

Alexander, Jacquelyne

From: Keith Zandona <keithzandona@hotmail.com>
Sent: Tuesday, February 17, 2015 11:38 AM
To: sbcob
Subject: Las Varas Ranch EIR, access to Edwards Point

Honorable Supervisors, I urge you to please reject the EIR and send it back to the planning department for further review. The access to Edwards point is totally inadequate. I first went to the great surf spot as a junior at San Marcos High School in 1964, and it has been a favorite for surfers ever since. The historic evidence of continued use since that time is overwhelming. Thank you Keith Zandona (805) 964-3232.

Alexander, Jacquelyne

From: Frank Spada <fwspada@gmail.com>
Sent: Tuesday, February 17, 2015 3:30 PM
To: sbcob
Subject: Please reject the Las Varas Ranch Project EIR.

Dear Supervisors,

I urge the Board of Supervisors to reject the Las Varas Ranch Project EIR and send the Project back to the Planning Commission for denial. The EIR fails to recognize and mitigate the many significant impacts of future residential estate development on the Gaviota Coast. Additional environmental review would not be productive because the Project should be denied based on its inconsistency with policies protecting agricultural land, coastal resources, and recreation.

I. Overview of the Las Varas Ranch Project

- Currently Las Varas Ranch (which refers to the Las Varas and Edwards Ranches, located between El Capitan State Beach and Dos Pueblos Ranch) raises cattle, and grows avocados and lemons.
- The Las Varas Project would divide up this working Gaviota Coast ranch with a Subdivision and two Lot Line Adjustments (LLAs), to maximize the land's value for estate residential development.
- The Project would intensify residential development potential in the coastal zone, by shifting one lot from the inland to the coastal side of Highway 101.
- The Project includes residential development envelopes on seven lots, ranging in size from 2.5 to 5 acres, and a private water system and roadway infrastructure to serve 14 homes (1 primary residence, and 1 guest house on each of the 7 lots).
- Two of the residential development envelopes are proposed on the coastal bluff, immediately above Edward's Point and just down coast from El Capitan State Beach.
- Easements for public trails offered by the Applicant are inappropriately located, and very unlikely to provide viable public access in the foreseeable future.

II. Reasons why the EIR is fundamentally flawed:

- Future Residential Development Is Not Adequately Described or Analyzed. The Project includes development envelopes and infrastructure for future residential development including 7 single-family residences, 7 guest houses, and a variety of residential accessory structures. The EIR is required to analyze and avoid or mitigate the impacts associated with this future residential development. However there are no designs or site plans for future residential development, and no specific restrictions on structure size or siting of up to 2 acres of development within the development envelope. Without this critical information, the EIR's conclusions about the significance of the development's impacts, and whether mitigation will be effective, are purely speculative.
- The EIR's Conclusions Are Speculative and Erroneous.
 - *Impacts to Public Views Are Significant.* Future residential development will be visible from Highway 101, Union Pacific Railroad, the beach, near shore waters, and El Capitan State Beach Park, and will substantially and adversely affect numerous scenic viewsheds. Without any information regarding the size, number, siting, or design of future residential structures, EIR has no valid basis for its conclusion that aesthetic impacts are

insignificant. Mitigation, which consists of a height limitation and future architectural review, is wholly insufficient.

- *Impacts to Agriculture Are Significant.* The Project would fragment currently productive agricultural land and introduces estate residential uses into an active ranching and farming operation. The Project will drive up agricultural land values and set a precedent for subdivision of agricultural lands, resulting in significant cumulative impacts to Gaviota Coast agriculture. Without any enforceable mitigation to ensure the continued use of the site for agriculture, the EIR has no basis for concluding that impacts to agriculture are insignificant.
- *Impacts to Recreation Are Significant.* The Project would terminate the public's current access to Edwards Point for the foreseeable future and fails to provide any comparable public access. The Project would also eliminate Edwards' Point from future consideration for vertical access and public recreational use as envisioned by the Local Coastal Plan (LCP). Residential development of the bluff lots will compromise the quality of the recreational experience currently available along this stretch of undeveloped rural coastline. The EIR systematically understates these Project impacts to coastal access and recreation.
- *Impacts to Biological Resources Are Significant.* The project has the potential to impact a host of sensitive species including: the California red-legged frog, coast range newt, southwestern pond turtle, two-striped garter snake, American badger and many species of sensitive raptors and bats. The EIR dismisses potentially significant impacts and proposes ineffective mitigation to address the significant impact of wildlife mortality and disturbance from introduction of non-native species and interaction with humans.
- *Impacts to Historic and Cultural Resources Are Significant.* The Project designates three residential development envelopes within a "Rural Historic Landscape" present on the Ranch between Highway 101 and Union Pacific Railroad. With no information regarding the size, number, siting, or design of future residential structures, the EIR has no valid basis for concluding that impacts to this historic resource are insignificant. Additionally, the proposed Parcel 3 development envelope encroaches into a significant Chumash site. The EIR fails to fully mitigate impacts though additional reduction in the development envelope, and/or shifting the location of the proposed lot lines within the subdivision.
- *Land Use Impacts Are Significant, and Indicate that the Project should be DENIED.* The Project will cause significant land use conflicts by introducing estate residential uses into an active farming and ranching operation. The Project also causes significant land use impacts from its inconsistency with numerous applicable policies designed to protect the environment including General Plan and Coastal Land Use Plan (CLUP) policies, and requirements of the Coastal Act and County's Zoning Code, for example:
 - The bluff-top lots are inconsistent with the Ag-II-100 zoning designation (Lots 1 and 2 are less than the required 100 acre minimum).
 - The proposed land division will diminish the long-term agricultural productivity of the property, precluding the County from making the finding required by CLUP Policy 8-4.
 - The Project converts agricultural land to residential use in violation of Coastal Act section 30242, which prohibits the conversion of agricultural land to non-agricultural uses except under circumstances not present here.
 - Estate residential development will be incompatible with the rural character of the area in violation of LCP Policy 4-3 and General Plan Visual Resources Policy 2.
 - Residential development on Parcel 3 will interrupt unobstructed broad views of the ocean from Highway 101 contrary to LCP Policy 4-9.
 - Residential development south of Highway 101 will degrade views to and along the ocean and scenic coastal areas in violation of Coastal Act Policy 30251 (see CLUP Policy 1-1)
 - Locating the coastal trail easement on the beach violates LCP Policy 7-3, which requires the dedication of an easement that allows for lateral access during periods of high tide.

- Locating vertical access at Las Varas Canyon instead of Gato Canyon is contrary to LCP Policy 7-18, and failing to protect Edward's Point for future recreational use undermines the County's ability to comply with LCP Policy 7-18 in the future.
- The Parcel 3 development envelope encroaches into a significant cultural site that could be avoided by redesigning the project, in violation of LCP Policy 10-2 and General Plan Historical and Archaeological Sites Policy 2, which dictate that project design shall avoid impacts to cultural sites if possible.
- Proposed mitigation is inadequate to avoid adverse impacts to habitat resources from development adjacent to environmentally sensitive habitat, in violation of LCP Policy 2-11.
- The Parcel 2 development envelope encroaches on native purple needlegrass habitat contrary to LCP Policy 9-18, which dictates that development shall be sited and designed to protect native grassland areas.

III. Conclusion and recommendation to the Board of Supervisors:

- The EIR for the Las Varas Ranch Project is deeply flawed and should not be certified.
- The Project is environmentally impactful, is inconsistent with policy, and is inconsistent with the County and community goal of protecting the rural character, agricultural viability, and resources of the Gaviota Coast.

Thank you,

Frank Spada