

Exhibit 2: Revision Letter to EIR and
<http://sbcountyplanning.org/environmental/active.cfm>

TO: Planning Commission

FROM: Florence Trotter-Cadena, Planner
Planning and Development, Development Review Division

DATE: August 28, 2013

RE: Revisions to 11EIR-00000-00003, the proposed Final EIR for the Orcutt Union School District Key Site 17 project (Case Nos. 09GPA-00000-00004, 09RZN-00000-00012) to reflect revisions proposed subsequent to completion of the proposed Final EIR for the project and prior to decision-maker action (including potential certification of the FEIR)

This revision letter identifies additional proposed changes to the proposed Final EIR being presented to your Planning Commission prior to anticipated certification of the FSEIR. Changes to the actual text of the EIR are indicated in strikethrough and underline below.

I. LOCATION

The project site is located approximately 130 feet southeast of the intersection of Soares Avenue and First Street, in the Old Town Orcutt area, Fourth Supervisorial District.

II. BACKGROUND

An EIR was prepared for the Orcutt Union School District Key Site 17 project (11EIR-00000-00003) to analyze the project's environmental impacts and identify project alternatives. Following completion of the proposed Final EIR, P&D determined that the applicant's proposed revisions to Orcutt Community Plan (OCP) Development Standard KS17-3 to eliminate the provision for a contiguous park along Soares Avenue would cause impacts to visual resources rather than impacts to recreation as previously identified. The relevant discussion has therefore been moved to the visual impact discussion.

As discussed below, the proposed revisions to the Recreation and Aesthetics/Visual Resource sections of the Final Subsequent EIR, do not result in any new significant environmental impacts, and there is no increase in the severity of the impacts of the proposed project. The FSEIR also identified several mitigation measures pertaining to Biological Resources, Flood and Water Quality, Hazards and Hazardous Materials, and Public Services (Water Supply). The mitigation measures included wording carrying them forward as new OCP Key Site 17 development standards. However, rather than include the measures as new development standards, the measures would be more appropriately applied as ~~standard~~ conditions of approval when a specific development application is submitted. As a result, minor clarifications are made for accuracy to delete wording that suggests the measure will be added as a new Key Site 17 development standard (Attachment B). These changes do not alter the conclusions of the EIR or affect the adequacy of the mitigation measures in reducing impacts to less than significant levels. This FEIR Revision letter (RV1) has been prepared to discuss the basis for the revisions to the Final EIR.

III. CLARIFICATIONS

Revision to Alternative 2 Description

Alternative 2 would include minor changes to Policy KS17-1 and Action KS17-6 regarding the land use designation and zoning on Key Site 17. Also, the applicant proposed a new development standard (KS17-7) which is included as part of Alternative 2. The description of Alternative 2 below has been revised to reflect that changes to existing development standards occur as part of this alternative.

The proposed project includes a request to modify certain development standards pertaining to the project site (OCP DevStd KS17-1, DevStd KS17-2, and DevStd KS17-3) in addition to the requested amendment to the site's General Plan land use designation and rezoning. Under this alternative, the project site's land use designation would be amended to Res 20 and it would be rezoned to DR 20, consistent with the proposed project. ~~However, the OCP development standards would remain in effect without revision.~~ This would retain: the requirement to locate the on-site public park along the north side of Soares Avenue; the limitation of homes adjacent to the park, along Soares Avenue, and along Rice Ranch Road to one-story; and a maximum of two stories at other buildings on the site.

Recreation Impact Analysis

Recreation Impact 2 Discussion

The effects of providing one large contiguous park versus two separate smaller parks on Key Site 17 are discussed in the EIR under Impact REC 2. The Final EIR identified a significant unavoidable (Class I) impact to recreation associated with the applicant's proposed revisions to eliminate the provision for a contiguous park along Soares Avenue. Staff has determined that the applicant's proposal to allow greater flexibility in where the required 0.75 acre park would be located does not constitute a recreation impact under CEQA. Therefore, the REC 2 impact analysis has been modified as follows:

Proposed Revisions to Development Standard KS 17-3

Impact Number	Related OCP EIR Impact	Impact Description	Significance Before Mitigation
REC 2	REC 4	The proposed revisions to DevStd KS 17-3 would alter the on-site park requirement.	Significant

~~The proposed project would change DevStd KS 17-3 to eliminate the provisions for a contiguous park along Soares Avenue. Under the proposed project, there would be greater flexibility in where the required 0.75-acre park could be provided within the project site; i.e., the park would not be limited to Parcel No. 105-134-004 or along the Soares Avenue frontage. The proposed project would allow the 0.75-acre parkland to be constructed anywhere on the project site, which could result in two separate smaller parks~~

~~(0.5 acre on the adjacent Stonegate property and 0.75 acre within the project site), as opposed to one contiguous park.~~

~~The OCP EIR notes that regional recreation areas are not a substitute for the periodic and/or daily short-term recreational uses provided by neighborhood facilities. Public neighborhood parks and open spaces are increasingly important as undeveloped open spaces within the community are converted to residential and commercial uses. Private parks, while useful in meeting the recreational needs of certain residents, cannot be depended on to provide for the general public.~~

~~Development of two smaller parks would not meet the intentions of DevStd KS 17-3 for two main reasons. First, the intent of DevStd KS 17-3 is to create a 1-2 acre contiguous neighborhood park to serve the Old Town area and to provide complementary recreational uses. Under the proposed project, the additional 0.75-acre park could be located anywhere within the project site. Should the park be located further south (i.e. not along Soares Avenue) and behind future senior living structures or along Rice Ranch Road, it would be less accessible from the Old Town area. If the park is not readily visible or directly accessible from a public street, it may not appear to be available to the public. According to discussions County Planning staff has had with County Parks Department staff, the development of two smaller park areas would not provide the same community benefit of one large contiguous neighborhood park (personal Communication, County Parks—Claude Garciacelay, December 2009).~~

~~Secondly, two smaller individual parks would not meet the intentions of DevStd KS 17-3, in terms of the identified needs for future recreation opportunities within the Orcutt area. Although the development of a senior housing project may change the type of recreational facilities demanded by the population at the project site, the neighborhood park was intended to meet the general needs of the Old Town community. County Parks Department staff believes that the development of two smaller park areas on Key Site 17 would lessen the opportunity for viable recreational facilities to be developed in this portion of Orcutt (personal communication between County Planning and County Parks—Claude Gaciacelay, December 2009). Smaller parks would offer less opportunity to provide complementary recreation uses such as open play fields or group picnic facilities, which require larger contiguous spaces to be viable.~~

~~Given the above, the proposed revisions to DevStd KS 17-3 would result in a significant impact on to the County's plan for providing neighborhood parkland in the Old Town Orcutt area.~~

Mitigation Measures

~~No mitigation measures are available.~~

Residual Impacts

~~The proposed revision to DevStd KS17-3 would result in a significant unavoidable impact (Class I). Section 6.0 of this EIR (see Alternative 2) assesses an alternative that~~

~~would maintain the requirement to create a public park along Soares Avenue within the project site.~~

Recreation Impact 1 Discussion

Although the applicant's proposed revision to eliminate the provision for a contiguous park along Soares Avenue is not considered a recreational impact under CEQA, the benefits of developing one large contiguous park versus two separate smaller parks on Key Site 17 is noteworthy information. As a result, the REC 1 impact analysis has been modified to include this information as follows.

Demand for Recreational Facilities

Impact Number	Related OCP EIR Impact	Impact Description	Significance Before Mitigation
REC 1	REC-1, REC-2, REC-4	Development of the site would increase the demand for recreational facilities in Orcutt.	Less than Significant

Based on an average occupancy of 1.5 persons per unit, a 257-unit senior care facility would generate an estimated 385 residents. Using the County standard of 4.7 acres of parkland per 1,000 residents, the project's 385 residents would generate a need for approximately 1.81 acres of parkland. While the proposed project would construct a 0.75-acre park within the project site, per DevStd KS17-3, there would remain a deficit of approximately 1.06 acres of parkland to service the increased demand. There is no proposal to construct a park at this time, however, development impact mitigation fees would be assessed on any new residential development, and these fees would be used to develop new parklands elsewhere in the Orcutt area. With payment of these fees, the project's impact on parks and recreational facilities is considered less than significant.

The OCP EIR identified significant impacts on the community's parks, recreational facilities, and trails network associated with buildout under the OCP. It identified a deficiency of parks, recreational facilities, and publicly designated trails and estimated the need for an additional 85 acres of parkland space at build-out of the OCP. While some new parkland has been created since the OCP was approved (e.g. 26-acre Orcutt Community Park), there still remains the need to provide additional parkland to meet the 85 acres of total demand generated under the OCP.

The impacts identified in the OCP EIR that are applicable to the proposed project are:

Impact REC-1: Intensification of Use in Existing Recreational Facilities. Increased population associated with buildout of the community plan could result in *significant and unavoidable* recreational impacts to the existing recreational facilities in the community through overuse and increased overcrowding, leading to unavailability of facilities to existing and future residents.

Impact REC-2: Increased Demand for Recreational Facilities. The increased population associated with buildout of the community plan would worsen the existing recreational facility deficit in the community and cause a substantial increase in demand for parks, hiking trails, bike paths, and active recreational facilities of all types resulting in a *potentially significant impact* to the public welfare and a lack of recreational opportunities for youth.

Impact REC-4: Increased Demand for Neighborhood Parks. Buildout of the community plan would reduce the amount of undeveloped open space in the urban area while substantially increasing the population in neighborhoods with no established or proposed neighborhood parks, resulting in *potentially significant* recreational impacts to the community.

The proposed project would increase the density of residential development permitted at the project site as compared to the OCP. Under the site's existing general plan land use designation, approximately 77 single-family homes could be built; with an estimated household size of 2.87 people, a total population of 221 would be generated. This would increase the population generated at the site by 164 residents, as compared to the population that would be generated under the existing OCP (18,000 new residents at buildout of the OCP). Based on the County standard of 4.7 acres of parkland per 1,000 residents, the additional project population associated with the proposed project as compared to the population generated by development under the existing OCP (164) would increase the OCP's projected need for 85 acres by 0.77 acres.

The OCP EIR notes that regional recreation areas are not a substitute for the periodic and/or daily short-term recreational uses provided by neighborhood facilities. Public neighborhood parks and open spaces are increasingly important as undeveloped open spaces within the community are converted to residential and commercial uses. Private parks, while useful in meeting the recreational needs of certain residents, cannot be depended on to provide for the general public.

The proposed project would change DevStds KS-17-1 and KS 17-3 to eliminate the provisions for a contiguous park along Soares Avenue. Under the proposed project, there would be greater flexibility in where the required 0.75-acre park could be provided within the project site; i.e., the park would not be limited to Parcel No. 105-134-004 or along the Soares Avenue frontage. The proposed project would allow the 0.75-acre parkland to be constructed anywhere on the project site, which could result in two separate smaller parks (0.5 acre on the adjacent Stonegate property and 0.75-acre within the project site), as opposed to one contiguous park.

Development of two smaller parks would not meet the intentions of DevStd KS 17-3 for two main reasons. First, the intent of DevStd KS 17-3 is to create a 1-2 acre contiguous neighborhood park to serve the Old Town area and to provide complementary recreational uses. Under the proposed project, the additional 0.75-acre park could be

located anywhere within the project site. Should the park be located further south (i.e. not along Soares Avenue) and behind future senior living structures or along Rice Ranch Road, it would be less accessible from the Old Town area. If the park is not readily visible or directly accessible from a public street, it may not appear to be available to the public. According to discussions County Planning staff has had with County Parks Department staff, the development of two smaller park areas would not provide the same community benefit of one large contiguous neighborhood park (personal Communication, County Parks – Claude Garciacelay, December 2009).

Secondly, two smaller individual parks would not meet the intentions of DevStd KS 17-3, in terms of the identified needs for future recreation opportunities within the Orcutt area. Although the development of a senior housing project may change the type of recreational facilities demanded by the population at the project site, the neighborhood park was intended to meet the general needs of the Old Town community. County Parks Department staff believes that the development of two smaller park areas on Key Site 17 would lessen the opportunity for viable recreational facilities to be developed in this portion of Orcutt (personal communication between County Planning and County Parks – Claude Gaciacelay, December 2009). Smaller parks would offer less opportunity to provide complementary recreation uses such as open play fields or group picnic facilities, which require larger contiguous spaces to be viable.

The proposed project would also change the type of residential units to be developed at the site (senior housing rather than single-family housing). An increase in the number of residents at the site would increase the demand for recreational facilities generated at the site; however the introduction of senior housing may result in the need for different types of recreational facilities (e.g., a less intensive need for active recreational facilities.)

Mitigation Measures

Mitigation measures are not required.

Residual Impacts

The proposed project's impacts on parks and recreational facilities would be less than significant without mitigation (**Class III**).

In addition, the proposed project impacts on increased need for neighborhood parks, as indicated on Table 7.4-1 (p.7-12), are reduced from Class I to Class III.

Aesthetics/Visual Resources Impact Analysis

The Orcutt Community Plan (OCP) FEIR identified significant, unavoidable impacts (Class I) to aesthetics/visual resources resulting from buildout of the OCP and Key Site 17. As part of the adoption process of the OCP, the Board of Supervisors made Class I CEQA Findings and adopted a Statement of Overriding Consideration and identified site-specific measures to partially mitigate impacts to visual resources to the maximum extent feasible. The measures

require any discretionary development to provide: 1) a landscape buffer along Soares Avenue; and, 2) a 1-2 acre public neighborhood park fronting along the western portion of Soares Avenue as conceptually depicted on Figure KS17-2. The measure specifies that the property now owned by the Stonegate residential subdivision and the Orcutt Union School District shall each contribute at least 0.75 of an acre to this park and the park shall be a minimum of 100 feet wide where it fronts Soares Avenue. The Board of Supervisors adopted these mitigation measures into OCP Key Site 17 as separate Development Standards, KS17-1 and KS 17-3.

Impact AES 1 in the Orcutt Union School District Key Site 17 EIR discusses the effects the proposed project would have on the visual character of the site. The Board of Supervisors adoption of CEQA findings and development standards that require a large contiguous park as a landscape buffer to partially mitigate Class I impacts to visual resources is salient to the AES 1 discussion. Moreover, the benefits of developing one large contiguous park versus two separate smaller parks on Key Site 17 is noteworthy information and has also been included in the AES 1 impact discussion as follows:

Visual Character/Compatibility

Impact Number	Related OCP EIR Impact	Impact Description	Significance Before Mitigation
AES 1	VIS-3, VIS 4, VIS-11, VIS-12, KS 17-VIS-1	Development of the site would alter the visual character of the site.	Significant

The OCP EIR (Section 5.17) identifies the following visual compatibility impacts, which could result from the development of Key Site 17:

- Impact VIS-3: Unmaintained stormwater retardation basins. Construction of additional small steep sided, chain-link fenced in, poorly landscaped and maintained retardation basins would create *potentially significant* visual degradation of existing and new neighborhoods.
- Impact VIS-4: Unmaintained roadway medians and planter strips. Construction of new residential and commercial development and roads would include medians and planter strips which, if unmaintained, could result in *potentially significant* adverse impacts to motorists and surrounding residents through the creation of weedy unmaintained areas lining some of the community's major roads.
- Impact VIS-11: Alteration of visual character of Old Town Orcutt. Development of open lands adjacent to Old Town Orcutt (Sites 17, 18, 15) could lead to *potentially significant* impacts to the visual character of Old Town through elimination of approximately 150 acres of open space and substantial changes to views from Clark Avenue and Rice Ranch Road.
- Impact VIS-12: Incompatible development in Old Town Orcutt. New development/redevelopment within the Old Town area could create *potentially significant* visual impacts through construction of buildings whose size and architectural style, etc. are incompatible with the existing character of Old Town.

- Impact KS17-VIS-1: Change in the visual character of the site. Eventual buildout of 135 units on the site would adversely affect existing views and aesthetic qualities on the site. The rural character of Old Town Orcutt would be *significantly* impacted by this project, which would replace open land with residential development and new roads.

These impacts would apply to future development of the project site. The proposed changes to the allowable development at the site, as described above, would exacerbate the previously identified OCP EIR Impacts VIS-11, VIS-12, and KS17-VIS-1. As shown in Figures 4.1-5 through 4.1-7, future development under the proposed project could introduce visual elements that are of substantially greater scale than the surrounding development. The proposed project would maintain the restriction of buildings along Soares Avenue to one story, but would not require that a park be constructed along Soares Avenue nor limit the height of buildings immediately surrounding the park. Three-story structures, behind one-story structures along Soares Avenue and along Rice Ranch Road would likely appear out-of scale with respect to the surrounding environment.

As part of the adoption process of the OCP, the Board of Supervisors made Class I CEQA Findings and adopted a Statement of Overriding Consideration and identified site-specific measures to partially mitigate impacts to visual resources to the maximum extent feasible. The measure specifies that the property now owned by the Stonegate residential subdivision and the Orcutt Union School District shall: 1) provide a landscape buffer along Soares Avenue; and, 2) each contribute at least ¾ of an acre to this park and the park shall be a minimum of 100 feet wide where it fronts Soares Avenue.

The proposed project would change DevStd KS 17-3 to eliminate the provisions for a contiguous park along Soares Avenue. Under the proposed project, there would be greater flexibility in where the required 0.75-acre park could be provided within the project site; i.e., the park would not be limited to Parcel No. 105-134-004 or along the Soares Avenue frontage. The proposed project would allow the 0.75-acre parkland to be constructed anywhere on the project site, which could result in two separate smaller parks (0.5-acre on the adjacent Stonegate property and 0.75-acre within the project site), as opposed to one contiguous park.

Development of two smaller parks would not meet the intentions of DevStd KS 17-3 for three main reasons. First, the intent of DevStd KS 17-3 is to create a 1-2-acre contiguous neighborhood park to serve the Old Town area and to provide complementary recreational uses. Under the proposed project, the additional 0.75-acre park could be located anywhere within the project site. Should the park be located further south (i.e. not along Soares Avenue) and behind future senior living structures or along Rice Ranch Road, it would be less accessible from the Old Town area. If the park is not readily visible or directly accessible from a public street, it may not appear to be available to the public. According to discussions County Planning staff has had with County Parks Department staff, the development of two smaller park areas would not provide the same community benefit of one large contiguous neighborhood park (personal Communication, County Parks—Claude Garciacelay, December 2009).

Secondly, two smaller individual parks would not meet the intentions of DevStd KS 17-3, in

terms of the identified needs for future recreation opportunities within the Orcutt area. Although the development of a senior housing project may change the type of recreational facilities demanded by the population at the project site, the neighborhood park was intended to meet the general needs of the Old Town community. County Parks Department staff believes that the development of two smaller park areas on Key Site 17 would lessen the opportunity for viable recreational facilities to be developed in this portion of Orcutt (personal communication between County Planning and County Parks—Claude Garciacelay, December 2009). Smaller parks would offer less opportunity to provide complementary recreation uses such as open play fields or group picnic facilities, which require larger contiguous spaces to be viable.

Lastly, DevStd KS17-3 is intended to provide a visual buffer along the project's perimeter. As written, this development standard requires that the landscape buffer along Soares shall be 1-2 acres in size and a minimum of 100 feet wide so that it would partially screen development from the existing development to the north. Although the Class I impacts to visual resources identified by the Board of Supervisors could not be fully mitigated, relocating a portion of the landscape buffer to another area on the site would reduce the effectiveness of the mitigation identified by the Board of Supervisor's in their adoption of the OCP.

HAZARDS AND HAZARDOUS MATERIALS

Radon Analysis

Impact HAZMAT-1 in the OUSD Key Site 17 FSEIR discusses that future development on the project site would result in potential exposure to hazardous materials and natural radon gas emissions. The HAZMAT-1 impact discussion referencing the potential effects of radon gas has been deleted based on additional review of the State of California, Department of Conservation, Division of Geology and Mines map which indicates that there is a low level of radon gas within the vicinity of the proposed Orcutt Union School District property. Therefore, the requirement to provide a radon gas survey will not be required. The exposure to hazardous materials is still potentially significant and mitigation as discussed below is required.

4.6.3 Impacts and Mitigation Measures

Exposure to Hazardous Materials/Hazards

Impact Number	Related OCP EIR Impact	Impact Description	Significance Before Mitigation
HAZ 1	HAZMAT-1	Development of the project site would result in the potential exposure to hazardous materials from on-site dumping/storage, an adjacent OUSD Business Plan site, and/or natural radon gas emissions.	Potentially Significant

~~Radon is a naturally occurring, odorless, colorless gas produced by certain geologic materials. It is known to be a human carcinogen and can pose a cancer risk greater than one in one million in humans at concentrations equal to or greater than 4 picoCuries per liter (pCi/L). The project site is within a Radon Zone Level 1 area; these areas have a predicted average indoor screening level greater than 4 pCi/L. The Phase I investigation notes that testing in the Orcutt area measured local radon levels lower than 4.0 pCi/L, averaging at 0.318 pCi/L for first floor living areas (basement areas and second floor living areas were not reported). Testing of radon levels at the project site itself have not been completed.~~

~~The Phase I ESA concludes that in open areas of the site, it is unlikely that radon would pose an environmental risk. Although radon gas levels measured in the Orcutt area were found to be less than 4 pCi/L, the Phase I ESA recommends that a radon survey should be conducted for potential radon gas accumulation in any structures constructed on the site and that radon resistant construction techniques should be considered when designing the structures for the site.~~

Exposure to Radon Gas

~~The Phase I ESA identified the potential for elevated radon gas levels above at the site. Potential exposure to radon gas as a result of future development under the proposed amendment to OCP could occur.~~

~~The potential for the proposed project to result in exposure to hazardous materials from on-site dumping/storage, adjacent OUSD Business Plan site, and/or natural radon gas emissions is considered **potentially significant**.~~

~~**Mitigation HAZ 1-3:** A radon gas survey shall be completed to determine the potential for radon gas accumulation in structures proposed for the project site. Radon resistant construction techniques shall be implemented where necessary to prevent radon gas accumulation within enclosed areas.~~

~~**Plan Requirement:** A Radon Gas survey shall be completed at the project site and shall include recommended measures for radon resistant construction techniques where necessary. Construction measures shall be included on building plans.~~

~~**Timing:** Radon gas surveys shall be completed prior to approval of a Land Use Permit. Building Plans shall be approved prior to construction. Inspection shall occur through the construction phase.~~

~~**Monitoring:** Planning and Development, in consultation with County Environmental Health Services, County Fire Hazmat and Building inspectors, as needed, shall verify that appropriate measures are implemented.~~

Additional Revisions to the Proposed Final SEIR

The FSEIR identified several mitigation measures pertaining to Biological Resources, Flood and Water Quality, Hazards and Hazardous Materials, and Public Services (Water Supply). These

mitigation measures included wording carrying them forward as new OCP Key Site 17 development standards. However, rather than include the mitigation measures as new development standards, ~~staff believes that~~ the measures would be applied as standard conditions of approval when a specific application is submitted. As a result, minor clarifications are made for accuracy to delete wording that suggests the measure will be added as a new Key Site 17 development standard. The following changes will be made to the proposed Final SEIR prior to certification. Those changes are indicated by strikeout and or underline.

Biological Resources

BIO 1-1: ~~The County shall amend the OCP to add a Key Site 17 development standard requiring that~~ No earlier than 14 days prior to construction or site preparation activities that would occur during the nesting/breeding season of native bird species potentially nesting on the site (typically February 1 through August 31), a field survey shall be conducted by a qualified biologist to determine if active nests of any bird species protected by the state or federal Endangered Species Acts, Migratory Bird Treaty Act, and/or the California Fish and Game Code Sections 3503, 3503.5, or 3511 are present in the construction zone or within 200 feet of the construction zone for songbirds and within 500 feet of the construction zone for raptors. If active nests are found within the survey area, construction activities shall stop within a 200-foot radius for songbirds and a 500-foot radius for raptors until consultation with the County, CDFG, and USFWS (when applicable, i.e. if the nesting birds are listed under the federal Endangered Species Act), is conducted and an appropriate setback can be established. A fence barrier shall be erected around the buffer and clearing and construction within the fenced area shall be postponed or halted, at the discretion of a biological monitor, until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting.

Hazards and Hazardous Materials

HAZ 1-1: ~~The County shall amend the OCP to add a Key Site 17 development standard stating that:~~ Prior to approval of a senior housing development at the project site, the applicant shall update the Phase I Environmental Site Assessment to ensure that more recent activities on the property have not resulted in deposition of hazardous materials that could result in impacts to future residents at the site. If such materials are found to exist, affected areas will be remediated. Review and approval by County Environmental Health Services Department (EHS) and Santa Barbara County Fire are required.

Flood/Water Quality

FLD/WQ 1-1: ~~The County shall amend the OCP to add a Key Site 17 development standard stating that:~~ The Applicant shall submit proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board.

FLD/WQ 2-1: ~~The County shall amend the OCP to add a Key Site 17 development standard~~

~~stating that:~~ The development shall incorporate and maintain the following operational erosion control measures:

1. Erosion control measures, such as plantings or hard surfaces, shall be incorporated into the drainage plan for all project drainages as required by the Flood Control District and P&D.
2. Development in areas of high erosion potential shall be sited and designed to minimize increased erosion and may be required to have a site-specific evaluation of erosion-control measures. Project approval shall be conditioned to ensure that erosion will be reduced to acceptable levels.
3. Landscaped areas adjacent to structures shall be graded so that drainage is away from structures.
4. Irrigation shall be controlled so that overwatering does not occur. An irrigation schedule shall be reviewed and approved by P&D prior to land use clearance for grading.

FLD/WQ 2-2: ~~The County shall amend the OCP to add a Key Site 17 development standard stating that:~~ The applicant shall submit and implement a Storm Water Quality Management Plan (SWQMP) designed to prevent the entry of pollutants from the project site into the storm drain system after development. The SWQMP shall identify:

1. A combination of structural and non-structural Best Management Practices (BMPs) from the California Storm Water BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association), or other approved methods;
2. Potential pollutant sources that may affect the quality of the storm water discharges;
3. Design and placement of structural and non-structural BMPs to address identified pollutants;
4. Inspection and maintenance program; and
5. Method for ensuring maintenance of all BMPs over the life of the project.

FLD/WQ 2-3: ~~The County shall amend the OCP to add a Key Site 17 development standard stating that: LID is an alternative site design strategy that uses natural and engineered infiltration and storage techniques to control stormwater runoff where it is generated to reduce downstream impacts. The Environmental Protection Agency has determined that the following LID measures are highly beneficial.~~ In order to further reduce water quality impacts, the SWQMP and project design shall include the following LID measures:

Design Measures

- Vegetated swales, buffers and strips throughout the project site;
- Use of permeable pavement to the extent feasible;
- Two-foot permeable pavement strips located at the base of driveways, spanning the width of the driveway;
- Impervious surface reduction and disconnection.

Structural Measures

- Tree boxes filters to capture and infiltrate street runoff upstream of detention basins;
- Roof leader flows directed to planter boxes and other vegetated areas and/or vegetated swales and buffers;
- Soil amendments to increase infiltration rates; and

- Rain gardens, rain barrels, and cisterns.

Water Supply

Mitigation WAT-1: ~~The County shall amend the OCP to add a Key Site 17 development standard stating that:~~ The maximum feasible water conservation measures shall be included in development of the site. Landscaping shall consist of drought-tolerant native and/or Mediterranean type species.

Mitigation Monitoring and Reporting Program

The mitigation measures in the Mitigation Monitoring and Reporting Program have been revised to be consistent with the ~~provisions~~ revisions made in the revision letter. (see Attachment E)

IV. CONCLUSION

The proposed Final EIR identified two significant and unavoidable (Class I) environmental impacts resulting from the project in the areas of Recreation and Aesthetics. This EIR revision letter removes the Class I impact determination to recreation as, after further analysis the proposal to provide two smaller parks does not constitute a recreational impact under CEQA. The information from that discussion is ~~retained in~~ added to the visual impacts analysis instead because the OCP EIR added KS17-3 to the OCP as a mitigation measure for visual impacts. The proposed revisions to the Recreation and Aesthetics/Visual Resource sections of the Final Subsequent EIR, do not result in any new significant environmental impacts, and there is no increase in the severity of the impacts of the proposed project. In addition, the EIR revision letter makes minor clarifications for accuracy to other issue areas. These modifications do not change any of the other conclusions of the FEIR. As such, the revisions to that analysis incorporated into the FEIR by this Revision Letter dated August 28, 2013 may be used to fulfill the environmental review requirements for the current project, and the information contained herein does not require recirculation pursuant to CEQA Guidelines Section 15088.5.