structures to minimize or avoid impacts on public views from the beach. Bluff top structures 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.</p>	<p>distances that exceed the maximum potential 85.5 foot 75-year bluff retreat rate identified by the site specific analysis. As such, the proposed project would not be subject to bluff erosion or site instability within the 75 year planning horizon when considering site-specific bluff retreat projections. Additionally, as proposed, site drainage would be directed away from the bluff face. With a setback of over 200 feet from the bluff, dense vegetation and a steep coastal bluff, the Ocean Estate would not be visible from the public beach below or from up and down the beach. Therefore, the project would be consistent with these policies.</p>
<p>CLUP Policy 3-13: 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>CLUP Policy 3-8: 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>Consistent: Construction of the Ocean Estate includes approximately 6,120 cubic yards of cut and 10 cubic yards of fill. Construction of the Inland Estate includes approximately 4,285 cubic yards of cut and 220 cubic yards of fill. The proposed access road would require 6,300 cubic yards of cut and 790 cubic yards of fill and the embankments for the bridge between the Ocean and Inland Estates would require 185 cubic yards of cut and 12,260 cubic yards of fill. The proposed residences have been designed to follow the natural terrain of the site and the grading quantities proposed for each residence are not atypical for homes of the size and style proposed. Additionally, MM-AES-1a (condition no. 3) limits future site grading such that maximum fill depths will not exceed 36 inches with an average fill depth of 18 inches and that completed grading result in slopes with a natural appearance that blend with existing topographic landforms.</p>

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	<p>Santa Barbara County is located within a seismically active region of California and the project site contains expansive soils and soils subject to differential settlement (Earth Systems Pacific, 2007). MM-GEO-1 (condition no. 45) requires that project be designed to earthquake standards in accordance with applicable building code requirements and that recommendation for site preparation, grading, backfill, and foundations be incorporated into the final project design. MM-GEO-2 (condition no. 46) requires that project design incorporate soils engineering design recommendations from site specific engineering reports. Therefore, the project would be consistent with these policies.</p>
Recreation	
<p>CLUP Policy 7-1: 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: (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; [and] (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.</p> <p>CLUP Policy 7-2: For all development between the first public road and the ocean, granting of an easement to allow vertical access ... shall be mandatory unless: (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] (b) Access at the site would result in unmitigable adverse</p>	<p>Consistent: The project includes a number of offers to dedicate (OTD) easements for both vertical and lateral public access and recreation facilities, contingent on approval of the proposed project. Proposed easements on the ocean lot include: an easement for a trail network, including a loop trail and a portion of the California Coastal Trail, bounded by the UPRR on the north, the coastal bluff on the south, Eagle Canyon on the east, and the Coastal Estate on the west; an easement for an ocean overlook; vertical access to the beach within a “floating” easement extending along the bluff from Drainage 5 to Eagle Canyon; and a lateral easement along the beach as measured from the base of the bluff to the mean high tide line.</p> <p>Proposed easements on the inland lot include: an easement area that would allow for vertical vehicular access from the existing site entrance at Highway 101 to a future public parking lot (up to 20 spaces); and pedestrian access from</p>

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<p>impacts on areas designated as “Habitat Areas” by the land use plan or (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 (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>CLUP Policy 7-3: 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.</p> <p>CLUP Policy 7-19. 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>the future parking lot and over the UPRR tracks to the loop and California Coastal Trails on the Coastal Lot. In addition, the project would include the construction of 1,600 lineal feet of Coastal Trail. This trail would be located within a 20 foot easement and would be a multi-use trail consisting of a 6 foot wide decomposed granite path with two foot shoulders and low native vegetation plantings. Aside from the portion of the trail proposed to be constructed by the applicant, the exact location of physical improvements for future trails, parking, vertical beach access and access over the UPRR tracks will be determined at a future date based upon the mutual agreement of the landowner, the County of Santa Barbara, and the eventual easement holder. The applicant has held discussions and begun negotiations with a number of local conservation groups regarding acceptance of the easements for these offers to dedicate. The applicant, in coordination with County staff, has initiated the process with UPRR to obtain approval of an easement and bridge design for access over the UPRR tracks. Therefore, the project would be consistent with these policies.</p>
<p>CLUP Policy 3-17: Temporary vegetation, seeding, mulching, or other suitable stabilization methods 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>CLUP Policy 3-18: Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion.</p>	<p>Consistent: During construction phases that include excavation, grading, and other earthwork, an increase in soil erosion and sediment transport into surrounding surface water bodies could occur due to runoff waters moving over exposed areas and entering the existing water sources on the project site. In addition, the proposed project could result in potentially long-term increases in runoff and pollutants due to an increase in impervious surfaces, most notably the paved driveway. MM-WAT-1 and MM-WAT-2 (conditions 52 and 53) include implementation of a storm</p>

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<p>Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as result of development. Water runoff shall be retained on site whenever possible to facilitate groundwater recharge.</p> <p>CLUP Policy 3-19: 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>water pollution prevention plan (SWPPP), incorporation of bioswales to filter runoff, and relocation of development outside of wetland buffers. Therefore, the project would be consistent with these policies.</p>

6.3 Zoning: Article II

The project site is zoned AG-II-100, Agriculture II, 100-acre minimum parcel size. This zone district applies to large prime and non-prime agricultural lands in the rural areas of the County. While both the Inland and Ocean Estate parcels measure less than the 100 acres mandated by this zone designation, both lots are legal lots of record and are therefore considered legal but non-conforming as to size. Pursuant to Article II, Sections 35-69.3.5 and 35-69.3.6, single family dwellings and guest houses, respectively, are principally permitted uses in the AG-II zone district. The locations of the proposed residential development envelopes would allow for the project to meet applicable development standards of the AG-II zone district, including setbacks and parking.

Portions of the site are located within the Environmentally Sensitive Habitat (ESH) Overlay District and are subject to development standards outlined in Article II Section 35-97. The proposed development would meet all applicable development standards in Section 35-97.8 through Section 35-97.19 of the Article II Zoning Ordinance.

Specifically with regard to Section 35-97.9 (Development Standards for Wetland Habitats), the proposed project avoids impacts to all wetlands with the exception of a potential impact to .002 acres of Creeping Spike Rush Marsh wetland (isolate wetland #6) as a result of the utility corridor. However, in the Conceptual Upland and Riparian Mitigation and Monitoring Plan (John Davis, Dudek, January 2012) included as part of the proposed project, this potential impact would be mitigated at a ratio of 4:1. In addition, in order to protect the wetland, Mitigation Measure MM-BIO-5 (condition no. 12) requires that the utility line be attached to the underside

of the future public access bridge that would cross the UPRR tracks at the east side of the property and that the utility corridor be realigned by approximately 30 feet in the area adjacent to the wetland. Prior to the construction of the future bridge, utilities would be attached to the underside of the existing on-site bridge. The project would involve no wetland dredging, no intensive recreation within wetlands or required wetland buffers, and no wastewater discharge into wetlands. No vehicle traffic within wetlands is proposed or would occur. No mosquito abatement and no grazing or agricultural uses would occur within wetlands. Therefore, the project would be consistent with the requirements of 35-97.9 of the Article II Zoning Ordinance.

Consistent with the requirements of Section 35-97.10 (Development Standards for Native Grassland Habitats) of the Article II Zoning Ordinance, the project would not result in the removal of purple needlegrass grassland, would involve no grazing, and development has been sited and designed to protect native grassland areas.

Consistent with the requirements of Section 35-97.12 (Development Standards Butterfly Tree Habitats) of the Article II Zoning Ordinance, the proposed project would avoid trees used by overwintering monarch butterflies and all proposed project development would occur outside the minimum 50-foot setback. Therefore the proposed project would be consistent with this requirement. In addition, MM-BIO-08 (condition no. 15) requires that, upon identification of the location of the future public access improvements (vertical beach access, parking lot) construction of the future improvements shall avoid the monarch butterfly roosting/overwintering season.

Consistent with the requirements of Section 35-97.13 (Development Standards for Marine Mammal Rookery and Hauling Ground Habitats) recreational activities near or on areas used for marine mammal hauling grounds would be carefully monitored and no marine mammal rookeries shall not be altered or disturbed by recreational or any other uses during the times of the year when such areas are in use for reproductive activities, i.e., mating, pupping, and pup care. The proposed project would include closure of the existing unauthorized access to the mouth of Tomate Canyon (near a seal-haul-out) by future homeowners. Closure of this unauthorized trail would eliminate the most direct existing source of disturbance to seals using the haulout. In addition, MM-BIO-12 (condition no. 18) requires that access to the beach be closed 300 yards in each direction of the harbor seal haulout during the harbor seal pupping/breeding season, posting of informational signage, and restriction of the development of future vertical beach access to the eastern portion of the ocean lot. With the inclusion of these protective measures, the project would be consistent with Section 35-97.13.

Consistent with the requirements of Section 35-97.14 (Development Standards for White-Tailed Kite Habitats) the proposed project would not result in impacts to any of the trees that have been identified as confirmed or potential nest sites on the project site. However, one Monterey pine which has historically been used by white-tailed kites for perching would be removed on the ocean lot to accommodate the proposed new single family dwelling. Aside from removal of this perching tree, project development would not occur within roosting/nesting areas and would be set back approximately 300 feet from historic perches. In addition, the project includes the

planting of six 36-inch-box coast live oak trees and a 91-acre open space conservation easement area to be managed to protect and enhance white-tailed kite habitat.. Walking trails constructed on-site in the future could be located in proximity to kite nesting areas. MM-BIO-18 (condition no. 23) would require informational signage for the public regarding white-tailed kites, and yearly surveys and trail closures, as appropriate, to prevent impacts to white-tailed kite nests. Therefore, recreational use of the roosting and nesting area would be minimal, i.e., walking, bird watching and protective measures for this area would include seasonal closures and signage with posted use restrictions. As a result of the proposed project, the total available suitable foraging habitat on-site would decrease from 33.7 to approximately 27.82 acres, thus resulting in a net decrease of 5.88 acres of suitable foraging habitat for white-tailed kites. However, the project as proposed includes a 91-acre open space conservation easement (expanded to 106 acres under MM-BIO-10/condition no. 16), and MM-BIO-10 (condition no. 16) requires additional measures to protect and enhance white tailed kite foraging habitat. Those measures include long-term maintenance of the conservation easement to remove and prevent the intrusion of black mustard, establishment of 5.88 acres of high quality white-tailed kite foraging habitat, and management of restoration areas identified in the proposed Conceptual Upland and Riparian Mitigation and Monitoring Plan to ensure maintenance of kite habitat. With the incorporation of these measures the project can be found consistent with the development standards for protection of white-tailed kite habitat. Therefore, the maximum feasible area would be retained as grassland to provide feeding area for the kites.

6.4 Subdivision/Development Review Committee

The project was reviewed by the Subdivision and Development Review Committee (SDRC) on August 6, 2006. At that meeting, Environmental Health Services (EHS) staff indicated that percolation tests and a Can and Will Serve letter from the Goleta Water District would be required. Subsequently, EHS provided a condition letter, dated February 23, 2012, noting that drywell performance tests were provided to establish the feasibility of wastewater disposal and requiring a Can and Will Serve letter from the Goleta Water District prior to Coastal Development Permit issuance. A Water Use Agreement was entered into by the applicant and the Goleta Water District in 1998. In addition, the Goleta Water District issued a definitive letter, dated September 15, 2004 (included as a part of Attachment-B) providing a commitment to deliver water to the property.

County Parks indicated that future coastal trail improvements or easement dedications for trails should be placed as far from UPRR tracks as feasible, that public access over UPRR tracks should be considered, that a vertical access easement may be required, and that Development Impact Mitigation Fees would be required. The proposed project proposes easements consistent with all Parks recommendations and condition no. 71 requires the payment of Development Impact Mitigation Fees for Parks.

The surveyor required that parcel validity be determined. Parcel validity for both the inland lot (APN: 079-200-008) and ocean lot (APN: 079-200-004) was established by Certificate of Compliance on September 15, 2006 (Grant Deed to CPH Dos Pueblos Associates, recorded

December 3, 1998, Instrument No. 1998-094141, County of Santa Barbara). The Public Works Roads Division required the payment of transportation fees prior to issuance of the Coastal Development Permits. Condition no. 72 requires the payment of Development Impact Mitigation Fees for transportation.

Santa Barbara County Fire will require compliance with standard Fire Department roadway, driveways, turn-out, hydrant and bridge requirements and also will require the payment of Development Impact Mitigation Fees. The Fire Department provided condition letters, dated February 14, 2013 and February 23, 2012, which has been included with the project conditions of approval. In addition, condition no. 70 requires the payment of Development Impact Mitigation Fees for fire protection.

Building and Safety staff indicated that grading and drainage plans, a soils report and grading, building, and demolition permits would be required. These plans and permit applications will be submitted to Building and Safety following issuance of Coastal Development Permits for the proposed project. With regard to the former oil facilities on-site, Building and Safety staff indicated that clean-up of contaminated soils would be required. As discussed in Section 6.2, above, under Hazardous Materials, remediation plans for the site are currently under review and development of the proposed project would occur following completion of required site remediation by ARCO.

The Air Pollution Control District (APCD) noted that dust mitigation would be required and a permit could be required for any soils remediation. The APCD also provided a condition letter, dated February 1, 2013, which has been included with the project conditions of approval.

Public Works Flood Control recommended the submittal of a drainage plan prior to issuance of Building Permits. No other SDRC members applied conditions for the project. Please refer to Attachment-E for the full SDRC minutes.

6.5 Design Review

The project was reviewed by the Central Board of Architectural Review (CBAR) on four occasions: January 5, 2007, December 5, 2008, January 16, 2009 and August 12, 2011. Of these, only the August 12, 2011 review addressed the currently proposed project. The CBAR commented on the project's site design, architecture, landscaping and lighting. With respect to site design, the CBAR was satisfied with the siting of the Ocean Estate development envelope and understood the logic of aligning the development envelopes to cluster development on the site to the extent feasible. The CBAR did suggest that the siting of the Inland Estate could be improved through relocation to the east, within existing vegetative screening on the site. The CBAR also directed the design team to study the relationships between the residences and the guest houses. They also suggested shifting the access road south to provide the opportunity for screen landscaping between the access road and Highway 101. With respect to architecture, the CBAR generally concurred that the designs are moving in an acceptable direction. Comments were made as to the appropriateness of the materials and colors; the designer was directed to

study the plate heights and the roof forms with the goal of lowering the structures into the site and mimicking architectural forms standard to the rural Gaviota Coast. The CBAR commented positively on the bridge design. With respect to landscaping, the CBAR commented that the design was holistically cogent but that the list of plant materials was too large. The design team was encouraged to focus primarily on installation of natives particularly on the Inland Estate where development approaches arroyos. With respect to the orchard, the CBAR commented that it should not be relied on to ensure screening of the Inland Estate but rather that the design of the buildings on the Inland Estate needs to stand on its own in terms of the requirements for rural development to be subordinate to natural landforms and compatible with the character of the surrounding natural environment. The CBAR had significant concerns about night lighting and requested additional information with respect to this issue. The project received conceptual review only and will return to the CBAR only following approval of the Coastal Development Permits. Please see Attachment-D for approved CBAR minutes.

6.6 Development Impact Mitigation Fees

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

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

Estimated Countywide Development Impact Mitigation Fees			
Fee Program	Base Fee (per unit or 1,000 sf)	Estimated Fee	Fee due at
Recreation (Parks)	\$1,195	\$2,390	Issuance of CDH
Transportation	\$2,047	\$4,094	Issuance of CDH
Fire (\$0.20/sf.)	\$.20/SF non-sprinklered \$.10/SF sprinklered	\$.10/SF sprinklered	Final Inspection

7.0 APPEALS PROCEDURE

- The action of the Planning Commission may be appealed to the Board of Supervisors within ten (10) calendar days of said action. For developments which are appealable to the Coastal Commission under Section 35-182.6, no appeal fee will be charged.
- The action of the Board of Supervisors may be appealed to the Coastal Commission within ten (10) working days of receipt by the Coastal Commission of the County's notice of final action.

ATTACHMENTS

- A. Findings
- B. Conditions of Approval with attached Departmental letters
- C. EIR Executive Summary (entire document provided to the Planning Commission and available online at www.sbcountyplanning.org)
- D. BAR Minutes
- E. SDRC Minutes
- F. APN Sheet
- G. Architectural and Landscape Plans
- H. Open Space Conservation Easement, Restoration and Public Access Plan
- I. Constraints Map and Alternative Sites

ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS: FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTIONS 15090 AND 15091:

- 1.1 CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT:** The Final Environmental Impact Report, 09EIR-00000-00003 (Revised February 2013) was presented to the Planning Commission and all voting members of the Planning Commission reviewed and considered the information contained in the Final EIR, 09EIR-00000-00003, and its Appendices contained within Final EIR Volume I, February 2013 (Final EIR Appendices F3.1 through F3.3, F3.8 and F3.13, Draft Revised EIR Appendices 1.0 and 3.2 through 3.14) prior to approving the project. In addition, all voting members of the Planning Commission have reviewed and considered testimony and additional information presented at or prior to public hearing on March 20, 2013. The Final EIR reflects the independent judgment and analysis of the Planning Commission and is adequate for this proposal.
- 1.2 FULL DISCLOSURE:** The Planning Commission finds and certifies that the Final EIR, 09EIR-00000-00003 (Revised February 2013) constitutes a complete, accurate, adequate and good faith effort at full disclosure under CEQA. The Planning Commission further finds and certifies that the Final EIR has been completed in compliance with CEQA.
- 1.3 LOCATION OF RECORD OF PROCEEDINGS:** The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Secretary of the Planning Commission of the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101.
- 1.4 FINDINGS THAT CERTAIN UNAVOIDABLE IMPACTS ARE MITIGATED TO THE MAXIMUM EXTENT FEASIBLE:** The Final EIR, 09EIR-00000-00003 (Revised February 2013) for the Paradiso del Mare Ocean and Inland Estates project identified environmental impacts which cannot be fully mitigated and are therefore considered unavoidable (Class I). Those impact areas are: Cultural Resources (direct and cumulative) and Aesthetics (cumulative). To the extent the impacts remain significant and unavoidable, such impacts are acceptable when weighed against the overriding social, economic, legal, technological, and other considerations set forth in the Statement of Overriding Considerations included herein. For each of these Class I impacts identified by the Final EIR, 09EIR-00000-00003, feasible changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect, as discussed below:

Cultural Resources

The EIR concludes that the project would result in significant and unavoidable direct and cumulative impacts to cultural resources as a result of placing the proposed off-site utility corridor across a significant prehistoric archaeological site (CA-SBA-76). The proposed project would require placement of a fill cap over a portion of the site in order to bring water service lines to the property. CA-SBA-76 is considered particularly important due to its size, the density of cultural remains, the site's potential to provide substantial archaeological data, and well-known and significant Native American concerns regarding impacts to the site. A statement of overriding considerations citing the economic, legal and social public benefits of the project has been adopted for this impact (refer to Section 1.7, below). In addition, mitigation measures have been applied to the proposed project which would lessen this significant environmental effect. Specifically, MM CR-3a (condition no. 30) requires implementation of a data collection program preceded by a definition of the boundaries of CA-SBA-76. The measure further requires that materials collected from the site be processed and analyzed in the laboratory according to standard archaeological procedures. This measure would substantially lessen environmental effects because it would ensure that important archaeological information from the site would be collected and studied, contributing to our knowledge of cultural resources in the Santa Barbara area. Additionally, definition of exact site boundaries would allow avoidance of the site to the maximum extent feasible.

MM CR-3b (condition no. 31) requires additional consultations with the Santa Ynez Tribal Elders Council and other interested Native American representatives to ensure that their concerns are taken into account during the course of the project. This measure would substantially lessen environmental effects because it would ensure that Native Americans, who have expressed considerable interest in the site, would be consulted prior to initiation of data collection and during the course of the project.

MM CR-3c (condition no. 32) requires that an ethnohistorian prepare an ethnohistory and descendant genealogy of the archaeological site area. This measure would lessen environmental effects because it would collect and document information pertaining to the ethnohistory of the site and would help to address Native American concerns pertaining to impacts to the site. MM CR-3d (condition no. 32), requires that, following completion of required fieldwork and consultations, geotextile matting and clean, culturally sterile, chemically neutral fill shall be deposited across the specified portion of this site where the utility corridor will cross. These activities would also be monitored by a Native American representative. This measure would lessen environmental effects because it would place the utility line in a fill cap rather than a trench through the site in a manner that would protect the site from degradation as a result of the use of inappropriate fill material and would separate the site from the fill using geotextile matting. Finally, MM CR-3e (condition no. 34) requires re-vegetation of the fill soil overlying the utilities easement with an appropriate mix of native species.

Mitigation to completely avoid the need to place a fill cap over CA-SBA-76 would not be feasible. In an attempt to avoid the need to place a fill cap over a portion of CA-SBA-76, the project applicant explored a number of potential alternative locations including

realignment of the utility corridor on private property north of HWY 101, realignment within the HWY 101 Caltrans right-of-way, and realignment within the Union Pacific Railroad (UPRR) right-of-way. In addition, the applicant consulted with two different owners of the property to the east (where the utility corridor and impact to CA-SBA-76 would occur) in order to attempt to negotiate realignment of the utilities easement on that property. Ultimately, these attempts resulted in denial of the requests by Caltrans and UPRR and refusal by the northern and eastern property owners for utility corridor realignment.

Caltrans policy does not permit non-California Public Utilities Commission controlled, privately owned utilities within their ROW due to potential liability, except in limited situations where utilities are being extended across a highway to a property under a common ownership on both sides of the highway.¹ The applicant tried for several years to establish common ownership on both sides of the highway and was unsuccessful. The applicant attempted to secure encroachment permits for installing both parallel (within the UPRR right-of-way) and perpendicular (crossing the UPRR right-of-way) utility corridors to serve the proposed project. However, UPRR denied several conceptual plans submitted by the applicant to secure a conceptual approval for the encroachment permits. The limitations presented by Caltrans and UPRR restrictions present legal barriers to realigning the utility corridor.

The applicant tried to secure a utility easement from the land located north of the project site (Parsons), across the Gaviota Holdings property directly adjacent to and east of the site, and/or across lands located north. The applicant also attempted to purchase property from Parsons. These attempts were unsuccessful as the neighboring property owners elected not to allow the relocation of the utility line or to sell their property to the applicant. These refusals have been documented by correspondence from each of the property owners. The inability to receive agreement from property owners from the north and east to realign the utility corridor presents a legal barrier making realignment on these properties infeasible. No other measures are known which would further reduce the impact. Therefore cultural resource impacts would be mitigated to the maximum extent feasible and this finding can be made.

Aesthetics

The EIR concludes that the proposed project together with the adjacent Naples Townsite development and other development in the surrounding area would result in a significant and unavoidable cumulative aesthetic and visual impact (Class I). This impact would occur as a result of the transition of the Gaviota Coast from a predominantly rural area into one that is increasingly characterized by residential estates. Although project-specific aesthetic impacts would be reduced to Class II through mitigation, the proposed project's contribution to the cumulative aesthetic impact was determined to be significant and unavoidable. The project's contribution was determined to be significant and

¹ Paradiso del Mare Service Extension and Coastal Access Offers to Dedicate Alternatives Analysis, November 5, 2010.

unavoidable as a result of the fact that the proposed estates will be visible in the otherwise rural coastal plain of the Eastern Gaviota Coast. A statement of overriding considerations citing the economic, legal and social public benefits of the project has been prepared for this impact (refer to Section 1.7, below).

In addition, mitigation measures have been applied to the proposed project which would lessen this significant environmental effect. MM-AES-1a (condition 3) requires that all cut slopes excavated to reconstruct the existing access roadway be landscaped in a manner that will reduce the visibility and prominence of any exposed slopes and soils, and requires grading that will mimic native habitat forms on and around such slopes and limits. MM-AES-1a further requires that grading follow and extend the underlying natural topography of the site and limits average fill depth to 18 inches. This will reduce the project's contribution to the overall cumulative impact by ensuring that grading for the proposed project does not result in landforms or exposed dirt that would appear unnatural to the site. MMAES-1b (condition 4) requires submittal of a landscape plan and requires that landscaping be maintained for the life of the project. MM-AES-1c (condition 5) requires that the dwarf citrus orchard proposed as a part of the project be maintained at a height below the grade of US Highway 101 to protect blue-water views and requires that the trees be maintained throughout the life of the project. This measure will protect blue-water views and will ensure that the trees (which provide screening of the proposed estates) are maintained for the long-term. As the Gaviota Coast has historically supported agricultural areas, including row-crops and orchards, the proposed trees would be consistent with the surrounding area and their long-term maintenance will camouflage and reduce the project's contribution to the overall cumulative impact.

MM-AES-3a (condition 6) requires review of the project and any future proposed development by the Central Board of Architectural Review (BAR); MM-AES-3b (condition 7) requires that all proposed and future structural development on the project site occur within the proposed development envelopes; and, MM-AES 3c (condition 8) requires that proposed and future structures be limited to 22 feet in height and that they be designed to protect blue-water views. These measures will ensure that both the proposed project and any future development is reviewed for appropriate design and materials by the CBAR, that structures will be located within development envelopes clustered toward the western edge of the site and that blue-water views over structures of single-story/minimal height are maintained for the long term. These measures will reduce the project's contribution to the overall cumulative impact because they address both current and future development, provide long-term protection of blue-water views, and ensure that structures will be clustered toward the western edge of the site. Clustering toward the western portion of the site addresses the overall cumulative impacts because the Naples property is located to the west and location of the proposed structures toward this portion of the site will cluster the estates with any potential future development on the Naples lots.

MM-AES-3d (condition 9) requires that natural building materials (e.g. wood, stone) and colors compatible with surrounding terrain (earth-tones and non-reflective paint) be used

on exterior surfaces of all structures. This measure will help to ensure that the proposed structures blend into the site as much as possible to reduce their visibility, thereby reducing the project's contribution to the overall cumulative impact. MM-AES-4 (condition 10) requires that lighting be of low intensity/low glare design, minimum height, and hooded to direct light downward onto the subject lot. This measure will reduce the visibility of the proposed project during nighttime, thereby helping to preserve the rural nature of the site, characterized by dark night skies.

No other measures are known which would further reduce the project's significant and unavoidable contribution to cumulative aesthetic impacts on the Gaviota Coast. Therefore, aesthetic impacts would be mitigated to the maximum extent feasible and this finding can be made.

- 1.5 FINDINGS THAT CERTAIN IMPACTS ARE MITIGATED TO INSIGNIFICANCE BY CONDITIONS OF APPROVAL:** The Final EIR, 09EIR-00000-00003 (Revised February 2013) identifies several subject areas for which the project is considered to cause or contribute to significant, but mitigable environmental impacts (Class II). For each of these Class II impacts identified by the Final EIR, 09EIR-00000-00003, feasible changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect, as discussed below:

Aesthetics

Significant but mitigable impacts identified in the Aesthetic Resource analysis of the EIR include: impacts to scenic vistas from Highway 101 and the Union Pacific Railroad (UPRR); impacts associated with development adjacent to scenic resources; impacts associated with addition of new elements into the undeveloped landscape; and nighttime lighting. Mitigations identified in the EIR would: restrict site grading such that surficial recontouring of the site would not noticeably affect the topography of the site (MM-AES-1a, condition 3); require preparation and submittal of landscape plans that address maintenance of the developed areas, orchards and open spaces on the lots (MM-AES-1b, condition 4); require use of dwarf and semi-dwarf citrus only in the designated orchard areas to maintain blue ocean views for the public (MM-AES-1c, condition 5); require review of development by the Central Board of Architectural Review (CBAR) (MM-AES-3a, condition 6); restrict development to within designated envelopes (MM-AES-3b, condition 7); limit new structures to a maximum height of 22 feet above natural or finished grade, whichever results in a lower building height (MM-AES-3c, condition 8); require use of natural building materials and colors (MM-AES-3d, condition 9); and restrict lighting design to ensure that any exterior lighting is of low intensity and low glare design (MM-AES-4, condition 10). Identified mitigations would reduce impacts to less than significant levels by ensuring that blue water views of the ocean would be preserved; that future development on-site would be single-story and clustered with existing development in development envelopes; that the proposed orchards would not block blue water views but would provide long-term screening of proposed structures; and by ensuring appropriate design through CBAR review and approval including site

appropriate lighting and materials. Therefore, with the exception of cumulative Class I Aesthetic impacts discussed in Section 1.4, above, mitigations applied to the project would reduce Aesthetic impacts to less than significant.

Biological Resources

The EIR identifies the following sensitive biological resources as present, or potentially present, on the project site: wetlands, riparian corridors, Southern Tarplant, special status wildlife species including California red-legged frogs, southwestern pond turtles and tidewater gobies, monarch butterfly autumnal and overwintering habitat, perching trees, foraging area, and potential nest sites for white-tailed kites, and a harbor seal haul out adjacent to Naples reef. Various elements of the project could potentially impact these resources both during construction and following residency on the site.

Mitigation to reduce impacts to a less than significant level include: avoidance or restoration of Southern Tarplant following field surveys (MM-BIO-2, condition 11); avoidance of wetlands through project design (MM-BIO-5, condition 12); habitat restoration for direct loss of arroyo willow thicket located within riparian corridors (MM-BIO-2, condition 11); preconstruction surveys for California red-legged frogs, tidewater goby and southwestern pond turtle with protocol for measures to be taken in the event these wildlife are discovered on the site and in the area of proposed disturbance (MM-BIO-7, condition 14); surveys for overwintering monarch roosts and timing of construction to avoid the resource if present (MM-BIO-8, condition 15); development of conservation easement management provisions for white tailed kite habitat enhancement and maintenance within the 106-acre conservation easement area (MM-BIO-10, condition 16); installation of replacement trees to provide potential future perches for white tailed kite; review of future landscape planting plans by a biologist to eliminate any invasive exotic species and to ensure the use of locally collected native plant and seed materials for all native species used within or adjacent to open space areas (MM-BIO-11 and MM-BIO-14, conditions 17 and 20); restrictions against pets on the trails or beach, closure of the beach within 300 yards of the seal haul out area during the harbor seal pupping/breeding season and posting of informational signage; (MM-BIO-12 and MM-BIO-13, conditions 18 and 19); restrictions against future use of rodenticides (MM-BIO-17a, condition 21); limitations on night sky lighting (MM-BIO-17b, condition 22); informational signage for the public regarding white-tailed kites, harbor seals and the sensitive resources present at Naples reef; and yearly surveys and trail closures, as appropriate, to prevent impacts to seals and white-tailed kite nests (MM-BIO-18, condition 23). Therefore, mitigations applied to the project would reduce Biological Resource impacts to less than significant.

Cultural Resources

The EIR finds potentially significant but mitigable impacts associated with Cultural Resources due to the potential for future site development and landscaping to impact four prehistoric archaeological sites (CA-SBA-1323, CA-SBA-1322, CA-SBA-2440 and CA-SBA-2442H) and impacts to CA-SBA-2441 from utility corridor installation. Mitigation to reduce these impacts to less than significant levels includes: additional data collection (MM-CR-1a, condition 24); placement of sterile fill over geotextile matting (MM-CR-1b, condition 25); revegetation of the fill soils with an appropriate mix of native species (MM-CR-1c, condition 26); monitoring of all earth disturbing activities by an archaeologist and a Native American consultant (MM-CR-5, condition 36); and imposition of buffers around the previously mapped boundaries of four of the resource sites (MM-CR-2a MM-CR-2b and MM-CR-4, conditions 28, 29 and 35). These mitigation measures would reduce these cultural resource impacts associated with the proposed development to less than significant levels. Therefore, with the exception of the Class I Cultural Resources impact discussed in Section 1.4, above, mitigations applied to the project would reduce Cultural Resource impacts to less than significant.

Fire Protection

The EIR finds potentially significant but mitigable impacts associated with Fire Protection. Specifically, the EIR finds that the proposed project would require fire protection services in the future, thereby potentially adversely affecting the Fire Department's ability to serve. Mitigation to reduce impacts to a less than significant level comprises the payment of development impact mitigation fees (MM-FP-1, condition 24). The EIR finds that the project could place homes and residents in an area with the potential for wildland fires. Mitigation to reduce impacts to less than significant levels includes: Fire Department review of any future landscape planting plans; removal of any dead or dying branches on any existing trees located within 100 feet of future development; fire safe construction techniques, including, e.g., Class A or B roofing; provision of adequate access to future structural development; and installation of an adequate number of fire hydrants at 750 gallons per minute (MM-FP-2a through MM-FP-2e, conditions 40 through 44). Therefore, mitigations applied to the project would reduce Fire Protection impacts to less than significant.

Geologic Processes

The EIR finds that the proposed project could expose people or structures to potentially significant impacts associated with seismicity or seismically induced hazards and unstable soil conditions. Mitigations to reduce impacts to less than significant levels include: geotechnical investigation to provide recommendations for construction and required adherence to these recommendations; adherence to applicable sections of the applicable Building Code requirements (MM-GEO-1, condition 45); and incorporation of soils engineering design recommendations addressing expansive soils and differential settlement (MM-GEO-2, condition 46). These mitigation measures would ensure that future structures on-site would be designed and constructed to avoid geologic hazards,

thereby reducing impacts to less than significant. Therefore, mitigations applied to the project would reduce Geologic impacts to less than significant.

Hazardous Materials

The EIR identifies the subject site as the western portion of the Ellwood Oil Fields. Drilling, production, storage and distribution of oil and gas occurred on the site beginning in the 1940's and ending with decommissioning in 1996-1997. Identified potentially significant impacts are associated with risks to soil, groundwater, surface water and human health during construction activities and potential exposure of workers and future occupants to unknown or improperly abandoned oil and gas wells. Mitigations to reduce impacts to less than significant levels include the development and implementation of a County approved remedial action plan (RAP) and inspection and review by Santa Barbara County Fire of all abandoned oil wells to determine adequacy of abandonment (MM-HAZ-1, condition 47); cessation of construction activities in the event of the discovery of a previously unexpected well or piping or in the event of detection of visual contamination or chemical odors during construction, with action taken for appropriate remediation (MM-HAZ-3, condition 48). Hazardous materials mitigation measures require that site remediation occur prior to issuance of Coastal Development Permits for the proposed development and require additional remediation activities if hazardous materials are found during construction, thereby protecting workers and future occupants of the site from exposure and reducing impacts to less than significant levels. Therefore, mitigations applied to the project would reduce Hazardous Material impacts to less than significant.

Land Use

The EIR identifies potentially significant but mitigable impacts as a result of: introduction of new land uses or structures that would be incompatible with the existing surrounding character of the Gaviota coast; cumulatively considerable land use incompatibilities or policy inconsistencies; and potential inconsistency with Coastal Land Use Plan Archaeological and Historical Policies 10-1, 10-2 and 10-3. Mitigations pertaining to compatibility of development enumerated in the EIR would reduce these land use impacts to less than significant levels. Specifically, with regard to aesthetics, MM AES-1a through MM AES-1c, and MM AES-3a through MM AES-3e, conditions 3-5 and 30-34, require preparation and submittal of landscape plans that address maintenance of the developed areas, orchards and open spaces on the lots; require use of dwarf and semi-dwarf citrus only in the designated orchard areas to maintain blue ocean views for the public; review by the Board of Architectural Review; confinement of structural development within development envelopes; a height limit of 22 feet for all proposed and future structures; and use of natural building materials compatible with the surrounding environment.

Consistent with Coastal Land Use Plan Archaeological and Historical Policies 10-1, 10-2 and 10-3, MM-CR-1a through MM-CR-1c conditions 24-26 require: pre-construction

survey and data collection at the site, consistent with California Register of Historic Resources (CRHR) criteria; and the placement of geotextile matting followed by clean chemically neutral fill and site re-vegetation at the fill cap. Additionally, MM-CR-3a through MM-CR-3e, conditions 30-34, require: a data collection, reporting, and curation program; monitoring; additional consultations with Native American representatives, preparation of an ethnohistory and descendant genealogy; and fill placement followed by revegetation.

Therefore, mitigations applied to the project would reduce Land Use impacts to less than significant.

Public Facilities

The EIR identifies potentially significant but mitigable impacts to Public Facilities related to increase in water use on the subject lots and the installation of private wastewater disposal systems on the lots. Mitigations which would reduce impacts to less than significant levels include: MM-PF-1/condition 49 which requires measures to reduce water consumption (efficient irrigation systems, water-conserving plumbing, etc.), and MM-PF-2/condition 50 which places restrictions on the location and design of future wastewater disposal systems in order to ensure adequate sanitary service. Therefore, mitigations applied to the project would reduce Public Facility impacts to less than significant.

Transportation and Traffic

The EIR finds that with implementation of a traffic control plan as mitigation (MM-TR-1, condition 51), potentially significant impacts associated with construction traffic would be mitigated to less than significant levels. Therefore, mitigations applied to the project would reduce Transportation and Traffic impacts to less than significant.

Water and Flooding

The EIR concludes that the proposed project would result in short term, potentially significant but mitigable impacts to surface water quality due to the potential for water pollution during construction. Mitigation to comply with the California State Water Resources Control Board Storm Water Permit Unit to implement best management practices during construction with respect to construction site runoff would reduce impacts to less than significant levels (MM-WAT-1, condition 52). The EIR also identifies potentially significant, but mitigable, impacts associated with: long-term increase in stormwater runoff due to increased impermeable surfaces on the lot; excavation of basements resulting in potential groundwater pollution; potential groundwater and ocean pollution due to the proposed on site wastewater treatment systems; and cumulative impacts to surface water and groundwater quality due to construction activities and residency on the lots. Mitigation measures including implementation of low impact development techniques such as rain gardens and

bioswales (MM-WAT-2, condition 53), engineered designs for basements (MM-WAT-3, condition 54), and implementation of wastewater treatment system mitigation required under public facilities (MM-PF-2, condition) would reduce impacts to less than significant levels. Therefore, mitigations applied to the project would reduce Water and Flooding impacts to less than significant.

In summary, mitigation measures applied under each issue area where Class II impacts have been identified, would effectively mitigate said impacts to less than significant levels. Therefore, this finding can be made.

1.6 FINDINGS THAT IDENTIFIED PROJECT ALTERNATIVES OR MITIGATION MEASURES ARE NOT FEASIBLE: The Final EIR, 09EIR-00000-00003 (Revised February 2013) prepared for the project evaluated a no project alternative and alternative project locations as methods of reducing or eliminating potentially significant environmental impacts.

The Planning Commission finds that the following alternatives are infeasible for the reasons stated:

1. No Project Alternative. Two different “no project” alternatives were evaluated in Section 6.0 (Alternatives) of the EIR, the previously approved ARCO Dos Pueblos Golf Links project and a no project alternative that assumes the property would remain in its existing state. Both “no project” alternatives would be infeasible, as discussed below:
 - a. ARCO Dos Pueblos Golf Links Project. This alternative would be infeasible because it would meet none of the project objectives and would result in greater impacts than the proposed project. Project objectives including development of two high-quality coastal homes with supporting amenities on two existing legal parcels, retention of a majority of the site in permanent open space and agricultural uses, project design to minimize impacts on natural and cultural resources and public views, dedication of easements for public access through the site, to, and along the beach and dedication of an open space conservation easement would not be attained by this alternative. Because this alternative was already analyzed under a certified EIR (92-EIR-16) it has been established that it would result in significant and unmitigable impacts to Air Quality and Agricultural Resources (cumulative). Impact conclusions for the ARCO Dos Pueblos Golf Links Project under 92-EIR-16 differ from conclusions identified in environmental review (09EIR-00000-00003) for the currently proposed project. Cumulative impacts to agricultural resources were identified as Class I in 92-EIR-16 as a result of removal of 61-acres of prime soils from potential agricultural production. However, impacts to agricultural resources were found to be Class III under the environmental review for the proposed project as a result of the documented lack of agricultural viability of the site. The two projects also differ because the ARCO Dos Pueblos Golf Links Project would result in permanent conversion of lands and alteration of soils to a use (golf course) that would

eliminate the potential for future use of the site for agriculture, whereas the currently proposed project would not permanently alter or disturb the majority of soils on-site. Impacts to air quality were identified as Class I in 92-EIR-16 whereas environmental review (09EIR-00000-00003) for the currently proposed project identified Class III air quality impacts. This difference is accounted for: by the fact that the ARCO Dos Pueblos Golf Links Project involved a fully functioning golf course with full time employees and vehicle trips by patrons of the golf course whereas the proposed project includes two residential estates; and due to the fact that 92-EIR-16 considered air quality impacts from the decommissioning of oil production facilities whereas the currently proposed project occurs following the completion of majority of these decommissioning activities. Environmental review (09EIR-00000-00003) for the currently proposed project identified Class I impacts to Cultural Resources as a result of impacts to site CA-SBa-76 whereas environmental review (92-EIR-16) for the ARCO Dos Pueblos Golf Links Project did not. 92-EIR-16 assumed that the waterline to serve the ARCO Dos Pueblos Golf Links Project would be placed on existing, deteriorating pipe racks and also did not include a discussion of ethnic impacts. Existing pipe racks are no longer available to support the currently proposed waterline and therefore a utility fill cap is now proposed. In addition, recent consultation with Native American groups has provided additional information pertaining to the importance of CA-SBA-76 as an important ethnic site. Therefore, should the ARCO Dos Pueblos Golf Links Project alternative proceed under the current known circumstances, it would require extension of utility service lines through a portion of CA-SBA-76 to provide service to the golf links, and would not eliminate the Class I Cultural Resources impact caused by the proposed project. Therefore this alternative would be infeasible as a result of its inability to meet project objectives and due to the fact that it would result in greater environmental impacts than the proposed project.

- b. Property Remains in Existing State. This alternative would be infeasible because it would not meet the project objectives and would be legally infeasible. Specifically, this alternative would not meet the project objectives of: 1) resolving pending litigation between the applicant and the Coastal Commission regarding the Dos Pueblos Golf Links Project, 2) developing two high-quality coastal homes with supporting amenities on two existing legal parcels, 3) retaining a majority of the site in permanent open space and agricultural uses; and 4) providing public recreation access easements.

The project site is zoned AG-II-100, Agriculture II, 100-acre minimum parcel size. Pursuant to Article II, Sections 35-69.3.5 and 35-69.3.6, single family dwellings and guest houses, respectively, are principally permitted uses in the AG-II zone district. Therefore, an attempt by the County to require that the site remain in open space could potentially result in inverse condemnation of the parcel, making this alternative legally infeasible.

2. Alternative Sites. The EIR identified three alternative site configurations for the Ocean and Inland Estates. None of these alternatives would be environmentally preferred because, as discussed in Section 6.0 (Alternatives) of the EIR, they would not reduce impacts overall and would have greater impacts than the proposed project. The three alternative site configurations, discussed in detail in Section 6.0 (Alternatives) of the EIR, and shown on Attachment-I to this staff report, dated February 21, 2013, include the following:
 - a. Alternative 1-Coastal Commission Inland Estate: Under this alternative, the Inland Estate would be located just west of the existing entry to the site and the Ocean Estate would be located in the same location as the proposed Ocean Estate.
 - b. Alternative 2- Coastal Commission Inland Estate and Ocean Estate Alternative Site: Under this alternative, the Inland Estate would be located just west of the existing entry to the site and the Ocean Estate would be located between Drainage #3 and Drainage #4.
 - c. Alternative 3- East-Side Inland Estate Site and Ocean Estate Alternative Site: Under this alternative, the Inland Estate would be located just east of the existing entry to the site, in an area partly obscured by existing mature trees, and the Ocean Estate would be located between Drainage #3 and Drainage #3.

Each of the alternative site configurations would still require extension of utility service lines through a portion of CA-SBA-76 to provide service to the estates, and therefore would not eliminate the Class I Cultural Resources impact caused by the proposed project. Each of the alternative site configurations would continue to result in a considerable contribution to the significant (Class I) cumulative Aesthetic impact. Because the project site is a rural coastal plain directly adjacent to US Highway 101 and is bisected by the Union Pacific Railroad, any homes constructed on the site will be visible to the viewing public, resulting in a considerable contribution to the overall significant cumulative effect of the transition of the Gaviota Coast. As discussed in Section 6.0 (Alternatives) of the EIR, “Alternative 1” and “Alternative 2” would result in greater aesthetic impacts as a result of their location on more visible portions of the site and “Alternative 3” would result in similar aesthetic impacts as the proposed project. Therefore, none of the alternatives would eliminate the project’s considerable contribution to cumulative Class I Aesthetic impacts. In addition, none of these alternatives would meet the project objectives of: 1) providing public recreation access easements; and 2) providing an open space conservation easement. Therefore, none of the on-site alternative configurations for the Ocean and Inland Estates would be feasible methods of reducing or eliminating the project’s potentially significant environmental effects

- 1.7 **STATEMENT OF OVERRIDING CONSIDERATIONS:** The Final EIR, 09EIR-00000-00003 (Revised February 2013) for the Paradiso del Mare Ocean and Inland Estates identifies direct and cumulative impacts to Cultural Resources and cumulative impacts to Aesthetics as significant environmental effects which are considered unavoidable. The Planning Commission therefore makes the following Statement of Overriding

Considerations which warrants approval of the project notwithstanding that all identified effects on the environment are not fully mitigated. With respect to each of the environmental effects of the project listed below, the Planning Commission finds that the stated overriding benefits of the project outweigh the significant effects on the environment and that there is no feasible way to lessen or avoid the significant effects. Pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines Sections 15043, 15092 and 15093, the project's specific economic, social, legal and other benefits outweigh the unavoidable adverse effects of the project and the adverse environmental effects of the project are considered acceptable.

The project includes a number of offers to dedicate (OTD) easements for both vertical and lateral public access and recreation facilities, which would provide a significant social benefit to the general public. On the ocean lot these easements include: an easement for a trail network including a loop trail and a portion of the California Coastal Trail bounded by the UPRR on the north, the coastal bluff on the south, Eagle Canyon on the east, and the Coastal Estate on the west; an easement for an ocean overlook; vertical access to the beach within a "floating" easement extending along the bluff from Drainage 5 to Eagle Canyon; and, a lateral easement along the beach as measured from the base of the bluff to the mean high tide line. On the inland lot these easements include: an easement area that would allow for vertical vehicular access from the existing site entrance at Highway 101 to a future public parking lot (up to 20 spaces); and; pedestrian access from the future parking lot and over the UPRR tracks to the loop and California Coastal Trails on the Coastal Lot. In addition to these easements the applicant would construct 1,600 feet of the public trail. The proposed dedications and development of a segment of the California Coastal Trail is an important step toward achieving State and County public recreation and coastal access goals for the Gaviota Coast.

The project includes a proposed approximately 106-acre Open Space Conservation Easement extending over both the ocean and inland lots from Eagle Canyon to Drainage #5 on the west. Aside from the future construction of public access improvements, no development would occur within the Open Space Conservation Easement area, in perpetuity. This Conservation Easement would provide biological resource benefits, as it would be managed to protect and enhance white-tailed kite habitat. In addition, the project includes a Conceptual Upland and Riparian Mitigation and Monitoring Plan (Dudek, January 2012). This restoration would occur within a 23.56 acre portion of the Open Space Conservation Easement area and would enhance white-tailed kite habitat, riparian vegetation and California sagebrush scrub.

All areas of the project site not designated within the approximately 6-acres of development envelopes for residential development and access roads or within the 16.9-acres agricultural use areas would be maintained as open space and would not subject to future development. Therefore, the majority of the 143-acre site would remain in open space. Furthermore, the proposed development envelopes are clustered toward the west side of the site. As a result, the majority of public views over the site would continue to be of rural, undeveloped land, in perpetuity.

In summary, approval of the proposed project would provide economic, legal, technological, social, and other public benefits, including: 1) providing easements for public recreational access; 2) constructing 1,600 feet of public trail; 3) taking an important step toward achieving State and County public recreation and coastal access goals for the Gaviota Coast; 4) improving white-tailed kite habitat; 5) enhancing 23.56 acres of native habitat; 6) clustering development and maintaining a large majority (over 80%) of the site in open space, thereby preserving public views; and, 7) providing property tax revenue to the County. Therefore, this finding can be made.

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

2.0 COASTAL DEVELOPMENT PERMIT FINDINGS

- 2.1 Finding required for all Coastal Development Permits. In compliance with Section 35-60.5 of the Article II Zoning Ordinance, prior to issuance of a Coastal Development Permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and/or the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development.**

Access to the Ocean and Inland Estates would be provided by a new shared access driveway. The driveway would enter the site via the existing site entrance off of US Highway 101 at the east side of the property and extend west through the property to the Inland Estate. The driveway would then extend from the Inland Estate, over the UPRR (Union Pacific Railroad) tracks via a new bridge, to the Ocean Estate. Water would be obtained from the Goleta Water District. The proposed project would include construction of two private water lines, an 8-10 inch potable line and a 4 inch reclaimed water line, extending from the existing Goleta Water District line to serve the Ocean and Inland Estates. The water line would be privately owned and designed to serve and provide adequate fire flows to the proposed residential and agricultural development on the ocean and inland lots. A Water Use Agreement was entered into by the applicant and the Goleta Water District in 1998. In addition, the Goleta Water District issued a definitive letter, dated September 15, 2004 committing to deliver water to the property. Sanitary service would be provided through private septic systems as approved by Environmental Health Services (EHS). EHS provided a condition letter, dated February 23, 2012, noting that drywell performance tests were provided which established the feasibility of wastewater disposal for the ocean and inland lots. Fire service would be

provided by Santa Barbara County Fire and police protection would be provided by the Santa Barbara County Sheriff. Therefore, this finding can be made.

2.2 Findings required for Coastal Development Permit applications subject to Section 35-169.4.3 for development that may be appealed to the Coastal Commission. In compliance with Section 35-169.5.3 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit subject to Section 35-169.4.3 for development that may be appealed to the Coastal Commission the review authority shall first make all of the following findings.

2.2.1 The development conforms:

- a. To the applicable provisions of the Comprehensive Plan, including the Coastal Land Use Plan;**
- b. The applicable provisions of this Article or the project falls within the limited exceptions allowed in compliance with Section 161 (Nonconforming Use of Land, Buildings and Structures).**

As discussed in Section 6.2 and 6.3 of this staff report, dated February 21, 2013, and incorporated herein by reference, the proposed project is consistent with all applicable policies of the County Comprehensive Plan, including the Coastal Land Use Plan, and with all requirements of the Article II Coastal Zoning Ordinance. Therefore, this finding can be made.

2.2.2 The development is located on a legally created lot.

Parcel validity for both the inland lot (APN: 079-200-008) and ocean lot (APN: 079-200-004) was established by Certificates of Compliance on September 15, 2006 (Grant Deed to CPH Dos Pueblos Associates, recorded December 3, 1998, Instrument No. 1998-094141, County of Santa Barbara). Therefore, this finding can be made.

2.2.3 The subject property and development on the property is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks and any other applicable provisions of this Article, and any applicable zoning violation enforcement fees and processing fees have been paid. This subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Division 10 (Nonconforming Structures and Uses).

As discussed in Section 6.3 of this staff report, dated February 21, 2013, and incorporated herein by reference, the proposed project would conform to all applicable laws, rules, and regulations pertaining to the AG-II zone. There are no

current violations associated with the subject parcel. Therefore, this finding can be made

2.2.4 The development will not significantly obstruct public views from any public road or from a public recreation area to, and along the coast.

The proposed development would not significantly obstruct public views from any public road or from a public recreation area to, and along the coast. The proposed homes would be located on a coastal bluff well above the public beach and therefore would not block views up and down the beach or from the beach toward the mountains. From Farren Road, north of US highway 101 from the subject property, the structures would be visible but would not block blue-water views and would not significantly obstruct public views in general.

Proposed development on the site would be visible from the US Highway 101, but would not obstruct blue water views and would not significantly obstruct public views in general. The proposed residences and accessory structures are clustered on the western edge of the property and would be limited to development envelopes of 1.9 acres (Ocean Estate) and 2.5 acres (Inland Estate). All Inland and Ocean Estate structures have been designed to be a minimum of 11 feet, 10 inches below the road grade of US Highway 101 to maintain public horizon and blue water views over the development. Additionally, the project includes the proposed planting of new dwarf and semi-dwarf citrus orchards between the proposed new estate developments and the highway. These orchards would provide screening of the homes from HWY 101. MM-AES-1c (condition 5) requires maintenance of the proposed orchards to ensure that the trees are maintained at a height below the grade of HWY 101 and that the orchard is maintained for the life of the project. Therefore, this finding can be made.

2.2.5 The proposed development will be compatible with the established physical scale of the area.

The established physical scale of the area is primarily defined by the natural topographic features and rural nature of the site. The site is rural in character, consisting of a broad open terrace bisected by a number of drainages. Small groves of trees including eucalyptus, pines and cypress are clustered near the Ocean Estate development area and along portions of the coastal parcel near the coastal bluff. The homes would be one story in height and would not exceed the height of the existing trees on the project site. Both homes and all related structures are single story and would be designed to be subordinate to the existing landscape. The gentle slope of proposed roof forms would be consistent with the gently sloping nature of surrounding topography. The project would use natural building materials and colors compatible with the surrounding environment.

The project includes the proposed planting of new dwarf and semi-dwarf citrus orchards between the proposed new estate developments and the highway. The orchards would be consistent with the existing rural agricultural nature of the surrounding area. Landscaping would include primarily drought tolerant native or Mediterranean grasses, plants and shrubs. In addition, MM BIO-11 (condition 17) mandates the use of locally occurring native plant materials. This would ensure an aesthetic in the decorative landscaping consistent with the natural context of the Gaviota coast. Therefore, this finding can be made.

2.2.6 The development will comply with the public access and recreation policies of this Article and the Comprehensive Plan including the Coastal Land Use Plan.

The project includes a number of offers to dedicate (OTD) easements for both vertical and lateral public access and recreation facilities. Proposed easements on the ocean lot include: an easement for a trail network, including a loop trail and a portion of the California Coastal Trail, bounded by the UPRR on the north, the coastal bluff on the south, Eagle Canyon on the east, and the Coastal Estate development envelope on the west; an easement for an ocean overlook; vertical access to the beach within a “floating” easement extending along the bluff from Drainage 5 to Eagle Canyon; and a lateral easement along the beach as measured from the base of the bluff to the mean high tide line. Proposed easements on the inland lot include: an easement area that would allow for vertical vehicular access from the existing site entrance at Highway 101 to a future public parking lot (up to 20 spaces); and pedestrian access from the future parking lot and over the UPRR tracks to the loop and California Coastal Trails on the Coastal Lot. With the exception of 1,600 feet of Coastal Trail, which is proposed to be constructed by the applicant, the exact location of future trails, parking, vertical beach access and access over the UPRR tracks will be determined at a future date based upon the mutual agreement of the landowner, the County of Santa Barbara, and the eventual easement holder. Therefore the development will comply with the public access and recreation policies of the Article II Coastal Zoning Ordinance and the Comprehensive Plan including the Coastal Land Use Plan, and this finding can be made.

2.3 Additional finding required for sites zoned Environmentally Sensitive Habitat (ESH) Overlay. In compliance with Section 35-97.6 of the Article II Zoning Ordinance, prior to the issuance of a Coastal Development Permit for sites designated with the ESH Overlay zone the review authority shall first find that the proposed development meets all applicable development standards in Section 35-97.8 through Section 35-97.19.

The proposed development would meet all applicable development standards in Section 35-97.8 through Section 35-97.19 of the Article II Zoning Ordinance. With regard to Section 35-97.9 (Development Standards for Wetland Habitats), the proposed project

avoids impacts to all wetlands with the exception of a potential impact to .002 acres of Creeping Spike Rush Marsh wetland (isolate wetland #6) as a result of the utility corridor. However, in the Conceptual Upland and Riparian Mitigation and Monitoring Plan (John Davis, Dudek, January 2012) included as part of the proposed project, this potential impact would be mitigated at a ratio of 4:1. In addition, in order to protect the wetland, Mitigation Measure MM-BIO-5 (condition 12) requires that the utility line be attached to the underside of the future public access bridge that would cross the UPRR tracks at the east side of the property and by realigning the utility corridor by approximately 30 feet in the area adjacent to the wetland. Prior to the construction of the future bridge, utilities would be attached to the underside of the existing on-site bridge. The project would involve no wetland dredging, no intensive recreation within wetlands or required wetland buffers, and no wastewater discharge into wetlands. No vehicle traffic within wetlands is proposed or would occur. No mosquito abatement and no grazing or agricultural uses would occur within wetlands. Therefore, the project would be consistent with the requirements of 35-97.9 of the Article II Zoning Ordinance.

Consistent with the requirements of Section 35-97.10 (Development Standards for Native Grassland Habitats) of the Article II Zoning Ordinance, the project would not result in the removal of purple needlegrass grassland, would involve no grazing, and development has been sited and designed to protect native grassland areas.

Consistent with the requirements of Section 35-97.12 (Development Standards Butterfly Tree Habitats) of the Article II Zoning Ordinance, the proposed project would avoid trees used by overwintering monarch butterflies and all proposed project development would occur outside the minimum 50-foot setback. Therefore the proposed project would be consistent with this requirement. In addition, MM-BIO-08 (condition 15) requires that, upon identification of the location of the future public access improvements (vertical beach access, parking lot) construction of the future improvements shall avoid the monarch butterfly roosting/overwintering season.

Consistent with the requirements of Section 35-97.13 (Development Standards for Marine Mammal Rookery and Hauling Ground Habitats) recreational activities near or on areas used for marine mammal hauling grounds would be carefully monitored and no marine mammal rookeries shall not be altered or disturbed by recreational or any other uses during the times of the year when such areas are in use for reproductive activities, i.e., mating, pupping, and pup care. The proposed project would include closure of the existing unauthorized access to the mouth of Tomate Canyon (near a seal-haul-out) by future homeowners. Closure of this unauthorized trail would eliminate the most direct existing source of disturbance to seals using the haulout. In addition, MM-BIO-12 (condition-18) requires that access to the beach be closed 300 yards in each direction of the harbor seal haulout during the harbor seal pupping/breeding season, posting of informational signage, and restriction of the development of future vertical beach access to the eastern portion of the ocean lot. With the inclusion of these protective measures, the project would be consistent with Section 35-97.13.

Consistent with the requirements of Section 35-97.14 (Development Standards for White-Tailed Kite Habitats) the proposed project would not result in impacts to any of the trees that have been identified as confirmed or potential nest sites on the project site. However, one Monterey pine which has historically been used by white-tailed kites for perching would be removed on the ocean lot to accommodate the proposed new single family dwelling. Aside from removal of this perching tree, project development would not occur within roosting/nesting areas and would be set back approximately 300 feet from historic perches. In addition, the project includes the planting of six 36-inch-box coast live oak trees and a 91-acre open space conservation easement area to be managed to protect and enhance white-tailed kite habitat.. Walking trails constructed on-site in the future could be located in proximity to kite nesting areas. MM-BIO-18 (condition 23) would require informational signage for the public regarding white-tailed kites, and yearly surveys and trail closures, as appropriate, to prevent impacts to white-tailed kite nests. Therefore, recreational use of the roosting and nesting area would be minimal, i.e., walking, bird watching and protective measures for this area would include seasonal closures and signage with posted use restrictions. As a result of the proposed project, the total available suitable foraging habitat on-site would decrease from 33.7 to approximately 27.82 acres, thus resulting in a net decrease of 5.88 acres of suitable foraging habitat for white-tailed kites. However, the project as proposed includes a 91-acre open space conservation easement (expanded to 106 acres under MM-BIO-10/condition 16), and MM-BIO-10 (condition 16) requires additional measures to protect and enhance white tailed kite foraging habitat. Those measures include long-term maintenance of the conservation easement to remove and prevent the intrusion of black mustard, establishment of 5.88 acres of high quality white-tailed kite foraging habitat, and management of restoration areas identified in the proposed Conceptual Upland and Riparian Mitigation and Monitoring Plan to ensure maintenance of kite habitat. With the incorporation of these measures the project can be found consistent with the development standards for protection of white-tailed kite habitat. Therefore, the maximum feasible area would be retained as grassland to provide feeding area for the kites.

3.0 CONDITIONAL USE PERMIT FINDINGS: In compliance with Section 35-172.8 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for a Major or Minor Conditional Use Permit the review authority shall first make all of the following findings, as applicable:

3.1 That the site for the project is adequate in size, shape, location and physical characteristics to accommodate the type of use and level of development proposed.

The project site is approximately 143-acres (composed of a 64-acre ocean lot and 78-acre inland lot) and is generally level. The proposed project would involve the construction of two residences along with accessory uses including garages and guesthouses. Proposed and future structural development would be confined to a 1.9-acre development envelope on the ocean lot and a 2.5-acre development envelope on the inland lot. The project includes the dedication of easements to

allow for future public access improvements on-site as well as a 91-acre open space conservation easement. Therefore, a majority of the property would remain in open space. The site would be served by the extension of a Goleta Water District waterline. A minor Conditional Use Permit (CUP) is required for the proposed extension of the waterline to serve the project and a Major Conditional Use Permit (MCUP) is required for the applicants' proposal to construct 1,600 feet of public trails. As a result of the overall size of the property and gentle topography of the site, the property would be adequate to support all development proposed, including the proposed waterline and 1,600 feet of trail. Therefore, this finding can be made.

3.2 That adverse environmental impacts are mitigated to the maximum extent feasible.

As discussed in the EIR prepared for the project 09EIR-00000-00003 (Revised February 2013) and Section 6.1 (Environmental Review) of this staff report, dated February 21, 2013, and incorporated herein by reference, adverse environmental impacts are mitigated to the maximum extent feasible. Therefore, this finding can be made.

3.3 That streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.

The project site is currently served by one driveway that connects to the south side of US Highway 101. Pursuant to a traffic study prepared by Associated Transportation Engineers (ATE) dated January 2012, the proposed project would not exceed county thresholds for intersection levels of service (LOS). Therefore US Highway 101 is adequate to serve the proposed project. The proposed project would include the construction of a private access road extending from the existing site entrance at US highway 101 to the proposed Ocean and Inland Estate development sites. This access road and driveways extending to the individual Estates would be constructed to County Fire Department engineering requirements and would be adequate for the proposed project.

Over the course of the approximately 24-month construction period, the applicant has estimated that approximately 25 workers per day would use US Highway 101 and the project driveway to access the site, generating an additional average of 50 ADT. Approximately 15 delivery and/or haul trucks would add 30 ADT; therefore, total construction trips would be equal to 80 ADT for 24 months of temporary construction related traffic impacts. This addition of construction-related project traffic would result in short-term less than significant impacts at the US Highway 101/project driveway intersection. Similarly, the addition of 80 ADT to US Highway 101 in the project vicinity would not result in a degradation of existing US Highway 101 operations. Roadway operations would remain within County and Caltrans standards and no adverse impacts are anticipated due to the short-term nature of construction. Placement of the fill cap associated with

the utilities installation on the adjacent Gaviota Holdings property would require dump trucks to use US Highway 101, Hollister Avenue, and the Bacara resort access road to travel between the subject property and Gaviota holdings property. These roadways and intersections offer adequate line of sight, service levels, and storage capacity to accommodate this increased heavy truck traffic. In addition, MM-TR-1 (condition 51) requires preparation of a traffic control plan to further limit temporary construction traffic impacts. Therefore, streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use during the long term and also during short term construction activities and this finding can be made.

3.4 That there will be adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.

Access to the Ocean and Inland Estates would be provided by a new shared access driveway. The driveway would enter the site via the existing site entrance off of US Highway 101 at the east side of the property and extend west through the property to the Inland Estate. The driveway would then extend from the Inland Estate, over the UPRR (Union Pacific Railroad) tracks via a new bridge, to the Ocean Estate. Water would be obtained from the Goleta Water District. The proposed project would include construction of two private water lines, an 8-10 inch potable line and a 4 inch reclaimed water line, extending from the existing Goleta Water District line to serve the Ocean and Inland Estates. The water line would be privately owned and designed to serve and provide adequate fire flows to the proposed residential and agricultural development on the ocean and inland lots. A Water Use Agreement was entered into by the applicant and the Goleta Water District in 1998. In addition, the Goleta Water District issued a definitive letter, dated September 15, 2004 providing committing to deliver water to the property. Sanitary service would be provided through private septic systems as approved by Environmental Health Services (EHS). EHS provided a condition letter, dated February 23, 2012, noting that drywell performance tests were provided which established the feasibility of wastewater disposal for the ocean and inland lots. Fire service would be provided by Santa Barbara County Fire and police protection would be provided by the Santa Barbara County Sheriff. Therefore, this finding can be made.

3.5 That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area.

The project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood. Conditions 62, 65, 66, 67, 68 and 69 place restrictions on the hours of construction and construction parking and require designated staging and washout areas and implementation of erosion

control best management practices in order to prevent short term construction impacts to the area and to preserve the health safety and comfort of the area. The project would provide easements to allow future public access to the site and beach below, providing a public benefit. The applicant's proposal to construct 1,600 feet of public trail would contribute to this benefit and would be consistent with applicable Coastal Land Use Plan and Coastal Act policies which encourage the provision of public access to coastal areas and the beach. The proposed project would not be incompatible with the surrounding area. Unauthorized public trails exist on-site and the proposed project would allow for public access to be formalized, increasing public safety when accessing the beach at this location while perpetuating the public trails in the area. The proposed waterline would serve the two proposed residences and accessory uses, which are principally permitted uses within the applicable zone district requiring water service. As discussed in finding 3.7 (below) and incorporated herein by reference, the proposed uses would be compatible with and subordinate to the scenic and rural character of the area. As discussed in finding 2.2.5, above, and incorporated herein by reference, the proposed development will be compatible with the established physical scale of the area. Therefore, this finding can be made.

3.6 That the project is in conformance with the applicable provisions and policies of this Article and the Coastal Land Use Plan.

As discussed in Section 6.2 and 6.3 of this staff report, dated February 21, 2013, and incorporated herein by reference, the proposed project is consistent with all applicable policies of the County Comprehensive Plan, including the Coastal Land Use Plan, and with all requirements of the Article II Coastal Zoning Ordinance. Therefore, this finding can be made.

3.7 That in designated rural areas the use is compatible with and subordinate to the scenic and rural character of the area.

The site is rural in character, consisting of a broad open terrace bisected by a number of drainages. Small groves of trees including eucalyptus, pines and cypress are clustered near the Ocean Estate development area and along portions of the coastal parcel near the coastal bluff. The homes would be one story in height and would not exceed the height of the existing trees on the project site. Both homes and all related structures are single story and would be designed to be subordinate to the existing landscape. The gentle slope of proposed roof forms would be consistent with the gently sloping nature of surrounding topography. The project would use natural building materials and colors compatible with the surrounding environment. The proposed 1,600 feet of public trail would be located near the southwestern corner of the property on the ocean lot. The trail would be unpaved, consisting of natural dirt or gravel and would be consistent with the rural nature of the existing site, which currently contains partially paved and unpaved trails. The proposed waterline would extend from the adjacent

Gaviota Holdings (APN 079-200-005) property to and onto the proposed property. Once on the subject property, the line would attach to the bottom of an existing bridge that spans the UPRR tracks and would then follow the alignment of the proposed access road. During the first stretch of the line, from the adjacent property to the existing bridge, the line would be located within an earthen fill cap. This fill cap would be no more than 2.5 feet in height and would be re-vegetated with native species following construction. The remainder of the line would be located underground below the proposed access road. Therefore, the line would be obscured from view by vegetation or soils and would be minimally visible to the public. Therefore, the proposed uses would be compatible with and subordinate to the scenic and rural character of the area and this finding can be made.

3.8 That the project will not conflict with any easements required for public access through, or public use of the property.

The project will not conflict with any easements required for public access through, or public use of the property and proposes easements to allow additional public access through the property. Therefore, this finding can be made.

3.9 That the proposed use is not inconsistent with the intent of the zone district.

The property is zoned AG-II-100. The purpose of the Agriculture II district is to establish agricultural land use for large prime and non-prime agricultural lands in the rural areas of the County (minimum 40 to 320 acre lots) and to preserve prime and non-prime soils for long-term agricultural use. Agricultural uses have not occurred on the project site in more than 20 years and the site has never been farmed as a “stand alone” viable farming unit, but rather only as a part of the former Dos Pueblos Ranch. Class II prime (when irrigated) soils on-site are disjunct in nature and constrained for farming due to the characteristics of the particular soil type (Diablo clay soils). Pursuant to the County’s Weighted Point System for determining agricultural viability, neither the ocean nor inland parcel was determined to be agriculturally viable. This lack of viability is due to the parcel size, lack of a developed water supply, moderate agricultural suitability for crops, lack of existing agriculture, and inability to qualify for the agricultural preserve program. Therefore, it is unlikely that the property could be used for long-term agricultural use. However, the majority of the site would remain in open space, and the project would not rezone or develop the site to prevent future agricultural use, so the project would be consistent with the intent of the zone district. Therefore, this finding can be made.

ATTACHMENT B: CONDITIONS OF APPROVAL

- 1. Proj Des-01 Project Description.** This project is based upon and limited to compliance with the project description, the hearing exhibits marked dated March 20, 2013, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

Ocean and Inland Estates

The proposed Ocean Estate residence would be 5,806 (gross) square feet in size, with an attached 1,421 square foot garage/mechanical space, a detached 800 square foot guesthouse with attached 651 square foot garage, and a pool. Future structural development and earth disturbance associated with the proposed Ocean Estate would be limited to a 1.9-acre development envelope. The proposed Ocean Estate would also include designation of a 1.7-acre envelope which would allow agricultural activities such as orchards, row crops, and horse/livestock keeping. The maximum height of the proposed residence and garage is 20 feet and the maximum height of the proposed guest house and attached garage is 21 feet.

The proposed Inland Estate residence would be 7,326 (gross) square feet in size with an attached 1,837 square foot basement and garage/mechanical space, a detached 800 square foot guesthouse and a pool. Future structural development and earth disturbance associated with the proposed Inland Estate would be limited to a 2.5-acre development envelope. The proposed Inland Estate would also include designation of a 16.3- acre envelope which would allow agricultural activities such as orchards, row crops, and horse/livestock keeping. The maximum height of all proposed Inland Estate development is 22 feet, and is designed to be a minimum of 11 feet, 10 inches below the road grade of Highway 101 to maintain public horizon and blue water views over the development.

Total project grading would include approximately 16,890 cubic yards (cy) of cut and approximately 13,280 cy of fill. One blue gum eucalyptus and two Monterey pine trees would be removed. Landscaping includes native and drought tolerant species including six 36-inch-box oaks and 4.7-acres of citrus orchard.

Services and Infrastructure

The Ocean and Inland Estates would be served by a new shared access driveway. The driveway would enter the site via the existing site entrance off of US Highway 101 at the east side of the property and extend west through the property to the Inland Estate. The driveway would then extend from the Inland Estate, over the UPRR (Union Pacific Railroad) tracks via a new bridge, to the Ocean Estate. The driveway would be 1.6 acres in total area.

The bridge would be 215 feet long and 17.25 feet wide and would be supported on either side by bridge embankments. Grading for the bridge embankments on the ocean lot would include approximately 110 cy of cut and 9,100 cy of fill, and for the Inland lot approximately 75 cy of cut and 3,160 cy of fill. Bridge abutments would be supported on a 3:1 slope on the inland lot and a 2:1 slope on the ocean lot. The bridge will be constructed of weathered steel with wood rail cap and wood decking over a poured concrete deck. The applicant has received design approval and approval of a private easement for the bridge.

Water would be obtained from the Goleta Water District. The proposed project would include construction of two private water lines, an 8 to 10 inch potable water line and a 4 inch reclaimed water line, extending from the existing Goleta Water District line to serve the Ocean and Inland Estates. Currently, the Goleta Water District service line terminates off-site near the Bacara Resort. The water line would be extended through an existing 20 foot easement across the adjacent Gaviota Holdings property (APN 079-200-005) to the project site. The water line would be privately owned and would serve the proposed residential and agricultural development on the ocean and inland lots. The complete water line to serve the Ocean and Inland Estates would be approximately 7,500 feet in length. Sanitary service would be provided through private septic systems as approved by Environmental Health Services. Fire service would be provided by Santa Barbara County Fire.

Public Access Dedications

The project includes a number of offers to dedicate (OTD) easements for both vertical and lateral public access and recreation facilities, contingent on approval of the proposed project as depicted on the Proposed Project and Open Space Conservation Easement site plan. Proposed easements on the ocean lot include: an easement for a trail network including a loop trail and a portion of the California Coastal Trail bounded by the UPRR on the north, the coastal bluff on the south, Eagle Canyon on the east, and the property line on the west; an easement for an ocean overlook; vertical access to the beach within a "floating" easement extending along the bluff from Drainage 5 to Eagle Canyon; and, a lateral easement along the beach as measured from the base of the bluff to the mean high tide line for the entirety of the property's ocean frontage. Proposed easements on the inland lot include: an easement area that would allow for vertical vehicular access from the existing site entrance at Highway 101 to a future public parking lot (up to 20 spaces); and; pedestrian access from the future parking lot and over the UPRR tracks to the loop and California Coastal Trails on the Coastal Lot. In addition, the project would include the construction of 1,600 lineal feet of Coastal Trail. This trail would be located within a 20 foot easement and would be a multi-use trail consisting of a 6 foot wide decomposed granite path with two foot shoulders and low native vegetation plantings. Construction of this portion of the Coastal Trail would be completed concurrently with the installation of utility lines and would be fully completed prior to final occupancy of the first residence constructed. With the exception of 1,600 feet of Coastal Trail, which is proposed to be

constructed by the applicant, the exact location of future trails, parking, vertical beach access and access over the UPRR tracks (including UPRR and PUC [Public Utilities Commission] easement and design approval) will be determined at a future date based upon the mutual agreement of the landowner, the County of Santa Barbara, and the eventual easement holder.

Open Space Conservation Easement and Habitat Restoration

The project includes a proposed approximately 91.0 acre Open Space Conservation Easement extending over both the ocean and inland lots from Eagle Canyon to Drainage #5 on the west as depicted on the Proposed Project and Open Space Conservation Easement site plan (included as Attachment-H). Aside from the future construction of public access improvements, no development would occur within the Open Space Conservation Easement area, in perpetuity. The proposed project includes habitat restoration as identified in the Conceptual Upland and Riparian Mitigation and Monitoring Plan (Dudek, January 2012). This restoration would occur within a 23.56 acre portion of the Open Space Conservation Easement area.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

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

Mitigation Measures from Revised 09EIR-00000-00003

3. **MM AES-1a.** All cut slopes excavated to reconstruct the existing access roadway shall be landscaped pursuant to specifications contained in a landscape plan with the goal of reducing the visibility and prominence of any exposed slopes and soils and shall mimic of native habitat forms on and around such slopes. Additionally, all grading of the project site as necessary to minimize visibility shall not involve the placement of fill having an average depth of greater than 18 inches and a maximum depth of greater than 36 inches². The recontouring shall follow and extend the natural, underlying topography and upon completion, result in slopes that have a natural appearance and generally blend with the existing topographic landforms. **Plan Requirements and Timing.** Plans and procedures

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This fill depth would not apply to utilities trenching or filling, or to the bridge berms.

to address landscaping and grading requirements shall be incorporated into plans submitted to the County Planning and Development Department and subject to review and approval by CBAR. Plans shall be submitted to and approved by the County and CBAR prior to issuance of the Coastal Development Permits for each lot. **Monitoring:** The grading inspector shall ensure conformance with the provision on grading plans and in the field.

4. **MM AES-1b.** The applicant shall prepare and submit a landscaping plan to the County for review and approval. The landscaping plan shall include provisions for landscaping of the home sites as well as the berms supporting the private bridge between the Ocean and Inland Estates. In addition to plant species and layout, the landscape plan shall address maintenance of home site landscaping, berm landscaping, orchard plantings, and open space areas. The plan shall be consistent with the County-approved Conceptual Upland and Riparian Mitigation and Monitoring Plan and the terms of the Open Space Conservation Easement. The plan shall include maintenance provisions for ensuring that landscaping is maintained for the life of the project. The vegetation shall be maintained to ensure maximum screening of the Ocean and Inland Estates from US HWY 101 but shall protect public blue-water views. **Plan Requirements and Timing.** Plans and procedures to address these issues shall be incorporated into plans submitted to the County Planning and Development Department and shall be subject to review and approval by CBAR. Plans shall be submitted to and approved by the County and CBAR prior to issuance of the Coastal Development Permits for each lot. Landscaping of the bridge berms shall occur within two weeks of the completion of berm grading. **Monitoring.** Site plans shall be submitted to County Planning and Development and CBAR for review and consideration prior to of Coastal Development Permits. P&D Permit Compliance staff shall ensure compliance on site. Final occupancy of the proposed structures shall not be granted until site landscaping and orchards are installed.
5. **MM AES 1c.** The applicant shall plant a mix of dwarf and semi-dwarf citrus trees with a maximum height of approximately 10-feet (dwarf citrus) and 15 feet (semi-dwarf citrus), or other P&D-approved species consistent with agricultural uses common on the Gaviota Coast. The trees shall be planted within the proposed Agricultural Envelopes. Plantings shall follow the existing topography of the site and shall be maintained at a height below the grade of US Highway 101 to ensure mature trees do not obstruct blue water and horizon views. The trees shall be planted and maintained throughout the life of the project. The property owner shall replace new plantings as necessary throughout the life of the project. Terms for maintenance of the orchard shall be included in the landscape plan submitted to the County for review and approval. **Plan Requirements and Timing.** This requirement shall be shown on a landscape plan to be reviewed and approved by P&D prior to issuance of the Coastal Development permits for each lot. **Monitoring.** P&D compliance monitoring staff shall ensure tree installation and maintenance.
6. **MM AES-3a.** Current and future proposed structures, including accessory structures and elements shall be subject to approval by the Board of Architectural Review (BAR) prior to issuance of a Coastal Development Permit. The application to the Board of

Architectural Review shall include a plot plan showing any landscaping, finished building elevations, fencing, data showing the proposed color scheme, materials of construction, and a drawing to scale showing any signs to be erected, attached to, or painted on such structure. The Board of Architectural Review shall evaluate the following aspects of the project:

- Structures shall be sited and designed to preserve unobstructed broad views of the ocean from US Highway 101.
- Structures shall not be of an unsightly or undesirable appearance.
- Structures shall be clustered to reduce visual impacts.

Plan Requirements and Timing. Plans and procedures to address these issues shall be incorporated into plans submitted to the County Planning and Development Department and subject to review and approval by CBAR. Plans shall be submitted to and approved by the County and CBAR prior to issuance of the Coastal Development Permits for each lot. Submittals shall be consistent with the most current County Planning and Development BAR submittal requirements. **Monitoring.** P&D shall inspect prior to occupancy clearance.

7. **AES-3b.** All development on the project site shall occur within the approved development envelopes. All structures (including any ancillary structures that may be permitted within the Agricultural Zone) shall be considered part of the proposed project and therefore subject to all approved mitigation measures related to visual character, including height, color, and building material. **Plan Requirements and Timing.** This measure shall be implemented throughout the lifetime of the proposed project. Plans for additional structures shall be submitted to the County for review and approval. **Monitoring.** Compliance with project requirements shall be checked by P&D monitoring staff.
8. **MM AES-3c.** Approved and future structures on-site shall be one story and not higher than 22 feet above natural or finished grade, which results in a lower building height, except for chimneys and rooftop antenna. All approved and future structures shall be sited within the development envelope and shall be of a height that is below the road grade of US Highway 101 to maintain public blue water views. Structures within shall be clustered to the maximum extent feasible. **Plan Requirements and Timing.** This measure shall be included on building plans submitted for County approval. Plans shall be submitted prior to issuance of Coastal Development Permit. **Monitoring.** Height of structures shall be checked by Building and Safety during frame/inspection.
9. **MM AES-3d.** Natural building materials and colors compatible with surrounding terrain (earth-tones and non-reflective paint) shall be used on exterior surfaces of all structures including water tanks and fences. Use of reflective glass, metal, paints, etc. shall be minimized. **Plan Requirements and Timing.** Materials shall be noted on building plans

and shall be reviewed and approved by the Central Board of Architectural Review. Plans shall be submitted for review and approval by P&D and BAR staff prior to issuance of Coastal Development Permits. Structures shall be painted and all materials shall be in place prior to Final Building Inspection. The applicant shall provide a copy of the CBAR-approved color and materials board with their Permit Compliance application. **Monitoring.** P&D compliance monitoring staff shall inspect and ensure compliance prior to Building Inspection Clearance.

- 10. MM AES-4.** The Applicant shall ensure any exterior night lighting installed on the project is of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spillover lighting. The applicant shall install timers or otherwise ensure lights are dimmed after 10:00 PM.

Plan Requirements and Timing. The applicant shall develop a Lighting Plan for CBAR approval incorporating these requirements and showing locations and height of all exterior lighting fixtures with arrows showing the direction of light being cast by each fixture. The lighting plan shall also incorporate the following elements:

- Conserve energy and follow night sky lighting practices, generally conforming to the standards and recommendations of the International Dark-Sky Association (IDA) and the Illuminating Engineering Society of North America (IESNA);
- Through design and installation, and permitted only within the building envelopes, use lamps that are fully shielded such that the lamp image is not directly visible beyond the area of illumination;
- Through design and location within the building envelopes, avoid creating glare, light spillover outside of the building envelopes onto adjacent areas, or upward illumination into the night sky;
- Use low intensity and low glare designs;
- Use motion, light, and time sensors that minimize duration of use;
- Ensure that all light poles, fixtures and hoods are constructed or coated with a non-reflective exterior finish;
- Prohibit uplighting of landscape or structures; and
- Minimize location of exterior lighting to that necessary for safety along driveways, roads, and parking areas. The driveway lighting shall be low intensity and indirect with on-demand switching to minimize nighttime light visibility from public viewing places.

- Lighting shall be installed in compliance with this measure prior to Final Building Inspection Clearance.

Monitoring. P&D compliance monitoring staff shall review a Lighting Plan for compliance with this measure prior to Final Building Inspection Clearance and shall ensure that exterior lighting fixtures are installed consistent with their depiction on the final Lighting Plan.

- 11. MM BIO-2. Southern Tarplant Avoidance or Restoration.** The utility corridor locations shall utilize existing roads and disturbed areas to the maximum extent feasible. Trenching shall be accomplished by hand tools when working near sensitive plants. Prior to construction, the applicant shall survey and flag by a qualified biologist the alignment of the water lines. Where determined to be feasible by the project biologist, the utility corridor will be realigned the corridor to avoid impacts to sensitive plant species. Any field revisions shall be plotted on a revised site plan submitted to P&D for review and approval. To further reduce the potential for direct effects on sensitive species, the applicant shall retain a qualified biologist, approved by the Planning and Development Department, to survey the development envelopes and other areas to be disturbed by the construction of roadways or other improvements for special-status plant species at times of the year that are appropriate for their detection. Rare plant surveys shall be conducted within one year of the proposed commencement of construction activities that would potentially affect any plants present. Surveys shall conform to guidelines published by the CDFG, USFWS, CNPS, or other expert organization, and survey methods shall be approved by the County. In the event any sensitive plant species are found in these areas to be disturbed, the applicant shall prepare a plan for on-site restoration/relocation of southern tarplant. The plan shall detail methods for seed salvage by a qualified biologist and collection and shall identify a location on site to be dedicated to reestablishment of southern tarplant. The restoration site shall consist of an area three times the size of the occupied habitat that is removed for development. Prior to issuance of grading permit for the public parking area, a qualified biologist acceptable to P&D shall survey the development envelope and a minimum of 50 feet beyond the development outer limit for the presence of southern tarplant. If any individuals are observed, these plants will be allowed to produce seed for harvesting for use in the on-site restoration. The top 4 inches of soil within the development envelope shall be stockpiled for subsequent use in on-site southern tarplant restoration. **Plan Requirements and Timing.** Pre-construction surveys for the presence of any sensitive plant species must be completed, along with plans if necessary for the collection of seed from any individuals discovered, prior to ground disturbance. The revised plans depicting relocated water lines shall be submitted to P&D for review and approval prior to issuance of grading permit. Individual sensitive species shall be indicated on the Map and on grading plans. **Monitoring.** P&D shall review and approve the final design prior to grading permit and shall ensure that the required sensitive areas are avoided during construction.

12. MM BIO-5. Utility Corridor and Coastal Trail Final Design. The utility corridor and coastal trail in proximity to the southern end of the wooden bridge, and future replacement of the existing bridge shall be designed to avoid direct impacts to isolated wetland #6 and the creeping spike rush marsh habitat. Avoidance will best be achieved by providing a minimum 30-foot buffer from the outer edge of isolated wetland #6 for all construction and development activities outside of the designated utility/Coastal Trail corridor and by attaching the utility corridor infrastructure to the underside or side of the wooden bridge to cross the Union Pacific railroad tracks. Prior to construction, orange construction fencing shall be placed by a qualified biologist around the outer edge of this wetland. The final design of utility corridor and coastal trail shall be plotted on a revised site plan submitted to P&D for review and approval. **Plan Requirements and Timing:** Orange construction fencing shall be in place prior to ground disturbance. The revised plans depicting the utility corridor and coastal trail alignment shall be submitted to P&D for review and approval prior to issuance of grading permit. **Monitoring:** P&D shall review and approve the final design prior to grading permit issuance to ensure that the isolated wetland #6 is avoided during construction and project development.

13. MM BIO-6. Riparian Vegetation. The applicant shall submit a revised habitat restoration plan for site-specific restoration for loss of arroyo willow thicket resulting from the construction of the utility corridor. The draft habitat restoration plan call for creation of new riparian areas at a ratio of 3:1 in the vicinity of upper reaches of Drainage #4, immediately adjacent to existing arroyo willow thicket riparian vegetation. The mitigation area would total 0.06 acre. The plan shall include the following measures:

- Protection and preservation of existing hydrologic and topographic features.
- Revegetation using only native endemic plant species.
- Non-native species, if present, shall be removed from the affected drainage.

Plan Requirements and Timing. The applicant shall submit the restoration plan to P&D for review and approval prior to issuance of grading permit. The plan shall be prepared by a P&D approved biologist. The plan shall be implemented after completion of access road improvements. **Monitoring.** P&D shall review and approve the restoration plan prior to issuance of grading permit and will monitor for subsequent implementation.

14. MM BIO-7. Pre-Construction Surveys. Pre-construction surveys for California red-legged frogs, tidewater goby, and other special-status aquatic species (such as western pond turtle) shall be conducted prior to construction activities associated with the utility corridor and the public access trail and stairway, no more than one week before construction begins. If any individuals of California red-legged frog or tidewater goby are found, the U.S. Fish and Wildlife Service shall be contacted and appropriate avoidance measures shall be taken to ensure their protection as recommended by the consulting biologist and approved by P&D. These measures shall include installation of exclusionary fencing to prevent California red-legged frog from entering the construction area, installation of orange construction fencing to mark the limits of where construction activities may safely take place, and the use of best management practices to prevent pollutants from entering the Eagle Canyon. The crossing of Eagle Canyon will be

through the use of an elevated pipe bridge. Post-Construction Use. The post-construction efforts to protect California red legged frog and tidewater goby shall include the use of open fencing to hinder direct access to the open water of Eagle Canyon, the posting of an educational and informational sign describing the sensitive habitat of the lagoon and open water with an explanation with the public shall refrain from disturbing the stream ecosystem. The design and signage content shall be submitted to P&D for review and approval prior to construction activities associated with the public access trail and beach access stairway. **Plan Requirements and Timing.** Orange construction fencing shall be in place prior to ground disturbance. The revised plans depicting the utility corridor and coastal trail alignment shall be submitted to P&D for review and approval prior to issuance of grading permit. **Monitoring.** P&D shall review and approve the construction protection measures prior to grading permit issuance to ensure that construction activities will avoid direct and indirect impacts to California red-legged frog, western pond turtle, and tidewater goby. The design for open fencing and educational signage shall be reviewed and approved by P&D prior to opening of the public access trail and beach access stairway.

15. MM BIO-8. The future construction of the public access stairway to the beach (if located within Eagle Canyon) and public parking lot can proceed only after all overwintering monarch roosts have dispersed in late winter or early spring. The applicant shall hire a County-qualified biologist prepare a monarch butterfly roosting/overwintering survey prior to the start of grading and construction. **Plan Requirements and Timing.** The monarch roosting/overwintering survey shall be submitted for review and approval by the P&D biologist and P&D permit compliance staff prior to issuance of grading permits. Construction plan notes shall state that construction shall be prohibited until such time that overwintering monarch roosts have dispersed in late winter/early spring. Said plans shall be submitted to P&D for review and approval prior to issuance of grading/construction permit. **Monitoring.** P&D shall review and approve the construction protection measures prior to grading permit issuance to ensure that construction activities do not impact monarch butterfly trees. Permit compliance staff shall monitor construction on site.

16. MM BIO-10. The applicant shall submit a revised Conceptual Upland and Riparian Mitigation and Monitoring Plan (dated January 2012) for the proposed restoration areas and a Conservation Easement Management Plan for the proposed conservation easement that provide for white tailed kite habitat enhancement and maintenance. The plan shall be subject to review and approval by the P&D biologist and shall be updated as follows:

1. **Habitat Restoration.** Restoration areas shall continue to include 4.56 acres of California sagebrush scrub, 0.11 acre of arroyo willow thicket, and 5.92 acres of purple needlegrass grassland. The Upland and Riparian Mitigation and Monitoring Plan shall be revised such that 5.88 acres of the currently proposed 12.97-acre exotics-free buffer zone shall be seeded with native grasses that would provide 1:1 replacement of high quality white-tailed kite foraging habitat.
2. **Restoration Area Maintenance.** The proposed 23.5-acre restoration area shall be managed to provide for long-term maintenance of restoration acreages identified

in item 1, above in order to prevent a reduction in high to moderate quality kite foraging habitat due to succession to other habitat types (e.g., scrub habitat). The Upland and Riparian Mitigation and Monitoring Plan shall be revised to include this maintenance goal.

3. Conservation Easement Maintenance. The proposed 91-acre conservation easement area shall be expanded to include Drainage 5 on the Ocean and Inland Lots, and the approximate 1.7 acre agricultural envelope proposed between Drainage 5 and 6 and just east of the access bridge on the Ocean Lot deleted, resulting in a 106.8 acre conservation easement area. The proposed 106.8-acre conservation easement area shall be managed for the life of the project in order to prevent the spread of invasive black mustard and to prevent the transition of the existing mosaic of herbaceous plants to shrubby areas opaque to kites. In addition to any other management practices, existing mustard fields within the 106.8-acre conservation easement shall be mowed prior to the flowering of mustard plants on an annual basis. Mowing shall not be required where it is determined infeasible due to adjacency to sensitive habitats by the P&D Biologist in conjunction with the Project Biologist.

Plan Requirements and Timing: the revised Conceptual Upland and Riparian Mitigation and Monitoring Plan shall be submitted for review and approval by the P&D biologist prior to Coastal Development Permit issuance. Restoration planting, seeding, irrigation, and protective fencing shall be in place prior to final occupancy clearance by the P&D compliance planner and Building and Safety staff. **Monitoring:** Monitoring reports prepared by the Project Biologist shall be submitted to the permit compliance planner on an annual basis in June for five years following completion of restoration activities. The Project Biologist shall schedule and attend an annual site visit with the permit compliance planner to review the status of site maintenance.

17. **MM BIO-11.** The applicant shall retain a qualified local biologist (approved by P&D) to review and approve the Landscaping Plan for this project. Species to be used in ornamental areas such as entrances, windrows, yards, agricultural use areas and development envelopes, shall be appropriate for their intended use and shall be selected to minimize the potential for invasiveness or other adverse effects on nearby native vegetation. In order to protect the genetic integrity of the native plant populations on the undeveloped portions of the subject property, the Landscape Plan shall prohibit the use of non-locally collected native plants and seed materials for any native species used within or adjacent to open space areas (including plantings proposed for habitat/buffer restoration, native grassland mitigation, and landscape plantings outside perimeter fencing). The Landscape Plan shall also prohibit the planting of any invasive, exotic plant species as identified by the California Invasive Plant Council (Cal-IPC). Wherever native species are specified for plantings or seeding, all seed or plant material shall come from sources in the Dos Pueblos Canyon or Eagle Canyon watersheds or, if not available, coastal Santa Barbara County. **Plan Requirements and Timing.** The applicant has submitted a landscape concept plan that identifies general goals and features of landscaping and hardscaping for developed areas. Landscape Plans for future

development shall be reviewed and approved by the P&D Staff Biologist. The applicant shall use native, locally collected plant species (coastal Santa Barbara species or other non-invasive plant material) for landscaping purposes. **Monitoring.** P&D and a qualified local biologist approved by the County shall monitor Plan compliance throughout the performance period, as appropriate.

18. MM BIO-12. Harbor Seal Haulout. The County or other public agency or non-government organization constructing, operating, or maintaining the vertical coastal access point shall prepare and implement a harbor seal protection/restricted access implementation plan. The plan shall include, but not be limited to, the following measures:

- Vertical access from the bluff top to the beach shall be restricted to the eastern portion of the Ocean Estate within the floating easement proposed as part of the project.
- Access to the beach shall be closed 300 yards in each direction (i.e., north and south) of the harbor seal haulout during the harbor seal pupping/breeding season (i.e., February 1 to May 31).
- Signs informing users of access restrictions and relevant requirements of the Marine Mammal Protection Act shall be posted at the parking area, vertical access point, beach, and other appropriate locations.

Plan Requirements and Timing. The County or other implementing entity shall submit the seal haulout protection/restricted access implementation measures to P&D for review and approval prior to construction of the vertical coastal access point (stairway). The plan shall be prepared by a P&D approved biologist in consultation with the National Marine Fisheries Service and the California Department of Fish and Game. The agency or organization constructing, operating, or maintaining the vertical beach access stairway shall be responsible for ensuring compliance with the approved harbor seal protection/restricted access implementation plan. **Monitoring.** P&D shall review and approve the final design prior to grading permit issuance to ensure that the required signage is correctly installed prior to construction and project development.

19. MM BIO-13. Public Information. The applicant, County, or other implementing entity shall post information at the trailhead of the future public coastal access trail, at the observation lookout, and the top of the beach access stairway, informing visitors that no pets are allowed on the trail and beach, and that the beach access is closed during the months of March through July. Other activity restrictions or beach access closure dates may be approved by P&D with appropriate supporting biological information. The purpose of the pet restriction and closure period is to minimize harassment and adverse effects to the harbor seal haul-out area and to minimize the effects of visitor use on the plants and animals found in the Naples Reef and adjacent marine and beach habitat, including Southern sea otters. **Plan Requirements and Timing.** The applicant shall submit plans for the proposed public information, and proposal for securing the beach access stairway during times when access is prohibited. Responsibility for supervising access and communicating the access restrictions to the public shall be borne by the applicant or subsequent public access manager. **Monitoring.** P&D and a qualified local

biologist approved by the County shall monitor compliance throughout the performance period, as appropriate. The area should be included, where feasible, on the route of law enforcement or other security personnel to enforce beach closure policies.

20. MM BIO-14. Replacement trees for removal of non-native mature trees. The applicant shall plant six coast live oaks (*Quercus agrifolia*) to replace removal of three non-native trees from the project site. To address the temporal loss of potential perch/nest sites, replacement trees shall be 36-inch box trees with approximate overall heights of 12 to 14 feet. Planting locations shall be incorporated into the Conceptual Upland and Wetland Mitigation and Monitoring Plan for the Paradiso del Mare Residential Project, specifically within Drainage 4 and/or Drainage 5. Irrigation and maintenance criteria shall also be included in the Conceptual Upland and Wetland Mitigation and Monitoring Plan for the Paradiso del Mare Residential Project. All mitigation trees shall be monitored for a period of not less than 5 years. During Years 1 and 2, monitoring shall occur quarterly. During Years 3 through 5, monitoring shall occur twice annually. One annual monitoring report shall be submitted to the County by the applicant for each year of the five-year monitoring period. The reports shall address tree survival/mortality totals, site observations, and any corrective actions necessary to promote tree health. In the event that the tree survival total falls below six trees prior to the completion of the five-year monitoring period, the applicant shall replant to reach the six-tree survival minimum with 36-inch box coast live oak trees. Mitigation trees planted for tree losses occurring during the five-year monitoring period shall also be monitored for five years, with annual reporting to the County on tree health/survival. Where development encroaches into the root or canopy zone of retained trees, each affected tree shall be monitored annually for a period of not less than five years. An annual monitoring report shall be submitted to the County by the applicant for each of the five years, concurrent with the submittal of the monitoring report for planted mitigation trees. Should any of these trees be lost or suffer worsened health or vigor as a result of the proposed development, the applicant shall mitigate the impacts at a 5:1 ratio with seedling sized trees. Mitigation planting shall occur annually, if necessary, based on the results of the annual monitoring reports. Mitigation trees planted for tree losses occurring during the five-year monitoring period shall also be monitored for five years, with annual reporting to the County on tree health/survival. **Plan Requirements and Timing.** The applicant shall submit plans for the Conceptual Upland and Wetland Mitigation and Monitoring Plan for the Paradiso del Mare Residential Project that incorporates the replacement tree plantings for review and approval by the County. Annual reports shall be submitted to the County for a minimum of five years. **Monitoring.** P&D shall review and approve the final tree planting design prior to grading permit and shall ensure that the required replacement trees are planted after construction

21. MM BIO-17a . Prohibit use of rodenticides. Control of rodents shall include safe capture and removal of animals utilizing Sherman, Tomahawk, or similar traps. If rodenticides must be used to control excessive rodent populations on site, they shall not contain brodifacoum or other rodenticides that can cause anticoagulant toxicosis in raptors and shall be administered in such a manner as to prevent/limit contact by non-target species.

No rodenticides of any kind shall be utilized on the property, including within the residential and agricultural development envelopes. The applicant shall be required to record a deed restriction that imposes this condition as a restriction on use and enjoyment of the subject property, and shall provide any prospective purchaser and/or lessee with recorded notice that the restrictions are imposed on the subject property. To further ensure that all future buyers and/or lessees are aware of the restriction, future buyers or lessees are required to provide written acknowledgement on the strict prohibition on use of rodenticides. **Plan Requirements and Timing.** The deed restriction shall be recorded by the applicant and submitted to P&D for approval prior to issuance of the certificate of occupancy. **Monitoring.** P&D or a qualified local biologist approved by the County shall monitor compliance with the prohibition on rodenticides.

22. MM BIO-17b. Night lighting limitations. The applicant will design and implement a lighting plan with the following elements:

- Conserve energy and follow night sky lighting practices, generally conforming to the standards and recommendations of the International Dark-Sky Association (IDA) for rural setting;
- Exterior night lighting will be of low intensity, low glare design, minimum height, and shall be fully hooded and shielded to direct light downward, such that lamp usage is not directly visible beyond the area of illumination;
- Exterior lighting shall only be permitted within the development envelopes;
- Motion, light, and time sensors shall be used that minimize duration of use and 24-hour security lighting shall be avoided;
- Uplighting of landscaping or structures shall be prohibited;
- Locations of exterior lighting shall be minimized to that necessary for safety along driveways and parking areas. The driveway lighting shall be low intensity and indirect with on-demand switching to minimize night light visibility from public viewing places.

Plan Requirements and Timing. All exterior lighting fixtures, with an arrow showing the direction of light being cast by each fixture, and the height of fixtures will be depicted on a lighting plan to be reviewed and approved by P&D prior to building permit for future residential development. **Monitoring.** P&D will review a lighting plan for compliance with this measure prior to approval of a Coastal Development Permit. Permit Compliance will inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final lighting plan.

23. MM BIO-18. Post-construction Coastal Trail Use. The post-construction efforts to protect white-tailed kite nesting habitat will include the posting of educational and informational signage describing the sensitive nature of the nesting habitat for white-tailed kite and identifying trail use limitations. The signage will be located outside of the nesting area and explain why the public shall refrain from disturbing the avian breeding ecosystem. The design and signage content shall be submitted to P&D for review and approval prior to construction activities associated with the public access trail. Use of the Coastal Trail will be from dawn to dusk only. Alternate trail connection around the documented, successful kite nest site of 500 feet or greater shall be used if available. If

the alternate trail connection is not available, the use of public access easements (during the nesting season if nesting white-tailed kites are present) would be limited. Yearly surveys shall occur for white-tailed kite nesting. Surveys will be the responsibility of the implementing entity (e.g. County, non-profit organization) and completed by a County-qualified biologist. Surveys shall occur between mid-February to early March as determined by the surveying biologist. If active nests are found, all trails within 500 feet of the nest(s) shall be closed to public. Depending upon the date any nests are determined to be active, and at the discretion of the biologist, an end-of-season nesting survey shall be conducted to determine when the trail may be reopened to the public. **Plan Requirements and Timing.** The plans depicting the coastal trail alignment and the design for the educational signage shall be submitted to P&D for review and approval prior to issuance of grading permit. **Monitoring.** P&D shall review and approve the design for open trail fencing and educational signage prior to opening of the public access trail.

- 24. MM CR-1a.** Prior to placement of the fill cap, a data collection program shall be implemented at CA SBA-2441. The data collection shall be preceded by definition of the site's boundaries where the utility line and public access corridor enter and exit the site, in order to determine the appropriate amount of sampling. The number and interval of excavation units shall be determined in consultation with the P&D Archaeologist, based on the results of the boundary testing. Data collection shall include mapping of surface artifacts, collection of functionally or temporally diagnostic tools and debris, and excavation of samples from within the area to be filled as well as adjacent site areas for comparative purposes. Cultural materials collected from the site shall be processed and analyzed in the laboratory according to standard archaeological procedures. The age of the remains shall be determined using radiocarbon dating and other appropriate procedures; lithic artifacts, faunal remains, and other cultural materials shall be identified and analyzed according to current professional standards; prior archaeological collections from the site shall be included in the comparative analysis. The significance of the site shall be evaluated according to the criteria of the CRHR, and the cultural resource record shall be updated to reflect the results of the investigation; such results also shall be presented in a technical report following the standards of the California Office of Historic Preservation publication "Archaeological Resource Management Reports: Recommended Content and Format" (<http://ohp.parks.ca.gov/pages/1054/files/armr.pdf>). Upon completion of the work, all artifacts, other cultural remains, records, photographs, and other documentation shall be curated at the Repository for Archaeological and Ethnographic Collections of the University of California, Santa Barbara, or another facility approved by P&D. All fieldwork, analysis, report production, and curation shall be fully funded by the applicant. **Plan Requirements and Timing.** All work shall be completed by a P&D-approved Registered Professional Archaeologist and shall be funded by the applicant; a Chumash tribal representative shall monitor all excavation. Upon completion of fieldwork, the archaeologist shall supply a brief report to P&D indicating that the fieldwork has been completed satisfactorily and providing any additional recommendations. All fieldwork shall be completed and the results of the program shall be reviewed and approved by P&D prior to issuance of permits for

placement of the fill cap. All recommendations in the report shall be implemented as approved. **Monitoring.** P&D shall review and approve the study and Permit Compliance staff shall ensure that approved recommendations are carried out in the field.

25. MM CR-1b. Following completion of the fieldwork described in mitigation measure MM CR-1a, geotextile matting and clean, culturally sterile, chemically neutral fill shall be deposited across the specified portion of the site as follows:

1. Existing vegetation along the proposed water line corridor shall be removed by hand equipment, instead of by motorized vehicles.
2. A County-approved archaeological and Native American monitor shall be retained to observe removal of the vegetation within the archaeological site boundaries.
3. After removal of surface vegetation, a geo-textile fabric shall be laid over the ground surface throughout the corridor where fill soils are proposed.
4. Imported soils shall be placed on top of the geo-textile fabric. The soils shall be chemically inert (i.e., not acidic) such that any potential for leaching into the underlying archaeological deposits is minimized. The pH of the fill soils shall be tested prior to their placement on top of archaeological site areas.
5. Placement of fill soils on top of the geo-textile fabric shall be done in no greater than 18-inch lifts with rubber-tired heavy equipment, such that the equipment only encroaches within the fill soil corridor after the initial fill soil lift is placed.
6. Placement of the geotextile fabric and top 18 inches of fill soils on top of the geo-textile fabric shall be monitored by a County-qualified archaeologist and local Native American observer.
7. A pre-construction meeting shall be held with the contractor, County-qualified archaeologist, and Native American observer to communicate protocols for undertaking this activity.

Plan Requirements and Timing. A P&D-approved archaeologist and Chumash representative shall monitor fill placement. The conditions for monitoring and treatment of discoveries shall be printed on all building and grading plans. Prior to issuance of CDHs, the applicant shall submit a contract or Letter of Commitment with the archaeologist. The contract must include a project description and scope of work, and shall be prepared, executed, and submitted to P&D for review and approval. **Monitoring.** Permit Compliance staff shall confirm monitoring by archaeologist and Building and Safety Division grading inspectors shall spot check field work.

26. MM CR-1c. The applicant shall re-vegetate the fill soil overlying the utilities easement with an appropriate mix of native species. This re-vegetation will occur after final soil compaction has been completed. **Plan Requirements and Timing.** The applicant will prepare a re-vegetation plan, specifying which plants will be used and in what quantities, and submit this plan to P&D. P&D will review and approve this plan before issuance of the required CDH. **Monitoring.** Permit Compliance staff will confirm that re-vegetation efforts conform to the approved re-vegetation plans and that re-vegetation efforts are

successful. This mitigation will only be considered complete when revegetation is successful and vegetation persists for more than one year. Otherwise, additional efforts by the applicant will be required to complete the mitigation.

- 27. MM CR-1d.** Where the utility corridor and the proposed future Coastal Trail are aligned, the applicant shall design and engineer the utility corridor, including appropriate compaction of all fill soils to the standard required to accommodate future construction of the Coastal Trail. All necessary engineering methods to protect the underlying cultural resources (refer to Section 3.5 Cultural Resources of the Final Revised EIR, 09EIR-00000-00003) shall be utilized. **Plan Requirements and Timing.** The applicant shall prepare a compaction plan for the areas of the utility corridor that overlap with the Coastal Trail easement, and submit this plan to P&D and the County Parks and Public Works Departments. This plan shall specify the engineering techniques that shall be used to protect the underlying cultural resources. P&D and a County-approved archaeologist will review this plan to determine whether specified measures are sufficient to protect archaeological resources and support future construction of the Coastal Trail. This plan must be certified by P&D prior to issuance of any permits for work within the utilities easement. **Monitoring.** The Grading Inspector shall confirm that identified engineering techniques are used when placing and compacting the fill soil.
- 28. MM CR-2a.** A buffer of 100 feet around the previously mapped boundaries of archaeological site CA SB-1322 shall be incorporated into the project design as unbuildable open space where no grading, construction, utility placement, landscaping, or other ground disturbance or development can occur. This area shall be seeded with shallow-rooted native vegetation to stabilize the site, protect it from erosion, and obscure the surface so that casual artifact collection or deliberate looting by residents and visitors can be avoided. During construction, the archaeological site and 100-foot buffer area shall be temporarily fenced with chain link flagged with color or other material authorized by P&D. **Plan Requirements and Timing.** P&D shall receive, review, and approve final plans prior to approval of CDHs. Security shall be posted and fencing installed prior to issuance of building permits. Site shall be seeded during the rainy season to optimize the chances of successful sprouting. Permit Compliance staff will confirm that seeding efforts are successful. This mitigation will only be considered complete when seeding is successful and vegetation persists for more than one year. Otherwise, additional efforts by the applicant will be required to complete the mitigation. **Monitoring.** Permit Compliance staff shall verify installation of fencing by reviewing photo documentation or by site inspection prior to approval of grading permits, and shall ensure fencing remains in place throughout grading and construction through site inspections. Permit Compliance staff shall also inspect site to ensure installation and maintenance of plantings according to plan and sign off release of performance security when appropriate.
- 29. MM CR-2b.** The final plans shall include a notation designating the known archaeological site as unbuildable area where no grading, construction, utility placement, landscaping, or other ground disturbance or development can occur. The area shall not be

identified as an archaeological site on the plans. **Plan Requirements, Timing and Monitoring.** P&D shall receive, review, and approve final plans prior to issuance of CDHs.

30. MM-CR-3a. Prior to placement of the fill cap, a data collection program shall be implemented at CA-SBA-76. The data collection shall be preceded by definition of the site's boundaries where the utility line enters and exits the site, in order to determine the appropriate amount of sampling. The number and interval of excavation units shall be determined in consultation with the P&D Archaeologist, based on the results of the boundary testing. Data collection shall include mapping of surface artifacts, collection of functionally or temporally diagnostic tools and debris, and excavation of samples from within the area to be filled, as well as adjacent site areas for comparative purposes. Cultural materials collected from the site shall be processed and analyzed in the laboratory according to standard archaeological procedures. The age of the remains shall be determined using radiocarbon dating and other appropriate procedures; lithic artifacts, faunal remains, and other cultural materials shall be identified and analyzed according to current professional standards. Prior archaeological collections from the site shall be included in the comparative analysis, and the results shall be presented in a technical report following the standards of the California Office of Historic Preservation publication "Archaeological Resource Management Reports: Recommended Content and Format" (<http://ohp.parks.ca.gov/pages/1054/files/armr.pdf>). All work shall be completed by a P&D-approved Registered Professional Archaeologist, and a Chumash tribal representative shall monitor all excavation. Upon completion of the work, all artifacts, other cultural remains, records, photographs, and other documentation shall be curated at the Repository for Archaeological and Ethnographic Collections of the University of California, Santa Barbara, or another facility approved by P&D. All fieldwork, analysis, report production, and curation shall be fully funded by the applicant. **Plan Requirements and Timing.** All work shall be completed by a P&D-approved Registered Professional Archaeologist and shall be funded by the applicant; a Chumash tribal representative shall monitor all excavation. Upon completion of fieldwork, the archaeologist shall supply a brief report to P&D indicating that the fieldwork has been completed satisfactorily and providing any additional recommendations. All fieldwork shall be completed and the results of the program shall be reviewed and approved by P&D prior to issuance of permits for placement of the fill cap. All recommendations in the report shall be implemented as approved. **Monitoring.** P&D shall review and approve the study and Permit Compliance staff shall ensure that approved recommendations are carried out in the field.

31. MM-CR-3b. Prior to initiation of the data collection program described in mitigation measure MM CR-4a, the applicant shall fund additional consultations with the Santa Ynez Tribal Elders Council and other interested Native American representatives to ensure their concerns are taken into account during the course of the project. **Plan Requirements and Timing.** The additional consultations shall be completed prior to initiation of the data collection program so that descendants may participate in the archaeological fieldwork and subsequent interpretation of the remains, if they so desire.

Upon completion of consultation, the archaeologist shall supply a brief report to P&D indicating that the work has been completed satisfactorily and providing any additional recommendations. **Monitoring.** P&D shall monitor compliance with this requirement and ensure its results are incorporated into the final cultural resource reports.

32. MM CR-3c. The applicant shall fund a P&D-qualified ethnohistorian to prepare an ethnohistory and descendant genealogy of the archaeological site area. **Plan Requirements and Timing.** The ethnohistory and genealogy shall be undertaken prior to initiation of the data collection program described in mitigation measure MM CR-4a so that descendants may participate in the archaeological fieldwork and subsequent interpretation of the remains, if they so desire. **Monitoring.** P&D shall monitor compliance with this requirement and ensure its results are incorporated into the final cultural resource reports.

33. MM CR-3d. Following completion of the fieldwork and consultations described in MM CR-3a, 3b, and 3c, above, geotextile matting and clean, culturally sterile, chemically neutral fill shall be deposited across the specified portion of the site, as follows:

1. Existing vegetation along the proposed water line corridor shall be removed by hand equipment, instead of by motorized vehicles.
2. A County-approved archaeological and Native American monitor shall be retained to observe removal of the vegetation within the archaeological site boundaries.
3. After removal of surface vegetation, a geo-textile fabric shall be laid over the ground surface throughout the corridor where fill soils are proposed.
4. Imported soils shall be placed on top of the geo-textile fabric. The soils shall be chemically inert (i.e., not acidic) such that any potential for leaching into the underlying archaeological deposits is minimized. The pH of the fill soils shall be tested prior to their placement on top of archaeological site areas.
5. Placement of fill soils on top of the geo-textile fabric shall be done in no greater than 18-inch lifts with rubber-tired heavy equipment, such that the equipment only encroaches within the fill soil corridor after the initial fill soil lift is placed.
6. Placement of the geotextile fabric and top 18 inches of fill soils on top of the geo-textile fabric shall be monitored by a County-qualified archaeologist and local Native American observer.
7. A pre-construction meeting shall be held with the contractor, County-qualified archaeologist, and Native American observer to communicate protocols for undertaking this activity.

Plan Requirements and Timing. A P&D-approved archaeologist and Chumash representative shall monitor fill placement. The conditions for monitoring and treatment of discoveries shall be printed on all building and grading plans. Prior to issuance of CDHs, the applicant shall submit a contract or Letter of Commitment with the archaeologist. The contract must include a project description and scope of work, and shall be prepared, executed, and submitted to P&D for review and approval. **Monitoring.**

Permit Compliance staff shall confirm monitoring by archaeologist and Building and Safety Division grading inspectors shall spot check field work.

- 34. MM CR-3e.** The applicant shall re-vegetate the fill soil overlying the utilities easement with an appropriate mix of native species. This re-vegetation will occur after final soil compaction has been completed. **Plan Requirements and Timing.** The applicant will prepare a re-vegetation plan, specifying which plants will be used and in what quantities, and submit this plan to P&D. P&D will review and approve this plan before issuance of the required CDH. **Monitoring.** Permit Compliance staff will confirm that re-vegetation efforts conform to the approved re-vegetation plans and that re-vegetation efforts are successful. This mitigation will only be considered complete when revegetation is successful and vegetation persists for more than one year. Otherwise, additional efforts by the applicant will be required to complete the mitigation.
- 35. MM CR-4.** A buffer of 100 feet around the boundaries of archaeological sites CA-SBA-1323, CA SBA-2440 and CA SBA-2442H shall be defined and incorporated into the project design as unbuildable open space where no grading, construction, utility placement, landscaping, or other ground disturbance or development can occur. The applicant shall include a notation on the final plans designating the known archaeological sites as unbuildable area. The area shall not be identified as an archaeological site on the plans. **Plan Requirements Timing and Monitoring.** P&D shall receive, review, and approve final plans prior to approval of CDHs. **Monitoring.** Permit Compliance staff shall spot check fieldwork.
- 36. MM CR-5.** The applicant shall retain a P&D-qualified archaeologist and a Native American consultant to monitor all earth disturbances within the Ocean and Inland Estate development envelopes to ensure that previously unidentified buried archaeological deposits are not inadvertently exposed and damaged. In the event archaeological remains are encountered during grading or other earth disturbance, work in the vicinity shall be stopped immediately and redirected to another location until a P&D qualified Registered Professional Archaeologist and Native American representative are retained by the applicant to conduct a Phase 2 investigation and evaluate the significance of the find pursuant to County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicant. **Plan Requirements and Timing.** The conditions for monitoring and treatment of discoveries shall be printed on all building and grading plans. Prior to issuance of CDHs, the applicant shall submit a contract or Letter of Commitment with the archaeologist. The contract must include a project description and scope of work, and shall be prepared, executed, and submitted to P&D for review and approval. **Monitoring.** Permit Compliance staff shall confirm monitoring by the archaeologist and Building and Safety Division grading inspectors shall spot check field work.
- 37. MM EN-1a,** The applicant shall comply to the maximum extent feasible with all adopted County policies regarding energy consumption, such as:

- Incorporation of cost-effective, renewable, non-depleting energy resources into the project design, wherever possible;
- Site and building design to avoid unwanted heat gain from solar exposure. Features that provide shading at suitable times of the day and year generally shall be “passive” or automatic, avoiding the need for occupants to regularly monitor or adjust them; and
- Include solar panels in building design to heat spa and swimming pool areas.

38. MM EN-1b. Construction vehicles shall be turned off when not in use to avoid leaving in idling position. Construction vehicles shall be left on site for the duration of construction to avoid wasteful or inefficient use of gasoline. **Plan Requirements and Timing.** The applicant will submit an energy efficiency plan to P&D outlining the measures they will take to minimize wasteful use of non-renewable resources. **Monitoring.** Permit compliance staff shall confirm with field visits that energy-conserving measures are used during construction and incorporated into the final project design.

39. MM FP-1. The applicant shall pay development impact mitigation fees (DIMFs) to the Santa Barbara County Fire Department that would be directed toward the eventual construction of a new fire station. Required mitigation fees shall be as determined by County-adopted mitigation fee resolutions and ordinances and applicable law. **Plan Requirements and Timing:** Fire DIMFs shall be paid to the County Fire Department prior to Final Building Inspection and shall be based on the fee schedules in effect when paid. **Monitoring:** Building and Safety staff shall ensure payment of fire DIMFs prior to Final Building Inspection.

40. MM FP-2a. Landscaping for the development envelopes will incorporate the recommendations presented in the Applicant’s VMP, consistent with County Fire Department standards. **Plan Requirements and Timing.** The final landscape plan shall define precisely the final disposition of existing trees, as well as locations and types of new plantings to allow for expedient review and approval by P&D and the Fire Department prior to approval of any CDH. The plans shall incorporate language and illustrations such as those found in Goleta Water District and Santa Barbara Botanical Garden publications advocating low water use plantings. Landscape plan components shall be reviewed prior to approval of any CDH. Landscaping shall be installed in accordance with the approved landscape plan prior to final inspection. **Monitoring.** Permit compliance staff shall verify the installation of the required landscaping in the field.

41. MM FP-2b. For any existing trees within 100 feet of structures that are retained, all dying and diseased branches shall be removed. A certified arborist shall prepare a report detailing the disposition and condition of all existing trees within the development envelope. **Plan Requirements and Timing.** The final landscape plan shall define precisely the final disposition of existing trees as well as locations and types of new plantings to allow for expedient review and approval by P&D and the County Fire

Department prior to CDH approval. Plan components shall also be reviewed prior to approval of any CDH. Recommendations of the approved arborist report shall be implemented prior to final inspection. **Monitoring.** P&D and Permit Compliance staff shall review the arborist's report and verify the required tree maintenance in the field.

42. MM FP-2c. The following fire prevention methods shall be used for all proposed and future structures:

- a. Building materials for all structures including residences, fences, and accessory structures shall be constructed of fire resistant materials.
- b. P&D Building & Safety Class A or B roofing (i.e., non-combustible tile or asphalt composite shakes) shall be required for all future on-site structures.
- c. Spark arresters shall be required for wood burning fireplaces.
- d. Private decks and structural overhangs proposed for all new structures shall be constructed with fire retardant materials or heavy timber.
- e. Structures shall be fully equipped with sprinklers.

Plan Requirements and Timing: Where appropriate, the fire prevention measures shall be graphically depicted on grading and building plans. Measures shall be installed prior to final inspection. **Monitoring.** P&D building inspectors shall site inspect during construction.

43. MM FP-2d. Adequate Fire Department structural access requirements shall be provided. **Plan Requirements and Timing:** Access routes shall be by all-weather surface roads and shall be submitted by the applicant for review and approval by the County Fire Department prior to issuance of a CDH. Primary access shall be installed during initial grading and secondary access shall be completed prior to final inspection. **Monitoring.** Access shall be reviewed and approved by P&D and County Fire Department prior to issuance of a CDH. The Fire Department and Permit Compliance shall ensure compliance through site inspections.

44. MM FP-2e. The applicant shall provide an adequate number of 750-gallon per minute fire hydrants as determined by the County Fire Department. **Plan Requirements and Timing:** Prior to approval of a CDH, the applicant shall meet with the County Fire Department to review placement of additional fire hydrants throughout the site. Required hydrants shall be installed prior to final inspection. **Monitoring.** Fire Department shall ensure compliance prior to final inspection.

45. MM GEO-1. The project shall be designed to earthquake standards in accordance with applicable sections of the California Building Code and County of Santa Barbara Building Code adopted amendments. Required site-specific and plan-specific geotechnical investigations shall be performed at the site. The recommendations for site preparation, grading, backfill, and foundations developed during the site-specific geotechnical investigation shall be incorporated into the project design. **Plan Requirements and Timing.** Prior to plan check review by P&D, the applicant shall submit building plans indicating building standards to the satisfaction of the County

Building and Safety Division. **Monitoring.** Building inspectors shall site inspect prior to issuance of occupancy clearance.

- 46. MM GEO-2.** Soils engineering design recommendations addressing expansive soils and differential settlement in the site-specific soils engineering reports (Earth Systems Pacific for the Ocean Estate and Inland Estate, 2007) shall be incorporated into the project design in accordance with applicable sections of the California Building Code and County of Santa Barbara Building Code adopted amendments. **Plan Requirements and Timing.** The site-specific investigation of soils conditions and foundation recommendations shall determine the extent of any landslide deposits and unstable soils on each lot to be developed. The report shall document either that the proposed structures and improvements will be located outside of any landslide areas or that remedial grading or foundation designs will provide suitable development conditions through the removal of unstable soils. Recommendations from the soils investigations shall be incorporated into grading and foundation designs as appropriate. Site-specific and plan-specific geological and/or soils engineering reports shall be submitted and approved, prior to approval of building permits for the proposed Ocean and Inland Estates. **Monitoring.** P&D's Building and Safety Division and Public Works shall review reports and plans. Permit Compliance shall ensure compliance with plans. Grading inspectors shall monitor technical aspects of the grading activities.
- 47. MM HAZ-1.** Remedial action plan (RAP) shall be implemented by ARCO with SBFPD oversight, in accordance with all applicable regulatory guidelines. Results of the site assessment shall be used to develop remedial alternatives and ultimately an updated RAP, including mitigation for potential secondary impacts such as dust emissions; disturbance to sensitive ecosystems (e.g., wetlands); and worker health and safety hazards. SBFPD approval of the RAP shall be obtained and the RAP shall be implemented with SBFPD oversight, in accordance with all applicable regulatory guidelines and action levels. **Plan Requirements and Timing.** Remediation at the proposed project site by ARCO shall be completed in accordance with an approved RAP. Site remediation shall occur prior to issuance of a Coastal Development Permit for project development. **Monitoring.** The SBFPD shall review and approve the RAP and monitor and inspect remediation activities and documentation to ensure compliance with approved plans and applicable guidelines
- 48. MM HAZ-3.** In the event that visual contamination or chemical odors are detected while implementing the approved work on the project site, all work shall cease immediately. The property owner or appointed agent shall contact the County Fire Department's Hazardous Materials Unit (HMU); the resumption of work requires the approval of the HMU. **Plan Requirements and Timing.** This requirement shall be noted on all grading and building plans. **Monitoring.** Permit Compliance personnel shall perform periodic inspections.
- 49. MM PF-1.** The proposed project shall include the following measures to reduce water consumption:

- Efficient irrigation systems which minimize runoff and evaporation, avoid unnecessary watering, and maximize water reaching the plant roots shall be installed. Landscape plans shall emphasize low water consumption grasses and plants wherever possible.
- Water in fountains, ponds, and other landscape features shall use recirculating water systems to prevent waste.
- Water saving techniques, including water-conserving plumbing, low flow toilets, showers, and faucets shall be incorporated.
- Recycled water shall be used instead of potable water for landscaping within the development envelopes.

Plan Requirements and Timing. The final landscape plan shall precisely define high- and lower-demand species areas to allow for expedient review and approval by the P&D and the Board of Architectural Review prior to issuance of a Coastal Development Hearing (CDH). The conditions, covenants, and restrictions shall incorporate language and illustrations such as those found in GWD and Santa Barbara Botanical Garden publications advocating low water use plantings. Landscape plan components and conditions, covenants, and restrictions shall be reviewed prior to issuance of a CDH. Final project plans shall include the necessary water-conserving fixtures and plumbing systems. The plans shall be reviewed and approved by P&D prior to issuance of a CDH. **Monitoring.** Permit Compliance staff shall verify the installation of the required landscaping, fixtures, and plumbing in the field.

- 50. MM PF-2.** The waste disposal system shall be located within the development envelope of the affected parcel and shall be designed to include at least two drywells on each lot, within the vicinity and of a similar diameter and depth as the ones constructed and tested. **Plan Requirements and Timing.** All layouts, tests, and recommendations for the proposed waste disposal system shall be prepared and/or certified by a registered civil or geotechnical engineer or a certified engineering geologist. According to Section 35-147.2.g of the Coastal Zoning Ordinance, the applicant shall also submit an application for a Minor Conditional Use Permit (MCUP) for any proposed experimental waste disposal system. The MCUP shall be reviewed and approved concurrently with the Coastal Development Permit with Hearing (CDH) for the affected parcel. EHS shall determine that the proposed waste disposal system has adequate capacity for the project prior to approval of any zoning permits, including any Minor Conditional Use Permit (MCUP), or Coastal Development Permits (CDH). **Monitoring.** P&D shall ensure that all necessary reviews and approvals have occurred prior to approval of any zoning permits, including any MCUP or CDH.
- 51. MM TR-1.** Traffic Control Plan. The owner/applicant shall submit to P&D and Caltrans the expected project construction schedule. The County shall allow concurrent construction of the project improvements. **Plan Requirements:** The owner/applicant shall submit the traffic control plan. **Timing:** The traffic control plan shall be submitted to P&D for review and approval prior to Coastal Development Permit issuance.

Monitoring: The owner/applicant shall provide P&D compliance monitoring staff with proof that all traffic control plan requirements have been met.

52. MM WAT-1. Prior to issuance of any construction/grading permit and/or the commencement of any clearing, grading, or excavation, a Notice of Intent (NOI) shall be submitted to the California State Water Resources Control Board Storm Water Permit Unit. Compliance with the General Permit includes the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which shall identify potential pollutant sources that may affect the quality of discharges to stormwater, and shall include the design and placement of Best Management Practices (BMPs) to effectively prohibit the entry of pollutants from the project site into area water bodies during construction. The Storm Water Pollution Prevention Plan must contain some or all of the following specific mitigation measures designed to reduce or eliminate construction site runoff pollution, which can be grouped into four classes of BMPs:

Construction site planning BMPs including but not limited to:

- Development planning shall fit the topography, soils, drainage patterns, and natural vegetation of the site.
- Only the minimum amount of vegetation necessary for construction shall be removed.
- The clearing limits, setbacks, protected habitat areas, trees, drainage courses, and buffer zones shall be delineated on plans and in the field to prevent excessive or unnecessary soil disturbance and exposure.
- The amount of cuts and fills shall be minimized.
- Temporary and permanent roads and driveways shall be aligned along slope contours.
- Grading operations shall be phased to reduce the extent of disturbed areas and length of exposure.
- Excavation and grading shall be avoided during the rainy season.
- Impervious surface areas shall be minimized and permeable paving materials shall be used whenever possible.

BMPs to minimize soil movement on all slopes greater than or equal to 5:1 and including but not limited to:

- Disturbed soil areas shall be covered with geotextile fabric, jute netting, erosion control blankets, silt fence, or other erosion control materials.
- Soil stockpiles shall be covered.
- Soil stabilizers shall be employed, as appropriate.
- Disturbed soils shall be restored and revegetated as soon as practicable.
- Stabilized access roads and entrances shall be constructed in the initial phase of construction.
- Tire wash stations, gravel beds, and/or rumble plates will be installed at site entrance and exit points to prevent sediment from being tracked onto adjacent roadways.

- Sediments and construction materials shall be dry-swept from finished streets the same day they are deposited.
- Site runoff control structures, such as earth berms, drainage swales, and ditches that convey surface runoff during construction into temporary or permanent sediment detention basins shall be installed and made operational in the initial phase of construction as necessary.

BMPs to capture sediment on all slopes greater than or equal to 5:1, including but not limited to:

- Perimeter sediment controls (silt fence, fiber rolls, etc.) shall be installed, as necessary, prior to land-disturbing activities, and additional runoff control measures shall be installed during construction as necessary.
- Storm drain inlets shall be protected from sediment-laden runoff with inlet protection devices such as gravel bag barriers, filter fabric fences, block and gravel filters, excavated inlet sediment traps, sand bag barriers, and/or other devices.
- Sediment shall be removed from dewatering discharge with portable settling and filtration methods, such as Baker tanks or other devices.
- Graded areas shall be revegetated within a time frame to be determined by County P&D.

Good housekeeping BMPs, including but not limited to:

- All storm drains, drainage patterns, and creeks located near the construction site prior to construction shall be identified to ensure that all subcontractors know their location to prevent pollutants from entering them.
- Washing of concrete trucks, paint, equipment, or similar activities shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Wash water shall not be discharged to the storm drains, street, drainage ditches, creeks, or wetlands. Areas designated for washing functions shall be at least 100 feet from any storm drain, water body or sensitive biological resources; the location(s) of the wash-out area(s) shall be clearly noted at the construction site with signs; the applicant shall designate a washout area, acceptable to Building and Safety and P&D staff; the wash-out areas shall be shown on the construction and/or grading and building plans and shall be in place and maintained throughout construction.
- All leaks, spills, and drips shall be immediately cleaned up and disposed of properly.
- Vehicles and heavy equipment that are leaking fuel, oil, hydraulic fluid, or other pollutants shall be immediately contained and either repaired immediately or removed from the site.
- One or more emergency spill containment kits shall be placed on site in easily visible locations and personnel will be trained in proper use and disposal methods.
- Vehicles and heavy equipment shall be refueled and serviced in one designated site located at least 500 feet from creeks and drainage swales.
- Temporary storage of construction equipment shall be limited to a 50 x 50-foot area preferably located along an existing dirt access road, and shall be located at least 100 feet from any water bodies.

- Dry clean-up methods shall be used whenever possible.
- Clean site runoff shall not be contaminated with polluted water through the use of berms or ditches to divert surface runoff around the construction site.

Plan Requirements and Timing. Prior to issuance of a Coastal Development Permit (CDP), the applicant shall submit a copy of the RWQCB's NOI acceptance letter to the County. The applicant shall provide a copy of the required SWPPP to the County for review and approval (the SWPPP may be submitted in lieu of an Erosion and Sediment Control Plan per Chapter 14-29). The plan shall be designed to protect water quality during all phases of construction activity. BMPs described in the SWPPP shall be shown on the plans prior to issuance of CDP. The SWPPP shall be kept on site during construction activities and be available to operating personnel, as well as to any regulatory agency staff with authority over the project development. The applicant shall amend the SWPPP whenever there is a change in construction that may affect the discharge of significant quantities of sediment or other pollutants to surface waters, ground waters, or a municipal storm drain system. Such changes shall be approved by County staff and recorded on the construction plans. The applicant shall notify the County prior to commencement of grading. Erosion and sediment control measures shall be maintained for the duration of the grading period and development of the project until graded areas have been permanently stabilized by structures, long-term erosion control measures or landscaping. The County or its consultant shall conduct periodic "tailgate" meetings about site maintenance and water quality issues during construction.

Monitoring. The County and other agencies, as appropriate, shall inspect the site during construction for compliance with the SWPPP. During the rainy season (between November 1 and April 15), a minimum of two County inspections per month shall be conducted. County staff shall inspect the site for all requirements prior to final inspection. The County shall photodocument revegetation to ensure compliance with plans. Grading inspectors shall monitor technical aspects of the grading activities, and ensure enforcement of County requirements consistent with the Grading Ordinance. Upon strict adherence to requirements set forth in the RWQCB-approved SWPPP, including site-monitoring routines, additional downstream water quality sampling and testing would not be necessary.

- 53. MM WAT-2.** To reduce increases in runoff to site drainages and watersheds due to the increase in impervious surfaces, most notably the paved driveway, the applicant shall:
- Use bioswales and storm drains to channel water from the development envelope away from erodible coastal ravines; and,
 - Minimize creation of impervious surfaces through the use of pervious concrete, pavers, or a similar product. Where impervious surfaces are present, drainage will be controlled in such a way as to minimize the chance of channelization and erosion.

Plan Requirements and Timing. Locations and design specifications of storm water structures and devices shall be depicted on grading and drainage plans. The plans shall be reviewed and approved by County Flood Control Project Clean Water and P&D prior to CDH issuance. If these structures and devices shall also function to reduce water-borne

pollutants in post-construction surface runoff, then they shall also be reviewed and approved by the County Water Resources Division for compliance with County Public Works Department Standard Conditions for Project Approval – Water Quality BMPs. **Monitoring.** P&D staff shall site inspect implementation pursuant to approved plans prior to final inspection

54. MM WAT-3. While encountering groundwater is not expected based upon testing conducted on the project site, to reduce impacts to groundwater resources associated with excavation of basements, the proposed project shall incorporate standard engineering designs, as recommended by Earth Systems Pacific in the site-specific Soils Engineering Reports (2007) and found in **Appendix 3.8** of this EIR, which will be submitted to the County as part of the building permit application process. Such measures to mitigate potential impacts resulting from water during basement construction shall include:

- The basement areas shall include drainage systems to intercept water from around the retaining walls and below the slabs to transmit water into the sites' drainage systems. If it is not possible to outlet water into the sites' storm drain systems by gravity flow, sump pumps will be necessary. Specific design of the drainage systems shall follow those recommended in the soils engineering reports.

Plan Requirements and Timing. Site-specific soils engineering reports shall be submitted to the County as part of the building permit application process. Recommended locations and design specifications of drainage systems shall be depicted on grading and drainage plans. The plans shall be reviewed and approved by the County Building and Safety Division for conformance with this condition prior to Building Permit issuance. **Monitoring.** Building and Safety staff shall conduct a site inspection.

Standard Conditions Applicable to all Permits

55. Aest-09 Construction Clean-up. The developer shall clear the project site of all excess construction debris. **PLAN REQUIREMENT:** This requirement shall be noted on final building plans. **TIMING:** Debris clearance shall occur prior to Final Building Inspection Clearance. **MONITORING:** P&D compliance monitoring staff shall site inspect prior to Final Building Inspection Clearance.

56. Air-01 Dust Control. The Owner/Applicant shall comply with the following dust control components at all times including weekends and holidays:

- a. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site.
- b. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease.
- c. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site.

- d. Wet down the construction area after work is completed for the day and whenever wind exceeds 15 mph.
- e. When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays.
- f. Order increased watering as necessary to prevent transport of dust off-site.
- g. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed.
- h. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately:
 - i. Seed and water to re-vegetate graded areas; and/or
 - ii. Spread soil binders; and/or
 - iii. Employ any other method(s) deemed appropriate by P&D or APCD.

PLAN REQUIREMENTS: These dust control requirements shall be noted on all grading and building plans. **PRE-CONSTRUCTION REQUIREMENTS:** The contractor or builder shall provide P&D monitoring staff and APCD with the name and contact information for an assigned onsite dust control monitor(s) who has the responsibility to: a. Assure all dust control requirements are complied with including those covering weekends and holidays. b. Order increased watering as necessary to prevent transport of dust offsite. c. Attend the pre-construction meeting. **TIMING:** The dust monitor shall be designated prior to CDH issuance. The dust control components apply from the beginning of any grading or construction throughout all development activities until Final Building Inspection Clearance is issued and landscaping is installed. **MONITORING:** P&D processing planner shall ensure measures are on plans. P&D grading and building inspectors shall spot check; Grading and Building shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

- 57. Bio-01a Tree Protection Plan-Site Plan Component.** The Owner/Applicant shall submit a Tree Protection Plan (TPP) prepared by a P&D-approved arborist and/or biologist and designed to protect on-site native and habitat trees. The plan shall include the following site plan components:
- 1. The Owner/Applicant shall comply with and depict the following on the TPP exhibit and Grading and Building Plans.
 - a. With the exception of the three non-native trees adjacent to the Coastal Estate that would be removed and mitigated for pursuant to MM-BIO-14 all trees shall be preserved. No grading for buildings, accessways, easements, subsurface grading sewage disposal and well placement shall take place within the area within six feet of the dripline of any of these trees.
 - b. Depict approved development envelopes. Include utility corridors, irrigation lines, roadways, driveways.
 - c. Depict equipment storage (including construction materials, equipment, fill soil or rocks) and construction staging and parking areas outside of the protection area.
 - d. Depict the type & location of protective fencing (see below) or other barriers to be in place to protect trees in protection areas during construction.

- e. Depict the location of all tree wells or retaining walls. These shall be located outside the area within six feet of the dripline of all protected trees unless authorized by P&D.
- f. Depict the location of all paths within 25 feet of dripline areas. Only pervious paving materials (gravel, brick without mortar, turf block) are permitted within 6 feet of dripline areas.

PLAN REQUIREMENTS: The Owner/Applicant shall: (1) Submit the TPP; (2) Include all applicable components in Tree Replacement Plan and/or Landscape and Irrigation Plans if these are required; (3) include as notes or depictions all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures. **TIMING:** The Owner/Applicant shall comply with this measure prior to CDH issuance. Plan components shall be included on all plans prior to the issuance of the CDH. The Owner/Applicant shall install tree protection measures onsite prior to issuance of grading permits and pre-construction meeting. **MONITORING:** The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that trees identified for protection were not damaged or removed or if damage, or removal occurred, that correction is completed as required by the TPP prior to Final Building Inspection Clearance.

58. Bio-01b Tree Protection Plan – Construction Component. The Owner / Applicant shall submit a Tree Protection Plan (TPP) prepared by a P&D-approved arborist and/or biologist and designed to protect on-site native and habitat trees. The Owner Applicant shall comply with and specify the following as notes on the TPP and Grading and Building Plans:

- 1. Fencing of all trees to be protected at least six feet outside the dripline with chain-link (or other material satisfactory to P&D) fencing at least 3 ft high, staked to prevent any collapse, and with signs identifying the protection area placed in 15-ft intervals on the fencing.
- 2. Fencing/staking/signage shall be maintained throughout all grading and construction activities.
- 3. All trees located within 25 ft of buildings shall be protected from stucco and/or paint during construction.
- 4. No irrigation is permitted within 6 ft of the dripline of any protected tree unless specifically authorized.
- 5. The following shall be completed only by hand and under the direction of a P&D approved arborist/biologist: a. Any trenching required within the dripline or sensitive root zone of any specimen. b. Cleanly cutting any roots of one inch in diameter or greater, encountered during grading or construction. c. Tree removal and trimming.
- 6. Special equipment: If the use of hand tools is deemed infeasible by P&D, P&D may authorize work with rubber-tired construction equipment weighing five tons or less. If significant large rocks are present, or if spoil placement will impact surrounding trees, then a small tracked excavator (i.e., 215 or smaller track hoe) may be used as determined by P&D staff and under the direction of a P&D approved biologist.

7. The following are not permitted: a. Any trenching within the dripline or sensitive root zone of any specimen. b. Cutting any roots of one inch in diameter or greater. c. Tree removal and trimming.
8. Grading shall be designed to avoid ponding and ensure proper drainage within driplines of oak trees.

PLAN REQUIREMENTS: The Owner/Applicant shall: (1) submit the TPP; (2) Include all applicable components in Tree Replacement Plan and/or Landscape and Irrigation Plans if these are required; (3) include as notes or depictions all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures. **TIMING:** The Owner/Applicant shall comply with this measure prior to CDH issuance. Plan components shall be included on all plans prior to CDH issuance. The Owner/Applicant shall install tree protection measures onsite prior to issuance of grading/building permits and pre-construction meeting. **MONITORING:** The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that trees identified for protection were not damaged or removed or, if damage or removal occurred, that correction is completed as required by the TPP prior to Final Building Inspection Clearance.

- 59. Bio-08 Fish and Game.** No alteration to stream channels or banks shall be permitted (no CDH shall be issued) until the Owner/Applicant demonstrates receipt of all authorizations from the California Department of Fish and Game and/or federal agencies for any planned alteration to stream channels or banks associated with the utilities, road and driveway construction, and bridge installation.
- 60. Bio-09 Fish and Wildlife Jurisdiction Advisory.** The project site is within the range of CA Red-legged frog, tidewater goby and southwestern pond turtle, species listed as Endangered by the U.S. Fish and Wildlife Service. Based upon the EIR for the proposed project (09EIR-00000-00003, revised February 2013) it has been determined that the probability for CA Red-legged frog, tidewater goby and southwestern pond turtle, occurrence on the site is likely. The issuance of this permit does not relieve the permit-holder of any duties, obligations, or responsibilities under the Endangered Species Act or any other law. The permit-holder shall contact the Ventura office of the U.S. Fish and Wildlife Service at (805)644-1766 to ascertain his or her level of risk under the Endangered Species Act in implementing the project herein permitted.
- 61. Bio-13 Habitat Protection.** Excavation work within or adjacent to sensitive habitats including native trees shall be avoided to the maximum extent feasible. Where excavation must be performed within sensitive areas (as determined by P&D), it shall be performed with hand tools only. If the use of hand tools is deemed infeasible by P&D, excavation work may be authorized by P&D to be completed with rubber-tired construction equipment weighing five tons or less. If significant large rocks are present, or if spoil placement will impact surrounding trees, then a small tracked excavator (i.e., 215 or smaller track hoe) may be used as determined by P&D staff. **PLAN REQUIREMENTS:** The above measure shall be noted on all grading and construction plans.

MONITORING: P&D compliance monitoring staff shall ensure compliance on site during construction.

- 62. Bio-20 Equipment Storage-Construction.** The Owner/Applicant shall designate one or more construction equipment filling and storage areas within the designated development envelopes to contain spills, facilitate clean0up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all CDH, grading and building plans. **TIMING:** The Owner/Applicant shall install the area prior to commencement of construction. **MONITORING:** P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.
- 63. Bio-22 Fish and Game Fees.** The Owner/Applicant shall provide Planning and Development with a check payable to the “County of Santa Barbara” within 10 days of project approval as required by California Fish and Game Code Section 711.4 for that Department’s review of the EIR associated with the project.
- 64. DevEnv-01a Development Envelope.** All structural development shall be limited to the development envelope(s) designated on plans dated March 20, 2013. All site preparation, ground disturbances and construction activities including those for structures, access, easements, subsurface grading, sewage disposal, drainage components and well placement shall occur within the designated development envelope(s). No field alteration to plans shall allow construction, storage or staging outside of these development envelopes. **PLAN REQUIREMENTS:** The development envelope(s) shall be depicted on all plans submitted for CDH approval, grading and building permits. **TIMING:** The development envelope(s) shall be staked in the field prior to CDH approval. **MONITORING:** During plan check, the P&D permit processing planner shall confirm that all structural development is confined to the approved development envelope. Staking shall be verified by compliance monitoring staff at the preconstruction meeting or prior to building permit approval. P&D building inspectors and compliance monitoring staff shall ensure that structural development is confined to the development envelopes and that staking remains in place during construction.
- 65. Noise-02 Construction Hours.** The Owner /Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 7:00 a.m. and 4:00 p.m. Monday through Friday. No construction shall occur on weekends or State holidays. Non-noise generating construction activities such as interior plumbing, electrical, drywall and painting (depending on compressor noise levels) are not subject to these restrictions. Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein. **PLAN REQUIREMENTS:** The

Owner/Applicant shall provide and post 3 signs stating these restrictions at construction site entries. **TIMING:** Signs shall be posted prior to commencement of construction and maintained throughout construction. **MONITORING:** The Owner/Applicant shall demonstrate that required signs are posted prior to grading/building permit issuance and pre-construction meeting. Building inspectors and permit compliance staff shall spot check and respond to complaints.

66. Noise-04 Equipment Shielding-Construction. Stationary construction equipment that generates noise which exceeds 65 dBA at the project boundaries shall be shielded with appropriate acoustic shielding to P&D's satisfaction. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the equipment area with appropriate acoustic shielding on building and grading plans. **TIMING:** Equipment and shielding shall be installed prior to construction and remain in the designated location throughout construction activities. **MONITORING:** The Owner/Applicant shall demonstrate that the acoustic shielding is in place prior to commencement of construction activities. P&D compliance staff shall perform site inspections throughout construction to ensure compliance.

67. Parking-02 Onsite Construction Parking. All construction-related vehicles, equipment staging and storage areas shall be located onsite and outside of the road and highway right of way, sensitive biological resources and cultural sites. The Owner/Applicant shall provide all construction personnel with a written notice of this requirement and a description of approved parking, staging and storage areas. The notice shall also include the name and phone number of the Owner/Applicant's designee responsible for enforcement of this restriction. **PLAN REQUIREMENTS:** Designated construction personnel parking, equipment staging and storage areas shall be depicted on project plans submitted for CDH issuance. **TIMING:** A copy of the written notice shall be submitted to P&D permit processing staff prior to CDH issuance. This restriction shall be maintained throughout construction. **MONITORING:** P&D permit compliance and Building and Safety shall confirm the availability of designated onsite areas during construction, and as required, shall require re-distribution of updated notices and/or refer complaints regarding offsite parking to appropriate agencies.

68. SolidW-03 Solid Waste-Construction Site. The Owner/Applicant shall provide an adequate number of covered receptacles for construction and employee trash to prevent trash & debris from blowing offsite, shall ensure waste is picked up weekly or more frequently as needed, and shall ensure site is free of trash and debris when construction is complete. **PLAN REQUIREMENTS:** All plans shall contain notes that the site is to remain trash-free throughout construction. **TIMING:** Prior to building permit issuance, the Owner/Applicant shall designate and provide P&D with the name and phone number of a contact person(s) responsible for trash prevention and site clean-up. Additional covered receptacles shall be provided as determined necessary by P&D. **MONITORING:** Permit compliance monitoring staff shall inspect periodically throughout grading and construction activities and prior to Final Building Inspection Clearance to ensure the construction site is free of all trash and debris.

69. NPDES-16 Storm Water Retention-Roof Runoff Collection. To reduce storm water runoff, allow for infiltration, reduce pollutants and minimize degradation of storm water quality from development, parking lots and other paved surfaces the Owner/Applicant shall install a roof runoff collection and disposal system to infiltrate storm water runoff. Runoff shall be directed to either a subsurface infiltration trench, french drains, planter boxes, landscaped areas or connected to the site's irrigation system. An overflow or high flow bypass system will be provided. **PLAN REQUIREMENTS:** The Owner/Applicant shall include the roof runoff collection and disposal system design, including any plant palettes and the sources of plant material, on the grading and drainage and landscape plans, and any special roof design elements on building and roofing detail plans, depicted graphically. **MONITORING:** P&D compliance monitoring staff shall site inspect for installation prior to Final Building Inspection Clearance.

Coastal Development Permit Specific Conditions (06CDH-00000-00038, 06CDH-00000-00039, 09CDP-00000-00045, 10CDP-00000-00094)

70. DIMF-24d DIMF Fees-Fire. In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees for both the Ocean and Inland Estates to finance the development of facilities for the Fire Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law. The total Fire DIMF amount assessed is \$.10 per square foot (sprinklered). This is based on a project type of a single-family dwelling. **TIMING:** Fire DIMFs shall be paid to the County Fire Department prior to Final Building Inspection and shall be based on the fee schedules in effect when paid.

71. DIMF-24e DIMF Fees-Parks. In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees both the Ocean and Inland Estates to finance the development of facilities for the Parks Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law. The Parks DIMF amount is assessed at \$1,195 per residence. This is based on a project type of a single-family dwelling. **TIMING:** Parks DIMFs shall be paid to the County Parks Department prior to CDH issuance.

72. DIMF-24g DIMF Fees-Transportation. In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees both the Ocean and Inland Estates to finance the development of facilities for transportation. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law. The total DIMF amount for Transportation is assessed at \$2,047 per residence. This is based on a project type of a single-family dwelling. **TIMING:** Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division prior to CDH issuance.

- 73. Rules-10 CDP Expiration-No CUP or DVP. (06CDH-00000-00038 and 06CDH-00000-00039)** The approval or conditional approval of a Coastal Development Permit shall be valid for one year from the date of action by the Planning Commission. Prior to the expiration of the approval, the review authority who approved the Coastal Development Permit may extend the approval one time for one year if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made. A Coastal Development Permit shall expire two years from the date of issuance if the use, building or structure for which the permit was issued has not been established or commenced in conformance with the effective permit. Prior to the expiration of such two year period the Director may extend such period one time for one year for good cause shown, provided that the findings for approval required in compliance with Section 35-169.5, as applicable, can still be made.
- 74. Rules-11 CDP Expiration-With CUP or DVP. (09CDP-00000-00045 and 10CDP-00000-00094)** The approval or conditional approval of a Coastal Development Permit shall be valid for one year from the date of decision-maker action. Prior to the expiration of the approval, the review authority who approved the Coastal Development Permit may extend the approval for one year if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made. Prior to the expiration of a time extension approved in compliance with Subsection a. above, the review authority who approved the time extension may approve two additional time extensions for two years each if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made. A Coastal Development Permit shall expire two years from the date of issuance if the use or structure for which the permit was issued has not been established or commenced in conformance with the effective permit. A Coastal Development Permit whose expiration date has been extended in compliance with the above will nevertheless expire at the earlier of: (1) the expiration of the most recent time extension or (2) the expiration of the associated Conditional Use Permit or Development Plan (as modified by any extension thereto).
- 75. Rules-28 NTPO Condition.** A recorded Notice to Property Owner document is necessary to ensure that the proposed guesthouses on the ocean and inland lots shall be used only for its permitted uses. The property owner shall sign and record the document prior to CDH issuance.
- 76. Utilities and Access.** The applicant shall enter into and record an agreement in a form acceptable to and approved by the Planning and Development to reserve an access and utilities easement over the Inland Estate (APN: 079-200-008) in favor of the Ocean Estate (APN: 079-200-004) at the time of conveyance of either parcel. This agreement is to be recorded with the appropriate instruments as determined by the County Surveyor.
- 77. Maintenance Agreement for Utilities and Access.** Prior to issuance of the first Coastal Development Permit for the proposed project, the applicant shall record a maintenance

agreement for the maintenance of the proposed utilities, bridge, access road and driveways. The agreement shall specify the responsibilities of the Inland Estate (APN: 079-200-008) and Ocean Estate (APN: 079-200-004) property owners for long-term maintenance of the bridge, access road and driveways serving the two estates. This agreement is to be recorded with the appropriate instruments as determined by the County Surveyor.

78. Utilities Easement. Prior to issuance of the first Coastal Development Permit for the proposed project, the applicant/property owner shall submit revised plans that demonstrate that the utility line is located entirely within the 20 foot recorded easement on the adjacent property the east (APN: 079-200-005) or shall demonstrate that additional easement rights have been obtained.

79. Coastal Sage Scrub. In order to protect coastal sage scrub vegetation on the ocean lot, the ocean estate shall be redesigned, or fuel clearance plan re-designed (with fire Department approval) to avoid fuel clearance within coastal sage scrub habitat. **Plan Requirements and Timing:** Redesign shall occur prior to issuance of the first Coastal Development Permit for the project. Plans shall be reviewed by P&D staff and the Fire Department.

Conditional Use Permit Specific Conditions (07CUP-00000-00065, 10CUP-00000-00039)

80. Rules-12 CUP Expiration. The Owner/Applicant shall obtain the required CDP within the 18 months following the effective date of this Conditional Use Permit. If the required CDP is not issued within the 18 months following the effective date of this Conditional Use Permit, or within such extended period of time as may be authorized in compliance with Section Article II and an application for an extension has not been submitted to the Planning and Development Department, then Conditional Use Permit shall be considered void and of no further effect.

81. Rules-17 CUP-Void. Conditional Use Permits shall become void and be automatically revoked if the development and/or authorized use allowed by the Conditional Use Permits is discontinued for a period of more than 12 months, or within such extended period of time as may be authorized in compliance with Article II. Any use authorized by this Conditional Use Permit shall immediately cease upon expiration or revocation of this Conditional Use Permit. Any CDP approved or issued pursuant to this Conditional Use Permit shall expire upon expiration or revocation of the Conditional Use Permit. Conditional Use Permit renewals must be applied for prior to expiration of the Conditional Use Permit (ARTICLE II §35-172.9).

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

County Rules and Regulations (All Permits)

- 83. Rules-02 Effective Date-Appealable to CCC.** The proposed Coastal Development Permits and Conditional Use Permits shall become effective upon the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the review authority on the appeal, including action by the California Coastal Commission if the planning permit is appealed to the Coastal Commission. [ARTICLE II § 35-169].
- 84. Rules-05 Acceptance of Conditions.** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.
- 85. Rules-23 Processing Fees Required.** Prior CDH issuance the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
- 86. Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters required as follows:
1. Air Pollution Control District dated February 1, 2013
 2. Goleta Water District dated September 15, 2004 and December 3, 1998
 3. Flood Control dated August 16, 2006
 4. Environmental Health Services Division dated February 23, 2012
 5. Fire Department dated February 14, 2013 and December 2, 2010
 6. Public Works Transportation dated February 22, 2013
- 87. Rules-31 Mitigation Monitoring Required.** The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the Owner/Applicant shall:
1. Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;
 2. Pay fees prior to CDH issuance as authorized by ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute;
 3. Note the following on each page of grading and building plans "This project is subject to mitigation Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval, and mitigation measures from Revised Final EIR 09EIR-00000-00003.

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

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

89. Rules-33 Indemnity and Separation. The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.



Santa Barbara County Air Pollution Control District

February 1, 2013

Nicole Lieu
Santa Barbara County
Planning and Development
123 E. Anapamu Street
Santa Barbara, CA 93101

Re: **APCD Comments on Paradiso Del Mare Ocean and Inland Estates**
06CDH-00000-00038, 06CDH-00000-00039, 07CUP-00000-00065, 09CDP-00000-00045,
09EIR-00000-00003, 10CUP-00000-00039, 10CDP-00000-00094

Dear Ms. Lieu:

The Air Pollution Control District (APCD) has reviewed the referenced case, which consists of construction of two new residences on two vacant parcels. A 7,227 square foot residence including attached 1,421 garage and 1,451 square feet of accessory structures is proposed on a 64.8-acre ocean-adjacent parcel. A residence of 9,163 square feet and an 800 square foot guest house is proposed for the inland 77.9-acre parcel. Also proposed as part of the project is a shared access driveway including a bridge structure, agricultural production and animal keeping. Conditional Use Permits are also proposed for a water line extension and for the establishment of public trails on the site. Grading for the project consists of 17,275 cubic yards of cut and 17,275 cubic yards of fill to be balanced onsite. Both parcels are zoned AG-II-100 and are identified in the Assessor Parcel Map Book as APNs 079-200-004 and 079-200-008. The project is located at the intersection of Highway 101 and Dos Pueblos Road in the unincorporated community of Gaviota.

Air Pollution Control District staff offers the following suggested conditions:

1. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to issuance of land use clearance.
2. APCD Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities* establishes limits on the generation of visible fugitive dust emissions at demolition and construction sites. The rule includes measures for minimizing fugitive dust from on-site activities and from trucks moving on- and off-site. The text of the rule can be viewed on the APCD website at www.sbcpd.org/rules/download/rule345.pdf.
3. Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of ozone precursors and fine particulate emissions from diesel exhaust.
4. Prior to occupancy, APCD permits must be obtained for any equipment that requires an APCD permit. APCD Authority to Construct permits are required for diesel engines rated at 50 bhp and

February 1, 2013

Page 2

greater (e.g., firewater pumps and emergency standby generators) and boilers/large water heaters whose combined heat input rating exceeds 2.0 million BTUs per hour.

5. All portable diesel-fired construction engines rated at 50 brake-horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to operation. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.
6. Small boilers and water heating units (rated between 75,000 and 2.0 million Btu/hr) must comply with the emission limits and certification requirements of APCD Rule 360. Combinations of units totaling 2.0 million Btu/hr or greater are required to obtain a District permit prior to installation. Please see www.sbcapcd.org/eng/boiler/rule360/rule_360.htm for more information and a list of certified boilers (note: any units fired on fuel(s) other than natural gas must be certified by the SBCAPCD on a case-by-case basis, even if the unit is certified when fired on natural gas).
7. If contaminated soils are found at the project site, the APCD must be contacted to determine if Authority to Construct and/or Permit to Operate permits will be required.
8. At a minimum, prior to occupancy any feasible greenhouse gas reduction measures from the following sector-based list should be applied to the project:
 - Energy use (energy efficiency, low carbon fuels, renewable energy)
 - Transportation (reduce vehicle miles traveled, compact and transit-oriented development, pedestrian- and bicycle-friendly communities)
 - Water conservation (improved practices and equipment, landscaping)
 - Waste reduction (material re-use/recycling, composting, waste diversion, waste minimization)
 - Architectural features (green building practices, cool roofs)
9. Asphalt paving activities shall comply with APCD Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.

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

Sincerely,



Eric Gager

Air Quality Specialist

Technology and Environmental Assessment Division

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

cc: Project File, TEA Chron File



ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

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

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

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

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



ATTACHMENT B
DIESEL PARTICULATE AND NO_x EMISSION MEASURES

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

The following measures are required by state law:

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

The following measures are recommended:

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

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

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

HILL & TRAGER, LLP

Attorneys At Law

**800 Presidio Avenue
Santa Barbara, California
93101-2210**

Telephone
(805) 963-1453
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(805) 963-1457

Gary J. Hill*
Timothy J. Trager **
Russell R. Ruiz
Nicole L. Champion

*A Professional Corporation
**Also Licensed in
Illinois and Utah

September 15, 2004

Sean Finnegan
c/o Makar Properties
4100 MacArthur Blvd., Suite 200
Newport Beach, CA 92660

Re: Water Delivery to the Dos Pueblos Estates Property (the "Property") owned
By CPH Dos Pueblos Associates, LLC

Dear Mr. Finnegan:

As a follow up to our meeting in Santa Barbara on Monday June 21, 2004, and our letter sent to Douglas Fell on July 7, 2004, the Goleta Water District's General Manager, Kevin Walsh, asked that I confirm our commitment regarding water delivery to the Property located oceanward off Highway 101 just north of the City of Goleta, owned by CPH Dos Pueblos Associates, LLC ("Makar").

The Goleta Water District is willing to provide you with a Water Service Classification Letter for your application to the County and a Can and Will Serve Letter that will provide 30 acre feet of potable water per year for the Property. Goleta Water District will work with the Property owner to find a proper conveyance system to deliver water. This is anticipated to involve a new water line from the point of connection on the Bacarra property through other properties terminating at the eastern end of the Property at the existing Naples lots. The cost of this infrastructure can be applied to the \$4.5 million previously deposited with Goleta Water District.

Conveyance of the water will involve various easements for the water line. These easements may occur within undeveloped and/or paved portions of the Bacarra Property, or the Parsons Property. If Makar cannot obtain easements from other property owners for the placement of a water line or terms acceptable to Makar, Goleta Water District is committed to assist in the process, including exercising its condemnation powers if necessary.

6-11-04

Sean Finnegan

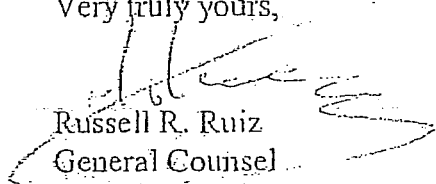
Re: Water Delivery to the Dos Pueblos Estates Property

September 15, 2004

Page 2

We look forward to working together to accomplish a permanent water solution for your Property. If you have any questions please feel free to contact me.

Very truly yours,



Russell R. Ruiz

General Counsel

Goleta Water District

RRR/kv

cc: Kevin Walsh

Douglas E. Fell



4699 HOLLISTER AVENUE
GOLETA, CALIFORNIA 93110-1999
TELEPHONE 805/964-6761
FAX 805/964-7002

CAN AND WILL SERVE LETTER

December 3, 1998

CPHPAH Dos Pueblos Associates, LLC
C/o R.W. Hollis Jr.
Dudek & Associates
841 Mohawk Street, Suite 100
Bakersfield, CA 93309

Re: DOS PUEBLOS GOLF LINKS PROJECT
APN 079-180-10, 079-180-48 Through 079-180-70, 079-200-04, 079-200-08
GWD Job No. 98-3202
County Case # 91-CP-085

Dear Mr. Hollis:

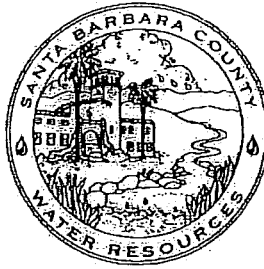
The Goleta Water District can and will serve the referenced project. All financial arrangements, right-of-way and/or easements have been made to the satisfaction of the District for the service required.

Sincerely,

GOLETA WATER DISTRICT

Kevin D. Walsh
KEVIN D. WALSH
General Manager
and Chief Engineer

KDW/krm



Santa Barbara County Public Works Department
Flood Control & Water Agency

August 16, 2006

Stephen Chase, Zoning Administrator
County of Santa Barbara
Planning & Development
123 E. Anapamu Street
Santa Barbara, CA 93101

Re: **06CDH-00000-00039; Dos Pueblos Ranch Estates Lot 2**
APN: 079-200-008/Goleta

Dear Mr. Chase:

This District recommends that approval of the above referenced project be subject to the following conditions:

1. Prior to issuance of Coastal Development Permit, the applicant shall comply with the Flood Control Standard Conditions of Approval.
2. Prior to issuance of Coastal Development Permit, the applicant shall submit drainage plans for all proposed road crossings of creeks and drainage courses.
3. The applicant will be required to pay the current plan check fee deposit at the time the plans are submitted for District review and approval.

Sincerely,

Dale W. Weber, P.E.
Development Engineer

cc: Allen Bell, Planner, Planning & Development
Makar Properties LLC, c/o Michael Gagnet, 4100 MacArthur Blvd., Suite 200, Newport Beach, CA 92660
CPH Dos Pueblos Associates LLC, 4100 MacArthur Blvd., Suite 200, Newport Beach, CA 92660
April Verbanac, Dudek & Associates, 621 Chapala Street, Santa Barbara, CA 93101
Penfield & Smith, 101 East Victoria Street, Santa Barbara, CA 93101
FORMA, 17712 Mitchell North, Irvine, CA 92614
Mike Zimmer, Building & Safety

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Santa Barbara County
PUBLIC Health
DEPARTMENT

Environmental Health Services

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

Takashi M. Wada, MD, MPH *Director/Health Officer*
Anne M. Fearon *Deputy Director*
Suzanne Jacobson, CPA *Chief Financial Officer*
Michele Mickiewicz, MPH *Deputy Director*
Elizabeth Snyder, MHA *Deputy Director*

Jennifer Bernstein, *Director of Environmental Health*

TO: Nicole Lieu, Planner
Planning & Development Department
Development Review Division

FROM: Paul Jenzen
Environmental Health Services

DATE: February 23, 2012

SUBJECT: Case No. 06CDH-00000-00038/06CDH-00000-00039 Goleta Area

Applicant: Makar Properties, LLC
4100 MacArthur Blvc., Suite 200
Newport Beach, CA. 92660

Property Location: Assessor's Parcel No. 079-200-004, zoned AG-II-100, located approximately .4 miles west of the city of Goleta.

Case No. 06CDH-00000-00038/06CDH-00000-00039 represents a request to develop two single-family homes on two separate, adjacent parcels totaling almost 143 acres on the Gaviota Coast, approximately 0.4 of a mile west of the City of Goleta. One home, referred to as the Ocean Estate, would be approximately 7,227 square feet in size and would also include approximately 1,451 square feet of accessory structures for a detached guest house and garage. The other home, referred to as the Inland Estate, would be approximately 9,163 square feet in size with an attached 800 square foot guesthouse. Supporting infrastructure would include construction of approximately 0.91 mile of potable and recycled water line extensions from the Bacara Resort approximately 0.4 of a mile east of the project site in the City of Goleta.

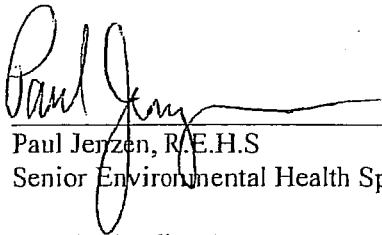
Domestic water supply is proposed to be provided by the Goleta Water District. The Goleta Water District will need to review the project and provide a 'can and will serve' letter prior to land use clearance. Additionally the Goleta Water District will need to review any proposal for the use of recycled water.

Sewage disposal is proposed to be provided by two onsite wastewater treatment systems. The applicant has provided to Environmental Health Services drywell performance tests and preliminary engineering completed by Penfield & Smith and dated November 17, 2011 to establish the feasibility of wastewater disposal on the subject lots. Prior to zoning clearance the applicant will need to obtain approved from Environmental Health Services permits to construct onsite wastewater treatment system permits.

Providing the Zoning Administrator grants approval of the applicant's request, Environmental Health Services recommends the following be included as Conditions of Approval:

1. Prior to Issuance of Zoning Clearance, Environmental Health Services shall receive and approve written notice from the Goleta Water District indicating that said district can and will provide domestic water service upon demand and without exception.

2. Prior to Issuance of Zoning Clearance, an application for an onsite wastewater treatments system (OWTS) permit shall be reviewed and approved by Environmental Health Services.



Paul Jensen, R.E.H.S

Senior Environmental Health Specialist

cc: Applicant
Goleta Water District
Jeff Thomas, Planning & Development Dept, Building Div., Santa Maria
Norman Fujimoto, Environmental Health Services
Marilyn Merrifield, Environmental Health Services

LU-5112

Memorandum

Date: February 14, 2013

To: Nicole Lieu
Planning & Development
Santa Barbara

From: Dwight Pepin, Captain
Fire Department



Subject: APN: 079-200-004/008; Case #: 06CDH-00038/39; Site: Dos Pueblos Canyon Rd.
Project Description: 78 Acres Ranch Estate

*This Condition Memorandum Supersedes the Previous Condition Memorandum Dated
August 28, 2006*

The above project is located within the jurisdiction of the Santa Barbara County Fire Department. To comply with the established standards, we submit the following with the understanding that the Fire Protection Certificate application may involve modifications, which may determine additional conditions.

PRIOR TO ERECTION OF COMBUSTIBLE BUILDING MATERIALS THE FOLLOWING CONDITIONS MUST BE MET:

1. All access ways (public or private) shall be installed and made serviceable. Roadway plans, acceptable to the fire department, shall be submitted for approval prior to any work being undertaken.

Access to this project shall conform to Santa Barbara County Private Road and Driveway Standard #1. The roadway shall have a minimum width of 24 feet. Dead end access roads shall terminate with a fire department approved turnaround.

Access ways shall be extended to within 150 feet of all portions of the exterior walls of the first story of any building.

A minimum of 13 feet 6 inches of vertical clearance shall be provided and maintained for the life of the project for emergency apparatus access.

Driveways serving one residential parcel are required to have a minimum width of 12 feet. Driveways serving two residential parcels are required to have a minimum width of 16 feet. Driveways serving three to nine residential parcels are required to have a minimum width of 20 feet. If any future development is planned for this parcel or will

be served by this driveway, the applicant is encouraged to coordinate these standards into their plans and with other interested parties.

Any portion of the driveway exceeding 10 percent in slope shall be paved.

2. A bridge is required for this project. The bridge shall conform to the following standards:
 - Bridge shall have a minimum H-20 rated load-bearing capacity.
 - Bridge width shall be equal to approved road width.
 - Both ends of bridge shall have signage indicating load-bearing capacity. Lettering and numbers shall be a minimum height of three (3) inches, reflective, and a color contrasting to the background color. Signage shall be elevated at least three (3) feet from the ground for clear visibility and easy directional identification. Signage shall be visible from the access road when traveling in either direction.
 - All other aspects of bridge construction shall conform to standards set forth by the Santa Barbara County Public Works Department, Road Division.
 - Plans shall be certified and stamped by a civil engineer as meeting all applicable standards for load bearing capacity and construction. Plans to be approved by the fire department prior to installation.
 - Bridge railings shall not exceed three feet in height.
3. Fire hydrant(s) shall be installed. The hydrant(s) shall be located per fire department specifications and shall flow 750 gallons per minute at a 20 psi residual pressure. Prior to installation, plans showing locations, size and type of hydrant(s), valves, main lines and lateral lines shall be approved by the fire department. The hydrant(s) shall consist of one 4-inch outlet and one 2½-inch outlet. The system shall be tested by the fire department to ensure compliance with recognized standards. See Standard #2.

PRIOR TO OCCUPANCY CLEARANCE THE FOLLOWING CONDITIONS MUST BE MET:

4. The fire department shall determine and assign all address numbers and shall issue such numbers to property owners and occupants. Please call the Fire Prevention Division at (805) 681-5523 if you have questions.
5. Building address numbers must be a minimum height of four (4) inches and a color contrasting to the background color. The address number shall be elevated at least three (3) feet from the ground for clear visibility and easy directional identification. The numbers shall be visible from the access road when traveling in either direction. If the driveway is over 150 feet in length or the building is obstructed from view at the access road, numbers shall be posted at any driveway and road intersections as is necessary.
6. Stop work immediately and contact the County Fire Department, Hazardous Materials Unit (HMU) at 686-8170 if visual contamination or chemical odors are detected while implementing the approved work at this site. Resumption of work requires approval of the HMU.

7. When access ways are gated a fire department approved locking system shall be installed. Please call the Fire Prevention Division at 681-5523 for additional information and application procedures.
8. Santa Barbara County Fire Department fire sprinkler system requirements shall be met. Fire sprinkler system plans shall be approved prior to installation. Location of any fire department connection shall be determined by the fire department.
9. Payment of development impact fees is required. The fees shall be computed on each new building, including non-habitable spaces.

Fees will be calculated as follows:

Mitigation Fee at \$.10 per square foot for structures with fire sprinkler systems

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

As always, if you have any questions or require further information please call 681-5500.

DP:mkb

Memorandum

DATE: December 2, 2010

TO: Allen Bell
Planning and Development
Santa Barbara

FROM: Glenn Fidler, Captain
Fire Department



SUBJECT: APN: 079-200-004 and 079-200-008
Case #: 06CDH-00038, 06CDH-00039, 06CDH-00048, 07CUP-00065 and
09CDH-00045, 09EIR-0003
Site: HWY 101, Santa Barbara
Project Description: Draft EIR for Paradiso del Mare Ocean and Inland Estates

*This Development Letter Supersedes the Previous Development Letter
Dated November 6, 2009*

RECEIVED

DEC 02 2010

S.B. COUNTY
PLANNING & DEVELOPMENT



The above project is located within the jurisdiction of the Santa Barbara County Fire Department. To comply with the established standards, we submit the following with the understanding that the Fire Protection Certificate application may involve modifications, which may determine additional conditions.

1. Section 2.4.2 Utilities

The fire department supports the approval by LAFCO to annex the project into the Goleta Water District (GWD). The fire department will always want the most reliable water source to be provided and a municipal water provider is best. The applicant is required to receive water from the purveyor when the applicant is within the boundaries of the water district for fire protection.

The extension of the GWD main is agreeable to the fire department. The size of the main would need to be determined by GWD as the fire department makes the determination of the required fire flow and the water purveyor shall be responsible to calculate the hydraulics to provide that requirement. The minimum size pipe the American Water Works Association recognizes is 6 inch.

2. Section 3.10 Land Use

3.10.4.3 LU-1

The impacts are not significant as the fees will be charged to offset them

The fire department strongly disagrees with any downsizing of water main pipe. The totality of the future should be considered when designing a system so the main line would not have to be dug up in the future and upsized. This would result in a waste of time, money and material as well as disturbing the environment again.

3.10.4.5 Mitigation Measures

MM LU-1a

This paragraph should be removed. The fire department does not support any downsizing of pipe nor does it condone the use of onsite water storage tanks. A fire flow of 750 gpm with a residual of 20 psi for two hours minimum is the minimum standard. Onsite storage of 10,000 and 12,000 gallons would not be effective for fire fighting a large fire as we have seen in the recent past.

MM LU-1b

This paragraph should be removed if it is regarding onsite water storage for fire protection. The applicant shall be required to receive full service from GWD and not provide a modified hybrid system.

MM LU-2 Plan Requirements, Timing and Monitoring

The fire department shall review the plans regarding any and all water mains that are fire water related. The applicant is required to receive fire department approval of the design of the system prior to going to the GWD. It is my understanding that Planning and Development may have additional criteria to the requirement or the impact but not the sole authority for the water mains.

3. Section 3.7 Fire Protection

3.7.1.1 Regional Fire Danger

Paragraph four on page 3.7-2 that starts on line 27 strongly supports the necessity for the proper water supply to be provided by the most reliable source. Full-size fire mains from GWD will be the most dependable water for an emergency. Onsite water storage tanks degrade over time, can be damaged from any number of factors, i.e. fires, have a limited amount of water and require regular maintenance that is usually not done until they realize there is no water coming out of the faucet.

3.7.1.3 Fire Protection Services

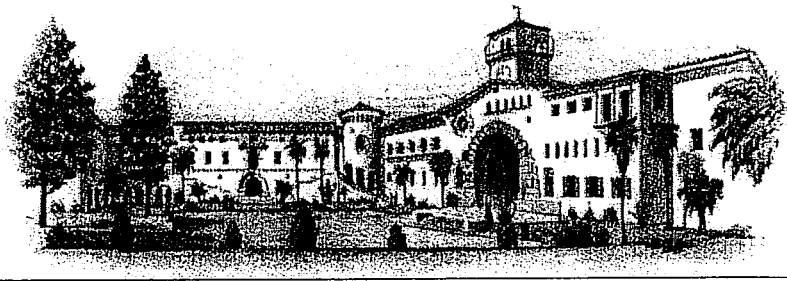
These areas of concern shall be addressed through the proper installation of

- 750 gpm fire hydrants
- Standard Fire Protection Certificate requirements
- Fully fire sprinklered buildings
- Proper vegetation management
- Fire department access requirements
- Development fees that will contribute to the new Fire Station #10 and purchase of equipment

As always, if you have any questions or require further information, please telephone 805-681-5523 or 805-681-5500.

GF:mkb

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



February 22, 2013

TO: Nicole Lieu, Planner
Development Review

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

SUBJECT: **Conditions of Approval (1 page)**
Paradiso Del Mare Ocean and Inland Estates
06CDH-00000-00038, -39
APN: 079-200-004, -008/ Goleta

Traffic Mitigation Fees

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

Based on the current fee schedule, the total estimated fee for the proposed project is **\$1100 (2 new single family homes x \$550/home)**. The Transportation Impact Mitigation Fee Program is designed to collect fees from any project that generates more than one additional peak hour trip. **Fees are due prior to map recordation and shall be based on the fee schedule in effect when paid.** This office will not accept payment or process a check received prior to project approval.

Fees are payable to the County of Santa Barbara, and may be paid in person or mailed to: Santa Barbara County Transportation Division, 123 E. Anapamu St., 2nd Floor, Santa Barbara, CA 93101 or Santa Barbara County Transportation Division North, 620 West Foster Road, Santa Maria, CA 93455. Please phone this office prior to payment if unsure as to the final fee required.

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

Sincerely,

 02/21/2013

William T. Robertson

Date

cc: 06CDH-00000-00038, -39
Chris Sneddon, Transportation Manager, County of Santa Barbara, Public Works Department
K:\Goleta\Paradiso Del Mare Estates 06CDH-Cond.doc

INTRODUCTION

This Environmental Impact Report (EIR) has been prepared by the County of Santa Barbara to evaluate potential environmental impacts resulting from the proposed Paradiso del Mare Ocean and Inland Estates project (hereafter “project”).

The County of Santa Barbara prepared a Draft Environmental Impact Report (EIR) for the Paradiso del Mare Ocean Estates and Inland Estates Project and circulated the Draft EIR for public review from September 3, 2010 until November 3, 2010. The County received approximately two-dozen letters on the Draft EIR commenting on numerous planning and environmental issues. In response to these comments, the applicant subsequently revised the project and submitted additional changes to the project in an effort to reduce or avoid environmental impacts. These modifications are numerous and are described below.

Given the magnitude of these changes to the proposed project the County decided to prepare and circulate a revised Draft EIR for this project for public review consistent with California Environmental Quality Act (CEQA) Guidelines Section 15088.5. As stated in the State CEQA Guidelines Section 15088.5, Recirculation of an EIR Prior to Certification:

(a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. “Significant new information” requiring recirculation include, for example, a disclosure showing that:

(1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

(3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.

(4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (Mountain Lion Coalition v. Fish and Game Com. (1989) 214 Cal.App.3d 1043)

(b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

(c) If the revision is limited to a few chapters or portions of the EIR, the lead agency need only recirculate the chapters or portions that have been modified.

(d) Recirculation of an EIR requires notice pursuant to Section 15087, and consultation pursuant to Section 15086.

(e) A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.

(f) The lead agency shall evaluate and respond to comments as provided in Section 15088. Recirculating an EIR can result in the lead agency receiving more than one set of comments from reviewers. Following are two ways in which the lead agency may identify the set of comments to which it will respond. This dual approach avoids confusion over whether the lead agency must respond to comments which are duplicates or which are no longer pertinent due to revisions to the EIR. In no case shall the lead agency fail to respond to pertinent comments on significant environmental issues.

(1) When the EIR is substantially revised and the entire EIR is recirculated, the lead agency may require that reviewers submit new comments and need not respond to those comments received during the earlier circulation period. The lead agency shall advise reviewers, either within the text of the revised EIR or by an attachment to the revised EIR, that although part of the administrative record, the previous comments do not require a written response in the final EIR, and that new comments must be submitted for

the revised EIR. The lead agency need only respond to those comments submitted in response to the recirculated revised EIR. The lead agency shall send directly to every agency, person, or organization that commented on the prior draft EIR a notice of the recirculation specifying that new comments must be submitted.

(2) When the EIR is revised only in part and the lead agency is recirculating only the revised chapters or portions of the EIR, the lead agency may request that reviewers limit their comments to the revised chapters or portions. The lead agency need only respond to (i) comments received during the initial circulation period that relate to chapters or portions of the document that were not revised and recirculated, and (ii) comments received during the recirculation period that relate to the chapters or portions of the earlier EIR that were revised and recirculated. The lead agency's request that reviewers limit the scope of their comments shall be included either within the text of the revised EIR or by an attachment to the revised EIR.

(g) When recirculating a revised EIR, in either whole or in part, the lead agency shall, in the revised EIR or by an attachment to the revised EIR, summarize the revisions made to the previously circulated draft EIR. "

In accordance with Section 15088.5 of the State CEQA Guidelines, the County is recirculating the entire Draft EIR to address the two new development envelope locations proposed by the applicant as well as new offers to dedicate easements for public access through the site and new alternatives not examined in the previous Draft EIR. This revised Draft EIR is being recirculated to provide the public with an opportunity to review and comment on this new information. While the comments received on the earlier Draft EIR (dated September 2009) are part of the administrative record, the previous comments do not require a written response due to the extent of the revisions and the recirculation of the entire Draft EIR. As such and as allowed, under State CEQA Guidelines Section 15088.5 (f)(1), the County is requiring that EIR reviewers submit new comments on the revised Draft EIR.

In addition, per State CEQA Guidelines Section 15088.5 (g), when recirculating a revised EIR, in either whole or in part, the lead agency shall, in the EIR or by attachment to the revised EIR, summarize the revisions made to the previously circulated draft EIR. The County has decided to summarize the changes to the previous Draft EIR within this revised Draft EIR. These changes are summarized as follows:

- Relocation of the development envelope of the Ocean lot approximately 1,200 feet to the west of the originally proposed location to eliminate encroachment into 100-foot buffers for wetlands identified in the 2009 Draft EIR, and to avoid all site areas previously documented as potential white-tailed kite nesting habitat and documented tarplant occurrences;
- Relocation of the development envelope of the Inland lot approximately 150 south/southeast of the originally proposed location to provide additional setback of the home site from Highway 101 and to better cluster and visually align the residential development on both lots;
- Construction of a bridge for residential access over the Union Pacific Rail Road (UPRR) corridor in place of the previously proposed undercrossing, thereby eliminating construction within Drainage 4;
- Realignment and consolidation of residential access roads/utility corridors into a single, shared access driveway/utility corridor located within the Inland lot and aligned as close to the Highway 101 right-of-way as possible.
- Reduction in the proposed Ocean and Inland lot development envelopes from 2.8 and 6.10 acres to 1.9 and 2.5 acres, respectively (acreages include all structures, grading, access road, driveways and utility corridors);
- Reduction in the proposed Ocean and Inland lot residences from 8,042 and 12,413 sq. ft to 5,806 and 7,326 to sq. ft., respectively (square footages are gross calculations as presented in the 2009 and 2012 Draft EIR and include all proposed structures including garages, basements, wall and mechanical spaces, etc.);
- Designation of specific agricultural planting areas and tree limitations (dwarf and semi-dwarf species) within the proposed agricultural envelopes to maintain natural open space along the Highway 101 corridor, to provide landscape screening of the residences as viewed from Highway 101, and to ensure such plantings are consistent with agricultural practices along the Gaviota Coast and will not block bluewater views from Highway 101 upon reaching maturity;

- 1 • Inclusion of a number of offers to dedicate (OTDs) easements for both vertical and
2 lateral public access and recreation facilities, contingent on approval of the proposed
3 project, including:
 - 4 – On the Ocean Lot:
 - 5 • An easement for a trail network including a loop trail and a portion of the
6 California Coastal Trail bounded by the UPRR on the north, the coastal bluff
7 on the south, Eagle Canyon on the east, and the Coastal Estate development
8 envelopes on the west
 - 9 • An easement for an ocean overlook
 - 10 • Vertical access to the beach within a “floating” easement extending along the
11 bluff from Drainage 5 to Eagle Canyon
 - 12 • A lateral easement along the beach as measured from the base of the bluff to
13 the mean high tide line
 - 14 – On the Inland Lot:
 - 15 • An easement area that would allow for vertical vehicular access from the
16 existing site entrance at Highway 101 to a future public parking lot (up to 20
17 spaces)
 - 18 • Pedestrian access from the future parking lot and over the UPRR tracks to the
19 loop and California Coastal Trails on the Coastal Lot
- 20 • The exact location for the physical construction of future trails, parking, vertical
21 beach access and access over the UPRR tracks will be determined at a future date
22 based upon the mutual agreement of the landowner, the County of Santa Barbara,
23 and the eventual easement holder.
- 24 • Overall site plan reconfiguration on both lots, as described above, intended to
25 concentrate residential and agricultural land uses in areas of the property adjacent to
26 anticipated and existing development and uses (Naples Townsite/Santa Barbara
27 Ranch and Highway 101) and provide for approximately 115.3 acres (81 percent of
28 the 143-acre site including all areas outside residential and agricultural
29 roads/driveways and development envelopes) of contiguous open space over the
30 central and east portion of the property encompassing all on-site drainages and
31 streams (including Eagle Canyon), and all areas known to contain sensitive cultural
32 resources, wetlands, special-status plants (native grasslands, southern tarplant, and

1 cliff aster), monarch butterfly aggregation site habitat, historic white-tailed kite nest
2 sites, California red-legged frog and tidewater goby habitat

- 3 • Inclusion of a 91.0 acre Open Space Conservation Easement; and
- 4 • Inclusion of a Conceptual Upland and Riparian Mitigation and Monitoring Plan for
5 23.5 acres of on-site mitigation/revegetation on the Inland lot designed to establish a
6 mosaic of new riparian, California sagebush scrub uplands, native grasslands, and
7 enhanced exotics-free buffer zone areas intended to increase and enhance hunting,
8 nesting and perching habitat for the white-tailed kite and their primary prey, the
9 California vole.

10 EIR Sectional Changes

11 Cumulative Project List – Inclusion of a new cumulative projects list from the County of
12 Santa Barbara and City of Goleta.

13 Aesthetic and Visual Resources – The provision of updated photo simulations for new
14 project envelope locations and proposed agricultural landscape screening, and a
15 reassessment of the project impact on visual resources based upon project changes.

16 Agricultural Resources – Reduction in the disturbance of non-irrigated Class II soils
17 from 3.3 acres to 1.0 acres due to project redesign.

18 Air Quality – An update to air quality emissions calculations based on the California
19 Emissions Estimator Model (CalEEMod), which is the successor model to
20 URBEMIS2007, and updating of the Greenhouse Gas (GHG) analysis based on AB 32
21 goals and The County’s Environmental Thresholds and Guidelines Manual which list
22 screening criteria for determining the significance of operational (long-term) emissions.

23 Biological Resources – Inclusion of updated biological assessment, including focused
24 surveys for special-status plant and wildlife species, a proposed Conceptual Upland
25 and Riparian Mitigation and Monitoring Plan for 23.5 acres of on-site
26 mitigation/revegetation on the Inland lot, and reduction of significant and unavoidable
27 impacts associated with white-tailed kite foraging habitat.

28 Cultural Resources – Incorporation of new cultural resources information and the
29 Paradiso del Mare, Service Extension & Coastal Access Offer to Dedicate Alternatives
30 Analysis (Dudek 2010), which evaluates the feasibility of possible project alternatives

1 that could avoid or minimize potential impacts to cultural resources identified on the
2 adjacent Gaviota Holdings property due to extension of offsite utilities, and those
3 identified on the easternmost portion of the site and south of the UPRR facility on the
4 ocean lot due to extension of onsite utilities and the proposed OTD for public access
5 trail improvements.

6 Recreation – The project conditionally proposes a number of easement dedications for
7 public access and recreational uses as described in the Project Description changes
8 above

9 Transportation and Traffic – Update of traffic analysis based on new traffic impact
10 study prepared for the project.

11 General Update of All Issue Area Sections – Miscellaneous updating of all EIR sections
12 based on the most up to date information for that particular issue area, based on new
13 applicant submitted materials such as but not limited to: new site plans, grading plans,
14 biological studies, contact with appropriate staff such as but not limited to the Santa
15 Barbara County Fire Department, and new published information such as but not
16 limited to the Regional Water Quality Control Basin Plan, etc., (updated June 2011).

17
18 This EIR was prepared in accordance with the California Environmental Quality Act
19 (CEQA) of 1970¹, and the *State CEQA Guidelines*², and the County's adopted Guidelines
20 for the Implementation of CEQA, published June 2010. The County of Santa Barbara is
21 the lead agency for this EIR as per Section 15367 of the *State CEQA Guidelines*. The
22 County will use this EIR in its consideration of the requested approvals that would
23 allow implementation of the proposed project.

24 This **Executive Summary** summarizes the project description and conclusions of the
25 impact analyses provided in the EIR. **Section 2.0, Project Description**, provides a
26 detailed description of the proposed project evaluated in the EIR. **Section 3.0** addresses
27 each of the issues that were identified in the EIR Scoping Document as requiring further
28 analysis in the EIR, including an existing setting, impact analysis, and identification of
29 mitigation measures where applicable. **Section 4.0** provides a preliminary policy

¹ State of California, Public Resources Code, Sections 21000 et seq.

² Title 14, California Code of Regulations, Sections 15000 et seq.

consistency analysis. **Section 5.0** describes other sections required by CEQA, including irreversible environmental impacts and growth inducing impacts. **Section 6.0** describes and evaluates alternatives to the project and the extent to which each alternative would reduce or avoid the environmental effects associated with the project.

PROJECT OVERVIEW

This Draft EIR evaluates the Paradiso del Mare Ocean and Inland Estates Project in the County of Santa Barbara, California as currently proposed by the applicant. This project includes the proposed development of two single-family homes on two undeveloped coastal parcels totaling almost 143 acres. Supporting infrastructure would include upgrade and construction of approximately 1 mile of existing and new driveways, potable and reclaimed water line extensions to the site, and on-site wastewater treatment systems. The project also ~~conditionally~~ proposes a number of public access and resource protection easements, ~~contingent upon approval of the proposed projects.~~ The easement dedications are contingent on approval of a residential Ocean development site that is located more than 150 feet from the top of the bluff and from the public easement dedications and in the westerly portion of the lot to ensure residential, agricultural, and recreational land use compatibility of the site ~~The conditional improvements include over 1 mile of linear easement for the Coastal Trail, an ocean overlook, vertical access to the beach within a "floating" easement extending along the bluff from Drainage 5 to Eagle Canyon, a lateral easement along the beach as measured from the base of the bluff to the mean high tide line.~~ The project includes a number of offers to dedicate (OTD) easements for both vertical and lateral public access and recreation facilities, contingent on approval of the proposed project. Proposed easements on the ocean lot include: an easement for a trail network including a loop trail and a portion of the California Coastal Trail bounded by the UPRR on the north, the coastal bluff on the south, Eagle Canyon on the east, and the Coastal Estate on the west; an easement for an ocean overlook; vertical access to the beach within a "floating" easement extending along the bluff from Drainage 5 to Eagle Canyon, and; lateral easement along the beach as measured from the base of the bluff to the mean high tide line. Proposed easements on the inland lot include: an easement area that would allow for vertical vehicular access from the existing site entrance at Highway 101 to a future public parking lot (up to 20 spaces); and, pedestrian access from the future parking lot and over the UPRR tracks to the loop and California Coastal Trails on the Coastal Lot. The exact location of future trails, parking, vertical beach access and access over the

1 UPRR tracks will be determined at a future date based upon the mutual agreement of
2 the landowner, the County of Santa Barbara, and the eventual easement holder.

3 ~~vertical vehicular access from the existing site entrance at Highway 101 to the public~~
4 ~~parking lot location, and trail access from the parking lot over the existing wooden~~
5 ~~bridge that connects the Ocean and Inland sites over the Union Pacific Railroad (UPRR)~~
6 ~~to the Coastal Trail easement.~~ The project also conditionally includes a proposed Open
7 Space Conservation Easement for approximately 91.0 acres of the central and eastern
8 portions of the site situated between Drainage #5 and Eagle Canyon, excepting the
9 shared access driveway that would be constructed along the northernmost property
10 boundary/Caltrans right-of-way.

11 The project site is located in the eastern portion of the Gaviota Coast along US Highway
12 101 in a rural, unincorporated area of Santa Barbara County approximately 0.4 mile
13 west of the City of Goleta's western boundary. This area is reserved for rural land uses
14 and is largely composed of open space and agricultural uses with limited residential
15 development. Minimum parcel sizes typically range from 40 to 320 acres. Immediately
16 ~~adjacent to the west of the project site is the historic Naples Townsite, which consists of~~
17 ~~approximately 25 antiquated lots that are proposed to be merged into 10 lots for~~
18 ~~construction of 10 homes.~~ The applicant owns 25 Naples lots within the Townsite that
19 are immediately west of the project site boundaries. Under a "Standstill and Settlement
20 Agreement" in pending litigation between the applicant and Coastal Commission, the
21 applicant is permitted to apply for development of up to 10 single-family residences on
22 the 25 Naples lots, either separately or together with the application for the subject
23 ranch lots. In 2005, a pre-application was submitted by Makar Properties to determine
24 applicable County policies, regulations and application requirements for a conceptual
25 10- lot development plan on the applicant's Naples lots. However, because issues
26 regarding the Naples lots on the adjacent Santa Barbara Ranch property were then, and
27 now remain, unresolved, no subsequent application was ever submitted or filed for a
28 development proposal for the applicant's Naples lots and no determination been made
29 when or how to proceed with a request to develop those lots. The Gaviota Coast has
30 been identified as one of the last remaining areas of relatively undeveloped coastal land
31 in Southern California. Views of the Gaviota Coast are available to travelers along
32 US Highway 101, Amtrak passengers, visitors to the area's three state parks, and users
33 of the area's scattered existing public trails, beaches, and the ocean.

1 PROJECT LOCATION

2 The project site is located south of US Highway 101, approximately 0.4 mile west of the
 3 City of Goleta. The approximately 143-acre project site consists of two existing legal
 4 parcels owned by CPH Dos Pueblos Associates, with the “Ocean Estate” (Assessor’s
 5 Parcel Number [APN] 079-200-004) comprising approximately 64.8 acres located
 6 between the ocean and UPRR, and the “Inland Estate” (APN 079-200-008) comprising
 7 77.9 acres located between the railroad tracks and the highway. The site is located
 8 within the eastern portion of the Gaviota Coast Planning Area of the Third
 9 Supervisorial District.

10 The project site is located in the eastern portion of the Gaviota Coast, defined in the
 11 County’s 1982 certified Local Coastal Plan as the approximately 20-mile-long section of
 12 scenic coastline within the coastal zone boundary between the west end of the City of
 13 Goleta and Gaviota Canyon at the US Highway 101 tunnel.^{3,4} The Gaviota Coast
 14 consists primarily of large agriculturally zoned parcels that typically range in size from
 15 40 to more than 300 acres, with several larger ranches, some of which extend from
 16 within the coastal zone to inland areas higher in the foothills.⁵

17 PROJECT OBJECTIVES

18 The proposed project includes the following major objectives:

- 19 1. Resolve pending litigation between the applicant and the Coastal Commission
 20 regarding the Dos Pueblos Golf Links Project (an 18-hole golf course and 9-hole
 21 executive course over the entire approximately 208 acres owned by the applicant)
 22 by developing an acceptable residential project alternative consistent with the
 23 County Comprehensive Plan, including the Coastal Land Use Plan and Coastal
 24 Zoning Ordinance.
- 25 2. Develop two high-quality coastal homes with supporting amenities on two
 26 existing legal parcels.

³ More recent County studies define the Gaviota Coast more broadly as a 38-mile-long segment of the County’s coastline that extends from Goleta to north of Point Conception that contains approximately 124,400 acres of primarily rural agricultural land.

⁴ County of Santa Barbara. *The Open Lands Agriculture and Open Space, Santa Barbara County, 2002*

⁵ County of Santa Barbara. *A Perspective on Gaviota Coast Resources*. 2002.

3. Retain a majority of the site in permanent open space and agricultural uses.
4. Ensure that development is sited and designed to avoid known site constraints and minimize impacts on natural and cultural resources and public views, to the extent feasible.
5. Offer to dedicate over 1 linear mile of public trail easement (totals 2.7 acres) for a segment of the Coastal Trail, a beach access stairway easement, public access along the beach as measured from the base of the bluff to the ambulatory mean high tide line, and for a public parking lot and vertical access from Highway 101 to the Coastal Trail, which are high priority coastal uses, while ensuring residential, agricultural and recreational land use compatibility on the property.
6. Offer to dedicate an Open Space Conservation Easement for approximately 91.0 acres of the central and eastern portions of the site.

PROJECT DESCRIPTION

The applicant (CPH Dos Pueblos Associates) has submitted two separate applications (Case Numbers 06CDH-00000-00038 and 06CDH-00000-00039) for development of two vacant parcels totaling 142.7 acres. The development would consist of two single-family residences with accessory structures: an Ocean Estate on the 64.80-acre parcel, and an Inland Estate on the 77.90-acre parcel.

Primary development and access improvements would be restricted within formalized development envelopes of 1.9 acres for the Ocean Estate and ~~4.142~~4.5 acres for the Inland Estate. The development envelopes encompass the main residence and garage, guesthouse, hardscape, ~~the shared access driveway (located on the Inland lot)~~ and individual residence driveways, utilities, propane tanks, wastewater treatment systems, and residential landscaping. The shared access driveway, located on the inland lot would occupy 1.6 acres. No barns, sheds, or other above ground agricultural accessory structures, with the exception of fencing for animal keeping and/or pasturing in designated agricultural use areas, would be constructed outside the development envelope. The proposed Ocean Estate residence would be 5,806 (gross) square feet in size, with an attached 1,421-square-foot garage/mechanical space, a detached 800-square-foot guesthouse with attached 651-square-foot garage, and a pool. Future structural development and earth disturbance associated with the proposed Ocean Estate would be limited to a 1.9 acre development envelope. The proposed Ocean Estate

1 would also include designation of a 1.7 acre envelope, which would allow agricultural
2 activities such as orchards, row crops, and horse/livestock keeping. The maximum
3 height of the proposed residence and garage is 20 feet and the maximum height of the
4 proposed guest house and attached garage is 21 feet.

5 The proposed Inland Estate residence would be 7,326 (gross) square feet in size with an
6 attached 1,837-square foot-basement and garage/mechanical space, a detached
7 800-square-foot guesthouse and a pool. Future structural development and earth
8 disturbance associated with the proposed Inland Estate would be limited to a 2.5 acre
9 development envelope. The proposed Inland Estate would also include designation of a
10 16.3 acre envelope, which would allow agricultural activities such as orchards, row
11 crops, and horse/livestock keeping. The maximum height of all proposed Inland Estate
12 development is 22 feet, and is designed to be a minimum of 11 feet, 10 inches below the
13 road grade of Highway 101 to maintain public horizon and blue water views over the
14 development.

15 Total project grading, including the access road, Ocean and Inland estates and bridge
16 abutments, would include approximately 16,890 cubic yards (cy) of cut and
17 approximately 13,280 cy of fill.

18 Landscaping includes native and drought tolerant species including six 36-inch-box
19 oaks and 4.7-acres of citrus orchard.

20 ~~Access to these development envelopes would be provided via approximately 0.921~~
21 ~~mile of 12 to 16 foot wide shared and individual site driveways (approximately 1.8~~
22 ~~acres).~~

23 The project includes a number of offers to dedicate (OTD) easements for both vertical
24 and lateral public access and recreation facilities, contingent on approval of the
25 proposed project. Proposed easements on the ocean lot include: an easement for a trail
26 network including a loop trail and a portion of the California Coastal Trail bounded by
27 the UPRR on the north, the coastal bluff on the south, Eagle Canyon on the east, and the
28 Coastal Estate development envelope on the west; an easement for an ocean overlook;
29 vertical access to the beach within a “floating” easement extending along the bluff from
30 Drainage 5 to Eagle Canyon, and; lateral easement along the beach as measured from
31 the base of the bluff to the mean high tide line. Proposed easements on the inland lot
32 include: an easement area that would allow for vertical vehicular access from the

existing site entrance at Highway 101 to a future public parking lot (up to 20 spaces), and; pedestrian access from the future parking lot and over the UPRR tracks to the loop and California Coastal Trails on the Coastal Lot. The exact location of future trails, parking, vertical beach access and access over the UPRR tracks will be determined at a future date based upon the mutual agreement of the landowner, the County of Santa Barbara, and the eventual easement holder.

~~Development of utilities and related infrastructure, including extension of water lines, would occur both on site and off site. A portion of the parcels outside the development envelope (totaling 1.7 acres on the Ocean Estate parcel and 16.3 acres on the Inland Estate parcel) would be used for agriculture, portions of which would include row crops, or orchards in designated agricultural planting areas (0.6 acre on the Ocean Estate parcel and 4.1 acres on the Inland Estate parcel), animal keeping, and/or livestock grazing. An offer to dedicate is proposed to grant public access to approximately 7,500 linear feet along the full east-west extent of the Ocean Estate parcel as part of the California Coastal Trail (approximately 2.7 acres), for vertical access to the beach adjacent to Eagle Canyon, and access along the beach as measured from the base of the bluff to the mean high tide line, and on the Inland Lot, an offer to dedicate easements is proposed for a public parking lot (up to 20 parking spaces), vertical vehicular access from the existing site entrance at Highway 101 to the public parking lot location, and trail access from the parking lot to over the existing wooden bridge that connects the Ocean and Inland sites over the Union Pacific Railroad (UPRR) to the Coastal Trail easement (approximately 0.4 acre). The remainder of the parcels would be maintained as open space, with approximately 58.5 acres on the Ocean Estate and approximately 56.8 acres on the Inland Estate.~~

Site Access and Circulation

Vehicular access to the subject parcels from US Highway 101 would be via the existing entry/exit driveway. Vehicles approaching the site from the east on northbound US Highway 101 would utilize an existing turn lane and opening in the highway center median and turn left across the southbound traffic lane. Alternatively, vehicles approaching the site from the east on northbound US Highway 101 could proceed to the Dos Pueblos exit, drive under the freeway, and re-enter US Highway 101 southbound to approach the site. Vehicles approaching from the west on southbound US Highway 101 would utilize the existing shoulder and flared driveway entrance for deceleration and turn right into the driveway. Vehicles exiting the site to travel west on northbound

1 US Highway 101 would cross the southbound traffic lane, enter an existing short
2 acceleration lane and merge with northbound traffic. Vehicles exiting the site to travel
3 east on southbound US Highway 101 would turn right and utilize the existing road
4 shoulder for acceleration before merging with southbound traffic. The site entry would
5 remain unchanged until the point where a shared access driveway would extend
6 westerly along and just south of the Inland Estate property line and Caltrans right-of-
7 way boundary. The existing security gate located at the site entry would be removed
8 and a new security gate would be installed down the existing driveway approximately
9 200 feet south of the existing gate. An additional gate would be installed at the entrance
10 to the shared access driveway serving the residential sites, just west of the Highway 101
11 right-of-way.

12 Internal site access would be provided via a shared access driveway with individual
13 driveways extended from this access driveway to the two new residential sites. Shared
14 and individual access driveways would be constructed with combination of permeable,
15 chip seal and paved asphalt surfaces. The proposed 0.77 mile, 16-foot-wide, two-lane,
16 shared access driveway would be constructed with chip seal and asphalt surface (where
17 required to meet fire department standards at drainage and UPRR crossings) and
18 would extend from the existing site entry approximately 3,300 feet along and just south
19 of the Inland Estate property line and Caltrans right-of-way boundary to the
20 westernmost portion of the site, and would then extend approximately 750 feet south to
21 a point from which individual 12-foot-wide driveways would be constructed to serve
22 the residential sites. The 16-foot-wide shared driveway would include nine 50-foot
23 turnouts, spaced approximately every 500 feet that widen the road to 22-feet, per
24 County of SB Fire Department Development Standards. The Inland Estate individual
25 driveway would extend approximately 240 feet east from the shared driveway to the
26 proposed home site and be constructed with permeable structural surfacing. The Ocean
27 Estate individual driveway would extend approximately 240 feet south of the shared
28 driveway on the Inland Estate, 100 feet over the UPRR right-of-way, and then an
29 additional 350 feet on the Ocean Estate to the proposed home site. In total, 0.921 mile
30 (4,880 feet) of upgraded and new shared and individual site access driveways would be
31 installed on the site, consisting of approximately 1.8 acres of new impermeable surface
32 for driveways and turnouts (not including the 100 feet across the UPRR right of way).

33 Proposed access to the Ocean Estate would be via a railroad bridge constructed at the
34 westernmost portion of the property. The existing wood bridge that connects the Ocean

and Inland sites over the UPRR on the east portion of the site (between Eagle Canyon and Drainage 1) would be maintained, ~~for potential, future rehabilitation to support public access opportunities on the property.~~

Utilities

Utility service to the site would be provided by a combination of on-site private systems and the extension of public services such as water, electricity, telephone, and cable service from the City of Goleta or the County of Santa Barbara.

On-site services would include wastewater treatment systems, which would be provided by drywell wastewater treatment systems, located within the proposed development envelopes; the exact location of the drywells will be determined by ~~depending on~~ final development configuration and the sewage disposal capabilities of the underlying soils. Propane would be provided via regular truck deliveries, which would be contained in aboveground tanks within the development envelope and used for heating and other necessary services. The propane tanks would be located alongside the homes within an enclosure and screened with landscape as necessary.

The extension of public services to the project site would include water service from the Goleta Water District (GWD).

In 1998, the property owners and the GWD entered into a Water User Agreement that required the GWD to supply reclaimed and potable water to the property for use in connection with the ARCO Dos Pueblos Golf Links Project, including the right to use reclaimed water for an agricultural use upon abandonment of the golf course project. The Agreement allotted the subject parcels 222 acre-feet/year (afy) of reclaimed water and up to 30 afy of potable water. It also required the annexation of the Ocean Estate parcel and the applicant's 25 lots in the Naples Townsite into the GWD; the Inland Estate parcel was at the time already within the GWD. On September 2, 1998, the Santa Barbara Local Agency Formation Commission (LAFCO) approved annexation of the Ocean Estate parcel and the applicant's Naples lots to the GWD. Upon the payment of approximately \$4.5 million for reclaimed and potable water service, the GWD issued the property owner a can and will serve letter. LAFCO recorded its certificate of completion for the annexation on August 8, 2008. On April 29, 2010, the Court of Appeal upheld the certificate of completion and the annexation (*Gaviota Coast Conservancy and Surfrider Foundation v. Santa Barbara Local Agency Formation Commission*,

2d Civil No. B215836). Accordingly, the entire Dos Pueblos property, including the subject Ocean and Inland Estate parcels, is now within the GWD.

To deliver water to the site, new potable and reclaimed water pipelines would be installed, which would extend from existing mains located east of the project site in the City of Goleta. Other utilities for the proposed development (i.e., electricity, cable, and telephone) would also be located underground in a joint trench and extended along the same route as water pipelines.

Off-site water pipelines and utilities would extend services west to the site on the south side of US Highway 101. Privately owned 10-inch potable and 4-inch reclaimed water pipelines would be connected to existing 12-inch potable and 12-inch reclaimed water mains at the western margin of the Bacara Resort. The proposed utilities would be extended from the western boundary of the Bacara Resort, at the access road within a trench line that transitions westward into the Gaviota Holdings property (APN 079-200-005), to the point of a pipe bridge spanning Eagle Creek as it enters the proposed Ocean Estate parcel of the project site. These pipelines would be extended 2,200 feet west through the Gaviota Holdings property, south of and along the UPRR in an easement, and across Eagle Canyon on a pipe bridge to the project site. Most of the lines (approximately 60 percent) would be installed across the Gaviota Holdings property within a trench with the exception of a segment of fill cap intended to reduce disturbance to sensitive resources, the remaining lengths of pipelines (approximately 40 percent) would be installed underground within a trench.

Most of the lines would continue to the project parcels within designated utility corridors/development envelopes buried within a trench, with the exception of an approximately 200-foot-long section on the Ocean Estate that would be within a fill cap intended to reduce disturbance to sensitive resources, an approximately 300-foot-long section that will be secured to the existing wooden bridge to cross the UPRR to the Inland Estate at the east end of the property, and a 163215-foot-long section that will be secured to the proposed bridge to cross the UPRR to the Ocean Estate at the west end of the property.

Drainage Improvements

The drainage design concept for both residences would maintain the sheet flow drainage that is prevalent on the site, collect stormwater runoff from new development

into graded swales and drain inlets, and discharge into existing drainage courses. The project roads, structures, driveway and car court design elements would include a total of approximately 3.5 acres of impermeable surfaces, integrated with pervious surfaces to facilitate storm runoff percolation. Additionally, the development envelopes would be graded in a manner to convey stormwater runoff away from Tomate Canyon and the ocean bluff to storm drain inlets. These storm drains would ultimately discharge into existing drainage courses (Drainage 6) through rock and concrete energy dissipaters to reduce erosion. Drainage from access roads will discharge onto the native ground where it will sheet flow across the undisturbed landscape before entering existing drainage courses.

Agricultural Uses

A total of 1.7 acres of the Ocean Estate and a total of 16.3 acres of the Inland Estate would be set aside for agriculture use. The agricultural use area on the Ocean Estate would be composed of two small plots adjacent to the residence on the west portion of the property (west of Drainage 5), and the agricultural use area on the Inland Estate would include a single plot consolidated around the residential site. ~~Portions of these agricultural use areas are further designated for agricultural planting areas (approximately 0.6 acre of the Ocean Estate and 4.1 acres of the Inland Estate).~~ Other agricultural uses would include animal keeping, pasturing, or livestock grazing. Agriculture uses would be contained within designated agricultural use areas and no barns, sheds, or other above ground agricultural accessory structures are proposed, with the exception of fencing for animal keeping and/or pasturing. No grading is proposed within agricultural use areas; however, planting areas would involve typical site preparation techniques prior to planting. Agricultural planting areas are proposed to be irrigated with reclaimed water only. These agricultural uses are proposed to use organic techniques with no organophosphate fertilizers or pesticides.

Proposed agricultural use areas designated specifically for agricultural planting areas would consist of a mix of dwarf and semi-dwarf citrus orchards, dependent on topography, with a maximum maturity height of approximately 10 feet (dwarf citrus) and 15 feet (semi-dwarf citrus), or other similar orchard consistent with cultivated agricultural uses common on the Gaviota Coast and suitable for landscape screening of new structures and blue water view protection from US Highway 101. Designated agricultural planting areas on the Inland Estate have been located to screen public views of the proposed Inland residential development site from northbound Highway

101, while maintaining an ample setback from US Highway 101 to preserve open space along the transportation corridor. Agricultural planting areas consisting of dwarf and semi-dwarf citrus orchards are intended to ensure plantings do not exceed the Highway 101 road grade elevation upon obtaining maturity so as to maintain public horizon and blue water views across the property. Cultivated orchards areas on the Inland Estate are proposed to be maintained as planted orchards throughout the life of the project and, whenever necessary, would be replaced with new plantings to ensure continued landscape screening and buffer for the Inland residential development from US Highway 101.

Public Access

The project includes a number of offers to dedicate (OTD) easements for both vertical and lateral public access and recreation facilities, contingent on approval of the proposed project, including:

1. On the Ocean Lot:

a. An easement for a trail network including a loop trail and a portion of the California Coastal Trail bounded by the UPRR on the north, the coastal bluff on the south, Eagle Canyon on the east, and the Coastal Estate on the west

b. An easement for an ocean overlook

c. Vertical access to the beach within a “floating” easement extending along the bluff from Drainage 5 to Eagle Canyon

d. A lateral easement along the beach as measured from the base of the bluff to the mean high tide line

2. On the Inland Lot:

a. An easement area that would allow for vertical vehicular access from the existing site entrance at Highway 101 to a future public parking lot (up to 20 spaces)

b. Pedestrian access from the future parking lot and over the UPRR tracks to the loop and California Coastal Trails on the Coastal Lot

The exact location for the physical construction of future trails, parking, vertical beach access and access over the UPRR tracks will be determined at a future date based upon

1 the mutual agreement of the landowner, the County of Santa Barbara, and the eventual
2 easement holder.

3 ~~Approximately 2.70 acres of the Ocean Estate would be dedicated to the County or~~
4 ~~other appropriate agency for the development of over 7,500 linear feet of the proposed~~
5 ~~California Coastal Trail, a planned public recreational facility. The proposed trail~~
6 ~~easement would generally be located immediately south of the railroad between~~
7 ~~Tomate Canyon and Drainage 4. East of Drainage 4, the easement meanders and~~
8 ~~approaches the coastal bluff before descending into Eagle Canyon to join a potential~~
9 ~~future coastal trail route on the adjoining parcels to the east. A lookout area is shown~~
10 ~~near the bluff edge before the trail begins its descent into Eagle Canyon. In addition, the~~
11 ~~project includes an offer to dedicate an easement for a stairway to the beach. The beach~~
12 ~~access easement is proposed as a floating easement extending along the bluff from~~
13 ~~Drainage 5 to Eagle Canyon. The "floating" easement provides flexibility for the exact~~
14 ~~siting of the beach access trail to pursue optimal design options along the bluff for~~
15 ~~safely accessing the beach and minimizing potential environmental impacts. The precise~~
16 ~~location of the beach access trail will be determined through the efforts of the~~
17 ~~implementing entity in cooperation with the property owner and in consideration of~~
18 ~~site constraints. No separate private beach access is proposed. An easement would also~~
19 ~~be dedicated for lateral access along the beach measured from the base of the bluff to~~
20 ~~the mean high tide line.~~

21 ~~In addition, a portion of the Inland Estate would be dedicated to the County or other~~
22 ~~appropriate agency for future development of a 20-space public parking lot directly east~~
23 ~~of Drainage 1, to allow public vehicular access to the parking lot from Highway 101 via~~
24 ~~the existing site entrance and driveway, and for development of trail improvements~~
25 ~~from the parking lot, and over the UPRR tracks to connect the Ocean and Inland sites~~
26 ~~over the UPRR, to the Coastal Trail easement. As noted, all public access easement~~
27 ~~dedications are contingent on approval of a residential development site that is located~~
28 ~~a sufficient distance from the public easement dedications and in the westerly portion of~~
29 ~~the lot to ensure residential, agricultural, and recreational land use compatibility of the~~
30 ~~site.~~

31 The project does not include constructing, operating or maintaining any public access or
32 recreational facilities or uses on the property subject to the proposed easement
33 dedications, with the exception of constructing a portion of the proposed Coastal Trail
34 easement, in conjunction with the proposed project utility corridor, that extends from

the existing wooden bridge connecting the Ocean and Inland lots over the UPRR to a proposed overlook area on the Ocean Estate. The easements would be established by an offer to dedicate for all necessary easements to accommodate the proposed access. The applicant has begun negotiations with the UPRR to secure public access over the UPRR tracks to the Coastal Trail and has committed to continue these negotiations along with their negotiations to obtain private access over the tracks to the Ocean Estate. The County or another appropriate agency would design, construct, and operate the trail and any associated facilities. The trail improvements would generally consist of

- 6-foot-wide natural surface multi-use trails; and
- a 2-foot minimum shoulder along each side of the trail; and Native vegetation establishment/restoration to varying widths along the each side of the trail.

Future design of the potential public parking, trail and beach access improvements, and permitted uses (hiking, biking, equestrian, etc.) will be determined by the entity implementing the proposed access easements and obtaining the necessary permits.

Open Space and Open Space Conservation Easement

All areas of the project site not designated as development envelope or agricultural use areas, or public access offers to dedicate are proposed to be maintained as open space and not subject to future development. The total open space areas would be approximately 115.3 acres or 81 percent of the 143-acre site. Approximately 91.0 acres of the total open space area would be subject to the proposed Open Space Conservation Easement.

On the Inland Estate parcel, the open space area would include all of the eucalyptus windrows, large areas of grassland, wetlands, coastal sage scrub, tar plant, and seasonal water bodies. The open space on this parcel amounts to approximately 56.8 acres, or 73 percent of the total parcel area.

On the Ocean Estate parcel, the entire bluff face and associated bluff drainages, as well as the bulk of the coastal terrace east of the development envelope are included in an open space of about 58.5 acres, or 90 percent of total parcel acreage.

With the exception of the shared access driveway that would be constructed along the northernmost property boundary/Caltrans right-of-way the proposed open space area

would consist of approximately 115 acres of contiguous open space over the central and east portion of the property encompassing all on-site drainages and streams (including Eagle Canyon), and all areas known to contain sensitive cultural resources, wetlands, special-status plants (native grasslands, southern tarplant, and cliff aster), monarch butterfly aggregation site habitat, historic white-tailed kite nest sites, California red-legged frog and tidewater goby habitat. The Open Space Conservation Easement is proposed over 91.0 acres of the site extending from Drainage 5 easterly to Eagle Canyon, excepting the shared access driveway that would be constructed along the northernmost property boundary/Caltrans right-of-way.

Open space areas and those areas subject to the proposed Open Space Conservation Easement are proposed to remain in an undeveloped condition subject to passive use by the property owners, and potential future improvements and passive public use associated with the public access offers to dedicate. Repair, maintenance and improvement of existing utilities, facilities, or other existing improvements within the open space and conservation easement areas would also be allowed. Structural development, agricultural uses, including livestock grazing and pasturing, would not be allowed.

Ocean Estate

Within the 1.9-acre development envelope, the Ocean Estate would include

- one 7,227,806-square-foot (sf) residence (floor area includes attached 1,421 sf garage/mechanical space),
- one 800-sf detached guest house,
- one 651-sf detached garage,
- one swimming pool/spa,
- residential hardscape and landscape, and
- Access driveways.

Area statistics are gross floor area. The maximum height of each proposed structure above finished grade is as follows: residence and attached garage – 20 feet; guest house and associated garage – 21 feet.

Inland Estate

Within the 4.142.5-acre development envelope, the Inland Estate would consist of

- one 9,163,326-sf residence (floor area includes a 1,837-sf subterranean basement and garage/mechanical space),
- one 800-sf detached guest house,
- access driveways (including the 1.6 acre shared access driveway), and
- one swimming pool/spa.

Area statistics are gross floor area. The maximum height of all proposed Inland Estate development is 22 feet, and is designed to be a minimum of 11 feet, 10 inches below the road grade of Highway 101 to maintain public horizon and blue water views over the development. In addition, designated orchard areas on the Inland Estate have been located to screen public views of the proposed Inland residential development site from Highway 101, while maintaining an ample setback from Highway 101 to preserve open space along the transportation corridor and to maintain public horizon and blue water views across the property. Designated orchard areas on the Inland Estate are proposed to be maintained throughout the life of the project and, whenever necessary, would be replaced with new plantings to ensure continued landscape screening and buffer for the Inland residential development from Highway 101.

SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Table ES-1 summarizes the proposed project's environmental impacts and the measures identified to mitigate these impacts. The table also notes the significance of impacts after mitigation measures are implemented. Residual impacts are classified as follows:

Class I: Significant adverse impacts that cannot be feasibly mitigated or avoided. If the project is approved, decision makers are required to adopt a statement of overriding considerations pursuant to CEQA Section 15093, explaining why project benefits outweigh the damage caused by these significant and unavoidable environmental impacts.

Class II: Significant adverse impacts that can be feasibly mitigated or avoided to a less than significant level. If the project is approved, decision makers are required to make findings pursuant to CEQA Section 15091 that significant impacts have been avoided or substantially lessened by implementation of mitigation measures.

Class III: Adverse impacts that are less than significant and therefore no mitigation are required. These impacts do not require findings to be made.

Class IV: Beneficial impacts.

PROJECT ALTERNATIVES

~~Four~~ Three alternatives, in addition to the No Project Alternative, were selected for evaluation in the EIR. The alternatives were selected based on their ability to substantially lessen or avoid the project's significant environmental impacts while still meeting at least most of the basic project objectives. The EIR includes the following alternatives:

Coastal Commission Inland Estate Site: Under this alternative, the Inland Estate would be moved to more centralized location on the project site west of Drainage 1, and would be provided a new separate access road from the existing access point on Highway 101. The conservation easement and offer to dedicate easements would not be included with this alternative. The utility corridor under this alternative would follow the same general route as the proposed project but would extend utilities down the access road portion of the Inland Estate.

Coastal Commission Inland Estate Site and Ocean Estate Alternative Site: Under this alternative, the Inland Estate would be moved west of Drainage 1, and the Ocean Estate would be located on the northeast portion of the site between Drainages 2 and 3 in a more central portion of the site between Drainages 3 and 4. In addition, a new access road would be built from the existing access point on US Highway 101, and a new bridge would also be built over the UPRR to provide access on the project site, the new bridge would be located approximately 600 feet west of the existing wooden bridge. Under this alternative, the conservation easement and offer to dedicate easements would not be included.

East-Side Inland Estate Site and Ocean Estate Alternative Site: Under this alternative, the development of the Inland Estate would be located within the easement area offered

for dedication as part of the proposed project for the 20-space parking lot east of Drainage 1, and the Ocean Estate would be located in a more central portion of the site between Drainage 3 and 4, at a centralized location of the project site. This alternative, like the proposed project, clusters the development on one portion of the site. This alternative would involve the development of an access road from the existing access point from US Highway 101 to the Inland Estate site and then to the south across a newly constructed bridge located approximately 600 feet west of the existing wooden bridge, over the UPRR to the Ocean Estate. The utility corridor under this alternative would follow the Coastal Trail to the Ocean Estate site and extend north to the Inland Estate over a new bridge over the UPRR and along the access road. Under this alternative, the conservation easement and offer to dedicate easements would not be included.

Alternative Utilities Routes: This alternative evaluates three alternate routes to extend water and other utilities to the site. The intent of this alternative is to reduce Class I project impacts to cultural resources associated with the proposed utilities easement.

Route Alternative A: would be located through an easement on the Parsons Ranch parcel (APN 079-090-037) north of US Highway 101, or potentially within the Caltrans right of way on the northern side of US Highway 101. The route through the Parsons Ranch parcel was originally proposed as an alternative by the applicant, but was withdrawn due to the infeasibility of obtaining the easement.

Route Alternative B: would be located within the Caltrans right of way on the southern side of US Highway 101. Installation of utilities within this right of way would require an encroachment permit from Caltrans. Review of County mapped cultural resources along this route indicates that the route may traverse site SBA 1326; however, a minor rerouting of the trench would most likely avoid this site.

Route Alternative C: would be located on the Gaviota Holdings property to the east (as with the proposed project), along the route of the existing dirt roadway, then consistent with the proposed project route crossing Eagle Canyon and on the subject parcels. Based on a cursory investigation of the site, the dirt roadway may potentially be south of the grade that contains archaeological site CA SBA 76. Realignment of the utility corridor could potentially relocate the utility line outside of CA SBA 76, or outside of the most significant portions of CA SBA 76, thereby potentially reducing cultural resource impacts to than significant with mitigation (Class II). Further site investigation

(such as a Phase II survey) would be required to confirm if impacts to CA SBA 76 could be reduced or avoided altogether. In addition, it is possible that this route would be more acceptable to tribal officials due to its greater separation from the center of CA SBA 76. As is the case for the route associated with the proposed project, the southwestern pond turtle, red legged frog, and tidewater goby may be present in Eagle Creek and may be impacted by the utility corridor alignment. The California Natural Diversity Database (CNDDDB) does not indicate the presence of any other special status species along the utility corridor on the Gaviota Holdings property. This alternative would ensure consistency with Coastal Land Use Plan (CLUP) Policy 10-1 and 10-2 by ensuring that all available measures are explored to avoid development on cultural sites and ensuring that project design avoids impacts to resources where feasible. All other impacts are anticipated to remain the same under this alternative as with the proposed project.

No-Project Alternative: This EIR contains two “No-Project Alternatives.” Under the “Property Remains in Existing State” alternative, the subject parcels would remain undeveloped. However, under the “ARCO Dos Pueblos Golf Links Project” alternative (described below), the applicant would again pursue development of the ARCO Dos Pueblos Golf Links Project. Because the applicant has stated that disapproval of the proposed project would result in their reconsidering their formerly proposed ARCO Dos Pueblos Golf Links Project, this provision of CEQA requires consideration of this possibility under the No-Project Alternative.

Property Remains in Existing State: This No-Project Alternative assumes continuation of the existing setting. In this case, the subject parcels are vacant and largely unused. Continuation of the existing use of the subject parcels would not disturb cultural, hydrologic, or biological resources or adversely affect the visual character of the Gaviota Coast. Under the existing state, the unauthorized recreational use of on-site trails by the public would be assumed to continue. However, the property owner could implement additional security measures at any time. Public utilities and service systems would remain as described under the existing setting. No impacts would occur with regard to aesthetic and visual resources, air quality, biological resources, cultural and historic resources, energy, geologic resources, hazards and hazardous materials, noise, utilities and public services, or transportation and traffic. However, these two existing legal parcels would remain subject to future applications for development of allowed single-family or agricultural uses.

ARCO Dos Pueblos Golf Links Project: The ARCO Dos Pueblos Golf Links project, as previously proposed, and originally approved by the County and Coastal Commission, included development of a public day-fee 18-hole “links” style golf course, nine-hole par 3 golf course, driving range, putting green, turf farm, clubhouse, cart barn, maintenance building, and parking. The non-potable water supply for the project was to come from an extension of reclaimed water lines from the present site of the Bacara to the east or the development of a desalination plant. Potable water was to be provided by extensions of off-site waterlines from the present site of the Bacara and from the Rancho Dos Pueblos Water district to the west. The project description also included full abandonment and remediation of former oil and gas production facilities, to be performed by ARCO. In December 2002, the Commission reversed its decision and denied the Golf Links Project. The applicant sued to overturn the decision and subsequently entered into a “Standstill and Settlement Agreement” which put the lawsuit and Golf Links Project on hold to permit the applicant to process the current application to develop a home on the Inland Lot and the Ocean Lot and additionally to apply to develop homes on up to 10 lots on the Naples portion of its property.

Among the options analyzed in the EIR including these alternatives, the ~~Alternative Utilities Route Option C~~ Proposed Project ~~was~~ is considered to be the environmentally superior alternative.

AREAS OF KNOWN CONTROVERSY

Based on the findings of the 2009 Draft EIR previously circulated and prepared by AMEC, the following issues are anticipated as a result of the proposed project and are known to be of concern and may be controversial (each issue will be further discussed in the EIR):

- Aesthetic incompatibility of height, scale, design, and siting of the proposed development with natural landforms as seen from the railroad tracks, ocean, roads, existing and future trails, and other public viewing places
- Disturbance to sensitive biological resources, including California red-legged frog, white tailed kite, and southern tar plant and cliff aster
- Disturbance to archaeological resources
- Development in an area of potential coastal bluff retreat (Ocean Estate)

- 1 • Changes in existing unauthorized recreational access to the bluffs and beach and the
2 adequacy of proposed access
- 3 • Impacts to Class II soils which is currently not provided with an irrigation water
4 source needed for designation as Prime Farmland
- 5 • Growth inducing impacts of utilities extension
- 6 • Cumulative impacts of additional development on Gaviota Coast

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Table ES-1
Summary of Impacts and Mitigation Measures

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
CLASS I IMPACTS		
Aesthetics		
Impact AES-5—The proposed project together with the adjacent Naples Townsite development and other development in the surrounding area would result in a cumulatively considerable aesthetic and visual impact.	Implement project mitigation measures as feasible.	Significant and unavoidable

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Cultural Resources</p> <p>Impact CR-3 Placement of the proposed utility corridor across prehistoric archaeological site CA-SBA-76 would cause a significant and unavoidable impact to the site.</p>	<p>MM CR-3a Prior to placement of the fill cap, a data collection program shall be implemented at CA-SBA-76. The data collection shall be preceded by definition of the site's boundaries where the utility line enters and exits the site, in order to determine the appropriate amount of sampling. The number and interval of excavation units shall be determined in consultation with the P&D Archaeologist, based on the results of the boundary testing. Data collection shall include mapping of surface artifacts, collection of functionally or temporally diagnostic tools and debris, and excavation of samples from within the area to be filled, as well as adjacent site areas for comparative purposes. Cultural materials collected from the site shall be processed and analyzed in the laboratory according to standard archaeological procedures. The age of the remains shall be determined using radiocarbon dating and other appropriate procedures; lithic artifacts, faunal remains, and other cultural materials shall be identified and analyzed according to current professional standards. Prior archaeological collections from the site shall be included in the comparative analysis, and the results shall be presented in a technical report following the standards of the California Office of Historic Preservation publication "Archaeological Resource Management Reports: Recommended Content and Format" (http://ohp.parks.ca.gov/pages/1054/files/armr.pdf). All work shall be completed by a P&D-approved Registered Professional Archaeologist, and a Chumash tribal representative shall monitor all excavation. Upon completion of the work, all artifacts, other cultural remains, records, photographs, and other documentation shall be curated at the Repository for Archaeological and Ethnographic Collections of the University of California, Santa Barbara, or another facility approved by P&D. All fieldwork, analysis, report production, and curation shall be fully funded by the applicant.</p>	Significant and unavoidable

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Cultural Resources (continued)	<p><u>MM CR-3a</u> (continued) Plan Requirements and Timing. All work shall be completed by a P&D-approved Registered Professional Archaeologist and shall be funded by the applicant; a Chumash tribal representative shall monitor all excavation. Upon completion of fieldwork, the archaeologist shall supply a brief report to P&D indicating that the fieldwork has been completed satisfactorily and providing any additional recommendations. All fieldwork shall be completed and the results of the program shall be reviewed and approved by P&D prior to issuance of permits for placement of the fill cap. All recommendations in the report shall be implemented as approved.</p> <p>Monitoring. P&D shall review and approve the study and Permit Compliance staff shall ensure that approved recommendations are carried out in the field.</p> <p><u>MM CR-3b</u> Prior to initiation of the data collection program described in Mitigation Measure MM CR-4a, the applicant shall fund additional consultations with the Santa Ynez Tribal Elders Council, and other interested Native American representatives to ensure their concerns are taken into account during the course of the project.</p> <p>Plan Requirements and Timing. The additional consultations shall be completed prior to initiation of the data collection program so that descendants may participate in the archaeological fieldwork and subsequent interpretation of the remains, if they so desire. Upon completion of consultation, the archaeologist shall supply a brief report to P&D indicating that the work has been completed satisfactorily and providing any additional recommendations.</p> <p>Monitoring. P&D shall monitor compliance with this requirement and ensure its results are incorporated into the final cultural resource reports.</p>	

Description of Impact Cultural Resources (continued)	Proposed Mitigation Measures	Significance After Mitigation
	<p>MM CR-3c The applicant shall fund a P&D-qualified ethnohistorian to prepare an ethnohistory and descendant genealogy of the archaeological site area.</p> <p>Plan Requirements and Timing. The ethnohistory and genealogy shall be undertaken prior to initiation of the data collection program described in Mitigation Measure MM CR-4a so that descendants may participate in the archaeological fieldwork and subsequent interpretation of the remains, if they so desire.</p> <p>Monitoring. P&D shall monitor compliance with this requirement and ensure its results are incorporated into the final cultural resource reports.</p> <p>MM CR-3d Following completion of the fieldwork and consultations described in Mitigation Measures MM CR-3a, MM CR-3b, and MM CR-3c, above, geotextile matting and clean, culturally-sterile, chemically neutral fill shall be deposited across the specified portion of the site. Fill shall be placed on the site starting at the edge and working in toward the center, so that equipment used to deposit the fill drives across the site only on the fill material and not on the exposed cultural deposit. A P&D-approved archaeologist and Chumash representative shall monitor fill placement.</p> <ol style="list-style-type: none"> Existing vegetation along the proposed water line corridor shall be removed by hand equipment, instead of by motorized vehicles. A County-approved Native American monitor shall be retained to observe removal of the vegetation within the archaeological site boundaries. After removal of surface vegetation, a geo-textile fabric shall be laid over the ground surface throughout the corridor where fill soils are proposed. 	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Cultural Resources (continued)	<p>MM CR-3d (continued)</p> <p>4. <u>Imported soils shall be placed on top of the geo-textile fabric. The soils shall be chemically inert (i.e., not acidic) such that any potential for leaching into the underlying archaeological deposits is minimized. The pH of the fill soils shall be tested prior to their placement on top of archaeological site areas.</u></p> <p>5. <u>Placement of fill soils on top of the geo-textile fabric shall be done in no greater than 18-inch lifts with rubber-tired heavy equipment, such that the equipment only encroaches within the fill soil corridor after the initial fill soil lift is placed.</u></p> <p>6. <u>Placement of the top 18 inches of fill soils on top of the geo-textile fabric shall be monitored by a County-qualified archaeologist and local Native American observer.</u></p> <p>7. <u>A pre-construction meeting shall be held with the contractor, County-qualified archaeologist, and Native American observer to communicate protocols for undertaking this activity.</u></p>	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Cultural Resources (continued)	<p><u>MM CR-3d</u> (continued)</p> <p>Plan Requirements and Timing. A P&D-approved archaeologist and Chumash representative shall monitor fill placement. The conditions for monitoring and treatment of discoveries shall be printed on all building and grading plans. Prior to issuance of CDHs, the applicant shall submit a contract or Letter of Commitment with the archaeologist. The contract must include a project description and scope of work, and shall be prepared, executed, and submitted to P&D for review and approval.</p> <p>Monitoring. Permit Compliance staff shall confirm monitoring by archaeologist and Building and Safety Division grading inspectors shall spot check field work.</p> <p>The applicant shall retain a P&D-qualified archaeologist and a Native American consultant to monitor all earth disturbances within the Ocean and Inland Estate development envelopes to ensure that previously unidentified buried archaeological deposits are not inadvertently exposed and damaged. In the event archaeological remains are encountered during grading or other earth disturbance, work in the vicinity shall be stopped immediately and redirected to another location until a P&D-qualified Registered Professional Archaeologist and Native American representative are retained by the applicant to conduct a Phase 2 investigation and evaluate the significance of the find pursuant to County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicant.</p> <p>Plan Requirements and Timing. The conditions for monitoring and treatment of discoveries shall be printed on all building and grading plans. Prior to issuance of CDHs, the applicant shall submit a contract or Letter of Commitment with the archaeologist. The contract must include a project description and scope of work, and shall be prepared, executed, and submitted to P&D for review and approval.</p>	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Cultural Resources (continued)		
	<p>Monitoring. Permit Compliance staff shall confirm monitoring by the archaeologist and Building and Safety Division grading inspectors shall spot-check field work.</p> <p><u>MM CR-3e</u> The applicant shall re-vegetate the fill soil overlying the utilities easement with an appropriate mix of native species. This re-vegetation will occur after final soil compaction has been completed.</p> <p><u>Plan Requirements and Timing.</u> The applicant will prepare a re-vegetation plan, specifying which plants will be used and in what quantities, and submit this plan to P&D. P&D will review and approve this plan before issuance of the required CDH.</p> <p><u>Monitoring.</u> Permit Compliance staff will confirm that re-vegetation efforts conform to the approved re-vegetation plans and that re-vegetation efforts are successful. This mitigation will only be considered complete when revegetation is successful and vegetation persists for more than one year. Otherwise, additional efforts by the applicant will be required to complete the mitigation.</p> <p>No feasible mitigation measures available.</p>	Significant and unavoidable
Impact CR-56 Construction of the proposed project would result in cumulatively significant impacts to cultural resources along the Gaviota Coast.		
Land Use		
<p><u>LU-2:</u> The proposed project would not be consistent Coastal Land Use Plan Archaeological and Historical Resources Policies 10-1, 10-2, and 10-3 identified in the Santa Barbara County Comprehensive Plan adopted for the purpose of avoiding or mitigating an environmental effect (Class I Impact for CA SBA 76).</p>	<p>Land-use impacts associated with consistency with policies would be reduced by implementation of the following mitigation measures: MM CR-1a, MM CR-1b, MM CR-1c, MM CR-1d, MM CR-1e, MM CR-3a, MM CR-3b, MM CR-3c, MM CR-3d, and MM CR-3e.</p>	Significant and unavoidable

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
CLASS II IMPACTS		
Aesthetics		
<p>Impact AES-1 The proposed project would locate new features into a scenic vista resulting in potentially significant impacts. These features would be visible from US Highway 101 and the UPRR, but with mitigation, would not substantially interfere with public enjoyment of the views.</p>	<p>MM AES-1a All cut slopes excavated to reconstruct the existing access roadway shall be landscaped pursuant to specifications contained in a landscape plan with the goal of reducing the visibility and prominence of any exposed slopes and soils and shall mimic of native habitat forms on and around such slopes. Additionally, All official recontouring grading of the project site as necessary to minimize visibility shall not involve the placement of fill having an average depth of greater than 18 inches and a maximum depth of greater than 36 inches⁶. The recontouring shall follow and extend the natural, underlying topography and upon completion, result in slopes that have a natural appearance and generally blend with the existing topographic landforms. Plan Requirements and Timing. Plans and procedures to address landscaping and grading requirements shall be incorporated into plans submitted to the County Planning and Development Department and subject to review and approval by CBAR. Plans shall be submitted to and approved by the County and CBAR prior to issuance of the Coastal Development Permits for each lot.</p>	<p>Less than significant</p>

⁶ This fill depth would not apply to utilities trenching or filling, or to the bridge berms.

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Aesthetics (continued)	<p>MM AES-1a (continued) Monitoring. Site plans shall be submitted to County Planning and Development and CBAR for review and consideration prior to approval of Coastal Development Permits. P&D Permit Compliance staff and the Grading Inspector shall ensure compliance on site.</p> <p>MM AES-1b The applicant shall prepare and submit a landscaping plan to the County for review and approval. The landscape plan shall include provisions for landscaping of the home sites as well as the berms supporting this private bridge between the Ocean and Inland Estates. In addition to plant species and layout, the landscaping plan shall address maintenance of home site landscaping, berm landscaping, the developed areas, orchard plantings, and open space restoration on the site areas. The plan shall be consistent with the County approved Conceptual Upland and Riparian Mitigation and Monitoring Plan and the terms of the Open Space Conservation Easement. The plan shall include strategies-maintenance provisions for ensuring that landscaping is maintained for the life of the project. <u>Vegetation remains on the site as required to screen the Ocean and Inland Estates from view.</u></p> <p>Plan Requirements and Timing. Plans and procedures to address these issues shall be incorporated into plans submitted to the County Planning and Development Department and shall be subject to review and approval by CBAR. Plans shall be submitted to and approved by the County and CBAR prior to approval issuance of the Coastal Development Permits for each lot. <u>Landscaping of the bridge berms shall occur within two weeks of the completion of the berm grading.</u></p> <p>Monitoring. Site plans shall be submitted to County Planning and Development and CBAR for review and consideration prior to approval of Coastal Development Permits. P&D Permit Compliance staff shall ensure compliance on site. <u>Final occupancy of the proposed structures shall not be granted until site landscaping and orchards are installed.</u></p>	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Aesthetics (continued)		
<p>Impact AES-2 The proposed project would be located near a scenic resource intermittently obstruct train and future trail ocean views but would not obstruct expansive ocean views or primary ocean views but and would not damage a scenic resources such as rocks, trees, or outcroppings. This would be a less than significant impact with mitigation.</p>	<p><u>MM AES-1c</u> The applicant shall plant a mix of dwarf and semi-dwarf citrus trees with a maximum height of approximately 10-feet (dwarf citrus) and 15 feet (semi-dwarf citrus), or other P&D-approved species consistent with agricultural uses common on the Gaviota Coast. The trees shall be planted within the proposed Agricultural Envelopes. Plantings shall follow the existing topography of the site and shall be maintained at a height below the grade of US Highway 101 to ensure mature trees do not obstruct blue water and horizon views. The trees shall be planted and maintained throughout the life of the project. The property owner shall replace new plantings as necessary throughout the life of the project. Terms for maintenance of the orchard shall be included in the landscape plan submitted to the County for review and approval.</p> <p><u>Plan Requirements and Timing.</u> This requirement shall be shown on a landscape plan to be reviewed and approved by P&D prior to issuance of the Coastal Development permits for each lot.</p> <p><u>Monitoring.</u> P&D compliance monitoring staff shall ensure tree installation and maintenance.</p> <p>Implement Mitigation Measures MM-AES-1a through MM-AES-1c above and Mitigation Measures MM AES-3a through MM AES-3c below.</p>	Less than significant

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Aesthetics (continued)</p> <p>Impact AES-3 The proposed project would modify the character of the site by adding additional features to an undeveloped landscape. With mitigation, these changes would not substantially degrade the visual character of the area.</p>	<p>MM AES-3a <u>The proposed structures</u> <u>Current and future proposed structures, including accessory structures and elements as well as the public parking lot</u> shall be subject to approval by the Board of Architectural Review (BAR) prior to issuance of a Coastal Development Permit. The application to the Board of Architectural Review shall include a plot plan showing any landscaping, finished building elevations, fencing, data showing the proposed color scheme, materials of construction, and a drawing to scale showing any signs to be erected, attached to, or painted on such structure. The Board of Architectural Review shall evaluate the following aspects of the project:</p> <ul style="list-style-type: none"> Structures shall be sited and designed to preserve unobstructed broad views of the ocean from US Highway 101. Structures shall not be of an unsightly or undesirable appearance. Structures shall be clustered if appropriate to reduce visual impacts. <p>Plan Requirements and Timing. Plans and procedures to address these issues shall be incorporated into plans submitted to the County Planning and Development Department and subject to review and approval by CBAR. Plans shall be submitted to and approved by the County and CBAR prior to issuance of the Coastal Development Permits for each lot. Submittals shall be consistent with the most current <u>County Planning and Development BAR submittal requirements.</u></p> <p>Monitoring. P&D shall inspect prior to occupancy clearance.</p>	<p>Less than significant</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Aesthetics (continued)	<p><u>MM AES-3b</u> All development on the project site shall occur within the approved development envelopes. All structures (including any ancillary structures that may be permitted within the Agricultural Zone) shall be considered part of the proposed project and therefore subject to all approved mitigation measures related to visual character, including height, color, and building material.</p> <p>Plan Requirements and Timing. This measure shall be implemented throughout the lifetime of the proposed project. Plans for additional structures shall be submitted to the County for review and approval.</p> <p>Monitoring. Compliance with project requirements shall be checked by P&D monitoring staff.</p> <p><u>MM AES-3c</u> Approved and future structures within the development envelopes <u>on-site</u> shall be one story and not be higher than 22 feet above natural or finished grade, which results in a lower building height, except for chimneys and rooftop antenna. All approved and future structures shall be sited within the development envelope and shall be of a height that is below the road grade of US Highway 101 to maintain public blue water views. Structures within the development envelope shall be clustered to the maximum extent feasible.</p> <p>Plan Requirements and Timing. This measure shall be included on building plans submitted for County approval. Plans shall be submitted prior to issuance of Coastal Development Permit.</p> <p>Monitoring. Height of structures shall be checked by Building and Safety during frame/inspection.</p>	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Aesthetics (continued)	<p>MM AES-3d Natural building materials and colors compatible with surrounding terrain (earth tones and non-reflective paint) shall be used on exterior surfaces of all structures including water tanks and fences. <u>Use of reflective glass, metal, paints, etc. shall be minimized.</u></p> <p><u>Plan Requirements and Timing.</u> Materials shall be noted on building plans and shall be reviewed and approved by the Central Board of Architectural Review. Plans shall be submitted for review and approval by P&D and BAR staff prior to issuance of Coastal Development Permits. Structures shall be painted and all materials shall be in place prior to Final Building Inspection. The applicant shall provide a copy of the CBAR-approved color and materials board with their Permit Compliance application.</p> <p><u>Monitoring.</u> P&D compliance monitoring staff shall inspect and ensure compliance prior to Building Inspection Clearance.</p>	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Aesthetics (continued)</p> <p>Impact AES-4 The proposed project would introduce a new source of nighttime lighting; however the increase in lighting would not be substantial.</p>	<p>Implement Mitigation Measure MM-AES-3a:</p> <p>MM AES-4: Lighting. The Applicant shall ensure any exterior night lighting installed on the project is of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spillover lighting. The applicant shall install timers or otherwise ensure lights are dimmed after 10:00 PM.</p> <p>Plan Requirements and Timing. The applicant shall develop a Lighting Plan for CBAR approval incorporating these requirements and showing locations and height of all exterior lighting fixtures with arrows showing the direction of light being cast by each fixture. The lighting plan shall also incorporate the following elements:</p> <ul style="list-style-type: none"> • Conserve energy and follow night sky lighting practices, generally conforming to the standards and recommendations of the International Dark-Sky Association (IDA) and the Illuminating Engineering Society of North America (IESNA); • Through design and installation, and permitted only within the building envelopes, use lamps that are fully shielded such that the lamp image is not directly visible beyond the area of illumination; • Through design and location within the building envelopes, avoid creating glare, light spillover outside of the building envelopes onto adjacent areas, or upward illumination into the night sky; • Use low intensity and low glare designs; • Use motion, light, and time sensors that minimize duration of use; • Ensure that all light poles, fixtures and hoods are constructed or coated with a non-reflective exterior finish; 	<p>Less than significant</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	<p><u>MM AES-4:</u> (continued)</p> <ul style="list-style-type: none"> Prohibit uplighting of landscape or structures; and Minimize location of exterior lighting to that necessary for safety along driveways, roads, and parking areas. The driveway lighting shall be low intensity and indirect with on-demand switching to minimize nighttime light visibility from public viewing places. 	
<p><u>Impact AES-5</u> The proposed project together with the adjacent Naples Townsite development and other development in the surrounding area would not result in a cumulatively considerable aesthetic and visual impact.</p>	<p><u>Implement project mitigation measures as feasible.</u></p>	<p><u>Less than significant</u></p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Cultural Resources</p> <p>Impact CR-1 The proposed Coastal Trail offer-to-dedicate and proposed utility corridor would cross prehistoric archaeological site CA-SBA-2441. Installation of these project elements could cause potentially significant impacts to the site.</p>	<p><u>MM CR-1a</u> Prior to placement of the fill cap, a data collection program shall be implemented at CA SBA-2441. The data collection shall be preceded by definition of the site's boundaries where the utility line and public access corridor enter and exit the site, in order to determine the appropriate amount of sampling. The number and interval of excavation units shall be determined in consultation with the P&D Archaeologist, based on the results of the boundary testing. Data collection shall include mapping of surface artifacts, collection of functionally or temporally diagnostic tools and debris, and excavation of samples from within the area to be filled as well as adjacent site areas for comparative purposes. Cultural materials collected from the site shall be processed and analyzed in the laboratory according to standard archaeological procedures. The age of the remains shall be determined using radiocarbon dating and other appropriate procedures; lithic artifacts, faunal remains, and other cultural materials shall be identified and analyzed according to current professional standards; prior archaeological collections from the site shall be included in the comparative analysis. The significance of the site shall be evaluated according to the criteria of the CRHR, and the cultural resource record shall be updated to reflect the results of the investigation; such results also shall be presented in a technical report following the standards of the California Office of Historic Preservation publication "Archaeological Resource Management Reports: Recommended Content and Format"</p>	Less than significant

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Cultural Resources (continued)	<p><u>MM CR-1a</u> (continued) http://ohp.parks.ca.gov/pages/1054/files/armr.pdf. Upon completion of the work, all artifacts, other cultural remains, records, photographs, and other documentation shall be curated at the Repository for Archaeological and Ethnographic Collections of the University of California, Santa Barbara, or another facility approved by P&D. All fieldwork, analysis, report production, and curation shall be fully funded by the applicant.</p> <p>Plan Requirements and Timing. All work shall be completed by a P&D-approved Registered Professional Archaeologist and shall be funded by the applicant; a Chumash tribal representative shall monitor all excavation. Upon completion of fieldwork, the archaeologist shall supply a brief report to P&D indicating that the fieldwork has been completed satisfactorily and providing any additional recommendations. All fieldwork shall be completed and the results of the program shall be reviewed and approved by P&D prior to issuance of permits for placement of the fill cap. All recommendations in the report shall be implemented as approved.</p> <p>Monitoring. P&D shall review and approve the study and Permit Compliance staff shall ensure that approved recommendations are carried out in the field.</p>	

Description of Impact Cultural Resources (continued)	Proposed Mitigation Measures	Significance After Mitigation
	<p><u>MM CR-1b</u> Following completion of the fieldwork described in mitigation measure <u>MM CR-1a</u>, geotextile matting and clean, culturally sterile, chemically neutral fill shall be deposited across the specified portion of the site as follows: <u>Matting and fill shall be placed on the site starting at the edge and working in toward the center, so that equipment used to deposit the fill drives across the site only on the fill material and not on the exposed cultural deposit.</u></p> <ol style="list-style-type: none"> <u>Existing vegetation along the proposed water line corridor shall be removed by hand equipment, instead of by motorized vehicles.</u> <u>A County-approved archaeological and Native American monitor shall be retained to observe removal of the vegetation within the archaeological site boundaries.</u> <u>After removal of surface vegetation, a geo-textile fabric shall be laid over the ground surface throughout the corridor where fill soils are proposed.</u> <u>Imported soils shall be placed on top of the geo-textile fabric. The soils shall be chemically inert (i.e., not acidic) such that any potential for leaching into the underlying archaeological deposits is minimized. The pH of the fill soils shall be tested prior to their placement on top of archaeological site areas.</u> <u>Placement of fill soils on top of the geo-textile fabric shall be done in no greater than 18-inch lifts with rubber-tired heavy equipment, such that the equipment only encroaches within the fill soil corridor after the initial fill soil lift is placed.</u> <u>Placement of the geotextile fabric and top 18 inches of fill soils on top of the geo-textile fabric shall be monitored by a County-qualified archaeologist and local Native American observer.</u> <u>A pre-construction meeting shall be held with the contractor, County-qualified archaeologist, and Native American observer to communicate protocols for undertaking this activity.</u> 	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Cultural Resources (continued)	<p>MM CR-1b (continued)</p> <p>Plan Requirements and Timing. A P&D approved archaeologist and Chumash representative shall monitor fill placement. The conditions for monitoring and treatment of discoveries shall be printed on all building and grading plans. Prior to issuance of CDHs, the applicant shall submit a contract or Letter of Commitment with the archaeologist. The contract must include a project description and scope of work, and shall be prepared, executed, and submitted to P&D for review and approval.</p> <p>Monitoring. Permit Compliance staff shall confirm monitoring by archaeologist and Building and Safety Division grading inspectors shall spot check field work.</p> <p>MM CR-1c The applicant shall re-vegetate the fill soil overlying the utilities easement with an appropriate mix of native species. This re-vegetation will occur after final soil compaction has been completed.</p> <p>Plan Requirements and Timing. The applicant will prepare a re-vegetation plan, specifying which plants will be used and in what quantities, and submit this plan to P&D. P&D will review and approve this plan before issuance of the required CDH.</p> <p>Monitoring. Permit Compliance staff will confirm that re-vegetation efforts conform to the approved re-vegetation plans and that re-vegetation efforts are successful. This mitigation will only be considered complete when revegetation is successful and vegetation persists for more than one year. Otherwise, additional efforts by the applicant will be required to complete the mitigation.</p>	Less than Significant

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Cultural Resources (continued)	<p>MM-CR-1d Where the utility corridor and the proposed future Coastal Trail are aligned, the applicant shall design and engineer the utility corridor, including appropriate compaction of all fill soils to the standard required to accommodate future construction of the Coastal Trail. All necessary engineering methods to protect the underlying cultural resources (refer to Section 3.5 Cultural Resources) shall be utilized.</p> <p>Plan Requirements and Timing. The applicant shall prepare a compaction plan for the areas of the utility corridor that overlap with the Coastal Trail easement, and submit this plan to P&D and the County Parks and Public Works Departments. This plan shall specify the engineering techniques that shall be used to protect the underlying cultural resources. P&D and a County-approved archaeologist will review this plan to determine whether specified measures are sufficient to protect archaeological resources and support future construction of the Coastal Trail. This plan must be certified by P&D prior to issuance of any permits for work within the utilities easement.</p> <p>Monitoring. Permit compliance <u>The Grading Inspector</u> staff will shall confirm that identified engineering techniques are used when placing and compacting the fill soil.</p>	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Cultural Resources (continued)</p> <p>Impact CR-2 Road grading and utilities excavation Construction of the homes and installation of landscaping and other improvements on the project could result in potentially significant impacts to prehistoric archaeological site CA-SBA-1322.</p>	<p>MM CR-2a A buffer of 100 feet around the previously mapped boundaries of archaeological site CA SB-1322 shall be incorporated into the project design as unbuildable open space where no grading, construction, utility placement, landscaping, or other ground disturbance or development can occur. This area shall be seeded with shallow-rooted native vegetation to stabilize the site, protect it from erosion, and obscure the surface so that casual artifact collection or deliberate looting by residents and visitors can be avoided. During construction, the archaeological site and 100-foot buffer area shall be temporarily fenced with chain link flagged with color or other material authorized by P&D.</p> <p>Plan Requirements and Timing. P&D shall receive, review, and approve final plans prior to approval of CDHs. Security shall be posted and fencing installed prior to issuance of building permits. Site shall be seeded during the rainy season to optimize the chances of successful sprouting. Permit Compliance staff will confirm that seeding efforts are successful. This mitigation will only be considered complete when seeding is successful and vegetation persists for more than one year. Otherwise, additional efforts by the applicant will be required to complete the mitigation.</p> <p>Monitoring. Permit Compliance staff shall verify installation of fencing by reviewing photo documentation or by site inspection prior to approval of grading permits, and shall ensure fencing remains in place throughout grading and construction through site inspections. Permit Compliance staff shall also inspect site to ensure installation and maintenance of plantings according to plan and sign off release of performance security when appropriate.</p>	Less than significant

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Cultural Resources (continued)		
	<p>MM CR-2b The final plans shall include a notation designating the known archaeological site as unbuildable area where no grading, construction, utility placement, landscaping, or other ground disturbance or development can occur. The area shall not be identified as an archaeological site on the plans. Plan Requirements and Timing. P&D shall receive of review, and approve final plans prior to issuance of CDHs.</p> <p>The applicant shall retain a P&D-qualified archaeologist and a Native American consultant to monitor all earth disturbances within the Ocean and Inland Estate development envelopes to ensure that previously unidentified buried archaeological deposits are not inadvertently exposed and damaged. In the event archaeological remains are encountered during grading or other earth disturbance, work in the vicinity shall be stopped immediately and redirected to another location until a P&D-qualified Registered Professional Archaeologist and Native American representative are retained by the applicant to conduct a Phase 2 investigation and evaluate the significance of the find pursuant to County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicant.</p> <p>Plan Requirements and Timing. The conditions for monitoring and treatment of discoveries shall be printed on all building and grading plans. Prior to issuance of CDHs, the applicant shall submit a contract or Letter of Commitment with the archaeologist. The contract must include a project description and scope of work, and shall be prepared, executed, and submitted to P&D for review and approval.</p> <p>Monitoring. Permit Compliance staff shall confirm monitoring by the archaeologist and Building and Safety Division grading inspectors shall spot-check field work.</p>	

Description of Impact		Proposed Mitigation Measures	Significance After Mitigation
Cultural Resources (continued)			
Impact CR-3 Placement of the proposed utility corridor across prehistoric archaeological site CA-SBA-76 would cause a significant and unavoidable impact to the site.		MM CR-3a Prior to placement of the fill cap, a data collection program shall be implemented at CA-SBA-76. Data collection shall include mapping of surface artifacts; collection of functionally or temporally diagnostic tools and debris; and excavation of samples from within the area to be filled, as well as adjacent site areas for comparative purposes. Cultural materials collected from the site shall be processed and analyzed in the laboratory according to standard archaeological procedures. The age of the remains shall be determined using radiocarbon dating and other appropriate procedures; lithic artifacts, faunal remains, and other cultural materials shall be identified and analyzed according to current professional standards. Prior archaeological collections from the site shall be included in the comparative analysis, and the results shall be presented in a technical report following the standards of the California Office of Historic Preservation publication "Archaeological Resource Management Reports: Recommended Content and Format" (http://ohp.parks.ca.gov/pages/1054/files/armr.pdf). All work shall be completed by a P&D-approved Registered Professional Archaeologist, and a Chumash tribal representative shall monitor all excavation. Upon completion of the work, all artifacts, other cultural remains, records, photographs, and other documentation shall be curated at the Repository for Archaeological and Ethnographic Collections of the University of California, Santa Barbara, or another facility approved by P&D. All fieldwork, analysis, report production, and curation shall be fully funded by the applicant.	Less than Significant

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Cultural Resources (continued)	<p>All work shall be completed by a P&D-approved Registered Professional Archaeologist and shall be funded by the applicant; a Chumash tribal representative shall monitor all excavation. Upon completion of fieldwork, the archaeologist shall supply a brief report to P&D indicating that the fieldwork has been completed satisfactorily and providing any additional recommendations. All fieldwork shall be completed and the results of the program shall be reviewed and approved by P&D prior to issuance of permits for placement of the fill cap. All recommendations in the report shall be implemented as approved.</p> <p>P&D shall review and approve the study and Permit Compliance staff shall ensure that approved recommendations are carried out in the field.</p> <p>MM CR 3b — Prior to initiation of the data collection program described in mitigation measure MM CR 4a, the applicant shall fund additional consultations with the Santa Ynez Tribal Elders Council and other interested Native American representatives to ensure their concerns are taken into account during the course of the project.</p> <p>The additional consultations shall be completed prior to initiation of the data collection program so that descendants may participate in the archaeological fieldwork and subsequent interpretation of the remains, if they so desire. Upon completion of consultation, the archaeologist shall supply a brief report to P&D indicating that the work has been completed satisfactorily and providing any additional recommendations.</p> <p>P&D shall monitor compliance with this requirement and ensure its results are incorporated into the final cultural resource reports.</p>	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Cultural Resources (continued)	<p>MM CR-3c — The applicant shall fund a P&D-qualified ethnohistorian to prepare an ethnohistory and descendant genealogy of the archaeological site area.</p> <p>The ethnohistory and genealogy shall be undertaken prior to initiation of the data collection program described in mitigation measure MM CR-4a so that descendants may participate in the archaeological fieldwork and subsequent interpretation of the remains, if they so desire.</p> <p>P&D shall monitor compliance with this requirement and ensure its results are incorporated into the final cultural resource reports.</p> <p>MM CR-3d — Following completion of the fieldwork and consultations described in MM CR-3a, 3b, and 3c, above, geotextile matting and clean, culturally sterile, chemically neutral fill shall be deposited across the specified portion of the site. Fill shall be placed on the site starting at the edge and working in toward the center, so that equipment used to deposit the fill drives across the site only on the fill material and not on the exposed cultural deposit. A P&D-approved archaeologist and Chumash representative shall monitor fill placement.</p>	
	<p>MM CR-3b — (continued)</p> <p>A P&D-approved archaeologist and Chumash representative shall monitor fill placement. The conditions for monitoring and treatment of discoveries shall be printed on all building and grading plans. Prior to issuance of CDHs, the applicant shall submit a contract or Letter of Commitment with the archaeologist. The contract must include a project description and scope of work, and shall be prepared, executed, and submitted to P&D for review and approval.</p> <p>Permit Compliance staff shall confirm monitoring by archaeologist and Building and Safety Division grading inspectors shall spot check field work.</p>	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Cultural Resources (continued)</p> <p>Impact CR-4 Construction of the homes and installation of Future development, including landscaping and other improvements on the project site could result in potentially significant impacts to archaeological sites CA-SBA-1323, 2440 and -2442H.</p>	<p>MM CR-4a A buffer of 100 feet around the boundaries of archaeological sites CA-SBA-1323, CA SBA-2440 and CA SBA-2442H shall be defined and incorporated into the project design as unbuildable open space where no grading, construction, utility placement, landscaping, or other ground disturbance or development can occur. The applicant shall include a notation on the final plans designating the known archaeological sites as unbuildable area. The area shall not be identified as an archaeological site on the plans. Plan Requirements and Timing. P&D shall receive, review, and approve final plans prior to approval of CDHs.</p> <p>Monitoring. Permit Compliance staff shall spot check fieldwork.</p>	<p>Less than significant</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Cultural Resources (continued)</p> <p>Impact CR-5 Although it is considered extremely unlikely based on extensive studies, in the event of discovery of unexpected cultural resources within the Ocean and Inland Estate development envelopes impacts to cultural resources could occur</p>	<p>MM CR-5a The applicant shall retain a P&D-qualified archaeologist and a Native American consultant to monitor all earth disturbances within the Ocean and Inland Estate development envelopes to ensure that previously unidentified buried archaeological deposits are not inadvertently exposed and damaged. In the event archaeological remains are encountered during grading or other earth disturbance, work in the vicinity shall be stopped immediately and redirected to another location until a P&D qualified Registered Professional Archaeologist and Native American representative are retained by the applicant to conduct a Phase 2 investigation and evaluate the significance of the find pursuant to County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicant.</p> <p>Plan Requirements and Timing. The conditions for monitoring and treatment of discoveries shall be printed on all building and grading plans. Prior to issuance of CDHs, the applicant shall submit a contract or Letter of Commitment with the archaeologist. The contract must include a project description and scope of work, and shall be prepared, executed, and submitted to P&D for review and approval.</p> <p>Monitoring. Permit Compliance staff shall confirm monitoring by the archaeologist and Building and Safety Division grading inspectors shall spot check field work.</p>	<p>Less than Significant</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Biological Resources</p> <p>Impact BIO-2 The proposed project could result in removal of Special-Status plant species associated with the grassland habitats</p>	<p>MM BIO-2 Southern Tarplant Avoidance or Restoration. The utility corridor locations shall utilize existing roads and disturbed areas to the maximum extent feasible. Trenching shall be accomplished by hand tools when working near sensitive plants. Prior to construction, the applicant shall survey and flag by a qualified biologist the alignment of the water lines. Where determined to be feasible by the project biologist, the utility corridor will be realigned the corridor to avoid impacts to sensitive plant species. Any field revisions shall be plotted on a revised site plan submitted to P&D for review and approval.</p> <p>To further reduce the potential for direct effects on sensitive species, the applicant shall retain a qualified biologist, approved by the Planning and Development Department, to survey the development envelopes and other areas to be disturbed by the construction of roadways or other improvements for special-status plant species at times of the year that are appropriate for their detection. Rare plant surveys shall be conducted within one year of the proposed commencement of construction activities that would potentially affect any plants present. Surveys shall conform to guidelines published by the CDFG, USFWS, CNPS, or other expert organization, and survey methods shall be approved by the County.</p> <p>In the event any sensitive plant species are found in these areas to be disturbed, the applicant shall prepare a plan for on-site restoration/relocation of southern tarplant. The plan shall detail methods for seed salvage by a qualified biologist and collection and shall identify a location on site to be dedicated to reestablishment of southern tarplant. The restoration site shall consist of an area three times the size of the occupied habitat that is removed for development.</p>	Less than significant

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Biological Resources (continued)	<p><u>MM BIO-2</u> (continued)</p> <p>Prior to issuance of grading permit for the public parking area, a qualified biologist acceptable to P&D shall survey the development envelope and a minimum of 50 feet beyond the development outer limit for the presence of southern tarplant. If any individuals are observed, these plants will be allowed to produce seed for harvesting for use in the on-site restoration. The top 4 inches of soil within the development envelope shall be stockpiled for subsequent use in on-site southern tarplant restoration.</p> <p>Plan Requirements and Timing. Pre-construction surveys for the presence of any sensitive plant species must be completed, along with plans if necessary for the collection of seed from any individuals discovered, prior to ground disturbance. The revised plans depicting relocated water lines shall be submitted to P&D for review and approval prior to issuance of grading permit. Individual sensitive species shall be indicated on the Map and on grading plans</p> <p>Monitoring. P&D shall review and approve the final design prior to grading permit and shall ensure that the required sensitive areas are avoided during construction.</p>	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Biological Resources (continued)</p> <p>Impact BIO-5 The proposed project could result in the loss or degradation of coastal wetlands.</p>	<p>MM BIO-5 Utility Corridor and Coastal Trail Final Design. The utility corridor and coastal trail in proximity to the southern end of the wooden bridge, and future replacement of the existing bridge shall be designed to avoid direct impacts to isolated wetland #6 and the creeping spike rush marsh habitat. Avoidance will best be achieved by providing a minimum 30-foot buffer from the outer edge of isolated wetland #6 for all construction and development activities outside of the designated utility/Coastal Trail corridor and by attaching the utility corridor infrastructure to the underside or side of the wooden bridge to cross the Union Pacific railroad tracks. Prior to construction, orange construction fencing shall be placed by a qualified biologist around the outer edge of this wetland. The final design of utility corridor and coastal trail shall be plotted on a revised site plan submitted to P&D for review and approval.</p> <p>Plan Requirements and Timing. Orange construction fencing shall be in place prior to ground disturbance. The revised plans depicting the utility corridor and coastal trail alignment shall be submitted to P&D for review and approval prior to issuance of grading permit.</p> <p>Monitoring. P&D shall review and approve the final design prior to grading permit issuance to ensure that the isolated wetland #6 is avoided during construction and project development.</p>	<p>Less than significant</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Biological Resources (continued)</p> <p>Impact BIO-6 The proposed project would result in the temporary loss of riparian vegetation through construction of the access road-utility corridor.</p>	<p>MM BIO-6 Riparian Vegetation. The applicant shall submit a revised habitat restoration plan for site-specific restoration for loss of arroyo willow thicket resulting from the access road-drainage easement construction of the utility corridor. Restoration will be at a minimum of 2:1 ratio and shall occur on site in the proposed conservation easement. The draft habitat restoration plan call for creation of new riparian areas at a ratio of 3:1 in the vicinity of upper reaches of Drainage #4, immediately adjacent to existing arroyo willow thicket riparian vegetation. The mitigation area would total 0.06 acre. The plan shall include the following measures:</p> <ul style="list-style-type: none"> • Protection and restoration-preservation measures should preserve existing hydrologic and topographic features. • Revegetation shall useusing only native endemic plant species. • Non-native species, if present, shall be removed from the affected drainage. <p>Plan Requirements and Timing. The applicant shall submit the restoration plan to P&D for review and approval prior to issuance of grading permit. The plan shall be prepared by a P&D approved biologist. The plan shall be implemented after completion of access road improvements.</p> <p>Monitoring. P&D shall review and approve the restoration plan prior to issuance of grading permit and will monitor for subsequent implementation.</p>	Less than significant

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Biological Resources (continued)</p> <p>Impact BIO-7 The proposed project could result in the loss or degradation of coastal wetlands habitat suitable for special-status wildlife species resulting in incidental mortality of California red-legged frogs, southwestern pond turtles, or tidewater gobies.</p>	<p>MM BIO-7 Pre-Construction Surveys. Pre-construction surveys for California red-legged frogs, tidewater goby, and other special-status aquatic species (such as western pond turtle) shall be conducted prior to construction activities associated with the utility corridor and the public access trail and stairway, no more than one week before construction begins. If any individuals of California red-legged frog or tidewater goby are found, the U.S. Fish and Wildlife Service shall be contacted and appropriate avoidance measures shall be taken to ensure their protection as recommended by the consulting biologist and approved by P&D. These measures shall include installation of exclusionary fencing to prevent California red legged frog from entering the construction area, installation of orange construction fencing to mark the limits of where construction activities may safely take place, and the use of best management practices to prevent pollutants from entering the Eagle Canyon. The crossing of Eagle Canyon will be through the use of an elevated pipe bridge.</p> <p>Post-Construction Use. The post-construction efforts to protect California red legged frog and tidewater goby shall include the use of open fencing to hinder direct access to the open water of Eagle Canyon, the posting of an educational and informational sign describing the sensitive habitat of the lagoon and open water with an explanation with the public shall refrain from disturbing the stream ecosystem. The design and signage content shall be submitted to P&D for review and approval prior to construction activities associated with the public access trail and beach access stairway.</p> <p>Plan Requirements and Timing. Orange construction fencing shall be in place prior to ground disturbance. The revised plans depicting the utility corridor and coastal trail alignment shall be submitted to P&D for review and approval prior to issuance of grading permit.</p>	Less than significant

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Biological Resources (continued)		
	<p><u>MM BIO-7</u> (continued) Monitoring. P&D shall review and approve the construction protection measures prior to grading permit issuance to ensure that construction activities will avoid direct and indirect impacts to California red-legged frog, western pond turtle, and tidewater goby. The design for open fencing and educational signage shall be reviewed and approved by P&D prior to opening of the public access trail and beach access stairway.</p>	
Impact BIO-8 The proposed project could result in the potential loss or degradation of monarch butterfly autumnal and overwintering habitat	<p><u>MM BIO-8</u> The construction of the public access stairway to the beach (if located within Eagle Canyon) and public parking lot can proceed only after all overwintering monarch roosts have dispersed in late winter or early spring. The applicant shall hire a County-qualified biologist prepare a monarch butterfly roosting/overwintering survey prior to the start of grading and construction. Plan Requirements and Timing. The monarch roosting/overwintering survey shall be submitted for review and approval by the P&D biologist and P&D permit compliance staff prior to issuance of grading permits. Construction plan notes shall state that construction shall be prohibited until such time that overwintering monarch roosts have dispersed in late winter/early spring. Said plans shall be submitted to P&D for review and approval prior to issuance of grading/construction permit. Monitoring. P&D shall review and approve the construction protection measures prior to grading permit issuance to ensure that construction activities do not impact monarch butterfly trees. Permit compliance staff shall monitor construction on site.</p>	Less than significant

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Biological Resources (continued)</p> <p>Impact BIO-10 The proposed project would result in loss of foraging habitat for white-tailed kites</p>	<p>MM BIO-10 The applicant shall submit a revised Conceptual Upland and Riparian Mitigation and Monitoring Plan (dated January 2012) for the proposed restoration areas and a Conservation Easement Management Plan for the proposed kite habitat enhancement and maintenance. The plan shall be subject to review and approval by the P&D biologist and shall be updated as follows:</p> <ol style="list-style-type: none"> Habitat Restoration. Restoration areas shall continue to include 4.56 acres of California sagebrush scrub, 0.11 acre of arroyo willow thicket, and 5.92 acres of purple needlegrass grassland. The Upland and Riparian Mitigation and Monitoring Plan shall be revised such that 5.88 acres of the currently proposed 12.97-acre exotics-free buffer zone shall be seeded with native grasses that would provide 1:1 replacement of high quality white-tailed kite foraging habitat. Restoration Area Maintenance. The proposed 23.5-acre restoration area shall be managed to provide for long-term maintenance of restoration acreages identified in item 1, above in order to prevent a reduction in high to moderate quality kite foraging habitat due to succession to other habitat types (e.g., scrub habitat). The Upland and Riparian Mitigation and Monitoring Plan shall be revised to include this maintenance goal. 	<p>Less than significant</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Biological Resources (continued)	<p>MM BIO-10 (continued)</p> <p>3. Conservation Easement Maintenance. The proposed 91-acre conservation easement area shall be expanded to include Drainage 5 on the Ocean and Inland Lots, and the approximate 1.7 acre agricultural envelope proposed between Drainage 5 and 6 and just east of the access bridge on the Ocean Lot deleted, resulting in a 106.8 acre conservation easement area. The proposed 106.8-acre conservation easement area shall be managed for the life of the project in order to prevent the spread of invasive black mustard and to prevent the transition of the existing mosaic of herbaceous plants to shrubby areas opaque to kites. In addition to any other management practices, existing mustard fields within the 94.106.8-acre conservation easement shall be mowed prior to the flowering of mustard plants on an annual basis. Mowing shall not be required where it is determined infeasible due to adjacency to sensitive habitats by the P&D Biologist in conjunction with the Project Biologist.</p> <p>Plan Requirements and Timing: the revised Conceptual Upland and Riparian Mitigation and Monitoring Plan shall be submitted for review and approval by the P&D biologist prior to Coastal Development Permit issuance. Restoration planting, seeding, irrigation, and protective fencing shall be in place prior to final occupancy clearance by the P&D compliance planner and Building and Safety staff.</p> <p>Monitoring: Monitoring reports prepared by the Project Biologist shall be submitted to the permit compliance planner on an annual basis in June for five years following completion of restoration activities. The Project Biologist shall schedule and attend an annual site visit with the permit compliance planner to review the status of site maintenance.</p>	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Biological Resources (continued)</p> <p>Impact BIO-11 The proposed project could result in an increase in introduction of non-native, potentially invasive plants</p>	<p>MM BIO-11 The applicant shall retain a qualified local biologist (approved by P&D) to review and approve the Landscaping Plan for this project. Species to be used in ornamental areas such as entrances, windrows, yards, agricultural use areas and development envelopes, shall be appropriate for their intended use and shall be selected to minimize the potential for invasiveness or other adverse effects on nearby native vegetation. In order to protect the genetic integrity of the native plant populations on the undeveloped portions of the subject property, the Landscape Plan shall prohibit the use of non-locally collected native plants and seed materials for any native species used within or adjacent to open space areas (including plantings proposed for habitat/buffer restoration, native grassland mitigation, and landscape plantings outside perimeter fencing). The Landscape Plan shall also prohibit the planting of any invasive, exotic plant species as identified by the California Invasive Plant Council (Cal-IPC). Wherever native species are specified for plantings or seeding, all seed or plant material shall come from sources in the Dos Pueblos Canyon or Eagle Canyon watersheds or, if not available, coastal Santa Barbara County.</p> <p>Plan Requirements and Timing. The applicant has submitted a landscape concept plan that identifies general goals and features of landscaping and hardscaping for developed areas. Landscape Plans for future development shall be reviewed and approved by the P&D Staff Biologist. The applicant shall use native, locally collected plant species (coastal Santa Barbara species or other non-invasive plant material) for landscaping purposes.</p> <p>Monitoring. P&D and a qualified local biologist approved by the County shall monitor Plan compliance throughout the performance period, as appropriate.</p>	<p>Less than significant</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Biological Resources (continued)</p> <p>Impact BIO-12 The proposed project could result in adverse effects due to increased recreational use on the harbor seal haulout</p>	<p><u>MM BIO-12</u> Harbor Seal Haulout. The County or other public agency or non-government organization constructing, operating, or maintaining the vertical coastal access point shall prepare and implement a harbor seal protection/restricted access implementation plan. The plan shall include, but not be limited to, the following measures:</p> <ul style="list-style-type: none"> Vertical access from the bluff top to the beach shall be restricted to the eastern portion of the Ocean Estate within the floating easement proposed as part of the project. Access to the beach shall be closed 300 yards in each direction (i.e., north and south) of the harbor seal haulout during the harbor seal pupping/breeding season (i.e., February 1 to May 31). Signs informing users of access restrictions and relevant requirements of the Marine Mammal Protection Act shall be posted at the parking area, vertical access point, beach, and other appropriate locations. <p>Plan Requirements and Timing. The County or the applicant other implementing entity shall submit the seal haulout protection/restricted access implementation measures to P&D for review and approval prior to construction of the vertical coastal access point (stairway). The plan shall be prepared by a P&D approved biologist in consultation with the National Marine Fisheries Service and the California Department of Fish and Game. The agency or organization constructing, operating, or maintaining the vertical beach access stairway shall be responsible for ensuring compliance with the approved harbor seal protection/restricted access implementation plan.</p> <p>Monitoring. P&D shall review and approve the final design prior to grading permit issuance to ensure that the required signage is correctly installed prior to construction and project development.</p>	Less than significant

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Biological Resources (continued)</p> <p>Impact BIO-13 The proposed project would result increased recreational beach use and effects on Naples Reef</p>	<p>MM BIO-13 Public Information. The Applicant, County, or other implementing entity shall post information at the trailhead of the approved for <u>the future</u> public coastal access trail, at the observation lookout, and the top of the beach access stairway, informing visitors that no pets are allowed on the trail and beach, and that the beach access is closed during the months of March through July. Other activity restrictions or beach access closure dates may be approved by P&D with appropriate supporting biological information. The purpose of the pet restriction and closure period is to minimize harassment and adverse effects to the harbor seal haul-out area and to minimize the effects of visitor use on the plants and animals found in the Naples Reef and adjacent marine and beach habitat, including Southern sea otters.</p> <p>Plan Requirements and Timing. The applicant shall submit plans for the proposed public information, and proposal for securing the beach access stairway during times when access is prohibited. Responsibility for supervising access and communicating the access restrictions to the public shall be borne by the applicant or subsequent public access manager.</p> <p>Monitoring. P&D and a qualified local biologist approved by the County shall monitor compliance throughout the performance period, as appropriate. The area should be included, where feasible, on the route of law enforcement or other security personnel to enforce beach closure and no dog policies.</p>	<p>Less than significant</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Biological Resources (continued)</p> <p>Impact BIO-14 The proposed project would result in loss of non-native trees potentially used for perching by white-tailed kites for the construction of the residential access road, driveway, and residential structure</p>	<p>MM BIO-14 Replacement trees for removal of non-native mature trees. The applicant shall plant six coast live oaks (<i>Quercus agrifolia</i>) to replace removal of three non-native trees from the project site. To address the temporal loss of potential perch/nest sites, replacement trees shall be 36-inch box trees with approximate overall heights of 12 to 14 feet. Planting locations shall be incorporated into the Conceptual Upland and Wetland Mitigation and Monitoring Plan for the Paradiso del Mare Residential Project, specifically within Drainage 4 and/or Drainage 5. Irrigation and maintenance criteria shall also be included in the Conceptual Upland and Wetland Mitigation and Monitoring Plan for the Paradiso del Mare Residential Project.</p> <p>All mitigation trees shall be monitored for a period of not less than 5 years. During Years 1 and 2, monitoring shall occur quarterly. During Years 3 through 5, monitoring shall occur twice annually. One annual monitoring report shall be submitted to the County by the applicant for each year of the five-year monitoring period. The reports shall address tree survival/mortality totals, site observations, and any corrective actions necessary to promote tree health. In the event that the tree survival total falls below six trees prior to the completion of the five-year monitoring period, the applicant shall replant to reach the six-tree survival minimum with 36-inch box coast live oak trees. Mitigation trees planted for tree losses occurring during the five-year monitoring period shall also be monitored for five years, with annual reporting to the County on tree health/survival.</p>	<p>Less than significant</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Biological Resources (continued)	<p><u>MM BIO-14</u> (continued)</p> <p>Where development encroaches into the root or canopy zone of retained trees, each affected tree shall be monitored annually for a period of not less than five years. An annual monitoring report shall be submitted to the County by the applicant for each of the five years, concurrent with the submittal of the monitoring report for planted mitigation trees. Should any of these trees be lost or suffer worsened health or vigor as a result of the proposed development, the applicant shall mitigate the impacts at a 5:1 ratio with seedling sized trees. Mitigation planting shall occur annually, if necessary, based on the results of the annual monitoring reports. Mitigation trees planted for tree losses occurring during the five-year monitoring period shall also be monitored for five years, with annual reporting to the County on tree health/survival.</p> <p>Plan Requirements and Timing. The applicant shall submit plans for the Conceptual Upland and Wetland Mitigation and Monitoring Plan for the Paradiso del Mare Residential Project that incorporates the replacement tree plantings for review and approval by the County. Annual reports shall be submitted to the County for a minimum of five years.</p> <p>Monitoring. P&D shall review and approve the final tree planting design prior to grading permit and shall ensure that the required replacement trees are planted after construction.</p>	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Biological Resources (continued)</p> <p>Impact BIO-17 The proposed project would result in indirect impacts to biological resources such as white-tailed kite from human endeavors associated with residential and agricultural activities</p>	<p>MM BIO-17a Prohibit use of rodenticides. Control of rodents shall include safe capture and removal of animals utilizing Sherman, Tomahawk, or similar traps. If rodenticides must be used to control excessive rodent populations on site, they shall not contain brodifacoum or other rodenticides that can cause anticoagulant toxicosis in raptors and shall be administered in such a manner as to prevent/limit contact by non-target species. No rodenticides of any kind shall be utilized on the property, including within the residential and agricultural development envelopes. The applicant shall be required to record a deed restriction that imposes this condition as a restriction on use and enjoyment of the subject property, and shall provide any prospective purchaser and/or lessee with recorded notice that the restrictions are imposed on the subject property. To further ensure that all future buyers and/or lessees are aware of the restriction, future buyers or lessees are required to provide written acknowledgement on the strict prohibition on use of rodenticides.</p> <p>Plan Requirements and Timing. The deed restriction shall be recorded by the applicant and submitted to P&D for approval prior to issuance of the certificate of occupancy.</p> <p>Monitoring. P&D or a qualified local biologist approved by the County shall monitor compliance with the prohibition on rodenticides.</p>	<p>Less than significant</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
	<p>MM BIO-17b Night lighting limitations. The applicant will design and implement a lighting plan with the following elements:</p> <ul style="list-style-type: none"> • Conserve energy and follow night sky lighting practices, generally conforming to the standards and recommendations of the International Dark-Sky Association (IDA) for rural setting; • Exterior night lighting will be of low intensity, low glare design, minimum height, and shall be fully hooded and shielded to direct light downward, such that lamp usage is not directly visible beyond the area of illumination; • Exterior lighting shall only be permitted within the development envelopes; • Motion, light, and time sensors shall be used that minimize duration of use and 24-hour security lighting shall be avoided; • Uplighting of landscaping or structures shall be prohibited; • Locations of exterior lighting shall be minimized to that necessary for safety along driveways and parking areas. The driveway lighting shall be low intensity and indirect with on-demand switching to minimize night light visibility from public viewing places. <p>Plan Requirements and Timing. All exterior lighting fixtures, with an arrow showing the direction of light being cast by each fixture, and the height of fixtures will be depicted on a lighting plan to be reviewed and approved by P&D prior to building permit for future residential development.</p> <p>Monitoring. P&D will review a lighting plan for compliance with this measure prior to approval of a Coastal Development Permit. Permit Compliance will inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final lighting plan.</p>	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Biological Resources (continued)</p> <p>Impact BIO-18 The proposed project recreational use of the future Coastal Trail would result in the disturbance of nesting birds, including white-tailed kite, during construction of the trail and the public use of the trail</p>	<p>MM BIO-18 Post-construction Coastal Trail Use. The post-construction efforts to protect white-tailed kite nesting habitat will include the posting of an educational and informational signage describing the sensitive habitat nature of the nesting habitat for white-tailed kite and identifying trail use limitations. The signage will be located outside of the nesting area and explain why the public shall refrain from disturbing the avian breeding ecosystem. The design and signage content shall be submitted to P&D for review and approval prior to construction activities associated with the public access trail. The County will limit Use of the Coastal Trail will be from dusk down to dawn/dusk only.</p> <p>Alternate trail connection around the documented, successful kite nest site of 500 feet or greater shall be used if available. If the alternate trail connection is not available, the use of public access easements (during the nesting season if nesting white-tailed kites are present) would be limited.</p> <p>Yearly surveys shall occur for white-tailed kite nesting. Surveys will be the responsibility of the implementing entity (e.g. County, non-profit organization) and completed by a County-qualified biologist. Surveys shall occur between mid-February to early March as determined by the surveying biologist. If active nests are found, all trails within 500 feet of the nest(s) shall be closed to public. Depending upon the date any nests are determined to be active, and at the discretion of the biologist, an end-of-season nesting survey shall be conducted to determine when the trail may be reopened to the public.</p> <p>Plan Requirements and Timing. The plans depicting the coastal trail alignment and the design for the educational signage shall be submitted to P&D for review and approval prior to issuance of grading permit.</p> <p>Monitoring. P&D shall review and approve the design for open trail fencing and educational signage prior to opening of the public access trail.</p>	Less than significant

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Biological Resources (continued)		
Impact BIO-19 The proposed project would result in cumulative impacts to sensitive species and loss of wildlife habitat	Implement Mitigation Measures MM-BIO-1 through MM-BIO-18.	Less than significant
Energy		
Impact EN-2 Construction and ongoing use of the proposed project could potentially use non-renewable resources in a wasteful or inefficient manner	<p>MM EN-1a The applicant shall comply to the maximum extent feasible with all adopted County policies regarding energy consumption, such as:</p> <ul style="list-style-type: none"> • Incorporation of cost-effective, renewable, non-depleting energy resources into the project design, wherever possible; • Site and building design to avoid unwanted heat gain from solar exposure. Features that provide shading at suitable times of the day and year generally shall be “passive” or automatic, avoiding the need for occupants to regularly monitor or adjust them; and • Include solar panels in building design to heat spa and swimming pool areas. <p>MM EN-1b Construction vehicles shall be turned off when not in use to avoid leaving in idling position. Construction vehicles shall be left on site for the duration of construction to avoid wasteful or inefficient use of gasoline.</p> <p>Plan Requirements and Timing. The applicant will submit an energy efficiency plan to P&D outlining the measures they will take to minimize wasteful use of non-renewable resources.</p> <p>Monitoring. Permit compliance staff shall confirm with field visits that energy-conserving measures are used during construction and incorporated into the final project design.</p>	Less than significant

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Fire Protection</p> <p>Impact FP-1 The proposed project would result in potentially significant (but mitigated) adverse physical impacts associated with the provision of new or physically altered fire department facilities in order to maintain acceptable fire department service ratios, response times or other performance objectives for fire protection.</p>	<p><u>MM FP-1</u> The applicant shall pay development impact mitigation fees (DIMFs) to the Santa Barbara County Fire Department that would be directed toward the eventual construction of a new fire station. Required mitigation fees shall be as determined by County-adopted mitigation fee resolutions and ordinances and applicable law. Plan Requirements and Timing: Fire DIMFs shall be paid to the County Fire Department prior to Final Building Inspection and shall be based on the fee schedules in effect when paid.</p> <p>Monitoring: Building and Safety staff shall ensure payment of fire DIMFs prior to Final Building Inspection.</p>	<p>Less than significant</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Fire Protection (continued)</p> <p>Impact FP-2 The proposed project would place homes and residents in an area with the potential to expose those people or structures to a significant risk of loss, injury, or death involving wildland fires. This impact would be potentially significant (but mitigated) through compliance with County Fire Department standards</p>	<p>MM FP-2a Landscaping for the development envelopes will incorporate the recommendations presented in the Applicant's VMP, consistent with County Fire Department standards.</p> <p>Plan Requirements and Timing. The final landscape plan shall define precisely the final disposition of existing trees, as well as locations and types of new plantings to allow for expedient review and approval by P&D and the Fire Department prior to approval of any CDH. The plans shall incorporate language and illustrations such as those found in Goleta Water District and Santa Barbara Botanical Garden publications advocating low water use plantings. Landscape plan components shall be reviewed prior to approval of any CDH. Landscaping shall be installed in accordance with the approved landscape plan prior to final inspection.</p> <p>Monitoring. Permit compliance staff shall verify the installation of the required landscaping in the field.</p> <p>MM FP-2b For any existing trees within 100 feet of structures that are retained, all dying and diseased branches shall be removed. A certified arborist shall prepare a report detailing the disposition and condition of all existing trees within the development envelope.</p> <p>Plan Requirements and Timing. The final landscape plan shall define precisely the final disposition of existing trees as well as locations and types of new plantings to allow for expedient review and approval by P&D and the County Fire Department prior to CDH approval. Plan components and conditions, covenants, and restrictions shall also be reviewed prior to approval of any CDH. Recommendations of the approved arborist report shall be implemented prior to final inspection.</p> <p>Monitoring. P&D and Permit Compliance staff shall review the arborist's report and verify the required tree maintenance in the field.</p>	<p>Less than significant</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Fire Protection (continued)	<p><u>MM FP-2c</u> The following fire prevention methods shall be used for all proposed and future structures:</p> <ul style="list-style-type: none"> a. Building materials for all structures including residences, fences, and accessory structures shall be constructed of fire resistant materials. b. P&D Building & Safety Class A or B roofing (i.e., non-combustible tile or asphalt composite shakes) shall be required for all future on-site structures. c. Spark arresters shall be required for wood burning fireplaces. d. Private decks and structural overhangs proposed for all new structures shall be constructed with fire retardant materials or heavy timber. e. Structures shall be fully equipped with sprinklers. <p>Plan Requirements and Timing: Where appropriate, the fire prevention measures shall be graphically depicted on grading and building plans. Measures shall be installed prior to final inspection.</p> <p>Monitoring: P&D building inspectors shall site inspect during construction.</p> <p><u>MM FP-2d</u> Adequate Fire Department structural access requirements shall be provided.</p> <p>Plan Requirements and Timing: Individual lot access and secondary emergency access routes shall be by all-weather surface roads and shall be submitted by the applicant for review and approval by the County Fire Department prior to issuance of a CDH. Primary access shall be installed during initial grading and secondary access shall be completed prior to final inspection.</p> <p>Monitoring: Access shall be reviewed and approved by P&D and County Fire Department prior to issuance of a CDH. The Fire Department and Permit Compliance shall ensure compliance through site inspections.</p>	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Fire Protection (continued)		
	<p>MM FP-2e The applicant shall provide an adequate number of 750-gallon per minute fire hydrants as determined by the County Fire Department.</p> <p>Plan Requirements and Timing: Prior to approval of a CDH, the applicant shall meet with the County Fire Department to review placement of additional fire hydrants throughout the site. Required hydrants shall be installed prior to final inspection.</p> <p>Monitoring: Fire Department shall ensure compliance prior to final inspection.</p> <p>Implement Mitigation Measure MM-FP-1.</p>	
<p>Impact FP-34 The proposed project would result in a potentially significant (but mitigated) cumulative impact to fire protection services due to increase in population and structures in a high fire hazard area not adequately served by fire protection services</p>		Less than significant
Geologic Processes		
<p>Impact GEO-1 The proposed project would expose people or structures to potentially significant (but mitigated) adverse effects from seismicity or seismically induced hazards including earthquakes, seismic shaking, surface rupture landslides, or liquefaction</p>	<p>MM GEO-1 The project shall be designed to earthquake standards in accordance with applicable sections of the California Building Code and County of Santa Barbara Building Code adopted amendments. Required site-specific and plan-specific geotechnical investigations shall be performed at the site. The recommendations for site preparation, grading, backfill, and foundations developed during the site-specific geotechnical investigation shall be incorporated into the project design.</p> <p>Plan Requirements and Timing: Prior to plan check review by P&D, the applicant shall submit building plans indicating building standards to the satisfaction of the County Building and Safety Division.</p> <p>Monitoring: Building inspectors shall site inspect prior to issuance of occupancy clearance.</p>	Less than significant

Description of Impact		Proposed Mitigation Measures	Significance After Mitigation
Geologic Processes (continued)			
Impact GEO-2 The proposed project would expose people or structures to potentially significant (but mitigated) adverse effects as a result of project development on soil that is unstable or that could become unstable as a result of the project, and potentially result in expansion, differential settlement, or collapse	MM GEO-2 Soils engineering design recommendations addressing expansive soils and differential settlement in the site-specific soils engineering reports (Earth Systems Pacific for the Ocean Estate and Inland Estate, 2007) shall be incorporated into the project design in accordance with applicable sections of the California Building Code and County of Santa Barbara Building Code adopted amendments. Plan Requirements and Timing. The site-specific investigation of soils conditions and foundation recommendations shall determine the extent of any landslide deposits and unstable soils on each lot to be developed. The report shall document either that the proposed structures and improvements will be located outside of any landslide areas or that remedial grading or foundation designs will provide suitable development conditions through the removal of unstable soils. Recommendations from the soils investigations shall be incorporated into grading and foundation designs as appropriate. Site-specific and plan-specific geological and/or soils engineering reports shall be submitted and approved, prior to approval of building permits for the proposed Ocean and Inland Estates. Monitoring. P&D's Building and Safety Division and Public Works shall review reports and plans. Permit Compliance shall ensure compliance with plans. Grading inspectors shall monitor technical aspects of the grading activities.		Less than significant

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Hazardous Materials</p> <p>Impact HAZ-1 Existing conditions at the project site could potentially result in significant (but mitigated) risks to soil, groundwater, and surface water during construction activities</p>	<p>MM HAZ-1 The supplemental site assessment will be Remedial action plan (RAP) shall be implemented by ARCO with SBFPD oversight, in accordance with all applicable regulatory guidelines. Results of the site assessment shall be used to develop remedial alternatives and ultimately an updated RAP, including mitigation for potential secondary impacts such as dust emissions; disturbance to sensitive ecosystems (e.g., wetlands); and worker health and safety hazards. SBFPD approval of the RAP shall be obtained and the RAP shall be implemented with SBFPD oversight, in accordance with all applicable regulatory guidelines and action levels.</p> <p>Plan Requirements and Timing. Remediation at the proposed project site by ARCO shall be completed in accordance with an approved RAP. <u>Site remediation shall occur, which will be obtained prior to issuance of a Coastal Development Permit for project development.</u></p> <p>Monitoring. The SBFPD shall review and approve the RAP and monitor and inspect remediation activities and documentation to ensure compliance with approved plans and applicable guidelines.</p>	<p>Less than significant</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Hazardous Materials (continued)		
Impact HAZ-2 The proposed project would result in significant (but mitigated) impacts to human health during construction activities	Implement Mitigation Measure MM-HAZ-1.	Less than significant
Impact HAZ-3 The proposed project would result in significant (but mitigated) impacts due to potential exposure of workers and future occupants to unknown and un-remediated contamination from previous oil and gas operations, or improperly abandoned oil and gas wells	<p>All abandoned oil wells shall be inspected and reviewed by DOGGR and SBFPD to determine the adequacy of their abandonment. If well re-abandonment activities are required, SBFPD and DOGGR approved re-abandonment work plans shall be obtained. Historic oil wells that require re-abandonment shall be abandoned to current standards, under the direction of DOGGR and the County, per applicable regulatory guidelines. Plan Requirements and Timing. Required surveys, work plans, and well re-abandonment activities shall be completed and verified by SBFPD and DOGGR prior to issuance of a Coastal Development Permit for project development.</p> <p>Monitoring. SBFPD and DOGGR shall monitor abandonment activities and documentation to ensure compliance with approved work plans.</p> <p>In the event that any unexpected wells or piping are encountered during normal grading operations, all grading operations shall cease until DOGGR has been notified and appropriate actions have been taken.</p> <p>Plan Requirements and Timing. This requirement shall be noted on all grading and building plans.</p> <p>Monitoring. Permit Compliance personnel shall perform periodic inspections.</p> <p>MM HAZ-3 In the event that visual contamination or chemical odors are detected while implementing the approved work on the project site, all work shall cease immediately. The property owner or appointed agent shall contact the County Fire Department's Hazardous Materials Unit (HMU); the resumption of work requires the approval of the HMU.</p> <p>Plan Requirements and Timing. This requirement shall be noted on all grading and building plans.</p> <p>Monitoring. Permit Compliance personnel shall perform periodic inspections.</p>	Less than significant

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Land Use		
LU-1: The proposed project would not introduce new land uses or structures that would be incompatible with existing surrounding and character.	Land use impacts associated with compatibility of development would be mitigated by implementation of the following mitigation measures: MM AES-1a, MM AES-1b, and MM AES-2a through MM AES-2e.	Less than significant
LU-2: The proposed project would not be consistent Coastal Land Use Plan Archaeological and Historical Resources Policies 10-1, 10-2, and 10-3 identified in the Santa Barbara County Comprehensive Plan adopted for the purpose of avoiding or mitigating an environmental effect (Class II Impact for <u>CA-SBA-76</u> ; Class II Impact for <u>CA-SBA-2441</u>).	Land use impacts associated with consistency with policies would be reduced by implementation of the following mitigation measures: MM CR-1a, MM CR-1b, MM CR-1c, MM CR-1d, MM CR-1e, MM CR-3a, MM CR-3b, MM CR-3c, MM CR 3d, and MM CR-3e.	Less than significant
LU-3 The proposed project together with other cumulative development in the surrounding area would not contribute to cumulatively considerable land use incompatibilities or policy inconsistencies.	Land use impacts associated with compatibility of development would be mitigated by implementation of the following mitigation measures: MM AES-1a, MM AES-1b, and MM AES-2a through MM AES-2e, MM AES-3a through MM AES-3d and AES-4.	Less than significant

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Public Facilities</p> <p>Impact PF-1 The proposed project would result in a significant (but mitigated) increase in water use on the site.</p>	<p>MM PF-1 The proposed project shall include the following measures to reduce water consumption:</p> <ul style="list-style-type: none"> • Efficient irrigation systems which minimize runoff and evaporation, avoid unnecessary watering, and maximize water reaching the plant roots shall be installed. Landscape plans shall emphasize low water consumption grasses and plants wherever possible. • Water in fountains, ponds, and other landscape features shall use recirculating water systems to prevent waste. • Water saving techniques, including water-conserving plumbing, low flow toilets, showers, and faucets shall be incorporated. • Recycled water shall be used instead of potable water for landscaping within the development envelopes. <p>Plan Requirements and Timing. The final landscape plan shall precisely define high- and lower-demand species areas to allow for expedient review and approval by the P&D and the Board of Architectural Review prior to issuance of a Coastal Development Hearing (CDH). The conditions, covenants, and restrictions shall incorporate language and illustrations such as those found in GWD and Santa Barbara Botanical Garden publications advocating low water use plantings. Landscape plan components and conditions, covenants, and restrictions shall be reviewed prior to issuance of a CDH.</p> <p>Final project plans shall include the necessary water-conserving fixtures and plumbing systems. The plans shall be reviewed and approved by P&D prior to issuance of a CDH.</p> <p>Monitoring. Permit Compliance staff shall verify the installation of the required landscaping, fixtures, and plumbing in the field.</p>	<p>Less than significant</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Public Facilities (continued)</p> <p>Impact PF-2 The proposed project would be served by on-site wastewater treatment systems which could result in potentially significant (but mitigated) impacts to adjacent water bodies</p>	<p>MM PF-2 The waste disposal system shall be located within the development envelope of the affected parcel and shall be designed to include at least two drywells on each lot, within the vicinity and of a similar diameter and depth as the ones constructed and tested.</p> <p>Plan Requirements and Timing. All layouts, tests, and recommendations for the proposed waste disposal system shall be prepared and/or certified by a registered civil or geotechnical engineer or a certified engineering geologist. According to Section 35-147.2.g of the Coastal Zoning Ordinance, the applicant shall also submit an application for a Minor Conditional Use Permit (MCUP) for any proposed experimental waste disposal system. The MCUP shall be reviewed and approved concurrently with the Coastal Development Permit with Hearing (CDH) for the affected parcel. EHS shall determine that the proposed waste disposal system has adequate capacity for the project prior to approval of any zoning permits, including any Minor Conditional Use Permit (MCUP), or Coastal Development Permits (CDH)</p> <p>Monitoring, P&D shall ensure that all necessary reviews and approvals have occurred prior to approval of any zoning permits, including any MCUP or CDH.</p>	<p>Less than significant</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Transportation and Traffic</p> <p>Impact TT-1 With implementation of the provided mitigation measure, the proposed project would result in less than significant impacts associated with short-term construction traffic</p>	<p>MM TR-1 Traffic Control Plan. The owner/applicant shall submit to P&D and Caltrans the expected project construction schedule. The County shall allow concurrent construction of the project improvements.</p> <p>Plan Requirements: The owner/applicant shall submit the traffic control plan.</p> <p>Timing: The traffic control plan shall be submitted to P&D for review and approval <u>approved</u> prior to Coastal Development Permit issuance of a construction permit.</p> <p>Monitoring: The owner/applicant shall provide P&D compliance monitoring staff with proof that all traffic control plan requirements have been met.</p>	<p>Less than significant</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Water and Flooding</p> <p>Impact WAT-1 The proposed project would result in short-term, potentially significant (but mitigated) impacts to surface water quality, including indirect impacts to rare and threatened species habitat, due to polluted runoff during construction activities</p>	<p><u>MM WAT-1</u> Prior to issuance of any construction/grading permit and/or the commencement of any clearing, grading, or excavation, a Notice of Intent (NOI) shall be submitted to the California State Water Resources Control Board Storm Water Permit Unit. Compliance with the General Permit includes the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which shall identify potential pollutant sources that may affect the quality of discharges to stormwater, and shall include the design and placement of Best Management Practices (BMPs) to effectively prohibit the entry of pollutants from the project site into area water bodies during construction. The Storm Water Pollution Prevention Plan must contain some or all of the following specific mitigation measures designed to reduce or eliminate construction site runoff pollution, which can be grouped into four classes of BMPs:</p> <p>Construction site planning BMPs including but not limited to:</p> <ul style="list-style-type: none"> • Development planning shall fit the topography, soils, drainage patterns, and natural vegetation of the site. • Only the minimum amount of vegetation necessary for construction shall be removed. • The clearing limits, setbacks, protected habitat areas, trees, drainage courses, and buffer zones shall be delineated on plans and in the field to prevent excessive or unnecessary soil disturbance and exposure. • The amount of cuts and fills shall be minimized. • Temporary and permanent roads and driveways shall be aligned along slope contours. • Grading operations shall be phased to reduce the extent of disturbed areas and length of exposure. • Excavation and grading shall be avoided during the rainy season. • Impervious surface areas shall be minimized and permeable paving materials shall be used whenever possible. 	<p>Less than significant</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Water and Flooding (continued)	<p>MM WAT-1 (continued)</p> <p>BMPs to minimize soil movement on all slopes greater than or equal to 5:1 and including but not limited to:</p> <ul style="list-style-type: none"> • Disturbed soil areas shall be covered with geotextile fabric, jute netting, erosion control blankets, silt fence, or other erosion control materials. • Soil stockpiles shall be covered. • Soil stabilizers shall be employed, as appropriate. • Disturbed soils shall be restored and revegetated as soon as practicable. • Stabilized access roads and entrances shall be constructed in the initial phase of construction. • Tire wash stations, gravel beds, and/or rumble plates will be installed at site entrance and exit points to prevent sediment from being tracked onto adjacent roadways. • Sediments and construction materials shall be dry-swept from finished streets the same day they are deposited. <p>Site runoff control structures, such as earth berms, drainage swales, and ditches that convey surface runoff during construction into temporary or permanent sediment detention basins shall be installed and made operational in the initial phase of constructBMPs to capture sediment on all slopes greater than or equal to 5:1, including but not limited to:</p> <ul style="list-style-type: none"> • Perimeter sediment controls (silt fence, fiber rolls, etc.) shall be installed, as necessary, prior to land-disturbing activities, and additional runoff control measures shall be installed during construction as necessary. • Storm drain inlets shall be protected from sediment-laden runoff with inlet protection devices such as gravel bag barriers, filter fabric fences, block and gravel filters, excavated inlet sediment traps, sand bag barriers, and/or other devices as necessary. 	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Water and Flooding (continued)	<p><u>MM WAT-1</u> (continued)</p> <ul style="list-style-type: none"> • Sediment shall be removed from dewatering discharge with portable settling and filtration methods, such as Baker tanks or other devices. • Graded areas shall be revegetated within a time frame to be determined by County P&D. <p>Good housekeeping BMPs, including but not limited to:</p> <ul style="list-style-type: none"> • All storm drains, drainage patterns, and creeks located near the construction site prior to construction shall be identified to ensure that all subcontractors know their location to prevent pollutants from entering them. • Washing of concrete trucks, paint, equipment, or similar activities shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Wash water shall not be discharged to the storm drains, street, drainage ditches, creeks, or wetlands. Areas designated for washing functions shall be at least 100 feet from any storm drain, water body or sensitive biological resources; the location(s) of the wash-out area(s) shall be clearly noted at the construction site with signs; the applicant shall designate a washout area, acceptable to Building and Safety and P&D staff; the wash-out areas shall be shown on the construction and/or grading and building plans and shall be in place and maintained throughout construction. • All leaks, spills, and drips shall be immediately cleaned up and disposed of properly. • Vehicles and heavy equipment that are leaking fuel, oil, hydraulic fluid, or other pollutants shall be immediately contained and either repaired immediately or removed from the site. 	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Water and Flooding (continued)	<p><u>MM WAT-1</u> (continued)</p> <ul style="list-style-type: none"> • One or more emergency spill containment kits shall be placed on site in easily visible locations and personnel will be trained in proper use and disposal methods. • Vehicles and heavy equipment shall be refueled and serviced in one designated site located at least 500 feet from creeks and drainage swales. • Temporary storage of construction equipment shall be limited to a 50 x 50-foot area preferably located along an existing dirt access road, and shall be located at least 100 feet from any water bodies. • Dry clean-up methods shall be used whenever possible. • Clean site runoff shall not be contaminated with polluted water through the use of berms or ditches to divert surface runoff around the construction site. <p>Plan Requirements and Timing. Prior to issuance of a Coastal Development Permit (CDP), the applicant shall submit a copy of the RWQCB's NOI acceptance letter to the County. The applicant shall provide a copy of the required SWPPP to the County for review and approval (the SWPPP may be submitted in lieu of an Erosion and Sediment Control Plan per Chapter 14-29). The plan shall be designed to protect water quality during all phases of construction activity. BMPs described in the SWPPP shall be shown on the plans prior to issuance of CDP. The SWPPP shall be kept on site during construction activities and be available to operating personnel, as well as to any regulatory agency staff with authority over the project development. The applicant shall amend the SWPPP whenever there is a change in construction that may affect the discharge of significant quantities of sediment or other pollutants to surface waters, ground waters, or a municipal storm drain system. Such changes shall be approved by County staff and recorded on the construction plans.</p>	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Water and Flooding (continued)	<p><u>MM WAT-1</u> (continued)</p> <p>The applicant shall notify the County prior to commencement of grading. Erosion and sediment control measures shall be maintained for the duration of the grading period and development of the project until graded areas have been permanently stabilized by structures, long-term erosion control measures or landscaping. The County or its consultant shall conduct periodic "tailgate" meetings about site maintenance and water quality issues during construction.</p> <p>Monitoring. The County and other agencies, as appropriate, shall inspect the site during construction for compliance with the SWPPP. During the rainy season (between November 1 and April 15), a minimum of two County inspections per month shall be conducted. County staff shall inspect the site for all requirements prior to final inspection. The County shall photodocument revegetation to ensure compliance with plans. Grading inspectors shall monitor technical aspects of the grading activities, and ensure enforcement of County requirements consistent with the Grading Ordinance. Upon strict adherence to requirements set forth in the RWQCB-approved SWPPP, including site-monitoring routines, additional downstream water quality sampling and testing would not be necessary.</p>	

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
<p>Water and Flooding (continued)</p> <p>Impact WAT-2. The proposed project would result in potentially significant (but mitigated) long-term increases in runoff to site drainages and watersheds due to increase in impervious surfaces, most notably the paved driveway</p>	<p><u>MM WAT-2</u> To reduce increases in runoff to site drainages and watersheds due to the increase in impervious surfaces, most notably the paved driveway, the applicant shall:</p> <ul style="list-style-type: none"> • Use bioswales and storm drains to channel water from the development envelope away from erodible coastal ravines; and, • Minimize creation of impervious surfaces through the use of pervious concrete, pavers, or a similar product. Where impervious surfaces are present, drainage will be controlled in such a way as to minimize the chance of channelization and erosion. <p>Plan Requirements and Timing. Locations and design specifications of storm water structures and devices shall be depicted on grading and drainage plans. The plans shall be reviewed and approved by County Flood Control Project Clean Water and P&D prior to CDH issuance. If these structures and devices shall also function to reduce water-borne pollutants in post-construction surface runoff, then they shall also be reviewed and approved by the County Water Resources Division for compliance with County Public Works Department Standard Conditions for Project Approval – Water Quality BMPs.</p> <p>Monitoring. P&D staff shall site inspect implementation pursuant to approved plans prior to final inspection</p>	<p>Less than significant</p>

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Water and Flooding (continued)		
<p>Impact WAT-3 The proposed project would result in potentially significant (but mitigated) impacts to groundwater resources associated with excavation of basements</p>	<p>MM WAT-3 While encountering groundwater is not expected based upon testing conducted on the project site, to reduce impacts to groundwater resources associated with excavation of basements, the proposed project shall incorporate standard engineering designs, as recommended by Earth Systems Pacific in the site-specific Soils Engineering Reports (2007) and found in Appendix 3.8 of this EIR, which will be submitted to the County as part of the building permit application process. Such measures to mitigate potential impacts resulting from water during basement construction shall include:</p> <ul style="list-style-type: none"> • The basement areas shall include drainage systems to intercept water from around the retaining walls and below the slabs to transmit water into the sites' drainage systems. If it is not possible to outlet water into the sites' storm drain systems by gravity flow, sump pumps will be necessary. Specific design of the drainage systems shall follow those recommended in the soils engineering reports. <p>Plan Requirements and Timing. Site-specific soils engineering reports shall be submitted to the County as part of the building permit application process. Recommended locations and design specifications of drainage systems shall be depicted on grading and drainage plans. The plans shall be reviewed and approved by the County Building and Safety Division for conformance with this condition prior to Building Permit issuance.</p> <p>Monitoring. Building and Safety staff shall conduct a site inspection.</p> <p>Implement Mitigation Measure MM-PF-2.</p>	Less than significant
<p>Impact WAT-4 The proposed on-site wastewater treatment systems could cause potentially significant (but mitigated) impacts to water resources and secondary impacts to biological or recreational resources, such as nearby kelp and rocky reef areas, seal rookery and haul-out areas, and surfing sites</p>		Less than significant

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Impact WAT-5 Construction and ongoing use of the proposed project would result in potentially significant (but mitigated) cumulative impacts on surface water and groundwater quality	Implement Mitigation Measures MM-WAT-1, MM-WAT-2, and MM-PF-2.	Less than significant
CLASS III IMPACTS		
Agricultural Resources		
Impact AG-1 The proposed project would not substantially reduce the overall agricultural viability or production in the County through a reduction in the amount of Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance as defined by the FMMP.	No mitigation measures required	Less than significant
Impact AG-2 Construction of the proposed project would result in the loss or over-covering of approximately 1.0 acre of currently non-irrigated prime soils.	No mitigation measures required	Less than significant
Impact AG-3 Available acreage of the proposed project site is below the minimum criteria to sustain a grazing operation of 25 to 30 animals.	No mitigation measures required	Less than significant
Impact AG-34 The proposed project could increase pressure on existing farming operations and would add incrementally to the reduction in inventory of prime soils in Santa Barbara County.	No mitigation measures required	Less than significant
Air Quality and Climate Change		
Impact AQ-1 The project would not conflict with or obstruct implementation of the applicable air quality plan	No mitigation measures required	Less than significant
Impact AQ-2 The project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation	No mitigation measures required	Less than significant
Impact AQ-3 The project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)	No mitigation measures required	Less than significant

Description of Impact		Proposed Mitigation Measures	Significance After Mitigation
Air Quality and Climate Change (continued)			
Impact AQ-4	The project would not expose sensitive receptors to substantial pollutant concentrations	No mitigation measures required	Less than significant
Impact AQ-5	The project would not create objectionable odors affecting a substantial number of people	No mitigation measures required	Less than significant
Impact AQ-6	The project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment	No mitigation measures required	Less than significant
Impact AQ-7	The project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases	No mitigation measures required	Less than significant
Impact AQ-8	Based on the County of Santa Barbara Environmental Thresholds and Guidelines Manual, a project that is found to have less than significant impacts on a single-project basis would also have less than significant cumulative impacts. As the proposed project is well below the significance thresholds and is not a measurable source of TACs or odors, the project would result in a less than significant cumulative impact	No mitigation measures required	Less than significant

Description of Impact		Proposed Mitigation Measures	Significance After Mitigation
Biological Resources			
Impact BIO-1	The proposed project could result in the attraction of human-tolerant wildlife species to the agricultural areas	No mitigation measures required	Less than significant
Impact BIO-3	The proposed project would result in the loss of non-sensitive plant communities: 11.59 acres of annual brome grassland, 1.74 acre of coyote brush scrub, 0.95 acre of California sagebrush scrub, 2.42 acres of developed areas, 0.2 acre of eucalyptus grove, 0.02 acre of Harding grass swards, 0.1 acre of iceplant mat, 0.25 acre of Italian rye grass, 11.78 acres of mustard field, 0.09 acre of ornamental, 0.16 acre of planted Monterey cypress, 0.27 acre of planted Monterey pine trees, 0.11 acre of poison oak scrub, and 0.01 acre of tamarisk thicket (nearly 30 acres in total) habitats	No mitigation measures required	Less than significant
Impact BIO-4	The proposed project could result in the loss of native purple needlegrass grasslands	No mitigation measures required	Less than significant
Impact BIO-9	The proposed project would result in disturbance to nesting white-tailed kites	No mitigation measures required	Less than significant
Impact BIO-16	The proposed project would result in the loss of 0.06 acre of coyote brush scrub, 0.01 acre of tamarisk thicket and 0.19 acre of mustard field for the construction of the access bridge over the UPRR to access the Ocean Estate	No mitigation measures required	Less than significant
Energy			
Impact EN-1	The proposed project would not consume energy resources beyond existing service provider capacity levels	No mitigation measures required	Less than significant
Impact EN-3	The proposed project would incrementally increase energy needs along the mostly rural Gaviota Coast; less than significant impacts would occur	No mitigation measures required	Less than significant

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Geologic Processes		
Impact GEO-3 The proposed project would result in less than significant impacts from soil erosion or the loss of topsoil during construction and excavation activities	No mitigation measures required	Less than significant
Impact GEO-4 The proposed project would be exposed to a less than significant risk of damage or loss due to bluff retreat	No mitigation measures required	Less than significant
Impact GEO-5 The proposed project would result in less than significant cumulative erosion and sedimentation impacts	No mitigation measures required	Less than significant
Hazardous Materials		
Impact HAZ-4 The proposed project would incrementally add to the quantity of contaminated soils being disposed of at an off-site location and generate secondary impacts associated with the transfer of soils; less than significant impacts would occur	No mitigation measures required	Less than significant
Noise		
Impact N-1 The proposed project would not result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies	No mitigation measures required	Less than significant
Impact N-2 The proposed project would not result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels	No mitigation measures required	Less than significant
Impact N-3 The proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project	No mitigation measures required	Less than significant
Impact N-4 The proposed project would not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project	No mitigation measures required	Less than significant

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Noise (continued)		
Impact N-5 The proposed project is not located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, and would not result in exposure of persons residing or working in the project area to excessive noise levels	No mitigation measures required	Less than significant
Impact N-6 The proposed project is not located within the vicinity of a private airstrip, and would not result in exposures of persons residing or working in the project area to excessive noise levels	No mitigation measures required	Less than significant
Impact N-7 The proposed project would not result in exposure of persons to or generation of cumulative noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies	No mitigation measures required	Less than significant
Public Facilities		
Impact PF-3 The proposed project would result in less than significant impacts to police protection services.	No mitigation measures required	Less than significant
Impact PF-4 The proposed project would not substantially increase the need for other public services, such as hospitals. This would be a less than significant impact.	No mitigation measures required	Less than significant
Impact PF-5 The proposed project would result in less than significant cumulative public facilities impacts	No mitigation measures required	Less than significant

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Recreation		
REC-1 The proposed project would increase population on the project site, but would not contribute to the deterioration of nearby recreational facilities	No mitigation measures required.	Less than significant
REC-2 Development of the proposed project would block access to the primary existing (unauthorized) trail used to access Burmah Beach and the Naples Reef surf break	No mitigation measures required	Less than significant
REC-4 The proposed project would result an increase in use of recreational facilities due to increased population	No mitigation measures required	Less than significant
Transportation and Traffic		
Impact TT-2 The US Highway 101/project driveway intersection is forecast to operate at LOS B during the AM and PM peak hours under existing plus project conditions. The proposed project would result in a less than significant impact at this intersection	No mitigation measures required	Less than significant
Impact TT-3 The US Highway 101 is forecast to continue to operate at LOS A-B during the peak hour periods with the addition of project traffic. The proposed project would result in a less than significant impact to operations on US Highway 101	No mitigation measures required	Less than significant
Impact TT-5 The proposed project would result in less than significant impacts to the intersection with US Highway 101 and operations on US Highway 101	No mitigation measures required	Less than significant
Class IV Impacts		
Biological Resources		
Impact BIO-15 The proposed project could improve the quality of on-site vegetation and wildlife habitat by implementing a proposed open space conservation easement	No mitigation measures required	Beneficial impact
Hazardous Materials		
Impact HAZ-5 Remediation at the project site would result in an overall decrease in the mass of contaminated sites within the County	No mitigation measures required	Beneficial impact

Description of Impact	Proposed Mitigation Measures	Significance After Mitigation
Recreation		
REC-3 The proposed project could eventually increase access to an established recreational use. This would be a beneficial effect.	No mitigation measures required	Beneficial impact
Transportation and Traffic		
Impact TT-4 The proposed project intersection includes a full width left turn lane and opening in US Highway 101 for inbound traffic to move out of the northbound US Highway 101 through lanes and turn left into the site; and flared driveway approaches with wide shoulders on US Highway 101 for traffic entering and exiting from southbound US Highway 101. In addition, the sight distances are more than adequate and the accident rate is well below the statewide average for similar intersections. The project would provide an easement for public parking, which would reduce an existing safety hazard, and <u>proposed project includes intersection access/egress and public parking features that would result in a beneficial impact (</u>	No mitigation measures required	Beneficial impact

CBAR Minutes

1-16-09

1. **06BAR-00000-00224** **Paradiso del Mare Inland Estate** **Gaviota Coast**
06CDH-00000-00039 (Allen Bell, Senior Planner) **Jurisdiction: P&D Request**

Request of Makar Properties, LLC, to consider Case No. 06BAR-00000-00224 for a site visit for a **new residence of approximately 12,413 square feet (floor area includes basement of approximately 1,271 square-feet), garage with studio of approximately 1,303 square feet, cabana of approximately 282 square feet, guest house with garage of approximately 843 square feet, landscape reflecting pool/spa and driveway.** (Statistics are gross square feet.) No structures currently exist on the parcel. The project requires approximately 9,135 cubic yards of cut and approximately 7,960 cubic yards of fill. The property is a 77.65-acre parcel zoned AG-II-100 and shown as Assessor's Parcel Number 079-200-008, located south of and adjacent to Highway 101 approximately one-half mile west of the Bacara Resort in the Gaviota Coast Area, Third Supervisorial District. (Continued from 01/05/07 and 12/05/08)

Site visit only. No action taken.

2. **06BAR-00000-00225** **Paradiso del Mare Ocean Estate** **Gaviota Coast**
06CDH-00000-00038 (Allen Bell, Senior Planner) **Jurisdiction: Ocean Lot**

Request of Makar Properties, LLC, to consider Case No. 06BAR-00000-00225 for a site visit of a **new residence of approximately 8,042 square feet (floor area includes gym of approximately 286 square feet, basement of approximately 671 square feet and garage of approximately 703 square feet), detached guest house of approximately 784 square feet, detached garage of approximately 462 square feet, swimming pool, two landscape reflecting pools and driveway.** (Statistics are gross square feet.) No structures currently exist on the parcel. The project will require approximately 5,430 cubic yards of cut and approximately 13,790 cubic yards of fill. The property is a 65.01 acre lot zoned AG-II-100 and shown as Assessor's Parcel Number 079-200-004, located south of Highway 101 and adjacent to the sea approximately one-half mile west of the Bacara Resort in the Gaviota Coast Area, Third Supervisorial District. (Continued from 01/05/07 and 12/05/08)

Site visit only. No action taken.

3. **06BAR-00000-00224** **Paradiso del Mare Inland Estate** **Gaviota Coast**
06CDH-00000-00039 (Allen Bell, Senior Planner) **Jurisdiction: P&D Request**

Request of Makar Properties, LLC, to consider Case No. 06BAR-00000-00224 for **conceptual review of a new residence of approximately 12,413 square feet (floor area includes basement of approximately 1,271 square-feet), garage with studio of approximately 1,303 square feet, cabana of approximately 282 square feet, guest house with garage of approximately 843 square feet, landscape reflecting pool/spa and driveway.** (Statistics are gross square feet.) No structures currently exist on the parcel. The project requires approximately 9,135 cubic yards of cut and approximately 7,960 cubic yards of fill. The property is a 77.65-acre parcel zoned AG-II-100 and shown as Assessor's Parcel Number 079-200-008, located south of and adjacent to Highway 101 approximately

one-half mile west of the Bacara Resort in the Gaviota Coast Area, Third Supervisorial District. (Continued from 01/05/07 and 12/05/08)

PUBLIC COMMENT:

- **Mike Lundsford** – Spoke on behalf of the Gaviota Coast Conservancy.
- **Ed Easton** – Spoke on behalf of the Gaviota Coast Conservancy.

CBAR COMMENTS:

- Gabled roofs may look better architecturally. Hipped roofs will reduce visual impacts.
- Windows should be eliminated or minimized on wall facing Highway 101, to avoid night lighting impacts.
- More study is needed to blend the structure into surrounding setting. The site is a wide open terrace. Significant site planning is required to avoid “Bunker Effect”. For example, major broad and sweeping earthen berms to create a more natural appearance.
- Alternative siting options should be evaluated.
- Propane tanks must be relocated.
- Fencing plan is required.
- Applicant should restudy guesthouse location.

Project received conceptual review only. Brown absent. No action taken. Applicant may submit for further conceptual review.

4.	06BAR-00000-00225	Paradiso del Mare Ocean Estate	Gaviota Coast
	06CDH-00000-00038 (Allen Bell, Senior Planner)		Jurisdiction: Ocean Lot

Request of Makar Properties, LLC, to consider Case No. 06BAR-00000-00225 for conceptual review of a new residence of approximately 8,042 square feet (floor area includes gym of approximately 286 square feet, basement of approximately 671 square feet and garage of approximately 703 square feet), detached guest house of approximately 784 square feet, detached garage of approximately 462 square feet, swimming pool, two landscape reflecting pools and driveway. (Statistics are gross square feet.). No structures currently exist on the parcel. The project will require approximately 5,430 cubic yards of cut and approximately 13,790 cubic yards of fill. The property is a 65.01 acre lot zoned AG-II-100 and shown as Assessor's Parcel Number 079-200-004, located south of Highway 101 and adjacent to the sea approximately one-half mile west of the Bacara Resort in the Gaviota Coast Area, Third Supervisorial District. (Continued from 01/05/07 and 12/05/08)

PUBLIC COMMENT:

- **Mike Lundsford** – Spoke on behalf of the Gaviota Coast Conservancy.
- **Ed Easton** – Spoke on behalf of the Gaviota Coast Conservancy.

CBAR COMMENTS:

- Guest house is far more visible from Highway 101 than main residence.
- Windows should be eliminated or minimized on wall facing Highway 101, to avoid night lighting impacts.
- Fencing plan is required.

- Applicant should restudy guesthouse location.
- Hammerhead turn around needs to be shown.
- Consider siding of board and bat or rammed earth
- Restudy roof line so it does not have one long plane.
- Consider shade element on South exposure.

Project received conceptual review only. Brown absent. No action taken. Applicant may submit for further conceptual review.

8-12-11

5. 06BAR-00000-00224 Paradiso del Mare Inland Estate Gaviota Coast
06CDH-00000-00039 (Allen Bell, Senior Planner) Jurisdiction: P&D Request

Request of CPH Dos Pueblos Associates to consider Case No. 06BAR-00000-00224 for a site visit for a new residence of approximately 9,164 square feet (floor area includes living area of approximately 6,953 square feet and attached garage (basement) of approximately 2,211 square feet), guest house of approximately 800 square feet, pool, spa, hardscape, drive court and access road. (Statistics are gross square feet.) No structures currently exist on the parcel. The project requires approximately 4,285 cubic yards of cut and approximately 220 cubic yards of fill excluding the access road and bridge. The entire access road and bridge require approximately 6,900 cubic yards of cut and 14,265 cubic yards of fill. The property is a 77.90-acre parcel zoned AG-II-100 and shown as Assessor's Parcel Number 079-200-008, located south of and adjacent to Highway 101 approximately one-half mile west of the Bacara Resort in the Gaviota Coast Area, Third Supervisorial District. (Continued from 01/05/07, 12/05/08, and 01/16/09)

Site visit only. No action taken. Erickson-Lohnas, Miller-Fisher, and Brown absent.

6. 06BAR-00000-00225 Paradiso del Mare Ocean Estate Gaviota Coast
06CDH-00000-00038 (Allen Bell, Senior Planner) Jurisdiction: Residence Adjacent to Sea

Request of CPH Dos Pueblos Associates to consider Case No. 06BAR-00000-00225 for a site visit for a new residence of approximately 7,227 square feet (floor area includes living area of approximately 6,016 square feet and attached garage of approximately 1,211 square feet), guest house of approximately 800 square feet, accessory structure (garage) of approximately 651 square feet, swimming pool, two landscape reflecting pools and driveway. (Statistics are gross square feet.) No structures currently exist on the parcel. The project will require approximately 6,120 cubic yards of cut and approximately 10 cubic yards of fill excluding the access road and bridge. (Estimated earthwork quantities for the access road and bridge are included with the Inland Estate, 06BAR-00000-00224 and 06CDH-00000-00039.) The property is a 64.80-acre parcel zoned AG-II-100 and shown as Assessor's Parcel Number 079-200-004, located south of Highway 101 and north of and adjacent to the sea approximately one-half mile west of the Bacara Resort in the Gaviota Coast Area, Third Supervisorial District. (Continued from 01/05/07, 12/05/08, and 01/16/09)

Site visit only. No action taken. Erickson-Lohnas, Miller-Fisher, and Brown absent.

3. 06BAR-00000-00224 Paradiso del Mare Inland Estate Gaviota Coast
06CDH-00000-00039 (Allen Bell, Senior Planner) Jurisdiction: P&D Request

Request of CPH Dos Pueblos Associates to consider Case No. 06BAR-00000-00224 for further conceptual review of a new residence of approximately 9,164 square feet (floor

area includes living area of approximately 6,953 square feet and attached garage (basement) of approximately 2,211 square feet), guest house of approximately 800 square feet, pool, spa, hardscape, drive court and access road. (Statistics are gross square feet.) No structures currently exist on the parcel. The project requires approximately 4,285 cubic yards of cut and approximately 220 cubic yards of fill excluding the access road and bridge. The entire access road and bridge require approximately 6,900 cubic yards of cut and 14,265 cubic yards of fill. The property is a 77.90-acre parcel zoned AG-II-100 and shown as Assessor's Parcel Number 079-200-008, located south of and adjacent to Highway 101 approximately one-half mile west of the Bacara Resort in the Gaviota Coast Area, Third Supervisorial District. (Continued from 01/05/07, 12/05/08, and 01/16/09)

PUBLIC COMMENT:

- Mike Lundsford

CBAR COMMENTS:

- CBAR appreciates the responsiveness to previous comments; the relocation of the inland estate is an improvement, but doesn't eliminate the visual impacts.
- Visibility of story poles for the inland estate from Devereaux and other locations has been reported and needs to be examined.
- Applicant to coordinate with Planner on appropriate timing for returning for further CBAR review.

Site Design:

- From a public perspective, an alternate, a less visible location would be better for the inland estate; note that US 101 visibility issues must be addressed for passengers, not just the driver. One often forgets about the passenger's perspective when assessing visual impacts.
- Of the five sites, the two identified as the preferred sites by the applicant are on a single longitudinal line. Clustering of the two development sites to the west has some advantages, but perhaps other sites would provide for greater natural screening from US 101. For example, the site for the inland estate furthest to the east, where the CBAR parked for the field visit, provides a lower topography and visual screening potential. This site would provide a lot more flexibility in design. Examine opportunities for pulling farther out of this viewshed, particularly for the inland estate. Take advantage of intervening land forms for screening purposes. It is not clear if clustering or separation of structures is preferable in this case with respect to visual resource and potential agricultural use. These issues can be worked out as the design review process progresses.
- Provide an assessment of the relationship between the guesthouse and the primary dwelling in the context of site design for both the inland and ocean estates. The ocean estate is not as much a concern as the inland in terms of public views, but it should be considered in terms of site design.
- The ocean-side location is well-screened, and the vegetative screening is a good addition. As stated before, do not rely upon vegetative screening as the primary means to reduce visual impacts. Vegetative screening is the "gravy" to be added after appropriate site and structure designs are first implemented.

Architecture:

- The architecture is well-conceived and handsome, but the structures are large and seem extravagant for the Gaviota Coast. Extreme caution must be exercised.
- There are opportunities for stylistic variation based on siting for both the inland and ocean estates.
- The barn style is appropriate for the location.
- The materials are as critical as the designs.

- The roof design of the inland estate may be too visible from US 101. Although flat roofs are more useful in minimizing visibility, they may be too modern. Explore the use of shed roofs. Additional design iterations are expected.
- A reduction in the 9' plate heights may be possible for both sites and should be considered as part of the design "tool kit." Because the 9' plate height is generous, there is room to work.
- Greater eaves may be helpful in minimizing concerns about night sky impacts and glare.
- Smaller guesthouses would be more attractive. The two level guest house on the ocean estate, with the concentration of the spaces and programming makes for an interesting design. However, its connection to the main house needs to be strengthened.
- Materials are great, but need to be addressed with respect to reflectivity.
- The bridges are attractive, with minimized profiles. Examine the ability to further reduce the rail height, on the bridge closest to US 101. Also, bridges of two different designs may be an attractive addition.
- The graying wood siding is a positive addition. The overall design brings the architecture of central and northern California into our area and benefits us.
- The approach of tucking the garage beneath is a novel approach to removing structures from the view shed and is responsive to our earlier comments.
- Energy efficiency should be considered in the evolving design.
- Without creating too much disturbance, especially grading, consider moving the frontage road inward from Highway 101 and using the orchard screening in the intervening band for more appropriate screening potential.

Landscaping:

- The landscaping looks good and appropriate for the site. It seems to be wholistically cogent.
- Minutiae is not needed, but the number of plant and tree species seem very large. It was explained to the CBAR that the large list is for choices of the most appropriate planting blend, not a full planting array.
- On the inland site, do not introduce any new plant species into the arroyos, let them remain native.
- The orchard fits with the plan, but should not be relied upon for screening, especially on the inland site. The building design needs to stand on its own in terms of screening.
- The inland estate, as presented, will provide a glow due to the eaves, walls, and fenestration placement.

Lighting:

- The amount of glazing raises concerns regarding night sky illumination.
- Information is needed on the type of glazing and attenuation.

Project received further conceptual review only. Erickson-Lohnas, Miller-Fisher, and Brown absent. No action taken. Applicant may return for preliminary approval.

4. 06BAR-00000-00225 Paradiso del Mare Ocean Estate Gaviota Coast
06CDH-00000-00038 (Allen Bell, Senior Planner) Jurisdiction: Residence Adjacent to Sea

Request of CPH Dos Pueblos Associates to consider Case No. 06BAR-00000-00225 for further conceptual review of a new residence of approximately 7,227 square feet (floor area includes living area of approximately 6,016 square feet and attached garage of approximately 1,211 square feet), guest house of approximately 800 square feet, accessory structure (garage) of approximately 651 square feet, swimming pool, two landscape reflecting pools and driveway. (Statistics are gross square feet.). No structures currently exist on the parcel. The project will require approximately 6,120 cubic yards of cut

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Project received further conceptual review only. Erickson-Lohnas, Miller-Fisher, and Brown absent. No action taken. Applicant may return for preliminary approval.

ATTACHMENT E

COUNTY OF SANTA BARBARA Planning and Development Department



Special Problems Committee Subdivision/Development Review Committee

Report of Aug 17, 2006
Prepared by Jeff Thomas, Chairman

06CDH-00038 & 06CDH-00039 Dos Pueblos Ranch Estates Planner: Dan Gullett
--

3 & 4.

EHS: New perc tests to determine leachability; C&W serve from Goleta water.

Parks: Coastal trail improvements or easement dedication- trail should be placed as far from RR track as feasible. Access over RR track needs to be looked at for public use; vertical access easement may be required. Fees

APCD: Dust mitigation; possible permit for any soils remediation asbestos permit check list.

Flood: Drainage plan prior to CDP.

Clean Water: No Conditions.

Survey: Parcel validity needs to be determined.

Roads: Prior to CDP \$465.00 fees required.

Fire: Access- 24' roads all roads shall terminate with approved turn around, bridge shall accommodate a 20 ton vehicle, at driveway 12' with turn outs every 500', hydrants every 500' starting after bridge. Fire sprinklers, fees at 10 cents /sq ft.

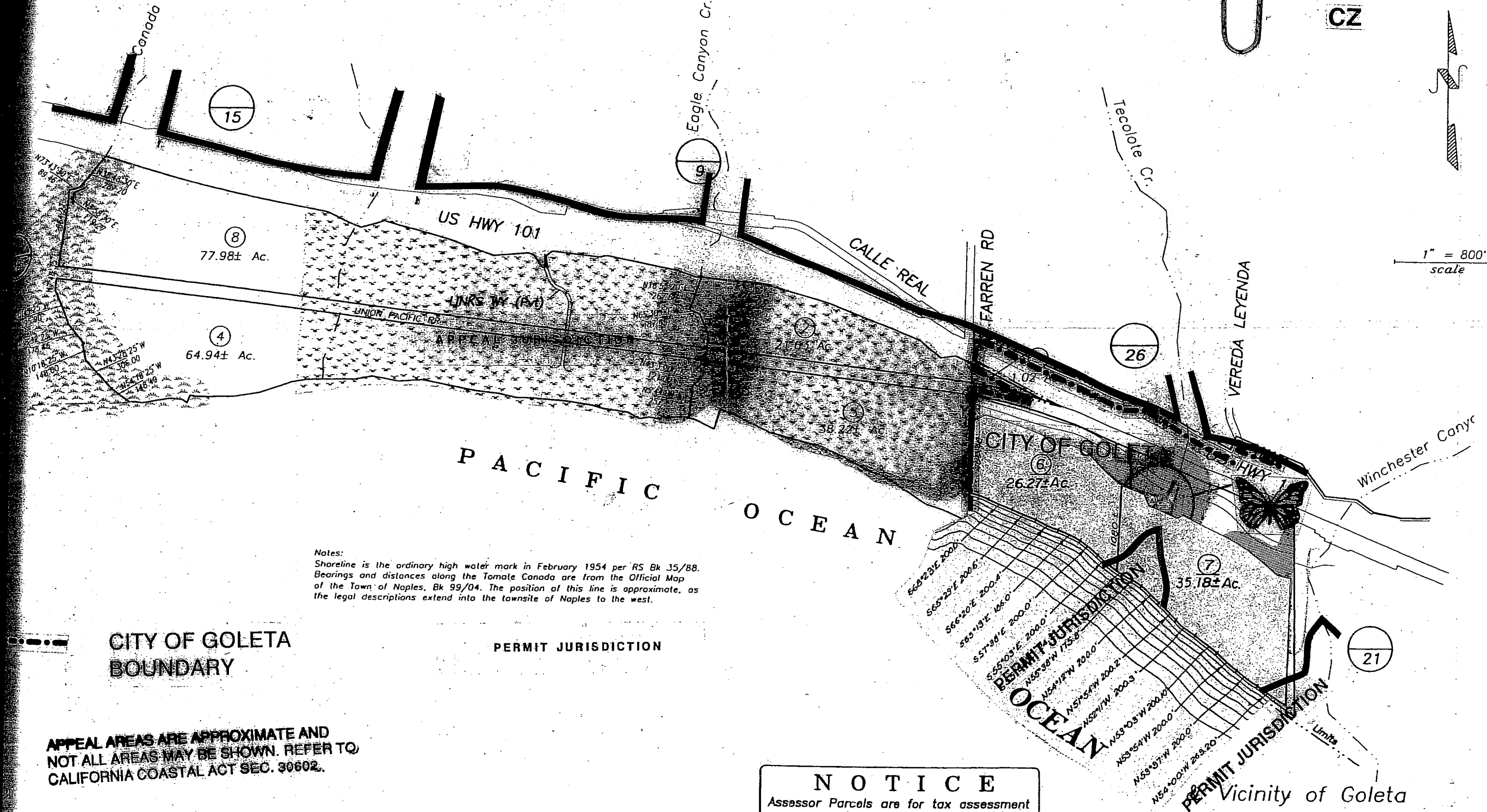
B&S: Grading and drainage plan, soils report. Demo permit for bridge, building permits. Separate grading permits and permits from PSD of Fire Department will be required for clean up of any contaminated soils.

CZ



1" = 800'
scale

ATTACHMENT F



Notes:
Shoreline is the ordinary high water mark in February 1954 per RS Bk 35/88.
Bearings and distances along the Tomate Canada are from the Official Map
of the Town of Naples, Bk 99/04. The position of this line is approximate, as
the legal descriptions extend into the townsite of Naples to the west.

CITY OF GOLETA
BOUNDARY

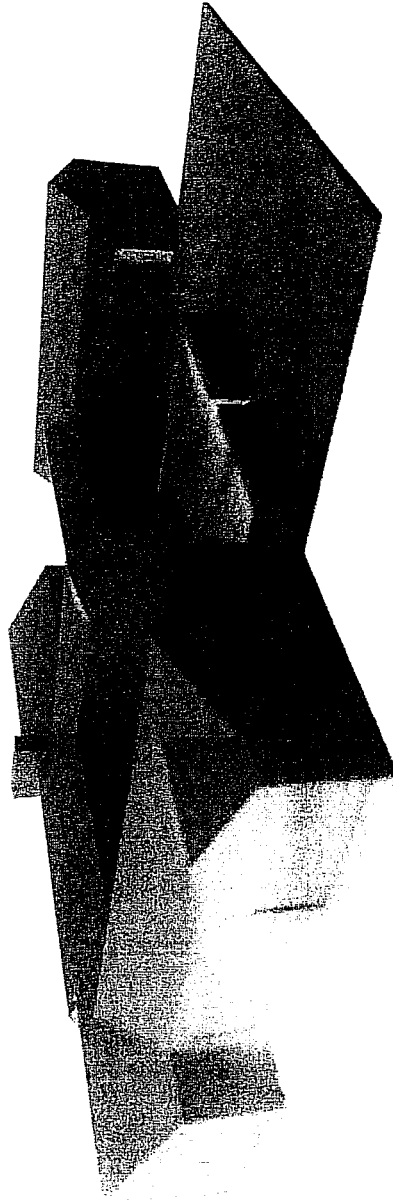
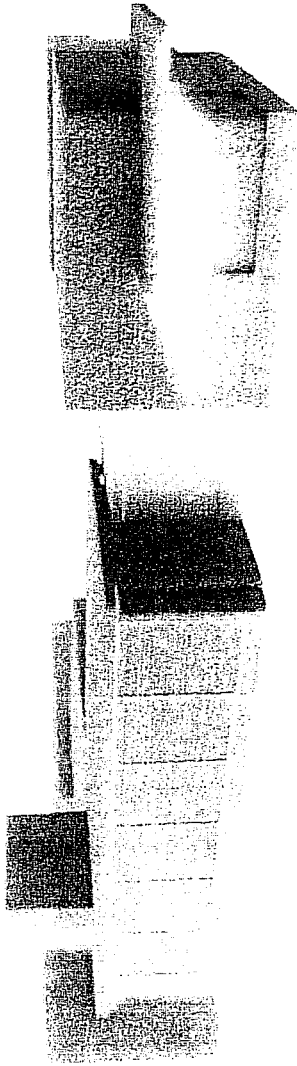
PERMIT JURISDICTION

APPEAL AREAS ARE APPROXIMATE AND
NOT ALL AREAS MAY BE SHOWN. REFER TO
CALIFORNIA COASTAL ACT SEC. 30602.

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

Vicinity of Goleta
Assessor's Map Bk, 079-Pg, 20
County of Santa Barbara, Calif.

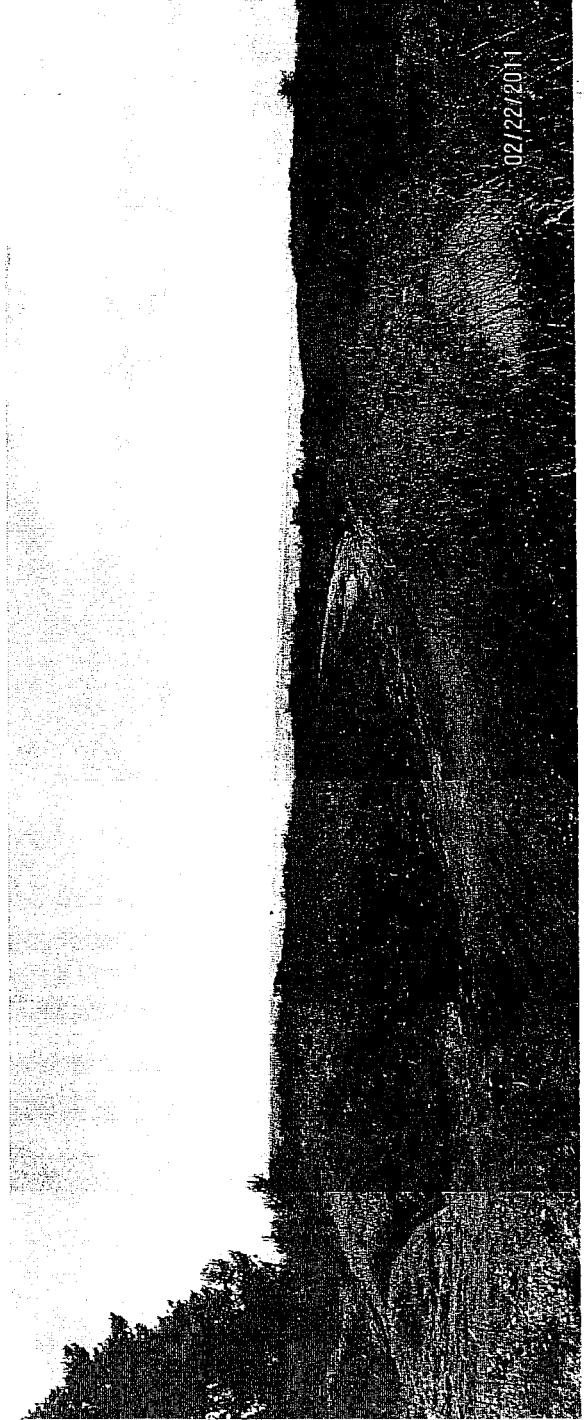
LD/03 Added Goleta City Boundary



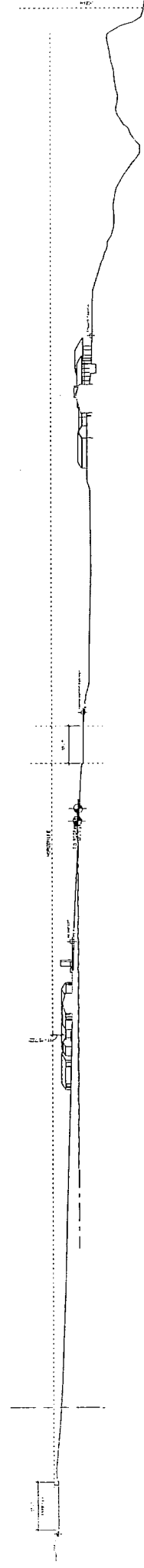
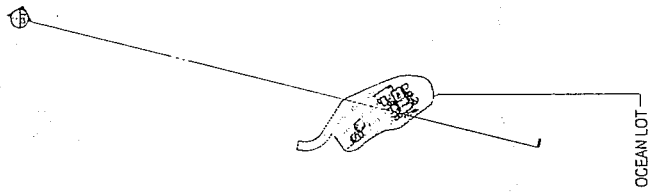
SHIRIN DONALDSON
 PLANNING COMMISSION MTG. MARCH 13, 2013 OCEAN LOT
 SHEET No. C0.0 #1112 PARADISO DEL MARE



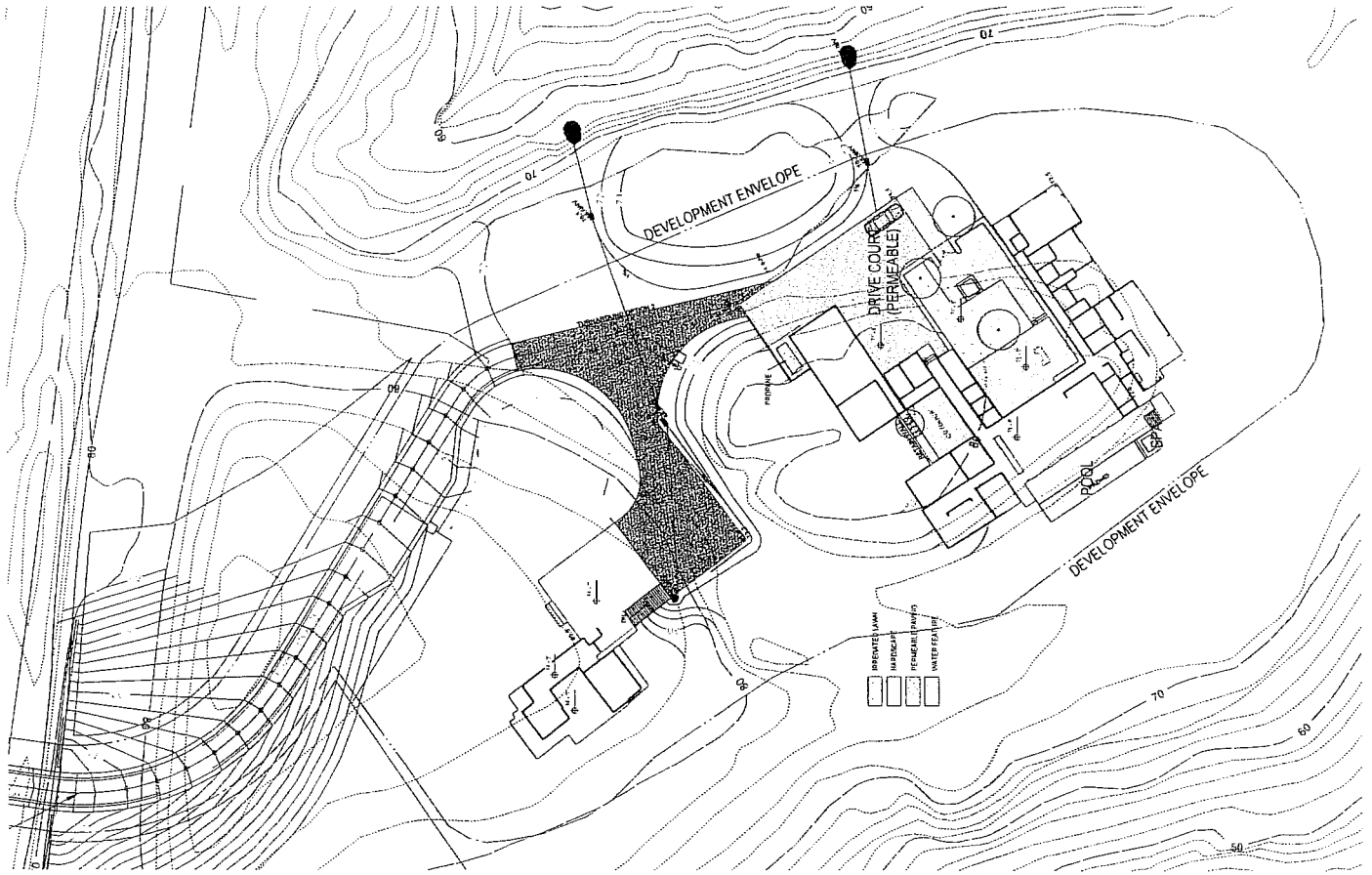
GUEST HOUSE LOCATION

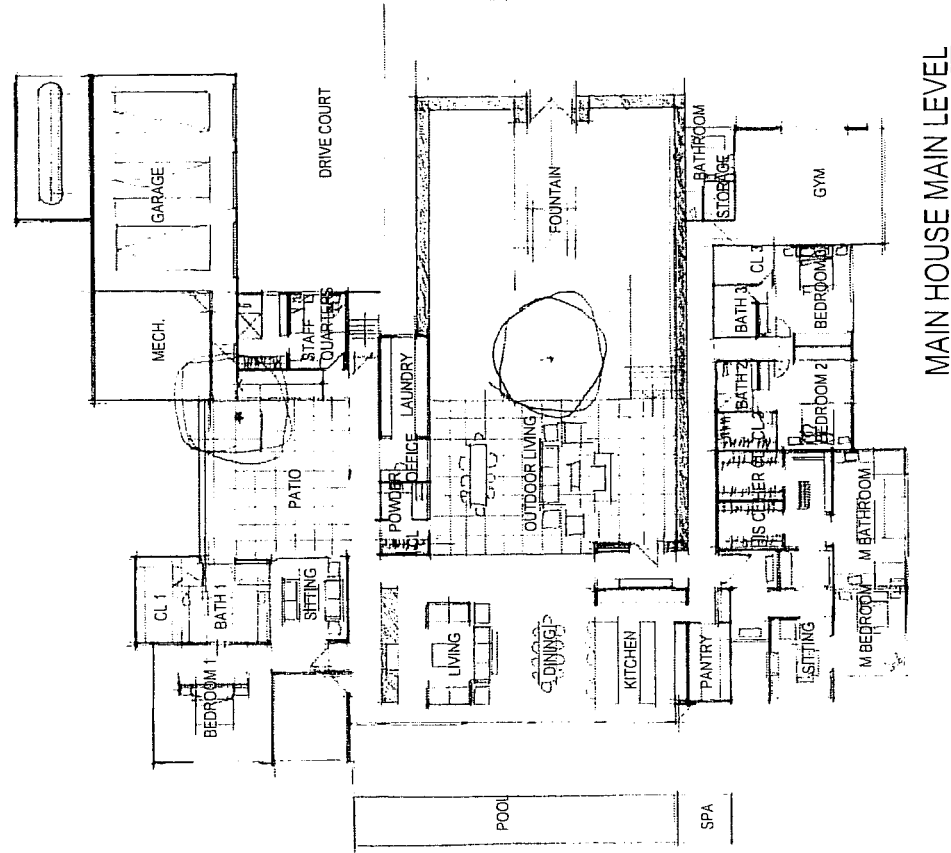


MAIN HOUSE LOCATION/VIEWS

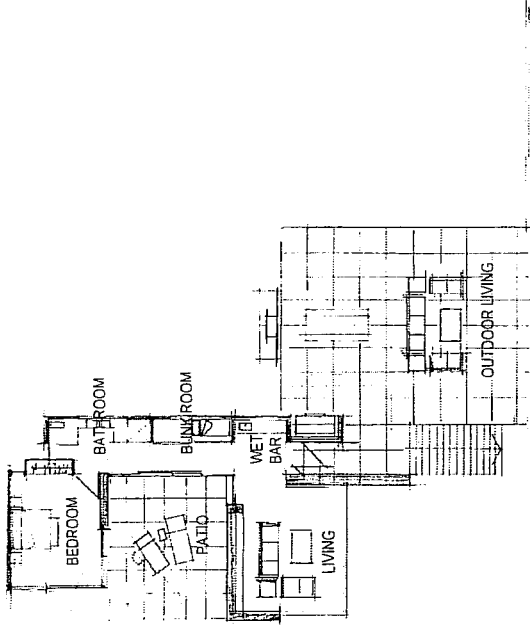


SHUBIN DONALDSON
PLANNING COMMISSION MEETING MARCH 13, 2013 OCEAN LOT
OVERALL SITE
SCALE: As Indicated SHEET No. CO.3 #1112 PARADISO DEL MARE

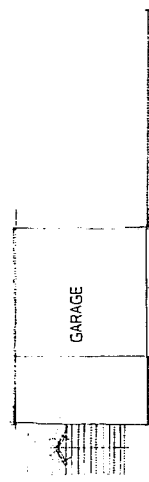




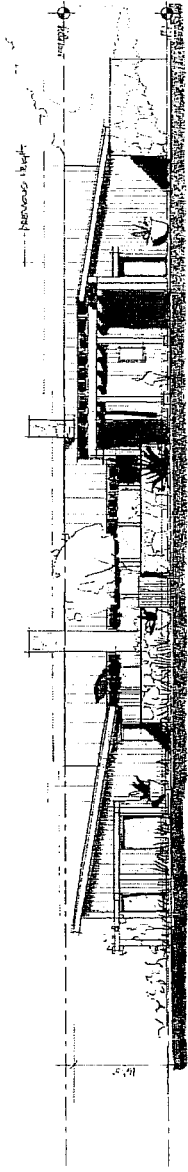
MAIN HOUSE MAIN LEVEL



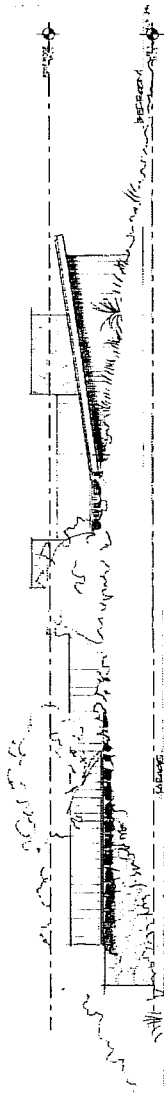
GUEST HOUSE UPPER LEVEL



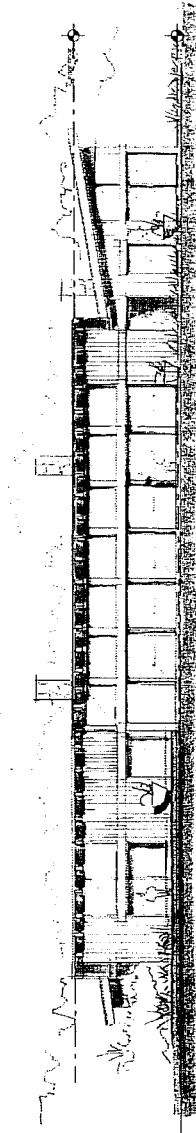
GUEST HOUSE LOWER LEVEL



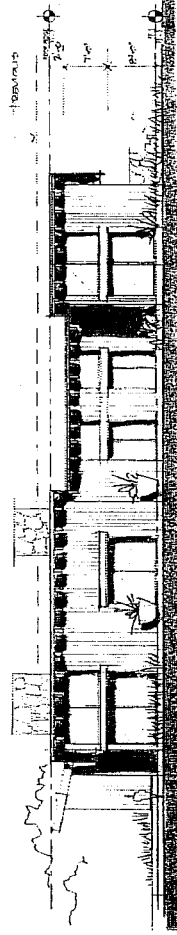
CONCEPT NORTHEAST ELEVATION 01
SCALE: 1/8" = 1'-0"



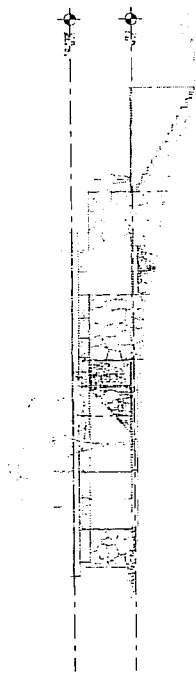
CONCEPT NORTHWEST ELEVATION 02
SCALE: 1/8" = 1'-0"



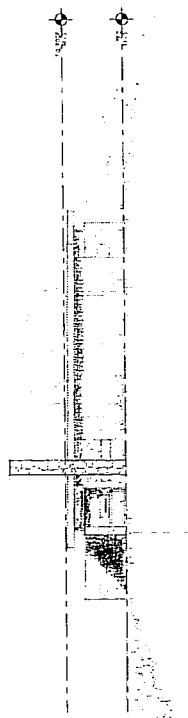
CONCEPT SOUTHWEST ELEVATION 03
SCALE: 1/8" = 1'-0"



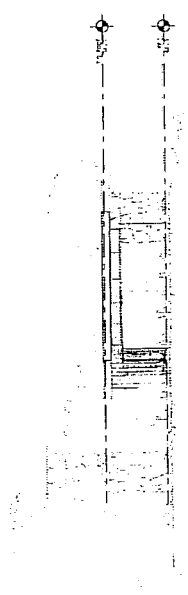
CONCEPT SOUTHEAST ELEVATION 04
SCALE: 1/8" = 1'-0"



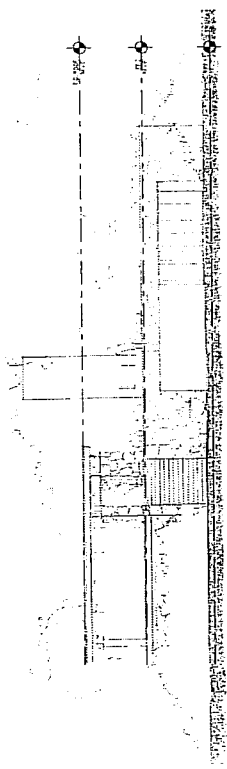
CONCEPT EAST GUEST
SCALE 1/8" = 1'-0"



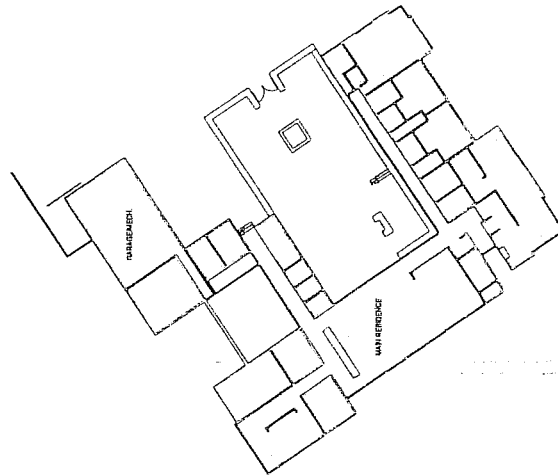
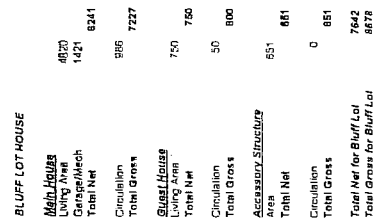
CONCEPT WEST GUEST
SCALE 1/8" = 1'-0"



CONCEPT NORTH GUEST
SCALE 1/8" = 1'-0"



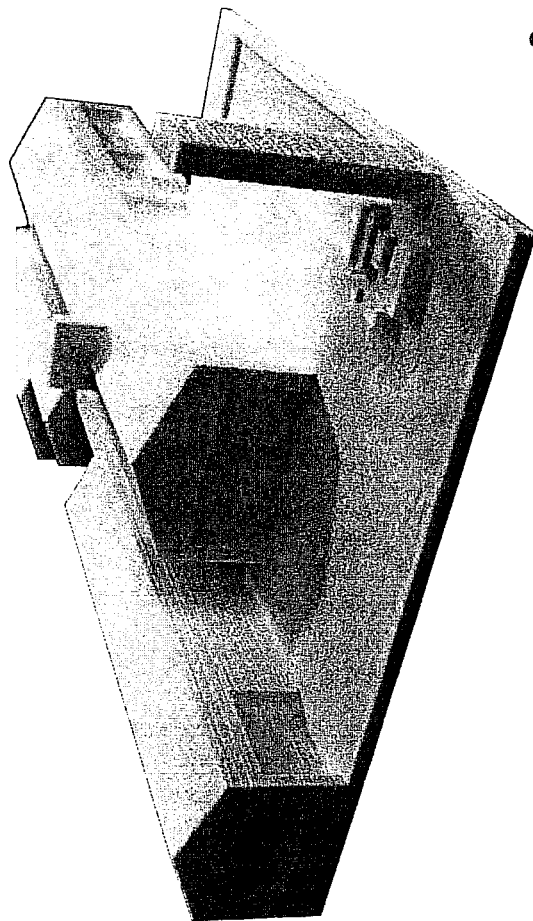
CONCEPT SOUTH GUEST
SCALE 1/8" = 1'-0"



- (1) Cartridges and belts;
- (2) Sights;
- (3) Engines;
- (4) Engines; electric;
- (5) Chinese, armory, service, utility and mechanical equipment rooms;
- (6) Attached garages;
- (7) Open or roofed porches, balconies, or porticos;
- (8) Roofed arcades, piazzas, courts, walkways, or freeways;
- (9) Permanently fixed and other partially enclosed or mechanical, building features used for sites, service, display, storage or similar uses;
- (10) Basements, cellars or attic space above the floor or ceiling height is six feet for greater and less than six feet;
- (11) In residential zone districts, additionally all roofed porches, arcades, balconies, porticos, freeways or similar features when located above the ground floor.

The gross floor area of a structure that lacks walls shall be the area of all floors or levels included under the roof or covered area of the structure. For attached or detached residential second units, this term includes only the second unit and its directly accessible apartment interior spaces, and shall not be considered to include any existing floor area not contained within the second unit. For all other structures, this term shall include the floor area of storage or other accessory structures or spaces not directly accessible from the living area of the second unit. (Ord. 17-015, 1/1/15, amended by Ord. 17-017, 1/1/15)

FLOOR AREA NET: The gross floor area excluding shafts, stairways, corridors and halls, unusable attic, and unenclosed porches and balconies. (Issued by BSA 4/97, 1/2004)



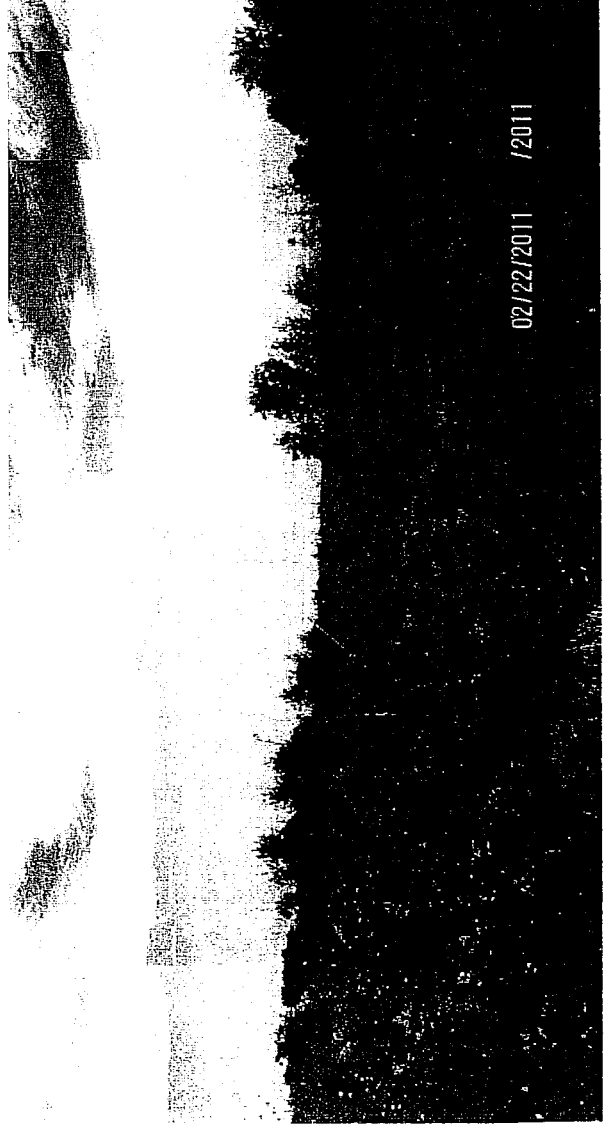
All these and other important research findings have been used by the public health and policy development community to shape the national and international agendas for the control of dengue. However, the limited understanding of dengue transmission and the lack of effective control strategies have resulted in dengue continuing to be a major public health problem in tropical and subtropical regions.

INLAND LOT

SHEET No. CO.0 #1112 PARADISO DEL MARE



MOUNTAIN VIEWS

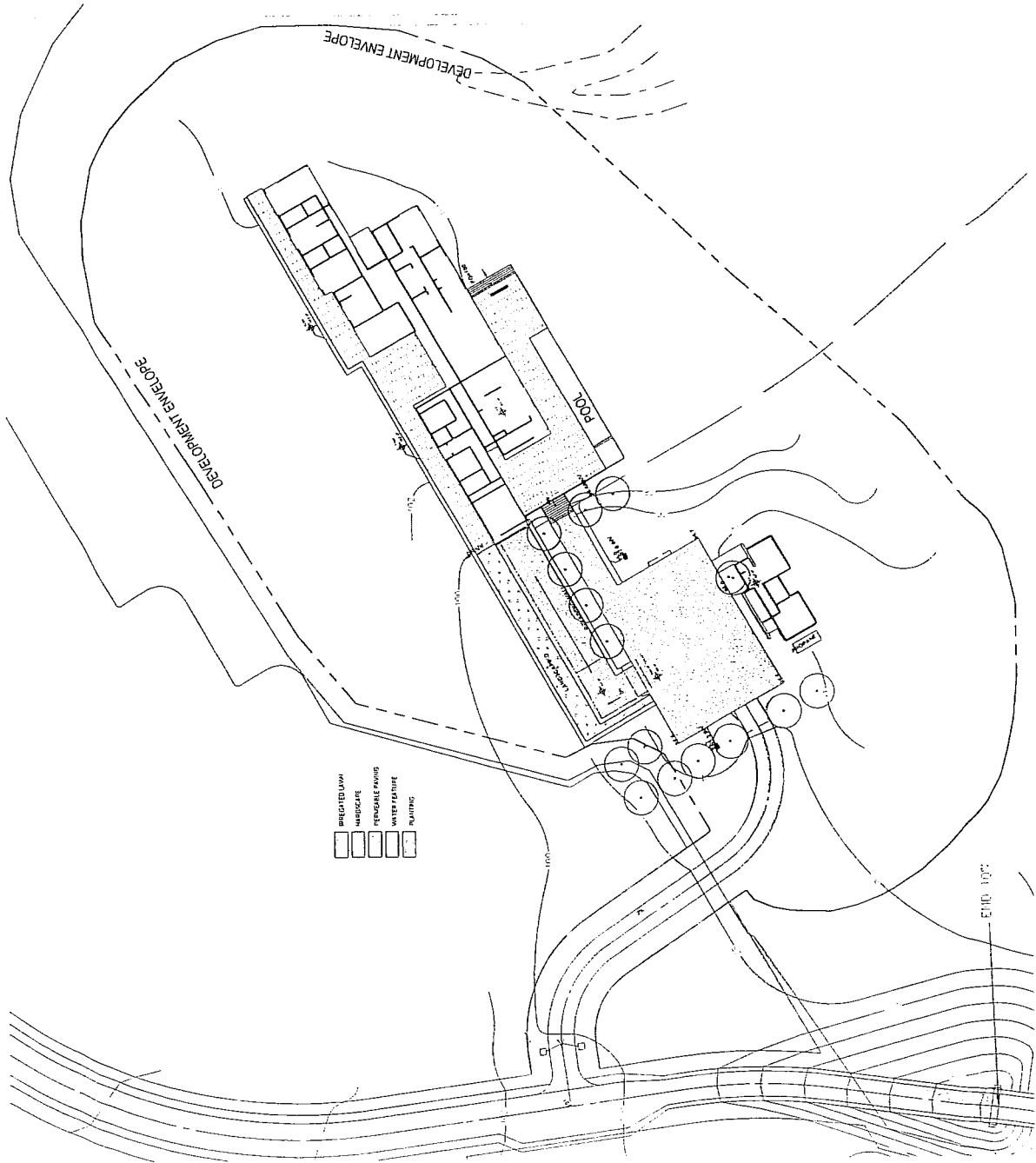


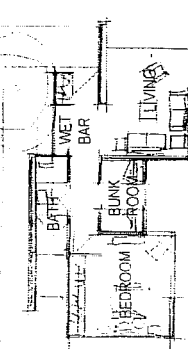
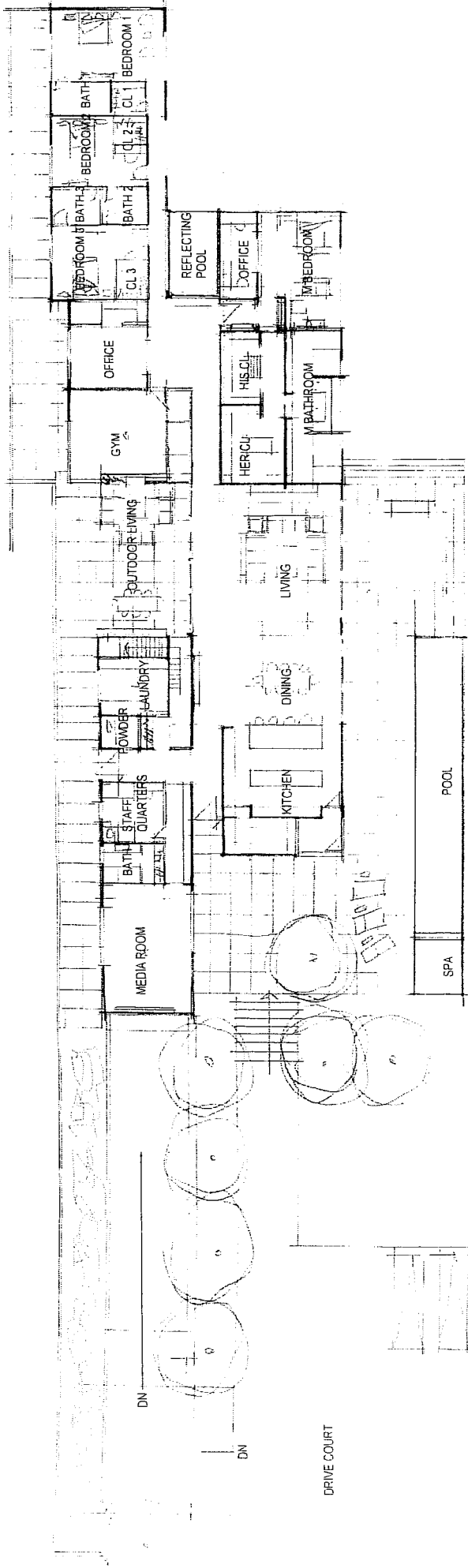
OCEAN VIEWS

INLAND LOT

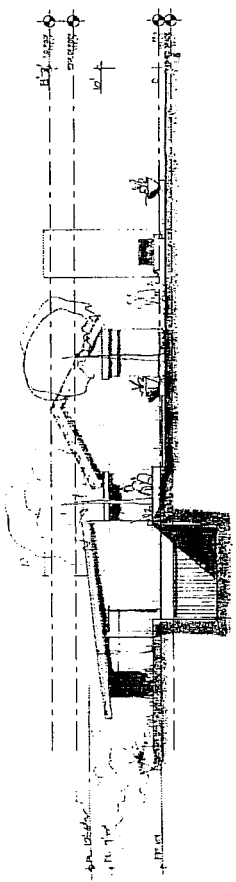


1.00

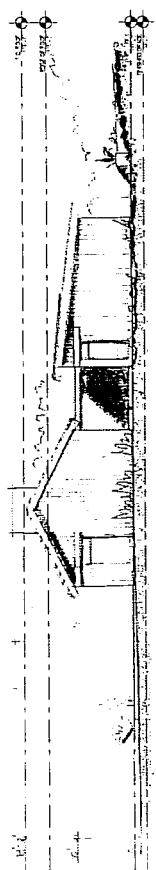




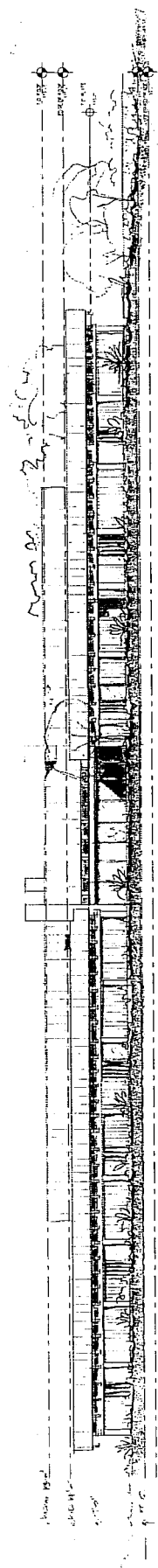
SHUBIN DONALDSON
 PLANNING COMMISSION MTC. MARCH 13, 2013 INLAND LOT
FLOOR PLAN
 SCALE: 1/8" = 1'-0" #1112 PARADISO DEL MARE



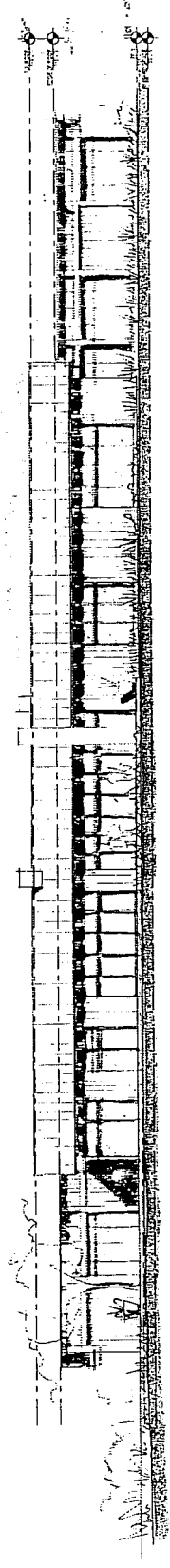
SOUTHWEST ELEVATION 02
SCALE: 1/8" = 1'-0"



NORTHEAST ELEVATION 01
SCALE: 1/8" = 1'-0"



NORTHWEST ELEVATION 03
SCALE: 1/8" = 1'-0"



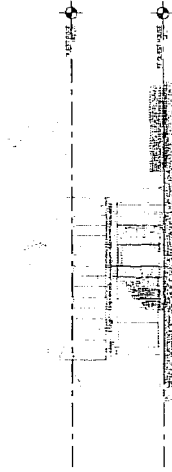
SOUTHEAST ELEVATION 04
SCALE: 1/8" = 1'-0"



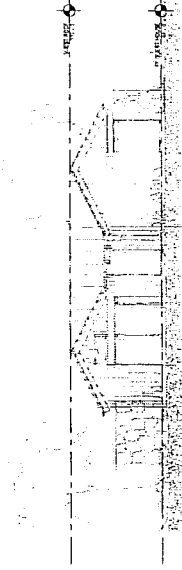
GUEST HOUSE NORTH ELEVATION 01
SCALE 1/8" = 1'-0"



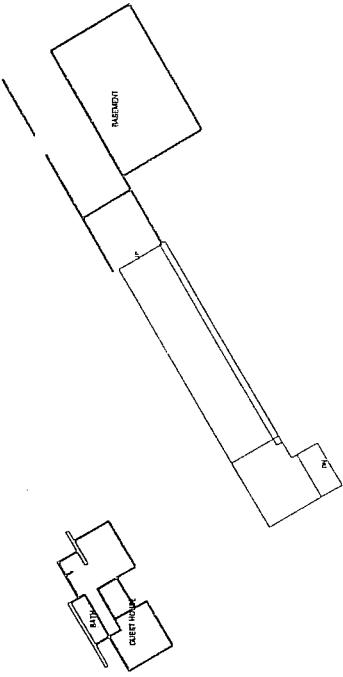
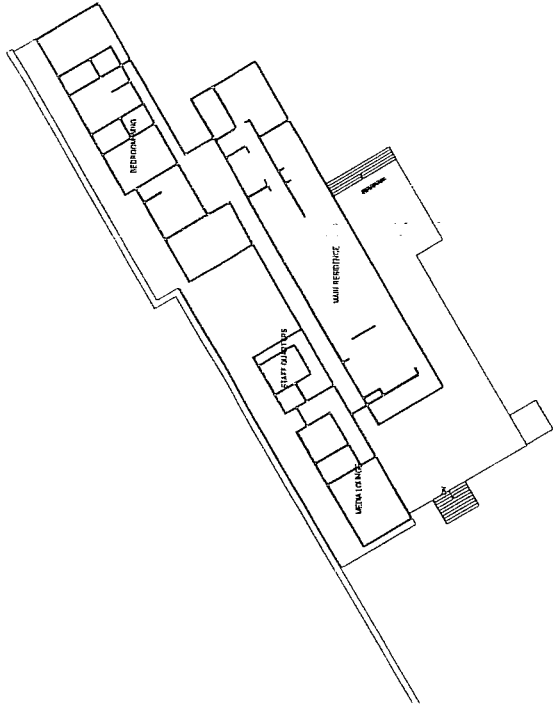
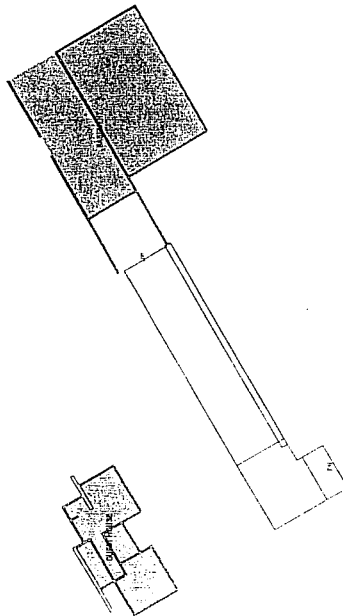
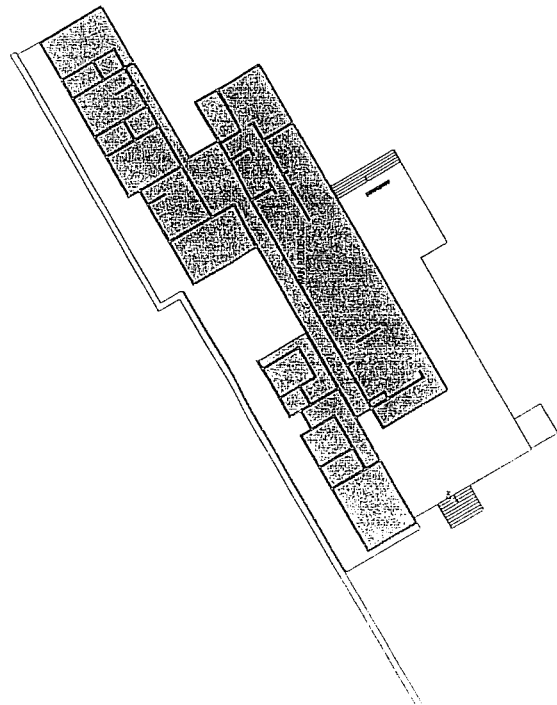
GUEST HOUSE EAST ELEVATION 02
SCALE 1/8" = 1'-0"



GUEST HOUSE WEST ELEVATION 03
SCALE 1/8" = 1'-0"



GUEST HOUSE SOUTH ELEVATION 04
SCALE 1/8" = 1'-0"



INLAND LOT HOUSE

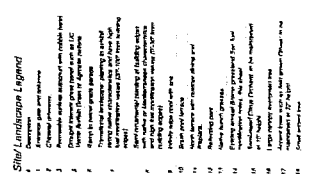
Main House		
Living Area	5946	
Basement Garage/Mech	1837	7883
Total Net		
Circulation	1480	9184
Total Gross		
Garage/House		
Living Area	729	729
Total Net		
Circulation	71	800
Total Gross		
Total Net for Inland Lot		8413
Total Gross for Inland Lot		9955

FLOOR AREA GROSS: The area included within the surrounding exterior walls of all floors or levels of a building or portion thereof, exclusive of vent shafts and unoccupied courtyards, as measured to the interior surface of exterior walls, or from the centerline of a common or party wall separating two buildings, not including:

- (1) Corridors and halls;
- (2) Stairways;
- (3) Elevators;
- (4) Closets, storage, recess, utility and mechanical equipment rooms;
- (5) Attached garages;
- (6) Pools or rooftop pools, balconies, or porches;
- (7) Unfinished attics or basements;
- (8) Porches, patios, terraces, and other partially enclosed or unenclosed, building features used for sales, storage, display, storage or similar uses;
- (9) Basements, cellars or attic areas where the floor to ceiling height is not less than 6 feet 6 inches and the area is not used for living purposes;
- (10) In residential areas districts, additionally all rooftop pools, decks, balconies, porches, breezeways or similar features when located above the ground floor.

The gross floor area of a structure that lacks walls shall be the area of all floors or levels included under the roofed or covered area of the structure. For attached or detached residential second stories, the area shall be measured to the exterior surface of the exterior walls. For detached second stories, the area shall not be included in the area of the structure. For detached second stories, the area shall not be included in the area of the structure. For detached second stories, the area shall not be included in the area of the structure.

FLOOR AREA BASE: The gross floor area excluding shafts, stairways, corridors and halls, entrance areas, and miscellaneous porches and balconies, measured to the exterior walls.



PRELIMINARY LANDSCAPE PLAN -
INLAND LOT
PARADISO DEL MARE

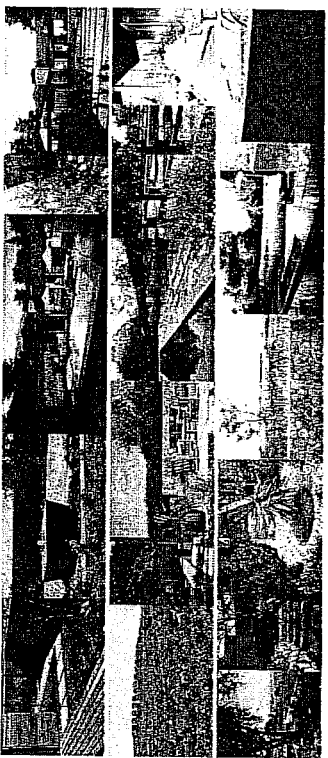
1007 East 10th Street
Cedar Rapids, IA 52403
tel 319/382-8833
fax 319/382-3514
www.cedarapids.com

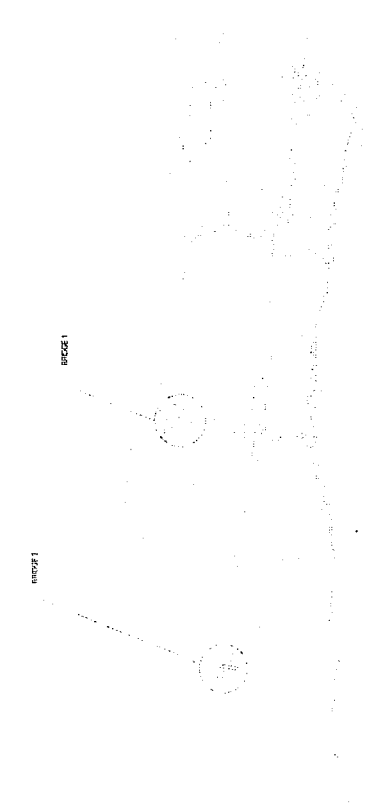
[illegible][illegible]

Fuel Modification Notes:
None

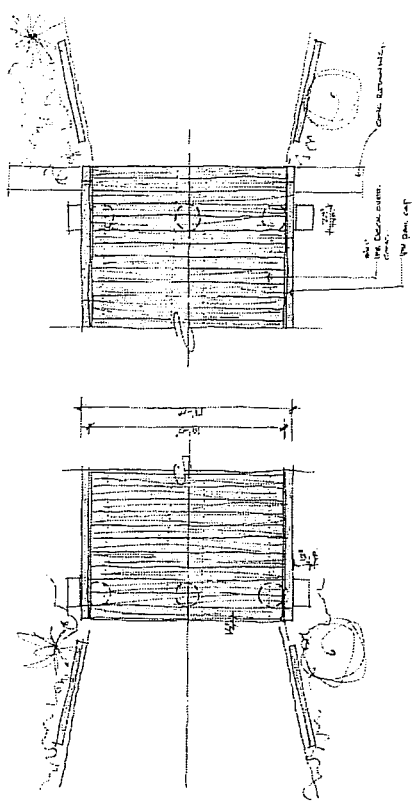
3. **IDENTIFY** the **main** purpose of the passage. (1 point)
4. **IDENTIFY** the **main** idea of the passage. (1 point)
5. **IDENTIFY** the **main** theme of the passage. (1 point)
6. **IDENTIFY** the **main** topic of the passage. (1 point)
7. **IDENTIFY** the **main** subject of the passage. (1 point)
8. **IDENTIFY** the **main** object of the passage. (1 point)
9. **IDENTIFY** the **main** action of the passage. (1 point)
10. **IDENTIFY** the **main** result of the passage. (1 point)
11. **IDENTIFY** the **main** conclusion of the passage. (1 point)
12. **IDENTIFY** the **main** recommendation of the passage. (1 point)
13. **IDENTIFY** the **main** warning of the passage. (1 point)
14. **IDENTIFY** the **main** advice of the passage. (1 point)
15. **IDENTIFY** the **main** suggestion of the passage. (1 point)
16. **IDENTIFY** the **main** proposal of the passage. (1 point)
17. **IDENTIFY** the **main** plan of the passage. (1 point)
18. **IDENTIFY** the **main** strategy of the passage. (1 point)
19. **IDENTIFY** the **main** method of the passage. (1 point)
20. **IDENTIFY** the **main** process of the passage. (1 point)
21. **IDENTIFY** the **main** system of the passage. (1 point)
22. **IDENTIFY** the **main** organization of the passage. (1 point)
23. **IDENTIFY** the **main** structure of the passage. (1 point)
24. **IDENTIFY** the **main** format of the passage. (1 point)
25. **IDENTIFY** the **main** style of the passage. (1 point)
26. **IDENTIFY** the **main** tone of the passage. (1 point)
27. **IDENTIFY** the **main** mood of the passage. (1 point)
28. **IDENTIFY** the **main** atmosphere of the passage. (1 point)
29. **IDENTIFY** the **main** setting of the passage. (1 point)
30. **IDENTIFY** the **main** time of the passage. (1 point)
31. **IDENTIFY** the **main** place of the passage. (1 point)
32. **IDENTIFY** the **main** characters of the passage. (1 point)
33. **IDENTIFY** the **main** events of the passage. (1 point)
34. **IDENTIFY** the **main** actions of the passage. (1 point)
35. **IDENTIFY** the **main** reactions of the passage. (1 point)
36. **IDENTIFY** the **main** feelings of the passage. (1 point)
37. **IDENTIFY** the **main** thoughts of the passage. (1 point)
38. **IDENTIFY** the **main** beliefs of the passage. (1 point)
39. **IDENTIFY** the **main** values of the passage. (1 point)
40. **IDENTIFY** the **main** principles of the passage. (1 point)
41. **IDENTIFY** the **main** laws of the passage. (1 point)
42. **IDENTIFY** the **main** rules of the passage. (1 point)
43. **IDENTIFY** the **main** customs of the passage. (1 point)
44. **IDENTIFY** the **main** traditions of the passage. (1 point)
45. **IDENTIFY** the **main** habits of the passage. (1 point)
46. **IDENTIFY** the **main** behaviors of the passage. (1 point)
47. **IDENTIFY** the **main** attitudes of the passage. (1 point)
48. **IDENTIFY** the **main** opinions of the passage. (1 point)
49. **IDENTIFY** the **main** judgments of the passage. (1 point)
50. **IDENTIFY** the **main** conclusions of the passage. (1 point)

Design Images

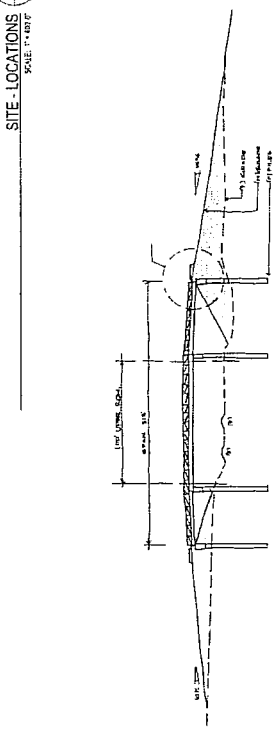




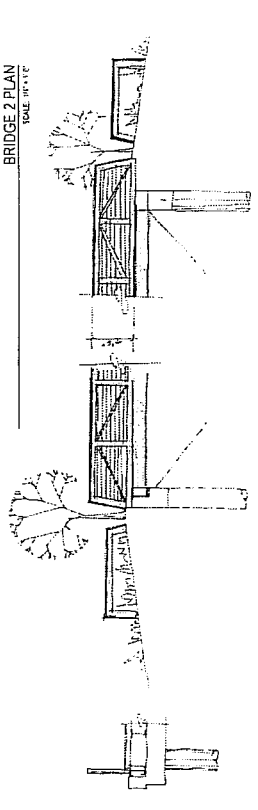
SITE - LOCATIONS
SCALE 1"=100'



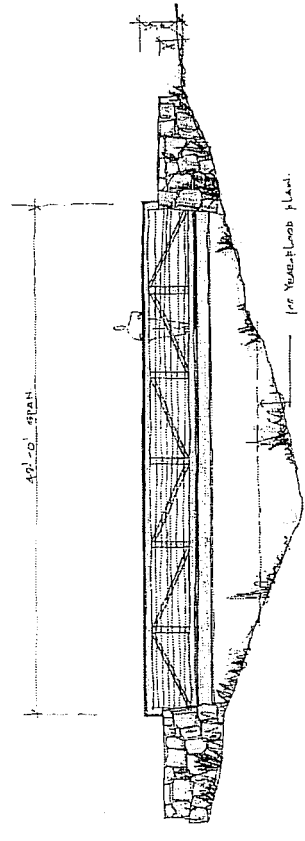
BRIDGE 2 PLAN
SCALE 1"=10'



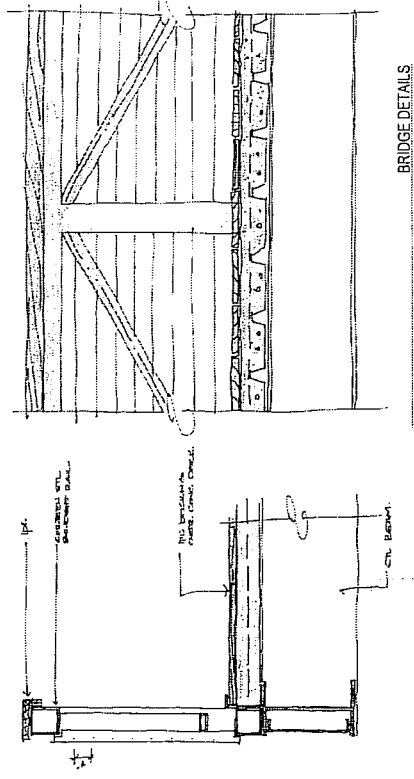
BRIDGE 2 SECTION
SCALE 1"=10'



BRIDGE 2 ELEVATION
SCALE 1"=10'



BRIDGE 1 ELEVATION
SCALE 1"=10'



BRIDGE DETAILS
SCALE 1"=10'



Inland Lot (Between Drainage 4 & Tomate)

- Proposed Development Envelope (2.5 Acres)
- Structure (0.2 Acres)
- Driveway (0.3 Acres)
- Residence Access Road (1.6 Acres)
- Proposed Agricultural Envelope (16.3 Acres)
- Agricultural Planting Areas (5.1 Acres)

Coastal Lot (Between Drainage 6 & Tomate)

- Proposed Development Envelope (1.9 Acres)
- Structure (0.2 Acres)
- Driveway (0.2 Acres)
- Proposed Agricultural Envelope (0.5 Acres)
- Agricultural Planting Areas (0.2 Acres)

Public Access - Offer to Dedicate (OTD)

- Public Access Floating Easement OTD
- Public Parking (20 Spaces)
- Public Parking Access Road
- Public Access Trail
- Coastal Trail
- Lateral Beach Access Trail Corridor
- Vertical Beach Access Trail Corridor
- Coastal Overlook

Open Space Conservation Easement (106.5 Acres)

Mitigation/Restoration Area

- Arroyo Willow Thicket (0.11 Acres)
- Coastal Sage Scrub (4.56 Acres)
- Purple Needle Grass Grassland (5.92 Acres)
- Exotic Free Buffer Zone (12.97 Acres)

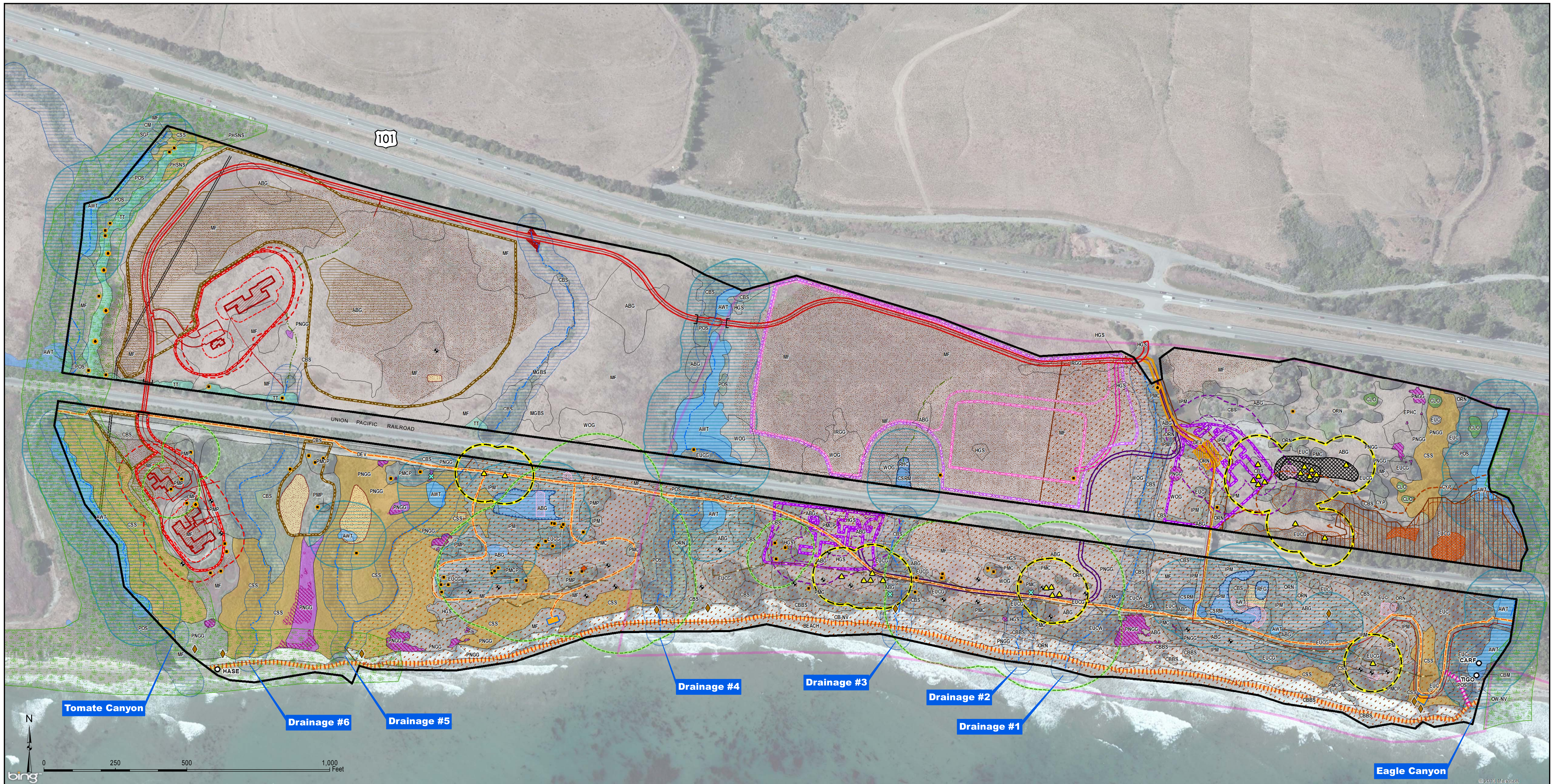
] [Bridge — Utility Corridor

ENGINEERING: Penfield and Smith 2012
LANDSCAPE PLAN: Arcadia Studio 2012

DUDEK

Proposed Project and Open Space Conservation Easement with Mitigation

Paradiso del Mare Residential Project



Alternative Project (2011) Inland Lot (Between Eagle Canyon & Drainage 1) <ul style="list-style-type: none">Proposed Development Envelope (2.3 Acres)Structure (0.2 Acres)30 & 100-foot Fuel Modification BufferDriveway (0.2 Acres)Residence Access Road (0.1 Acres)Proposed Agricultural Envelope (14.8 Acres)	Alternative Project (2011) Inland Lot - Concept Only (West of Drainage 1) <ul style="list-style-type: none">Proposed Development Envelope (2.5 Acres)Access Road (0.2 Acres)Proposed Agricultural Envelope (10.0 Acres) Coastal Lot (Between Drainage 3 & Drainage 4) <ul style="list-style-type: none">Proposed Development Envelope (1.7 Acres)Structure (0.2 Acres)30 & 100-foot Fuel Modification BufferDriveway (0.2 Acres)Access Road (0.5 Acres)	Proposed Project (2011) Inland Lot (Between Drainage 4 & Tomate) <ul style="list-style-type: none">Proposed Development Envelope (2.5 Acres)Structure (0.2 Acres)30 & 100-foot Fuel Modification BufferDriveway (0.3 Acres)Residence Access Road (1.6 Acres)Proposed Agricultural Envelopes (16.3 Acres)Agricultural Planting Areas (5.1 Acres)	Coastal Lot (Between Drainage 6 & Tomate) <ul style="list-style-type: none">Proposed Development Envelope (1.9 Acres)Structure (0.2 Acres)30 & 100-foot Fuel Modification BufferDriveway (0.2 Acres)Proposed Agricultural Envelopes (1.6 Acres)Agricultural Planting Area (0.2 Acres)	Public Access - Offer to Dedicate (OTD) <ul style="list-style-type: none">Public Access Floating Easement OTDPublic Parking (20 Spaces)Public Parking Access RoadPublic Access TrailCoastal TrailLateral Beach Access Trail CorridorVertical Beach Access Trail CorridorCoastal Overlook	Other Resources / Constraints <ul style="list-style-type: none">Prime Agricultural Soils (DaC)Environmentally Sensitive Habitat (County)View Corridor Overlay (County)100-foot Bluff SetbackCliff AsterSoil Remediation AreasFormer Mud Pit/SumpFormer Above-ground PipelineAbandoned Buried PipelinePlugged Abandoned Oil Well	Sensitive Wildlife and Plant Species <ul style="list-style-type: none">TIGO = Tidewater gobyHASE = Harbor sealCARF = California red-legged frogMonarch Butterfly<ul style="list-style-type: none">Monarch Site (Meade)Monarch Butterfly Aggregation SiteMonarch Butterfly Habitat (CCC 2002)50-foot Monarch Butterfly Habitat Buffer (CCC 2002)Southern Tarplant<ul style="list-style-type: none">St = Southern Tarplant Points (1991-1995, 1998-2002, 2005, 2010)Southern Tarplant Population (CCC 2002)100-foot Southern Tarplant Buffer	Wetland Update 2011 <ul style="list-style-type: none">Wetland/RiparianDrainageDepressionSwaleSwale Wetland Buffers <ul style="list-style-type: none">50-foot Drainage Buffer100-foot Riparian/Wetlands Buffer	White Tailed Kite (WTKI) Perches (2001 - 2007) <ul style="list-style-type: none">Perch Perches (2011) <ul style="list-style-type: none">Perch Nest Locations (2000 - 2007) <ul style="list-style-type: none">Successful NestPotential Nest Nest Locations (2011) <ul style="list-style-type: none">Unsuccessful NestWTKI ESHA Buffer (2002)
Vegetation Communities ABG = Annual Brome Grass AWT = Arroyo Willow Thickets CBS = Coyote Brush Scrub CLO = Coast Live Oak Woodland CM = Cattail Marshes CSS = California Sagebrush Scrub EPHC = English Plantain Herbaceous Cover EUC = Eucalyptus EUCG = Eucalyptus Growth EUCW = Eucalyptus Windbreak FF = Fennel Field HGS = Harding Grass Swards IPM = Ice Plant MF = Mustard Field MGBS = Menzies' Golden Bush Scrub NV = Non-Vegetated ORN = Ornamental PMC = Planted Monterey Cypress PMCP = Planted Monterey Cypress / Pine PMP = Planted Monterey Pine PNGG = Purple Needle Grass Grassland POS = Poison Oak Scrub RFG = Rattail Fescue RHC = Rumex Herbaceous Cover TT = Tamarisk Thicket WOG = Wild Oats Grassland WRM = Western Rush Marsh								
Sensitive Vegetation <ul style="list-style-type: none">Coastal Sage ScrubOak WoodlandRiparianWetland VegetationNative GrasslandPNGG (from previous survey)								

NOTE: Project Alternatives include an offer to dedicate public easement for the Coastal Trail only; offers to dedicate easements for public parking lot and vertical public access trail from Highway 101 are not included in Project Alternatives.