County of Santa Barbara

Orcutt Key Site 3

Project Case No. 13GPA-00000-00005, 13RZN-00000-00001, 13TRM-00000-00001, 13DVP-0000-00010

Final Subsequent Environmental Impact Report 14-EIR-07 SCH #2014061015

August 2020

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Environmental Scientists Planners Engineers

FINAL
SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

ORCUTT KEY SITE 3

Prepared by:

County of Santa Barbara
Planning and Development Department
624 West Foster Road**, Suite C**
Santa Maria, CA 93455
Contact: **Shannon Reese** ~~John Zorovich~~, ~~Senior~~ Planner
(805) ~~934-6250~~ **934-6261**

Prepared with the assistance of:

Rincon Consultants, Inc.
1530 Monterey Street, Suite D
San Luis Obispo, CA 93401
(805) 547-0900

August 2020

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TABLE OF CONTENTS

Page

List of Figures

List of Tables

Appendices

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EXECUTIVE SUMMARY

This section summarizes the characteristics **and environmental impacts** of the proposed project**,** ~~and~~ the project alternatives, ~~the environmental impacts associated with the project and alternatives,~~ and required and recommended mitigation measures.

PROJECT SYNOPSIS

Lead Agency

County of Santa Barbara
Planning & Development Department
624 W. Foster Road
Santa Maria, CA 93455

Project Applicant

John Franklin
Franklin Real Estate Development, LLC
3159 Eaglewood Avenue
Thousand Oaks, California 91362

Project Description

The proposed project involves a Vesting Tentative Tract Map, Comprehensive Plan Amendment, Rezone, and Development Plan entitlements to subdivide an existing 138.6-acre parcel into 138 lots and develop 125 single-family residential units on the northern portion of the site. Approximately 106 acres (76%) of the site is proposed as open space. The property is identified as Assessor's Parcel Number (APN) 129-151-026. It is within the Orcutt Community Plan (OCP) area and is referred to as Key Site 3.

ALTERNATIVES

Seven alternatives to the proposed project have been analyzed in this SEIR. The future development of the Key Site 3 project under the Orcutt Community Plan (OCP) and three alternatives were previously analyzed in the OCP EIR (1995). This SEIR also addresses three additional alternatives to the currently-proposed Key Site 3 development project. The seven alternatives are:

OCP EIR Alternatives

1. Key Site 3 Project Evaluated in OCP EIR
2. OCP EIR No Project (OCP EIR Alternative #1)
3. Low Buildout Alternative (OCP EIR Alternative #2)
4. High Buildout Alternative (OCP EIR Alternative #3)

Additional Alternatives Considered in this SEIR

5. Revised No Project Alternative (MR-O Only)
6. Reduced Project Alternative
7. Shifted Project Alternative

Alternative 5, the New No Project Alternative, is considered environmentally superior overall, since any future development proposed for this site would be expected to adhere to the land use designation and zoning within the Orcutt Community Plan, as well as any pertinent development standards. This alternative avoids several impacts that were noted as significant and unavoidable (Class I) for the proposed project including: visual character, scenic resources, cumulative visual resources, cumulative wastewater, and cumulative solid waste impacts. This alternative would also avoid development of detention basins and bridges near Orcutt Creek; however, it would not dedicate public open space nor satisfy project objectives.

Among the remaining alternatives, the Reduced Project Alternative (Alternative 6) would result in the fewest significant and unavoidable impacts as compared to both the proposed project and to the original alternatives analyzed in the OCP EIR, and hence would be considered environmentally superior among the remaining alternatives. As described in the analysis above, the Reduced Project Alternative avoids the project's significant and unavoidable project-specific impact (visual character), and this alternative's significant and unavoidable cumulative impacts are limited to cumulative aesthetics and solid waste impacts. The Reduced Project Alternative also avoids potentially significant Highway 101-related noise exposure and substantially reduces air toxics risk impacts through the application of a 200-foot setback from the Highway 101 right of way. It also results in reduced GHG emissions and reduced regional impacts on public services and facilities and would generate less operational traffic and noise. In the Reduced Project Alternative, the Highway 101-related impacts would be less than significant without mitigation; however, the use of Mitigation Measures to reduce exposure to health risks would still be recommended to further reduce impacts related to vehicle emissions.

Development of the Reduced Project Alternative would avoid the following project-specific significant impacts identified for the proposed project:

- **Visual/Aesthetic Resources**: The significant and unavoidable (Class I) impact on visual character would become significant but mitigable (Class II).

- **Greenhouse Gas Emissions**: There would be no need for mitigation to reduce greenhouse gas emissions below the applicable threshold of significance.

- **Noise**: There would be no need for mitigation (i.e., sound walls) to reduce exterior noise levels from freeway noise (however, Mitigation Measure N-2(b) may still be required to ensure that interior noise levels are reduced to 45 dBA or less).

The Reduced Project Alternative would avoid one of the identified significant and unavoidable impacts of the project, and it would reduce two of the identified significant but mitigable impacts while still providing benefits such as a mix of new housing types, MR-O screening, and the dedication of public open space and trails.

Furthermore, the Reduced Project Alternative does not present any new significant impacts that were determined to be less than significant in the analysis of the proposed project nor would it increase the severity of impacts identified for the proposed project.

SUMMARY OF IMPACTS AND MITIGATION MEASURES

Table ES-1 summarizes the identified environmental impacts for each issue area studied in the EIR, required mitigation measures (if any), and the level of significance after mitigation. Table ES-1 contains the project-specific impacts organized by impact level, followed by the cumulative impacts. Class I impacts are defined as significant and unavoidable adverse impacts, which require a statement of overriding considerations to be made per Section 15093 of the State CEQA Guidelines if the project is approved. Class II impacts are significant, adverse impacts that can be feasibly mitigated to a less than significant level, and which require findings to be made under Section 15091 of the State CEQA Guidelines. Class III impacts are considered less than significant impacts. Potential project-specific and cumulative impacts are listed below in summary form.

Class I – Significant and Unavoidable Impacts

- *Visual character*
- *Cumulative visual character impacts*
- *Cumulative impacts to sensitive habitats and habitat loss*
- *Cumulative wastewater impacts*
- *Cumulative solid waste impacts*

Class II – Significant Impacts that Can Be Mitigated to Less than Significant Levels

- H*azardous air pollutant emissions from Highway 101*
- *Loss of sensitive habitat, incl. riparian vegetation*
- *Potential impacts to Orcutt Creek*
- *Wildlife corridors*
- *Vegetation removal*
- *Special status plants*
- *Special status animals*
- *Known cultural resources*
- *Unknown cultural resources*
- *Paleontological resources*
- *Wildland fire hazards*
- *Cumulative wildland fire hazards*
- *Soil erosion*
- *Operational greenhouse gas emissions*
- *Quality of Life*
- *Construction noise impacts*
- *Roadway noise exposure*
- *Operational/intersection level of service impacts*
- *Cumulative traffic impacts*

- *Construction water quality*
- *Drainage*

Class III – Less than Significant Impacts

- *Scenic views*
- *Light and glare*
- *Cumulative impacts to scenic views and light and glare*
- *Construction air quality emissions*
- *Operational air quality emissions*
- *Clean Air Plan consistency*
- *Cumulative air quality impacts*
- *Cumulative cultural resources impacts*
- *Fire protection services*
- *Local fire flow requirements*
- *Groundshaking*
- *Slope stability*
- *Soil stability and settlement*
- *Cumulative fire protection services*
- *Cumulative geological impacts*
- *Cumulative greenhouse gas emissions*
- *Orcutt Community Plan Consistency*
- *Cumulative land use impacts*
- *Roadway noise*
- *Cumulative noise impacts*
- *Schools*
- *Water Supply*
- *Wastewater*
- *Solid Waste*
- *Cumulative impacts to water supply*
- *Flood hazards*
- *Cumulative hydrology and water quality impacts*
- *Cumulative flood hazard impacts*

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
CLASS I PROJECT-SPECIFIC IMPACTS (Significant and Unavoidable)		
4.1 Aesthetics/Visual Resources		
Impact AES-1. The proposed residential development of the upper mesa would alter the predominantly rural aesthetic character of the project site, which serves as a prominent "Gateway Parcel" to the community of Orcutt.	**AES-1(a). Architectural and Landscape Guidelines**. The **owner/**applicant shall develop and implement Architectural and Landscape Guidelines that include the components listed below. The Guidelines shall incorporate the guidance from the applicable OCP Development Standards (DevStds VIS-O-1.1, VIS-O.3.1, VIS-O-3.4, KS3-14 through KS3-17, KS3-19 through KS3-21, etc.) **and** include clear criteria and requirements to guide the design, layout, and landscaping of all residential development. All future development shall comply with the Guidelines. Enforcement of compliance with the Guidelines shall be the responsibility of the Planning and Development Department (P&D). • Tract landscaping. Landscaping installed as part of tract improvements shall be consistent with approved landscape plans. Landscaping guidelines shall describe the following elements: o Landscaping shall consist of drought-tolerant native and/or Mediterranean type species, and shall provide screening along the project perimeters; o Only natural fiber, biodegradable materials shall be used; o Fuel management techniques shall be used, including, but not limited to, fire resistive landscaping, defensible space features, and strictly controlled vegetation within defensible space; o Fire-resistant vegetation shall be used in tract landscaping. • Individual House Landscaping. Landscaping Plans for the front yards of individual houses shall be prepared by a qualified Landscape Architect, and shall be designed to screen and blend the proposed development into the surrounding area while preserving identified viewsheds. Individual lot landscaping plans shall incorporate plants that are drought-tolerant native and/or Mediterranean type species. Only natural fiber, biodegradable materials shall be used for plantings. • Architectural Guidelines. Natural building materials and colors compatible with surrounding terrain (earth-tones and non-reflective paints) shall be used on exterior surfaces of all structures, including fences and walls. Color combinations used on individual home roofs, walls, and facias shall be selected as to avoid high contrast, such as very dark brown adjacent to white. Roof vents shall be the same earthtone shade as the surrounding roof surface. Materials shall be denoted on building plans. **Plan Requirements and Timing**. The **owner/**applicant shall submit Design Guidelines to P&D and the Board of Architectural Review for review and approval prior to final map recordation. Guidelines shall be recorded with the final map for the tract. A copy of the Guidelines shall be submitted with grading, building, and landscaping plans prior to zoning clearance approval for individual lot development. **Common area/tract landscaping shall be installed prior to**	~~Class I (Significant and unavoidable)~~ **Potential impacts to the project site under the current development proposal are greater than those analyzed in the OCP EIR, even after the application of all feasible mitigation, and cumulative impacts related to change in visual character would remain significant and unavoidable (Class I).**

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	occupancy clearance for the first single family dwelling. A landscape plan in conformance with the approved Guidelines shall be reviewed and approved prior to issuance of Zoning Clearance for individual lot development. The Guidelines shall be included in Covenants, Conditions and Restrictions (CC&Rs), and monitored by a Homeowners Association (or similar entity) with oversight by County P&D. **Monitoring**. For both **common area/**tract and individual house projects, P&D **compliance monitoring staff** shall ensure compliance **prior to occupancy clearance** ~~upon completion of tract improvements, and as needed~~. **AES-1(b). Graffiti Control**. A Homeowner's Association, **owner/**applicant or successor shall clean up any graffiti on sound walls in the project site within 72 hours. If the problem persists, as determined by P&D, a plan for preventing recurrence shall be submitted to P&D for review and approval, and shall be implemented as approved. Suggested anti-graffiti measures include the use of vertical landscaping or vines along affected wall surfaces and/or the use of anti-graffiti paint. **Plan Requirements and Timing**. This condition shall be printed on final subdivision improvement plans and included in the project's CC&Rs. A graffiti prevention plan shall be submitted by the **owner/**applicant or Homeowners Association upon determination of need by P&D. **Monitoring**. P&D shall review plans and CC&Rs for conformance prior to final map clearance and confirm compliance prior to issuance of **zoning clearance** ~~building permits~~. P&D shall also site inspect and respond to complaints.	
CLASS I CUMULATIVE IMPACTS (Significant and Unavoidable)		
4.1 Aesthetics/Visual Resources		
Cumulative Impacts to Aesthetics (Visual Character)	Mitigation Measures AES-1(a) and AES -1(b) would apply.	Potential impacts to the project site under the current development proposal are greater than those analyzed in the OCP EIR, even after the application of all feasible mitigation, and cumulative impacts related to change in visual character would remain significant and unavoidable (Class I).

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
4.3 Biological Resources		
Cumulative Biological Resources Impacts	Cumulative development in the Orcutt area has permanently eliminated tracts of native plant communities, and some native plant communities are now classified as rare or threatened. The proposed project, including development of the MR-O zone, would contribute incrementally to habitat loss within the Orcutt area, particularly in southern Orcutt where a number of key sites feature important sensitive resources. Native habitats support native wildlife species, many of which cannot survive in, or do not adapt to, the noise and disturbance associated with residential and urban developments. Species that do tolerate developed, landscaped, and disturbed sites include aggressive, non-native species that further displace native plants and wildlife, or may prey upon native species. The proposed project, both directly and indirectly, will contribute to the gradual reduction and fragmentation of native habitats (including sensitive habitats), loss of native plant species diversity and populations, and reduction in and potential loss of native wildlife diversity and populations. While many of the impacts to specific special status species are mitigated to a level less than significant in this SEIR, the project's contribution to cumulative impacts to sensitive habitats and to habitat loss in general would be potentially significant.	Cumulative impact of development of the key site in the broader OCP area was already addressed in the OCP EIR and determined to be significant and unavoidable (Class I).
4.10 Public Services and Facilities		
Cumulative Wastewater Impacts	Although the required payment of impact mitigation fees would ensure that the project's contribution to wastewater demands would be less than significant at a project level, development on the project site would have an average wastewater demand of 0.028 MGD, which is approximately 10% of the projected Orcutt area residential demand, and approximately 4% of the projected total demand. This would be a cumulatively considerable contribution.	The project's contribution to cumulative impacts would be significant and unavoidable (Class I).
Cumulative Solid Waste Impacts	Cumulative development of Key Site 3 would exceed the 40-ton per year cumulative County threshold for solid waste. Hence, cumulative development in the Orcutt area would exacerbate the exceedances anticipated from cumulative development of Key Site 3.	Cumulative development would result in a significant and unavoidable impact (Class I) to solid waste generation and the project's contribution to this impact would be cumulatively considerable.

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
CLASS II PROJECT-SPECIFIC IMPACTS (Less than Significant with Mitigation)		
4.2 Air Quality		
Impact AQ-3. Sensitive receptors on the proposed project site would be exposed to hazardous air pollutants at levels that may cause acute and chronic health risks. The proposed residences closest to Highway 101 would be exposed to air pollutants that exceed significance thresholds.	**~~AIR~~AQ-3. Indoor Air Pollution.** The mitigation actions listed below would apply to all residences within 300 feet of the centerline of U.S. 101: • *Forced air ventilation with filter screens on outside air intake ducts shall be provided for all residences within 300 feet of the centerline of U.S. 101. The filter screens shall be capable of removing at least 85% of the particulate matter including fine particulate matter (PM<2.5 micron).* • *A brochure notifying the future residents of the need for maintaining the filter screens shall be prepared and provided at the time of ownership exchange. In addition, a notice of the diesel particulates risk hazard and the need for screen maintenance shall be placed in the property title.* • *Windows and doors shall be fully weatherproofed with caulking and weather-stripping that is rated to last at least 20 years.* **Plan Requirements and Timing**. The above-noted emissions avoidance measures shall be incorporated into the project and shown on the plans submitted for zoning clearance**.** The brochure and the specifications for the filter screens shall also be submitted to Planning and Development (P&D) for review prior to zoning clearance approval. **Monitoring**. P&D shall review the hazard avoidance measures and confirm acceptable wording in the brochure and the suitability of the proposed screens prior to issuance of zoning clearance. County building inspectors shall check for installation of the filter screens and adequate weather-proofing in the appropriate units prior to issuance of certificate of occupancy.	These mitigation actions would provide for the removal of particulates prior to entering into the indoor environment, thereby reducing the overall exposure of individual residents. With this reduction in exposure to **hazardous air pollutants ~~HAPs~~**, the combined exposure from time spent both indoors and outdoors would be below significance thresholds. With implementation of the required mitigation measures, impacts to sensitive receptors due to proximity to U.S. 101 would be reduced to less than significant (Class II).
4.3 Biological Resources		
Impact BIO-1. Construction and development activities, together with multi-use paths and construction of the span bridge for secondary access, as well as the proposed amendment to the OCP associated with residential development of Key Site 3 could result in direct loss of sensitive habitats, including riparian vegetation.	Mitigation KS3-BIO-2 requires mitigation focused on coast live oak trees. Mitigation KS3-BIO-3, which was incorporated into the Final OCP as DevStd KS3-5, requires that the location of the bike path, hiking trails, and rest area be sited to minimize vegetation removal. In addition, the following mitigation measures would also be required to mitigate impacts to sensitive habitats on-site (primarily) Central Dune Scrub. **BIO-1(a) Sensitive Habitat Restoration Plan**. (modification of OCP EIR Mitigation Measures BIO-3 and BIO-3.2) To mitigate for effects on sensitive vegetation from the project, from development of Key Site 3, including the span bridge and multi-use trail, the **owner/**applicant shall hire a qualified biologist to develop a Habitat Restoration Plan with the goal of restoring up to 0.12 acre of Central Coast Live Oak Riparian Forest and 0.02 acre of Central Dune Scrub at a	The above mitigation measures would protect native habitats through inclusion of setbacks, native landscape buffers, and restoration of degraded areas and the selective placement of the multiuse trail and span bridge to minimize loss of significant vegetation. Mitigation Measure BIO- 1(a) would require restoration of disturbed sensitive habitats, while Mitigation Measure BIO-1(d) would protect native habitats from

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	minimum ratio of 2:1 (habitat restored to habitat impacted). The Habitat Restoration Plan shall be implemented for a period of not less than five years, or until restoration has been completed successfully as determined by P&D. Off-site habitat acquisition and off-site restoration and/or enhancement may be considered if onsite restoration is not feasible as long as the off-site proposals result in equal compensatory value. Replacement ratios for off-site mitigation may be different than those required for onsite mitigation. The Habitat Restoration Plan shall include, at a minimum, the following components: • Description of the project/impact site (i.e.: location, responsible parties, areas to be impacted by habitat type); • Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved]; • Description of the proposed compensatory mitigation-site (location and size, ownership status, existing functions and values of the compensatory mitigation-site); • Implementation plan for the compensatory mitigation-site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan); • Maintenance activities during the monitoring period, including weed removal as appropriate (activities, responsible parties, schedule); • Monitoring plan for the compensatory mitigation-site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports); • Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation type; • An adaptive management program and remedial measures to address negative impacts to restoration efforts; • Notification of completion of compensatory mitigation and agency confirmation; and • Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism). **Plan Requirements and Timing**. The Habitat Restoration Plan shall be submitted to P&D for review and approval prior to issuance of **Zoning Clearance** ~~Land Use Permits~~. If habitat restoration is to take place off-site, the above requirements shall also apply, and, in addition, proof of purchase or an easement controlling off-site acreage shall also be submitted to P&D prior to issuance of **Zoning Clearance** ~~Land Use permits~~. **Monitoring**. The restoration shall be monitored by a **P&D** qualified biologist for five years. P&D	invasion by non-natives by requiring locally native species in landscaping adjacent to open space areas. Taken together, these mitigation measures would offset the small amounts of acreages potentially lost due to the proposed development. With the above mitigation measures, impacts to sensitive habitats due to construction would be less than significant (Class II).

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	shall oversee implementation of the Habitat Restoration Plan ~~through periodic monitoring~~ **to ensure that monitoring by a P&D qualified biologist is conducted on a yearly basis,** and a final restoration site inspection **is conducted** upon completion of the Habitat Restoration Plan. **BIO-1(b) Oak Tree Avoidance**. (Modification of Mitigation KS3-BIO-2 in OCP EIR). The **owner/**applicant shall modify the proposed development to either incorporate and/or avoid oak trees or their driplines. The following shall be graphically depicted on all final grading and building plans: • The location and extent of dripline**s** for all trees and the type and location of any fencing. • Development shall be located **25 feet** outside of the driplines of all preserved oak trees. Equipment storage and staging areas shall be designated on approved grading and building plans outside of dripline areas. • Paving **over soil** shall be **a** pervious material (i.e., gravel, brick without mortar) where access roads or driveways encroach within 25 feet of the dripline of an oak tree**, except on bridges over Orcutt Creek**. • Permanent tree wells or retaining walls shall be specified on approved plans and shall be installed prior to **the issuance of Zoning Clearance** ~~approval of Land Use Permits~~. A County-approved arborist/biologist shall oversee such installation. • Drainage plans shall be designed such that oak tree trunk areas are properly drained to avoid ponding. • All utilities shall be placed in development envelopes or within or directly adjacent to roadways and driveways or in a designated utility corridor in order to minimize impacts to trees. The following shall be printed as conditions on all final grading**, zoning clearance,** and building plans: • No grading or development shall occur within the driplines of oak trees that occur in the construction area. • All individual oak trees or groups of trees within 50 feet of proposed ground disturbances shall be temporarily fenced with bright orange construction fencing prior to and throughout all grading and construction activities. The fencing shall be installed 25 feet outside the dripline of each oak tree or group of trees, and shall be staked every six feet. • No construction equipment shall be parked, stored, or operated within 25 feet of any oak tree dripline. • No fill soil, rocks, or construction materials shall be stored or placed within 25 feet of the dripline of a specimen oak tree. • No artificial surface, pervious or impervious, shall be placed within 25 feet of the dripline of any oak tree, except for County-approved project access roads. • Any roots encountered that are one inch in diameter or greater shall be cleanly cut. This shall	

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	be done under the direction of a County-approved arborist/biologist. • Any construction activity required within three feet of an oak tree's dripline shall be done with hand tools. • No permanent irrigation shall occur within the dripline of any existing oak tree. • Only designated trees shall be removed. All grading and construction plans shall clearly delineate those trees to be removed and those to remain. • Maintenance of oak trees shall be accomplished through water-conserving irrigation techniques. **Plan Requirements and Timing**. Final grading**, zoning clearance,** and building plans submitted to P&D for review and approval shall include the above protection measures. **Monitoring**. P&D shall ensure that final plans include this measure prior to **zoning clearance issuance** ~~land use clearance~~ for grading and subdivision improvements. Permit compliance staff shall site inspect and verify installation of protective barriers prior to **the** commencement **of** grading activities. Thereafter, site inspections shall be conducted at a minimum of once per week through all phases of development to ensure compliance with the above measures. **BIO-1 (c) Central Dune Scrub and Central Coast Live Oak Riparian Forest Avoidance** (modification of Mitigation Measure BIO-23 from the OCP EIR). Unnecessary impacts to Central Dune Scrub and Central Coast Live Oak Riparian Forest shall be avoided through installation of bright orange construction fencing placed a minimum of 30 feet outside the edge of these habitats to prevent additional impacts. The fencing shall be installed prior to initiation of ground disturbance activities and shall remain in place until construction is complete. These areas shall be considered Environmentally Sensitive Areas (ESA) in which no vehicles, people, materials, or equipment will be allowed while fencing is in place. Grading **and zoning clearance** plans shall show the location of these habitats and protective fencing. **Plan Requirements and Timing**. Grading **and zoning clearance** plans showing the location of Central Dune Scrub and Central Coast Live Oak Riparian Forest and protective fencing ~~,~~ shall be submitted to P&D for review and approval prior to **zoning clearance issuance** ~~land use clearance~~ for grading and subdivision improvements. **Monitoring**. P&D **compliance monitoring staff shall** inspect the site prior to initiation of ground disturbance and shall inspect the site a minimum of once per week to ensure protective ~~fence~~ **fencing** is in place. P&D shall oversee implementation of the Habitat Restoration Plan. **BIO-1(d) Landscaping Plan**. The project landscape plan shall indicate the locations and species of plants to be installed throughout the development, including areas adjacent to open space. Drought tolerant, locally native plant species shall be selected in consultation with a	

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	qualified biologist. Invasive non-native plant species that occur on the California Invasive Plant Council Lists shall not be permitted. Species selected for planting in setbacks shall be similar to those species found in adjacent native habitats. **Plan Requirements and Timing**. The landscape plan shall be submitted to P&D for review and approval prior to final map clearance. **Monitoring**. P&D **compliance monitoring staff** shall inspect the site prior to occupancy to ensure compliance.	

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
Impact BIO-2. Construction and development of Key Site 3 as well as the proposed amendment to the OCP would result in potential impacts to Orcutt Creek.	Mitigation Measure KS3-BIO-1 included a restriction on development within 150 feet of the northern bank of Orcutt Creek and anywhere south of the creek, with the exception of a bike path. KS3-BIO-7 would also prevent contamination of Orcutt Creek from urban run-off. In addition, KS3-BIO-6 requires adherence to standards for lighting adjacent to open space areas. Mitigation Measures BIO-1(a), BIO-1(b), BIO-2(b), BIO-3(a), BIO-3(b), and BIO-3(c) would apply. Increased storm water run-off is not expected to result in impacts to Orcutt Creek as they are anticipated to be directed towards various drainage basins on-site. The following additional mitigation measures are also required to mitigate impacts to wetland habitats. **BIO-2(a) Avoidance of Impacts to Orcutt Creek.** The **owner/**applicant shall design bridge crossings over Orcutt Creek such that impacts to the stream channel are minimized. No permanent structures shall be placed within the stream channel. Construction of the bridge shall occur during the low-flow period of the year when water within the creek is minimal or absent. In addition, all utilities shall either be attached to the underside of the bridge or shall be drilled under the creek bed such that trenching through the creek is avoided. A County-approved biologist shall be present during bridge construction as well as when drilling beneath the creek bed to ensure that frac-out (excessive drilling pressure causing drilling mud to breach the surface) does not occur. Storm water drain outfalls shall incorporate energy dissipaters to reduce the speed at which storm water flows into Orcutt Creek. Removal of riparian habitat shall be avoided to the greatest extent feasible. Where riparian habitat cannot be avoided, a Streambed Alteration Agreement (SAA) may be required from the CDFW, and a restoration plan shall be developed in accordance with Mitigation Measure BIO-1(a) above. Restoration shall occur on-site at a minimum of 2:1 (acres of habitat restored for acres of habitat impacted). **Plan Requirements and Timing**. The **owner/**applicant shall submit bridge designs and copies of the SAA (if applicable) and restoration plan (if applicable) to P&D prior to **zoning clearance** issuance ~~of land use clearance~~ for grading and subdivision improvements. **Monitoring**. P&D shall oversee implementation of the ~~SAA~~ **Streambed Alteration Agreement** and restoration plan as well as shall inspect the bridge to ensure compliance. P&D and/or a County-approved biologist shall be present during all bridge construction and utility installation activities. **BIO-2(b) Agency Coordination.** Impacts to Orcutt Creek may require permits from **the United States Army Corps of Engineers (**USACE**)**, **Regional Water Quality Control Board (**RWQCB**)**, and **California Department of Fish and Wildlife (**CDFW**)**. The **owner/**applicant shall obtain correspondence from applicable state and federal agencies regarding compliance of the proposed development with state and federal laws.	Implementation of ~~the~~ Policy BIO-O-2.1 would reduce lighting impacts, and Mitigation Measure BIO-1(d) would ensure that only native species are used for landscaping near riparian (open space) areas. Mitigation Measures BIO-1(a) and BIO-2(a) would minimize permanent loss of riparian habitat by requiring restoration for disturbed areas, and Mitigation Measures BIO-1(b) and (c) would provide for avoidance and minimization of impacts to oak trees, which are common within the riparian habitat on-site. Mitigation Measure BIO-2(a) and BIO-2(c-d) would prescribe measures that avoid impacts to Orcutt Creek. Mitigation Measure BIO-2(b) would require consultation with regulatory agencies to ensure that applicable federal and state laws are followed. Taken together, implementation of the above mitigation measures would reduce impacts to Orcutt Creek and riparian habitat to a less than significant level (Class II).

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	Plan Requirements and Timing. The **owner/**applicant shall submit copies of correspondence and/or permits (as applicable) **from** ~~with~~ applicable agencies to P&D prior to **zoning clearance** issuance **for** ~~of~~ grading **and subdivision improvements** ~~permits~~. **Monitoring**. P&D **compliance monitoring staff** shall review agency correspondence and shall ensure that the project meets any requirements outlined by the agencies. **BIO-2(c) Outlet Structures.** Outlet structures for energy dissipation shall minimize disturbance to the natural drainage and avoid the use of unnatural materials, such as concrete, grouted rock, and asphalt rubble. Where hard bank materials must be used, natural rock, gabions, crib wall or other more natural means of energy dissipation shall be preferred. Rock grouting shall only be used if no other feasible alternative is available as determined by P&D and Flood Control. **Plan Requirements and Timing**: Plans shall be submitted for review and approval by P&D and Flood Control. Plans shall be submitted prior to **Zoning Clearance issuance** ~~approval of a Land Use Permit~~ for grading **and subdivision improvements**. Structures shall be installed during grading operations. **Monitoring**: P&D compliance monitoring staff and/or Building & Safety inspectors shall ensure construction according to plan. **BIO-2(d) Equipment Storage-Construction.** The **owner/**applicant shall designate one or more construction equipment filling and storage areas within the designated development to contain spills, facilitate clean-up 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 and Timing**: The ~~Applicant~~ **owner/a**~~A~~pplicant shall designate the P&D approved location on all **land use, grading. and building plans** ~~Land Use permits~~. 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.	
Impact BIO-3. Development of the proposed project would result in impacts to wildlife movement through direct loss of habitat and disruption of wildlife corridors. Further impacts to wildlife	Those mitigation measures above which aim to preserve habitat would apply as well as BIO-1(a). In addition, the following mitigation measures are also required to mitigate impacts to wildlife corridors on-site: **BIO-3(a) Development Restriction.** The **owner/**applicant shall restrict trail development within the Open Space Area to the minimum area necessary. All trails and bicycle paths shall be sited	The ~~above measures and considering the~~ majority of the site ~~will be preserved as a contiguous patch of open space~~, ~~which includes~~ **including** Orcutt Creek, will be preserved **as a contiguous patch of open space** ~~and aid~~ to

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
movement would occur due to disturbance of habitat by domestic animals, and increased levels of noise, light, and human presence.	and designed to minimize erosion and removal of native vegetation and to encourage sustainable low maintenance. To the maximum extent feasible, trails shall follow existing dirt roads and trail alignments. Where this is not possible, prior to final trail alignment of these trail segments, the proposed trail route shall be surveyed by a P&D-qualified botanist. The botanist, in consultation with P&D, shall reroute the trail alignment to avoid sensitive species. Bicycle path construction shall avoid removal of riparian vegetation to the maximum extent feasible. **Plan Requirements and Timing**: The **owner/**applicant shall dedicate, through a dedication on the final map, the open space in fee to the County for open space and public trails purposes, as identified on **the** approved Development Plan and Tentative Tract Map, and shall develop the trail system including fencing and signage and any necessary trail structures to standards and specifications of the Orcutt Community Plan (Orcutt Multiple Use Trails Plan and Trail Siting and Design Guidelines) and the County Community Services Department, Parks Division. The developer shall be responsible for the construction and maintenance of the trail system for two years, at which time the Orcutt Community Facilities District, would assume maintenance responsibility. Prior to recordation of the final map ~~recordation the lot line adjustment and land use clearance~~ for the final development plan: (1) The **owner/**applicant shall submit trail system plans, including specific alignment and landscaping, fencing, and signage, and maintenance funding/responsibility, for review and approval by Planning and Development (P&D) and Community Services Department - Parks Division; (2) A performance security for trail installation and maintenance shall be submitted by the **owner/**applicant to P&D for review and approval. Timing: The trail system shall be constructed as part of initial tract improvements, prior to the issuance of occupancy clearance for dwellings along the perimeter of the open space. **Monitoring**: P&D Permit Compliance staff and Parks Division staff shall monitor trail and bike path installation in accordance with the approved plans. **BIO-3(b)Open Space Management Plan.** The **owner/**applicant shall develop an Open Space Management Plan (OSMP) in consultation with County staff. Areas designated as Open Space within Key Site 3 shall be described within the OSMP and shall be managed in perpetuity to ensure long-term protection of native plant communities, as well as wildlife habitat in the open space areas on site. The OSMP is intended as a tool to guide approved future uses within the Open Space Area, such as trail development/maintenance and other recreational uses, ensuring that required on-site mitigation measures are implemented as they relate to the above mentioned resources. Implementation of applicable measures within the Open Space Area shall remain the responsibility of the project **owner/**applicant within the five year monitoring period with the County's responsibilities limited to monitoring and enforcement of applicable mitigation measures embodied in the OSMP. The restoration plan identified in Mitigation Measure BIO-1(a) may also be incorporated as part of the OSMP if the restoration areas are located in the open space.	maintain regional connectivity**. Preservation of this on-site open space, in addition to implementation of**~~,~~ these mitigation measures would reduce impacts to wildlife movement to a less than significant level (Class II).

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	Plan Requirements and Timing. The OSMP shall be prepared by a County-approved biologist and shall include the following: • Introduction, including a summary of applicable conditions of approval that make the Plan necessary; the stated purpose and Goal of the Plan (usually this will be based on the mitigation requirements), and a discussion of financial mechanisms and any necessary agreements required to support the Open Space Management Area; • Survey and Mapping Methods, including habitat type references such as Holland (1986) and Sawyer, Keeler-Wolf and Evens (2009); • Description of Environmental Setting, including description of project and open space area (topography, soils, vegetation, wildlife, functions and values of habitats, etc.); • Management Goals and Objectives; (Examples include: (1) to ensure long-term protection of native plant communities, cultural resources, and wildlife habitat in the open space areas on site; (2) to establish baseline conditions upon which adaptive management will be determined and success will be measured; and (3) to provide an overview of the operation, maintenance, administrative and personnel requirements to implement management goals); • Provisions for Adaptive Management, including remedial actions if necessary; • Monitoring and reporting for 5 years; and • Detailed maps showing locations of resources, trails, fuel management requirements, and locations of all proposed actions (e.g., restoration areas, weed removal areas, etc.). The Final OSMP shall be submitted to the County for review prior to **zoning clearance issuance** ~~land use clearance~~ for grading and subdivision improvements. **Monitoring**. The County will review the Final OSMP to ensure that it meets the specified purpose and objectives of this mitigation. **BIO-3(c) Wildlife Impact Avoidance** (includes modification of Mitigation Measures BIO-6 and KS3-BIO-6 in the OCP EIR). The **owner/**applicant shall design the development to incorporate the following measures to reduce impacts to wildlife following occupancy: • Roadway widths adjacent to open space areas shall be reduced to the minimum width possible while maintaining Fire Department Requirements for emergency access. • Appropriate signage warning residents of the potential presence of wild animals on roadways and bike paths shall be installed along roads adjacent to open space areas. In addition, interpretative educational signage discussing sensitive resources on-site (e.g., Orcutt Creek, central dune scrub, oak woodland, rare plants and animals etc.) shall be installed along all bike paths, hiking trails and rest areas. Information on educational signage shall be developed by a County-approved biologist. Such signage shall be maintained by the developer or HOA **for two years, at which time the Orcutt Community Facilities district would assume maintenance responsibility**.	

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	• Utilities, such as electrical, water and sewer, shall be installed under paved roads and sidewalks wherever possible. • Information brochures shall be provided to potential buyers and included as an attachment to the subdivision's CC&Rs outlining the impacts associated with non-native animals, (especially feral cats and dogs), impacts associated with introduction of invasive landscaping plants, and impacts associated with use of pesticides. The information brochures shall also inform potential buyers of the potential for wild animals, such as coyotes, to prey upon domestic animals. **Plan Requirements and Timing**. Grading**, zoning clearance,** and building plans shall include the above measures and shall be submitted to P&D for review and approval prior to issuance of **zoning** ~~land use~~ clearance for grading and subdivision improvements. The information brochure shall be submitted to P&D for review and approval prior to zoning clearance for the first residence. **Monitoring**. P&D shall site inspect upon completion of construction. **BIO-3(d)Fence Design.** Project fencing for accessory components (i.e. roads, trail, etc.) shall be designed to minimize impacts to wildlife. Fencing shall not block wildlife movement. Where fencing is required for public safety concerns, the fence shall be designed to permit wildlife movement by incorporating design features such as: • A minimum **of** 18 inches between the ground and the bottom of the fence to provide clearance for small animals; • A minimum **of** 12 inches between the top two wires, or top the fence with a wooden rail, mesh, or chain link instead of wire to prevent animals from becoming entangled; and • If privacy fencing is required near open space areas, openings at the bottom of the fence measure at least 16 inches in diameter shall be installed at reasonable intervals to allow wildlife movement. **Plan Requirements and Timing**. Grading**, zoning clearance,** and building plans shall include the above measures and shall be submitted to P&D for review and approval prior to issuance of **zoning** ~~land use~~ clearance for grading and subdivision improvements. The information brochure shall be submitted to P&D for review and approval prior to zoning clearance for the first residence. **Monitoring**. P&D shall site inspect upon completion of construction. **BIO-3(e)Lighting Plan** (modification of OCP EIR Mitigation Measure KS3-BIO-6). The applicant**/owner** shall develop a lighting plan for the entire development that shall reduce light pollution in open space habitat areas. All exterior lighting features within 100 feet of open space	

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	shall include **the** installation of hoods **so that the lights are fully shielded and full cut-off** to prevent "spill-over" into adjacent habitat. Night lighting of public areas shall be kept at the minimum necessary for safety purposes. Excessive night lighting shall not be permitted within 100 feet of open space areas. No lighting shall be permitted along the multi-use trail along Orcutt Creek. Use of high-intensity floodlights on residential lots shall be restricted as stated above, and all residential lighting shall be **fully** shielded **and full cut-off**. **Plan Requirements and Timing**. The **owner/**applicant shall submit the Lighting Plan to Planning and Development (P&D) **and the Board of Architectural Review** for review and approval prior to issuance of **Zoning Clearance** ~~Land Use Permits~~. **Monitoring**. P&D **permit compliance monitoring staff** shall site inspect all exterior light fixtures after installation to ensure compliance.	

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
Impact BIO-4. Construction activities may permanently degrade native habitat through vegetation removal, subsequent weed invasion, erosion, and siltation.	**BIO-4(a) Construction Best Management Practices (BMPs)**. ~~In addition to the BMPs outlined in WR-2(b) in Section 4.12 of this SEIR, the~~ **The** following BMPs shall be implemented: • Installation of construction fencing five (5) feet outside of the disturbance limits of active grading areas. The disturbance areas and fencing shall not encroach closer than 30 feet to sensitive habitats. • Designation of a 15 mph speed limit in all construction areas. • Designation of equipment washout and fueling areas to be located within the limits of grading at a minimum of 500 feet from Orcutt Creek and/or other sensitive resources. Washout areas shall be designed to fully contain polluted water and materials for subsequent removal from the site. • Mufflers shall be used on all construction equipment and light trucks shall be in good operating condition. • Drip pans shall be placed under all stationary vehicles and mechanical equipment. • All trash that may attract predators shall be properly contained, removed from the work site weekly, and disposed of regularly. Following completion of -construction, all trash and construction debris shall be removed from the work areas immediately. • Sensitive vegetation removed by accident during construction shall be restored. **Plan Requirements and Timing**. ~~Revised g~~**G**rading and construction plans showing all BMPs shall be submitted to P&D for review and approval prior to **zoning clearance issuance** ~~approval of land use clearance~~ for grading and subdivision improvements. **Monitoring**. P&D **building and safety** shall oversee implementation of BMPs through periodic construction site inspections of at least once per week throughout the duration of construction activities. **BIO-4(b) Invasive Weed Prevention**. All disturbed areas shall be hydroseeded with a mix of locally native species upon completion of work in those areas. In areas where construction is ongoing, hydroseeding shall occur where no construction activities have occurred within six (6) months since ground disturbing activities ceased. If exotic species invade these areas prior to hydroseeding, weed removal shall occur in consultation with a qualified biologist, and in accordance with the habitat restoration plan. **Plan Requirements and Timing**. This measure shall be included on all grading**, zoning clearance,** and construction plans. P&D shall review and approve the list of native seed to be used for hydroseeding, prior to **zoning clearance issuance** ~~land use clearance~~ for grading and subdivision improvements. P&D shall be notified when hydroseeding occurs. **Monitoring**. P&D **permit compliance and/or building and safety grading inspector** shall	Mitigation Measure BIO-3(a), in combination with Mitigation Measure WR-2(b) would protect Orcutt Creek from increased erosion and sedimentation that could result from disturbed surfaces during construction of the project and would reduce impacts from prevent wildlife from being harmed by activities related to the construction of the project. Mitigation Measure BIO-4(b) would prevent the establishment of invasive, non-native plant species in areas disturbed by construction activities. Implementation of these measures would reduce the construction impacts to less than significant (Class II).

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	ensure disturbed areas are not left barren for greater than six months.	
Impact BIO-5. Impacts to special status plants could occur as a result of development of Key Site 3.	OCP EIR Mitigation BIO-29 requires a mitigation plan wherever impacts to rare plants occur and encourages consultation with CDFW. Restoration meeting the requirements of Mitigation Measure BIO-1(a) (habitat restoration plan) would be applied as a modification of OCP EIR BIO-29, where special status plants cannot be avoided, and where they occur in an area of sensitive habitat such as central dune scrub. The following additional mitigation measures are also required: **BIO-5(a) Special Status Plant Surveys**. Prior to any vegetation removal, grubbing, or construction activities, seasonally timed special status plant surveys shall be conducted by a County-approved biologist in any building areas no more than two years before initial ground disturbance. The purpose of the surveys is to document the number, if any, of sensitive plants within construction areas so that mitigation can be accomplished. The surveys shall coincide with the bloom periods for each species ~~listed above~~ and all special status plant species identified on-site shall be mapped onto a site-specific aerial photograph and topographic map at a scale of no less than 1"=200'. Surveys shall be conducted in accordance with the most current protocols established by the CDFW, USFWS, and the local jurisdictions if said protocols exist. **Plan Requirements and Timing**. A report of the rare plant survey results shall be submitting to P&D for review prior to **zoning clearance issuance** ~~land use clearance~~ for grading and subdivision improvements~~, and prior to zoning clearance for development of each estate lot, if grading on each of these lots is not conducted concurrent with subdivision improvements serving the estate lots~~. Mapped locations of rare plants shall be shown on grading plans. **Monitoring**. P&D shall ensure that the rare plant surveys have been completed. **BIO-5(b) Special Status Plant Avoidance and Minimization**. If List 1B species are found during the special status plant species surveys, the **owner/**applicant shall avoid impacting these plant species to the greatest extent feasible. If avoidance is not feasible, the project shall mitigate impacts to special status plans pursuant to Mitigation Measure BIO-6(c). Rare plant occurrences that are not within the immediate disturbance footprint, but are located within 50 feet of disturbance limits shall have bright orange protective fencing installed at least 30 feet beyond their extent to protect them from harm. **Plan Requirements and Timing**. The **owner/**applicant shall submit revised tract and/or development plans, as applicable, indicating the location of rare plants to P&D for review and approval prior to **zoning clearance issuance** ~~land use clearance~~ for grading and subdivision improvements. P&D **permit compliance monitoring staff** shall inspect the site prior to initiation of ground disturbance activities to ensure the protective fencing is installed properly.	Implementation of restoration per Mitigation Measure BIO-4(a) and the above mitigation measures BIO-5(a) through BIO-5(c) would offset impacts to special status plant species by requiring appropriately timed sensitive plant surveys, avoidance and minimization of impacts to special status plant species, and a mitigation plan for impacts to formally-listed rare plants. Implementation of these mitigation measures would effectively reduce impacts to special status plant species to a less than significant level (Class II).

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	Monitoring. P&D shall ensure that the proposed development avoids impacts to rare plant species to the greatest extent feasible. The protective fencing shall be monitored weekly until construction is complete. **BIO-5(c) Special Status Plant Mitigation**. If avoidance of List 1B species is not feasible, seed shall be collected from on-site rare plants and/or from other local populations of plants, prior to removal. Seed shall be distributed in areas not destined for development that have the appropriate habitat characteristics necessary to support the restoration. Permits shall be obtained by the developer prior to seed collection from the federal and/or state government, where applicable. Existing occurrences to be protected could also be enhanced to increase the areal extent and numbers of the occurrence. Topsoil may also be salvaged and distributed over temporarily disturbed areas following completion of construction activities. The total number or total acreage for each special status plant species shall be determined prior to initiation of ground disturbance activities in any areas containing such species and shall be restored on-site at a County-approved location at a 2:1 ratio for each species. Restoration may be focused in areas temporarily disturbed by grading activities and may coincide with Central Dune Scrub and/or Central Maritime Chaparral habitat restoration (if appropriate), but should occur south of Orcutt Creek to the greatest extent feasible. A restoration plan that includes monitoring requirements and follow up reporting shall be prepared in accordance with Mitigation Measure BIO-1(b) above. The plan shall be in place for no less than five years. **Plan Requirements and Timing**. The **owner/**applicant shall submit the mitigation and monitoring plan to P&D for review and approval prior to **zoning clearance issuance** ~~land use clearance~~ for grading and subdivision improvements~~, and prior to zoning clearance for development of each estate lot, if grading on each of these lots is not conducted concurrent with subdivision improvements serving the estate lots~~. **Monitoring**. P&D shall ensure that the proposed development avoids impacts to rare plant species to greatest extent feasible. **BIO-5(d) CDFW and USFWS Consultation**. If the results of the rare plant surveys indicate that rare plants listed under CESA or FESA occur on-site, and they cannot feasibly be avoided by the proposed development, consultation with CDFW and/or USFWS shall be required. If any state or federally listed plant is identified onsite, and cannot be avoided, then an incidental take permit from the CDFW will be required which would likely include avoidance and minimization measures similar to BIO-6(b) A mitigation plan developed in accordance with Mitigation Measure BIO-2(a) shall be developed and submitted to CDFW as well as the County for approval. **Plan Requirements and Timing**. If applicable, a copy of the CESA Incidental Take Permit shall	

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	be filed with P&D prior to **zoning clearance issuance** ~~land use clearance~~ for grading and subdivision improvements~~, and prior to zoning clearance for development of each estate lot, if grading on each of these lots is not conducted concurrent with subdivision improvements serving the estate lots~~. **Monitoring**. P&D shall ensure that all required documentation is received prior to initiation of construction activities and shall oversee implementation of mitigation plans.	
Impact BIO-6. Implementation of the proposed project would result in potential impacts to special status animal species.	**BIO-6(a) Worker Environmental Awareness Program (WEAP)**. Prior to initiation of construction activities (including staging and mobilization), all personnel associated with project construction shall attend WEAP training, conducted by a **County-approved** qualified biologist, to aid workers in recognizing special status resources that may occur in the project area. The specifics of this program shall include identification of the sensitive species and habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employers, and other personnel involved with construction of the project. All employees shall sign a form documenting provided by the trainer indicating they have attended the WEAP and understand the information presented to them. The form shall be submitted to the County to document compliance. **Plan Requirements and Timing**. P&D shall be notified by the developer of the date and time the training is scheduled so that they may attend. Fact sheets shall be reviewed and approved by P&D prior to conducting the training. All employees shall sign a sheet documenting their attendance. **The WEAP training shall be completed prior to zoning clearance issuance for grading and tract improvements.** **Monitoring**. P&D shall ensure that worker trainings occur prior to initiation of **ground disturbance and** construction activities **as well as during construction as needed**. **BIO-6(b) Special Status Bats Avoidance and Minimization**. The following measures are designed to reduce the potential for adverse impacts to bat species. • To the extent feasible removal of suitable roosting trees should be avoided. • Surveys for roosting bats shall be conducted by a **County-approved** qualified biologist **in suitable habitat** no more than 14 days prior to **the initiation of ground disturbing activities and/or** vegetation removal. The surveys shall **focus on trees located within the disturbance area** ~~include the entire area of disturbance area and focus on the trees located within the impact area~~. If active roosts are located, **the locations shall be mapped, and a buffer ranging in size from 100 to 500 feet around the roost within the project site shall be determined and demarcated by a County-approved biologist with bright orange construction fencing.** ~~all~~ **All** construction work shall be conducted outside **of the** ~~a~~ buffer	Implementation of these mitigation measures would reduce direct impacts to special status animal species to less than significant (Class II).

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	zone **until** ~~from the roost to be determined by the qualified biologist. Work may resume within this buffer zone when~~ the **County-approved** qualified biologist determines that bats are not occupying roosting trees. • ~~To the extent feasible and if applicable, night time work shall be kept to a minimum and lighting used shall be as dim as legally possible, should be directed to where it is needed to avoid light spillage and any upward lighting should be minimized.~~ **Plan Requirements and Timing**. The name, qualifications, scope **of biological surveys**, and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. A report of the results of the bat survey shall be submitted to P&D for review and approval prior to **zoning clearance issuance for** initiation of ground-disturbing activities. **The above measures shall be included on all grading, building, and zoning clearance plans.** **Monitoring**. **The owner/applicant shall retain a qualified County-approved biologist to monitor all construction activities as warranted to ensure compliance.** P&D will review and approve **the** reports. A **County-approved** qualified biologist shall be present during the initial ground-disturbing activity within roosting habitat. **BIO-6(c) Nesting Bird Surveys**. For construction activities occurring during the nesting season (generally February 1 to September 15), surveys for nesting birds covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a **County-approved** qualified biologist no more than 14 days prior to vegetation removal. The surveys shall include the entire area of impact plus a 200-foot buffer around the site. If active nests **(nests with eggs or chicks)** are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer shall be a minimum of 50 feet for non-raptor bird species and at least 150 feet for raptor species. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer. **Plan Requirements and Timing**. Surveys shall be conducted during the time when birds are active, and shall be sufficient to reliably conclude presence/absence. The name, qualifications, scope, and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. A report of the nesting bird survey results, if applicable, shall be submitted to P&D for review and approval prior to **zoning clearance issuance for** initiation of ground disturbance activities. **Monitoring**. **P&D shall confirm that the owner/applicant has retained a County-approved biologist to monitor compliance with the above measures and that reports are submitted**	

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	at weekly intervals during construction. Active nests shall be monitored at a minimum of once per week until it has been determined that the nest is no longer being used by either the young or adults. **BIO-6(d)American Badger Avoidance and Minimization**. A minimum of two weeks prior to initiation of ground disturbing activities, a survey for badger burrows shall be conducted within the disturbance footprint by a County-approved biologist. If the project is phased, a survey shall be required prior to each phase of construction. Dens found within the survey area shall be mapped and monitored using a tracking medium, remote camera system, and/or spotlighting at night for a minimum of three days to assess the presence of badgers. Inactive dens shall be collapsed by hand with a shovel to prevent badgers from re-using them during construction. Active dens located within the survey area shall be avoided during the breeding season (March 1 through June 30). A minimum buffer of 50 feet around the active den within the project site shall be demarcated by construction fencing. The fencing shall be installed one foot above ground to permit movement of badgers in and out of the buffer zone. Once the biologist has determined that active dens are no longer in use, the den shall be collapsed by shovel. Prior to grading activities occurring outside of the breeding season, badgers may be discouraged from using currently active dens by partially blocking the entrance of the den with sticks, debris, and soil for 3 to 5 days. Access to the den would be incrementally blocked to a greater degree over this period. This would cause the badger to abandon the den site and move elsewhere. After badgers have stopped using active dens within the project study area, the dens would be collapsed by hand with a shovel. **Plan Requirements and Timing**. The name, qualifications, scope, and contact information for the surveying biologist must be submitted to P&D **and CDFW** in advance of the surveys. **The above measures shall be included on all grading, building and zoning clearance plans for grading and tract improvements.** A report of the results of the badger survey shall be submitted to P&D for review and approval prior to **zoning clearance issuance for** initiation of ground-disturbing activities. **Monitoring**. P&D will review and approve **the** reports. A **County-approved** qualified biologist shall be present during the initial ground-disturbing activity. **BIO-6(e) Legless Lizard, Coast Patch-nosed Snake, and Horned Lizard Relocation**. At a minimum of two weeks prior to initiation of ground disturbing activities and vegetation removal, a County-approved biologist shall conduct capture and relocation efforts for silvery legless lizards, coast patch-nosed snakes, and coast horned lizards within the limits of grading. If the project is phased, a survey shall be required prior to each phase of construction. Designated open space areas on-site or at County-approved off-site locations shall be identified for release of captured individuals. Surveys for legless lizards, coast patch-nosed snakes, and horned lizards shall	

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	include raking of leaf litter and sand under shrub and trees in suitable habitat within the disturbance footprint to a minimum depth of eight inches. Captured animals shall be placed into containers with sand or moist paper towels and released in the designated areas within three hours. In addition to preconstruction surveys, the biologist shall be on-site during initial grading activities to relocate any California legless lizards that are unearthed during excavation. If in good health, they shall be immediately relocated to the designated relocation area. If injured, the animals shall be turned over to a CDFW-approved specialist until they are in a condition suitable for release into the designated release area, or deposited at an approved vertebrate museum. During capture and relocation, weekly monitoring reports shall be submitted by the biologist to P&D. **Plan Requirements and Timing**. The name, qualifications, scope, and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. Proposed relocation areas shall be identified and approved by P&D prior to beginning the work. A report of the results of the capture and relocation efforts shall be submitted to P&D for review prior to **the issuance of zoning clearance for** initiation of ground-disturbing activities. **Monitoring**. P&D shall review the reports for compliance and shall inspect the site during construction to ensure compliance. **BIO-6(f) Burrowing Owl Avoidance and Minimization**. Pre-construction surveys shall be conducted **no more than two weeks prior to ground-disturbing activities by a County-approved biologist** for burrowing owls in accordance with CDFW-adopted survey protocols (California Burrowing Owl Consortium, 1993). This could entail surveys for winter residents in December and January, in addition to peak nesting season (April 15 through July 15) surveys. All suitable habitat, potential or known burrows or burrowing owls identified onsite **and within the 500 foot buffer** shall be assessed and mapped. Survey results will be valid only for the season during which the survey is conducted. Surveys shall cover all suitable habitat on-site plus a 500-foot buffer where feasible. If no burrowing owls or habitat are detected, no further action is required. If, during pre-construction surveys, burrowing owls are detected on-site or within the survey area, all burrowing owls and occupied burrows shall be counted, mapped as stated above, and avoided by establishing a buffer around the occupied burrow(s). The buffer shall be a minimum of 300 feet around nest burrows and 100 feet around non-nest burrows. Buffers shall be demarcated with highly visible construction fencing and no ground disturbance activities shall occur within this buffer until the qualified biologist has determined that the burrow is no longer occupied **based on regular monitoring**. If an occupied burrow cannot be avoided, passive relocation may be implemented by the County-approved biologist with guidance from the CDFW. No burrowing owls may be trapped. Passive relocation shall be limited to the non-breeding	

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	season (typically between April 15 and July 15). Passive relocation may involve installation of one-way doors at burrow entrances for a minimum of five days. Once the County-approved biologist has determined that the burrow is no longer occupied, the burrow may be hand excavated to prevent re-occupancy. **Plan Requirements and Timing**. The name, qualifications, scope **of biological surveys**, and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. The biologist implementing the above mitigation measure must also submit documentation of coordinating this effort with the CDFW prior to implementation. The above impact avoidance measure shall be included on all grading**, zoning clearance,** and construction plans prior to **zoning clearance issuance** ~~approval of land use permits~~. A report on the implementation of impact avoidance measures used shall be submitted to **P&D** ~~the County~~ and CDFW upon completion of the construction project. **Monitoring**. P&D and CDFW will review reports and P&D will approve reports. The **owner/**applicant shall retain a qualified County-approved biologist to monitor all **construction activities as warranted to ensure compliance. The County-approved biologist shall submit monitoring reports to P&D permit compliance monitoring staff.**	
4.4 Cultural Resources		
Impact CR-1. Construction of the proposed project could adversely affect known historical and archeological resources on the project site.	**CR-1(a). Avoidance of CA-SBa-3812H and CA-SBa-3813H**. Development within 25 feet of the boundaries of CA-SBa-3812H and CA-SBa-3813H shall be avoided. If impacts to all or any of these resources cannot be avoided, as determined by the **owner/**applicant with concurrence from P&D staff, then the recommendations presented in the 2006 Heritage Discoveries report shall be implemented as described in Table 4.4-1 of this EIR and in accordance with Mitigation Measure CR-1(c) (incorporates OCP EIR ARCH-3 and modification of OCP EIR KS3-HA-1). **Plan Requirements and Timing**. Prior to final map clearance, the **owner/**applicant shall conduct Extended Phase 1 testing as necessary, (to be determined on a site by site basis in consultation with **P&D** ~~the County Archaeologist~~) to define site boundaries with respect to proposed development. Prior to final map clearance, the **owner/**applicant shall submit for P&D approval a revised site plan that avoids grading and development within the sites and a 25-foot buffer. **Monitoring**. P&D shall review revised grading and improvement plans and verify that avoidance of the site and the buffer area is achieved. P&D shall field check development operations to ensure compliance with avoidance requirements. **CR-1(b). Cultural Resources Buffer**. For resource sites that are avoided in accordance with Mitigation Measure CR-1(a), the **owner/**applicant shall temporarily fence the archaeological site	With the application of ~~the above m~~**M**itigation ~~m~~**M**easures **CR-1(a) through CR-1(d)**, direct impacts to known cultural resources would be reduced to a less than significant level (Class II). A buffer of 25 feet for avoided resource sites was determined to be effective in the OCP EIR (refer to Mitigation Measure KS3-ARCH-1). For sites that cannot be avoided, artifact collection, recordation and mitigation of impact excavations would reduce impacts to less than significant. Note that potential indirect impacts to cultural resources are discussed below in Impact CR-2.

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	and a 25-foot buffer area, with chain link fencing flagged with color or other material authorized by P&D, where ground disturbance is proposed within 100 feet of the site (incorporates OCP EIR ARCH-6 as modified by OCP EIR KS3-ARCH-1). **Plan Requirements**: The fencing requirement shall be shown on **zoning clearance,** ~~approved~~ grading**,** and building plans. **Timing:** Fencing shall be in place prior to issuance of grading permits and pre-construction meeting. **Monitoring**: P&D compliance monitoring staff shall verify installation of fencing by reviewing photo documentation or by site inspection prior to approval of grading permits and ensure fencing remains in place throughout grading and construction through site inspections. **CR-1(c). Artifact Curation**. If avoidance cannot be achieved for CA-SBa-3812H and CA-SBa-3813H, the **owner/**applicant shall have a P&D approved archaeologist conduct the work recommended in the 2006 Heritage Discoveries report as described in Table 4.4-1 of this EIR (additional artifact collection and completion of Phase 3 studies if necessary). All work shall be consistent with the County Cultural Resource Guidelines and funded by the **owner/**applicant (incorporates OCP EIR ARCH-4). **Plan Requirements and Timing**. Prior to implementing Mitigation Measure CR-1(c), the **owner/**applicant shall submit a work plan to P&D for review and approval. An artifact curation agreement with an accredited facility shall be submitted to P&D prior to the start of fieldwork. All fieldwork shall be completed prior to **zoning clearance** issuance ~~of land use permit~~ for grading and subdivision improvements. All reports shall be received by P&D prior to **zoning clearance** issuance ~~of land use permits~~ for grading and subdivision improvements. Notes and/or depictions of plan components shall be included on plans prior to **zoning clearance** issuance ~~of grading permits~~. **Monitoring**. P&D shall approve work plans and ensure that a curation agreement is in place prior to **the** start of fieldwork. P&D shall ensure that archaeological reports have been received prior to issuance of **zoning clearance** ~~land use permits~~ for grading. **CR-1(d) Prevention of Damage to Cultural Resources from Other Uses**. Off-road vehicle use, unauthorized collecting of artifacts, and other activities other than development which could destroy or damage archaeological or cultural sites shall be prohibited. Signs shall be posted on the property to discourage these types of activities (modification of OCP EIR Mitigation Measure ARCH-7). **Plan Requirements and Timing**. This condition shall be in effect during both the construction and operational phase of the development. The **owner/**applicant shall prepare a signage plan for	

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	P&D review and approval prior to **zoning clearance issuance** ~~approval of land use permit~~ for grading and subdivision improvements. The **owner/**applicant shall install the required signage prior to issuance of grading permits and shall maintain the signs throughout the construction phase. Maintenance of the signs throughout the operational phase shall be the responsibility of the HOA or similar organization. **Monitoring**. P&D **permit compliance monitoring staff** shall verify installation of signs prior to issuance of grading permits, and shall spot check in the field.	

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
Impact CR-2. Due to the cultural sensitivity of the project site, previously unidentified, subsurface historical, archeological, or paleontological resources may be unearthed during development of the project.	**CR-2(a) Archaeological Monitoring**. The **owner/**applicant shall have all initial earth disturbances throughout the Key Site, including grading, grubbing, scarification and placement of fill, monitored by a P&D approved archaeologist in compliance with the provisions of the County Cultural Resource Guidelines. **Plan Requirements and Timing**: Prior to **zoning clearance** issuance ~~of a land use permit~~ for grading and subdivision improvements, the **owner/**applicant shall submit for P&D review and approval, a contract or Letter of Commitment between the **owner/**applicant and the archaeologist, consisting of a project description and scope of work, and once approved, shall execute the contract. **Monitoring**: The **owner/**applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to **zoning clearance** ~~grading permit~~ issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and P&D grading inspectors shall spot check field work. **CR-2(b) Stop Work at Encounter**. The **owner/**applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event cultural remains are encountered during grading, construction, landscaping or other construction-related activity (incorporates OCP EIR ARCH-10). Cultural resource remains may include artifacts, shell, bone, features, foundations, and trash pits, etc. The **owner/**applicant shall retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the County Cultural Resource Guidelines provisions for Phase 2 and Phase 3 investigations. All work shall be funded by the **owner/**applicant (incorporates OCP EIR ARCH-1 through ARCH-8). **Plan Requirements and Timing**: This condition shall be printed on all building**, zoning clearance,** and grading plans. **Monitoring**: P&D permit processing planner shall check plans prior to **zoning clearance** issuance ~~of land use permit~~ for grading and subdivision improvements, and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.	Implementation of the Mitigation Measures CR-2(a) and CR-2(b) would reduce impacts associated with the potential to unearth unknown historical, archeological, or paleontological resources during grading and construction to a less than significant level (Class II).
Impact CR-3. Development of Key Site 3 could result in indirect impacts to identified or unidentified historical, archeological, or paleontological resources.	Mitigation Measures CR-2(a), CR-2(b), CR-1(c), and CR-1(d) would be applied, which would require site monitoring of known sites, contingencies for the discovery of as-yet-undiscovered cultural resources; temporary construction-phase fencing of known sites including a 25-foot buffer area; and prohibition of off-road vehicle use and unauthorized collecting of artifacts.	With implementation of ~~the above m~~**M**itigation ~~m~~**M**easures **CR-2(a), CR-2(b), CR-1(c), and CR-1(d)**, indirect impacts to identified or unidentified historical, archeological, or paleontological resources would be reduced to a less than significant level (Class II).

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
4.5 Fire Protection		
Impact FP-1. The proposed development would add 125 new residential units, which would be located within this high fire hazard area.	**FP-1(a) Fire/Vegetation Management Plan.** To address the risk to residential development within designated high fire hazard areas, the **owner/**applicant shall prepare fire/vegetation management plans that meet the County Fire Development Standards. The vegetation management plan shall describe all actions that will be taken to reduce wildfire risks to the structure(s) in the high fire hazard areas. The plan shall include: • A copy of the site plan that indicates topographic reference lines • A copy of the landscape plan • Methods and timetables for controlling, changing or modifying areas on the property (elements of the plan shall include removal of dead vegetation, litter, vegetation that may grow into overhead electrical lines, certain ground fuels, and ladder fuels as well as the thinning of live trees) • A maintenance schedule for the landscape/vegetation management plan **Plan Requirements and Timing**. A Fire/Vegetation Management Plan that, at a minimum, contains the above listed components shall be submitted to the Fire Department and Planning and Development for review and approval prior to Zoning Clearance **issuance** ~~approval~~ for the first residential structure. Vegetation management of areas outside the identified building envelope shall be the responsibility of the Homeowners Association with the maintenance schedule and responsibilities noted in the CC&Rs. **Monitoring**. Permit compliance and/or the Fire Department shall inspect to verify landscaping is in compliance with the plan ~~once~~ prior to issuance of occupancy permits and once each year to monitor landscape maintenance. **FP-1(b) Fire Prevention Construction Techniques.** Residential development shall abide by the following construction standards: • Structures along the perimeter or exposed to internal open space areas shall have one-hour rated exterior fire walls, with exteriors being more than 2 inches, and must not contain vinyl or plastic window frames or rain gutters or down spouts. • All structures in the development shall have non-wood Class A roofs, with the ends of tile blocked, spark arresters visible from the street, proper vent screens, and non-combustible gutters and down spouts. No combustible paper in or on attic insulation shall be allowed. • Decks, gazebos, patio covers, etc. must not overhang slopes and must be one-hour construction (e.g., by using 2 x 4s). Front doors shall be solid core, minimally 1 ¾ inch thick. Garage doors shall be non-combustible. Wooden or plastic fences or vegetation growing on fences for lots along the project site perimeter shall not be used. • All new power lines shall be installed underground in order to prevent fires caused by arcing wires.	Implementation of ~~the above m~~**M**itigation ~~m~~**M**easures **FP-1(a) and FP-1(b)** would ensure that fire hazard impacts would be potentially significant but mitigable (Class II). Pertinent mitigation measures from Sections 4.3, *Biological Resources* and 4.4, *Cultural Resources* (including BIO-5(a), BIO-5(b), BIO-6(a-d), BIO-7(a-f), CR-2(b), OCP EIR ARCH-10) would be applied, and with the incorporation of these measures, secondary impacts would be less than significant. Potential impacts to biological resources resulting from vegetation management plans are discussed in Section 4.3, *Biological Resources*.

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	Plan Requirements and Timing. Where appropriate, all of the structural safeguards described above shall be graphically depicted and printed on all building and construction plans. Accordance with these requirements shall be demonstrated as part of the building inspection process, and all measures shall be installed prior to occupancy. **Monitoring**. Fire Department inspectors shall inspect the site prior to occupancy clearance for each residence and annually to ensure compliance.	
4.6 Geologic Processes		
Impact G-4. Cut and fill of soils on the project site during grading could result in substantial erosion or loss of topsoil. Measures to minimize erosion from cut slopes would be necessary.	**G-4. Reduction of Soil Erosion from Cut Slopes**. Grading and construction shall be in accordance with recommendations by Earth Systems Pacific, dated February 10, 2006. These recommendations include, but are not limited to, the following measures to minimize impacts related to soil erosion. • Cut slopes and fill over cut slopes should be over excavated and rebuilt as compacted fill slope. • Compacted fill slopes should not exceed a 2:1 (horizontal to vertical) slope, and any proposed constructed fill slope exceeding 10 feet shall be evaluated by a qualified geotechnical engineer with any recommended additional stability measures (retaining walls, etc.) implemented. Slopes should be vegetated with groundcover, shrubs, and trees which possess deep, dense root structure and require a minimum of irrigation. • All imported soil should be non-expansive. • All cut areas shall be over excavated such that a minimum of 3 feet in building in the Northern Mesa Area (northern third of the property). • A program of over-excavation, scarification, moisture conditioning, and compaction of the soils in the building and surface improvement areas is required to provide more uniform soil moisture and density, and to provide appropriate pavement and foundation support. • During or soon after the rainy season when on-site soils may be susceptible to temporarily high soil moisture conditions, the contractor and construction schedule should allow adequate time during grading for aerating and drying the soil to near optimum moisture content prior to compaction. • Voids created by the removal of materials or utilities, and extending below the recommended over-excavation depth, should be immediately called to the attention of the soils engineer. No fill should be placed unless the soils engineer has observed the underlying soil. **Plan Requirements and Timing**. Elements of the approved study shall be reflected on grading and building plans as required. **Monitoring**. The Owner/Applicant shall demonstrate that the submitted plans conform to required study components. Grading and building inspectors shall ensure compliance in the field.	Through adherence to the recommendations in the geotechnical studies in accordance with Mitigation Measure G-4 as well as the erosion control measures required by implementation of a SWPPP/Erosion Sediment Control Plan and Mitigation Measure WR-2(d), the potential for soil erosion would be reduced to a less than significant level (Class II).

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
4.7 Greenhouse Gas Emissions		
Impact GHG-1. The project would generate short-term as well as long-term GHG emissions. The proposed project would exceed the 4.9 MT CO2e/SP/year threshold, and would incrementally contribute to climate change. However, these emissions would not hinder or delay achievement of state GHG reduction targets established by AB 32.	**GHG-1. GHG Reduction Plan**. The project shall reduce operational GHG emissions through implementation of one or more of the following measures: A. Prior to **zoning clearance** ~~permit~~ issuance, develop a project GHG Reduction Plan that reduces annual GHG emissions from the project by a minimum of 81.2 MT CO2e (0.24 MT CO2e per person per year) over the operational life of the project. The plan will be implemented on site by the project **owner/**applicant and may include, but is not be limited to, the following components: 1. Alternative fuel vehicles 2. Energy conservation policies 3. Energy efficient equipment, appliances, heating and cooling 4. Energy efficient lighting 5. Green building and roofs 6. Water conservation and recycling 7. Renewable energy production 8. Trip reduction 9. Carbon sequestration; or B. If GHG emissions cannot be reduced through compliance with a Climate Action Plan, other County GHG reduction plan, or project GHG Reduction Plan, purchase carbon offsets to reduce GHG emissions below threshold levels. **Plan Requirements and Timing**. Applicable elements of the approved Climate Action Plan, other County GHG reduction plan, or project GHG Reduction Plan shall be reflected on project site plans prior to **zoning clearance issuance** ~~permit approval~~. If GHG emissions cannot be reduced through compliance with such a plan, purchased carbon offsets hall be approved by P&D staff prior to permit approval. **Monitoring**: **Permit** ~~Condition~~ compliance **monitoring staff** shall monitor and verify implementation of measures included in the GHG Reduction Plan to ensure implementation of mitigation measures included in the plan.	Implementation of Mitigation Measure GHG-1 would reduce GHG emission impacts to a less than significant level (Class II). Implementation of Mitigation Measures OCP EIR AQ-3 and AQ-11, would further reduce GHG emissions.
4.8 Land Use		

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
Impact LU-1. The proposed project would result in a change in character of the site and the scale of development on the site. This would present potential quality of life compatibility issues.	Mitigation measures and OCP development standards related to long-term compatibility conflicts are discussed in Section 4.10, *Noise*, and Section 4.1, *Aesthetics/ Visual Resources*. Mitigation Measures N-2(a), N-2(b), and AES-1 would apply. No additional mitigation measures are required, as no additional significant impacts were identified.	Impacts would be less than significant with the incorporation of the above mitigation measures (Class II).
4.9 Noise		
Impact N-1. Project construction could intermittently generate high noise levels on and adjacent to the project site. Project construction would take place adjacent to existing residences, thereby temporarily exposing sensitive receptors to noise levels exceeding County thresholds.	**N–1(a) Construction Timing Limitations.** Noise-generating construction activity for site preparation and for future development shall be limited to the hours between 8:00 A.M. and 5:00 P.M., Monday through Friday. No construction shall occur on weekends or on State or County holidays (e.g., Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as plumbing, electrical, drywall and painting (which does not include the use of compressors, tile saws, or other noise-generating equipment) 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 and Timing**. The **owner/**applicant shall provide and post signs stating these restrictions at all construction site entries. Signs shall be posted prior to commencement of construction and maintained throughout construction. Violations may result in suspension of permits. **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. **N-1(b) Notification of Temporary Construction Noise.** The **owner/**applicant shall provide all adjacent property owners with a construction activity schedule and construction routes at least one week in advance of construction activities. Any alterations or additions shall require one week notification. **Plan Requirements and Timing**. The **owner/**applicant shall submit a copy of the schedule and mailing list to Permit Compliance staff. Schedule and mailing list shall be submitted 2 weeks prior to initiation of any earth movement. **Monitoring**. Permit Compliance shall perform periodic site inspections to verify compliance with activity schedules.	With implementation of the required mitigation measures, short-term construction noise impacts would be reduced to less than significant (Class II).

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	N-1(c) Construction Noise Attenuation Techniques. Stationary construction equipment that generates noise which exceeds 65 dBA at the project boundaries shall be shielded to Planning and Development's satisfaction. For all construction activity on the project site, noise attenuation techniques shall be employed as needed to ensure that noise remains within levels allowed by Santa Barbara County noise standards. At a minimum, such techniques shall include: • All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers. • Whenever feasible, electrical power shall be used to run air compressors and similar power tools. • Air compressors and generators used for construction shall be surrounded by temporary acoustical shelters if within 300 feet of any sensitive receptor. **Plan Requirements and Timing**. The **owner/**applicant shall designate the equipment area with appropriate acoustic shielding on building and grading plans. Equipment and shielding shall be installed prior to construction and remain in the designated location throughout construction activities. This condition shall be printed on all grading and construction plans. **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.	

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
Impact N-2. Development of residential units adjacent to U.S. 101 would expose future residents to noise levels exceeding County standards.	**N-2(a) Solid Noise Barriers.** Solid noise barriers shall be installed along the eastern property lines of dwelling units that face U.S. 101. The noise barriers will provide noise protection for side-yard outdoor areas. Solid noise barriers shall be eight feet in height with reference to finish floor level of nearby dwelling unit. Acceptable materials for solid barriers are masonry, or stucco, or any combination consistent with sound wall design standards stated in OCP DevStd KS3-14 (item 3) and Mitigation Measure AES-1. All construction joints of the solid noise barrier shall be sealed with a resilient acoustical caulking to ensure the noise attenuating integrity of the sound wall. Gates shall be overlapping design to seal any cracks facing the noise source. **Plan Requirements and Timing**. Sound walls shall be shown on site, landscape, grading and building plans prior to **zoning clearance** issuance ~~of a Land Use Permit~~ for grading. Plans shall note the location, height, and specifications for all sound walls and shall be installed prior to occupancy clearance for the first residence. **Monitoring.** Permit Compliance and grading and/or building inspectors shall perform site inspections to ensure compliance. **N-2(b) Noise-Resistant Construction**. To ensure that the 45 dBA Ldn interior noise standard is met, the following noise-resistant construction components shall be incorporated for east-facing elevations of the proposed dwelling units nearest U.S. 101: • **Vents and roof penetrations**: Soffit vents, eave vents, dormer vents and other wall and roof penetrations shall be located on the walls and roofs facing away from the noise source (located on the north, west and south elevation) wherever possible. If kitchens or bathrooms are located on the east side, remote venting to other elevations is required. If vents are required to be located facing the noise source, a 90 degree bend shall be incorporated in the design of the ductwork or vent opening. Use of patented foam insulation solutions, such as Icynene spray foam insulation or equivalent, in walls, floors, and ceiling cavity / roof construction is required and will allow elimination of soffit vents and gable end vents, thereby eliminating a significant path for noise penetration. • **Walls**: East-facing exterior walls enclosing habitable spaces closest to U.S. 101 shall be constructed with an STC (Sound Transmission Class) rating of 30 or greater. Metal studs are preferable to wood studs for noise resistance. Construction of the east-facing walls shall include the liberal use of non-hardening acoustical sealant at all construction joints, including the header and footer construction and the edges and corners of gypsum board intersecting ceiling, walls and floor, especially behind papered joints. Acoustical sealant (Johns Manville or equivalent) shall be applied to gaps at intersecting walls, ceiling and floor before taping and spackling Gypsum Board in conventional manner. All peripheries and apertures and joints around windows shall be properly sealed. • **Acoustical Leaks**: Common acoustic leaks, such as electrical outlets, pipes, vents, ducts, flues and other breaks in the integrity of the wall, ceiling or roof insulation and construction	Implementation of Mitigation Measures N-2(a) and N-2(b) would reduce sound levels for outdoor activity areas along the eastern, noise-exposed portion of the proposed development below the County of Santa Barbara maximum level of 65 dBA Ldn. The implementation of sound noise barriers (Mitigation Measure N-2[a]) would shield exterior areas (yards and other outdoor activity areas) and first floor interior spaces, reducing exterior sound levels below 65 dBA CNEL and ensuring that interior levels in first floor interior spaces would not exceed 45 dBA Ldn. In addition, construction measures associated with Mitigation Measure N-2(b) would ensure that interior noise levels, including second floor interior spaces, would remain below 45 dBA Ldn. The use of walls for sound mitigation presents potential secondary visual impacts related to deficient design of the sound walls and improper upkeep. Mitigation Measure AES-1 in Section 4.1, *Aesthetics/Visual Resources*, would apply to solid noise barriers required by Mitigation Measure N-2(a). Impacts would be less than significant (Class II) with the required mitigation.

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	on the east sides of the dwelling units facing U.S. 101 shall be insulated, sealed and caulked with putty pads and a resilient, non-hardening caulking material, as appropriate. All such openings and joints shall be airtight to maintain sound isolation. • **Windows**: Windows for habitable spaces on all floors of affected east facing elevations for residences closest to U.S. 101 shall be of double glazed construction and installed in accordance with the recommendations of the manufacturer. The windows shall be fully gasketed, with an STC rating of 30 or better, as determined in testing by an accredited acoustical laboratory. • **Doors**: Doors directly facing U.S. 101 shall be solid core with sound dampening and fully gasketed, sealed jambs and grouted frames, with an overall STC rating of 30 or better, as determined in testing by an accredited acoustical laboratory. Doors meeting "Double Door Construction" criteria, the addition of a laminated glazed second door at least 3 inches from the primary door, shall be considered to meet the STC 30 rating. **Plan Requirements and Timing**. All construction techniques shall be incorporated into design of the residences and detailed on building plans. Plans shall note all noise-resistant construction measures. If these specifications are altered an acoustical engineering report in conjunction with submittal of zoning clearance and building permit applications shall be prepared. If alternative noise reduction techniques are designed for the project, the report shall demonstrate the achievement of an equivalent mitigation of noise impacts and provide interior Ldn values of 45 dBA or less. If recommendations conflict with other conditions of approval or county standards, the specification that is most restrictive shall prevail. All construction techniques and recommendations of the noise analysis shall be incorporated into project design and detailed on building plans. An acoustic survey shall be submitted to Planning and Development staff prior to occupancy clearance demonstrating that interior noise levels do not exceed 45 dBA. **Monitoring**. Building & Safety shall ensure that all noise control measures have been included according to the approved plans.	
4.11 Transportation and Circulation		
Impact T-1. Operation of the project would result in the addition of 995 average daily trips (70 A.M. and 88 P.M. peak hour trips) to the study area roadways and intersections. The addition of project traffic would degrade the LOS at the Clark Avenue/U.S. 101 southbound ramp intersection under P.M. peak hour conditions.	**T-1 Roadway Improvements.** The ~~project~~ **owner/**applicant shall **either** contribute fair share fees, to be determined by County Public Works staff, towards the following improvements, or shall construct **following** the improvements and develop a reimbursement agreement, to be reviewed and approved by County Public Works staff, for fair share contributions from other nearby future developments: 1. Widening ~~of the south side~~ of Clark Avenue between the realigned Sunny Hills Road and the U.S. 101 southbound ramps to provide two eastbound lanes. 2. Widening of the **Clark Avenue** southbound off-ramp to improve the operation of the southbound free right-turn lane.	With implementation of ~~the above~~ **Mitigation** ~~m~~**M**easure~~s~~ **T-1**, the U.S. 101 southbound ramps intersection would operate at LOS C (15.8 second delay) during P.M. peak hour, and project-specific impacts to the roadway network would be reduced to a less than significant level (Class II). Potential secondary environmental

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	3. Restripe **the northbound and south bound Clark Avenue** ~~of both~~ ramp intersections and the **Clark Avenue** overpass to maximize eastbound flow to the **Clark Avenue** northbound on-ramp **as described in the *Key Site 3 Residential Project Traffic and Circulation Study,* dated November 18, 2013**. **Plan Requirements and Timing**. The **improvements shall be reviewed and approved by County Public Works and/or Caltrans prior to zoning clearance issuance. The owner/application shall construct the improvements prior to occupancy clearance if they have not yet been constructed by another Key Site project, in which case fair share fees (if required) shall be completed** ~~applicant shall construct the improvements and develop a reimbursement agreement, to be reviewed and approved by County Public Works staff, for fair share contributions from other nearby future developments. Improvements shall be bonded for prior to map recordation or in place~~ prior to occupancy clearance. **Monitoring**. Completion of improvements in accordance with approved plans shall be monitored by P&D and Public Works.	impacts from these roadway improvements would include impacts to biological and cultural resources during construction of the improvements (refer to Section 4.3, Biological Resources, and Section 4.4, Cultural Resources). However, road widening on Clark Avenue would occur within the existing right-of-way, where no significant cultural or biological resources are anticipated.

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
4.12 Water Resources/Flooding		
Impact WR-1. Construction activities associated with the proposed project would disturb more than one acre of land, and could degrade water quality through increased rates of erosion and sedimentation.	**WR-1(a) Storm Water Pollution Prevention Plan (SWPPP).** The ~~Applicant~~ **owner/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. **Plan Requirements and Timing**. Prior to **zoning clearance issuance** ~~approval of a Land Use Permit~~ the **owner/**applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan to P&D's Building & Safety Division. The **owner/**applicant shall keep a copy of the SWPPP on the project site during grading and construction activities. **Monitoring**: P&D permit processing planner shall review the documentation prior to **zoning clearance issuance,** ~~approval of a Land Use Permit~~ P&D compliance monitoring staff shall site inspect during construction for compliance with the SWPPP. **WR-1(b) Equipment Washout-Construction.** The **owner/**applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The area shall be located at least 100 feet from any storm drain, water body or sensitive biological resources. **Plan Requirements and Timing**: The **owner/**applicant shall designate the P&D approved location on all **zoning clearance,** grading**,** and building permits. 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.	With implementation of Mitigation Measures WR-1(a) and WR-1(b) and adherence to OCP Development Standards FLD-O-3.1 and FLD-O-3.2, construction-related impacts to water resources would be reduced to a less than significant level (Class II).

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
Impact WR-2. The proposed project would involve the addition of impervious surfaces on the currently undeveloped Key Site 3 property. These impervious surfaces would alter existing drainage patterns and increase stormwater runoff, which could potentially increase flooding and degrade water quality, respectively.	**WR-2(a) Low Impact Development (LID) Measures.** LID is a site design strategy that uses natural and engineered infiltration and storage techniques to retain stormwater runoff where it is generated to mimic a site's pre-development hydrology and reduce downstream impacts. The Environmental Protection Agency has determined that the following LID measures are highly beneficial at protecting receiving waters. In order to further reduce flooding and water quality impacts, the SWQMP and project design shall include the following LID measures, to the extent feasible: *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* • Bioretention facilities to capture and infiltrate street runoff upstream of retention basins; • Roof leader flows directed to planter boxes, amended soil, or other low-gradient vegetated areas and/or vegetated swales and buffers; • Soil amendments to increase infiltration rates; and • Rain gardens, rain barrels, and cisterns. **Plan Requirements and Timing**. Plans indicating LID techniques to be used shall be submitted by the **owner/**applicant for review and approval by the Santa Barbara County Public Works Department prior to **zoning clearance issuance** ~~land use clearance~~ for grading and subdivision improvements. Installation of structural LID technologies shall be performed by the project **owner/**applicant per approved plans and completed prior to occupancy clearance of the first home. **Monitoring**. Public Works and Planning and Development staff shall review plans and monitor compliance. **WR-2(b) Operational Erosion Control Measures**. The development shall incorporate and maintain the following operational erosion control measures into final grading and drainage plans. 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	Implementation of Mitigation Measures WR-2(a) and WR-2(b) would provide adequate water quality treatment per Public Works standard conditions and would reduce impacts associated with increased impervious surfaces to a less than significant level (Class II).

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	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. **Plan Requirements and Timing**. This requirement shall be printed on ~~final~~ grading, drainage, and landscaping plans and submitted to P&D and Flood Control for review and approval prior to **the issuance** ~~approval~~ of **zoning clearance** ~~Land Use Permits~~ for grading. Compliance with these measures shall be confirmed by P&D prior to Final Building Inspection Clearance. **Monitoring**. The **owner/**applicant shall demonstrate to P&D compliance monitoring staff and Building and Safety grading inspector(s) that all components of the required measures are in place. Compliance monitoring staff will verify compliance including on-going requirements.	
CLASS II CUMULATIVE IMPACTS (Less than Significant with Mitigation)		
4.5 Fire Protection		
Cumulative Impacts to Wildland Fire Protection	All new development will be subject to independent environmental review and regulations in place to minimize any potential health and safety risks. Impacts associated with individual developments will be addressed on a case-by-case basis as needed, in part by the application of development standards or mitigation measures for development in high fire hazards to reduce such risks. Through such development standards and mitigation measures, the proposed development would be expected to mitigate its contribution to cumulative wildland fire hazards.	Assuming that all hazards are adequately addressed for each individual development proposal, cumulative human health or wildland fire impacts would be significant but mitigable (Class II).

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
4.11 Transportation and Circulation		
Impact T-2. Under cumulative plus project conditions, project development would generate additional traffic that would further degrade the LOS at the Clark Avenue/U.S. 101 southbound and northbound ramps intersections under P.M. peak hour conditions.	**T-2 Offset of Cumulative Impacts**. The **owner/**applicant shall pay transportation fees to the County to offset project contributions to cumulative **Orcutt Transportation Improvement Plan (OTIP) identified** impacts on traffic **and circulation for the improvements listed below. This shall be considered the project's fair share of offsite OTIP improvements. The fee amount shall be determined by the County Public Works Transportation Division, based on adopted fee schedules at the time of payment.** ~~, circulation systems maintenance, including the project's fair share of offsite improvements in an amount determined by the County Public Works /Transportation Division, based on adopted fee schedules at the time of payment.~~ ~~1. Widening of the south side of Clark Avenue between the realigned Sunny Hills Road and the U.S. 101 southbound ramps to provide two eastbound lanes.~~ ~~2. Widening of the southbound off-ramp to improve the operation of the southbound free right-turn lane.~~ 1. Reconstruction of the Clark Avenue/U.S. 101 northbound ramps intersection. This includes realignment of the U.S. 101 northbound on-ramp to the east opposite the off-ramp, widening of the off-ramp to provide two separate turning lanes and widening of the on-ramp to provide two receiving lanes. 2. Signalization of the Clark Avenue/U.S. 101 northbound ramps intersection. The existing + project peak hour volumes would satisfy peak hour signal warrants. ~~3. Restripe of both ramp intersections and the overpass to maximize eastbound flow to the northbound on-ramp.~~ **Plan Requirements and Timing**. Prior to **occupancy clearance** ~~final map recordation~~, the **owner/**applicant shall submit transportation fees. **Monitoring**. Compliance shall be monitored by P&D. ~~Several improvements for the Clark Avenue corridor adjacent to the project have been developed in coordination with Caltrans and County staff to improve roadway and intersection operations under project-specific and cumulative conditions. These improvements are outlined in the mitigation measures section for project-specific Impact T-1 above. As discussed above in Mitigation Measure T-1, the project would contribute fair share fees or would construct these improvements and develop a fair share reimbursement mechanism for other key development projects in the Orcutt Area. Implementation of these measures would reduce the project's contribution to the cumulative impact at the Clark Avenue/U.S. 101 southbound ramps intersection to a less than significant level.~~	Mitigated cumulative + project LOS at the Clark Avenue/Southbound U.S. 101 ramps intersection would be 0.49/LOS A in the A.M. peak hour and 0.46/LOS A in the P.M. peak hour. Mitigated cumulative + project LOS at the Clark Avenue/Northbound U.S. 101 ramps intersection would be 0.53/LOS A in the A.M. peak hour and 0.61.LOS B in the P.M. peak hour. With implementation of the roadway improvement described in Mitigation Measure T-1, and the project's contribution to the OTIP fee program pursuant to Mitigation Measure T-2 would mitigate its contribution on cumulative impacts at this location to less than significant (Class II). As discussed under Impact T-1, potential secondary environmental impacts from these roadway modifications would include impacts to biological and cultural resources during construction of the modifications. Road widening on Clark Avenue would occur within the existing right-of-way, where no significant cultural or biological resources are anticipated. Potential biological impacts related to the improvements to the U.S. 101 / Clark Avenue interchange, including the preliminary plans for modifications to the northbound U.S. 101 on- and off-ramps, were evaluated in the biological resource studies prepared for the project (refer to Appendix C), and in Section 4.4, Biological Resources. The modifications to the northbound U.S. 101 on- and off-ramps would result in a loss of approximately 1.63 acres of non-

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
		native grassland and 0.08 acres of planted trees, primarily eucalyptus trees, and would not result in significant impacts.
CLASS III PROJECT-SPECIFIC IMPACTS (Less than Significant)		
4.1 Aesthetics/Visual Resources		
Impact AES-2. Although the proposed project would convert the upper mesa from open space to suburban development, it would not substantially obstruct scenic vistas of the Solomon Hills from the perspective of nearby public viewing areas including U.S. 101.	No mitigation measures are required.	Class III (less than significant)
Impact AES-3. Proposed street lights, security and landscape lighting, as well as reflective building materials, could produce light and glare that would adversely affect day and nighttime views in the area.	No mitigation measures are required.	Class III (less than significant)
4.2 Air Quality		
Impact AQ-1. Project construction would generate temporary increases in localized air pollutant emissions. These emissions may result in temporary adverse impacts to local air quality.	Implementation of standard dust and emissions control measures required by the SBCAPCD would ensure that construction-related air quality impacts are less than significant.	Class III (less than significant)
Impact AQ-2. The project would result in an increase in operational air pollutant emissions from the development of 125 new single-family residences and the associated energy use needs and increased vehicular traffic.	No mitigation measures would be required	Class III (less than significant)

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
Impact AQ-4. The proposed project would be consistent with the SBCAPCD 2010 Clean Air Plan because it would not generate population in excess of that used in the CAP to forecast population-related emissions.	No mitigation measures would be required	Class III (less than significant)
4.5 Fire Protection		
Impact FP-2. The proposed project would result in a reduction in the level of fire protection services.	No mitigation measures would be required	With the payment of the required fire mitigation fees, this impact would be Class III (less than significant without mitigation)
Impact FP-3. The proposed water distribution system would be able to provide fire flow pressure that meets Santa Barbara County Fire Department standards.	No mitigation measures would be required	Class III (less than significant without mitigation)
4.6 Geologic Processes		
Impact G-1. The project site may be subject to strong groundshaking, which has the potential to cause fill material to settle, destabilize slopes, and cause physical damage to structures, property, utilities, road access, and people.	No mitigation measures would be required	Class III (less than significant without mitigation)
Impact G-2. The proposed project would not require grading on slopes exceeding 20 percent because the project clusters development on the Northern Mesa Area and preserves open space areas consisting of steep slopes.	No mitigation measures would be required	Class III (less than significant without mitigation)

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
Impact G-3. Loose alluvial soils north of Orcutt Creek and loose dune sands to the south may be subject to collapse on the project site, resulting in settlement of the ground surface. However, the proposed project would not involve the placement of structures in these portions of the site.	No mitigation measures would be required	Class III (less than significant without mitigation)
4.8 Land Use		
Impact LU-2. The proposed project would rezone a portion of the project site from Residential Ranchette to Planned Residential Development, but would be consistent with the applicable policies and development standards in the Orcutt Community Plan.	No mitigation measures would be required	Class III (less than significant without mitigation)
4.9 Noise		
Impact N-3. Traffic generated by the project is anticipated to result in noise level increases along roadways in the project vicinity. Traffic-related increases in noise would not exceed the County's threshold at sensitive receptors along four studied roadway segments.	No mitigation measures would be required	Class III (less than significant without mitigation)
4.10 Public Services and Facilities		
Impact PSF-1. The proposed project could generate approximately 76 additional students. Impacts to local elementary and middle schools would be less than significant. Impacts to local high schools could	No mitigation measures would be required	Through the required payment of State-mandated impact mitigation fees, potential impacts to public schools would be adverse, but less than significant (Class III).

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
contribute to the current capacity exceedance, and payment of fair share of impact mitigation fees would be required.		
Impact PSF-2. The proposed project would require an estimated 43.5 acre-feet of water per year (AFY). An existing long-term Supplemental Water Purchase Agreement with the City of Santa Maria stipulates that the City will provide 200 AFY for the purposes of consumptive use for the proposed project. Adequate water supply would be available and groundwater resources would not be impacted.	Although not required to reduce water demands to a less than significant level, the following water conservation measures are recommended and would implement OCP EIR Mitigation Measure WAT-4, which requires the implementation of water conservation measures. **PSF-3(a). Water Conservation-Outdoor**. To improve water conservation, the **owner/**applicant shall include the following in Landscape and Irrigation Plans to be approved by P&D: a. Landscaping that reduces water use: i. Landscape with native and/or drought tolerant species. ii. Group plant material by water needs. iii. Turf shall constitute less than 20% of the total landscaped area. iv. No turf shall be allowed on slopes of over 4%. v. Extensive mulching (2" minimum) shall be used in all landscaped areas to reduce evaporation. b. Install drip irrigation or other water-conserving irrigation. **Plan Requirements and Timing**: The **owner/**applicant shall submit a landscape and irrigation plan to P&D for review and approval prior to **issuance** ~~approval~~ of zoning clearance. The **owner/**applicant shall implement all aspects of the landscape and irrigation plan in accordance with the Landscape and Performance Security Conditions. **Monitoring**: The **owner/**applicant shall demonstrate to P&D compliance monitoring staff that all required conserving landscape and irrigation features are installed prior to Final Building Inspection Clearance and landscape and irrigation are maintained per approved landscape plans. Any part of irrigation plan requiring a plumbing permit shall be inspected by building inspectors. **PSF-3(b). Water Conservation-Indoor**. Indoor water use shall be limited through the use of the following measures: a. Re-circulating, point-of-use, or on-demand water heaters shall be installed. b. Water efficient clothes washers and dishwaters shall be installed. c. Self-regenerating water softening shall be prohibited in all structures. **Plan Requirements and Timing**: The **owner/**applicant shall include all indoor water conservation measures on plans, including plumbing and electrical plans, as needed subject to P&D review and approval. Indoor water-conserving measures shall be implemented prior to Final Building Inspection Clearance.	The Supplemental Water Purchase Agreement for the project would reduce impacts to a less than significant level (Class III). The application of OCP EIR Mitigation Measure WAT-1 and the project specific Mitigation Measures PSF-3(a) and PSF-3(b) would further reduce potential groundwater and water supply impacts. Impacts to water supply would be adverse, but less than significant (Class III).

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
	Monitoring: The owner/applicant shall demonstrate compliance with all required indoor water conservation measures to P&D compliance monitoring staff prior to Final Building Inspection Clearance.	
Impact PSF-3. The Laguna County Sanitation District wastewater treatment plant has adequate capacity to serve the proposed project. However, existing off-site sewer infrastructure would not be able to accommodate the wastewater generated by the project without upgrades to this infrastructure.	Through the required payment of impact mitigation fees, potential impacts to sewer demand and infrastructure needs would be less than significant, and no mitigation is required.	Impacts are less than significant without mitigation (Class III).
Impact PSF-4. The proposed project would generate an estimated 101 tons of solid waste per year, which does not exceed Santa Barbara County's threshold of 196 tons per year.	No mitigation measures would be required	Impacts are less than significant without mitigation (Class III).
4.12 Water Resources/Flooding		
Impact WR-3. The portion of the Key Site 3 property where habitable structures are proposed is not located in a FEMA-designated 100-year flood zone.	No mitigation measures are required.	Impacts are less than significant without mitigation (Class III).
CLASS III CUMULATIVE IMPACTS (Less than Significant)		
4.1 Aesthetics/Visual Resources		
Cumulative Impact to Aesthetics (Scenic Views)	No mitigation measures are required.	The proposed project would preserve the majority of Key Site 3 as natural open space, retaining the most scenic public views of the Solomon Hills across the southern two-thirds of the site. Therefore, the project would not substantially contribute to significant cumulative impacts related to the impairment of scenic views.

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
Cumulative Impact to Aesthetics (Light and Glare)	No mitigation measures are required.	The project's potential light and glare impacts are less than significant. The Focused Housing Rezone Program EIR identified mitigation measures for potential light and glare impacts resulting from the additional 160 multi-family units on the MR-O portion of Key Site 3, and similar mitigation measures have been identified or would be expected for the other major development sites in the area: Key Sites 1, 2, and 4. Hence, the project's contribution to cumulative light and glare impacts would be adverse, but less than significant (Class III).
4.2 Air Quality		
Cumulative Impacts to Air Quality	No mitigation measures are required.	Based on Santa Barbara County thresholds, a project would have a significant cumulative impact if it were inconsistent with the adopted federal and state air quality plans of Santa Barbara County. As discussed in Impact AQ-4, the proposed project is consistent with the 2010 CAP. The 2010 CAP is the adopted state air quality plan for the County and cumulative development was determined to be less than significant without mitigation. Therefore, cumulative air quality impacts of the proposed project would be less than significant (Class III).
4.4 Cultural Resources		
Cumulative Impacts to Cultural Resources	Buildout of the Orcutt/Santa Maria area would have the potential to disturb known and unknown cultural resources. However, potential impacts to cultural resources would be addressed on a case-by-case basis through site-specific investigations and, if necessary, surveys, assessment, and documentation or other appropriate mitigation. Project-specific mitigation as discussed above would ensure that the project's contribution to cumulative impacts would be less than significant.	Mitigation applied for each specific development project in the area would reduce cumulative impacts to cultural resources to a less than significant level. No additional mitigation measures are required, and cumulative impacts

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
		are less than significant (Class III).
4.5 Fire Protection		
Cumulative Impacts to Fire Protection Services	On a cumulative basis, payment of fair share mitigation fees intended for the construction of a new fire station in the Orcutt area, would be required.	With the payment of the required fair share mitigation fees intended for the construction of a new fire station in the Orcutt area, the project's contribution to cumulative impacts to fire protection services would be adverse but less than significant.
4.6 Geologic Processes		
Cumulative Impacts to Geologic Resources	Any specific geologic hazards associated with each individual site would be limited to that site without affecting other areas. In addition, County regulations and policies (including compliance with California Building Code requirements) would be expected to reduce seismic and geologic hazards to acceptable levels.	Seismic and geologic hazards would be addressed on a case-by-case basis and would not result in cumulatively considerable impacts. Cumulative geologic hazard impacts would be adverse, but less than significant (Class III).
4.7 Greenhouse Gas Emissions		
Cumulative Greenhouse Gas Emissions Impacts	No mitigation measures are required.	Total annual per capita GHG emissions from buildout of the Key Site 3 property would not exceed the significance criterion of 4.9 CO_2e/SP/year. Therefore, cumulative GHG impacts of the proposed project would be less than significant (Class III).
4.8 Land Use		
Cumulative Impacts to Land Use	Potential land use conflicts would be addressed on a case-by-case basis.	Cumulative land use impacts would be adverse but less than significant (Class III).
4.9 Noise		
Cumulative Impacts to Noise	The project is not anticipated to result in cumulative noise impacts.	Project-specific mitigation measures would be required, and cumulative noise impacts would be adverse, but less than significant (Class III).

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impact	Mitigation Measures	Significance After Mitigation
4.10 Public Services and Facilities		
Cumulative Impacts to Water Supply	The OCP includes several policies and development standards regarding water supply and groundwater consumption. Specifically, Policy WAT-O-2 requires that future development under the Orcutt Community Plan must offset water demand with supplemental water supplies in order to prevent any impacts to the SMGB. Future development within the Orcutt area would be subject to OCP EIR Mitigation Measures WAT-1 would through WAT-4, which would also reduce impacts to water supply. In addition, according to the 2010 Orcutt Urban Water Management Plan (August 2011), the water supplies available to the Orcutt system are sufficient to meet the projected water demand for each multiple-dry year period because groundwater and purchased water can supply reliable water through 2030. Existing demand plus cumulative buildout demand would total 8,184 AFY while current and planned water supplies by 2020 are anticipated to be 10,903 (GSWC, August 2011).	Cumulative impacts to water supply and groundwater resources would be adverse, but less than significant (Class III).
4.12 Water Resources/Flooding		
Cumulative Impacts to Hydrology and Water Quality	Through the implementation of the policies, and development standards of the OCP, the mitigation measures identified in this SEIR, and Santa Barbara County standards, potential cumulative impacts would be reduced. As these impacts were determined to be significant but mitigable at the project level, they would not be considered cumulatively considerable.	Cumulative impacts to hydrology and water quality would be adverse, but less than significant with mitigation (Class III).
Cumulative Impacts to Flooding	Additional development proposed within the 100-year flood zone would be evaluated on a case-by-case basis and would require the development of additional retention basins in accordance with the OCP to avoid flooding impacts. Such development would be required to ensure that all structures are built above the floodplain elevation and demonstrate that such structures would not cause increased flooding elsewhere, thus reducing potential impacts.	Cumulative impacts related to flooding would be adverse, but less than significant (Class III).

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1.0 INTRODUCTION

This document is a Subsequent Environmental Impact Report (SEIR) that examines the potential effects of constructing the proposed project on an approximately 138.6-acre site in northern Santa Barbara County. The proposed project is described in detail in Section 2.0, *Project Description*. This section describes: (1) the general background of the project; (2) the purpose of and legal authority for the EIR; (3) the scope and content of the EIR; (4) lead, responsible and trustee agencies; and (5) the environmental review process required under the California Environmental Quality Act (CEQA).

1.1 PROJECT BACKGROUND

Summary of Proposed Project

The proposed project involves a Vesting Tentative Tract Map (VTTM), Comprehensive Plan Amendment, Rezone, and Development Plan entitlements to subdivide an existing 138.6-acre parcel into 138 lots and develop 125 single-family residential units on the northern portion of the site. Approximately 106 acres (76%) of the site is proposed as open space. The property is identified as Assessor's Parcel Number (APN) 129-151-026. The project site is located within the Orcutt Community Plan (OCP) area and is referred to as Key Site 3.

History of Environmental Review for Key Site 3

Orcutt Community Plan EIR (95-EIR-01)

The project site was evaluated in the Program Environmental Impact Report 95-EIR-01, the EIR prepared for the Orcutt Community Plan (OCP). The OCP provides a blueprint for the future development of the Orcutt community located in northern Santa Barbara County. The OCP EIR analyzed the general environmental effects of the proposed community plan as a whole and also evaluated more specific impacts pertaining to 45 "key sites" that were identified in the OCP as areas where future development would likely occur.

The OCP EIR analyzed the development of 212 units and designated the southern portion of the site as subject to the Open Space Overlay. The OCP EIR identified and evaluated sixteen (16) site-specific impacts that could occur should the site be developed, and discussed both general and site specific mitigation measures for each environmental issue identified.

2003-2008 Housing Element Focused Rezone Program EIR

An 8-acre portion of the project site was also evaluated in the 2003-2008 Housing Element Focused Rezone Program EIR (08-EIR-05). The purpose of the Focused Rezone Program was to comply with the State Housing and Community Development conditions necessary to maintain certification of the County of Santa Barbara's 2003-2008 Housing Element as adopted in May 2006. The Focused Rezone Program EIR evaluated the effects of developing portions of both Key Site 3 and Key Site 30 with multi-family development at a density of 20 units/acre, in conformance with a new zone district being proposed in the Focused Rezone Program.

The Focused Rezone Program changed the zoning for two Orcutt area sites (Key Site 3 and Key Site 30) to accommodate multifamily housing at a density of 20 units/acre. As part of the Focused Rezone Program, an 8-acre portion of Key Site 3 was rezoned to Multifamily Residential-Orcutt (MR-O). The MR-O zoned portion of the Key Site 3 property is located in the north-central portion of the property and is surrounded by the balance of the Key Site 3 development that is proposed and evaluated in this SEIR. The spatial relationship between the MR-O zoned portion and the balance of the Key Site 3 development is discussed in more detail, and depicted graphically, in Section 2.0, *Project Description* (refer to Figure 2-3).

The Focused Rezone Program EIR evaluated pertinent sections of an active development application from the landowner which consisted of a total of 160 affordable multifamily housing units on the 8-acre portion of Key Site 3.

This document is a Subsequent EIR to the OCP EIR pursuant to Section 15162 of the *State CEQA Guidelines*. Insofar as the project now being reviewed could result in new or more severe significant environmental impacts than those identified and adequately analyzed in the OCP EIR and Focused Rezone Program EIR, a Subsequent Project EIR must be prepared to analyze impacts in accordance with Section 15168 of the California Environmental Quality Act (CEQA) Guidelines, as well as Article V, Section E, 4 of the County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act of 1970, as Amended (Last Revised 11/22/05). To the extent that the OCP EIR and Focused Rezone Program EIR adequately analyzed environmental impacts from the development of Key Site 3, the Subsequent Project EIR may rely on that analysis and/or incorporate it by reference, thus focusing on effects not analyzed adequately in the OCP EIR and Focused Rezone Program EIR for Key Site 3.

The impacts identified in the OCP EIR, Focused Rezone Program EIR, and Notice of Preparation (NOP) process and Environmental Scoping Document (Appendix A) will be utilized as a starting point in determining potential impacts of the proposed project that must be analyzed in this Subsequent Project EIR. A summary of related impacts and applicable mitigation from the Focused Rezone Program EIR is included under the heading of *Previous Environmental Review* in the discussion of each environmental issue area in Section 4.0, *Environmental Impact Analysis*. Since the future development of 160 multi-family townhomes envisioned for this site has been authorized with the approval of the Focused Rezone Program, this SEIR provides an analysis of the impacts of the remainder of the proposed development on Key Site 3, which is described in detail in Section 2.0, *Project Description.* The potential future development of the multi-family portion of the site is however included in the analysis of cumulative impacts.

1.2 PURPOSE AND LEGAL AUTHORITY

Several of the project's proposed actions: amendments to the Orcutt Community Plan, Rezoning action, Vesting Tentative Tract Map (VTTM), Comprehensive Plan Amendment, and a Development Plan are discretionary actions requiring approval of the Board of Supervisors. Therefore, the proposed project is subject to the requirements of CEQA. In accordance with Section 15121 of the *State CEQA Guidelines*, the purpose of this EIR is to serve as an informational document that:

> *...will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.*

As discussed above, this document is a Subsequent EIR to the OCP EIR pursuant to Section 15162 of the *State CEQA Guidelines*. An SEIR is appropriate when "substantial changes are proposed in the project which will require major revisions of the previous EIR."

This EIR is to serve as an informational document for the public and County of Santa Barbara decision-makers. The process will culminate with Planning Commission and Board of Supervisors hearings to consider certification of a Final SEIR as well as the project's requested approvals.

1.3 SCOPE AND CONTENT

In accordance with the *State CEQA Guidelines*, a NOP for this EIR was distributed for review by affected agencies and the public on June 4, 2014. The NOP and EIR Scoping Document are presented in Appendix A of this report. Through the NOP and EIR Scoping Document process, the County of Santa Barbara determined that there was no substantial evidence that the project would cause or otherwise result in significant environmental effects in the areas of agricultural resources, energy, hazardous materials, historic resources, objectionable odors, or recreation. No further environmental review of these issues is necessary for the reasons summarized in the Section 5.0, *Effects Found Not to be Significant*. The substantiation for determining that these issues would result in no impact, or a less-than-significant impact is described in further detail in Appendix A, NOP and EIR Scoping Document, pursuant to §15128 of the State *CEQA Guidelines*.

This SEIR addresses the issues determined to be potentially significant in the Final EIR that was certified in 1995, responses to the NOP, and scoping discussions among the public, consulting staff, and the County. The County of Santa Barbara conducted an initial analysis of the proposed development's impacts through the EIR Scoping Document and Notice of Preparation (NOP) process. A brief explanation of issues determined to be less than significant is included in Section 5.0, *Effects Found Not to be Significant*. The environmental issues addressed in impact sections in this SEIR include:

- *Aesthetics/Visual Resources*
- *Air Quality*
- *Biological Resources*
- *Cultural Resources*
- *Fire Protection*
- *Geologic Processes*
- *Greenhouse Gas Emissions*
- *Land Use*
- *Noise*
- *Public Services and Facilities*
- *Transportation and Circulation*
- *Water Resources*
- *Growth-Inducing Effects*

This SEIR addresses the issues referenced above and identifies potentially significant environmental impacts, including site-specific and cumulative effects of the project in accordance with the provisions set forth in CEQA and the *State CEQA Guidelines*. In addition, the SEIR recommends feasible mitigation measures, where possible, that would reduce or eliminate adverse environmental effects.

Alternatives to the proposed project consistent with CEQA requirements are considered to examine a reasonable range of approaches to minimize environmental impacts while achieving most of the project objectives. These include the following:

OCP EIR Alternatives

1. Key Site 3 Project Evaluated in OCP EIR
2. OCP EIR No Project (OCP EIR Alternative #1)
3. Low Buildout Alternative (OCP EIR Alternative #2)
4. High Buildout Alternative (OCP EIR Alternative #3)

Additional Alternatives Considered in this SEIR

5. New No Project Alternative (MRO only)
6. Reduced Project Alternative
7. Shifted Project Alternative

In preparing the SEIR, use was made of pertinent County policies and guidelines, existing EIRs and background documents prepared by the County, and documents that guide land use in the neighboring City of Santa Maria. A full reference list is contained in Section 8.0, *References*, of this SEIR.

The level of detail contained throughout this SEIR is consistent with the requirements of CEQA and applicable court decisions. The *State CEQA Guidelines* provide the standard of adequacy on which this document is based. The Guidelines state:

> *An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure. (Section 15151).*

1.4 LEAD, RESPONSIBLE AND TRUSTEE AGENCIES

The *State CEQA Guidelines* define "lead," "responsible" and "trustee" agencies. The County of Santa Barbara is the lead agency for the project because it has the principal responsibility for approving the proposed project. Discretionary approval of the project (acquisition of the project site) is vested with the County of Santa Barbara Board of Supervisors.

A "responsible agency" refers to public agencies other than the "lead agency" that have discretionary approval over the project. The State Department of Transportation (Caltrans) will be a responsible agency for improvements to the Clark Avenue/U.S. Highway 101 (U.S. 101) intersection. Other responsible agencies include the Regional Water Quality Control Board (RWQCB) for review of National Pollutant Discharge Elimination System (NPDES) permit

requests and the County Flood Control District for review of the proposed detention basin system and development within the flood plain or flood way.

A "trustee agency" refers to a state agency having jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State of California. The California Department of Fish and Game (CDFG) has jurisdiction over biological resources, including waters of the State and rare and endangered plant species, which may be affected by project development, and is, therefore, a trustee agency.

1.5 ENVIRONMENTAL REVIEW PROCESS

The environmental impact review process, as required under CEQA, is outlined below. The steps are presented in sequential order.

1. **Notice of Preparation (NOP).** Immediately after deciding that an EIR is required, the lead agency must file a NOP soliciting input on the EIR scope to "responsible," "trustee," and involved federal agencies; to the State Clearinghouse, if one or more state agencies is a responsible or trustee agency; and to parties previously requesting notice in writing (*State CEQA Guidelines* Section 15082; Public Resources Code Section 21092.2). The NOP must be posted in the County Clerk's office for 30 days.

2. **Draft Environmental Impact Report.** The Draft EIR must contain: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) significant impacts (direct, indirect, cumulative, growth-inducing and unavoidable impacts); f) alternatives; g) mitigation measures; and h) irreversible changes.

3. **Public Notice and Review.** A lead agency must prepare a Notice of Availability of an EIR. The Notice must be placed in the County Clerk's office for 30 days (Public Resources Code Section 21092). The lead agency must send a copy of its Notice to anyone requesting it (*State CEQA Guidelines* Section 15087). Additionally, public notice of DEIR availability must be given through at least one of the following procedures: (a) publication in a newspaper of general circulation; (b) posting on and off of the project site; or (c) direct mailing to owners and occupants of contiguous properties. The lead agency must consult with and request comments on the Draft EIR from responsible and trustee agencies, and adjacent cities and counties (Public Resources Code Sections 21104 and 21253). The minimum public review period for a Draft EIR is 30 days. When a DEIR is sent to the State Clearinghouse for review, the public review period must be 45 days unless a shorter period is approved by the Clearinghouse (Public Resources Code 21091).

4. **Final EIR.** A Final EIR must include: (a) the DEIR; (b) copies of comments received during public review; (c) a list of persons and entities commenting; and (d) responses to comments.

5. **Final EIR Certification.** Prior to approving a project, the lead agency must certify that: (a) the Final EIR has been completed in compliance with CEQA; (b) the Final EIR was presented to the decision-making body of the lead agency and that the lead agency considered the information in the Final EIR; and c) the Final EIR reflects the lead agency's independent judgment and analysis (*State CEQA Guidelines* Section 15090).

6. **Lead Agency Decision.** A lead agency may: (a) disapprove a project because of its significant environmental effects; (b) require changes to a project to reduce or avoid significant environmental effects; or (c) approve a project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (*State CEQA Guidelines* Sections 15042 and 15043).

7. **Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, the lead or responsible agency must find, based on substantial evidence, that either: (a) the project has been changed to avoid or substantially reduce the magnitude of the impact; (b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or (c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible *(State CEQA Guidelines* Section 15091). If an agency approves a project with unavoidably significant environmental effects, it must prepare a written Statement of Overriding Considerations that set forth the specific social, economic or other reasons supporting the agency's decision.

8. **Mitigation Monitoring/Reporting Program.** When a lead agency makes findings on significant effects identified in a Final EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.

9. **Notice of Determination.** The lead agency must file a Notice of Determination after deciding to approve a project for which an EIR is prepared (*State CEQA Guidelines* Section 15094). A local agency must file the Notice with the County Clerk. The Notice must be posted for 30 days and sent to anyone previously requesting notice. Posting of the Notice starts a 30-day statute of limitations on CEQA challenges (Public Resources Code Section 21167[c]).

2.0 PROJECT DESCRIPTION

Summary. The proposed project involves a Vesting Tentative Tract Map, Comprehensive Plan Amendment, Rezone, and Development Plan entitlements to subdivide an existing 138.6-acre parcel into 138 lots and develop 125 single-family residential units on the northern portion of the site. Approximately 106 acres (76%) of the site is proposed as open space. The property is identified as Assessor's Parcel Number (APN) 129-151-026. It is within the Orcutt Community Plan (OCP) area and is referred to as Key Site 3.

2.1 PROJECT APPLICANT

John Franklin
Franklin Real Estate Development, LLC
3159 Eaglewood Avenue
Thousand Oaks, California 91362

2.2 CURRENT PROPERTY OWNER

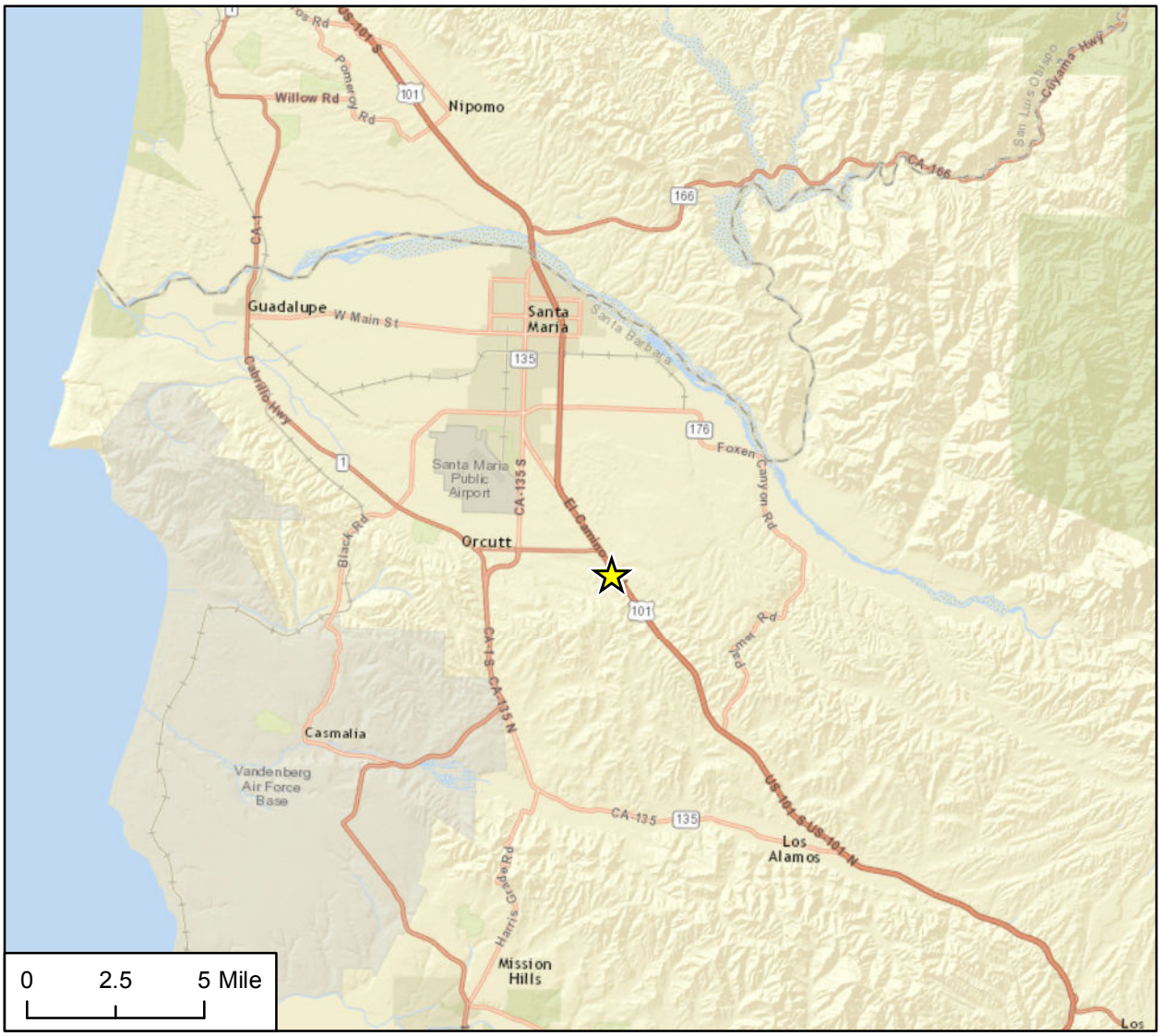
SB Clark, LLC
300 Esplanade Drive, Suite 1550
Oxnard, California 93030

2.3 PROJECT LOCATION

The 138.6-acre Orcutt Key Site 3 project site is located on the west side of U.S. Highway 101 (U.S. 101), approximately ¼ mile south of the Clark Avenue/U.S. Highway 101 intersection in the southeastern section of the Orcutt Planning Area, in unincorporated Santa Barbara County. The site is bounded by U.S. 101 on the east, which runs in a northwest-southeast direction adjacent to the site. The Sunny Hills Mobile Home Park borders the site on the north; agriculture borders the site to the northeast and east across U.S. 101; rural density ranchettes border the site to the west; and the undeveloped Solomon Hills and grazing land border the site to the south. Figure 2-1 shows the regional location of the project site, while Figure 2-2 shows the site within its local context.

2.4 EXISTING SITE CHARACTERISTICS

The project site is currently undeveloped, and a portion of it is used for cattle and horse grazing. The predominant land use surrounding the property is agriculture, as property to the northeast and east across U.S. 101 is planted in rotational crops, and property to the south is used for grazing. Other surrounding uses consist of medium density residential, general commercial and U.S. 101 to the north; and low density residential development and 5-20 acre ranchettes to the west. Existing site topography includes approximately 43 acres in the upper mesa where elevations vary between 570 and 605 feet, approximately 45 acres in the central plain area where elevations vary from 548 to 590 feet, and approximately 50 acres located south of the central plain area where elevations vary from 590 to 720 feet. Predominant slopes include a south- and southwest-facing bluff between the upper mesa and the central plain area, and north-facing slopes in the southern portion of the side to the south of Orcutt Creek, which trends southeast to northwest across the southern and southwestern portions of the site.



Imagery provided by ESRI and its licensors © 2014.

N

Project Location

Regional Location

Figure 2-1

Imagery provided by Google and its licensors © 2014.

Vicinity Map

Figure 2-2

The majority of the Key Site 3 property and the entirety of the project site is designated Residential Ranchette under the Orcutt Community Plan, with corresponding Zoning of RR-10 (Residential Ranchette, 1 unit per 10 acres) under the County's Land Use and Development Code. In February 2009, the County Board of Supervisors approved the Housing Element Focused Rezone Program[1] and amended the OCP, the Land Use Development Code, and Santa Barbara County Zoning Map to change an approximately 8-acre portion of Key Site 3 to Residential-20 land use designation with Multifamily Residential-Orcutt (MR-O) zoning for the future development of 160 high-density multi-family townhome units as part of the Focused Rezone Program. The 160 units in the MR-O portion of the property are not part of the proposed project evaluated in this SEIR; however, the subdivision of the MR-O area into two lots is part of the current proposed project, for financial and phasing purposes. Figure 2-3 illustrates the preliminary site plan for Key Site 3, including the MR-O designated portion of the site. The RR-10 zone is located on the approximately 131 remaining acres. Table 2-1 summarizes the existing land use and regulatory characteristics of the site.

Table 2-1 Existing Key Site 3 Property Information

Site Characteristic	Description
APN	129-151-026
Land Use Designation	Residential Ranchette, Residential (10-acre minimum), and Residential-20
Zoning	Residential Ranchette (RR-10), 1 unit per 10 acres; and Multifamily Residential-Orcutt (MR-O), 20 units per acre
Size	138.6 acres
Existing Land Use	Grazing/Vacant
Surrounding Land Use	***North:*** Sunny Hills mobile home park ***South:*** Undeveloped Solomon Hills and grazing ***East:*** U.S. 101 and row crops ***West:*** Five 20-acre ranchettes
Access	Primary access would be via a new private road off Clark Avenue and through Key Site 2 to the north. Secondary access would be via Stillwell Road and Chancellor Street (private road).

2.5 PROJECT CHARACTERISTICS

The proposed project is a request by Franklin Real Estate Development, LLC, as agent for the owners, for approval of a Vesting Tentative Tract Map (VTTM), Comprehensive Plan Amendment, Rezone, and Development Plan entitlements for the 138.6-acre Key Site 3. The VTTM request includes two parcels for the 8-acre portion of the site that was rezoned MR-O in February 2009 as part of the Housing Element Focused Rezone Program. However, development of the potential 160 units in the MR-O portion of the property is not part of the proposed project evaluated in this SEIR. The project proposes to develop 125 single-family units in a variety of product (small lot, detached cluster homes, and larger single family residences) on the northern portion of the site. Figure 2-3 illustrates the preliminary site plan, as well as the MR-O designated portion of Key Site 3. Landscaping, including street trees and an entry monument at the primary entrance to the development, is proposed, as are decorative street lights. In addition, approximately 106 acres (76%) of the site is proposed as open space. The

[1] *The environmental impacts associated with the development for the 8-acre portion of Key Site 3 under the MR-O zoning was evaluated in the Focused Rezone Program EIR (State Clearinghouse #2008061139, Santa Barbara County, 2008) and is part of the cumulative development analyzed in this EIR.*

Source: SB Clark LLC, January 2014

Site Plan

Figure 2-3

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open space area includes the upper mesa bluff area, Orcutt Creek, private parks and trails, public multi-use and hiking trails, landscaped basins, and natural and restored habitat on hillsides and along the creek.

The VTM proposes a total of 138 lots to be created on the site, as shown in Table 2-2. Two of these lots are for the MR-O zoned portion of the Key Site 3 property, and are not part of the proposed project evaluated in this SEIR. However, the subdivision of the MR-O area is part of the proposed project.

Table 2-2 Vesting Tentative Tract Map Proposed Lots

Use	Number of Lots
Roadway	3
Private Open Space	7
Public Open Space	1
Condominium (MR-O)[1]	2
Single-family Cluster Homes	125
Total	**138**

1. *MR-O portion of the Key Site 3 property, with impacts evaluated in the Focused Rezone Program EIR (Santa Barbara County, 2008).*

The Comprehensive Plan Amendment for the proposed project would change the Land Use Designation of Residential Ranchette with corresponding Zoning of RR-10 to Planned Development with corresponding Zoning of Planned Residential Development (PRD-125). The Rezone application proposes to establish a PRD zone on 131 acres. The proposed Key Site 3 Planned Residential Development Zone Standards are summarized in Table 2-3.

Table 2-3 Proposed PRD Development Standards

Development Feature	Mesa Clustered Homes
Area of Neighborhood/Number of Units Planned[1]	35 acres/125 units
Minimum Lot Size	3,200 S.F.
Setbacks: *Front*	Average 13 feet Minimum 2 feet
Side	Minimum One Side 7 feet Minimum Opposite Side 0 feet
Rear	Minimum 9 feet
Accessory Structures	CC&Rs to be consistent w/ Co LUDC Sect 35.42.020[2]
Building Separation	Minimum 10 feet
Site Coverage	45% maximum
Height Limit[2]	35 feet
Parking	Covered Parking 2 spaces/unit Visitor Parking on Street
Road Network	Primary access to Clark Avenue; secondary access to Stillwell/Chancellor Street (connection points shown in Figure 2-3)
Utility Service	Water - Golden State Water Company Sewer – Laguna County Sanitation District (LCSD) Cable TV-Comcast Phone-Verizon Power-PG&E

1. *Overall site area excluding MR-O zone is 131 acres and 125 units are proposed*
2. *Units limited to Single Story immediately adjacent to Northerly and Westerly perimeter of Mesa, Mesa Bluff and along Highway 101 frontage.*

The applicant also requests to amend three OCP policies and development standards to meet the intent of the OCP regarding increased density and clarify the secondary access location. The requested OCP amendments are presented in Table 2-4, below.

Table 2-4 Proposed Orcutt Community Plan Amendments

OCP Policy	Proposed Text Amendment
Policy KS3-1	Key Site 3 (APN 129-151-26) is designated ~~Res Ranch~~ **PD, Residential 20.0, and Open Space** and zoned ~~RR 10 and~~ **PRD-125,** MR-O. Any proposed development on Key Site 3 shall comply with the following development standards.
DevStd KS3-6	No development, other than a secondary access road ~~from Oakbrook Lane~~ **to Chancellor Street**, shall occur within 100 feet of the dripline of the vegetation in the southwest corner of the northern mesa, or within a 25 foot-buffer from the top of bluff of the canyon in the north~~east~~**west** corner of the site.
DevStd KS3-7	Primary access to the site shall be from the frontage road along US Hwy 101. The existing easement over Site 2 shall be renegotiated to accommodate development of Site 2 and to align with the "preferred access point" intersection. The developer shall coordinate with P&D, Public Works Transportation Division, and the Fire Department to ensure appropriate secondary access from ~~Oakbrook Lane.~~ **Chancellor Street using developer's existing Chancellor Street easement.**

[2] *Covenants, Conditions and Restrictions (CC&Rs) for accessory structures would be consistent with development standards set forth in Santa Barbara County Code Land Use and Development Code (LUDC) Section 35.42.020, such as height and use restrictions, setback requirements, and gross floor area and footprint limitations.*

a. Project Components. This section describes the proposed Orcutt Key Site 3 project components, including Mesa Neighborhood, parks and trails, affordable housing, and fencing.

Mesa Neighborhood. The existing MR-O zone on the upper mesa, the northern portion of the site, adjacent to Sunny Hills Mobile Home Park, is retained as previously approved. The project proposes to design the remaining upper mesa for the development of a total of 125 single family detached homes along with parks, trails, and other supporting improvements. Of the 125 homes, 45 would be single story homes located on the project perimeter adjacent to the existing mobile home park to the north, single family homes to the west, bluff edge to the south and adjacent to Highway 101 on the east. The remaining 80 homes would be one- and two-story homes ranging in size from about 1,460 square feet to 3,200 square feet. All of the single family homes would have enclosed garage parking for two vehicles and meet all current parking standards.

Parks and Trails. The proposed project includes recreational amenities, such as an entrance park, bluff top parks and trails, dual use park/detention basins, and the portion of the OCP trail system within the project boundary, including a public trail that would follow primary access to Key Site 2 to the north and connect to a future trail on Key Site 2 (refer to Figure 2-4). The applicant would construct all the trails depicted on the project site, including those proposed in the open space areas. The project as designed would meet and exceed the public multi-purpose trail requirements of the OCP. Additional features for the public would include a bicycle and vehicle parking and trail head staging area. All public trails, bike paths, and the public multi-purpose recreational trail would be owned and maintained by the County. A perpetual public access easement over the private trails and roads necessary for the public to access the public trails, paths and parking areas is proposed to be dedicated to the County.

Affordable Housing. The proposed project would fully comply with County Affordable Housing requirements by paying affordable housing In-Lieu Fees.

Fencing. The proposed project would use a number of different fencing design and materials. The sound wall along the eastern edge of the project would be constructed of split-face concrete block. Privacy fencing along the rears and side yards of the homes would be wood. Tubular steel fences would be placed in park areas along tops of slopes. A post and rail fence with wire mesh would be used around the drainage basins.

b. Infrastructure/Access Components. This section describes infrastructure (including roadways and grading) proposed within the project area.

Roadway Access. Primary access to the project site would be provided via a new private road off of Clark Avenue and through Key Site 2 to the north (see Figures 2-5 and 2-6). In addition, a second access road into the site would be linked to Chancellor Street (a private road), which connects to Stillwell Road. The proposed project has an easement over Chancellor Street for public access and public utility purposes. ~~All roads in the project would be private roads maintained by the project homeowner association (HOA).~~ **The existing intersection of Chancellor Street and Stillwell Road would be improved to include a 'knuckle' at the southwest corner of the intersection to increase vehicle sight lines. All grading at this location would be confined to the existing right-of-way. Beyond the curb knuckle, proposed improvements along Stillwell Road would transition back to the existing pavement.**

The access to the site off of Chancellor Street would require a bridge over Orcutt Creek. **The access to the site off of Chancellor Street would require a clear-span bridge over Orcutt Creek. Chancellor would require minor widening along its northerly edge of approximately two feet. The intersection of Chancellor and Stillwell Road would require minor grading and widening in the right of way to accommodate proposed vehicles. The gate on Chancellor would remain.**

The Mesa neighborhood would be served by a looped road. All roads would be two-lane roads with right of ways (ROWs) varying from 28 feet to 52 feet in width. Roads would have a 24-foot pavement width, with sidewalks or a trail on either or both sides of the road, in most cases. Shared driveways serving the Mesa area cluster homes would be between 20 and 26 feet in width, and sidewalks would be provided in the courtyard areas for ~~74 of the 99~~ **the small lot detached** cluster homes.

Subsurface improvements would include the construction of a sanitary sewer to service connect to Key Site 3. All roads in the project would be private roads maintained by the project homeowner association (HOA).

Parking. All of the single family homes would have enclosed garage parking for two vehicles and would meet existing County parking standards. On street visitor parking would be available. In addition, public parking areas to allow access to public trails and paths are proposed via dedication of a perpetual public access easement to the County.

Water Infrastructure. There is no existing water infrastructure on Key Site 3. Water utility connections to the existing Golden State Water Company off-site infrastructure would be constructed in two places along the project's western boundary (at Oakbrook Lane and Chancellor Street).

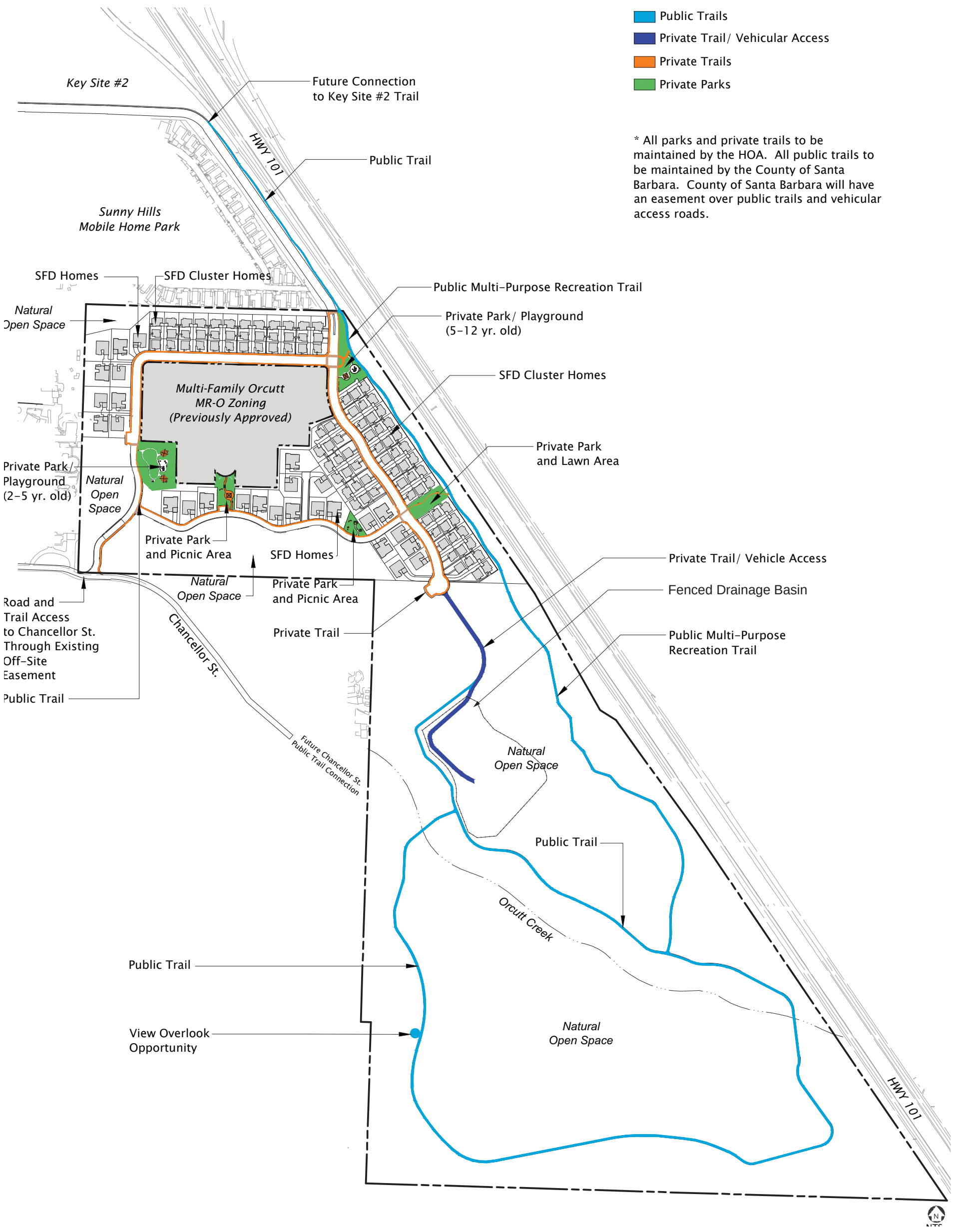
The proposed water system for the project would consist of a 12-inch diameter supply main through the northern portion of the project site, effectively completing an 8-inch diameter piping system for residential service. All water lines would be located under the public right-of-way, residential streets, or contained within public utility easements traversing the property.

Wastewater Infrastructure. There is no existing wastewater infrastructure on Key Site 3. Existing nearby infrastructure includes the 10-inch diameter Solomon Creek Trunk Sewer. Sewer service for the project would be supplied to the proposed project through a connection to existing Laguna County Sanitation District (LCSD) facilities.

The proposed sewer collection system would consist of 6-inch and 8-inch PVC pipes and routed to a 10-inch PVC pipe which would carry all site flow across Orcutt Creek to Chancellor Street. Offsite flow would continue along Chancellor Street via a new 10-inch PVC pipe. This 10-inch collector pipe would then connect to the 10-inch Solomon Creek Trunk Sewer at Stillwell Road and Orcutt Creek.

The proposed collection system would conform to LCSD Standard Specifications for the Construction of Sanitary Sewers. Proposed improvements would be dedicated to LCSD for management and future maintenance.

Drainage Infrastructure. The vast majority of the site drains to the basin near the center of the property, while a small portion at the westerly edge drains to the basin near Chancellor Street (refer to Figure 2-3). All drainage from the site would be collected with catch basins, routed with storm drain pipes and stored in the basins. All drainage from the site would ultimately be directed to Orcutt Creek, similar to the current largely undeveloped drainage pattern. In accordance with Santa Barbara County Flood Control Standards, drainage generated from development on the site would be attenuated through two detention basins and/or catch basins prior to discharging to Orcutt Creek. Additionally, basins have been designed to infiltrate the 95th percentile storm event for water quality purposes as suggested by the Regional Water Control Board.



Source: SB Clark LLC, January 2014

Parks and Trails Plan

Figure 2-4

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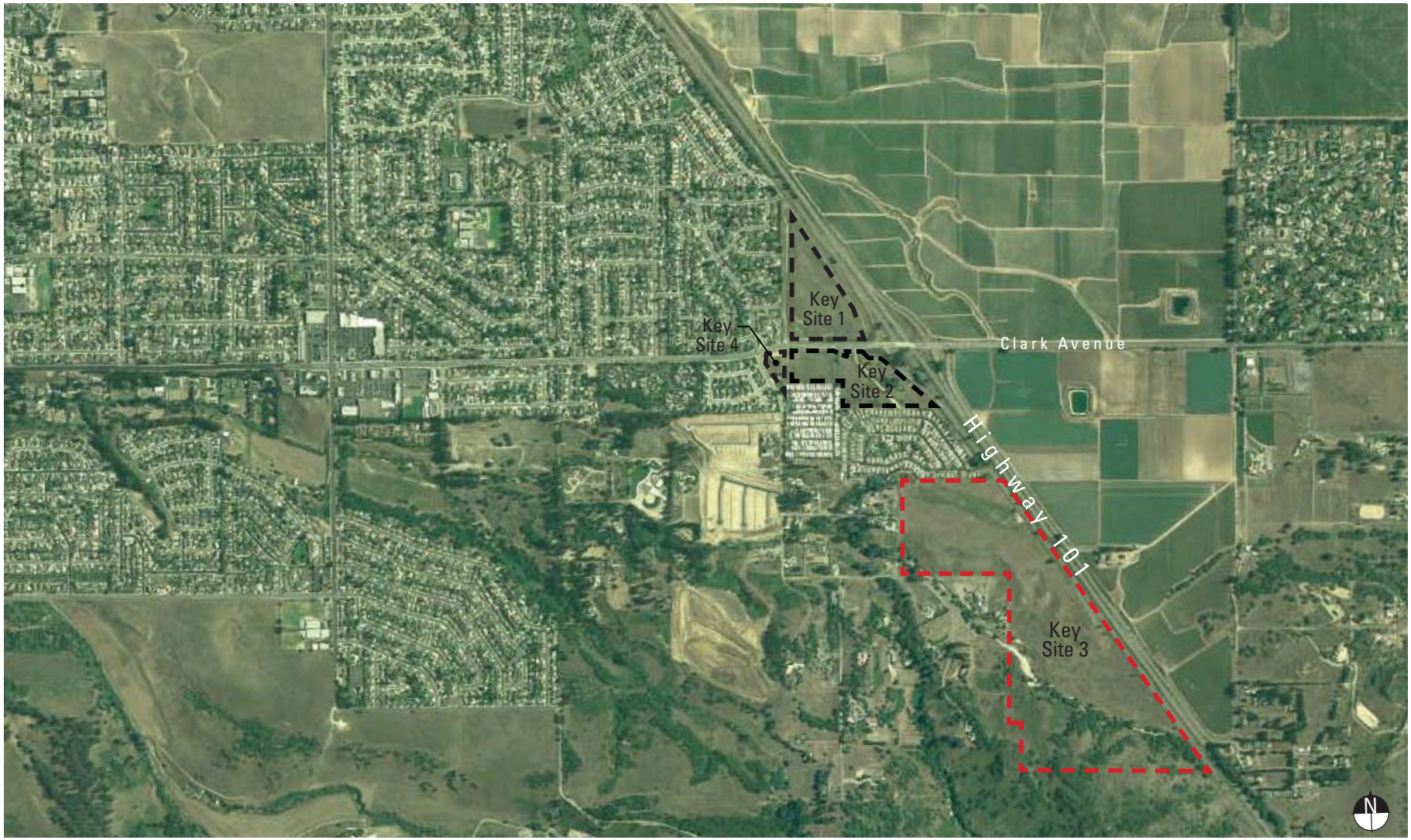


Source: SB Clark LLC, January 2014

Orcutt Community Plan Key Site Locations

Figure 2-5

Grading. The proposed project would require extensive grading operations. Nearly all areas within the project site that would be developed with either access roads or residences would require some level of grading. Grading would also be required for the new primary access road through Key Site 2, and at the Stillwell Road/Chancellor Street intersection. On a development-wide basis, grading operations would result in approximately 290,950 cubic yards (168,450 cubic yards of cut and 122,500 cubic yards of fill). The excess cut generated from the grading would be used as additional fill to offset the anticipated shrinkage and compaction of cut material. No offsite hauling of excess material is anticipated.

2.6 PROJECT OBJECTIVES

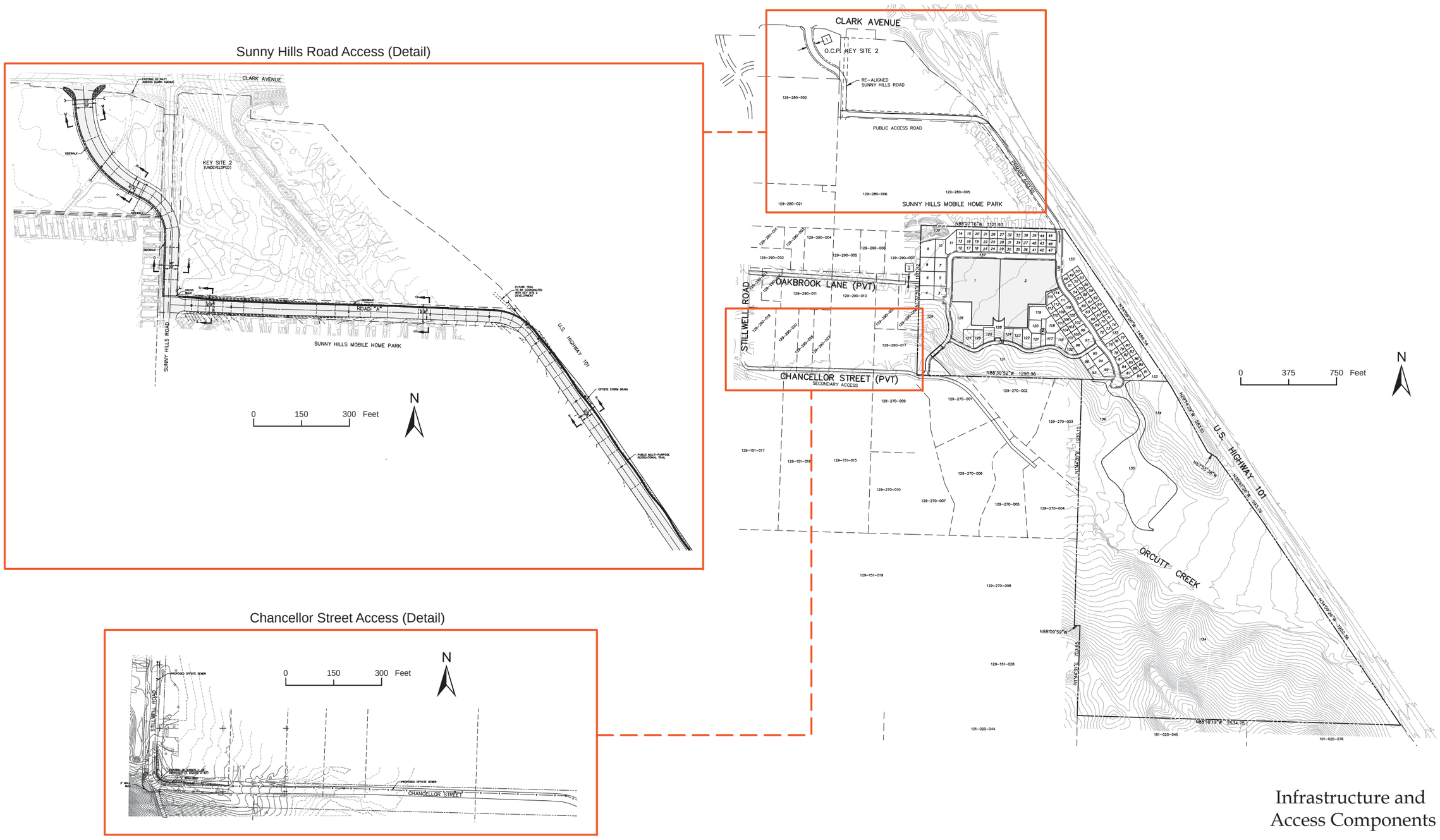
The primary objectives of the Orcutt Key Site 3 project are as follows:

- To develop the site consistent with the Orcutt Community Plan's designation of the property as one of 43 key sites identified for future development.
- To develop the site in a manner that is responsive to the Orcutt Community Plan, the County Housing Element, State planning goals and requirements, current environmental requirements and the physical characteristics of the diverse site.
- To provide up to 125 residential units on the site in a variety of housing types and densities appropriate with the surrounding neighborhood and previously approved zoning that will help meet a cross-section of the housing needs of the Orcutt community.
- To develop the property to achieve a more compact, walkable community taking advantage of the proximity to existing and future commercial and retail areas, existing and future transit opportunities, proximity to major highways, and support alternative transportation opportunities such as carpools, biking and walking.
- To develop the site in a manner which meets the intent of the Orcutt Community Plan by preserving the majority of the site as open space, consisting private parks and trails, public multi-use and hiking trails, landscaped basins, and natural and restored habitat.
- To assist the County, region, and the Orcutt area, to better meet its future housing needs and reduce pressure to expand development in other areas currently not designated for residential use, thereby reducing the need for urban sprawl.

2.7 REQUIRED APPROVALS

Implementation of the proposed project would require the following discretionary approvals from the County of Santa Barbara:

- Comprehensive Plan Amendment and Rezone from Residential Ranchette, 10 acre minimum parcel size (RR-10) to Planned Residential Development, 125 units (PRD-125);
- Text amendments to certain policies and development standards of the Orcutt Community Plan: Policies KS3-1 and Development Standards KS3-6 and KS3-7 (refer to Table 2-4).
- Vesting Tentative Tract Map (VTTM) to subdivide the property into 138 lots;



Infrastructure and Access Components

Source: Penfield and Smith, February 2014

Figure 2-6

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Development Plan entitlements to allow for development of 125 residences and associated improvements.

In addition, the Regional Water Quality Control Board (RWQCB) will be a responsible agency for review of National Pollutant Discharge Elimination System (NPDES) permit requests. The County Flood Control District will be a responsible agency for review of the proposed detention basin system

3.0 ENVIRONMENTAL SETTING

This section describes the general environmental setting in the vicinity of the project site. Specific descriptions of the setting in each of the environmental issue areas being studied in this SEIR can be found in the relevant chapters of Section 4.0, *Environmental Impact Analysis*.

3.1 REGIONAL

The project site is located in the Santa Maria Valley, a roughly east-west trending valley in northern Santa Barbara County. The Valley is bound by the Nipomo Mesa and Sierra Madre Mountains on the north and east, by the Solomon Hills and Casmalia Hills on the south, and by the Guadalupe Dunes and Pacific Ocean on the west.

The Santa Maria Valley is primarily a flat coastal plain whose native vegetation consists largely of coastal dune sage; the edges of the valley are characterized by rolling hills with oak woodlands, native and nonnative grasses, and chaparral. Much of the area is rural in nature, characterized by such uses as grazing, crude oil production, open space, and cultivated agriculture, which is the dominant land use due to the valley's fertile alluvial soils and exceptional climate for crop production.

Important water features in the Santa Maria Valley include Twitchell Reservoir, Betteravia Lakes (also known as Guadalupe Lake), the Santa Maria River, and Orcutt/Solomon, Pine, Graciosa, and San Antonio Canyon Creeks. The Santa Maria River is the principal drainage for the Valley. It is formed at the confluence of the Cuyama and Sisquoc Rivers and ultimately drains into the Pacific Ocean near the Santa Barbara County/San Luis Obispo County border.

The Santa Maria Valley's Mediterranean climate is characterized by warm, dry summers and cool, damp winters with occasional rainy periods. Annual rainfall typically ranges from about 13 to 18 inches, with nearly all precipitation occurring between October and April. Light to moderate sea breezes generally predominate during the day, while land breezes from the east dominate during night and early morning hours.

3.2 SITE SPECIFIC SETTING

The project site is located on the west side of U.S. Highway 101 (U.S. 101) approximately ¼ mile south of Clark Avenue in the southeastern section of the Orcutt Planning Area, within the unincorporated area of Santa Barbara County. The site is bounded by U.S. 101 on the east, the Sunny Hills mobile home park on the north, rural density ranchettes to the west, and the undeveloped Solomon Hills to the south.

The project site is currently undeveloped and a portion is used for cattle and horse grazing. The property contains a variety of landforms: hillsides, steep bluffs, Orcutt creek, and its associated floodplain terrain. The predominant land use surrounding the property is agriculture, which exists to the east (across U.S. 101) and to the south of the project site. Other surrounding uses consist of medium density residential immediately to the north; general commercial further to the north; and low density residential development and 5-20 acre ranchettes to the west.

3.3 CUMULATIVE DEVELOPMENT

A project's cumulative impacts are the possible environmental effects that may be cumulatively considerable when considered with other reasonably foreseeable projects [Section 15065 (a)(3) of the California Environmental Quality Act (CEQA) Guidelines]. Cumulatively considerable impacts occur when the incremental effects of a particular project or program are significant when viewed in connection with the effects of other past, current, or probable future projects or programs that are not incorporated into baseline or existing conditions.

As defined in Section 15355 of the CEQA Guidelines, a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. According to Section 15130 of the CEQA Guidelines, the discussion of cumulative impacts must reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects that do not contribute to the cumulative impact. Impacts that do not result in part from the project evaluated in the EIR need not be discussed.

The impact sections of this SEIR discuss the potential cumulative environmental impacts resulting from the proposed project in association with other planned, pending, and reasonably foreseeable projects in the vicinity of the project area. The cumulative impacts discussion considers the contribution to environmental effects of the 160-unit MR-O development on Key Site 3 that was approved as part of the Focused Rezone Program. Other cumulative development in the community of Santa Maria Valley includes 1,210 residential units that are currently approved or under construction, in addition to 683,836 square feet of commercial development. Table 3-1 lists the projects included in the cumulative impact analyses.

Table 3-1 Orcutt Area Cumulative Projects List

Development Information	Use Type	# of Units, Square Footage, or Misc.
APPROVED		
RICHARDSON TENTATIVE PARCEL MAP (TPM 14,780) **APN:** 129-151-037	Residential	4 residential units
KEY SITE 17 GENERAL PLAN AMENDMENT **APNs:** 105-134-004, 105-134-005, 105-330-005, 105-330-006	Residential	257 residential units
TERRACE VILLAS TRACT MAP 14,770 **APNs:** 129-300-001, 129-300-002, 129-300-003, 129-300-004, 129-300-005, 129-300-006, 129-300-007, 129-300-008, 129-300-009, 129-300-010, 129-300-011, 129-300-012, 129-300-013, 129-300-014, 129-300-015, 129-300-016, 129-300-017, 129-300-018, 129-300-019, 129-300-020	Residential	16 residential units
PRIMROSE SPECIAL CARE FACILITY **APN:** 105-010-080	Residential	Residential care facility
KEY SITE 30 VEST. TRACT MAP 14,739 **APN:** 107-250-008	Residential	69 residential units
CLARK AVENUE COMMERCIAL **APN:** 103-750-038	Commercial	12,875 sq. ft. of commercial development
CHALOUPKA LOT SPLIT (TPM 14,714) **APN:** 129-151-019	Parcel Map	2 residential units
SMITH TENTATIVE PARCEL MAP (TPM 14,795) **APN:** 107-270-006	Residential	4 residential units
GAYDA LOT SPLIT (TPM 14,703) **APN:** 105-060-013	Residential	3 residential units
BROADWAY & UNION MERCANTILE TPM 14,766 **APN:** 105-092-017	Residential	2 residential units
OAK GLEN DEVELOPMENT **APN:** 101-010-002	Residential	52 residential units
ORCUTT AQUACENTER **APN:** 107-470-011	Development Plan	31,074 sq. ft. of commercial development

Table 3-1 Orcutt Area Cumulative Projects List

Development Information	Use Type	# of Units, Square Footage, or Misc.
LEO EVANS-NORTHPOINTE (OLD 98-DP-023) **APN:** 107-560-001	Residential	32 residential units
FETYKO TRACT MAP (TM 14,627) **APN:** 103-740-016	Residential	18 residential units
BURINDA LOT SPLIT (TPM 14,656) **APN:** 129-151-040	Residential	2 residential units
MENDOZA LOT SPLIT (TPM 14,659) **APN:** 103-200-048	Residential	2 residential units
MEYER LOT SPLIT (TPM 14,679) **APN:** 103-181-013	Residential	2 residential units
WILKS TRACT MAP 14,681 **APN:** 105-210-032	Residential	3 residential units
ORCUTT MARKETPLACE **APN:** 129-120-024	Commercial	320,663 sq. ft. of commercial development
CONLEY LOT SPLIT (TPM 14,693) **APN:** 105-010-032	Residential	3 residential units
HOPE COMMUNITY CHURCH (TPM 14,711) **APN:** 107-150-019	Commercial	3 residential units
HOPE COMMUNITY CHURCH (TPM 14,711) **APN:**107-150-019	Commercial	29,373 sq. ft. of commercial development
HAWKINS LOT SPLIT (TPM 14,754) **APN:** 129-151-016	Residential	2 residential units
UNDER CONSTRUCTION		
TREUR LOT SPLIT (TPM 14,683) **APN:** 129-151-015	Residential	2 residential units
ADDAMO WINERY/DIAMANTE [TM 14,616] **APN:** 129-151-042	Residential	5 residential units
DANIELS LOT SPLIT (TPM 14,626) **APN:** 129-151-038	Residential	2 residential units

Table 3-1 Orcutt Area Cumulative Projects List

Development Information	Use Type	# of Units, Square Footage, or Misc.
ORCUTT UNION PLAZA/WILL COMMERCIAL BLDGS **APNs:** 105-091-001, 105-091-006	Commercial	66,831 sq. ft. of commercial development
RICE RANCH DEVELOPMENT PLAN **APNs:** 101-010-013, 101-020-004, 105-140-016	Residential	725 residential units
PR INVESTMENTS/EVERGREEN SHOPPING CTR DEV PLAN **APNs:**109-200-012, 109-200-013, 109-200-015, 109-200-016	Commercial	61,958 sq. ft. of commercial development
ST JOSEPH DEVELOPMENT PLAN **APN:** 107-240-015	Institutional (schools, churches, etc.)	111,396 sq. ft. of institutional development
ST LOUIS DE MONTFORT CHURCH **APN:** 103-200-071	Institutional (schools, churches, etc.)	49,666 sq. ft. of institutional development

Source: County of Santa Barbara, October 2014

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4.0 ENVIRONMENTAL IMPACT ANALYSIS

This section discusses the possible environmental effects of the proposed project for the specific issue areas that were identified through the Notice of Preparation (NOP)/Scoping process as having the potential to experience significant impacts.

"Significant effect" is defined by the *CEQA Guidelines* §15382 as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment, but may be considered in determining whether the physical change is significant."

The assessment of each issue area begins with a discussion of the environmental setting related to the issue, which is followed by the impact analysis. Within the impact analysis, the first subsection identifies the methodologies used and the "significance thresholds," which are those criteria adopted by the County, other agencies, universally recognized, or developed specifically for this analysis to determine whether potential effects are significant. The next subsection describes each impact of the proposed rezone site development, mitigation measures for significant impacts, and the level of significance after mitigation. Each effect under consideration for an issue area is separately listed in bold text, with the discussion of the effect and its significance following. Each bolded impact listing also contains a statement of the significance determination for the environmental impact as follows:

> ***Class I.*** *Significant and Unavoidable: An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved per §15093 of the CEQA Guidelines.*
>
> ***Class II.*** *Significant but Mitigable: An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings to be made under §15091 of the CEQA Guidelines.*
>
> ***Class III.*** *Not Significant: An impact that may be adverse, but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.*
>
> ***Class IV.*** *Beneficial: An effect that would reduce existing environmental problems or hazards.*

Following each environmental impact discussion is a listing of mitigation measures (if recommended or required) and the residual effects or level of significance remaining after the implementation of the measures. In those cases where the mitigation measure for an impact could have a significant environmental impact in another issue area, this impact is discussed and evaluated as a secondary impact. The impact analysis concludes with a discussion of cumulative effects, which evaluates the impacts associated with the proposed project in conjunction with other future development in the area. The future development of 160 multi-

family townhomes on the MR-O zoned portion of Key Site 3 is included in the analysis of cumulative impacts.

Please refer to the Executive Summary of this SEIR, which clearly summarizes all impacts and mitigation measures that apply to the proposed project.

4.1 AESTHETICS/VISUAL RESOURCES

4.1.1 Setting

a. Regional Setting. The Santa Maria Valley is primarily a flat coastal plain bordered by the Nipomo Mesa and Sierra Madre Mountains on the north and east, by the Solomon Hills and Casmalia Hills on the south, and by the Guadalupe Dunes and Pacific Ocean on the west. Typical views throughout the valley, with the exception of the Santa Maria/Orcutt urban areas, consist of long range vistas of the surrounding mountains and foothills, open grazing lands and agricultural fields. The visual character of the region surrounding the Santa Maria and Orcutt urban areas is primarily rural in nature, characterized by such uses as grazing, crude oil production, open space, and cultivated agriculture, which is the dominant land use due to the valley's fertile alluvial soils and exceptional climate for crop production. The Solomon Hills to the south of the site and the Orcutt Creek corridor, which runs through the site, are heavily vegetated with a variety of trees and shrubs.

The City of Santa Maria and the community of Orcutt are more urban in nature. The character of urban development varies with denser, more urban areas in Old Town Orcutt and the downtown area of Santa Maria, surrounded by lower-density suburban development. Overall, the Santa Maria Valley is characterized as a low-density urban center, with supporting suburban residential development in unincorporated Orcutt.

U.S. Highway 101 (U.S. 101) and State Route 1 (SR 1) provide the primary through-travel corridors in the Valley and Santa Maria/Orcutt area. Throughout Santa Barbara County, U.S. 101 is eligible for designation as a scenic highway (Caltrans, 2013). SR 1 has been designated as a scenic highway between U.S. 101 at Las Cruces and SR 246 near Lompoc.

b. Visual Character of the Project Site. The project site is a gateway parcel to the rural community of Orcutt. The site is located just south of Clark Avenue and is bordered by U.S. 101 to the northeast. The Sunny Hills Mobile Home Park borders the site on the north; agriculture borders the site to the northeast, east, and southeast across U.S. Highway 101; low density, rural ranchettes border the site to the west; and the undeveloped Solomon Hills and grazing land border the site to the south. The 138.6-acre site is undeveloped and contains two mostly flat areas, separated by a 30- to 50-foot high, southeast-facing escarpment in the northern half of the site, and a north-facing sloped and hilly area comprising the foothills of the Solomon Hills on the southern portion of the site. Orcutt Creek bisects the site in a northwest to southeast direction. The majority of the site is comprised of California annual grassland, with elements of oak woodland, riparian, and coastal scrub habitats.

Key Site 3 is identified as a "gateway parcel" in the OCP because of its location at a principal entryway to the community of Orcutt and because it provides an important semi-rural context to the community. For northbound travelers on U.S. 101, Key Site 3 is in the foreground of the first views of the Santa Maria Valley and Orcutt. Views of the site from U.S. 101 consist of open grazing land in the foreground and relatively steep slopes of the Solomon Hills in the background. As the southern boundary of the Santa Maria Valley, the Solomon Hills are an important part of the public viewshed and identified as such in the OCP. The hills are

characterized by steep slopes, canyon drainages, oak woodlands and eucalyptus groves, chaparral, and non-native grasslands.

With respect to light and glare, the site currently has no street lighting, lighted nighttime activity, or structures that would produce glare. Receptors in the immediate vicinity that may be sensitive to increased levels of night lighting or new sources of daytime glare are the existing mobile homes and single-family residences located immediately north and west of the property, respectively, and travelers on U.S. 101.

c. Regulatory Setting. Santa Barbara County regulates the design of the built environment through its Comprehensive Plan and Land Use and Development Code (LUDC). New development must be consistent with the Comprehensive Plan's visual resource policies and development standards, as well as the applicable policies of the Orcutt Community Plan (OCP). Policies pertaining to design of development and preservation of scenic resources are set forth in the Land Use Element (LUE) and the Open Space Element (OSE). Pertinent policies from the LUE that would be applied to this project include the following:

- *All commercial, industrial, and planned developments shall be required to submit a landscaping plan to the County for approval;*
- *Signs shall be of size, location and appearance so as not to detract from scenic areas or views from public roads and other viewing points;*
- *Utilities, including television, shall be placed underground in new developments in accordance with the rules and regulations of the California Public Utilities Commission, except where cost of undergrounding would be so high as to deny service;*
- *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; and*
- *All developments shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited to development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.*

The LUDC contains height and size limits, including guidelines for hillside development that regulate the design of future development, in some cases, through review of project plans by the regional (North County) Board of Architectural Review (NBAR). The NBAR has review authority over the northern portion of Santa Barbara County, including the project site, and the project will be subject to review by the NBAR. The purpose of the NBAR is to encourage "development which exemplifies the best professional design practices so as to enhance the visual quality of the environment, benefit surrounding property values, and prevent poor quality of design" (Santa Barbara County, Board of Architectural Review, 2012). The NBAR reviews project plans and NBAR applications, and evaluates the project design against the following conditions outside of the Coastal Zone:

- *Overall building shapes, as well as parts of any structure (buildings, walls, fences, screens, towers, or signs) shall be in proportion to and in scale with other existing or permitted structures on the same site and in the area surrounding the property;*
- *Mechanical and electrical equipment shall be well integrated in the total design concept;*
- *There is harmony of material, color, and composition of all sides of a structure or building;*
- *A limited number of materials will be on the exterior face of the building or structure;*
- *There shall be a harmonious relationship with existing and proposed adjoining developments, avoiding excessive variety and monotonous repetition, but allowing similarity of style, if warranted;*
- *Site layout, orientation, and location of structures, buildings, and signs are in an appropriate and well designed relationship to one another, and to the environmental qualities, open space, and topography of the property;*
- *Adequate landscaping is provided in proportion to the project and the site with due regard to preservation of specimen and landmark trees, exiting vegetation, selection of planting which will be appropriate to the project, and adequate provisions for maintenance of all planting;*
- *Signs including their lighting, shall be well designed and shall be appropriate in size and location; and*
- *The proposed development is consistent with any additional design standards as expressly adopted by the Board of Supervisors for a specific local community area, or district pursuant the applicable zoning ordinance (development code).*

More specific guidance from policies and development standards is provided in the OCP, including the changes made to the OCP as a result of the February 24, 2009 adoption of the Housing Element Focused Rezone Program, which added Development Standards DevStd KS-13 through DevStd KS-21. The applicable visual resources protection policies and development standards (general and specific to Key Site 3), contained in the OCP are listed below. Consistency with these and other OCP policies are addressed in Section 4.8, *Land Use.*

Policy VIS-O-1	*Significant scenic and visual natural resources in Orcutt shall be protected in order to preserve the semi-rural character of the OPA.*
DevStd VIS-O-1.1	*All development including buildings, understories, fences, water tanks and retaining walls adjacent to designated natural open space areas shall be sited and designed to protect the visual character of these areas and blend in with natural landforms through the use of such methods as setbacks, building orientation, materials and colors (earth tones and non-reflective paints), landscape buffers, shielded exterior lighting, screening of parking areas and inclusion of perimeter roads to allow maintenance of open space corridors.*
POLICY VIS-O-2	*Prominent public view corridors (U.S. 101, State Routes 1 & 135, Clark Ave., Santa Maria Way, and Union Valley Parkway) and public*

	viewsheds (Orcutt/Solomon Hills, Casmalia Hills, and Orcutt Creek) shall be protected.
DevStd VIS-O-2.1	*Development shall be sited and designed to minimize the disruption of important public view corridors and viewsheds through building orientation, minimization of grading on slopes, landscaping, and minimization of sound walls.*
DevStd VIS-O-2.2	*New homes on lots on the edge of bluff tops and canyon walls along significant open space/view corridors shall be of single story or partial second story design to minimize impacts to public view corridors (i.e., public roads, trails, etc.)*
POLICY VIS-O-3	*Parcels along primary entryways into Orcutt are designated as "Gateway" parcels (Key Sites #1, 2, 3, 14, 15, 21, 22, 25, and part of 18). These gateway parcels shall be developed in a manner that preserves the semi-rural character and provides an inviting and visually pleasing entrance to the community.*
DevStd VIS-O-3.1	*Development shall be sited and designed with adequate street frontage building setbacks to allow an average 35 foot landscaped buffer containing sufficient plantings of major trees and shrubs to obscure parking areas from public view and to "soften" building masses.*
DevStd VIS-O-3.3	*Sound wall construction shall be minimized through the alternative use of landscaped berms for noise reduction.*
DevStd VIS-O-3.4	*Trash enclosures shall be located outside of public view to the maximum extent feasible.*
DevStd VIS-O-3.6	*Developers of gateway parcels shall fund and construct median strips along designated gateway roads (i.e., Clark Ave., Santa Maria Way, Union Valley Parkway) that include landscaping with low maintenance trees, shrubs, and groundcover designed to minimize the obstruction of views by motorists, bicyclists, and pedestrians. The developer shall be reimbursed by other benefitted owners in accord with the Infrastructure Fee Study.*
DevStd VIS-O-3.7	*Development on gateway parcels shall be subject to review by the County Board of Architectural Review and/or the Orcutt BAR.*
POLICY VIS-O-4	*Public and private stormwater systems (recharge, retention, and retardation basins, culverts, channels, etc.) shall be designed and maintained to be visually attractive.*
DevStd VIS-O-4.1	*Basins shall be engineered so that perimeter fencing is minimized. Where required, perimeter fencing shall be unobtrusive (while minimizing interference with wildlife movement on rural parcels.). Perimeter landscaping of basins shall consist of low maintenance trees, shrubs, turf, etc., and on public basins should be designed to accommodate recreational uses where appropriate. Landscaping and fencing within basins should be maintained through a Landscape-Open Space Maintenance District.*

POLICY VIS-O-6 *Outdoor lighting in Orcutt shall be designed and placed so as to minimize impacts on neighboring properties and the community in general.*

DevStd VIS-O-6.1 *Low pressure sodium (LPS) lighting or other alternative methods used for street lighting, parking lot lighting and security lighting should be investigated by the Public Works Department to reduce off-site impacts from night lighting.*

DevStd VIS-O-6.2: *Planning and Development shall work with Public Works to address street lighting needs and impacts, especially in the area south of Clark Avenue.*

DevStd VIS-O-6.3 *Night lighting fixtures adjacent to residential areas shall be of the minimum height and intensity required for security/safety.*

DevStd KS3-2 *In order to provide compatibility with existing adjacent development, density shall transition from "lower" at the southern and western perimeters of the mesa to "higher" for the internal development. The area extending from the top of the bluff to the southern site boundary, and a 75 foot strip along the entire eastern site boundary shall remain in natural, undeveloped open space. No development except bikepaths, hiking trails, rural landscaping, the proposed rest area and other passive recreational areas (e.g., seating areas) shall be permitted within this area.*

DevStd KS3-4 *Drought tolerant landscape screening such as oaks and other trees and shrubs shall be planted on the southwest facing slope leading down to Chancellor Street and on the southern slope between development and the proposed open space.*

DevStd KS3-11 *Homes located on the northern, western, and southern mesa boundaries adjacent to existing residential development that are not zoned MR-O shall be limited to one story in height to reduce visual impacts on these existing residences. In addition, on the northern site boundary, the developer shall install a 25-foot wide rural landscape buffer. Taller buildings within the MR-O zone shall be located away from the edge of the zone district to the maximum extent feasible.*

DevStd KS3-12 *Development on the site shall be consistent with the "gateway policies" in the Visual Resources section (IV.H).*

DevStd KS3-14 *Future residential development shall, at minimum, include the design components listed below:*

1. ***Roofing and Feature Color and Material.*** *Development shall include darker, earth tone colors on structure roofing and other on-site features to lessen potential visual contrast between the structures and the natural visual backdrop of the area, as applicable. Roof materials shall match the prevailing materials used in the surrounding vicinity in order to preserve, to the extent feasible, current visual characteristics. Natural-appearing building materials and colors compatible with surrounding terrain (earth tones and non-reflective paints) shall be used on exterior materials of all structures, including fences.*

2. ***Compatibility with Adjacent Uses***. *The design and character of the project architecture shall be compatible with the existing development adjacent to the site, to the extent feasible.*

3. ***Masonry Walls and Sound Walls***. *All masonry walls, including sound walls, shall provide color in tones compatible with surrounding terrain, using textured materials or construction methods that generate a textured effect. Clinging vines, and/or native vegetation planting shall be provided directly adjacent to any walls to soften the visual effect. Vegetation that is planted along walls adjoining habitable structures shall be consistent with the requirements of an approved fire/vegetation management plan.*

DevStd KS3-15 *All front, side and rear elevations for all structures visible from public viewpoints shall incorporate design features that avoid long, unarticulated facades.*

DevStd KS3-16 *Project entrance monuments that may be provided shall be visually compatible with surrounding development, shall be consistent with the natural character of the area, and shall only be illuminated with hooded and downward-directed lighting of the lowest intensity that provide adequate lighting. Excessive lighting intensity shall not be permitted.*

DevStd KS3-17 *Signs shall be constructed of high quality materials and are encouraged to have borders, trim, and be recessed into their frames. Lettering style and colors shall be consistent with the rural character of Orcutt.*

DevStd KS3-19 *New lighting shall be oriented away from sensitive uses, and shall be hooded, shielded, and located to direct light pools downward and prevent glare. The following standards shall also be implemented:*

- *All exterior lighting shall be designed as part of the overall architectural concept,*
- *Fixtures, standards and all exposed accessories shall be harmonious with the building design, the lighting design and hardware of the public spaces, and the overall visual environment of the County,*
- *Lighting shall be used for safety and security to illuminate building entrances, parking, and loading areas, and pedestrian walkways,*
- *Light fixtures with exposed light bulbs shall generally be avoided,*
- *All light fixtures with exposed light bulbs shall be of a type fitted with lenses to confine the cone of light to the extent feasible,*
- *Lighting sources shall not cast stray light beyond the property line on which they are installed.*

DevStd KS3-20 *Finish materials, including glazing shall be of a low reflectivity to minimize glare. Development shall include low reflectivity glass, subdued colors for building materials in high visibility areas, and the use of plant material along the perimeter of the structures to soften views.*

DevStd KS3-21 *Streetlights located with the development shall be pedestrian in scale and range in height from 12 to 15 feet, and shall be architecturally compatible with surrounding development. Streetlights, where they are included, shall be primarily for pedestrian safety (at roadway intersections only),*

> *and shall not provide widespread illumination. High mast street lighting shall be shielded and decorative to be compatible with the rural character of Orcutt.*

The OCP applied an Open Space Overlay to the southern two-thirds of Key Site 3 (i.e., to all areas other than the upper mesa). The stated intent of this overlay was to "identify and preserve significant and, where possible, contiguous bands of open space within the community for both habitat/resource protection and viewshed preservation" (OCP EIR, 1995).

4.1.2 Previous Environmental Review

OCP EIR. Existing visual and aesthetic resources and potential impacts relating to development of the Key Site 3 property with 212 residential units were analyzed in Sections 5.15, *Visual Resources/Open* Space, and in the *Key Site 3: Site Specific Impact Analysis,* Section B.13, *Visual/Aesthetic Resources*, of the OCP EIR. Several of these measures were incorporated into the Final OCP as mitigation measures. The OCP EIR concluded that impacts related to increased night lighting (VIS-2), unmaintained stormwater detention basins (VIS-3), and intrusion of fire-breaks into open space (VIS-6) were potentially significant but mitigable. Impacts related to transformation from a semi-rural to urban area (VIS-1), degradation of views along gateway roads to the community (VIS-5), removal of natural scenic resources (VIS-7), open space fragmentation-loss of scenic natural resources (VIS-13), expansion of urban activities into existing rural open space (VIS-17), degradation of views from designated scenic corridors (VIS-18), and change in visual character of the site (Impacts KEY SITE 3-VIS-1) were determined to be potentially significant. The OCP EIR included mitigation measures VIS-1a, VIS-1b, VIS-1c, VIS-2, VIS-3, VIS-5, VIS-6, VIS-7, and VIS-9. These mitigation measures require that the County adopt an Open Space Overlay covering corridors such as Orcutt Creek and the Solomon Hills, with standards for the protection of natural resources, the provision of recreation, and the mitigation of aesthetic impacts from adjacent development; that such development provide shielding for exterior lighting and consider the visual character of the overlay area; that retardation basins be designed to permit recreation and/or wildlife habitat; and that the County apply a Scenic Buffer Overlay to Key Sites #1, #2, #3, #14, #15, #21, #22, and #25, create a Landscape-Open Space Maintenance District for Orcutt, and adopt a Regional Open Space/Parkway plan between Santa Maria and Orcutt.

The OCP EIR also included Mitigation Measures KEY SITE 3-VIS-1 and KEY SITE 3-VIS-2, which require site-specific development standards to be applied to Key Site 3. Mitigation KEY SITE 3-VIS-1 sets forth the Open Space Overlay to apply to the southern portion of the site, as well as a 75-foot buffer along the property's eastern frontage. Mitigation KEY SITE 3-VIS-2 limits homes on the northern and northwestern perimeter of the development site to one-story as these are closest to existing residential development. Together, these Plan Area-wide and site-specific mitigation measures were found to reduce impacts VIS-2, VIS-3 and VIS-6 to a less than significant level. However, regardless of mitigation, impacts VIS-1, VIS-5, VIS-7, VIS-13, VIS-17, and VIS-18 would remain significant and unavoidable.

Santa Barbara County Focused Housing Rezone Program EIR. The 2008 Housing Element Focused Rezone Program EIR analyzed the impact of rezoning an eight-acre portion of Key Site 3 to MR-O (Multi-family residential Orcutt) to allow for the development of 160 multi-

family residential units. The Focused Rezone Program EIR determined that this action would result in significant and unavoidable impacts to the visual character of the site (Impact AES-1) as well as to scenic views of the Solomon Hills (Impact AES-2). Impacts relating to increased light and glare were determined to be significant but mitigable. The EIR proposed mitigation measures AES-1(a), AES-1(b), and AES-1(c) which require specific architectural design guidelines to reduce visual character impacts to the extent feasible. The Focused Rezone Program EIR determined that no measures are available to fully mitigate the alteration of the existing scenic views on Key Site 3. Mitigation measure AES-3(a), AES-1(b), and AES-1(c) would reduce light and glare impacts to a less than significant level. These impacts and mitigation measures apply to the multi-family townhome development in the MR-O zone of the project site. Impacts of the remaining project components on Key Site 3 are analyzed below.

4.1.3 Impact Analysis

a. Methodology and Significance Thresholds. The assessment of aesthetic impacts involves qualitative analysis that is inherently subjective in nature. Different viewers react to viewsheds and aesthetic conditions differently. Visual or aesthetic resources generally are defined as both the natural and built features of the landscape that contribute to the public's experience and appreciation of the environment. Depending on the extent to which a project's presence would alter the perceived visual character and quality of the environment, a visual or aesthetic impact may occur. This evaluation measures the existing visual resource against the proposed project. The project site was observed and photographically documented in its surrounding context. The County Comprehensive Plan and the OCP were reviewed for policy instruction relative to visual resources and design policy.

Views may be characterized in terms of foreground, middleground, and background views. Foreground views are those immediately presented to the viewer, and include objects at close range. Middleground views occupy the center of the viewshed, and tend to include objects that dominate the viewshed in normal circumstances. Background views include distant objects and other objects that make up the horizon.

According to Appendix G of the *State CEQA Guidelines*, an aesthetic impact from the proposed project would be significant if the project would:

- *Have a substantial adverse effect on a scenic vista;*
- *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;*
- *Substantially degrade the existing visual character or quality of the site and its surroundings; and/or*
- *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.*

The Visual Aesthetic Impact Guidelines of the County of Santa Barbara Environmental Thresholds and Guidelines Manual (October 2008) identify four specific landscapes of particular value to the County; these include mountainous areas, urban fringe areas, travel corridors, and coastal areas. In addition, the following questions contained in the Manual are intended to provide information to address the criteria in Appendix G of the *CEQA Guidelines*:

1a. Does the project site have significant visual resources by virtue of surface waters, vegetation, elevation, slope, or other natural or man-made features which are publicly visible?

1b. If so, does the proposed project have the potential to degrade or significantly interfere with the public's enjoyment of the site's existing visual resources?

2a. Does the project have the potential to impact visual resources of the Coastal Zone or other visually important area (i.e., mountainous area, public park, urban fringe, or scenic travel corridor)?

2b. If so, does the project have the potential to conflict with the policies set forth in the Coastal Land Use Plan, the Comprehensive Plan or any applicable community plan to protect the identified views?

3. Does the project have the potential to create a significantly adverse aesthetic impact through obstruction of public views, incompatibility with surrounding uses, structures, or intensity of development, removal of significant amounts of vegetation, loss of important open space, substantial alteration of natural character, lack of adequate landscaping, or extensive grading visible from public areas?

Affirmative answers to the above questions indicate potentially significant impacts to visual resources.

In this analysis, only public view or view corridors were evaluated against the above criteria. As OCP policy does not regulate or provide for mitigation of visual impacts upon private viewsheds, changes to view from private properties were not evaluated as part of the following impact assessment. Though several informal trails that have been used by the public traverse the project site, these are not considered "public view corridors" as they are not within existing public easements. Additionally, views from private property such as backyards, frontyards, interior living spaces, or private roadways (i.e., Chancellor Road and Oakbrook Lane) are not considered public view corridors. Furthermore, CEQA distinguishes between public and private views, and focuses on whether a project would affect the public environment rather than of particular individuals. Private views, such as from individual homes, generally are not analyzed under CEQA. Potential impacts on such individual views would not be environmentally significant. Accordingly, views from private residences are not discussed in this impact analysis.

b. Project Impacts and Mitigation Measures.

Impact AES-1 The proposed residential development of the upper mesa would alter the predominantly rural aesthetic character of the project site, which serves as a prominent "Gateway Parcel" to the community of Orcutt.

The existing visual character of the 138.6-acre project site is rural, with a mix of surrounding uses ranging from rural to suburban. Surrounding land uses visible from the site include the medium-density, single-story mobile home subdivision to the north, large lot/rural residential uses to the west, agricultural uses across U.S. 101 to the east, and rolling hillsides to the south. As discussed above in Section 4.1.1(b), the OCP has designated the Key Site 3 property as a "Gateway Parcel" because of its location at a principal entryway to the community of Orcutt and because it provides an important semi-rural context to the community.

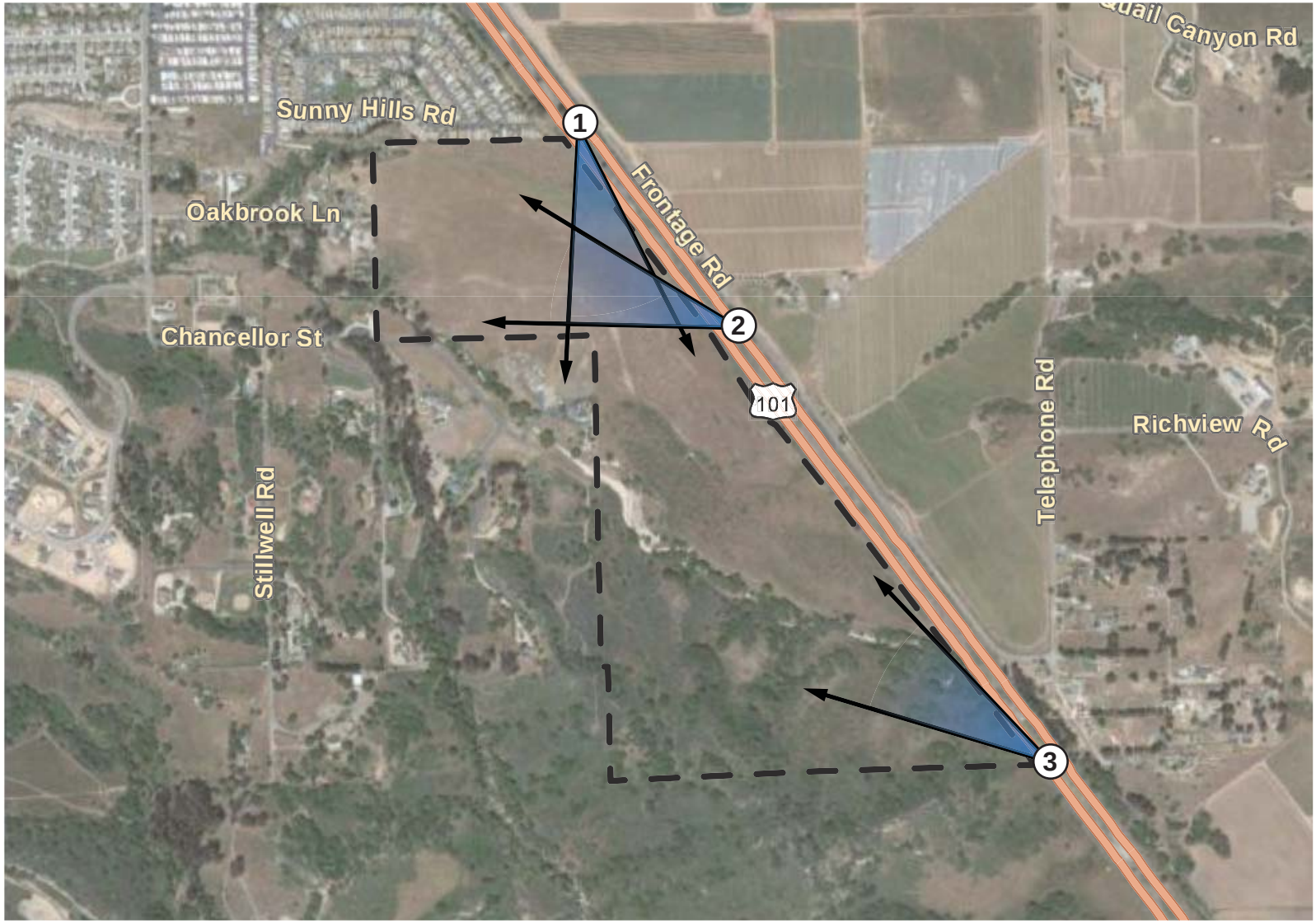
As an aid to evaluating the proposed project's aesthetic effects, RRM Design Group prepared photosimulations in September 2013 to illustrate three public views across the Key Site 3 property after development of the project. Figure 4.1-1 provides a key to the locations of these three viewpoints. Figures 4.1-2 through 4.1-4 offer a comparison of existing pre-development and simulated post-development views, from each of the three viewpoints. Figure 4.1-2 shows views available to southbound travelers on U.S. 101, looking south from the northeastern corner of the site. Figure 4.1-3 shows views to the northwest for northbound travelers on U.S. 101 as they approach the upper mesa. Finally, Figure 4.1-4 shows views to the northwest for northbound travelers on U.S. 101 at the southeastern corner of the site.

The proposed project would preserve the southern two-thirds of the site as natural open space, consistent with the analysis in the OCP EIR, which as shown in Figure 4.1-4 would generally maintain existing views of agricultural uses and rolling hillsides from the perspective of U.S. 101. Minimal development would occur in this area for the purposes of recreation and drainage. As shown in Figure 2-4 in Section 2.0, *Project Description*, the project includes a public multi-purpose trail near the eastern property line, public trails that would circuit the southern portion of the site, and a bicycle and vehicle parking and trail head staging area located to the north of Orcutt Creek. In addition, the project would involve construction of a fenced drainage basin in the center of the site. Nevertheless, these features in the southern two-thirds of the site would not be visually prominent from the perspective of travelers on U.S. 101, and would not substantially alter this area's rural visual character.

For the proposed residential development on the upper mesa, conceptual architectural designs incorporate styles, colors, and scale that strive to be compatible with the character of surrounding development. For example, the cluster home lots adjacent to the mobile home park would be limited to a single story in height. Similarly, the row of cluster homes closest to U.S. 101, as well as all of the proposed residences along the western perimeter of the upper mesa, would be limited to a single story. Furthermore, DevStd KS3-14 and DevStd KS3-15 would apply to the entire Key Site property, including the proposed project and the MR-O development on the north-central portion of the property, ensuring that the design and visual character of both developments would be compatible.

As discussed above, the OCP contains several policies and development standards related to visual character that would apply to the proposed development. These development standards implement several of the visual character-related mitigation measures of the OCP EIR, including siting and design that is compatible with adjacent development and the natural backdrop and that minimizes disruption of important view corridors, landscaped buffers along street frontages, lighting that is shielded and oriented away from sensitive uses, materials that minimize glare, and basins enclosed with unobtrusive fencing. Specifically, OCP EIR Mitigation Measures VIS-2, VIS-3, VIS-7, and KS3 VIS-2 are implemented by these standards.

Although adherence to these development standards would partially reduce impacts, the addition of 125 single-family detached homes in the upper mesa would permanently transform the visual character of the northern third of the site from open grazing land to suburban residential development. As shown in Figures 4.1-2 and 4.1-3, this change in visual character would be visible to the numerous northbound and southbound travelers on U.S. 101. Landscaping with trees and shrubs along the eastern property line, next to U.S. 101, would soften the impact of development to some degree, somewhat obstructing the proposed



Photosimulation Key

Figure 4.1-1

Existing View

Simulated View

Source: RRM Design Group, September 12, 2013

Visual Simulation: Viewpoint #1
Southbound U.S. 101 at Upper Mesa

Figure 4.1-2

Existing View

Simulated View

Source: RRM Design Group, September 12, 2013

Visual Simulation: Viewpoint #2
Northbound U.S. 101 at Upper Mesa

Figure 4.1-3

Existing View

Simulated View

Source: RRM Design Group, September 12, 2013

Visual Simulation: Viewpoint #3
Northbound U.S. 101 at Orcutt Creek

Figure 4.1-4

residences in the upper mesa and the concrete-block wall enclosing them. The planting of vines and other landscaping features to screen the concrete-block wall behind proposed residences also would deter the potential for graffiti that could be seen from public viewing areas; however, landscaping would take several years to mature, and would not entirely shield the development from view. Furthermore, landscaping along the eastern property line would alter the existing open character of the site, blocking views through the site from U.S. 101.

Proposed suburban development on the upper mesa also would represent a significant community-wide change in visual character. By converting open grazing land on the upper mesa to residential development, the project would reduce the rural character of a "Gateway Parcel" to the community of Orcutt, thereby altering the foreground of the first views of the Santa Maria Valley and Orcutt for northbound travelers on U.S. 101. In addition, the project would expand the southern edge of urban development in the greater Santa Maria/Orcutt area, enlarging the urban character of this region. As determined in the site-specific Impact KS3-VIS-I in the OCP EIR, the project would have a potentially significant impact on the visual character of the region.

Mitigation Measures. The following mitigation measures are required to reduce impacts on visual character to the extent feasible, by improving the visual compatibility of proposed buildings and landscaping with surrounding development and by controlling potential graffiti on sound walls.

AES-1(a) **Architectural and Landscape Guidelines.** The **owner/**applicant shall develop and implement Architectural and Landscape Guidelines that include the components listed below. The Guidelines shall incorporate the guidance from the applicable OCP Development Standards (DevStds VIS-O-1.1, VIS-O.3.1, VIS-O-3.4, KS3-14 through KS3-17, KS3-19 through KS3-21, etc.) **and** include clear criteria and requirements to guide the design, layout, and landscaping of all residential development. All future development shall comply with the Guidelines. Enforcement of compliance with the Guidelines shall be the responsibility of the Planning and Development Department (P&D).

- ***Tract landscaping***. Landscaping installed as part of tract improvements shall be consistent with approved landscape plans. Landscaping guidelines shall describe the following elements:
  - Landscaping shall consist of drought-tolerant native and/or Mediterranean type species, and shall provide screening along the project perimeters;
  - Only natural fiber, biodegradable materials shall be used;
  - Fuel management techniques shall be used, including, but not limited to, fire resistive landscaping, defensible space features, and strictly controlled vegetation within defensible space;
  - Fire-resistant vegetation shall be used in tract landscaping.

- ***Individual House Landscaping.*** Landscaping Plans for the front yards of individual houses shall be prepared by a qualified Landscape Architect, and shall be designed to screen and blend the proposed development into the surrounding area while preserving identified viewsheds. Individual lot landscaping plans shall incorporate plants that are drought-tolerant native and/or Mediterranean type species. Only natural fiber, biodegradable materials shall be used for plantings.
- ***Architectural Guidelines.*** Natural building materials and colors compatible with surrounding terrain (earth-tones and non-reflective paints) shall be used on exterior surfaces of all structures, including fences and walls. Color combinations used on individual home roofs, walls, and facias shall be selected as to avoid high contrast, such as very dark brown adjacent to white. Roof vents shall be the same earthtone shade as the surrounding roof surface. Materials shall be denoted on building plans.

Plan Requirements and Timing. The **owner/**applicant shall submit Design Guidelines to P&D and the Board of Architectural Review for review and approval prior to final map recordation. Guidelines shall be recorded with the final map for the tract. A copy of the Guidelines shall be submitted with grading, building, and landscaping plans prior to zoning clearance approval for individual lot development. **Common area/tract landscaping shall be installed prior to occupancy clearance for the first single family dwelling. A landscape plan in conformance with the approved Guidelines shall be reviewed and approved prior to issuance of Zoning Clearance for individual lot development. The** Guidelines shall be included in Covenants, Conditions and Restrictions (CC&Rs), and monitored by a Homeowners Association (or similar entity) with oversight by County P&D.

Monitoring. For both **common area/**tract and individual house projects, P&D **compliance monitoring staff** shall ensure compliance **prior to occupancy clearance** ~~upon completion of tract improvements, and as needed~~.

AES-1(b) **Graffiti Control.** A Homeowner's Association, **owner/**applicant or successor shall clean up any graffiti on sound walls in the project site within 72 hours. If the problem persists, as determined by P&D, a plan for preventing recurrence shall be submitted to P&D for review and approval, and shall be implemented as approved. Suggested anti-graffiti measures include the use of vertical landscaping or vines along affected wall surfaces and/or the use of anti-graffiti paint.

Plan Requirements and Timing. This condition shall be printed on final subdivision improvement plans and included in the project's CC&Rs. A graffiti prevention plan shall be submitted by the **owner/**applicant or Homeowners Association upon determination of need by P&D.

Monitoring. P&D shall review plans and CC&Rs for conformance prior to final map clearance and confirm compliance prior to issuance of **zoning clearance** ~~building permits~~. P&D shall also site inspect and respond to complaints.

Significance After Mitigation. ~~The above measures would minimize the visual character-related impacts of development on Key Site 3 to the extent feasible. However, the proposed mitigation would not be capable of fully reducing the substantial change in the conversion of this rural and undeveloped site to residential uses. Impacts~~ **Potential impacts to the project site under the current development proposal are greater than those analyzed in the OCP EIR, even after the application of all feasible mitigation, and cumulative impacts related to change in visual character** would remain significant and unavoidable (Class I).

Impact AES-2 Although the proposed project would convert the upper mesa from open space to suburban development, it would not substantially obstruct scenic vistas of the Solomon Hills from the perspective of nearby public viewing areas including U.S. 101.

Key Site 3 consists of open grazing lands, varied topography, and riparian areas and provides unobstructed background views of the Solomon Hills. These visual resources comprise scenic views for both north- and southbound travelers on U.S. 101, which borders the site to the east and is eligible for designation as a scenic highway. Based on the photosimulation in Figure 4.1-4, which shows the southern two-thirds of the Key Site 3 property from the vantage point of northbound travelers on U.S. 101, the proposed project would preserve existing scenic views from the highway across natural open space on the property. As discussed in Impact AES-1, the proposed trails and fenced drainage basin within the area set aside as natural open space would not be visually prominent from the perspective of travelers on U.S. 101 and would not obstruct scenic views through this area.

In the northern third of the site, the development of 125 single-family residences on the upper mesa, as well as a sound wall and landscaping along the eastern property line, would obstruct views over the site from U.S. 101 (refer to Figures 4.1-2 and 4.1-3). However, as shown in Figure 2-3 in Section 2.0, *Project Description*, the trees along the sound wall would be selected to minimize height, in order to preserve views of the hills. Shrubs along the east side of the proposed multi-purpose recreation trail along the eastern property line would be a maximum of eight feet in height. As shown in Figure 4.1-2, from the perspective of southbound travelers on U.S. 101, the proposed landscaping, sound wall, and single-family residences on the upper mesa would briefly and partially block views of the Solomon Hills ahead to the southwest. Nevertheless, scenic views would remain open to southbound travelers on U.S. 101 through natural open space on the majority of the project site.

For travelers heading northbound on U.S. 101, development on the upper mesa would obstruct views to the immediate west and north of the project site, as shown in Figure 4.1-3. Existing westward and northward views across the upper mesa from U.S. 101 consist of open grazing lands in the foreground, with residential development in the middle ground. In the background to the west, the ridgeline of the Solomon Hills is relatively low in elevation and not visually prominent. In this visual context, the proposed residential development would not affect scenic views. It should be noted that adjacent to the proposed natural open space on the project site, the Solomon Hills rise and become more prominent from the perspective of U.S. 101.

Clark Avenue also offers southward views across the mobile home park toward the Solomon Hills in the distance, beyond the project site. The development of two-story residences on the upper mesa, which would rise above the level of existing single-story mobile homes, would incrementally increase the obstruction of hillside views from Clark Avenue. However, this roadway is not designated for scenic views, and the project would not substantially affect existing views toward the Solomon Hills.

The OCP also contains the following development standards related to scenic view protection that would apply to the proposed development: DevStd VIS-O-1.1, DevStd VIS-O-2.1, and DevStd KS3-11. These development standards require that development adjacent to open space be sited and designed to protect its visual character and to minimize disruption of important view corridors, and that residences adjacent to existing development on the upper mesa be limited to one story in height. The NBAR would review the proposed development against these development standards and OCP requirements, to ensure that potential impacts are reduced or avoided to the extent feasible. Therefore, with the application of OCP development standards for the protection of scenic views, and the preservation of views from U.S. 101 through natural open space on the project site, impacts on scenic views would be adverse, but less than significant (Class III).

Mitigation Measures. No mitigation measures are required.

Significance After Mitigation. The preservation of views through the southern two-thirds of the project site and the application of existing OCP development standards would ensure that impacts on scenic views remain adverse, but less than significant (Class III).

Impact AES-3 Proposed street lights, security and landscape lighting, as well as reflective building materials, could produce light and glare that would adversely affect day and nighttime views in the area.

Key Site 3 does not currently have any street lighting or nighttime activity that is lighted. The proposed development of 125 residential units throughout the site would introduce ambient nighttime lighting on the upper mesa. Although the existing surrounding neighborhoods do have lighting, additional lighting from streetlights, entry lights, interior lights and landscape lighting have the potential to impact mobile homes and low density residential development located north and east of the property, respectively, and motorists on U.S. Highway 101. In addition, increased glare could occur as a result of building materials, roofing materials and windows reflecting sunlight.

The OCP EIR concluded that lighting and glare impacts of buildout of the Orcutt Community Plan presented potentially significant but mitigable impacts. The OCP contains the following Development Standards related to light and glare that would apply to the proposed development: DevStd-VIS-O-1.1, DevStd VIS-O-6.1 through 6.3, and DevStd KS3-19 through 21. These development standards require that structures adjacent to open space be sited and designed to protect visual character, that lighting be shielded and oriented away from sensitive uses, and that materials be selected to minimize glare. The standards implement several of the lighting- and glare-related mitigation measures of the OCP EIR. Specifically, OCP EIR Mitigation Measure VIS-2 is implemented by these standards, as are the lighting- and glare-related components of OCP Mitigation Measures VIS-5, VIS-6, and VIS-7. Adherence to these development standards, including the need for the NBAR to review the development and its proposed lighting and potential glare, would reduce potential lighting and glare impacts to a less than significant level, consistent with the conclusions of the OCP EIR. Impacts would be adverse, but less than significant (Class III).

Mitigation Measures. No mitigation measures are required.

Significance After Mitigation. Application of existing OCP policies and development standards would ensure that light and glare impacts would be remain adverse, but less than significant (Class III).

c. Cumulative Impacts. Cumulative development in the Orcutt area would gradually alter the visual makeup of the vicinity from rural, semi-rural, or suburban to a more suburban or urban condition. As discussed in Section 3.0, *Environmental Setting*, 1,253 residential units and 740,636 square feet of commercial development are currently proposed, in process, approved, or under construction in the Santa Maria Valley. Additional development would be located on infill sites throughout the community, as well as large tracts of undeveloped open spaces along the area's urban perimeters. Although much of the new development will generally be of a type and intensity similar to existing urban uses, a perceptible transformation of the community through increased urbanization would be apparent. Some of this future development would occur just north of the project site on Key Sites #1, #2, and #4, which would contribute to the overall change in the community's character as viewed from Clark Avenue and U.S. 101.

In addition, the development in the current proposal, in combination with the previously-approved 160-unit MR-O development in the center of the upper mesa portion of the Key Site 3 property, is greater in scale and area than the development evaluated in the OCP EIR, which analyzed the development of 212 units on the project site. The combined effect of these 212 units and the 125 units envisioned by the proposed project would intensify the overall impact to the site's visual character. The proposed 125-unit development was determined to have a significant and unavoidable impact from suburbanization of the site, even with the implementation of mitigation measures AES-1(a) and AES-1(b). The higher-density, three-story multi-family development on the MR-O portion of the site would add to view impairment impacts. Potential impacts to the project site under the current development proposal are greater than those analyzed in the OCP EIR, even after the application of all feasible mitigation, and cumulative impacts related to change in visual character would remain significant and unavoidable (Class I).

Cumulative development on large tracts of undeveloped open space along the perimeter of the urban area of Orcutt also could significantly impair scenic views of the agricultural land, the Solomon Hills, and other visual resources. As discussed in Impact AES-1, the proposed development of the upper mesa, at the edge of urban area of Orcutt, would briefly and partially block scenic views of the Solomon Hills from the perspective of southbound travelers on U.S. 101. Nevertheless, the proposed project would preserve the majority of Key Site 3 as natural open space, retaining the most scenic public views of the Solomon Hills across the southern two-thirds of the site. Therefore, the project would not substantially contribute to significant cumulative impacts related to the impairment of scenic views.

The project, the future development of multi-family development on the MR-O zoned portion of Key Site 3, and other related projects in the south Orcutt area (for example, the developments proposed for Key Sites 1, 2, and 4) would result in a higher potential for light and glare impacts in the area, as currently undeveloped sites are developed. The project's potential light and glare impacts are less than significant. The Focused Housing Rezone Program EIR identified mitigation measures for potential light and glare impacts resulting from the additional 160 multi-family units on the MR-O portion of Key Site 3, and similar mitigation measures have been identified or would be expected for the other major development sites in the area: Key Sites 1, 2, and 4. Hence, the project's contribution to cumulative light and glare impacts would be adverse, but less than significant (Class III).

4.2 AIR QUALITY

4.2.1 Setting

The project area is within the South Central Coast Air Basin (SCCAB), which includes all of San Luis Obispo, Santa Barbara, and Ventura counties. The 2010 Clean Air Plan (CAP, adopted January 20, 2011) for Santa Barbara County describes the air quality setting for the County in detail, including the local climate and meteorology, current and projected air quality, and the regulatory framework for the management of air quality. The 2010 CAP is incorporated by reference and is available for review at the Santa Barbara County Air Pollution Control District (SBCAPCD) web site, www.sbcapcd.org. The air quality setting for the region is summarized below.

a. Climate and Topography. The climate of the SCCAB is strongly influenced by its proximity to the Pacific Ocean and the location of the high-pressure cell in the northeastern Pacific. With a Mediterranean-type climate, the project area is characterized by warm, dry summers and cool winters with occasional rainy periods.

Cool, humid marine air causes frequent fog and low clouds along the coast, generally during the night and morning hours in the late spring and early summer months. The project area is subject to a diurnal cycle in which daily onshore winds from the west and northwest are replaced by mild offshore breezes flowing from warm inland valleys during night and early morning hours. This alternating cycle can create a situation where suspended pollutants are swept offshore at night, and then carried back onshore the following day. Dispersion of pollutants is further degraded when the wind velocity for both day and nighttime breezes is low. The region is also subject to seasonal "Santa Ana" winds. These are typically hot, dry northerly winds which blow offshore at 15 to 20 miles per hour (mph), but can reach speeds in excess of 60 mph.

Two types of temperature inversions (warmer air on top of cooler air) are created in the area: subsidence and radiational. The subsidence inversion is a regional effect created by the Pacific high in which air is heated as it is compressed when it flows from the high-pressure area to the low pressure areas inland. This type of inversion generally forms at about 1,000 to 2,000 feet and can occur throughout the year, but it is most evident during the summer months. Radiational, or surface, inversions are formed by the more rapid cooling of air near the ground during the night, especially during winter. This type of inversion is typically lower (0 to 500 feet at Vandenberg Air Force Base, for example) and is generally accompanied by stable air. Both types of inversions limit the dispersal of air pollutants within the regional airshed, with the more stable the air (low wind speeds, uniform temperatures), the lower the amount of pollutant dispersion.

b. Air Pollutants of Primary Concern. The State and Federal Clean Air Acts mandate the control and reduction of certain air pollutants. Under these Acts, the U.S. Environmental Protection Agency and the California Air Resources Board (CARB) have established ambient air quality standards for certain "criteria" pollutants. Ambient air pollutant concentrations are affected by the rates and distributions of corresponding air pollutant emissions, as well as by the climactic and topographic influences discussed above. The primary determinant of

concentrations of non-reactive pollutants (such as carbon monoxide [CO] and fine particulates [PM_{10}]) is proximity to major sources. Ambient CO levels usually closely follow the spatial and temporal distributions of vehicular traffic. A discussion of these primary criteria pollutants follows:

Federal and state standards have been established for ozone, CO, nitrogen dioxide (NO_2), sulfur dioxide (SO_2), lead, and fine particulates (PM_{10} and $PM_{2.5}$). Table 4.2-1 summarizes the current federal and state standards for each of these pollutants. Standards have been set at levels intended to be protective of public health. California standards are more restrictive than federal standards for each of these pollutants except lead and the eight-hour average for CO.

Table 4.2-1 Current Federal and State Ambient Air Quality Standards

Pollutant	Averaging Time	Federal Primary Standards	California Standard
Ozone	1-Hour	---	0.09 ppm
	8-Hour	0.075 ppm	0.070 ppm
Carbon Monoxide	8-Hour	9.0 ppm	9.0 ppm
	1-Hour	35.0 ppm	20.0 ppm
Nitrogen Dioxide	Annual	0.053 ppm	0.030 ppm
	1-Hour	0.100 ppm	0.18 ppm
Sulfur Dioxide	Annual	0.075 ppm	---
	24-Hour	0.14 ppm	0.04 ppm
	1-Hour	0.075 ppm	0.25 ppm
PM_{10}	Annual	---	20 µg/m^3
	24-Hour	150 µg/m^3	50 µg/m^3
$PM_{2.5}$	Annual	12 µg/m^3	12 µg/m^3
	24-Hour	35 µg/m^3	---
Lead	30-Day Average	---	1.5 µg/m^3
	Rolling 3-Month Average	0.15 µg/m^3	---

ppm = parts per million
µg/m^3 = micrograms per cubic meter
Source: CARB, June 7, 2013. http://www.arb.ca.gov/research/aaqs/aaqs2.pdf

The SBCAPCD monitors criteria pollutant levels to assure that air quality standards are met, and if they are not met, develops strategies to meet the standards. A network of 17 monitoring stations measures air pollutant levels throughout the County. Some pollutants, such as ozone, are measured continuously. Other pollutants are sampled periodically. Particulate matter, for example, is measured over 24 hours every six days. The stations fall into two main categories: (1) state and local air monitoring stations (SLAMS) and (2) Prevention of Significant Deterioration (PSD) stations. The seven SLAMS, five of which are operated by the SBCAPCD and two of which are operated by the CARB, measure urban and regional air quality. The 13 PSD stations are used to determine the impacts of specific operations, such as large oil and gas facilities.

Table 4.2-2 depicts the annual air quality data for the North County local airshed over the past three years for the station closest to the project site (the Santa Maria Station at 908 South Broadway). The Santa Maria Station is approximately 4 miles north of Key Site 3.

Table 4.2-2 Ambient Air Quality at the Santa Maria Monitoring Station

Pollutant	2011	2012	2013
Ozone (ppm), Worst Hour	0.065	0.057	0.064
Number of days of State exceedances (>0.09 ppm)	0	0	0
Ozone (ppm), 8-hr average	0.061	0.052	0.060
Number of days of State exceedances (>0.07 ppm)	0	0	0
Number of days of Federal exceedances (>0.08 ppm)	0	0	0
Carbon Monoxide (ppm), Highest 8-Hour Average	1.14	1.11	*
Number of days of above State or Federal standard (>9.0 ppm)	0	0	0
Particulate Matter <10 microns, $\mu g/m^3$, Worst 24 Hours	64.2	72.0	109.3
Number of days above State standard (>50 $\mu g/m^3$)	6	10	23
Number of days above Federal standard (>150 $\mu g/m^3$)	*	*	0
Particulate Matter <2.5 microns, $\mu g/m^3$, Worst 24 Hours	18.0	32.0	20.4
Number of days above Federal standard (>65 $\mu g/m^3$)	0	0	0

**There was insufficient (or no) data available to determine the value.*
Source: CARB Top Four Summary available at http://www.arb.ca.gov/adam/topfour/topfour1.php

As indicated in the above table, the state standard for PM_{10} was exceeded six times in 2011, ten times in 2012, and 23 times in 2013.

Santa Barbara County is designated in attainment for the State one-hour ozone standard, and the federal PM_{10} standard. The County is designated unclassifiable/attainment for the federal eight hour ozone standard. The County is designated nonattainment for the state eight-hour ozone standard and the state standards for PM_{10}. The major sources for large particulate matter are quarries, grading, demolition, agricultural tilling, road dust, and vehicle exhaust. PM_{10} levels in the area are primarily due to agricultural operations, grading and motor vehicle emissions. Ozone is a secondary pollutant that is not produced directly by a source, but rather is formed by a reaction between NO_X and reactive organic compounds (ROC) in the presence of sunlight (SBCAPCD uses the terms reactive organic compounds and reactive organic gases [ROG] interchangeably to denote organic precursors). Reductions in ozone concentrations are dependent on reducing the amount of these precursors. The County is in unclassified/ attainment for the federal PM2.5 standard and unclassified for the state $PM_{2.5}$ standard (based on monitored data from 2011 to 2013). No other state or federal standard, including standards for carbon monoxide or nitrogen dioxide, were exceeded during the years 2011 to 2013.

c. Regulatory Setting. The federal and state governments have been empowered by the federal and state Clean Air Acts to regulate the emission of airborne pollutants and have established ambient air quality standards for the protection of public health. The United States Environmental Protection Agency (EPA) is the federal agency designated to administer air quality regulation, while CARB is the state equivalent in California. Local control in air quality management is provided by the CARB through county-level or regional (multi-county) air pollution control districts (APCDs). The CARB establishes air quality standards and is responsible for control of mobile emission sources, while the local APCDs are responsible for enforcing standards and regulating stationary sources. The CARB has established 14 air basins statewide.

The SBCAPCD regulates air quality in the portion of the SCCAB that is in Santa Barbara County, and is responsible for attainment planning related to criteria air pollutants, and for district rule development and enforcement.

The 2010 Santa Barbara County CAP addresses state and federal Clean Air Act mandates, including all federal planning requirements for "maintenance" areas. The 2010 CAP examines the emission reductions achieved from existing and proposed regulations with respect to every feasible measure and identifies measures for further study. It also examines the change in emissions related to changes in population, industrial activity, vehicle use, and provides updated emission inventories out to 2030.

4.2.2 Previous Environmental Review

OCP EIR. The Orcutt Community Plan (OCP) Environmental Impact Report (EIR) examined the air quality setting of the project region and the potential impacts resulting from development under the OCP. The OCP EIR concluded that impacts related to the generation of ozone precursors (Impact AQ-1), dust and PM_{10} (Impact AQ-2), and CAP consistency (Impact AQ-3) were potentially significant. Mitigation Measures AQ-1 through AQ-11 were noted as applying to future development on Key Site 3. These included: SBCAPCD pollution control measures; the application of SBCAPCD Best Available Control Technology (BACT); expansion of the existing Santa Maria Area Transit (SMAT) system; access to retail, commercial, recreational, and educational facilities via transit; park-and-ride facilities; Transportation Demand Management (TDM) measures; revision of the off-site road impact fee to a Transportation Impact fee; long-range commuter service; land-use planning techniques to encourage alternative transportation; an incentive-based emissions reduction program; dust control measures; and energy conservation measures. These mitigation measures were determined to reduce Impact AQ-2 to a less than significant level. However, impacts AQ-1 and AQ-3 were determined to remain significant and unavoidable.

The OCP EIR also concluded that there would be potential for a site-specific, potentially significant impact related to short-term construction-related emissions (Impact KS3-AQ-1) and long-term operational emissions (Impact KS3-AQ-2). Impact KS3-AQ-1 was noted as being mitigated to a less than significant level by the above mitigation measures, and Impact KS3-AQ-2 was noted as remaining significant and unavoidable.

Santa Barbara County Focused Housing Rezone Program EIR. The 2008 Housing Element Focused Rezone Program EIR analyzed the impact of rezoning an eight-acre portion of the Key Site 3 property to MR-O (Multi-family residential Orcutt) to allow for the development of 160 multi-family residential units. The Focused Rezone Program EIR determined that this action would result in potentially significant temporary construction emissions (Impact AQ-1). However, implementation of fugitive dust control measures [Mitigation Measure AQ-1(a)] and equipment exhaust requirements [Mitigation Measure AQ-1(b)] would ensure that impacts would be reduced to a less than significant level. Considered individually, the development on the rezone portion of Key Site 3 would not generate long-term regional emissions that exceed thresholds. However, when combined with development on the other rezone site identified in the Focused Rezone Program EIR, total emissions were found to be potentially significant. Therefore, the Focused Rezone Program EIR required implementation of both on- and off-site

transportation control measures [Mitigation Measures AQ-2(a) and AQ-2(b)], which would ensure that impacts would be reduced to a less than significant level. Due to the proximity of the rezone portion of Key Site 3 to the freeway, exposure to hazardous air pollutants was determined to be a significant impact (Impact AQ-3). Mitigation Measure AQ-3 was noted as reducing acute cancer risk from hazardous air pollutants in indoor areas below health risk criteria. However, because of uncertainties regarding the causes and nature of other health risks related to freeway exposure, impacts were noted as significant and unavoidable. Cumulative air quality impacts (Impact AQ-4) resulting from increased population facilitated by the rezone project as well as future development potential on the remainder of the subject key sites were determined to be significant and unavoidable.

4.2.3 Impact Analysis

a. Methodology and Significance Thresholds. The analysis of air quality impacts follows the guidance provided in the Santa Barbara County Environmental Threshold and Guidelines Manual (October 2008). According to the Environmental Thresholds and Guidelines Manual, a significant adverse air quality impact may occur when a project, individually or cumulatively, triggers any one of the following:

- *Interferes with progress toward the attainment of the ozone standard by releasing emissions which equal or exceed the established long-term quantitative thresholds for NO_X and ROC; or*
- *Equals or exceeds the state or federal ambient air quality standards for any criteria pollutant (as determined by modeling).*

Cumulative air quality impacts and consistency with the policies and measures in the Air Quality Supplement of the Comprehensive Plan, other general plans, and the CAP should be determined for all projects (i.e., whether the project exceeds the CAP emission projections or growth assumptions).

Pursuant to the State CEQA Guidelines, air quality impacts related to the proposed project would be significant if the project would:

- *Conflict with or obstruct implementation of the applicable air quality 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 for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative guidelines for ozone precursors);*
- *Expose sensitive receptors to substantial pollutant concentrations; and/or*
- *Create objectionable odors affecting a substantial number of people (refer to Section 5.0 Effects Found Not to be Significant).*

<u>2010 Clean Air Plan Consistency</u>. Analysis of consistency with land use and population forecasts in local and regional plans, including the CAP, is required in the County's Environmental Thresholds Manual for all projects. In order to be consistent with these policies, all projects involving earthmoving activities must implement the standard dust control

measures. By definition, consistency with the CAP means that direct and indirect emissions associated with the project are accounted for in the CAP's emissions growth assumptions and the project is consistent with policies adopted in the CAP. The CAP relies primarily on the land use and population projections provided by the Santa Barbara County Association of Governments (SBCAG) and CARB on-road emissions forecast as a basis for vehicle emission forecasting.

For areas not regulated by residential growth management ordinances (including unincorporated Santa Barbara County), proposed residential projects are considered consistent with the CAP if the annual incremental increase in dwelling units is below the annual incremental projections contained in the CAP.

Operational Emission Thresholds. Long-term air quality impacts occur during project operation and include emissions from equipment or processes used in the project. These emissions must be summed in order to determine the significance of the project's long-term impact on air quality. Based on Santa Barbara County's adopted quantitative criteria pollutant thresholds, a proposed project would not have a significant air quality effect on the environment, if operation of the project would:

- *Emit (from all project sources, mobile and stationary), less than the daily trigger for offsets set in the APCD New Source Review Rule, for any pollutant; and*
- *Emit less than 25 pounds per day of oxides of nitrogen (NO_X) or reactive organic compounds (ROC) from motor vehicle trips only; and*
- *Not cause or contribute to a violation of any California or National Ambient Air Quality Standard (except ozone); and*
- *Not exceed the APCD health risk public notification thresholds adopted by the APCD Board; and*
- *Be consistent with the adopted federal and state Air Quality Plans.*

Construction Emission Thresholds. Santa Barbara County has not adopted quantitative significance criteria for temporary construction emissions. However, SBCAPCD recommends quantification of construction-related emissions from construction activities, and uses 25 tons per year for ROG or NO_X as a guideline for determining the significance of construction impacts.

In addition, under SBCAPCD Rule 202.F.3, if the combined emissions from all construction equipment used to construct a stationary source which requires an Authority to Construct have the potential to exceed 25 tons of any pollutant, except carbon monoxide, in a 12-month period, the owner of the stationary source shall provide offsets under the provisions of Rule 804 and shall demonstrate that no ambient air quality standard would be violated.

Emission Modeling Methodology. The California Emissions Estimator Model (CalEEMod) was utilized in estimating regional air pollutant emissions associated with project construction and operation. Default assumptions were used to calculate operational emissions associated with the project. The estimate of vehicle trips associated with the proposed project is from the Traffic Study (Appendix H; also refer to Section 4.11, *Transportation and Circulation*). The modeling assumed a disturbance of 21.8 acres for single-family residences and 3.2 acres for recreational parks rather than default values to calculate construction emissions. According to

the scoping paper for the proposed project, grading operations would result in approximately 290,950 cubic yards (cy) of soil material disturbed (168,450 cy of cut and 122,500 cy of fill) (June 2014). The excess cut generated from the grading would be used as additional fill to offset the anticipated shrinkage and compaction of cut material. Therefore, no off-site hauling of excess materials was included in the model. All other values utilized in the modeling were based on applicable SBCAPCD defaults for the SCCAB.

b. Project Impacts and Mitigation Measures.

Impact AQ-1 Project construction would generate temporary increases in localized air pollutant emissions. These emissions may result in temporary adverse impacts to local air quality.

Temporary air quality impacts generally occur during project construction. Santa Barbara County has not established construction emissions thresholds. Ozone precursors NO_X and ROG, as well as CO, would be emitted by the operation of construction equipment, while fugitive dust (PM_{10}) would be emitted by activities that disturb the soil, such as grading and excavation, road construction and building construction. Construction emissions were analyzed in CalEEMod. Table 4.2-3 shows estimates of maximum daily construction emissions associated with the proposed development. For full modeling results refer to Appendix B.

Table 4.2-3 Construction Emissions Associated with Key Site 3

Land Use	Maximum Emissions (tons/year)			
	ROG	NO_X	CO	PM_{10}
125 single-family residential units & recreational parks (3.2 Acres)	5.15	4.17	4.00	0.50

Source: CalEEMod v.2013.2.2, annual emissions reports. Modeling results contained in Appendix B.

As shown in Table 4.2-3, annual emissions of all criteria pollutants are below the 25-ton-per-year threshold under SBCAPCD Rule 202.F.3; therefore no offsets are required for annual construction emissions. However, because the Santa Barbara County portion of the SCCAB is a nonattainment area for the state PM_{10} standard, construction emissions control measures are required for all projects involving earthmoving activities regardless of size or duration. Use of standard construction emissions control measures is also required by OCP Policy AQ-O-2, which states:

> *Policy AQ-O-2: Significant fugitive dust and PM_{10} emissions shall be reduced through implementation of appropriate construction restrictions and control measures, consistent with standards adopted by the Board.*

In accordance with standard practices, such construction emissions control measures would be shown on grading and building plans and as a note on a separate information sheet to be recorded with map. According to the SBCAPCD's *Scope and Content of Air Quality Sections in Environmental Documents* (March 2014), implementation of required dust control measures results in fugitive dust emissions that are less than significant. The specific measures that would be applied in accordance with standard requirements include the following:

- *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 mph 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 APCD prior to land use clearance for map recordation and land use clearance for finish grading of the structure.*
- *Prior to land use clearance, the applicant shall include, as a note on a separate informational sheet to be recorded with map, these dust control requirements. All requirements shall be shown on grading and building plans.*
- *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 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 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.*
- *Diesel construction equipment meeting the 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.*

These requirements would ensure that any construction-related air quality impacts remain less than significant (Class III).

Mitigation Measures. Implementation of standard dust and emissions control measures required by the SBCAPCD would ensure that construction-related air quality impacts are less than significant.

Significance After Mitigation. Impacts would be less than significant without mitigation, as standard dust and emissions control measures would be effective in controlling emissions to a less than significant level (Class III).

Impact AQ-2 The project would result in an increase in operational air pollutant emissions from the development of 125 new single-family residences and the associated energy use needs and increased vehicular traffic.

Long-term regional emissions are contributed by on-site (stationary) sources and mobile sources. Stationary emissions result from use of natural gas, aerosols, lawn maintenance equipment and other modern conveniences expected in residential use. Mobile emissions are based on the estimated volume of project-generated vehicle trips, described in the project traffic study. Table 4.2-4 summarizes operational emissions resulting from the proposed project.

Table 4.2-4 Unmitigated Operational Emissions for Key Site 3

Source	Maximum Emissions (lbs/day)		
	ROG	NO_X	PM_{10}
Area Source	10.9	0.1	0.1
Energy	0.1	1.1	0.1
Mobile	4.7	11.3	7.5
Total	**15.7**	**12.6**	**7.7**
Threshold (area + energy + mobile)	*55*	*55*	*80*
Threshold (mobile only)	*25*	*25*	*n/a*

Source: CalEEMod v.2013.2.2, winter emissions reports. Modeling results contained in Appendix B.

As shown in Table 4.2-4, the project would generate an estimated 15.7 pounds of ROG, 12.6 pounds of NO_X, and 7.7 pounds of PM_{10} per day. No County thresholds would be exceeded, and this impact would be less than significant (Class III).[1]

Mitigation Measures. No mitigation measures would be required.

Significance After Mitigation. Impacts would be less than significant without mitigation (Class III).

Impact AQ-3 Sensitive receptors on the proposed project site may be exposed to diesel particulate matter emissions with traffic on U.S. Highway 101 at levels that may cause acute and chronic health risks.

CARB classifies diesel particular matter as the primary airborne carcinogen in the State (SBCAPCD website, 2014). The *Air Quality and Land Use Handbook: A Community Health Perspective* (CARB, April 2005) recommends avoiding siting new sensitive land uses, such as residences, schools, daycare centers, playgrounds, or medical facilities, within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day. Additional non-cancer health risk attributable to proximity to freeways was seen within 1,000 feet and was strongest within 300 feet. California freeway studies show about a 70% drop-off in particulate pollution levels at 500 feet (CARB, 2005).

The project site is adjacent to U.S. 101, and the easternmost portion of the proposed residential development would occur within 500 feet of the freeway alignment. Winds in the project region are variable, but are predominantly from the west or northwest. Westerly winds would have a mitigating effect on hazardous pollutant levels at the project site; however, during the fall and winter these winds are replaced by periods of Santa Ana wind conditions, which generally blow from the northeast, and would carry emissions from U.S. 101 toward the project site. Emission levels affecting the site would also be influenced by intervening topography, which is variable along the site, but provides some buffering capacity.

On July 1, 2014, SBCAPCD submitted a response letter to the Notice of Preparation for the SEIR recommending that new sensitive land uses not be sited within 500 feet of U.S. 101, and expressing SBCAPCD's concern about respiratory and other non-cancer health effects (refer to Appendix A). SBCAPCD also recommends that all feasible mitigation measures be applied to the proposed project if sensitive land uses cannot be sited at least 500 feet from U.S. 101. These may include siting residences as far away as possible from the freeway, installing best available particulate filters in household ventilation systems, designing air intake systems to avoid infiltration of air from the U.S. 101 side of the building, and installation of physical barriers between U.S. 101 and sensitive land uses.

Rincon Consultants prepared a Health Risk Assessment (HRA) for the Key Site 3 property in September 2008. The September 2008 HRA was based on site plans for a previously proposed

[1] *While the OCP EIR determined that emissions from ozone precursors were significant and unavoidable for the development of Key Site 3, the proposed development consists of 125 units, fewer than the 212 units examined in the site-specific analysis of the OCP EIR.*

residential project on the site. In addition, a supplemental HRA technical memorandum to evaluate revised site plans submitted for the previously proposed project in January 2010 was prepared by Rincon Consultants on March 12, 2010. A copy of this report and the associated technical memorandum are included in Appendix B in this SEIR. Traffic volumes for U.S. 101 analyzed in the 2008 HRA were obtained from Caltrans 2007 Annual Average Daily Traffic Volumes. According to the Caltrans traffic data (2008) for U.S. 101, the Annual Average Daily Traffic (AADT) volume at Clark Avenue (approximately 0.35 miles north of the project site) was 31,000 vehicles in 2007. The daily traffic volumes for this segment of U.S. 101 obtained from Caltrans 2013 Annual Average Daily Traffic Volumes was reported as 29,600 vehicles in 2013; therefore, traffic along U.S. 101 is generally similar to when the HRA was prepared in 2008.

The 2008 HRA examined both carcinogenic risk associated with diesel particulates and other carcinogens (benzene, 1.3 butadiene, acetaldehyde, and formaldehyde) and the chronic health risks associated with these toxic air contaminants along with that of acrolein. The 2008 HRA determined that the proposed residential housing nearest to the freeway would have an excess cancer risk of about 30 in one million for lifetime residency. The HRA concluded that because the carcinogenic health risk for lifetime residency is greater than 10 in one million for portions of the site within 300 feet of the freeway centerline (or within 200 feet of the U.S. 101 right of way), the potential effect of exposure to freeway air pollutants for these residences is significant under CEQA. The 2008 HRA identified mitigation measures to reduce the potential carcinogenic health risks to a less than significant level (below 10 in one million). The identified mitigation measures would reduce the amount of diesel exhaust particulates and other hazardous emissions that nearby residents would be exposed to within the indoor environment. Impacts would be potentially significant but mitigable.

The 2008 HRA also evaluated possible non-cancer, chronic health risks using the methodology developed by the UC Davis-Caltrans Air Quality Project *Estimating Mobile Source Air Toxics Emissions: A Step-By-Step Project Analysis Methodology* (December 2006). This methodology focuses on the six MSAT pollutants identified by the EPA as being the highest priority. The chronic health risk calculated via this methodology was not significant as indicated in the 2008 HRA and as confirmed in the 2010 supplemental memo. In addition, to determine if an acute health risk might be present, the one hour maximum concentration of the toxic air contaminants of concern were compared to the appropriate reference exposure level (REL), and the acute health risk was also determined to not be significant.

In addition to establishing that the potential carcinogenic health risks can be mitigated to a less than significant level, and that non-cancer health risks would be less than significant, the 2008 HRA provides additional detail on CARB's recommendations for separating residential uses from high-volume roadways and also notes recent regulatory action that would reduce exposure to hazardous air pollutants (HAPs) for residential uses near such roadways. The 2010 supplemental memo notes that most of the health studies conducted with respect to distance from transportation sources and health effects have occurred primarily in urban areas with higher traffic volumes than those present adjacent to Key Site 3.[2] The 2010 supplemental memo also notes that the CARB recommendations from the *Air Quality and Land Use Handbook* are

[2] *As noted above, U.S. 101 adjacent to the site carries approximately 29,600 ADT, less traffic than CARB's guideline of 50,000 ADT for rural roadways and 100,000 ADT for urban roadways that were used to establish the 500-foot recommendation.*

strictly advisory and are not intended to be used as a significance threshold for the purposes of CEQA.

Recent regulations, including those that were passed subsequent to the preparation of the 2008 HRA and 2010 supplemental memo, will reduce exposure to HAPs as these regulations take effect, such that the health risk analysis provides a conservative approach to actual lifetime exposure levels. For example, on December 12, 2008, CARB approved a new regulation to substantially reduce emissions from existing on-road diesel vehicles operating in California. The regulation requires affected trucks and buses to meet performance requirements between 2011 and 2023. By January 1, 2023 all diesel fueled trucks and buses with a gross weight rating greater than 14,000 pounds that are privately or federally owned, including privately and publicly owned school buses, must have a 2010 model year engine or equivalent. In addition to these regulations on existing trucks and buses, stricter standards for new heavy-duty diesel-engines and vehicles were adopted in October 2008. The net result of these regulations will be a substantial decrease over time in the emissions of HAPs from U.S. 101 used to predict the possible impacts. This information is provided for a more complete understanding of current and future exposure; however, the HRA conducted for the project site did not rely on any of these future HAP reductions in assessing the risk and the effectiveness of the mitigation measures.

Mitigation Measures. The following mitigation measure would be applied to the proposed project.

~~AIR~~**AQ-3** **Indoor Air Pollution**. The mitigation actions listed below would apply to all residences within 300 feet of the centerline of U.S. 101:

- *Forced air ventilation with filter screens on outside air intake ducts shall be provided for all residences within 300 feet of the centerline of U.S. 101. The filter screens shall be capable of removing at least 85% of the particulate matter including fine particulate matter (PM<2.5 micron).*
- *A brochure notifying the future residents of the need for maintaining the filter screens shall be prepared and provided at the time of ownership exchange. In addition, a notice of the diesel particulates risk hazard and the need for screen maintenance shall be placed in the property title.*
- *Windows and doors shall be fully weatherproofed with caulking and weather-stripping that is rated to last at least 20 years.*

Plan Requirements and Timing. The above-noted emissions avoidance measures shall be incorporated into the project and shown on the plans submitted for zoning clearance. The brochure and the specifications for the filter screens shall also be submitted to Planning and Development (P&D) for review prior to zoning clearance approval.

Monitoring. P&D shall review the hazard avoidance measures and confirm acceptable wording in the brochure and the suitability of the proposed screens prior to issuance of zoning

clearance. County building inspectors shall check for installation of the filter screens and adequate weather-proofing in the appropriate units prior to issuance of certificate of occupancy.

Significance After Mitigation. These mitigation actions would provide for the removal of particulates prior to entering into the indoor environment, thereby reducing the overall exposure of individual residents. With this reduction in exposure to **hazardous air pollutants** ~~HAPs~~, the combined exposure from time spent both indoors and outdoors would be below significance thresholds. With implementation of the required mitigation measures, impacts to sensitive receptors due to proximity to U.S. 101 would be reduced to less than significant (Class II).

Impact AQ-4 The proposed project would be consistent with the SBCAPCD 2010 Clean Air Plan because it would not generate population in excess of that used in the CAP to forecast population-related emissions.

In order to be determined to be consistent with the CAP, a project's direct and indirect emissions must be accounted for in the growth assumptions of the CAP, and the project must be consistent with the policies in the CAP (Santa Barbara County Air Pollution Control District, 2010). As described in Section 4.2.3(a) above, residential projects in areas not regulated by residential growth management ordinances (including unincorporated Santa Barbara County) would be considered consistent with the 2010 CAP if the annual incremental increase in dwelling units is below the annual incremental projections contained in the CAP. Vehicle use and emissions are directly related to population, as additional residents would result in more vehicular use. Populations that remain within CAP and SBCAG forecasts are accounted for with regards to SBCAPCD emissions inventories. When population growth exceeds these forecasts, emission inventories could be surpassed, affecting attainment status.

The 2010 CAP is based on growth projections contained in the 2007 Santa Barbara County Association of Governments (SBCAG) Regional Growth Forecast 2005-2040, in which assumptions about future land development patterns were used to generate future housing forecasts for unincorporated areas of Santa Barbara County (SBCAG Regional Growth Forecast, August 2007). SBCAG updated the Regional Growth Forecast in in 2012 for the period 2010 through 2040. These updated housing projections are shown in Table 4.2-5.

Table 4.2-5 SBCAG Housing Projections for Unincorporated Areas of Santa Barbara County

Year	Population Forecast[1]	Households[2]
2010	32,737	11,642
2020	32,751	11,647
2035	39,244	13,917
2040	39,829	14,123

1. From "Table 7, Trend-based Allocation Methodology Subject to Land Use Capacity Population, Household, and Employment Forecast", Santa Maria Valley unincorporated area, SBCAG Regional Growth Forecast (December, 2012).

2. Subregional Household forecast is calculated by dividing population growth

by census 2010 household size.

The 2008 Housing Element Focused Rezone Program EIR analyzed the impact of rezoning an eight-acre portion of the Key Site 3 property to MR-O (Multi-family residential Orcutt) to allow for the development of 160 multi-family residential units. The current proposed project includes the development of 125 single-family residential units on Key Site 3. Together, the proposed project and the future development of the MR-O zone would be expected to result in a total of 285 units.

The total number of housing units generated by this project, in combination with other reasonably foreseeable residential development in the unincorporated County, would not exceed the housing unit increase of 2,481 forecasted by SBCAG between 2010 and 2040. The increase of 285 housing units would comprise approximately 11.5% of the projected growth in the unincorporated area of the County, which would be well within growth forecast assumptions used in the 2010 CAP. Hence, the proposed project would be consistent with the 2010 CAP, and impacts from the proposed project related to CAP consistency would be less than significant (Class III).

Mitigation Measures. No mitigation measures would be required.

Significance After Mitigation. The increase in housing units presented by the project is well within CAP population growth forecasts. Impacts would be less than significant (Class III).

c. Cumulative Impacts. Buildout of the Orcutt/Santa Maria area would contribute to the cumulative degradation of regional air quality. The impacts of developing Key Site 3 would be combined with cumulative impacts resulting from the previously-approved development of 160 additional residences on the Key Site 3 property under the Focused Housing Rezone Program EIR. In order to assess the impact of cumulative buildout of the Key Site 3 property, an analysis of the combined operational air pollutant emissions of the project's 125-unit development and the 160 additional units allowed under the MR-O zone district elsewhere on the Key Site 3 property was conducted. The impacts of operational air pollutant emissions resulting from the 8-acre MR-O zoned portion of Key Site 3 were analyzed in the Focused Housing Rezone EIR. The Focused Rezone Program EIR concluded that the development of 160 multi-family residences in the MR-O zone district on the Key Site 3 property would result in 18.0 pounds of ROG, 12.1 pounds of NO_X, and 11.7 pounds of PM_{10} per day, and determined that emissions would be reduced to a less than significant level through application of Mitigation Measure AQ-2(a) and AQ-2(b) (On-Site Transportation Control Measures and Off-Site Transportation Control Measures).

In order to make a comparison between the MR-O zone district and the current proposal, operational air pollutant emissions from the MR-O district have been recalculated according to the methodologies used above for the Key Site 3 project and using the most recently available emission factors. Based on the methodology described in Section 4.2.3(a), the MR-O zone district would generate an estimated 10.0 pounds of ROG, 12.2 pounds of NO_X, and 7.0 pounds of PM_{10} per day. The difference in emissions between this inventory and the inventory conducted pursuant to the Focused Rezone Program EIR is the result of the updated emission factors for criteria pollutants used in CalEEMod, as compared to the emission factors used by the older URBEMIS emissions model used in the Focused Housing Rezone Program EIR analysis. Estimated emissions from the MR-O zone district are summarized in Table 4.2-6.

Table 4.2-6 Unmitigated Operational Emissions – MR-O

Source	Maximum Emissions (lbs/day)		
	RO	NO_X	PM_{10}
Area Source	5.2	0.2	0.1
Energy	0.1	0.8	0.1
Mobile	4.7	11.3	6.8
Total	**10.0**	**12.2**	**7.0**

Source: CalEEMod v.2013.2.2, winter emissions report. Modeling results contained in Appendix B.

Table 4.2-7 shows the combined operational air pollutant emissions of the Key Site 3 project and the MR-O zone district. Appendix B shows the complete operational air pollutant calculations for the project.

Table 4.2-7 Combined Operational Air Pollutant Emissions– Key Site 3 plus MR-O

Source	ROG	NO_X	PM_{10}
Key Site 3 (area + energy + mobile)	15.7 lbs/day	12.6 lbs/day	7.7 lbs/day
MR-O (area + energy + mobile)	10.0 lbs/day	12.2 lbs/day	7.0 lbs/day
Total (area + energy + mobile)	**25.7 lbs/day**	**24.8 lbs/day**	**14.6 lbs/day**
Total (mobile only)	**9.4 lbs/day**	**22.6 lbs/day**	**14.4 lbs/day**
Threshold (area + energy +mobile)	*55*	*55*	*80*
Threshold (mobile only)	*25*	*25*	*n/a*

Source: CalEEMod v.2013.2.2, winter emissions report. Modeling results contained in Appendix B.

As shown in Table 4.2-7, the combined operational air pollutant emissions of the Key Site 3 project and the MR-O zone district would not exceed County thresholds. Therefore, this impact would be less than significant.

In addition, cumulative impacts may result from development of the proposed project in combination with development contemplated in the Santa Barbara County Comprehensive Plan as well as the General Plans of local municipalities. Based on Santa Barbara County thresholds, a project would have a significant cumulative impact if it were inconsistent with the adopted federal and state air quality plans of Santa Barbara County. As discussed in Impact AQ-4, the proposed project is consistent with the 2010 CAP. The 2010 CAP is the adopted state air quality plan for the County and cumulative development was determined to be less than significant without mitigation. Therefore, cumulative air quality impacts of the proposed project would be less than significant (Class III).

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4.3 BIOLOGICAL RESOURCES

4.3.1 Setting

a. Regional Setting. The project site, herein referred to as Key Site 3, is located in northern Santa Barbara County near the southern edge of the Santa Maria Valley, approximately twelve miles east of the Pacific Ocean (Figure 2-1). It is generally bounded by the Solomon Hills to the south, and the Casmalia Hills, Guadalupe Dunes and Pacific Ocean to the west. Santa Maria Valley extends northward, beyond Orcutt to the City of Santa Maria and the Santa Maria River, and east past U.S. Highway 101 (U.S. 101). Key Site 3 is on the Orcutt Terrace, a series of wind-blown (aeolian) sand dunes deposited between 6,000 to at least 80,000 years ago (Orcutt Community Plan EIR, 1995).

Climate is mild, and typifies a Mediterranean coastal climate that is characterized by long, dry summers and short, wet winters. Fog is common during the late spring and summer months, moderating summer temperatures. Prevailing winds are from the northwest. Annual temperatures range from 50 degrees Fahrenheit (F) to 74 degrees F during the summer and 39 degrees F to 64 degrees F during the winter months. On average the warmest month is September and the coolest month is January. Rainfall is highly variable within and between winter seasons. Average annual rainfall reported at the nearby Santa Maria COOP weather station is 13 inches for period of record July 1, 1978 through March 31, 2013. Most of the precipitation occurs from November to April, with highest rainfall occurring in February (Western Regional Climate Center, 2014).

b. Project Site Setting. The following discussion of existing conditions at Key Site 3 includes information provided in technical reports by LFR, now known as Arcadis. The initial *Key Site #3 Orcutt, California, Sensitive Species and Habitat Survey* report, initially prepared by LFR in June 2006 and updated in May 2009, was based on biological surveys conducted on several days from 2005 to 2009. A follow-up site visit to confirm and refine habitat identification was made by Arcadis and County staff on November 30, 2010. The original reports and a letter summarizing habitat refinements made with County staff can be found in Appendix C.

Subsequent biological work by Arcadis includes follow-up impact assessment for a revised project footprint, and field survey updates provided in a May 2013 Revised Impact Assessment Letter, and a May 2014 Field Survey Letter. The 2013 and 2014 updates are included in Appendix C. Original biological work and 2010 updates provide baseline information on biological resources for the entire Key Site 3 property. The May 2014 follow-up survey efforts focused on habitat types on the mesa portion of the site, particularly areas north of Orcutt Creek, the vicinity of the revised project footprint, and did not exhaustively cover the entire site.

Botanical surveys conducted between 2005 and 2009 were floristic in nature (all identifiable species encountered were recorded) and all wildlife species observed on-site were recorded. Habitats present on-site were identified and mapped and the potential for special status plants and animals to occur on-site was assessed. Impacts and mitigation measures were also discussed in the report. Several supplemental reports were prepared including assessments of habitat characteristics and potential for special status species occurrence for off-site road and infrastructure improvement areas associated with the proposed project (LFR, 2009a, 2009c,

2009d, 2009e). In addition, a jurisdictional delineation (LFR, 2009b), vernal pool fairy shrimp (*Branchinecta lynchi*) habitat assessment (LFR, 2009e), and protocol level surveys for California tiger salamander (*Ambystoma californiense*) were conducted (LFR, 2009a) (see Appendix C).

Rincon Consultants, Inc. (Rincon) conducted site visits on July 8, 2008, February 2, 2009, March 18, 2009, October 23, 2009, October 27, 2009, and November 3, 2009. During each of these visits, Rincon conducted spot checks of various habitat features to compare site characteristics to information in the initial reports prepared by LFR, paying particular attention to sensitive habitats and information within the reports that appeared to be unclear. Additionally, Rincon conducted a reconnaissance-level site survey on October 24, 2014 to assess current site conditions, particularly in project impact areas, and reviewed additional biological data provided in 2013 and 2014. Some refinements to Arcadis' habitat mapping were made during this site visit, such as locations originally mapped as disturbed scrub during original biological surveys that have regrown to form mature scrub habitat. Updated habitat mapping provided by Arcadis, with refinements made in the field by Rincon, have been used for the acreage calculations in the impact analyses.

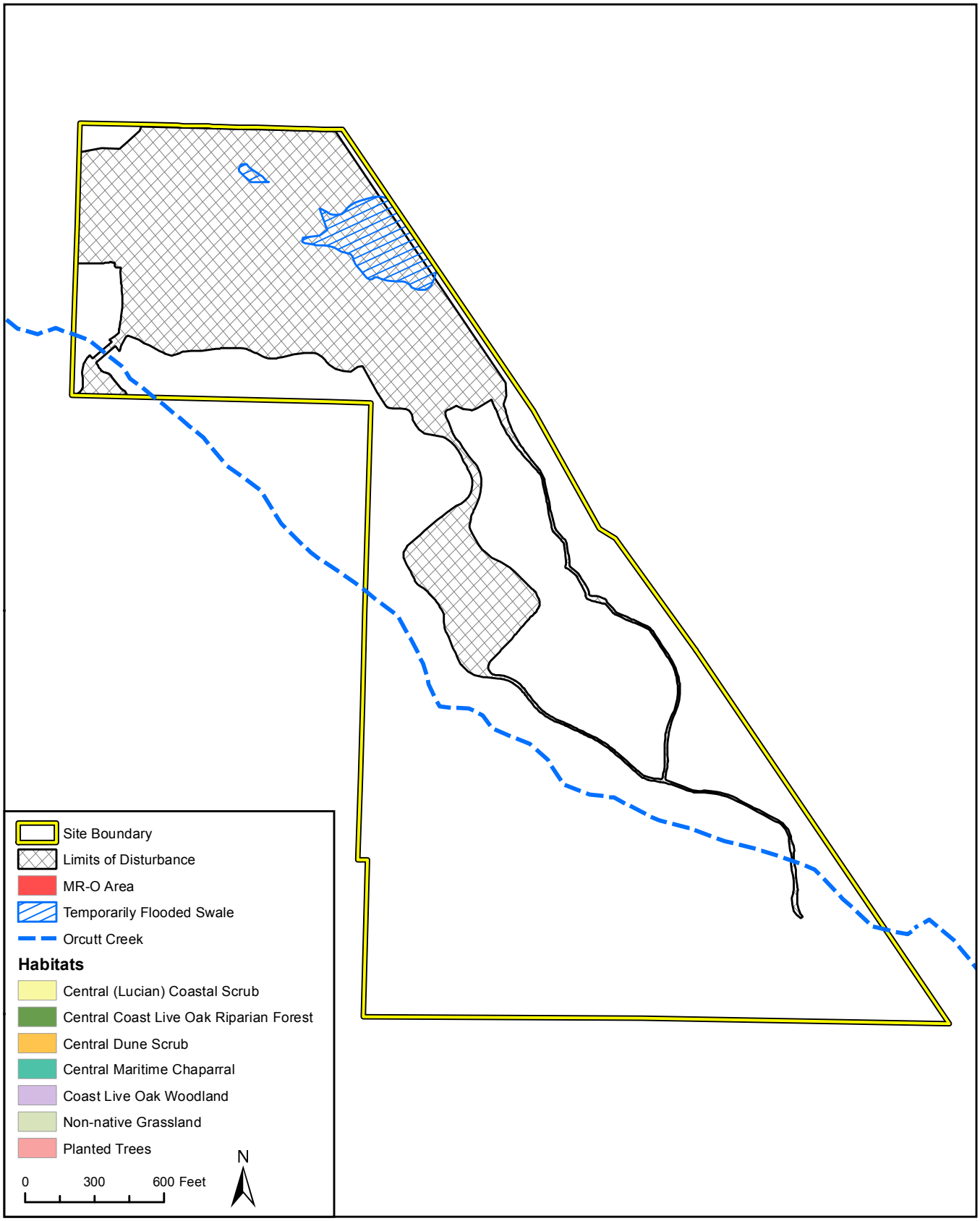
For the purposes of this section, the study area includes all areas within the Key Site 3 property boundaries, except for the Multi-family Residential – Orcutt (MR-O) housing area located in the north-central portion of the site, plus all associated off-site infrastructure improvements. The environmental impacts associated with the development for the 8-acre portion of Key Site 3 under the MR-O zoning was evaluated in the Focused Rezone Program EIR (State Clearinghouse #2008061139, Santa Barbara County, 2008) and is part of the cumulative development analyzed in this EIR.

c. Habitat Types. Seven habitat types were identified within Key Site 3: Central Maritime Chaparral, Central (Lucian) Coastal Scrub, Central Dune Scrub, Central Coast Live Oak Riparian Forest, Coast Live Oak Woodland, Non-native Grassland, and Eucalyptus Groves (Figure 4.3-1). Classification of these habitat types follows the Holland (1986) system, with vegetation communities cross-referenced to the Manual of California, 2nd Edition (MCV2; Sawyer et. al., 2009) classification system. Typical characteristics of these habitat types, including structure and composition of the dominant vegetation, are described in the following subsections, and acreages for each habitat type within Key Site 3 are provided in Table 4.3-1.

Table 4.3-1 Habitat Types at Key Site 3*

Habitat Type	Approximate Acreage within the Study Area
Central (Lucian) Coastal Scrub	40.63
Central Coast Live Oak Riparian Forest	10.64
Central Dune Scrub	11.85
Central Maritime Chaparral	8.74
Coast Live Oak Woodland	11.74
Non-native Grassland	49.76
Planted Trees	0.37
Key Site 30 TOTAL	**133.73**

**excluding MR-O site*



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Habitat data by ARCADIS, 2014.

Habitat Map

Figure 4.3-1

Central Maritime Chaparral. The Central Maritime Chaparral habitat type, as defined by Holland (1986), within Key Site 3 most closely corresponds to the chamise chaparral community (Adenostoma fasciculatum Alliance) described in MCV2 (Sawyer et. al., 2009) and is considered a sensitive habitat by the California Department of Fish and Wildlife (CDFW). Also referred to as sandhill chaparral in the OCP EIR and in some areas as Burton Mesa chaparral, Central Maritime Chaparral is dominated by evergreen shrubs ranging from one to four meters in height with scattered coast live oak (Quercus agrifolia) trees. This vegetation type occurs with varying densities from open stands to dense thickets over vast areas of the historic dunes of the Central Coast. Low growing annuals and herbaceous perennials are often found in exposed openings. In the Orcutt region, maritime chaparral often contains ceanothus (Ceanothus spp.) and manzanita (Arctostaphylos spp.) as co-dominant species common components, though at Key Site 3 these species are not abundant throughout chaparral habitat.

Within Key Site 3, Central Maritime Chaparral is found south of Orcutt Creek. The dominant species in this vegetation community is chamise (Adenostoma fasciculata). Other common species include coast live oak, mountain-mahogany (Cercocarpus betuloides), redberry (Rhamnus crocea), black sage (Salvia mellifera), and poison oak (Toxicodendron diversilobum). The southwestern portion of this habitat supported an understory of native perennial thin grass (Agrostis pallens), gold-back fern (Pentagramma triangularis), purple needlegrass (Stipa pulchra), small flowered needlegrass (Stipa lepida), and melic grass (Melica imperfecta). On the highest point within the study area, sand mesa manzanita (Arctostaphylos rudis) is present; species composition in this area is more typical of Central Maritime Chaparral. While manzanitas were generally absent from other areas mapped as Central Maritime Chaparral, the species composition generally supported this habitat designation over other chamise-dominated habitat types. In addition, this habitat type as mapped on Figure 4.3-1 also contains several special status plant species, such as Lompoc ceanothus (Ceanothus cuneatus ssp. fascicularis) and San Luis Obispo wallflower (Erysimum capitatum, formerly ssp. lompocense), which are known to occur in Central Maritime Chaparral.

Central (Lucian) Coastal Scrub. The Central (Lucian) Coastal Scrub habitat type, as described by Holland (1986), within Key Site 3 most closely corresponds to the California Sagebrush Scrub community (Artemisia californica Alliance) and the coyote brush scrub community (Baccharis pilularis Alliance described in MCV2 (Sawyer et. al., 2009). These coastal scrub communities consist of a dense canopy of shrubs adapted to drier south-facing slopes and terraces along the coastal zone of California and northern Baja California. Vegetation in this habitat type is composed primarily of soft-leaved deciduous shrubs three to six feet tall that form a dense canopy over rocky, nutrient poor soils. Evergreen shrubs are often present within this habitat type. In Central California, from Monterey to Point Conception, coastal scrub occurs primarily below 2,000 feet on the ocean side of the coastal ranges.

Within the Key Site 3, Central (Lucian) Coastal Scrub occurs on steep slopes, and in openings within oak woodland and in the higher portions of flood plains within openings in riparian habitats. Within the study area, this habitat type is dominated by California sagebrush (Artemisia californica) and coyote brush (Baccharis pilularis). Other common species observed include California coffeeberry (Rhamnus californica), mock heather (Ericameria ericoides), black sage, sticky monkeyflower (Mimulus aurantiacus) and poison oak. Fuchsia-flowered gooseberry (Ribes speciosum) and coastal goldenbush (Isocoma menziesii) were also observed.

The Central (Lucian) Coastal Scrub south of Orcutt Creek is relatively intact. North of Orcutt Creek and in some patches to the south of the creek, disturbances to coastal scrub were noted during initial habitat mapping in 2005 through 2009, resulting in low shrub cover and reduced species diversity in these areas. The degradation of these areas was due primarily to the impacts of long-term grazing and invasion by non-native species. These disturbed areas were originally mapped as disturbed Central Coastal Scrub. However, during the 2014 Rincon site visit, many of these areas had recovered, with mature coyote brush scrub dominant and shrub cover similar to other coastal scrub, thus these areas were not separated in updated habitat maps for the site. Only areas that continued to have low percent cover and current evidence of heavy disturbance were separated in mapping.

Central Dune Scrub. The Central Dune Scrub habitat type, as described by Holland (1986), within the Key Site 3 study area most closely corresponds to the Silver Dune Lupine – Mock Heather Scrub (Lupinus chamissonis-Ericameria ericoides Alliance) defined in MCV2 (Sawyer et. al., 2009) and is considered a sensitive habitat by CDFW. Central Dune Scrub is found on inland stabilized sand dunes at various locations along the California coast. This community is dominated by woody shrub vegetation with open sandy areas visible throughout. This community is similar in vegetative structure to coastal scrub, but differs in the species that dominate. On-site, this habitat type is restricted to the portion of the Key Site south of Orcutt Creek, and is dominated by mock-heather and dune bush lupine (Lupinus chamissonis), which is replaced by a different bush lupine (Lupinus albifrons) as the habitat progresses inland and upslope. Other common species observed throughout this habitat type include California sagebrush, black sage, California croton (Croton californicus), deerweed (Acmispon glaber) and California-aster (Corethrogyne filaginifolia).

Central Coast Live Oak Riparian Forest. The Central Coast Live Oak Riparian Forest habitat found within the study area corresponds to the Central Coast Live Oak Riparian Forest Community described by Holland (1986), and the Coast Live Oak Woodland (*Quercus agrifolia* Woodland Alliance) described in MCV2 (Sawyer et al., 2009). It is considered a sensitive natural community by CDFW; oak woodlands are also considered a locally sensitive habitat by the County of Santa Barbara. Central Coast Live Oak Riparian Forest is typically found in canyon bottoms and floodplains of the Central and South Coast and Transverse ranges, from Sonoma County to near Point Conception. Within the Key Site 3 study area, this habitat type was found along the majority of Orcutt Creek. This habitat type was dominated by coast live oak associated with the banks of Orcutt Creek. Some areas also included occasional blue elderberry (*Sambucus nigra* ssp. *caerulea*), mulefat (*Baccharis salicifolia*), mugwort (*Artemisia douglasiana*), poison oak, and scattered clusters of arroyo willow (*Salix lasiolepis*), particularly in the downstream-most (western) reach of this habitat type. Understory vegetation in most areas of this vegetation type consists of annual herbaceous species. This vegetation type is similar to Coast Live Oak Woodland, except that the understory and associate species include occasional riparian vegetation, and the habitat type is associated with the banks and immediate terraces adjacent to an intermittent stream. Understory varied across the study area, and the upstream (eastern) reach generally lacked mulefat, willow, and elderberry associates.

A portion of this riparian corridor has similar drainage bed and bank characteristics, but that lacks the oak canopy, though similar understory persists. This area along Orcutt Creek is

sparsely vegetated with few individuals of blue elderberry, mugwort, coyote brush, mulefat, and a single sandbar willow (*Salix exigua*).

Coast Live Oak Woodland. The Coast Live Oak Woodland habitat type, as described by Holland (1986), most closely corresponds to the Coast Live Oak Woodland described in MCV2 (Sawyer et al., 2009) and is considered a locally sensitive habitat by the County of Santa Barbara. This habitat type typically occurs in coastal areas from Sonoma County to Baja California, extending inland to the inner Coast Ranges in some areas. In mesic areas, including drainages and north-facing slopes, coast live oak woodland forms a very dense canopy with extensive understory shading, while in drier, more exposed areas coast live oak woodland forms an open canopy often with a shrubby understory. In southern California, coast live oaks lining drainages are often treated separately as riparian forest, as has been done on Key Site 3. Coast live oak woodland was mapped in areas away from Orcutt Creek, on moderate to steep sloping hillsides. In addition to the historical use of the land for agricultural practices such as grazing, the understory species composition in oak woodland habitat types varies depending upon local conditions such as moisture availability and soil type.

As noted above, understory and associate species in coast live oak woodland differ from understory and associate species in Coast Live Oak Riparian Forest. Within the study area, Coast Live Oak Woodland is found south of Orcutt Creek. Common understory species observed within the Coast Live Oak Woodland include shade-tolerant shrubs such as toyon (*Heteromeles arbutifolia*), climbing penstemon (*Keckiella cordifolia*) and poison oak, as well as herbaceous species such as hummingbird sage (*Salvia spathacea*), wood mint (*Stachys bullata*) and wild cucumber (*Marah fabaceus*). Much of the oak woodland habitat within the study area has been disturbed by cattle grazing, resulting in colonization of a variety of non-native species including Italian thistle (*Carduus pycnocephalus*), milk thistle (*Silybum marianum*), poison hemlock (*Conium maculatum*), and bromes (*Bromus* spp.). Scattered oaks were also present in the California Annual Grassland, Central Maritime Chaparral, and Central Coastal Scrub habitats at low frequencies which did not warrant designation as oak woodland habitat.

Non-native Grassland. The Non-native Grassland habitat type within Key Site 3, as described by Holland (1986), corresponds most closely with the Annual Brome Grasslands described in MCV2 (Sawyer et al., 2009). This habitat type is typically found on seasonally dry hillsides and valleys in the Central Valley, interior valleys of the Coast Ranges, and along the coast of central and southern California, as well as some of the off-shore islands. Within the Key Site 3 project footprint area, Non-native Grassland is the dominant habitat type. This habitat type also dominated each of the off-site infrastructure improvement areas. Although non-native annual grasses form the dominant plant species composition, native annual forbs are present and increased species diversity in select areas.

Vegetation in this habitat type is composed primarily of non-native short to tall annual grasses and native and non-native broad-leafed forbs. Dominant grasses observed within the study area include soft chess brome (*Bromus hordeaceus*), ripgut brome (*Bromus diandrus*), slender wild oats (*Avena barbata*), and rat-tail fescue (*Vulpia myuros*) with non-native forbs including red-stem filaree (*Erodium cicutarium*), black mustard (*Brassica nigra*), and patches of Italian thistle, milk thistle, poison hemlock, and sheep sorrel (*Rumex acetosella*). Among the most abundant native species found in this heavily grazed habitat are the coast tarplant (*Deinandra increscens* ssp.

increscens) and doveweed (*Croton setigerus*). Native flowering herbs observed within the study area include purple owl's clover (*Castilleja exserta*), bicolored lupine (*Lupinus bicolor*), red maids (*Calandrinia ciliata*), and coast tarweed (*Madia sativa*). Scattered coast live oak trees and coastal scrub shrubs are also found at low cover within this habitat type. In the northeast corner of the study area, cover of coyote brush scrub has increased in recent years, and now nears the 10 percent threshold typically used to separate shrub communities from herbaceous communities.

A seasonally wet swale (shown as an overlay, seasonal swale, on Figure 4.3-1) was observed on the mesa north of Orcutt Creek within the northern portion of Key Site 3. This swale consisted of a topographically low area across which water flows seasonally. Agricultural runoff and storm water flows originate on the east side of U.S. 101 and flow west onto Key Site 3 through a culvert under the highway. Water drains off of Key Site 3 at the northwest corner into a small, steeply incised canyon. This seasonally wet area is visible in readily available aerial photographs of the site (Google Earth, 2009). Historical photographs from as far back as 1938 show the presence of a drainage feature in this area (LFR, 2009b). Water appears to be present in the swale for no more than 24 hours. This seasonally wet swale has undergone repeated disturbance through agricultural practices. Annual grazing practices have altered the vegetation on-site resulting in a dominance of a few non-native species including curly dock (*Rumex crispus*) and Bermuda grass (*Cynodon dactylon*). The seasonally wet swale predominantly supports species that can occur in, but are not necessarily obligatory to, moister habitats such as annual bluegrass (*Poa annua*), Bermuda grass and curly dock.

In the *Santa Barbara County 2003-2008 Housing Element Focused Rezone Program EIR* (Rincon Consultants, 2008), the swale area was identified as a potential County wetland based on the presence of hydrology and potential for hydrophytic vegetation. According to the County of Santa Barbara, wetlands must have one or more of the following attributes (Santa Barbara County, 2008):

1. *At least periodically, the land supports predominantly hydrophytes, that is plants adapted to moist areas.*
2. *The substrate is predominantly un-drained hydric soil, and*
3. *The substrate is non soil and is saturated with water or covered by shallow water at some time during the growing season of each year. (County of Santa Barbara 2009)*

The jurisdictional delineation performed by LFR (2009b) included data from several sample points collected in April 2009 when annual hydrophytes would have been identifiable, and in a year where 70 percent of normal rainfall was received. The report determined that this swale did not meet criteria for state or federal wetlands because hydric soil indicators were not present, and consistent indicators of wetland hydrology were not present. The report also identified that the swale could meet County criteria for wetlands on the basis of hydrophytic vegetation if Bermuda grass was treated as a hydrophyte. When this delineation was performed in 2009, the dominant species, Bermuda grass, had a wetland indicator status of FAC (facultative) indicating that this species was equally likely to occur in wetlands and uplands. The swale area was initially mapped as a potential County wetland based on the dominance of Bermuda grass, as well as regular presence of standing and flowing water during and shortly after storms.

Recent updates to the National Wetland Plant List indicate that in the Arid West Region, which contains Key Site 3, Bermuda grass has an indicator status of FACU (facultative upland) indicating the species more commonly occurs in upland habitats than in wetlands (Lichvar et al., 2014). Several other species reported from the wetland delineation data sheets collected in April 2009 similarly have revised ratings; curly dock is now rated FAC; six-weeks fescue (*Vulpia [=Festuca] bromoides*) is now rated FAC; and rattail fescue (*Vulpia [=Festuca] myuros*) is now rated FACU. Based on 2009 datasheets, review of current conditions reported in the Arcadis 2014 letter, and conditions observed in the field by Rincon during a 2014 site visit, vegetation comprised of species rated as FAC, FACW (facultative wetland), or OBL (obligate wetland) is not dominant within the feature. Thus, based on data collected in 2009 and observations in 2014, vegetation on the site would not be classified as hydrophytic according to County standards. Soil data from the 2009 wetland delineation indicates that hydric soils are not present, but rather substrates are consistent with upland soils. Therefore, the feature does not meet criteria for County 1- or 2-factor wetlands, and is non-jurisdictional.

Eucalyptus Groves. The Eucalyptus Groves habitat type within Key Site 3 is not described by Holland (1986) but corresponds with the Eucalyptus groves Semi-Natural Woodland Stands (*Eucalyptus [globulus, camaldulensis]* Semi-Natural Stands) described in MCV2 (Sawyer et al., 2009). These small groves consist of planted trees and their offspring, in two locations along Orcutt Creek. These groves and consist primarily of blue gum (*Eucalyptus globulus*) and a single occurrence of ribbon gum (*E. viminalis*). A few additional areas of the site support low numbers of other planted trees, which are not numerous or extensive enough for mapping, including Northern California walnut (*Juglans hindsii*) and Monterey pine (*Pinus radiata*).

d. Drainages. One natural drainage feature, Orcutt Creek, is present within the Key Site 3 study area. Orcutt creek is an intermittent creek that originates in the Solomon Hills near U.S. 101, flows north through the Solomon Canyon, and traverses the Santa Maria Valley in a general northwesterly direction. Within Key Site 3, Orcutt Creek flows across the southern portion of the study area in a general east to west trend, and crosses the site again at the southwestern corner of the northern portion of the study area. Habitats along the banks of Orcutt Creek included the Central Coast Live Oak Riparian Forest, Central (Lucian) Coastal Scrub, and a small amount of Non-native Grassland. Some portions of the drainage have a sandy or gravelly bottom and sparse bank vegetation, forming small areas of dry wash habitat. The main channel of Orcutt Creek averaged 9 to 15 feet in width with an average bank height of 3 feet. The ordinary high water mark (OHWM) was approximately six to ten inches deep. The stream channel was largely devoid of vegetation with annuals and herbaceous perennials occurring sporadically, along with occasional sandbars supporting other shrubs and herbs.

e. Special Status Species and Plant Communities. For the purpose of this document, special status species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the United States Fish and Wildlife Service (USFWS) under the federal Endangered Species Act; those listed or proposed for listing, or candidates for listing as rare, threatened, or endangered by the California Department of Fish and Wildlife (CDFW) under the state Endangered Species Act; animals designated as "Fully Protected," "Species of Special Concern," "Rare," or "Watch List" by the CDFW; and those species on the *Special Vascular Plants, Bryophytes, and Lichens List* (CDFW, 2014b). This latter document includes

species included in *California Native Plant Society (CNPS) Inventory of Rare and Endangered Vascular Plants of California, Eighth Edition* (CNPS, 2014) as updated online. Those plants ranked as California Rare Plant Ranks 1, 2, 3, or 4 are considered special status species in this EIR, per the CNPS code definitions:

- *Rank 1A = Plants presumed extirpated in California, and either rare or extinct elsewhere;*
- *Rank 1B.1 = Rare or endangered in California and elsewhere; seriously threatened in California (over 80% of occurrences threatened/high degree and immediacy of threat);*
- *Rank 1B.2 = Rare or endangered in California and elsewhere; fairly threatened in California (20-80% occurrences threatened);*
- *Rank 1B.3 = Rare or endangered in California and elsewhere, not very threatened in California (<20% of occurrences threatened or no current threats known);*
- *Rank 2A = Plants presumed extirpated in California, but more common elsewhere;*
- *Rank 2B = Rare, threatened or endangered in California, but more common elsewhere;*
- *Rank 3 = Plants about which more information is needed (most are species that are taxonomically unresolved; some species on this list meet the definitions of rarity under CNPS and CESA);*
- *Rank 4.2 = Plants of limited distribution (watch list), fairly threatened in California (20-80% occurrences threatened); and*
- *Rank 4.3= Plants of limited distribution (watch list), not very threatened in California (<20% occurrences threatened or no current threats known).*

CRPR List 4 species have limited distribution globally but are fairly common within their range. CRPR List 3 and List 4 plant species are typically not considered for analysis under CEQA except where they are designated as rare or otherwise protected by local government as is the case for those projects located under the jurisdiction of the County of Santa Barbara. In 1988, the County prepared a list of species considered to be of "local concern" because of local or regional scarcity (Wiskowski, 1988). Although this list is outdated, plants occurring on this list may meet the definition of a locally designated special status species. An updated list was prepared in 2005 and updated in 2007 by the Santa Barbara Botanic Garden (Central Coast Center for Plant Conservation, 2007) and includes species the County may consider special status.

Queries of the USFWS Information, Planning, and Conservation System (IPaC; 2014b), California Natural Diversity Database (CNDDB) (CDFW, 2014a), and the CNPS Online Inventory of Rare, Threatened and Endangered Plants of California (2014) were conducted to obtain comprehensive information regarding state and federally listed species as well as other special status species considered to have potential to occur within the *Orcutt, California* USGS 7.5-minute topographic quadrangle and the surrounding eight quadrangles (*Point Arguello, Casmalia, Sisquoc, Twitchell Dam, Santa Maria, Guadalupe, Los Alamos,* and *Lompoc*). In addition, the *Sensitive Species and Habitat Survey* report (LFR, 2009c); the *Revised Impact Assessment* (Arcadis, 2013), the *Field Survey Letter* (Arcadis, 2014) and other studies from the vicinity of the site were referenced. Field reconnaissance level surveys were conducted by LFR, with follow-up visits by Rincon, to identify habitat types, refine the target list of species, and evaluate the potential for special status species occurrence on the project site.

LFR noted that site surveys were floristic in nature, but did not indicate that focused rare plant surveys were completed for Key Site 3. LFR, under contract to the applicant, visited the project site nine times from November 2006 to March 2009. No more than two site visits were

conducted during any spring/summer bloom period during a given year. The LFR botanical surveys did not include surveys to fully cover the period during which some of the special status plants with potential to occur onsite would have been identifiable. Hence, certain sensitive plant species cannot be ruled out, as discussed in more detail below.

Sensitive Natural Communities and Vegetation Types. Ten sensitive natural communities were identified by the CNDDB as occurring in the vicinity of the project site (Table 4.3-2) and are depicted in Figure 4.3-1. Of these, two were observed within the study area: Central Dune Scrub and Central Maritime Chaparral. These plant communities are considered sensitive by the CDFW because of their rarity in California. One additional rare habitat type observed on-site, but not documented in the CNDDB search results, is Central Coast Live Oak Riparian Forest.

The Sensitive Natural Communities List in the CNDDB is not currently maintained and no new information has been added. Therefore, vegetation types onsite were also compared with the List of Vegetation Alliances and Associations (California Department of Fish and Wildlife, 2010). According to the CDFW's Vegetation Program, Alliances with State ranks of S1-S3 are considered to be imperiled, and thus, potentially of special concern. No additional vegetation types with rank S1-S3 or otherwise designated as high priority or potentially rare in the hierarchical list are present in the project area.

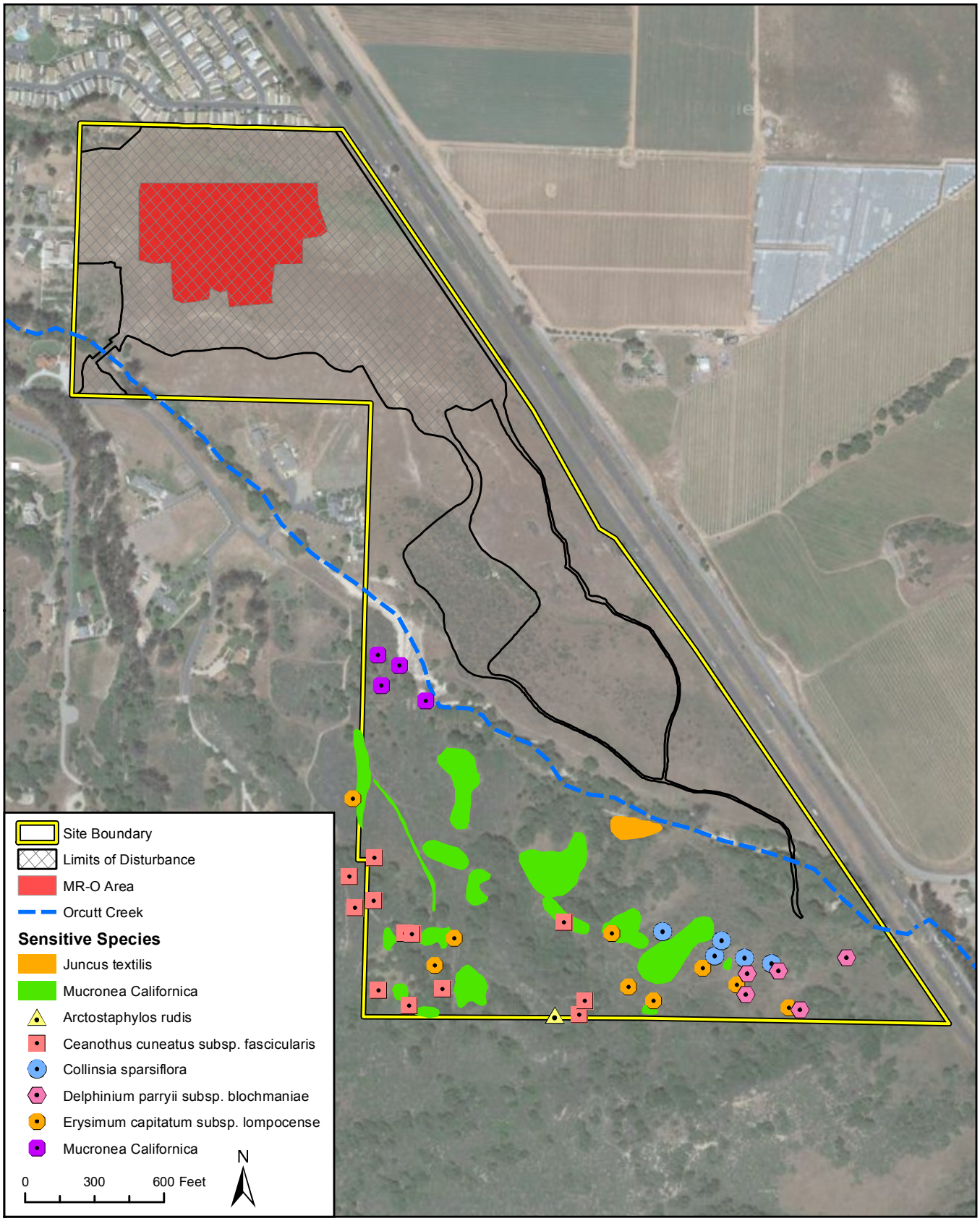
Table 4.3-2 Sensitive Natural Communities and Habitats of Concern in the Vicinity of the Project Site.

Habitats of Concern	Global Rank/State Rank	Habitat Present/Absence
Central Coast Arroyo Willow Riparian Forest	G3/S3.2	Absent
Central Coast Live Oak Riparian Forest	G3/S3.2	Present
Central Dune Scrub	G2/S2.2	Present
Central Foredunes	G1/S1.2	Absent
Central Maritime Chaparral	G2/S2.2	Present
Coastal and Valley Freshwater Marsh	G3/S2.1	Absent
Southern California Steelhead Stream	GNR/SNR	Absent
Southern California Threespine Stickleback Stream	GNR/SNR	Absent
Southern Cottonwood Willow Riparian Forest	G3/S3.2	Absent
Southern Vernal Pool	GNR/SNR	Absent
Southern Willow Scrub	G3/S2.1	Absent

Sources: LFR 2009c & 2009d, CNDDB RareFind5 October 2014

Special Status Plants. Sixty-four special status plant species were identified as occurring within the vicinity of the project site (Table 4.3-3). Twenty-eight of these species were determined to have the potential to occur on-site.

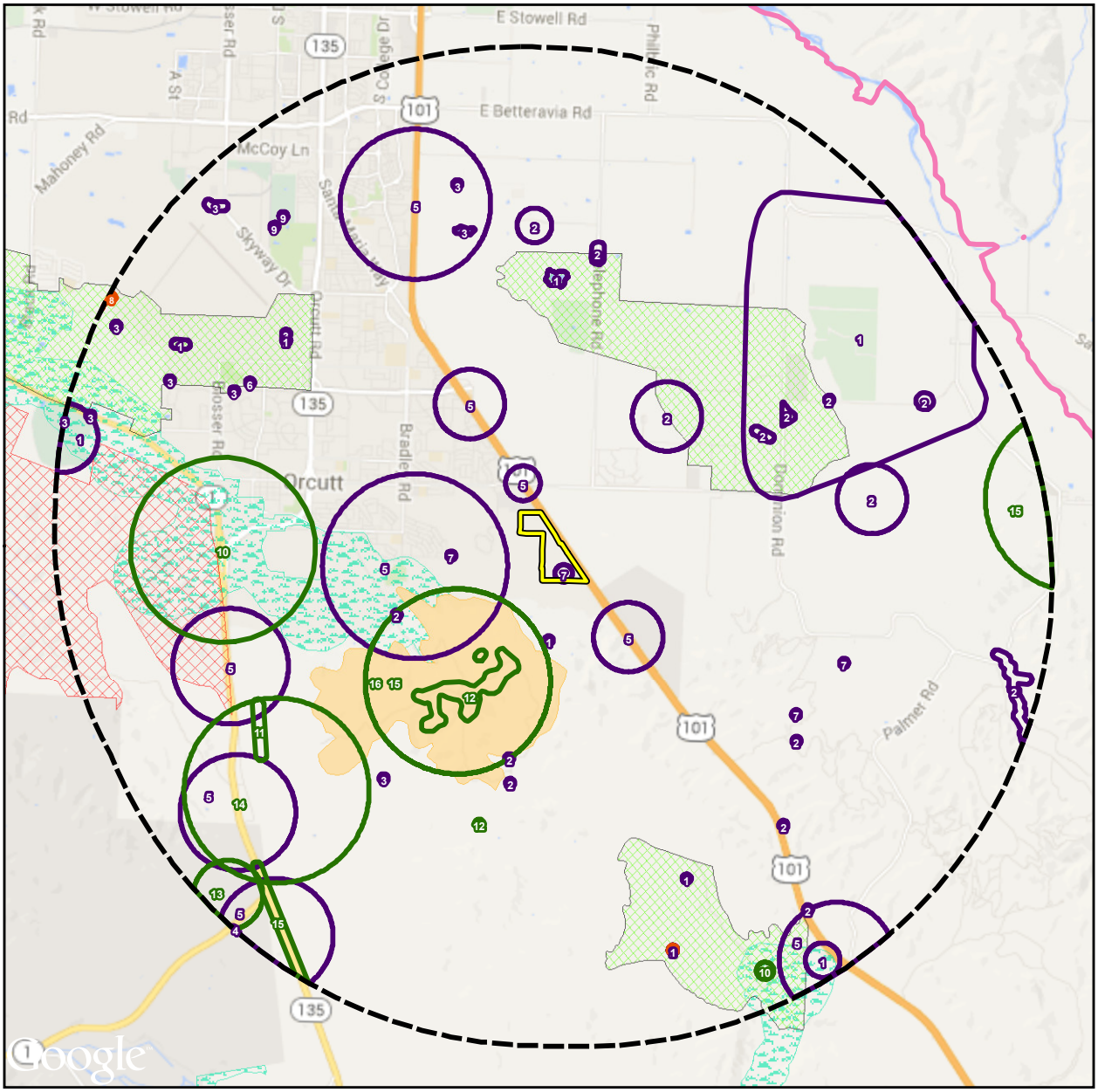
Special status and local concern species were primarily observed in Central Dune Scrub, Central Coastal Scrub, and Central Maritime Chaparral habitats on-site (Figure 4.3-2). Additionally, the LFR reports document small-seeded fiddleneck (*Amsinckia spectabilis* var. *microcarpa*), few-flowered collinsia *(Collinsia sparsiflora* var. *collina*), and Lompoc monkeyflower *(Mimulus*



Imagery provided by Google and its licensors © 2014.
Habitat data by ARCADIS, 2014.

Sensitive Species Locations

Figure 4.3-2



Imagery provided by Google and its licensors © 2014.
California Natural Diversity Database, October, 2014.
Additional suppressed records reported by the CNNDB known to occur or potentially occur within this search radius include: California red-legged frog.

0 0.9 1.8 Miles

N

Site Boundary
5 Mile Buffer

CNDDB
Animals
Plants
Natural Communities

Critical Habitat
California red-legged frog
California tiger Salamander
La Graciosa thistle
Lompoc yerba santa
Steelhead

1 - California tiger salamander
2 - western spadefoot
3 - California red-legged frog
4 - Townsend's big-eared bat
5 - American badger
6 - silvery legless lizard
7 - coast horned lizard
8 - Southern Vernal Pool
9 - monarch butterfly
10 - La Graciosa thistle
11 - sand mesa manzanita
12 - Lompoc yerba santa
13 - southern curly-leaved monardella
14 - dune larkspur
15 - mesa horkelia
16 - Hoover's bent grass

Sensitive Elements Identified by the CNDDB within 5-Miles and Designated Critical Habitat in the Project Vicinity

Figure 4.3-3

aurantiacus var. *lompocense*), as species of local concern that occur within the study area. These species were local concern species on previous lists, but are not currently included on the most recent County List. The *lompocense* variety of *Mimulus aurantiacus* is not currently recognized as a valid taxon; it is treated as a synonym of the common sticky monkeyflower (*Mimulus aurantiacus*) in the second edition of The Jepson Manual (Baldwin et al., 2012). Similarly, The Jepson Manual, 2nd Edition, does not recognize Lompoc wallflower as a valid taxon and instead considers it part of *Erysimum capitatum* var. *capitatum*. Species of "Local Concern" were included in LFR's reports (2009c, 2009d) and, thus, are included in this analysis, though with updated reference to the most current County list of Local Concern Plant Species. Figure 4.3-3 depicts those elements documented by the CNDDB within five miles of the project area.

The 2007 list of species of local concern was used as the current authority for Santa Barbara County; the 1998 Wiskowski list provides detailed background information, but the current understanding of taxonomy and distribution of many species has been updated, and the 2007 list provides a more current analysis with consideration for taxonomic updates and distribution datasets. Rare plants of Local Concern include those species appearing in upland habitats of the north and south coasts and wetlands in the Santa Barbara region, plants endemic to mainland Santa Barbara, and rare and/or endangered plants listed by the CNPS or state and federal agencies.

Table 4.3-3 Special Status Plant Species Occurring in the Vicinity of the Project Site

Scientific Name **Common Name**	**Status** Fed/State ESA G-Rank/ S-Rank CRPR	**Habitat Requirements**	**Habitat Suitability/Observations**
Abronia marítima Red sand-verbena	--/-- G4?/S3? 4.2	Bloom period: February-November. Occurs in coastal dune habitats. Elevations: 0-328 feet.	No suitable coastal dunes present on site. Not expected to occur.
Agrostis hooveri Hoover's bent grass	--/-- G2/S2 1B.2	Bloom period: April-July. Usually occurs in sandy soils within closed-cone coniferous forest, chaparral, cismontane woodland, and valley and foothill grassland. Elevation: 19-2001 feet.	Marginal habitat present in grassland on-site; however, this species was not observed during site surveys. Could occur.
Amsinckia douglasiana Douglas' fiddleneck	--/-- G3/S3 4.2	Bloom period: March-May. Occurs in dry Monterey shale within cismontane woodland and valley and foothill grassland. Elevation: 0-6397 feet.	Suitable habitat present in the woodland and grassland habitats found on site; however, this species was not observed during site surveys. Could occur.
Ancistrocarphus keilii Santa Ynez groundstar	--/-- G1/S1 1B.1	Bloom period: March-April. Occurs in sandy soils within chaparral and cismontante woodland. Elevations: 131-426 feet.	Project area outside of known range of this species. Not observed. Not expected to occur.
Aphanisma blitoides Aphanisma	--/-- G3G4/S3 1B.2	Bloom period: March-June. Occurs in sandy soils within coastal bluff scrub, coastal dune and coastal scrub. Elevations: 3-1000 feet.	Site is too far inland; species is known from immediate coast. Was not observed during site visits. Not expected to occur.

Table 4.3-3 Special Status Plant Species Occurring in the Vicinity of the Project Site

Scientific Name **Common Name**	**Status** Fed/State ESA G-Rank/ S-Rank CRPR	**Habitat Requirements**	**Habitat Suitability/Observations**
Arctostaphylos crustacea ssp. *eastwoodiana* Eastwood's brittle-leaf manzanita	--/-- G4T2?/S2? 1B.1	Bloom period: March. Occurs in sandy maritime chaparral. Elevations: 295-1197 feet.	Suitable habitat present. Not observed during site visits. Would have been identifiable at the time site visits were conducted, so not expected to occur.
Arctostaphylos pechoensis Pecho manzanita	--/-- G2/S2 1B.2	Bloom period: November-March. Occurs in siliceous shale within closed-cone coniferous forest, chaparral and coastal scrub. Elevations: 410-2788 feet.	Suitable habitat present. Not observed during site visits. Would have been identifiable at the time site visits were conducted, so not expected to occur.
Arctostaphylos purissima La Purisima manzanita	--/-- G2?/S2? 1B.1	Bloom period: November-May. Occurs in sandy chaparral and coastal scrub. Elevations: 196-1279 feet.	Suitable habitat in maritime chaparral on-site. Would have been observable if present at the time site visits were conducted. Not observed, so not expected to occur.
Arctostaphylos rudis Sand mesa manzanita	--/-- G2/S2 1B.2	Bloom period: November-February. Occurs in sandy soils within maritime chaparral and coastal scrub in the Lompoc/Nipomo area. Elevations: 82-1056 feet.	Present. Observed in maritime chaparral (LFR 2009c).
Arenaria paludicola Marsh sandwort	FE/SE G1/S1 1B.1	Bloom period: May-August. Occurs in sandy openings within marshes and swamps (freshwater brackish). Elevations: 9-557 feet.	No suitable habitat present and no observations made during site visits. Not expected to occur.
Astragalus didymocarpus var. *milesianus* Miles' milk-vetch	--/-- G5T2/S2 1B.2	Bloom period: March-June. Occurs in clay soils within coastal scrub. Elevations: 65-295 feet.	Suitable soils absent. Not observed. Not expected to occur.
Astragalus nuttallii var. *nuttallii* Ocean bluff milk-vetch	--/-- G3T3/S3.2 4.2	Bloom period: January-November. Occurs in coastal bluff scrub and coastal dune habitats. Elevations: 9-393 feet.	No suitable habitat present and no observations made during site visits. Not expected to occur.
Atriplex serenana var. *davidsonii* Davidson's saltscale	--/-- G5T1/S1 1B.2	Bloom period: April-October. Occurs in alkaline soils within coastal bluff scrub and coastal scrub. Elevations: 32-656 feet.	Suitable soils absent. Not observed during site visits. Not expected to occur.
Calycadenia villosa Dwarf calycadenia	--/-- G3/S3 1B.1	Rocky, fine soils within chaparral, cismontane woodland, meadows and seeps, and valley and foothill grassland. Bloom period: May-October. Elevations: 787-4429 feet.	Site is well outside of known range of species. Suitable soils absent. Not observed during site visits. Not expected to occur.

Table 4.3-3 Special Status Plant Species Occurring in the Vicinity of the Project Site

Scientific Name **Common Name**	**Status** Fed/State ESA G-Rank/ S-Rank CRPR	**Habitat Requirements**	**Habitat Suitability/Observations**
Calystegia subacaulis ssp. *episcopalis* Cambria morning-glory	--/-- G3T3/S3 4.2	Bloom period: March-July. Occurs in usually clay soils within chaparral, cismontane woodland, coastal prairie and valley and foothill grassland. Elevations: 98-1640 feet.	Suitable habitat is on site. No observations were made during site visits. Could occur.
Ceanothus cuneatus var. *fascicularis* Lompoc ceanothus	--/-- G5T3/S3.2 4.2	Bloom period: February-August. Occurs in sandy chaparral. Elevations: 16-1312 feet.	Present. Observed in maritime chaparral (LFR 2009c).
Ceanothus rigidus Monterey ceanothus	--/-- G3/S3.2 4.2	Bloom period: February- April. Occurs in sandy soils in closed-cone coniferous forest, chaparral, and coastal scrub habitats. Elevations: 3-200 meters.	Suitable habitat is on site; however, no observations were made during site visits. Could occur.
Cercocarpus betuloides var. *blancheae* Island mountain-mahogany	--/-- G5T3/S3.3 4.3	Bloom period: February-May. Occurs in closed-cone coniferous forest and chaparral. Elevations: 30 - 600 meters.	Suitable habitat is present. No observations were made during site visits. Could occur.
Chenopodium littoreum Coastal goosefoot	--/-- G2/S2 1B.2	Bloom period: April-August. Occurs in coastal dunes. Elevations: 32-98 feet.	No coastal dunes on site. Not expected to occur.
Chorizanthe palmeri Palmer's spineflower	--/-- G3?/S3.2? 4.2	Annual herb; blooms May through August; ranges from 60 to 700 meters in elevation; occurs on serpentine, rocky soils, often on rocky outcrops, in chaparral, cismontane woodland, and valley and foothill grassland habitats.	Suitable soils absent. Not observed. Not expected to occur.
Chorizanthe rectispina Straight-awned spineflower	--/-- G1/S1 1B.3	Bloom period: April-July. Occurs in chaparral, coastal scrub and cismontane woodland. Elevations: 278-3395 feet.	Site is well outside known range of species. Not observed. Not expected to occur.
Cicuta maculata var. *bolanderi* Bolander's water-hemlock	--/-- G5T3T4/S2 2B.1	Bloom period: July-September. Occurs in coastal freshwater or brackish marshes and swamps. Elevations: 0-656 feet.	No suitable habitat present. Not expected to occur.
Cirsium rhothophilum Surf thistle	--/ST G1/S1 1B.2	Bloom period: April-June. Occurs in coastal bluff scrub and coastal dunes. Elevations: 9-196 feet.	All records are from closer to the coast in dune and bluff habitat. Suitable habitat is absent. Not observed. Not expected to occur.
Cirsium scariosum var. *loncholepis (*formerly = *C. loncholepis)* La Graciosa thistle	FE/ST G5T1/S1 1B.1	Bloom period: May-August. Occurs in mesic sandy soils within cismontane woodland, coastal dunes, coastal scrub, brackish marshes and swamps and valley and foothill grassland. Elevations: 13-721 feet.	Suitable habitat absent. Not observed or expected to occur.

Table 4.3-3 Special Status Plant Species Occurring in the Vicinity of the Project Site

Scientific Name **Common Name**	**Status** Fed/State ESA G-Rank/ S-Rank CRPR	**Habitat Requirements**	**Habitat Suitability/Observations**
Cladium californicum California saw-grass	--/-- G4/S2 2B.2	Bloom period: June-September. Occurs in meadows and seeps as well as alkaline or freshwater marches and swamps. Elevations: 196-2837 feet.	Suitable habitat absent. Not observed or expected to occur.
Convolvulus simulans Small-flowered morning-glory	--/-- G3/S3.2 4.2	Bloom period: March-July. Occurs in clay and serpentine seeps within chaparral, coastal scrub and valley and foothill grassland. Elevations: 98-2296 feet.	No suitable habitat present. Not observed or expected to occur.
Cordylanthus rigidus ssp. *littoralis* Seaside bird's-beak	--/SE G5T2/S2 1B.1	Bloom period: April-October. Occurs in sandy soils often in disturbed sites within closed-cone coniferous forest, maritime chaparral, cismontane woodland, coastal dunes and coastal scrub. Elevations: 0-1394 feet.	Suitable habitat present. Not observed during bloom period. Could occur based on suitable habitat.
Deinandra increscens ssp. *villosa* Gaviota tarplant	FE/SE G4G5T2/S2 1B.1	Bloom period: May-October. Occurs in coastal bluff scrub, coastal scrub and valley and foothill grassland. Elevations: 65-1410 feet.	Suitable coastal scrub and grassland habitat present. Not observed during bloom period. Could occur based on suitable habitat.
Deinandra paniculata Paniculate tarplant	--/-- G3G4/S3.2 4.2	Bloom period: April-November. Usually occurs in vernally mesic soils, but can sometimes occur in sandy soils. Found within coastal scrub, valley and foothill grassland and vernal pools. Elevations: 82-308 feet.	Present. Suitable habitat present. Observed during the Rincon site visit in 2014 in the grassland habitat.
Delphinium parryi ssp. *blochmaniae* Dune larkspur	--/-- G4T2/S2 1B.2	Bloom period: April-June. Occurs in maritime chaparral and coastal dunes. Elevations: 0-656 feet.	Present. Observed in central dune scrub and coastal scrub (LFR 2009c).
Dithyrea maritima Beach spectaclepod	--/ST G2/S1 1B.1	Bloom period: March-May. Occurs in coastal dunes and sandy coastal scrub. Elevations: 9-164 feet.	Range is restricted to the immediate coast on dunes, shores and beaches. Not observed during site visits. Not expected to occur.
Dudleya blochmaniae ssp. *blochmaniae* Blochman's dudleya	--/-- G2T2/S2 1B.1	Bloom period: April-June. Rocky, often clay or serpentine substrates within coastal bluff scrub, chaparral, coastal scrub, and valley and foothill grassland. Elevations: 16-1476 feet.	Suitable soils absent. Not observed during site visits. Not expected to occur.
Erigeron blochmaniae Blochman's leafy daisy	--/-- G2/S2 1B.2	Bloom period: June-August. Occurs in coastal dunes and coastal scrub. Elevations: 9-147 feet.	Suitable habitat present. Not observed during site visit, but could occur in coastal scrub on sandy soils.
Erigeron sanctarum Saint's daisy	--/-- G3/S3.2 4.2	Bloom period: March-July. Occurs in chaparral, cismontane woodland, coastal scrub. Elevations: 524-1181 feet.	Suitable habitat present. Not observed during bloom period. Could occur based on suitable habitat.

Table 4.3-3 Special Status Plant Species Occurring in the Vicinity of the Project Site

Scientific Name **Common Name**	**Status** Fed/State ESA G-Rank/ S-Rank CRPR	**Habitat Requirements**	**Habitat Suitability/Observations**
Eriodictyon capitatum Lompoc yerba santa	FE/SR G2/S2 1B.2	Bloom period: May-August. Occurs in sandy soils within closed-cone coniferous forest and maritime chaparral. Elevations: 131-2952 feet.	Suitable maritime chaparral present. Not observed during bloom period. Could occur based on suitable habitat.
Eriogonum elegans Elegant wild buckwheat	--/-- G3/S3 4.3	Bloom period: May-November. Usually occurs in sandy or gravelly soils, often in washes within cismontane woodland and valley and foothill grassland. Can sometimes occur on roadsides. Elevations: 656-5003 feet.	No suitable habitat found on site. Not expected to occur.
Erysimum capitatum var. *lompocense* San Luis Obispo wallflower	--/-- G5T3/S3.2 4.2	Bloom period: February-May. Occurs in sandy soils within chaparral and coastal scrub. Elevations: 196-1640 feet.	Present. Taxon not recognized in current edition of The Jepson Manual, but locally recognized as rare. Observed in central dune scrub and central coastal scrub (LFR 2009c).
Horkelia cuneata var. *puberula* Mesa horkelia	--/-- G4T1/S1 1B.1	Bloom period: February-September. Occurs in sandy or gravelly soils within maritime chaparral, cismontane woodland and coastal scrub. Elevations: 229-2657 feet.	Suitable habitat present. Not observed during bloom period. Could occur based on suitable habitat.
Horkelia cuneata var. *sericea* Kellogg's horkelia	--/-- G4T2/S2? 1B.1	Bloom period: April-September. Occurs in openings in sandy or gravelly soils within Closed-cone coniferous forest maritime chaparral, coastal dunes and coastal scrub. Elevations: 32-656 feet.	Uncommon south of San Luis Obispo County. Suitable habitat present in coastal scrub and oak woodland on-site. Not observed during bloom period. Could occur based on suitable habitat.
Lasthenia glabrata ssp. *coulteri* Coulter's goldfields	--/-- G4T3/S2 1B.1	Bloom period: February-June. Occurs in coastal salt marshes and swamps, playas and vernal pools. Elevations: 3-4002 feet.	Suitable moist habitats absent. Not observed. Not expected to occur.
Layia carnosa Beach layia	FE/SE G2/S2 1B.1	Bloom period: March-July. Occurs in coastal dunes and sandy coastal scrub. Elevations: 0-196 feet.	Site is too far inland; species is known from dunes at the immediate coast. Not observed; not expected to occur.
Layia heterotricha Pale –yellow layia	--/-- G2/S2 1B.1	Bloom period: March-June. Alkaline or clay substrates within cismontane woodland, coastal scrub, pinyon and juniper woodland, and valley and foothill grassland. Elevations: 984-5593 feet.	All reports from Santa Barbara County are from inland locations. Not observed during site visit. Not known to occur in the Santa Maria Valley. Not expected to occur.
Lepidium virginicum var. *robinsonii* Robinson's pepper-grass	--/-- G5T3/S3 4.3	Bloom period: January-July. Occurs in chaparral and coastal scrub. Elevations: 3-2903 feet.	Suitable chaparral and scrub habitat present. Not observed during bloom period. Could occur based on suitable habitat.

Table 4.3-3 Special Status Plant Species Occurring in the Vicinity of the Project Site

Scientific Name **Common Name**	**Status** Fed/State ESA G-Rank/ S-Rank CRPR	**Habitat Requirements**	**Habitat Suitability/Observations**
Lonicera subspicata var. *subspicata* Santa Barbara honeysuckle	--/-- G5T2/S2 1B.2	Bloom period: May-February. Occurs in chaparral, cismontane woodland and coastal scrub. Elevations: 114-3280 feet.	Suitable habitat present. Not observed during bloom period. Could occur based on suitable habitat.
Lupinus ludovicianus San Luis Obispo County Lupine	--/-- G1/S1 1B.2	Perennial herb; blooms April through July; commonly found on sandstone or sandy soils in chaparral and cismontane woodland, ranging in elevation from 50 to 525 meters.	Species is not known to occur south of San Luis Obispo County. Although potentially suitable soils and habitat present are present, site is outside known range of this species. Not expected to occur.
Malacothamnus jonesii Jones' brush-mallow	--/-- G3/S3.3 4.3	Deciduous shrub; blooms May through July; ranges from 250 to 830 meters in elevation and occurs in chaparral and cismontane woodland.	Suitable habitat is found on site. Not observed during bloom period. Could occur based on suitable habitat.
Malacothrix incana Dunedelion	--/-- G3/S3.3 4.3	Bloom period: January-October. Occurs in coastal dunes and coastal scrub. Elevations: 6-114 feet.	Species occurs in dunes at the immediate coast. Dune habitat is not present, and site is inland of all known occurrences in Santa Barbara County. Not expected to occur.
Mimulus fremontii var. *vandenbergensis* Vandenberg monkeyflower	FE/-- G3G5T1/S1 1B.1	Bloom period: April-June. Occurs in sandy and often in disturbed areas within Burton Mesa chaparral, cismontane woodland, coastal dunes, and central dune scrub. Elevations: 196-393 feet.	Suitable habitat present. Not observed during bloom period. Could occur based on suitable habitat.
Mimulus subsecundus one-sided monkeyflower	--/-- G3/S3.3 4.3	Annual herb; ranges from 450 to 915 meters and occurs in lower montane coniferous forest. Blooms May thru July.	No suitable habitat present. Not expected to occur.
Monardella sinuata ssp. *sinuata* (formerly =*M. undulata* in part) southern curly-leaved monardella	--/-- G2/S2 1B.2	Annual herb; sandy soils in closed-cone conifer forest, chaparral, coastal dunes, coastal prairie, coastal scrub, lower montane conifer forest (ponderosa pine sandhills); 0 to 985 feet. Blooms May thru September.	Suitable coastal scrub habitat present. Not observed during bloom period. Could occur based on suitable habitat.
Monardella undulata ssp. *arguelloensis* Point Arguello monardella	--/-- G3T1/S1 1B.1	Bloom period: May-September. Occurs in sandy soils within coastal bluff scrub, stabilized coastal dunes, and coastal scrub. Elevations: 164-492 feet.	Suitable coastal scrub habitat present. Not observed during bloom period. Could occur based on suitable habitat.

Table 4.3-3 Special Status Plant Species Occurring in the Vicinity of the Project Site

Scientific Name **Common Name**	**Status** Fed/State ESA G-Rank/ S-Rank CRPR	**Habitat Requirements**	**Habitat Suitability/Observations**
Monardella undulata ssp. *crispa* Crisp monardella	--/-- G3T2/S2 1B.2	Bloom period: April- August. Occurs in coastal dunes, typically in active dunes. Elevations: 32-393 feet.	This subspecies occurs at the immediate coast; site is farther inland than this taxon is reported. Suitable back dune habitat not present. Not observed. Not expected to occur.
Monardella undulata ssp. *undulata* (formerly =*M. frutescens* in part) San Luis Obispo monardella	--/-- G2/S2 1B.2	Rhizomatous, perennial herb; blooms May thru September; ranges from 35 to 656 feet and occurs on sandy soils in coastal dunes and coastal scrub.	Under revised taxonomy and range for *Monardella* species in The Jepson Manual, this subspecies is restricted to San Luis Obispo County. Not expected to occur.
Mucronea californica California spineflower	--/-- G3/S3 4.2	Bloom period: March-August. Occurs in sandy soils within chaparral, cismontane woodland, coastal dunes, coastal scrub, and valley and foothill grassland. Elevations: 0-4593 feet.	Present. Suitable habitat present. Documented in dune scrub in southern part of Key Site by Rindlaub et. al. (1995). Present in sandy soils in coastal scrub (LFR 2009c).
*Nasturtium gambelii (*formerly = *Rorippa gambelii)* Gambel's water cress	FE/ST G1/S1 1B.1	Bloom period: April-October. Occurs in freshwater or brackish marshes and swamps. Elevations: 16-1082 feet.	Suitable habitat absent. Not observed or expected to occur.
Ophioglossum californicum California adder's-tongue	--/-- G4/S3.2 4.2	Perennial rhizomatous herb, occurs in mesic sites within chaparral, valley and foothill grassland, and vernal pools (margins), at elevations 60 - 525 meters. Blooms December thru June.	No suitable mesic sites present. Not expected to occur.
Orobanche parishii ssp. *brachyloba* Short-lobed broomrape	--/-- G4?T3/S3.2 4.2	Bloom period: April-October. Occurs in sandy soils within coastal bluff scrub, coastal dune and coastal scrub. Elevations: 9-1000 feet.	Suitable coastal scrub habitat present. Not observed during bloom period. Could occur based on suitable habitat.
Phacelia hubbyi Hubby's phacelia	--/-- G3/S3.2 4.2	Bloom period: April-June. Occurs in gravelly, rocky and talus soils within chaparral, coastal scrub and valley and foothill grassland. Elevations: 0-3280 feet.	No suitable soils are present. No observations were made during site visits. Not expected to occur.
Phacelia ramosissima var. *austrolitoralis* South coast branching phacelia	--/-- G5?T3/S3 3.2	Bloom period: March-August. Occurs in sandy and sometimes rocky soils within chaparral, coastal dunes, coastal scrub as well as coastal salt marshes and swamps. Elevations: 16-984 feet.	Suitable coastal scrub habitat present. Not observed during bloom period. Could occur based on suitable habitat.

Table 4.3-3 Special Status Plant Species Occurring in the Vicinity of the Project Site

Scientific Name Common Name	Status Fed/State ESA G-Rank/ S-Rank CRPR	Habitat Requirements	Habitat Suitability/Observations
Prunus fasciculata var. *punctata* Sand almond	--/-- G5T3/S3.3 4.3	Bloom period: March-April. Occurs in sandy soils within maritime chaparral, cismontane woodland, coastal dunes and coastal scrub. Elevations: 49-656 feet.	Suitable habitat present. This perennial would have been observable if present at the time site visits were conducted. Not observed, so not expected to occur.
Sanicula hoffmannii Hoffmann's sanicle	--/-- G3/S3.3 4.3	Bloom period: March-May. Often found in serpentine and clay soils within broadleafed upland forests, chaparral, and coastal scrub. Elevations: 98-984 feet.	Soils in the study area are not suitable for Haffman's sanicle. Not observed. Not expected to occur.
Scrophularia atrata Black-flowered figwort	--/-- G2G3/S2S3 1B.2	Bloom period: March-July. Occurs in closed-cone coniferous forest, chaparral, coastal dunes, coastal scrub and riparian scrub. Typically occurs on diatomaceous and/or sandy soils, usually around swales and sand dunes. Elevations: 32-1640 feet.	Suitable habitat present in maritime chaparral, central dune scrub, oak woodland and coastal scrub on-site. Not observed during bloom period. Could occur based on suitable habitat.
Senecio aphanactis Chaparral ragwort	--/-- G3?/S2 2B.2	Bloom period: January-April. Occurs in chaparral, cismontane woodland and coastal scrub. Sometime occurs in alkaline soils. Elevations: 49-2624 feet.	Not observed during site visits. Not observed during bloom period. Could occur based on suitable habitat.
Senecio blochmaniae Blochman's ragwort	--/-- G3/S3.2 4.2	Bloom period: May-October. Occurs in coastal dunes; also reported from dune scrub in Santa Maria Valley. Elevations: 0-328 feet.	Moderately scrub habitat is present; This perennial species would have been identifiable during site visits, but was not observed. Not expected to occur.

Sources: USFWS, 2014; CDFW, 2014; and California Native Plant Society (CNPS), 2014.

FE = Federally Endangered FT = Federally Threatened DL = Delisted

SE = State Endangered ST = State Threatened SR = State Rare

CT= Candidate for Threatened Listing
G-Rank/S-Rank = Global Rank and State Rank as per NatureServe and CDFW's CNDDB RareFind5.

CRPR (California Rare Plant Rank):
1A=Presumed Extinct in California
1B=Rare, Threatened, or Endangered in California and elsewhere
2=Rare, Threatened, or Endangered in California, but more common elsewhere
3=Need more information (a Review List)
4=Plants of Limited Distribution (a Watch List)

CRPR Threat Code Extension:
.1=Seriously endangered in California (over 80% of occurrences threatened / high degree and immediacy of threat)
.2=Fairly endangered in California (20-80% occurrences threatened)
.3=Not very endangered in California (<20% of occurrences threatened)

Special Status Animals. Thirty special status animal species are known from the vicinity of the project site (Table 4.3-4). Six of these species were determined to have the potential to occur on-site; two of these species were observed during site visits: loggerhead shrike (*Lanius ludovicianus*) and Monarch butterfly (*Danaus plexippus*) (LFR, 2009c). Monarch butterflies are

included in this discussion because impacts to trees are potentially significant if this species utilizes them as overwintering habitat.

The majority of the species with potential to occur on-site are associated with woodland and scrub habitats on-site, primarily south of Orcutt Creek. Highly aquatic species, such as the California red-legged frog (*Rana draytonii*) were determined to not occur on-site due to the lack of suitable breeding habitat on or in the immediate vicinity of the project site.

LFR conducted a vernal pool fairy shrimp (VPFS; *Branchinecta lynchi*) habitat assessment for Key Site 3 (LFR, 2009e). LFR specifically examined the seasonal swale on the northern mesa. LFR noted that water does not pond in this area but rather sheet flows across the site from U.S. 101 to the canyon in the northwest corner and that water is present for no more than 24 hours at a time. Vegetation was predominantly non-native grasses and forbs and no facultative wetland or obligate wetland plant species were present. As VPFS require ponds or pools that remain inundated for a minimum of 18 days to complete their life cycle (USFWS, 2007), it is highly unlikely that VPFS would occur on-site.

LFR also conducted protocol level surveys for the California tiger salamander (CTS; *Ambystoma californiense*) during the 2007/2008 and 2008/2009 winter rainy seasons (LFR, 2009a). These surveys were prompted by a 2007 investigation of a pond south of Key Site 3 in which CTS were identified. This pond is located approximately 0.65 mile south of Key Site 3, less than the known CTS dispersal distance of 1.24 miles. It was determined that Key Site 3 lacks suitable aquatic habitat but may support the upland habitat needs of CTS. Because of this, the USFWS recommended that presence/absence surveys be completed. The surveys resulted in no CTS captured or observed throughout the duration of the two-year upland survey effort. LFR noted that rain events during the surveys were sufficient to induce dispersal of CTS and that survey efforts conducted at other locations in northern Santa Barbara County did result in detection of CTS during the same time period.

Table 4.3-4 Special Status Animal Species Occurring in the Vicinity of the Project Site

Scientific Name **Common Name**	**Status** Fed/State ESA G-Rank/ S-Rank CDFW	**Habitat Requirements**	**Habitat Suitability/Observations**
Mammals			
Antrozous pallidus Pallid bat	--/-- G5/S3 SSC	Deserts, grasslands, shrublands, woodlands, and forest. Most common in open, dry, habitats with rocky area for roosting. Roost must protect bats from high temperatures. Very sensitive to disturbance of roosting sites.	No suitable rocky areas present. Not expected to roost on-site, but may forage on-site.
Corynorhinus townsendii Townsend's big-eared bat	--/CT G3G4/S2S3 SSC	Mesic habitats throughout California. Requires caves, tunnels, mines, or abandon buildings for roosting.	No suitable cavernous roosting areas present. Not expected to occur.

Table 4.3-4 Special Status Animal Species Occurring in the Vicinity of the Project Site

Scientific Name Common Name	**Status** Fed/State ESA G-Rank/ S-Rank CDFW	**Habitat Requirements**	**Habitat Suitability/Observations**
Lasiurus blossevillii Western red bat	--/-- G5/S3? SSC	Roosts primarily in trees. Prefers habitat edges and mosaics with open areas for foraging and trees that are protected from above and open below.	The oak woodlands and riparian areas on site contain suitable roosting habitat. The remainder of the site is suitable for foraging.
Neotoma lepida intermedia San Diego desert woodrat	--/-- G5T3T4/S3S4 SSC	Inhabits coastal scrub of southern California from San Diego to San Luis Obispo Counties. Moderate to dense canopies preferred, but are also particularly abundant in rock outcrops, rocky cliffs and slopes.	Suitable vegetation association present on-site, however no rocky outcrops are present on site to develop midden areas. Not expected to occur.
Taxidea taxus American badger	--/-- G4/S3 SSC	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats with friable soils. Needs sufficient food, friable soils, and open uncultivated ground. Cannot live in frequently plowed fields. Preys on burrowing rodents.	Not observed. Could occur in grassland and oak woodland on-site.
Reptiles			
Anniella pulchra pulchra Silvery legless lizard	--/-- G3G4T3T4Q/S3 SSC	Sandy or loose loamy soils under sparse vegetation such as coastal dune scrub, pine-oak woodlands, desert scrub, sandy washes, and stream terraces with sycamores, cottonwoods, or oaks. Leaf litter under trees and bushes in sunny areas and dunes stabilized with bush lupine and mock heather often indicate suitable habitat.	Not observed. Suitable habitat present in woodlands and scrublands especially areas with abundant leaf litter. Could occur.
Emys marmorata Western pond turtle	--/-- G3G4/S3 SSC	Rivers, ponds, freshwater marshes; nests in upland areas (sandy banks or grassy open fields) up to 1,640 feet from water.	Not observed. No suitable aquatic habitat present. Not expected to occur.
Phrynosoma blainvillii Coast horned lizard	--/-- G3G4/S3S4 SSC	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes. Open areas for sunning, bushes for cover, patches of loose soil for burial and abundant supply of ants and other insects.	Not observed. Suitable habitat present in grassland and shrublands. Could occur.
Salvadora hexalepis virgultea Coast patch-nosed snake	--/-- G5T4/S2S3 SSC	Occurs in a variety of brushy or shrubby habitats within coastal southern California. This species requires small mammal burrows for refuge and overwintering.	Suitable habitat presenting coastal scrub and coastal dune scrub habitats. Could occur.

Table 4.3-4 Special Status Animal Species Occurring in the Vicinity of the Project Site

Scientific Name **Common Name**	**Status** Fed/State ESA G-Rank/ S-Rank CDFW	**Habitat Requirements**	**Habitat Suitability/Observations**
Thamnophis hammondii Two-striped garter snake	--/-- G4/S3S4 SSC	Occurs near pools, creeks, cattle tanks, and other water sources, often in rocky areas, within oak woodland, chaparral, scrub communities, and coniferous forest.	Not observed. No suitable aquatic habitat present. Not expected to occur.
Amphibians			
Ambystoma californiense California tiger salamander – Santa Barbara County DPS	FE/ST G2G3/S2S3 SSC	Vernal and seasonal pools and associated grasslands, oak savanna, woodland, and coastal scrub. Needs underground refuges (i.e., small mammal burrows, pipes) in upland areas such as grassland and scrub habitats.	No suitable breeding habitat present. Potentially suitable upland habitat present. Nearest known breeding pond approximately 1.5 miles to the south. No individuals were captured during protocol level surveys (LFR 2009a). Not expected to occur.
Anaxyrus californicus Arroyo toad	FE/-- G2G3/S2S3 SSC	Semi-arid regions near washes or intermittent streams, including valley-foothill and desert riparian as well as desert wash. This species also inhabits rivers with sandy banks, willows, cottonwoods, and sycamores. In drier parts of the range loose and gravelly areas of streams can be utilized.	Not observed. Dry wash present on-site but lacks pools and sandy terraces with emergent vegetation. Not known to occur in Orcutt Creek. Not expected to occur.
Rana draytonii California red-legged frog	FT/-- G2G3/S2S3 SSC	Semi-permanent or permanent water at least 2 feet deep, bordered by emergent or riparian vegetation, and upland grassland, forest or scrub habitats for refugia and dispersal.	Not observed. No suitable aquatic habitat present. Site not within designated critical habitat. Not expected to occur.
Spea hammondii Western spadefoot toad	--/-- G3/S3 SSC	Open areas with sandy or gravelly soils, including mixed woodlands, grasslands, coastal sage scrub, chaparral, sandy washes, lowlands, river floodplains, alluvial fans, playas, alkali flats, foothills, and mountains. Rain pools that do not support bullfrogs, fish, or crayfish are required for breeding.	Not observed during CTS protocol surveys. Breeding habitat is marginal as swale in northern portion of site likely doesn't retain water long enough to allow this species to complete its life cycle. Grassland could provide suitable upland refuge, but as they are unlikely to breed on-site, they are not expected to occur.
Fish			
Eucyclogobius newberryi Tidewater goby	FE/-- G3/S2S3 SSC	Brackish water habitats along the California coast from San Diego county to Del Norte county.	Not observed. No suitable aquatic habitat present. Not expected to occur.

Table 4.3-4 Special Status Animal Species Occurring in the Vicinity of the Project Site

Scientific Name **Common Name**	**Status** Fed/State ESA G-Rank/ S-Rank CDFW	**Habitat Requirements**	**Habitat Suitability/Observations**
Gasterosteus aculeatus williamsoni Unarmored threespine stickleback	FE/SE G5T1/S1 FP	Weedy pools, backwaters and among emergent vegetation at the stream edge in small southern California streams. Water temperatures are <24C.	Not observed. No suitable aquatic habitat present. Not expected to occur.
Gila orcuttii Arroyo chub	--/-- G2/S2 SSC	Native to streams from Malibu Creek to San Luis Rey River Basin. Introduced into streams in Santa Clara, Ventura and Santa Ynez. Occurs in slow water stream sections with sand and mud bottom. Feeds heavily on aquatic vegetation and invertebrates.	Not observed. No suitable aquatic habitat present. Not expected to occur.
Oncorhynchus mykiss irideus Steelhead – southern California DPS	FE/-- G5T1Q/S1 SSC	Fresh water, fast flowing, highly oxygenated, clear, cool stream where riffles tend to predominate pools; small streams with high elevation headwaters close to the ocean that have no impassible barriers; spawning: high elevation headwaters.	Not observed. No suitable aquatic habitat present. Not expected to occur.
Invertebrates			
Branchinecta lynchi Vernal pool fairy shrimp	FT/-- G3/S2S3 --	Endemic to the grasslands of the Central Valley, central Coast Mountains, and South Coast Mountains. Inhabits, small clear-water sandstone-depression pools and grassed swale, earth slump, or basalt-flow depression pools.	Not observed. The temporarily flooded swale was the only vernal-like feature observed on-site. Evaluation of this feature determined that it does not likely persist long enough for this species life cycle (LFR 2009e). Not expected to occur.
Danaus plexippus Monarch butterfly	--/-- G5/S3 --	Roosts in wind-protected tree groves (eucalyptus, Monterey pine, cypress) with nectar and water sources nearby. Species is common in general, but overwintering habitat protected by Santa Barbara County.	Observed butterflies flying around (LFR, 2009c). Eucalyptus trees do not support suitable winter roosting habitat. Not expected to overwinter on-site.
Euphilotes bttoides allyni El Segundo blue butterfly	FE/-- G5T1/S1 --	Restricted to remnant coastal dune habitat in Southern California. Hostplant is Eriogonum parvifolium; larvae feed only on the flowers and seeds; used by adults as major nectar source.	Outside the current range of this species. Not expected to occur.
Birds			

Table 4.3-4 Special Status Animal Species Occurring in the Vicinity of the Project Site

Scientific Name **Common Name**	**Status** Fed/State ESA G-Rank/ S-Rank CDFW	**Habitat Requirements**	**Habitat Suitability/Observations**
Agelaius tricolor Tricolored blackbird	--/ST G2G3/S1S2 SSC	Requires open water, protected nesting substrate, and foraging area with insect prey within a few miles of the colony.	Not observed. No suitable open water habitats such as marshes or ponds present. Not expected to occur.
Athene cunicularia Burrowing owl	--/-- G4/S3 SSC	Burrow sites in open dry annual or perennial grasslands, deserts and scrublands characterized by low growing vegetation. Also inhabits anthropogenic habitats such as campuses, golf courses, cemeteries, airports, and grazed pastures.	Not observed on-site. Could occur in grassland habitat on-site.
Buteo swainsoni Swainson's hawk	--/ST G5/S3 --	Breeds in grasslands with scattered trees, juniper-sage flats, riparian areas, savannahs, & agricultural or ranch lands with groves or lines of trees. Requires adjacent suitable foraging areas such as grasslands, or alfalfa or grain fields supporting rodent populations.	No suitable nesting habitat present. No observations made during site visits. Not expected to occur.
Charadrius alexandrinus nivosus Western snowy plover	FT/-- G3T3/S2 SSC	Sandy beaches, salt pond levees or shores of large alkali lakes. Sandy, gravelly or friable soils required for nesting.	Not observed. Found closer to the coast. No suitable habitat present. Not expected to occur.
Empidonax trallii extimus Southwestern willow flycatcher	FE/SE G5T1T2/S1 --	Requires dense riparian habitats associated with rivers, swamps, and lakes. Wintering habitat is not well known, but is considered to be brushy savannah edges, second growth, shrubby clearings and pastures, and woodlands near water.	Not observed. No suitable riparian habitat present. Not expected to occur.
Falco peregrinus anatum American peregrine falcon	DL/DL G4T4/S3S4 FP	Near wetlands, lakes, rivers, or other water; on cliffs, banks, dunes, mounds; also, human-made structures. Nest consists of a scrape or a depression or ledge in an open site.	No suitable nesting habitat present. May occur transiently as individuals move through the region.
Setophaga petechial Yellow warbler	--/-- G5/S3S4 SSC	Occurs around riparian plants associations in close proximity to water. Also nests in montane shrubbery in open conifer forests in Cascades and Sierra Nevada.	No riparian areas in close proximity to water present. No observations were made during site visits. Not expected to occur.

Table 4.3-4 Special Status Animal Species Occurring in the Vicinity of the Project Site

Scientific Name Common Name	**Status** Fed/State ESA G-Rank/ S-Rank CDFW	**Habitat Requirements**	**Habitat Suitability/Observations**
Sternula antillarum browni California Least tern	FE/SE G4T2T3Q/S2S3 FP	Nests along the coast from San Francisco Bay south to northern Baja California. Colonial breeder on bare or sparsely vegetated, flat substrates including sand beaches, alkali flats, landfills, or paved areas.	Found along the immediate coast. No suitable habitat present on-site. Not expected to occur on-site.
Vireo bellii pusillus Least Bell's vireo	FE/SE G5T2/S2 --	Low dense brushy riparian vegetation in vicinity of water or in dry river bottoms; below 2000 feet.	Not observed. No suitable riparian habitat present. Not expected to occur.

Sources: USFWS, 2014; CDFW, 2014; and California Native Plant Society (CNPS), 2014.

FE = Federally Endangered FT = Federally Threatened DL = Delisted

SE = State Endangered ST = State Threatened SR = State Rare

CT= Candidate for Threatened Listing
Other State Status: CDFW Fully Protected (FP); Species of Special Concern (SSC); State Rare (SR), Watch List Species (WL).

G-Rank/S-Rank = Global Rank and State Rank as per NatureServe and CDFW's CNDDB RareFind5.

f. Wildlife Movement Corridors. Wildlife corridors are generally defined as connections between habitat patches that allow for physical and genetic exchange between otherwise isolated animal populations. Such linkages may serve a local purpose, such as between foraging and denning areas, or they may be regional in nature, allowing movement across large portions of the landscape. Some habitat linkages may serve as migration corridors, wherein animals periodically move away from an area and then subsequently return. Wildlife movement can be limited by roads, railroads, dams, canals, urban development, and agriculture. Fragmentation of large habitat areas into small, isolated segments has been shown to generally reduce biological diversity, eliminate disturbance-sensitive species, restrict genetic flow between populations of organisms, and may eventually lead to the loss of local floral or faunal assemblages. Wildlife corridors and habitat linkages are important landscape elements that reduce the potential for loss of biological diversity.

Corridors usually connect one large habitat area with another, and while there is no pre-defined size limit for such areas, they most often are on the scale of mountain ranges, valleys, rivers and creeks, or clearly delimited ecological situations (e.g., vernal pools). The *Missing Linkages: Restoring Connectivity to California Landscape* (Penrod et al., 2001) conference refers to such corridors as "landscape linkages." These are specifically defined in that report as:

> *"large, regional connections between habitat blocks ("core areas") meant to facilitate animal movement and other essential flows between different sections of a landscape (taken from Soulé and Terborgh 1999). These linkages are not necessarily constricted, but are essential to maintain connectivity function in the ecoregion."*

The Orcutt Community Plan (1995) noted that the permanent loss of habitat due to development, as well as increased fragmentation of habitat in the area, would diminish wildlife populations and disrupt wildlife movement corridors in the area (Impact BIO-19 in the OCP EIR). The complex mosaic of habitats within Key Site 3, particularly within the southern portion of the site, adds to the wildlife habitat value, resulting in a high diversity of plant and animal species. In addition, the presence of the Orcutt Creek riparian corridor adjoining sensitive upland habitats such as maritime chaparral and creates unique foraging and breeding opportunities for a variety of species, and the riparian corridor serves as a movement corridor through the area. Presence of U.S. 101, a major transportation corridor, to the east and presence of a residential mobile estate park to the north limit safe movement options for wildlife moving north and east from Key Site 3. Habitats south and west of the study area are relatively undisturbed and allow for relatively unobstructed movement.

4.3.2 Regulatory Setting

The following is a brief summary of the regulatory context under which biological resources are managed at the federal, state, and local levels. A number of federal and state statutes provide a regulatory structure that guides the protection of biological resources. Agencies with the responsibility for protection of biological resources within the project site include:

- *U.S. Army Corps of Engineers (wetlands and other waters of the United States);*
- *Regional Water Quality Control Board (waters of the State);*
- *U.S. Fish and Wildlife Service (federally listed species and migratory birds);*
- *California Department Fish and Game (riparian areas and other waters of the State, state-listed species);*
- *County of Santa Barbara (Orcutt Community Plan consistency and land use planning/permitting, locally sensitive species and habitats)*

United States Army Corps of Engineers. Under Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers (USACE) has authority to regulate activities that result in discharge of dredged or fill material into wetlands or other "waters of the United States." Perennial and intermittent creeks are considered waters of the United States if they are hydrologically connected to other jurisdictional waters. The USACE also implements the federal policy embodied in Executive Order 11990, which is intended to result in no net loss of wetlands. In achieving the goals of the Clean Water Act, the USACE seeks to avoid adverse impacts and offset unavoidable adverse impacts on existing aquatic resources. Any discharge into wetlands or other "waters of the United States" that are hydrologically connected and/or demonstrate a significant nexus to jurisdictional waters would require a permit from the USACE prior to the start of work. Typically, when a project involves impacts to waters of the United States, the goal of no net loss of wetlands is met through compensatory mitigation involving creation or enhancement of similar habitats.

Regional Water Quality Control Board. The State Water Resources Control Board (SWRCB) and each of nine local Regional Water Quality Control Boards (RWQCBs) has jurisdiction over "waters of the State" pursuant to the Porter-Cologne Water Quality Control Act which are defined as any surface water or groundwater, including saline waters, within the boundaries of the State. The SWRCB has issued general Waste Discharge Requirements (WDRs)

regarding discharges to "isolated" waters of the State (Water Quality Order No. 2004-0004-DWQ, *Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction*). The local RWQCB enforces actions under this general order for isolated waters not subject to federal jurisdiction, and is also responsible for the issuance of water quality certifications pursuant to Section 401 of the CWA for waters subject to federal jurisdiction.

United States Fish and Wildlife Service and National Marine Fisheries Service. The USFWS implements the Migratory Bird Treaty Act (16 United States Code [USC] Section 703-711) and the Bald and Golden Eagle Protection Act (16 USC Section 668). The USFWS and National Marine Fisheries Service (NMFS) share responsibility for implementing the Federal Endangered Species Act (FESA) (16 USC § 153 *et seq.)*. The USFWS generally implements the FESA for terrestrial and freshwater species, while the NMFS implements the FESA for marine and anadromous species. Projects that would result in "take" of any federally listed threatened or endangered species are required to obtain permits from the USFWS and/or NMFS through either Section 7 (interagency consultation with a federal nexus) or Section 10 (Habitat Conservation Plan) of FESA, depending on the involvement by the federal government in permitting and/or funding of the project. The permitting process is used to determine if a project would jeopardize the continued existence of a listed species and what measures would be required to avoid jeopardizing the species. "Take" under federal definition means to harass, harm (which includes habitat modification), pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Proposed or candidate species do not have the full protection of FESA; however, the USFWS and NMFS advise project applicants that they could be elevated to listed status at any time.

California Department of Fish and Wildlife. The CDFW (Formerly California Department of Fish and Game) derives its authority from the Fish and Game Code of California. The California Endangered Species Act (CESA) (Fish and Game Code Section 2050 *et. seq.)* prohibits take of state listed threatened, endangered or fully protected species. Take under CESA is restricted to direct mortality of a listed species and does not prohibit indirect harm by way of habitat modification. The CDFW also prohibits take for species designated as Fully Protected under Fish and Game Code.

California Fish and Game Code sections 3503, 3503.5, and 3511 describe unlawful take, possession, or destruction of birds, nests, and eggs. Fully protected birds (Section 3511) may not be taken or possessed except under specific permit. Section 3503.5 of the Code protects all birds-of-prey and their eggs and nests against take, possession, or destruction of nests or eggs.

Species of Special Concern (SSC) is a category used by the CDFW for those species which are considered to be indicators of regional habitat changes or are considered to be potential future protected species. Species of Special Concern do not have any special legal status except that which may be afforded by the Fish and Game Code as noted above. The SSC category is intended by the CDFW for use as a management tool to include these species into special consideration when decisions are made concerning the development of natural lands.

The CDFW also has authority to administer the Native Plant Protection Act (NPPA) (Fish and Game Code Section 1900 *et seq.*). The NPPA requires the CDFW to establish criteria for

determining if a species, subspecies, or variety of native plant is endangered or rare. Under Section 1913(c) of the NPPA, the owner of land where a rare or endangered native plant is growing is required to notify the department at least 10 days in advance of changing the land use to allow for salvage of plant.

Perennial and intermittent streams and associated riparian vegetation, when present, also fall under the jurisdiction of the CDFW. Section 1600 et seq. of the Fish and Game Code (Lake and Streambed Alteration Agreements) gives the CDFW regulatory authority over work within the stream zone (which could extend to the 100-year flood plain) consisting of, but not limited to, the diversion or obstruction of the natural flow or changes in the channel, bed, or bank of any river, stream or lake.

County of Santa Barbara. Orcutt is an unincorporated community and, therefore, is subject to regulations set forth by the County of Santa Barbara (County). The County adopted the OCP in 1995 to guide development within the Orcutt area. The OCP EIR identified biological impacts for a variety of properties within Orcutt, including Key Site 3. Mitigation measures prescribed for these impacts were outlined in the OCP EIR (see Section 4.3.2 below), and several of these mitigation measures were incorporated into the Final OCP as policies and development standards. In addition, the County maintains a list of locally important plant species and attempts to minimize development impacts to these species. The County also regulates impacts to wetlands through the discretionary permitting process. In addition, requirements for the protection of biological resources in the unincorporated area of Santa Barbara County are provided by the Comprehensive Plan Conservation Element, Environmental Resource Management Element (ERME), Land Use Element, Community Plans, and the Coastal Land Use Plan (if within the Coastal Zone). These documents identify sensitive habitats and species, and provide measures to direct project design and policies to protect biological resources.

The following OCP policies and Development standards, many of which serve to implement mitigation measures identified in the OCP EIR, would apply:

DevStd BIO-O-1.1: *Development shall be sited and designed to avoid disruption and fragmentation of significant natural resources within and adjacent to designated undeveloped natural open space areas, minimize removal of significant native vegetation and trees, preserve wildlife corridors and provide reasonable levels of habitat restoration. Where possible, significant natural resources, such as specimen trees, adjacent to designated, natural undeveloped open space corridors should be preserved. (Implements OCP EIR Mitigation Measure BIO-20)*

DevStd BIO-O-1.3: *Landscaping for development on the edge of designated natural undeveloped open space areas shall include native trees and shrubs, with habitat restoration efforts focused on buffers. Planting of highly invasive weedy plants (e.g., iceplant, pampas grass, veldt grass, Monterey pine, eucalyptus, spiny clotbur, and Australian fireweed) shall be prohibited within 500 feet of natural undeveloped open space areas as designated on the Open Space map. (Implements OCP EIR Mitigation Measure BIO-28)*

DevStd BIO-O-1.7: *Development adjacent to undeveloped natural open space within high fire hazard areas shall be sited and designed to minimize fire protection activities (e.g., fuel breaks) that may potentially disrupt these areas. Structures shall be sited a minimum of 100 feet from the edge of designated open space areas in the rural area and along the urban/rural corridors (e.g., Orcutt Creek). This setback may be adjusted downward to retain open space vegetation and allow reasonable use of a property. Firefighting equipment access shall be allowed within this setback and landscaping within this area should not impede the use of such equipment. Paved roads and trails may be allowed within the setback area. (Implements OCP EIR Mitigation Measure BIO-15)*

DevStd BIO-O-2.1: *Development shall include: a minimum setback of 50 feet from the outside edge of riparian vegetation or the top of creek bank (whichever is further) which may be adjusted upward depending on slopes, biological resources and erosion potential; hooding and directing lights away from the creek; drainage plans shall direct polluting drainage away from the creek or include appropriate filters; and erosion and sedimentation control plans shall be implemented during construction. (Implements OCP EIR Mitigation Measure BIO-24)*

DevStd BIO-O-3.1: *To the maximum extent feasible, development shall be designed to avoid damage to established native trees (e.g., oaks) by incorporating setbacks, clustering, or other appropriate methods. Areas protected from grading, paving, and other disturbances shall include the area 6 feet outside of established native tree driplines, unless this distance would interfere with reasonable development of a property. Where native trees are removed, they shall be replaced in a manner consistent with County standards. (Implements OCP EIR Mitigation Measure BIO-26)*

Policy BIO-O-4: *Non-native trees (e.g., eucalyptus groves and windrows) that provide known raptor nesting or key roosting sites shall be protected; non-native specimen trees shall be protected to the greatest degree feasible except where it would interfere with reasonable development of a property. Non-native trees of less than 25 inches in diameter at breast height do not qualify as specimens for this Policy.*

DevStd BIO-O-5.1: *Road construction shall minimize filling within creeks, stream corridors and wetlands and avoid or minimize removal of riparian vegetation. To the maximum extent feasible, bridges (rather than culverts) shall be required over all major creeks and wildlife corridors. Such bridges shall be designed to facilitate wildlife passage by providing at least 6 feet of vertical clearance and locate support structures outside of creek banks, if feasible. Crossings of tributaries and drainages should use bridges if a bridge would avoid or substantially reduce impacts to sensitive habitat and sediment buildup. Road projects should also preserve the hydrologic connectivity between wetlands, and between wetlands and upland areas. (Implements OCP EIR Mitigation Measure BIO-1)*

DevStd BIO-O-5.3: *Multi-use trail construction should avoid removal of riparian vegetation to the maximum extent feasible. The Orcutt Creek multi-use trail shall be set back a*

minimum of 50 feet from the outside edge of riparian vegetation or the top-of-bank (whichever is further), unless this would make the multi-use trail link infeasible. Trail construction shall include riparian restoration between the edge of existing native vegetation and the bicycle path. Trail lighting should be directed away from the creek. (Implements OCP EIR Mitigation Measure BIO-2)

DevStd BIO-O-5.4: *Trails should follow existing dirt road and trail alignments and utilize existing bridges where feasible. Where this is not possible, prior to final trail alignment proposed trail routes should be surveyed and rerouted where necessary to avoid sensitive species, subject to final approval by P&D and the Park Department. All trails shall be sited and designed to avoid or minimize impacts to sensitive resources, areas of steep slopes and/or highly erosive/sandy soils, where feasible. Developers shall fund sign installation along certain trails (as identified in the Multi Use Trail Guidelines) providing educational and interpretive information and advising dog owners to keep their dogs out of sensitive habitats. (Implements OCP EIR Mitigation Measure BIO-9)*

DevStd BIO-O-5.6: *Excavated fill for retention basin construction shall not be placed within important natural resource areas. Areas adjacent to or within habitats which are disturbed during construction shall be revegetated with appropriate native species. All sensitive habitat areas adjacent to proposed retention basins shall be fenced before grading begins to prevent disturbance and stockpiling in these areas. (Implements a portion of OCP EIR Mitigation Measure BIO-13)*

DevStd KS3-1: *Development of the site shall be limited to the northern mesa as designated on Figure KS3-1 in the OCP (north of the "neck" created by the NE corner of the lots on Chancellor Street). (Implements OCP EIR Mitigation Measure BIO-17a)*

DevStd KS3-3: *If it is determined that a weir or retention basin is needed onsite to control runoff, such a facility shall be sited within the proposed open space area (shown on Figure KS3-1 of the OCP) in coordination with SBCFCD and P&D, and designed to minimize impacts to riparian and/or oak woodlands. Peak runoff shall be controlled consistent with County Flood Control District and appropriate National Pollution Discharge Elimination Systems permits. (Implements remaining portion of OCP EIR Mitigation Measure BIO-13)*

DevStd KS3-4: *Drought tolerant landscape screening such as oaks and other trees and shrubs shall be planted on the southwest facing slope leading down to Chancellor Street and on the southern slope between development and the proposed open space area. (Implements a portion of OCP EIR Mitigation Measure KS3-BIO-2)*

DevStd KS3-5: *The bike path, hiking trails, rest area, and secondary access roads shall be located to minimize loss of significant vegetation (Implements OCP EIR Mitigation Measure KS3-BIO-5).*

DevStd KS3-6: *No development other than a secondary access road from Oakbrook Lane shall occur within 100 feet of the dripline of the vegetation in the southwest corner of the northern mesa, or within a 25-foot buffer from the top of bluff of the canyon in the northeast corner of the site[1]. (Implements OCP EIR Mitigation Measure KS3-BIO-4)[1]*

4.3.3 Previous Environmental Review

OCP EIR. The Biological Resources section (Section 5.2) of the OCP EIR examined the biological resources of the project region and the potential impacts as a result of development under the OCP. General Impacts and Mitigation Measures determined to be applicable to Key Site 3, as well as site specific impacts and mitigation measures, are outlined in Table 4.3-5. The OCP EIR concluded that impacts to riparian vegetation would be reduced to less than significant, but impacts to wildlife and loss of habitat in general would remain significant and unavoidable. The current development proposal is consistent with the size and area that was evaluated in the OCP EIR and therefore, is consistent with the requirements set forth in the OCP. The OCP had designated the southern half of the site as subject to an Open Space Overlay and excluded it from consideration for development.

Table 4.3-5 Summary of Biological Impacts Identified in OCP Final EIR in Relation to the Proposed Project

OCP EIR Impact	Impact Summary	Impact Type	OCP EIR Mitigation	Impact Modified by Proposed Project?
1995 OCP EIR Analysis:				
BIO-8	**Trail construction and use.** Potential removal of rare plant individuals in dune scrub and sandhill chaparral. Trail use could cause decline in nesting and breeding activities of wildlife in wetlands.	Class II	**BIO-3.** Provides for preparation of habitat restoration plans for projects that significantly impact wetlands, oak woodlands, and rare plants. **BIO-3.1.** Recommendation to P&D to establish a regional mitigation bank to offset habitat loss in cooperation with other agencies as funding becomes available. **BIO-3.2.** Suggests locations for purchase and preservation as offsite mitigation in the event that on-site preservation and restoration options are exhausted. **BIO-9**. Minimizes removal of native vegetation and follows existing road and trail alignments. New alignments must be surveyed by a P&D approved botanist. Options include re-routing to avoid sensitive species.	No.

[1] *The proposed project requests a minor change to this development standard to reflect that the secondary access would be taken from Chancellor Road, rather than Oakbrook Lane.*

Table 4.3-5 Summary of Biological Impacts Identified in OCP Final EIR in Relation to the Proposed Project

OCP EIR Impact	Impact Summary	Impact Type	OCP EIR Mitigation	Impact Modified by Proposed Project?
BIO-9	**Paved bicycle paths**. Potential impacts along Orcutt Creek due to riparian habitat removal and increased disturbance of wildlife.	Class II	**BIO-2.** Minimizes removal of riparian vegetation for bicycle paths. Requires 50-foot setback (if feasible) from edge of riparian vegetation or top of bank, whichever protects greater area. Restores riparian habitat between path and creek. Directs lighting away from creek. **BIO-3.** See above. **BIO-9.** See above	Yes. See analysis for Impact BIO-1 and BIO-2 below.

Table 4.3-5 Summary of Biological Impacts Identified in OCP Final EIR in Relation to the Proposed Project

OCP EIR Impact	Impact Summary	Impact Type	OCP EIR Mitigation	Impact Modified by Proposed Project?
BIO-19	**Habitat Elimination/Habitat Fragmentation.** Permanent loss or fragmentation of threatened or very threatened communities, diminution of wildlife populations through direct loss of habitats, disruption of wildlife corridors through encroachment, disturbance, introduction of domestic animals (especially predators), and weed invasion.	Class II	**BIO-17a.** Unified Open Space Overlay. An overlay shall preserve contiguous habitat areas. Preservation goals are: species diversity and diversity of unique habitats in Orcutt; contiguous habitat areas and riparian corridors between the Solomon and Casmalia Hills, and ecological systems as a whole. A fourth objective is provision of opportunities for habitat restoration. **BIO-17b.** A Unified Open Space Plan shall be adopted. The Plan sets standards for significant natural resource protection, provides for recreation and mitigation of aesthetic impacts of adjacent development, and should consider provision for connections to habitat outside the planning area. **BIO-17c**. Formation of a Landscape-Open Space Maintenance District to provide long term management, natural resource protection, landscape maintenance for travel corridors and retention basins, and public recreation. Provides for a one-time per-unit fee. **BIO-20**. New developments shall preserve and enhance significant wildlife corridors consistent with accepted wildlife management practices, particularly adjacent to wetlands. **BIO-21.** Protect maximum contiguous areas of open space by increasing urban land use density, reducing road widths, and increasing building height as appropriate.	Yes. See analysis for Impact BIO-4 below.
BIO-26	**Elimination of central dune scrub.** Elimination of approximately 100 acres of central dune scrub would create potentially significant impacts through elimination of some of the last remaining stands of this community along with several resident sensitive species.	Class II	**BIO-23**: Sandhill chaparral, central dune scrub, wetlands, oak woodlands and central coastal sage scrub shall be protected to the maximum extent feasible. Developments adjacent to these areas shall employ setbacks, clustering, native landscape buffers and restoration of degraded areas including any impacted rare species. The restoration plan shall be prepared by a P&D qualified biologist. The natural hydrology of wetlands shall be protected or restored whenever possible. The goal of the plans shall be to have no net loss of habitat.	Yes. See analysis for Impact BIO-2 below.

Table 4.3-5 Summary of Biological Impacts Identified in OCP Final EIR in Relation to the Proposed Project

OCP EIR Impact	Impact Summary	Impact Type	OCP EIR Mitigation	Impact Modified by Proposed Project?
BIO-28	**Elimination of riparian communities.** Development on, and encroachment near streams and creeks, construction of road bridges and culverts will potentially result in removal of riparian vegetation, polluted runoff, noise, light and glare, fill importation, sedimentation, increased maintenance, alteration of creek channels, and increased disturbance from humans, dogs, and cats.	Class II	**BIO-17a, b , and c.** See above. **BIO-24.** Preservation of riparian habitats to the maximum feasible extent. Requires implementation of restoration plans to offset impacts. Includes a minimum 50-foot buffer, expressed preference for on-site mitigation. Requires shielded lighting. Drainage plan design should avoid directing potentially contaminated runoff into wetlands. Provides for erosion and sediment control during construction.	Yes. See analysis for Impact BIO-2 below.
BIO-33	**Weed invasion.** Landscaping with weedy species in the proposed newly urbanized areas could have a potentially significant impact on the remaining acreages of native plant communities by displacing native species and thus significantly altering habitat characteristics and ecological functions. These weedy species include iceplant, pampas grass, veldt grass, eucalyptus, spiny clotbur and Australian fireweed.	Class II	**Mitigation BIO-28:** Landscape plans for developments on the edge of open space areas shall include trees and shrubs native to the Santa Maria Valley. (The Orcutt Biological Resources Technical Report [Rindlaub, Hunt and Storrer 1995] contains a list of species.) Planting of invasive weedy plants such as iceplant, pampas grass, veldt grass, monterey pine, eucalyptus, spiny clotbur and Australian fireweed shall be strongly discouraged and removed in these areas.	Yes. See analysis for Impact BIO-5 below.
Key Site 3 Analysis				
KS3-BIO-1	**Reduction in Habitat**. Construction activities could result in loss of 70-80 acres of non-native grassland and coyote brush shrub as well as adverse impacts to 60 acres of oak woodland/scrub habitat south of Orcutt Creek. Clearing associated with trails and rest area could result in loss of 0.7 acres of sage-scrub habitat south of Orcutt Creek.	Class II	**KS3-BIO-1.** Applies Open Space Overlay to area extending from 200 feet north of northern bank of Orcutt Creek to the southern site boundary. Excludes development except for bike paths, hiking trails, and proposed rest areas within 150 feet of northern bank. **KS3-BIO-2.** Minimum of 20 oak trees shall be planted on the southeast facing slope leading down to Chancellor Street. **KS3-BIO-3.** Locate bike path, hiking trails, and rest area to minimize loss of significant vegetation. P&D certified biologist shall review proposed paths and rest area prior to approval.	Yes. See analysis for Impact BIO-2 below.

Table 4.3-5 Summary of Biological Impacts Identified in OCP Final EIR in Relation to the Proposed Project

OCP EIR Impact	Impact Summary	Impact Type	OCP EIR Mitigation	Impact Modified by Proposed Project?
KS3-BIO-2	**Loss of Riparian Vegetation**. Development may result in loss of approximately 4.07 acres of riparian vegetation in northern portion of the site and installation of sewer lines along creek channel could disrupt riparian woodland.	Class II	**KS3-BIO-1**. See above. **KS3-BIO-2**. See above. **KS3-BIO-3**. See above. **KS3-BIO-4.** No development within 100 feet of dripline of riparian vegetation in the southwest corner of the northern portion of the site, or within 25 feet of the edge of the canyon in the northwest corner, except for development associated with potential access road. **KS3-BIO-5**. No sewer lines within 50 feet of dripline of riparian vegetation along Orcutt Creek, except where lines must cross the creek. Sewer lines should cross the creek where potential access roads or bike paths will cross to limit disturbance.	Yes. See analysis for Impact BIO-2 below.
KS3-BIO-3	**Impacts to Wildlife**. Habitation of the site would result in disturbance to wildlife through disturbance by domestic animals, light and noise pollution and disruption of wildlife movement.	Class II	**KS3-BIO-1**. See above. **KS3-BIO-2.** See above. **KS3-BIO-3.** See above. **KS3-BIO-6**. Direct exterior lighting away from habitat areas. Uses hoods on light fixtures to prevent spill-over.	Yes. See analysis for Impact BIO-4 below.
KS3-BIO-4	**Contamination of Creek From Urban Runoff.** Development of residences and associated roads, driveways, and other paved surfaces could substantially increase polluted runoff into Orcutt Creek.	Class II	**KS3-BIO-7.** Design drainage systems to avoid urban runoff into creek channel.	No.

Santa Barbara County Focused Housing Rezone Program EIR. The 2008 Housing Element Focused Rezone Program EIR analyzed the impact of rezoning an eight-acre portion of Key Site 3 known as the MR-O (Multi-family residential Orcutt) zone to allow for the development of 160 multi-family residential units. The Focused Rezone Program EIR determined that this action would result in significant but mitigable impacts to sensitive habitats (Impact BIO-1) as well as to special status wildlife species (Impact BIO-3). The EIR proposed mitigation measures BIO-1(a), which requires restoration for impacts to sensitive habitats, and BIO-1(b), which requires that a jurisdictional delineation to determine the status of the area initially identified as a potential wetland (see also discussion in Environmental Setting) be completed prior to implementation of the project. Mitigation measures BIO-3(a through g) were proposed to offset impacts to vernal pool fairy shrimp, California tiger salamander, silvery legless lizards, coast horned lizards, nesting birds, and American badgers. These impacts and

mitigation measures apply to the MR-O zone of the project site. Impacts of the remaining project components on Key Site 3 are analyzed below.

4.3.4 Impact Analysis

a. Methodology and Significance Thresholds. According to the State CEQA Guidelines (Appendix G), it is assumed that the proposed project would result in a significant impact if it would:

- *Substantially, adversely impact, either directly or through habitat modifications, any endangered, rare, or threatened species, as listed in Title 14 of the California Code of Regulations (§670.2 or 670.5) or in Title 50, Code of Federal Regulations (§17.11 or 17.12);*
- *Have a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;*
- *Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service;*
- *Adversely impact federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) either individually or in combination with the known or probable impacts of other activities through direct removal, filling, hydrological interruption, or other means;*
- *Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites;*
- *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or*
- *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan.*

Guidelines for evaluation of biological impacts and significance thresholds are contained in the *County of Santa Barbara Environmental Thresholds and Guidelines Manual* (2008) and the Santa Barbara County A Planner's Guide to Conditions of Approval and Mitigation Measures (2005). Determination of significance for disturbance to habitats or species within the County is based on the following criteria:

a. *Conflict with adopted environmental plans and goals of the community where it is located;*
b. *Substantially affect a rare or endangered species of animal, plant or the habitat of the species;*
c. *Interfere substantially with the movement of any resident or migratory fish or wildlife species; or*
d. *Substantially diminish habitat for fish, wildlife, or plants.*

The manual states that environmental impact analysis and mitigation needs to include federal and state biological resource regulations (i.e., the federal and state Endangered Species Acts, National Environmental Policy Act, Clean Water Act Section 404, Bald Eagle Protection Act, Migratory Bird Treaty Act, Executive Order 11990 [wetlands protection], Rivers and Harbors Act Section 10, Marine Protection, Sanctuary and Research Act, Marine Mammal Protection Act, and Section 1601 and 1603 Stream Alteration Agreements).

The evaluation of project impacts as detailed in the manual calls for an assessment of both short- and long-term impacts. Significant impacts to species or habitats are those which substantially impact significant resources in the following ways:

a. *Substantially reduce or eliminate species diversity or abundance;*
b. *Substantially reduce or eliminate quantity or quality of nesting areas;*
c. *Substantially limit reproductive capacity through losses of individuals or habitat;*
d. *Substantially fragment, eliminate, or otherwise disrupt foraging areas and/or access to food sources;*
e. *Substantially limit or fragment range and movement (geographic distribution or animals and/or seed dispersal routes); or*
f. *Substantially interfere with natural processes, such as fire or flooding, upon which the habitat depends.*

Instances in which project impacts would be less than significant include:

a. *Small acreages of non-native grassland if wildlife values are low;*
b. *Individuals or stands of non-native trees if not used by important animal species such as raptors or monarch butterflies;*
c. *Areas of historical disturbance such as intensive agriculture;*
d. *Small pockets of habitats already significantly fragmented or isolated, and degraded or disturbed; or*
e. *Areas of primarily ruderal species resulting from pre-existing man-made disturbance.*

Additional County guidelines are provided for specific biological communities. These are used in conjunction with the general impact assessment guidelines described above.

<u>Wetlands</u>. Based on the County guidelines, the following types of project-created impacts may be considered significant:

a. *Projects that result in a net loss of important wetland area or wetland habitat value, either through direct or indirect impacts to wetland vegetation, degradation of water quality, or would threaten the continuity of wetland-dependent animal or plant species are considered to have a potentially significant effect on the environment;*
b. *Wildlife access, use, and dispersal in wetland habitats are key components of their ecosystem value. Projects that substantially interrupt wildlife access, use and dispersal in wetland areas, would typically be considered to have potentially significant impacts; and*
c. *The hydrology of wetlands systems must be maintained if their function and values are to be preserved. Therefore, maintenance of hydrological conditions, such as the quantity and quality of runoff, must be assessed in project review.*

Riparian Habitats. Based on the County guidelines, the following types of project-related impacts may be considered significant:

a. *Direct removal of riparian vegetation;*
b. *Disruption of riparian wildlife habitat, particularly animal dispersal corridors and or understory vegetation;*
c. *Intrusion within the upland edge of the riparian canopy (generally within 50 feet in urban areas, within 100 feet in rural areas, and within 200 feet of major rivers), leading to potential disruption of animal migration, breeding, etc. through increased noise, light and glare, and human or domestic animal intrusion;*
d. *Disruption of a substantial amount of adjacent upland vegetation where such vegetation plays a critical role in supporting riparian-dependent wildlife species (e.g., amphibians), or where such vegetation aids in stabilizing steep slopes adjacent to the riparian corridor, which reduces erosion and sedimentation potential; and*
e. *Construction activity that disrupts critical time periods (nesting, breeding) for fish and other wildlife species.*

Oak Woodlands and Forests. Based on the County guidelines, project-created impacts on oak woodlands and forests may be considered significant due to changes in habitat value and species composition such as the following:

a. *Habitat fragmentation;*
b. *Removal of understory;*
c. *Alteration to drainage patterns;*
d. *Disruption of the canopy; or*
e. *Removal of a significant number of trees that would cause a break in the canopy or disruption in animal movement in and through the woodland.*

Individual Native Trees. Based on the County guidelines, the following types of project-related impacts may be considered significant:

a. *Impacts to native specimen trees, regardless of size. Specimen trees are defined as mature trees that are healthy and structurally sound and have grown into the natural stature particular to the species;*
b. *Impacts to rare native trees, which are very low in number or isolated in distribution; or*
c. *In general, the loss of 10% or more of the trees of biological value on a project site.*

b. Project Impacts and Mitigation Measures. OCP EIR Impacts BIO-1 through BIO-7, BIO-10 through BIO-14, and BIO-16 are general biological impacts that would result from cumulative development under the OCP and are not specific to the proposed project site. OCP EIR Impacts BIO-20 through BIO-27 and BIO-29 through BIO-33 pertain to impacts on other Key Sites, but were not determined to specifically pertain to Key Site 3. Other impacts identified in the OCP EIR (Impact BIO-34 through BIO-38) result from existing County policies. Implementation of the mitigation measures for these policies is directed toward the appropriate department rather than to the applicant. OCP EIR Impacts BIO-8, BIO-9, BIO-15, BIO-17, BIO-18, BIO-19, and BIO-28 are identified as biological impacts that would result from development on Key Site 3.

Similarly, some of the OCP EIR mitigation measures such as BIO-3.1, and BIO-3.2 pertain to County-wide efforts to reduce biological impacts through adoption of protective policies. The Santa Barbara County Planning and Development Department must implement these mitigation measures, although on a property as large as Key Site 3, the applicant may be invited to participate in the planning process.

Impact BIO-1 Construction and development activities, together with multi-use paths and construction of the span bridge for secondary access, as well as the proposed amendment to the OCP associated with residential development of Key Site 3 could result in direct loss of sensitive habitats, including riparian vegetation.

The OCP and the OCP EIR determined that buffers around creeks within the Orcutt area were necessary to protect riparian habitat and wildlife movement. The OCP also had an emphasis on promoting open space and recreational opportunities for residents. Buffers were established for creeks throughout the Orcutt planning area (DevStd BIO-O-2.1), but were made wider for Key Site 3 (for example, with the application of OCP EIR Mitigation Measure KS3-BIO-1, which applied the Open Space Overlay to an area extending 200 feet from the northern bank of Orcutt Creek, and OCP EIR Mitigation Measure BIO-14, which increased the riparian buffer to 100-feet except for proposed hiking/biking trails) due to the particularly high habitat values observed on the site.

In addition, the OCP EIR calculated that development of Key Site 3 would impact approximately 0.7 acre of coastal scrub (due to clearing associated with trails and rest area), 60 acres of coast live oak woodland/scrub habitat south of Orcutt Creek, and 70-80 acres of grassland and coyote brush scrub (i.e. central coastal scrub). This was considered a significant, partially mitigable impact. The Final OCP further restricted the development of the Key Site 3 property to only the northern mesa portion of the site, applying the Open Space overlay to the southern two-thirds of the site. The currently proposed project sites residential structures in the northern mesa area with other accessory structures (detention basins, trails and roads) located in the Open Space area.

The majority of the proposed multi-use trail systems are located at least 100 feet from Orcutt Creek except for the furthest southern portion which is expected to cross the creek in order to connect with the remaining previously approved segments of the trail network. In addition, the span bridge for secondary access would also occur within 100 feet from Orcutt Creek. Both components would be sited to avoid tree removal; however, it is currently unknown whether siting of these components can feasibly avoid the driplines of oak trees within the central coast live oak riparian forest. Considering these components are expected to cross Orcutt Creek, they would not comply with OCP DevStd BIO-O-2.1, which requires a minimum setback of 50 feet from the top of the northern bank of Orcutt Creek or the edge of riparian vegetation (whichever is greater) for all development. The purpose of siting and setback requirements for the location of the multi-use trail was to reduce the direct and indirect impacts on the adjacent riparian corridor. These impacts would include introduction of exotic and invasive weed seeds from bicycle tires and footwear, disruption of animal breeding and foraging behaviors and movement through human disturbance and the presence of artificial light, and habitat

degradation due to accumulation of litter and trampling of native habitat. Potential direct mortality to wildlife may also occur with increased presence of domestic animals, particularly dogs, and removal of native riparian vegetation. DevStds BIO-O-5.3 and BIO-O-5.4 would apply and would minimize the removal of riparian vegetation associated with the construction of the multi-use trail and help limit indirect impacts from increased recreational use and access through interpretive signage. Impacts related to the development of the multi-use trail would be potentially significant.

It should be noted that the LFR reports (2009c, 2009d) initially characterized the south hills as approximately evenly split between coastal sage scrub habitat and central dune scrub. The OCP Biological Habitat Map, on the other hand, characterizes most of the area in the south hills as central dune scrub (except for patches of oak woodland and sand hills chaparral). This distinction is appropriate since the LFR reports were completed at a much finer scale than the OCP EIR. In addition, these communities are known to intergrade and plant communities do change over time. However, if the general patterns of the distribution of central dune scrub in the OCP Biological Habitat Map are viewed from a regional perspective, this area, if considered central dune scrub, is one of the southernmost occurrences in the OCP area, and is rare. On October 24, 2014, a Rincon biologist conducted a site visit to ground truth the results of the LFR reports. Based on this site visit, all habitats south of Orcutt Creek are considered and mapped as "significant habitat" in the OCP. As such, many OCP biological resource policies require avoiding its disruption and fragmentation.

Table 4.3-6 shows the approximate acreage of impacts per habitat type based upon the area of impact provided by the County of Santa Barbara. These impact calculations also incorporate secondary impacts to habitats resulting from infrastructure improvements required for the project such as detention basins, trails, and roads.

Table 4.3-6 Habitat Impacts on the Project Site

Habitat Type	Approximate Acreage of Impacted Habitat	Required Replacement Ratio	Required Restoration Acreage
Central Maritime Chaparral	0	3:1	0
Central (Lucian) Coastal Scrub	5.17	None	0
Central Dune Scrub	0.02	2:1	0.04
Central Coast Live Oak Riparian Forest	0.12	2:1	0.24
Coast Live Oak Woodland	0	2:1	0
Non-native Grassland	27.16	None	0
Planted Trees	0	None	0
PROJECT SITE TOTAL	**32.47**	varies	**0.28**

As shown in Table 4.3-6, approximately 32 acres of vegetation would be adversely affected by the project. The currently proposed plan includes development of accessory components including installation of drainage pipes carrying water into Orcutt Creek, a clear-span bridge to accommodate secondary access as well as a multi-use trail, both of which would potentially impact sensitive communities. Sensitive communities that would be impacted include: Central

Dune Scrub (0.02 acre), and Central Coast Live Oak Riparian Forest (0.12 acre). A total of 0.14 acre of sensitive habitats would be affected. In addition coast live oaks, which are protected by specific County policies, may also be impacted by development of access roads and trails. Although no trees are expected to be removed from construction of these components, construction could impact these trees through encroachment upon the dripline. Therefore, this impact is potentially significant.

Mitigation Measures. OCP EIR Mitigation Measures BIO-3, which requires the preparation of a habitat restoration plan for any project that significantly impacts riparian woodlands and rare plants was noted as applicable to the development of Key Site 3.

Three of the Key Site 3-specific biological resource mitigation measures in the OCP EIR were developed to offset habitat loss. Mitigation KS3-BIO-1 refers to preservation of habitat from 200 feet north of Orcutt Creek to the southern boundary of the property through application of an Open Space Overlay. Currently no structures are anticipated in this area; however, other components such as detention basins and trails will occur in this area. Mitigation KS3-BIO-2 requires mitigation focused on coast live oak trees. Mitigation KS3-BIO-3, which was incorporated into the Final OCP as DevStd KS3-5, requires that the location of the bike path, hiking trails, and rest area be sited to minimize vegetation removal. In addition, the following mitigation measures would also be required to mitigate impacts to sensitive habitats on-site (primarily) Central Dune Scrub.

The following additional mitigation measures are required to reduce impacts resulting from development and construction on Key Site 3.

BIO-1(a) **Sensitive Habitat Restoration Plan**. (*modification of OCP EIR Mitigation Measures BIO-3 and BIO-3.2*) To mitigate for effects on sensitive vegetation from the project, from development of Key Site 3, including the span bridge and multi-use trail, the **owner/**applicant shall hire a qualified biologist to develop a Habitat Restoration Plan with the goal of restoring up to 0.12 acre of Central Coast Live Oak Riparian Forest and 0.02 acre of Central Dune Scrub at a minimum ratio of 2:1 (habitat restored to habitat impacted). The Habitat Restoration Plan shall be implemented for a period of not less than five years, or until restoration has been completed successfully as determined by P&D. Off-site habitat acquisition and off-site restoration and/or enhancement may be considered if onsite restoration is not feasible as long as the off-site proposals result in equal compensatory value. Replacement ratios for off-site mitigation may be different than those required for onsite mitigation. The Habitat Restoration Plan shall include, at a minimum, the following components:

- *Description of the project/impact site (i.e.: location, responsible parties, areas to be impacted by habitat type);*
- *Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved;*

specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved];

- *Description of the proposed compensatory mitigation-site (location and size, ownership status, existing functions and values of the compensatory mitigation-site);*
- *Implementation plan for the compensatory mitigation-site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan);*
- *Maintenance activities during the monitoring period, including weed removal as appropriate (activities, responsible parties, schedule);*
- *Monitoring plan for the compensatory mitigation-site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports);*
- *Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation type;*
- *An adaptive management program and remedial measures to address negative impacts to restoration efforts;*
- *Notification of completion of compensatory mitigation and agency confirmation; and*
- *Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).*

Plan Requirements and Timing. The Habitat Restoration Plan shall be submitted to P&D for review and approval prior to issuance of **Zoning Clearance** ~~Land Use Permits~~. If habitat restoration is to take place off-site, the above requirements shall also apply, and, in addition, proof of purchase or an easement controlling off-site acreage shall also be submitted to P&D prior to issuance of **Zoning Clearance** ~~Land Use permits~~.

Monitoring. The restoration shall be monitored by a **P&D** qualified biologist for five years. P&D shall oversee implementation of the Habitat Restoration Plan ~~through periodic monitoring~~ **to ensure that monitoring by a P&D qualified biologist is conducted on a yearly basis,** and a final restoration site inspection **is conducted** upon completion of the Habitat Restoration Plan.

BIO-1(b) **Oak Tree Avoidance.** (*Modification of Mitigation KS3-BIO-2 in OCP EIR*). The **owner/**applicant shall modify the proposed development to either incorporate and/or avoid oak trees or their driplines. The following shall be graphically depicted on all final grading and building plans:

- The location and extent of driplines for all trees and the type and location of any fencing.
- Development shall be located **25 feet** outside of the driplines of all preserved oak trees. Equipment storage and staging areas shall be designated on approved grading and building plans outside of dripline areas.
- Paving **over soil** shall be **a** pervious material (i.e., gravel, brick without mortar) where access roads or driveways encroach within 25 feet of the dripline of an oak tree**, except on bridges over Orcutt Creek**.
- Permanent tree wells or retaining walls shall be specified on approved plans and shall be installed prior to **the issuance of Zoning Clearance** ~~approval of Land Use Permits~~. A County-approved arborist/biologist shall oversee such installation.
- Drainage plans shall be designed such that oak tree trunk areas are properly drained to avoid ponding.
- All utilities shall be placed in development envelopes or within or directly adjacent to roadways and driveways or in a designated utility corridor in order to minimize impacts to trees.

The following shall be printed as conditions on all final grading**, zoning clearance,** and building plans:

- No grading or development shall occur within the driplines of oak trees that occur in the construction area.
- All individual oak trees or groups of trees within 50 feet of proposed ground disturbances shall be temporarily fenced with bright orange construction fencing prior to and throughout all grading and construction activities. The fencing shall be installed 25 feet outside the dripline of each oak tree or group of trees, and shall be staked every six feet.
- No construction equipment shall be parked, stored, or operated within 25 feet of any oak tree dripline.
- No fill soil, rocks, or construction materials shall be stored or placed within 25 feet of the dripline of a specimen oak tree.
- No artificial surface, pervious or impervious, shall be placed within 25 feet of the dripline of any oak tree, except for County-approved project access roads.
- Any roots encountered that are one inch in diameter or greater shall be cleanly cut. This shall be done under the direction of a County-approved arborist/biologist.
- Any construction activity required within three feet of an oak tree's dripline shall be done with hand tools.
- No permanent irrigation shall occur within the dripline of any existing oak tree.

- Only designated trees shall be removed. All grading and construction plans shall clearly delineate those trees to be removed and those to remain.
- Maintenance of oak trees shall be accomplished through water-conserving irrigation techniques.

Plan Requirements and Timing. Final grading**, zoning clearance,** and building plans submitted to P&D for review and approval shall include the above protection measures.

Monitoring. P&D shall ensure that final plans include this measure prior to **zoning clearance issuance** ~~land use clearance~~ for grading and subdivision improvements. Permit compliance staff shall site inspect and verify installation of protective barriers prior to **the** commencement **of** grading activities. Thereafter, site inspections shall be conducted at a minimum of once per week through all phases of development to ensure compliance with the above measures.

BIO-1 (c) **Central Dune Scrub and Central Coast Live Oak Riparian Forest Avoidance** *(modification of Mitigation Measure BIO-23 from the OCP EIR)***.** Unnecessary impacts to Central Dune Scrub and Central Coast Live Oak Riparian Forest shall be avoided through installation of bright orange construction fencing placed a minimum of 30 feet outside the edge of these habitats to prevent additional impacts. The fencing shall be installed prior to initiation of ground disturbance activities and shall remain in place until construction is complete. These areas shall be considered Environmentally Sensitive Areas (ESA) in which no vehicles, people, materials, or equipment will be allowed while fencing is in place. Grading **and zoning clearance** plans shall show the location of these habitats and protective fencing.

Plan Requirements and Timing. Grading **and zoning clearance** plans showing the location of Central Dune Scrub and Central Coast Live Oak Riparian Forest and protective fencing~~,~~ shall be submitted to P&D for review and approval prior to **zoning clearance issuance** ~~land use clearance~~ for grading and subdivision improvements.

Monitoring. P&D **compliance monitoring staff** shall inspect the site prior to initiation of ground disturbance and shall inspect the site a minimum of once per week to ensure protective ~~fence~~ **fencing** is in place. P&D shall oversee implementation of the Habitat Restoration Plan.

BIO-1(d) **Landscaping Plan**. The project landscape plan shall indicate the locations and species of plants to be installed throughout the

development, including areas adjacent to open space. Drought tolerant, locally native plant species shall be selected in consultation with a qualified biologist. Invasive non-native plant species that occur on the California Invasive Plant Council Lists shall not be permitted. Species selected for planting in setbacks shall be similar to those species found in adjacent native habitats.

Plan Requirements and Timing. The landscape plan shall be submitted to P&D for review and approval prior to final map clearance.

Monitoring. P&D **compliance monitoring staff** shall inspect the site prior to occupancy to ensure compliance.

Significance After Mitigation. The above mitigation measures would protect native habitats through inclusion of setbacks, native landscape buffers, and restoration of degraded areas and the selective placement of the multiuse trail and span bridge to minimize loss of significant vegetation. Mitigation Measure BIO- 1(a) would require restoration of disturbed sensitive habitats, while Mitigation Measure BIO-1(d) would protect native habitats from invasion by non-natives by requiring locally native species in landscaping adjacent to open space areas. Taken together, these mitigation measures would offset the small amounts of acreages potentially lost due to the proposed development. With the above mitigation measures, impacts to sensitive habitats due to construction would be less than significant (Class II).

Impact BIO-2 Construction and development of Key Site 3 as well as the proposed amendment to the OCP would result in potential impacts to Orcutt Creek.

The OCP EIR concluded that there was a potential for loss of riparian vegetation due to construction and development of residences in the northern portion of Key Site 3 and set forth mitigation measures, some of which were included in the Final OCP as development standards and policies, to reduce impacts to riparian habitat to a less than significant level.

Orcutt Creek drains in an east-west direction across the southern portion of the key site, and cuts across the southwestern corner of the northern portion of the site. One riparian community of special concern was identified along the majority of the creek: Central Coast Live Oak Riparian Forest. Construction of the multiuse trail, along the northern bank of Orcutt Creek in the Central Plain area of the site is proposed with a minimum 60-foot setback from the edge of riparian habitat. This is smaller than the 100-foot setback required by Mitigation Measure BIO-14 and the 150-foot setback required by Mitigation Measure KS3-BIO-1 in the OCP EIR. Also, a clear-span bridge is proposed to cross Orcutt Creek in the northern portion of the property to permit secondary site access off of Chancellor Street. In addition, an at-grade crossing in the southern portion of the property where the multi-use trail crosses Orcutt Creek is proposed.

Orcutt Creek lacks natural connectivity to a jurisdictional water body, the nearest being the Santa Maria River. However, agricultural practices in the region facilitate the movement of water mechanically, in some cases resulting in connectivity with the Santa Maria River. In

recent legal action settled out of court, *United States of America vs. Adam Brothers Farming*, it was determined that Orcutt Creek is a jurisdictional Water of the United States. Though this determination was not formalized, this analysis assumes that impacts to Orcutt Creek will be regulated by the USACE under Section 404 of the Clean Water Act and by the RWQCB under Section 401 of the Clean Water Act, unless these agencies formally decline jurisdictional authority. As a Water of the State, impacts will also be regulated by the CDFW under Section 1602 of the California Fish and Game Code and by the RWQCB under the Porter-Cologne Water Quality Control Act.

A Preliminary Drainage Study prepared by Penfield & Smith (2013) indicated that, in its current state, water naturally flows across the upper mesa towards the canyon in the northwest corner of Key Site 3. These flows would be completely eliminated by the proposed development of residences in the area of the swale. The flow to the rest of the upper mesa and water flow to the canyon and off-site creek would be reduced substantially. In addition, willow riparian habitat was observed in the off-site ephemeral drainage, and elimination of this water flow may result in impacts to this drainage and to Orcutt Creek further offsite. The Preliminary Drainage Study evaluated the use of piping to direct water flows south towards Orcutt Creek and did not provide for continued flow to the canyon at the northwest corner of Key Site 3.

In April 2009, LFR reported on a jurisdictional delineation of Orcutt Creek. LFR determined that Orcutt Creek met the requirements for designation of Water of the U.S. based upon the litigation described above. Orcutt Creek was also determined to meet the CDFW definition of a stream, thereby requiring a Streambed Alteration Agreement for any impacts to the stream channel and associated riparian vegetation. Orcutt Creek was further determined to be recognized as a riparian zone by the County and is subject to the guidelines outlined in the Environmental Thresholds and Guidelines Manual established by the County. Though not addressed in the report, it is likely that the RWQCB will also assert jurisdiction over Orcutt Creek to the same extent as the USACE.

The extent of riparian habitat mapped in the Jurisdictional Delineation (2009b) differs from the riparian habitat mapped in the *Sensitive Species and Habitat Survey* (2009c), both prepared by LFR. The former report includes as riparian habitat areas that are classified as dry wash in the latter report, and the former report also includes the canyon in the northwest corner of the project site as riparian habitat. This canyon is primarily coastal sage scrub, as reflected on Figure 4.3-1. However, for the purposes of this analysis, the Jurisdictional Delineation map was used to determine the potential for impacts. In addition, the northwestern canyon area contains the hydrogeological features of a drainage, and thus provides some riparian habitat function, albeit disturbed.

The current development plan may result in direct impacts to Orcutt Creek and associated riparian habitat through installation of a clear-span bridge, for secondary access and installation of two outfalls for storm water drainage pipes as well as construction of the multi-use trail. Impacts to riparian vegetation surrounding Orcutt Creek are discussed in greater detail under Impact BIO-1. Adherence to DevStd KS3-6 (proposed for amendment) would minimize, but not eliminate, impacts to the riparian corridor for Orcutt Creek in the southwestern corner of the northern portion of the site, and similarly, the application of Policy BIO-O-2.1 would reduce

impacts to riparian corridors from excessive lighting and sedimentation impacts. Impacts to Orcutt Creek from these proposed activities would be potentially significant.

Mitigation Measures. The OCP EIR presumed that riparian vegetation would only be impacted where Orcutt Creek crosses the southwest corner of the northern portion of the key site. Mitigation Measure KS3-BIO-1 included a restriction on development within 150 feet of the northern bank of Orcutt Creek and anywhere south of the creek, with the exception of a bike path. KS3-BIO-7 would also prevent contamination of Orcutt Creek from urban run-off. In addition, KS3-BIO-6 requires adherence to standards for lighting adjacent to open space areas.

Mitigation Measures BIO-1(a), BIO-1(b), BIO-2(b), BIO-3(a), BIO-3(b), and BIO-3(c) would apply. Increased storm water run-off is not expected to result in impacts to Orcutt Creek as they are anticipated to be directed towards various drainage basins on-site. The following additional mitigation measures are also required to mitigate impacts to wetland habitats.

BIO-2(a) **Avoidance of Impacts to Orcutt Creek.** The **owner/**applicant shall design bridge crossings over Orcutt Creek such that impacts to the stream channel are minimized. No permanent structures shall be placed within the stream channel. Construction of the bridge shall occur during the low-flow period of the year when water within the creek is minimal or absent. In addition, all utilities shall either be attached to the underside of the bridge or shall be drilled under the creek bed such that trenching through the creek is avoided. A County-approved biologist shall be present during bridge construction as well as when drilling beneath the creek bed to ensure that frac-out (excessive drilling pressure causing drilling mud to breach the surface) does not occur. Storm water drain outfalls shall incorporate energy dissipaters to reduce the speed at which storm water flows into Orcutt Creek. Removal of riparian habitat shall be avoided to the greatest extent feasible. Where riparian habitat cannot be avoided, a Streambed Alteration Agreement (SAA) may be required from the CDFW, and a restoration plan shall be developed in accordance with Mitigation Measure BIO-1(a) above. Restoration shall occur on-site at a minimum of 2:1 (acres of habitat restored for acres of habitat impacted).

Plan Requirements and Timing. The **owner/**applicant shall submit bridge designs and copies of the SAA (if applicable) and restoration plan (if applicable) to P&D prior to **zoning clearance** ~~issuance of land use clearance~~ for grading and subdivision improvements.

Monitoring. P&D shall oversee implementation of the ~~SAA~~ **Streambed Alteration Agreement** and restoration plan as well as shall inspect the bridge to ensure compliance. P&D and/or a

County-approved biologist shall be present during all bridge construction and utility installation activities.

BIO-2(b) **Agency Coordination**. Impacts to Orcutt Creek may require permits from **United States Army Corps of Engineers (**USACE**)**, **Regional Water Quality Control Board (**RWQCB**)**, and **California Department of Fish and Wildlife (**CDFW**)**. The **owner/**applicant shall obtain correspondence from applicable state and federal agencies regarding compliance of the proposed development with state and federal laws.

Plan Requirements and Timing. The **owner/**applicant shall submit copies of correspondence and/or permits (as applicable) **from** ~~with~~ applicable agencies to P&D prior to **zoning clearance** issuance ~~of~~ **for** grading **and subdivision** ~~permits~~ **improvements**.

Monitoring. P&D **compliance monitoring staff** shall review agency correspondence and shall ensure that the project meets any requirements outlined by the agencies.

BIO-2(c) **Outlet Structures.** Outlet structures for energy dissipation shall minimize disturbance to the natural drainage and avoid the use of unnatural materials, such as concrete, grouted rock, and asphalt rubble. Where hard bank materials must be used, natural rock, gabions, crib wall or other more natural means of energy dissipation shall be preferred. Rock grouting shall only be used if no other feasible alternative is available as determined by P&D and Flood Control.

Plan Requirements and Timing: Plans shall be submitted for review and approval by P&D and Flood Control. Plans shall be submitted prior to **Zoning Clearance** ~~approval of a Land Use Permit~~ for grading **and subdivision improvements**. Structures shall be installed during grading operations.

Monitoring: P&D compliance monitoring staff and/or Building & Safety inspectors shall ensure construction according to plan.

BIO-2(d) **Equipment Storage-Construction.** The **owner/**applicant shall designate one or more construction equipment filling and storage areas within the designated development to contain spills, facilitate clean-up 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 and Timing: The **owner/a**~~A~~pplicant shall designate the P&D approved location on all **land use, grading, and building plans**

~~Land Use permits~~. 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.

Significance After Mitigation. Implementation of ~~the~~ Policy BIO-O-2.1 would reduce lighting impacts, and Mitigation Measure BIO-1(d) would ensure that only native species are used for landscaping near riparian (open space) areas. Mitigation Measures BIO-1(a) and BIO-2(a) would minimize permanent loss of riparian habitat by requiring restoration for disturbed areas, and Mitigation Measures BIO-1(b) and (c) would provide for avoidance and minimization of impacts to oak trees, which are common within the riparian habitat on-site. Mitigation Measure BIO-2(a) and BIO-2(c-d) would prescribe measures that avoid impacts to Orcutt Creek. Mitigation Measure BIO-2(b) would require consultation with regulatory agencies to ensure that applicable federal and state laws are followed. Taken together, implementation of the above mitigation measures would reduce impacts to Orcutt Creek and riparian habitat to a less than significant level (Class II).

Impact BIO-3 Development of the proposed project would result in impacts to wildlife movement through direct loss of habitat and disruption of wildlife corridors. Further impacts to wildlife movement would occur due to disturbance of habitat by domestic animals, and increased levels of noise, light, and human presence.

The OCP EIR analyzed impacts to wildlife on both an area-wide level and at a site-specific level and included mitigation measures and development standards limiting development to the areas north of Orcutt Creek. In its current configuration, construction of residences the northern mesa and construction of accessory structures such as detention basins in the central plains area would reduce the amount of grassland and coastal scrub habitat available to wildlife for movement, reproduction, and foraging. This was analyzed in the OCP EIR and determined to be a significant and unavoidable, impact. Given the proximity to U.S. 101, residential development on surrounding parcels, and the frequency of disturbance and persistent grazing pressure, these portions of the development site have lower value to wildlife. Nonetheless, use of the grasslands by wildlife would still be expected, and buildout under the development plan would further reduce the wildlife habitat value. Although loss of habitat in the northern portion and subsequently wildlife movement is expected, based on the current site plan, residential development is expected to be sited outside of the open space area, including Orcutt Creek. These open space areas would maintain a corridor for wildlife movement on a regional scale despite the loss of habitat in the northern portion of the Key Site. However, indirect effects to wildlife movement may occur from an increase in light and noise disturbance, as well as an increased presence of domestic animals and humans. These factors may discourage the use of Orcutt Creek (a natural corridor) and surrounding natural habitat. Impacts to wildlife movement would be potentially significant.

Mitigation Measures. Those mitigation measures above which aim to preserve habitat would apply as well as BIO-1(a). In addition, the following mitigation measures are also required to mitigate impacts to wildlife corridors on-site:

BIO-3(a) **Development Restriction.** The **owner/**applicant shall restrict trail development within the Open Space Area to the minimum area necessary. All trails and bicycle paths shall be sited and designed to minimize erosion and removal of native vegetation and to encourage sustainable low maintenance. To the maximum extent feasible, trails shall follow existing dirt road and trail alignments. Where this is not possible, prior to final trail alignment of these trail segments, the proposed trail route shall be surveyed by a P&D-qualified botanist. The botanist, in consultation with P&D, shall reroute the trail alignment to avoid sensitive species. Bicycle path construction shall avoid removal of riparian vegetation to the maximum extent feasible.

Plan Requirements and Timing: The **owner/**applicant shall dedicate, through a dedication on the final map, the open space in fee to the County for open space and public trails purposes, as identified on **the** approved Development Plan and Tentative Tract Map, and shall develop the trail system including fencing and signage and any necessary trail structures to standards and specifications of the Orcutt Community Plan (Orcutt Multiple Use Trails Plan and Trail Siting and Design Guidelines) and the County Community Services Department, Parks Division. The developer shall be responsible for the construction and maintenance of the trail system for two years, at which time the Orcutt Community Facilities District, would assume maintenance responsibility. Prior to recordation of the final map ~~recordation the lot line adjustment and land use clearance~~ for the final development plan: (1) The **owner/**applicant shall submit trail system plans, including specific alignment and landscaping, fencing, and signage, and maintenance funding/responsibility, for review and approval by Planning and Development (P&D) and Community Services Department - Parks Division; (2) A performance security for trail installation and maintenance shall be submitted by the **owner/** applicant to P&D for review and approval. **Timing:** The trail system shall be constructed as part of initial tract improvements, prior to the issuance of occupancy clearance for dwellings along the perimeter of the open space.

Monitoring: P&D Permit Compliance staff and Parks Division staff shall monitor trail and bike path installation in accordance with the approved plans.

BIO-3(b) **Open Space Management Plan**. The **owner/**applicant shall develop an Open Space Management Plan (OSMP) in consultation with County staff. Areas designated as Open Space within Key Site 3 shall be described within the OSMP and shall be managed in perpetuity to ensure long-term protection of native plant

communities, as well as wildlife habitat in the open space areas on site. The OSMP is intended as a tool to guide approved future uses within the Open Space Area, such as trail development/maintenance and other recreational uses, ensuring that required on-site mitigation measures are implemented as they relate to the above mentioned resources. Implementation of applicable measures within the Open Space Area shall remain the responsibility of the project **owner/**applicant within the five year monitoring period with the County's responsibilities limited to monitoring and enforcement of applicable mitigation measures embodied in the OSMP. The restoration plan identified in Mitigation Measure BIO-1(a) may also be incorporated as part of the OSMP if the restoration areas are located in the open space.

Plan Requirements and Timing. The OSMP shall be prepared by a County-approved biologist and shall include the following:

- Introduction, including a summary of applicable conditions of approval that make the Plan necessary; the stated purpose and Goal of the Plan (usually this will be based on the mitigation requirements), and a discussion of financial mechanisms and any necessary agreements required to support the Open Space Management Area;
- Survey and Mapping Methods, including habitat type references such as Holland (1986) and Sawyer, Keeler-Wolf and Evens (2009);
- Description of Environmental Setting, including description of project and open space area (topography, soils, vegetation, wildlife, functions and values of habitats, etc.);
- Management Goals and Objectives; (Examples include: (1) to ensure long-term protection of native plant communities, cultural resources, and wildlife habitat in the open space areas on site; (2) to establish baseline conditions upon which adaptive management will be determined and success will be measured; and (3) to provide an overview of the operation, maintenance, administrative and personnel requirements to implement management goals);
- Provisions for Adaptive Management, including remedial actions if necessary;
- Monitoring and reporting for 5 years; and
- Detailed maps showing locations of resources, trails, fuel management requirements, and locations of all proposed actions (e.g., restoration areas, weed removal areas, etc.).

The Final OSMP shall be submitted to the County for review prior to **zoning clearance issuance** ~~land use clearance~~ for grading and subdivision improvements.

Monitoring. The County will review the Final OSMP to ensure that it meets the specified purpose and objectives of this mitigation.

BIO-3(c) **Wildlife Impact Avoidance** (*includes modification of Mitigation Measures BIO-6 and KS3-BIO-6 in the OCP EIR).* The **owner/**applicant shall design the development to incorporate the following measures to reduce impacts to wildlife following occupancy:

- Roadway widths adjacent to open space areas shall be reduced to the minimum width possible while maintaining Fire Department Requirements for emergency access.
- Appropriate signage warning residents of the potential presence of wild animals on roadways and bike paths shall be installed along roads adjacent to open space areas. In addition, interpretative educational signage discussing sensitive resources on-site (e.g., Orcutt Creek, central dune scrub, oak woodland, rare plants and animals etc.) shall be installed along all bike paths, hiking trails and rest areas. Information on educational signage shall be developed by a County-approved biologist. Such signage shall be maintained by the developer or HOA **for two years, at which time the Orcutt Community Facilities district would assume maintenance responsibility**.
- Utilities, such as electrical, water and sewer, shall be installed under paved roads and sidewalks wherever possible.
- Information brochures shall be provided to potential buyers and included as an attachment to the subdivision's CC&Rs outlining the impacts associated with non-native animals, (especially feral cats and dogs), impacts associated with introduction of invasive landscaping plants, and impacts associated with use of pesticides. The information brochures shall also inform potential buyers of the potential for wild animals, such as coyotes, to prey upon domestic animals.

Plan Requirements and Timing. Grading**, zoning clearance,** and building plans shall include the above measures and shall be submitted to P&D for review and approval prior to issuance of **zoning** ~~land use~~ clearance for grading and subdivision improvements. The information brochure shall be submitted to P&D for review and approval prior to zoning clearance for the first residence.

Monitoring. P&D shall site inspect upon completion of construction.

BIO-3(d) **Fence Design.** Project fencing for accessory components (i.e. roads, trail, etc.) shall be designed to minimize impacts to wildlife. Fencing shall not block wildlife movement. Where fencing is required for public safety concerns, the fence shall be designed to permit wildlife movement by incorporating design features such as:

- A minimum **of** 18 inches between the ground and the bottom of the fence to provide clearance for small animals;
- A minimum **of** 12 inches between the top two wires, or top the fence with a wooden rail, mesh, or chain link instead of wire to prevent animals from becoming entangled; and
- If privacy fencing is required near open space areas, openings at the bottom of the fence measure at least 16 inches in diameter shall be installed at reasonable intervals to allow wildlife movement.

Plan Requirements and Timing. Grading**, zoning clearance,** and building plans shall include the above measures and shall be submitted to P&D for review and approval prior to issuance of ~~land use~~ **zoning** clearance for grading and subdivision improvements. The information brochure shall be submitted to P&D for review and approval prior to zoning clearance for the first residence.

Monitoring. P&D shall site inspect upon completion of construction.

BIO-3(e) **Lighting Plan** (*modification of OCP EIR Mitigation Measure KS3-BIO-6*)**.** The applicant**/owner** shall develop a lighting plan for the entire development that shall reduce light pollution in open space habitat areas. All exterior lighting features within 100 feet of open space shall include **the** installation of hoods **so that the lights are fully shielded and full cut-off** to prevent "spill-over" into adjacent habitat. Night lighting of public areas shall be kept at the minimum necessary for safety purposes. Excessive night lighting, shall not be permitted within 100 feet of open space areas. No lighting shall be permitted along the multi-use trail along Orcutt Creek. Use of high-intensity floodlights on residential lots shall be restricted as stated above, and all residential lighting shall be **fully** shielded **and full cut-off**.

Plan Requirements and Timing. The **owner/**applicant shall submit the Lighting Plan to Planning and Development (P&D) **and the Board of Architectural Review** for review and approval prior to issuance of **Zoning Clearance** ~~Land Use Permits.~~

Monitoring. P&D **permit compliance monitoring staff** shall site inspect all exterior light fixtures after installation to ensure compliance.

Significance After Mitigation. The ~~above measures and considering the~~ majority of the site ~~will be preserved as a contiguous patch of open space, which includes~~ **including** Orcutt Creek, will be preserved **as a contiguous patch of open space** ~~and aid~~ to maintain regional connectivity**. Preservation of this on-site open space, in addition to implementation of**~~,~~ these mitigation measures would reduce impacts to wildlife movement to a less than significant level (Class II).

Impact BIO-4 Construction activities may permanently degrade native habitat through vegetation removal, subsequent weed invasion, erosion, and siltation.

The OCP EIR focused on overall impacts due to loss of habitat to development. It did not specify reducing impacts due to temporary habitat loss during construction. Rare plants and animals may become temporarily and permanently impacted during construction of the proposed development due to habitat disturbance, erosion of graded areas, and accumulation of trash and debris. Impacts to native habitats and species may also result from invasion of non-native plant species in areas disturbed by construction activities. These impacts would be potentially significant.

Mitigation Measures. ~~The~~ **In addition to the BMPs outlined in Mitigation Measure WR-2(b) in Section 4.12, the** following mitigation measures are required to mitigate temporary impacts resulting from construction activities.

BIO-4(a) **Construction Best Management Practices (BMPs)**. ~~In addition to the BMPs outlined in WR-2(b) in Section 4.12 of this SEIR, the~~ **The** following BMPs shall be implemented:

- Installation of construction fencing five (5) feet outside of the disturbance limits of active grading areas. The disturbance areas and fencing shall not encroach closer than 30 feet to sensitive habitats.
- Designation of a 15 mph speed limit in all construction areas.
- Designation of equipment washout and fueling areas to be located within the limits of grading at a minimum of 500 feet from Orcutt Creek and/or other sensitive resources. Washout areas shall be designed to fully contain polluted water and materials for subsequent removal from the site.
- Mufflers shall be used on all construction equipment and light trucks shall be in good operating condition.
- Drip pans shall be placed under all stationary vehicles and mechanical equipment.
- All trash that may attract predators shall be properly contained, removed from the work site weekly, and disposed of regularly. Following completion of -construction, all trash

and construction debris shall be removed from the work areas immediately.

- Sensitive vegetation removed by accident during construction shall be restored.

Plan Requirements and Timing. ~~Revised g~~**G**rading and construction plans showing all BMPs shall be submitted to P&D for review and approval prior to **zoning clearance issuance** ~~approval of land use clearance~~ for grading and subdivision improvements.

Monitoring. P&D **building and safety** shall oversee implementation of BMPs through periodic construction site inspections of at least once per week throughout the duration of construction activities.

BIO-4(b) **Invasive Weed Prevention.** All disturbed areas shall be hydroseeded with a mix of locally native species upon completion of work in those areas. In areas where construction is ongoing, hydroseeding shall occur where no construction activities have occurred within six (6) months since ground disturbing activities ceased. If exotic species invade these areas prior to hydroseeding, weed removal shall occur in consultation with a qualified biologist, and in accordance with the habitat restoration plan.

Plan Requirements and Timing. This measure shall be included on all grading**, zoning clearance,** and construction plans. P&D shall review and approve the list of native seed to be used for hydroseeding, prior to **zoning clearance issuance** ~~land use clearance~~ for grading and subdivision improvements. P&D shall be notified when hydroseeding occurs.

Monitoring. P&D **permit compliance and/or building and safety grading inspector** shall ensure disturbed areas are not left barren for greater than six months.

Significance After Mitigation. Mitigation Measure BIO-3(a), in combination with Mitigation Measure WR-2(b) would protect Orcutt Creek from increased erosion and sedimentation that could result from disturbed surfaces during construction of the project and would reduce impacts from prevent wildlife from being harmed by activities related to the construction of the project. Mitigation Measure BIO-4(b) would prevent the establishment of invasive, non-native plant species in areas disturbed by construction activities. Implementation of these measures would reduce the construction impacts to less than significant (Class II).

Impact BIO-5 Impacts to special status plants could occur as a result of development of Key Site 3.

Site-specific analysis of development impacts for Key Site 3 in the OCP EIR did not consider impacts to special status plant species. Many of the special status plant species which regionally occur are not expected to occur on site because they do not inhabit non-native grasslands, or shrubland habitats, such as coastal scrub or chaparral. However, twenty-eight special status plant species are known to occur or have potential to occur, based on the presence of suitable habitat, within Key Site 3 and include:

- sand mesa manzanita (*Arctostaphylos rudis*) – CRPR 1B.2
- Lompoc ceanothus (*Ceanothus cuneatus* var. *fascicularis*) – CRPR 4.2
- seaside bird's-beak (*Cordylanthus rigidus* ssp. *littoralis*) – state Endangered, CRPR 1B.1
- paniculate tarplant (*Deinandra paniculata*) – CRPR 4.2
- dune larkspur (*Delphinium parryi* ssp. *blochmaniae*) – CRPR List 1B.2
- Saint's daisy (*Erigeron sanctarum*) – CRPR List 4.2
- Lompoc yerba santa (*Eriodictyon capitatum*) – federally Endangered, state Rare, CRPR 1B.2
- San Luis Obispo wallflower (*Erysimum capitatum* ssp. *lompocense*) – CRPR 4.2
- mesa horkelia (*Horkelia cuneata* ssp. *puberula*) – CRPR 1B.1
- Robinson's pepper-grass (*Lepidium virginicum* var. *robinsonii*) – CRPR 1B.2
- Vandenberg monkeyflower (*Mimulus fremontii* var. *vandenbergensis*) – Federally Endangered; CRPR 1B.1
- Southern curly-leaved monardella (*Monardella sinuata* ssp. *sinuata*) – CRPR 1B.2
- California spineflower (*Mucronea californica*) - CRPR 4.2
- black-flowered figwort (*Scrophularia atrata*) – CRPR 1B.2
- Hoover's bent grass (*Agrostis hooveri*) – CRPR 1B.2
- Douglas' fiddleneck (*Amsinckia douglasiana*) – CRPR 4.2
- Cambria morning glory (*Calystegia subacaulis* ssp. *episcopalis*) – 4.2
- Monterey Ceanothus (*Ceanothus rigidus*) – 4.2
- Island mountain mahogany (*Cercocarpus betuloides* var. *blancheae*) – 4.3
- Gaviota tarplant (*Deinandra increscens* ssp. *villosa*) – federally endangered, state Endangered, CRPR 1B.1
- Blochman's leafy daisy (*Erigeron blochmaniae*) – CRPR 1B.2
- Kellogg's horkelia (*Horkelia cuneata* var. *puberula*) – CRPR 1B.1
- Santa Barbara honey suckle (*Lonicera subspicata* var. *subspicata*) – 1B.2
- Jones' brushmallow (*Malacothamnus jonesii*) – CRPR 4.3
- Point Arguello monardella (*Monardella undulata* ssp. *arguelloensis*) – CRPR 1B.1
- Short-lobed broom rape (*Orobanche parishii* ssp. *brachyloba*) – CRPR 4.2
- South coast branching phacelia (*Phacelia ramosissima* var. *austrolitoralis*) – CRPR 3.2
- Chaparral ragwort (*Senecio aphanactis*) – CRPR 2B.2

Of these, six were reported by LFR, and/or observed by Rincon during site visits:

- sand mesa manzanita
- Lompoc ceanothus
- paniculate tarplant
- dune larkspur
- Lompoc wallflower
- California spineflower

LFR visited the project site nine times from November 2006 to March 2009. Site visits occurred on November 7, 15, and 21, 2006, May 23 and 24, 2007, August 15, 2007, August 26, 2008, April 22, 2009, and March 30, 2009. No more than two site visits were conducted during any spring/summer bloom period during any year. In order to more accurately determine the presence/absence of special status plant species on-site, additional surveys could have been conducted throughout each species' bloom period, particularly during drought years. In addition, the information collected during these floristic surveys indicate conditions on site approximately five years ago, and as such the distribution and presence of special status plant species may change by the time of project implementation.

LFR's report (2009c) indicated that special status plant species were only observed south of Orcutt Creek where habitat is far less disturbed than to the north of the creek (LFR, 2009c). Historical photographs provided in LFR's report indicate that vegetation has been cleared at various times on both the floodplain and northern mesa, likely for agricultural purposes. In addition, these areas are routinely grazed. These areas are currently occupied by dense, non-native grassland with coyote brush-dominated coastal scrub also present on the flood plain. Based on the limits of disturbance that this SEIR analyzes, impacts to known locations of special status plant species are not expected. However, because focused botanical surveys which encompass the bloom periods of special status plant species that may occur on-site were not conducted, actual impacts to special status plant species cannot be fully ascertained, if present.

Direct impacts to special status plant species include direct mortality of individual special status plant species during construction of the proposed development. Indirect impacts include invasion by non-native weeds into areas disturbed by construction activities (addressed in Impact BIO-5 above). Impacts to special status plant species would be potentially significant.

Mitigation Measures. OCP EIR Mitigation BIO-29 requires a mitigation plan wherever impacts to rare plants occur and encourages consultation with CDFW. Restoration meeting the requirements of Mitigation Measure BIO-1(a) (habitat restoration plan) would be applied as a modification of OCP EIR BIO-29, where special status plants cannot be avoided, and where they occur in an area of sensitive habitat such as central dune scrub. The following additional mitigation measures are also required:

BIO-5(a) **Special Status Plant Surveys.** Prior to any vegetation removal, grubbing, or construction activities, **s**easonally timed special status plant surveys shall be conducted by a County-approved biologist in any building areas no more than two years before initial ground disturbance. The purpose of the surveys is to document the number, if any, of sensitive plants within construction areas so that mitigation can be accomplished. The surveys shall coincide with the bloom periods for each species ~~listed above~~ and all special status plant species identified on-site shall be mapped onto a site-specific aerial photograph and topographic map at a scale of no less than 1″=200′. Surveys shall be conducted in accordance with the most current protocols

established by the CDFW, USFWS, and the local jurisdictions if said protocols exist.

Plan Requirements and Timing. A report of the rare plant survey results shall be submitting to P&D for review prior to **zoning clearance issuance** ~~land~~ use clearance for grading and subdivision improvements~~, and prior to zoning clearance for development of each estate lot, if grading on each of these lots is not conducted concurrent with subdivision improvements serving the estate lots~~. Mapped locations of rare plants shall be shown on grading plans.

Monitoring. P&D shall ensure that the rare plant surveys have been completed.

BIO-5(b) **Special Status Plant Avoidance and Minimization.** If List 1B species are found during the special status plant species surveys, the **owner/**applicant shall avoid impacting these plant species to the greatest extent feasible. If avoidance is not feasible, the project shall mitigate impacts to special status plan**t**s pursuant to Mitigation Measure BIO-**5**~~6~~(c). Rare plant occurrences that are not within the immediate disturbance footprint, but are located within 50 feet of disturbance limits shall have bright orange protective fencing installed at least 30 feet beyond their extent to protect them from harm.

Plan Requirements and Timing. The **owner/**applicant shall submit revised tract and/or development plans, as applicable, indicating the location of rare plants to P&D for review and approval prior to **zoning clearance issuance** ~~land use clearance~~ for grading and subdivision improvements. P&D **permit compliance monitoring staff** shall inspect the site prior to initiation of ground disturbance activities to ensure the protective fencing is installed properly.

Monitoring. P&D shall ensure that the proposed development avoids impacts to rare plant species to the greatest extent feasible. The protective fencing shall be monitored weekly until construction is complete.

BIO-5(c) **Special Status Plant Mitigation.** If avoidance of List 1B species is not feasible, seed shall be collected from on-site rare plants and/or from other local populations of plants, prior to removal. Seed shall be distributed in areas not destined for development that have the appropriate habitat characteristics necessary to support the restoration. Permits shall be obtained by the developer prior to seed collection from the federal and/or state government, where applicable. Existing occurrences to be protected could also be enhanced to increase the areal extent and numbers of the

occurrence. Topsoil may also be salvaged and distributed over temporarily disturbed areas following completion of construction activities.

The total number or total acreage for each special status plant species shall be determined prior to initiation of ground disturbance activities in any areas containing such species and shall be restored on-site at a County-approved location at a 2:1 ratio for each species. Restoration may be focused in areas temporarily disturbed by grading activities and may coincide with Central Dune Scrub and/or Central Maritime Chaparral habitat restoration (if appropriate), but should occur south of Orcutt Creek to the greatest extent feasible. A restoration plan that includes monitoring requirements and follow up reporting shall be prepared in accordance with Mitigation Measure BIO-1(b) above. The plan shall be in place for no less than five years.

Plan Requirements and Timing. The **owner/**applicant shall submit the mitigation and monitoring plan to P&D for review and approval prior to **zoning clearance issuance** ~~land use clearance~~ for grading and subdivision improvements~~, and prior to zoning clearance for development of each estate lot, if grading on each of these lots is not conducted concurrent with subdivision improvements serving the estate lots~~.

Monitoring. P&D shall ensure that the proposed development avoids impacts to rare plant species to greatest extent feasible.

BIO-5(d) **CDFW and USFWS Consultation**. If the results of the rare plant surveys indicate that rare plants listed under CESA or FESA occur on-site, and they cannot feasibly be avoided by the proposed development, consultation with CDFW and/or USFWS shall be required. If any state or federally listed plant is identified onsite, and cannot be avoided, then an incidental take permit from the CDFW will be required which would likely include avoidance and minimization measures similar to BIO-6(b) A mitigation plan developed in accordance with Mitigation Measure BIO-2(a) shall be developed and submitted to CDFW as well as the County for approval.

Plan Requirements and Timing. If applicable, a copy of the CESA Incidental Take Permit shall be filed with P&D prior to **zoning clearance issuance** ~~land use clearance~~ for grading and subdivision improvements~~, and prior to zoning clearance for development of each estate lot, if grading on each of these lots is not conducted concurrent with subdivision improvements serving the estate lots~~.

Monitoring. P&D shall ensure that all required documentation is received prior to initiation of construction activities and shall oversee implementation of mitigation plans.

Significance After Mitigation. Implementation of restoration per Mitigation Measure BIO-4(a) and the above mitigation measures BIO-5(a) through BIO-5(c) would offset impacts to special status plant species by requiring appropriately timed sensitive plant surveys, avoidance and minimization of impacts to special status plant species, and a mitigation plan for impacts to formally-listed rare plants. Implementation of these mitigation measures would effectively reduce impacts to special status plant species to a less than significant level (Class II).

Impact BIO-6 Implementation of the proposed project would result in potential impacts to special status animal species.

While the OCP EIR addressed impacts of site development to general wildlife habitats and movement corridors, it did not address impacts to specific special status animal species that may occur on-site. No impacts to federally or state listed species are expected. Two special status animal species were observed during site visits to Key Site 3 including the loggerhead shrike (impacts and mitigation discussed under nesting birds) and monarch butterfly (locally protected). Impacts to monarch butterflies are not expected considering the trees found on site do not provide suitable overwintering areas. Six other special status animals have the potential to occur on-site and be impacted by the proposed project, based the presence of suitable habitat including:

- American badger (*Taxidea taxus*) – California Species of Special Concern
- Western red bat (*Lasiurus blossevillii*) – California Species of Special Concern
- Burrowing owl (*Athene cunicularia*) – California Species of Special Concern
- Coast horned lizard (*Phrynosoma blainvillii*) – California Species of Special Concern
- Silvery legless lizard (*Anniella pulchra pulchra*) – California Species of Special Concern
- Coast patch-nosed snake (*Salvadora hexalepis virgultea*) – California Species of Special Concern

No evidence of western red bats was found on-site; however, trees suitable for roosting as well as foraging habitat can be found within or adjacent to the key site and impact area. No direct impacts to roosting bats are expected as no trees are expected to be removed. Impacts to western red bats, if present, would include disturbance from construction in the vicinity of roost trees, including oak trees in the vicinity of Orcutt Creek. Impacts to foraging western red bats are not expected considering this species forages during the time of day when active construction is unlikely.

No evidence of American badgers was found on-site; however, suitable habitat is located within the impact area. American badgers are also highly mobile and are expected to be present throughout the region. American badgers could be found on-site at any time of the year. Direct impacts could result if ground disturbing activities directly affect an occupied American badger den.

No evidence of burrowing owl activity was observed on-site however the open grassland areas, which do contain California ground squirrel (*Otospermophilus beecheyi*) burrows, on the northern mesa provides potentially suitable habitat for this species. If burrowing owls nest within or adjacent to the impact area at the time of construction; direct impacts to the species may occur in the form of mortality, injury and/or harassment.

Suitable habitat for the coast patch-nosed snake, silvery legless lizard, and coast horned lizard occurs within the chaparral and scrub areas within the key site and impact area. Direct impacts to these species would occur during ground disturbance in the form of harassment and/or injury, if present.

In addition to the special status animal species discussed above, several birds species protected by the CFGC and the MBTA may also nest in any of the trees and shrubs on-site which are also found within the impact area and within 200-feet. Development within the key site may result in direct or indirect impacts to nesting bird species, should they be present within and/or in the immediate vicinity of areas of disturbance at the time of construction.

Impacts to special status animal species, including nesting birds, due to implementation of the proposed project would be potentially significant.

Mitigation Measures. The following mitigation measures are required to mitigate impacts to special status animal species.

BIO-6(a) **Worker Environmental Awareness Program (WEAP)**. Prior to initiation of construction activities (including staging and mobilization), all personnel associated with project construction shall attend WEAP training, conducted by a **County-approved** qualified biologist, to aid workers in recognizing special status resources that may occur in the project area. The specifics of this program shall include identification of the sensitive species and habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employers, and other personnel involved with construction of the project. All employees shall sign a form documenting provided by the trainer indicating they have attended the WEAP and understand the information presented to them. The form shall be submitted to the County to document compliance.

Plan Requirements and Timing. P&D shall be notified by the developer of the date and time the training is scheduled so that they may attend. Fact sheets shall be reviewed and approved by P&D prior to conducting the training. All employees shall sign a sheet documenting their attendance. **The WEAP training shall be**

completed prior to zoning clearance issuance for grading and tract improvements.

Monitoring. P&D shall ensure that worker trainings occur prior to initiation of **ground disturbance and** construction activities **as well as during construction as needed**.

BIO-6(b) **Special Status Bats Avoidance and Minimization.** The following measures are designed to reduce the potential for adverse impacts to bat species.

- To the extent feasible removal of suitable roosting trees should be avoided.
- Surveys for roosting bats shall be conducted by a **County-approved** qualified biologist **in suitable habitat** no more than 14 days prior to **the initiation of ground disturbing activities and/or** vegetation removal. The surveys shall **focus on trees located within the disturbance area** ~~include the entire area of disturbance area and focus on the trees located within the impact area~~. If active roosts are located, **the locations shall be mapped, and a buffer ranging in size from 100 to 500 feet around the roost within the project site shall be determined and demarcated by a County-approved biologist with bright orange construction fencing.** ~~all~~ **All** construction work shall be conducted outside ~~a~~ **of the** buffer zone **until** ~~from the roost to be determined by the qualified biologist. Work may resume within this buffer zone when~~ the **County-approved** qualified biologist determines that bats are not occupying roosting trees.
- ~~To the extent feasible and if applicable, night time work shall be kept to a minimum and lighting used shall be as dim as legally possible, should be directed to where it is needed to avoid light spillage and any upward lighting should be minimized.~~

Plan Requirements and Timing. The name, qualifications, scope **of biological surveys**, and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. A report of the results of the bat survey shall be submitted to P&D for review and approval prior to **zoning clearance issuance for** initiation of ground-disturbing activities. **The above measures shall be included on all grading, building, and zoning clearance plans.**

Monitoring. The owner/ applicant shall retain a qualified County-approved biologist to monitor all construction activities as warranted to ensure compliance. P&D will review and approve **the** reports. A **County-approved** qualified biologist shall be present during the initial ground-disturbing activity within roosting habitat.

BIO-6(c) **Nesting Bird Surveys.** For construction activities occurring during the nesting season (generally February 1 to September 15), surveys for nesting birds covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a **County-approved** qualified biologist no more than 14 days prior to vegetation removal. The surveys shall include the entire area of impact plus a 200-foot buffer around the site. If active nests **(nests with eggs or chicks)** are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer shall be a minimum of 50 feet for non-raptor bird species and at least 150 feet for raptor species. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer.

Plan Requirements and Timing. Surveys shall be conducted during the time when birds are active, and shall be sufficient to reliably conclude presence/absence. The name, qualifications, scope, and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. A report of the nesting bird survey results, if applicable, shall be submitted to P&D for review and approval prior to **zoning clearance issuance for** initiation of ground disturbance activities.

Monitoring. P&D shall confirm that the owner/applicant has retained a County-approved biologist to monitor compliance with the above measures and that reports are submitted at weekly intervals during construction. Active nests shall be monitored at a minimum of once per week until it has been determined that the nest is no longer being used by either the young or adults.

BIO-6(d) **American Badger Avoidance and Minimization.** A minimum of two weeks prior to initiation of ground disturbing activities, a survey for badger burrows shall be conducted within the disturbance footprint by a County-approved biologist. If the project is phased, a survey shall be required prior to each phase of construction. Dens found within the survey area shall be mapped and monitored using a tracking medium, remote camera system, and/or spotlighting at night for a minimum of three days to assess the presence of badgers. Inactive dens shall be collapsed by hand with a shovel to prevent badgers from re-using them during construction. Active dens located within the survey area shall be

avoided during the breeding season (March 1 through June 30). A minimum buffer of 50 feet around the active den within the project site shall be demarcated by construction fencing. The fencing shall be installed one foot above ground to permit movement of badgers in and out of the buffer zone. Once the biologist has determined that active dens are no longer in use, the den shall be collapsed by shovel. Prior to grading activities occurring outside of the breeding season, badgers may be discouraged from using currently active dens by partially blocking the entrance of the den with sticks, debris, and soil for 3 to 5 days. Access to the den would be incrementally blocked to a greater degree over this period. This would cause the badger to abandon the den site and move elsewhere. After badgers have stopped using active dens within the project study area, the dens would be collapsed by hand with a shovel.

Plan Requirements and Timing. The name, qualifications, scope, and contact information for the surveying biologist must be submitted to P&D **and CDFW** in advance of the surveys. **The above measures shall be included on all grading, building and zoning clearance plans for grading and tract improvements.** A report of the results of the badger survey shall be submitted to P&D for review and approval prior to **zoning clearance issuance for** initiation of ground-disturbing activities.

Monitoring. P&D will review and approve **the** reports. A **County-approved** qualified biologist shall be present during the initial ground-disturbing activity.

BIO-6(e) **Legless Lizard, Coast Patch-nosed Snake, and Horned Lizard Relocation**. At a minimum of two weeks prior to initiation of ground disturbing activities and vegetation removal, a County-approved biologist shall conduct capture and relocation efforts for silvery legless lizards, coast patch-nosed snakes, and coast horned lizards within the limits of grading. If the project is phased, a survey shall be required prior to each phase of construction. Designated open space areas on-site or at County-approved off-site locations shall be identified for release of captured individuals. Surveys for legless lizards, coast patch-nosed snakes, and horned lizards shall include raking of leaf litter and sand under shrub and trees in suitable habitat within the disturbance footprint to a minimum depth of eight inches. Captured animals shall be placed into containers with sand or moist paper towels and released in the designated areas within three hours. In addition to preconstruction surveys, the biologist shall be on-site during initial grading activities to relocate any California legless lizards that are unearthed during excavation. If in good health, they shall be immediately relocated to the designated relocation

area. If injured, the animals shall be turned over to a CDFW-approved specialist until they are in a condition suitable for release into the designated release area, or deposited at an approved vertebrate museum. During capture and relocation, weekly monitoring reports shall be submitted by the biologist to P&D.

Plan Requirements and Timing. The name, qualifications, scope, and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. Proposed relocation areas shall be identified and approved by P&D prior to beginning the work. A report of the results of the capture and relocation efforts shall be submitted to P&D for review prior to **the issuance of zoning clearance for** initiation of ground-disturbing activities.

Monitoring. P&D shall review the reports for compliance and shall inspect the site during construction to ensure compliance.

BIO-6(f) **Burrowing Owl Avoidance and Minimization.** Pre-construction surveys shall be conducted **no more than two weeks prior to ground-disturbing activities by a County-approved biologist** for burrowing owls in accordance with CDFW-adopted survey protocols (California Burrowing Owl Consortium, 1993). This could entail surveys for winter residents in December and January, in addition to peak nesting season (April 15 through July 15) surveys. All suitable habitat, potential or known burrows or burrowing owls identified onsite **and within the 500 foot buffer** shall be assessed and mapped. Survey results will be valid only for the season during which the survey is conducted. Surveys shall cover all suitable habitat on-site plus a 500-foot buffer where feasible. If no burrowing owls or habitat are detected, no further action is required.

If, during pre-construction surveys, burrowing owls are detected on-site or within the survey area, all burrowing owls and occupied burrows shall be counted, mapped as stated above, and avoided by establishing a buffer around the occupied burrow(s). The buffer shall be a minimum of 300 feet around nest burrows and 100 feet around non-nest burrows. Buffers shall be demarcated with highly visible construction fencing and no ground disturbance activities shall occur within this buffer until the qualified biologist has determined that the burrow is no longer occupied **based on regular monitoring**. If an occupied burrow cannot be avoided, passive relocation may be implemented by the County-approved biologist with guidance from the CDFW. No burrowing owls may be trapped. Passive relocation shall be limited to the non-breeding season (typically between April 15 and July 15). Passive relocation may involve installation of one-way doors at burrow entrances for a minimum of five days. Once the County-approved biologist has determined that the burrow is no longer occupied, the burrow may be hand excavated to prevent re-occupancy.

Plan Requirements and Timing. The name, qualifications, scope **of biological surveys**, and contact information for the surveying biologist must be submitted to P&D in advance of the surveys. The biologist implementing the above mitigation measure must also submit documentation of coordinating this effort with the CDFW prior to implementation. The above impact avoidance measure shall be included on all grading**, zoning clearance,** and construction plans prior to **zoning clearance issuance** ~~approval of land use permits~~. A report on the implementation of impact avoidance measures used shall be submitted to ~~the County~~ **P&D** and CDFW upon completion of the construction project.

Monitoring. P&D and CDFW will review reports and P&D will approve reports. The **owner/**applicant shall retain a qualified County-approved biologist to monitor all construction activities as warranted to ensure compliance. **The County-approved biologists shall submit monitoring reports to P&D permit compliance monitoring staff.**

Significance After Mitigation. Implementation of these mitigation measures would reduce direct impacts to special status animal species to less than significant (Class II).

d. Cumulative Impacts. Significance for cumulative impacts to biological resources are based upon:

- *The cumulative contribution of other approved and proposed development to fragmentation of open space in the project site's vicinity;*
- *The loss of sensitive habitats and species;*
- *Contribution of the proposed project to urban expansion into natural areas; and*
- *Isolation of open space within the proposed project by future projects in the vicinity.*

Cumulative development in the Orcutt area has permanently eliminated tracts of native plant communities, and some native plant communities are now classified as rare or threatened. The proposed project, including development of the MR-O zone, would contribute incrementally to habitat loss within the Orcutt area, particularly in southern Orcutt where a number of key sites feature important sensitive resources. Native habitats support native wildlife species, many of which cannot survive in, or do not adapt to, the noise and disturbance associated with residential and urban developments. Species that do tolerate developed, landscaped, and disturbed sites include aggressive, non-native species that further displace native plants and wildlife, or may prey upon native species. The proposed project, both directly and indirectly, will contribute to the gradual reduction and fragmentation of native habitats (including sensitive habitats), loss of native plant species diversity and populations, and reduction in and potential loss of native wildlife diversity and populations. While many of the impacts to specific special status species are mitigated to a level less than significant in this SEIR, the project's contribution to cumulative impacts to sensitive habitats and to habitat loss in general would be potentially significant. Cumulative impact of development of the key site in the broader OCP area was already addressed in the OCP EIR and determined to be significant and unavoidable (Class I).

4.4 CULTURAL RESOURCES

4.4.1 Setting

a. Regional Setting. A summary of the prehistory and history of the general project area is provided below.

Prehistory. At European contact, the region was occupied by the Chumash, a diverse population living in settlements along the California coast from Malibu Creek in the south to Estero Bay in the north, and from Tejon Pass, Lake Casitas and the Cuyama River inland to the islands of San Miguel, Santa Rosa, and Santa Cruz. Chumash society became increasingly complex over the past 9,000 years (Wallace 1955, Warren 1968). Wallace (1955) and Warren (1968) developed chronologies for the region. Chester King (1981) proposed sequences based on changes in ornaments, beads, and other artifacts. After A.D. 1000, changes in bead types suggested the evolution of new economic subsystems that contributed to the highly developed economic system observed by early Spanish explorers.

Discussion of the Early (6,000 B.C.-1,400 B.C.), Middle (1,400 B.C.-A.D. 1,000), and Late (A.D. 1,000-1542) periods is based on a chronological sequence developed by King (1981) for the Santa Barbara Channel region. The Early Period of the Santa Barbara Channel mainland was originally defined by Rogers (1929) and referred to as the "Oak Grove" Period. The primary diagnostic feature of this period is the milling stone, which was used to grind hard seeds into flour. The Middle Period is characterized by larger and more permanent settlements. Materials from Middle Period sites reflect a greater reliance on marine resources and include marine shells, fish remains, and fishhooks. Toward the end of this period the plank canoe was developed, making ocean fishing and trade with the Channel Islands safer and more efficient (Arnold 1987). Terrestrial resources continued to be exploited as evidenced by the presence of contracting-stemmed and corner-notched projectile points from Middle Period sites (Bamforth 1984). The Late Period was a time of increased social and economic complexity. The population increased, and permanent and semi-permanent villages clustered along the Santa Barbara channel and on the Channel Islands. Trade networks, probably controlled by village chiefs, expanded and played an important part in local Chumash culture, reinforcing status of differences and encouraging craft specialization. Acorns were processed using stone pestles and mortars, and deer were hunted with the bow and arrow. During this period there was an increase in the number of residential base camps and in the diversity of site settings (King 1981; Gamble 2008; Rogers 1929).

Following the 1542 Cabrillo voyage, numerous small Chumash settlements were abandoned and large historic towns were founded. The protohistoric culture of the Chumash is chronologically equated with the arrival of a Spanish expedition led by Gaspar de Portola' in 1769. Subsequently, Chumash culture changed dramatically with the establishment of the Missions of Santa Barbara, Santa Ynez and La Purisima (King 1981; Gamble 2008).

History. Landberg (1965) divided the historic occupation of the project vicinity into three settlement periods: the Mission Period (A.D. 1769-1834), the Mexican Rancho Period (ca. A.D. 1834-1849), and the American Period (ca. A.D. 1849-present). Gaspar de Portola and his crew, who camped at the mouth of the Santa Maria River in July 1769, ushered in the Mission Period.

Construction of the Mission Santa Barbara in 1786, Mission La Purisima Conception in 1787, Mission Santa Ynez in 1808, along with the establishment of numerous ranchos, altered both the physical and cultural landscape of the region. The missions were the center of Spanish influence in the region and affected native patterns of settlement, culture, trade, industry, and agriculture. Following the Mexican Revolution of 1821, California became part of the Republic of Mexico, and secularization of the Mission lands soon followed. The emphasis on cattle-raising in the post-Mission Period marked a shift from stock raising to farming and more intensive land uses marked the advent of the American Period. Major forces of regional change during the last 100 to 125 years include the development of the railroad system, improvements in maritime shipping, the growth of agribusiness concerns, and the development of the oil industry (Landberg 1965; Erlandson et. al. 2008; Gamble 2008).

b. Project Site Setting. The project site is characterized by gently-sloped low hills underlain by ancient sand dune deposits. Slopes in the region are generally less than 20% except on the banks of major creeks and in the Solomon Hills, which make up the southern portion of the site. The soils in the project area are delineated as the Betteravia-Garey Association by the Northern Santa Barbara Area General Soil Map, (USDA, 1971). Soils which underlie the site include: Garey sandy loam 2-9% slopes (GaC2) and Marina sand 2-9% slopes (MaC) in the northern portion; Betteravia loamy sand (dark variant) 0-5% slopes eroded (BnB2), Botella loam 2-15% slopes eroded (BoD2), and Marina sand 9-30% slopes (MaE3) in the central portion; and Arnold sand 15-45% slopes (ArF), throughout south of Orcutt Creek. For more information on soil types and geological formations on the project site, refer to Section 4.6, *Geologic Processes*. Vegetation consists of California Annual Grasses, chaparral, Central Coast Dune Scrub, and scattered oaks.

Previous Studies. The entire 138.6-acre Key Site 3 property, which includes both the 131-acre project site and the 8-acre portion of the Key Site 3 property that was rezoned as part of the Focused Rezone Program, was initially surveyed by Toren and Santoro of ISERA as part of an Archaeological/Historical Report for the Orcutt Community Plan (ISERA, 1995). The 1995 ISERA study identified two cultural resource sites on the property and one isolated find.

A Phase 1 Archeological Study was conducted by Historical Environmental Archaeological Research Team (HEART) in November 2006, for an approximately 10-acre portion of the site in the north-central portion of the Key Site 3 property (HEART, 2006). This study included an on-foot inspection on October 25, 2006, during which no potentially significant cultural resources were observed. A records search conducted as a part of the study revealed no historic properties, no resources listed on the National Register of Historic Places or California Register of Historic Resources, and no California historical landmarks or points of historical interest within the 10-acre subject portion of the property.

In September 2006, an Archaeological Study was conducted for the proposed project by Heritage Discoveries, Inc. (Heritage Discoveries, 2006). The 2006 Heritage Discoveries survey examined the two archaeological sites identified in the 1995 ISERA study, and noted two additional, historic-era archaeological sites. This study included Phase 2 subsurface testing for all four sites. Subsurface artifacts were discovered at three of the four sites, as discussed in greater detail below.

Archaeological Site Descriptions. The two sites originally identified in the 1995 ISERA study included one prehistoric/historic archaeological site and one historic archaeological site:

- *CA-SBa-2735/H: a prehistoric and historic site encompassing 9,668 square meters, located along the western property line, south of Orcutt Creek, with artifacts, shellfish and ceramics, showing use from circa 1900 to circa 1930; and*
- *CA-SBa-2736/H: a historic archaeological site encompassing 5,400 square meters adjacent to U.S. Highway 101, on the northern side of Orcutt Creek, and consisting of a sparse scatter of historic materials dating to the era between 1900 and 1930.*

In addition, the 1995 ISERA study identified an isolated historical find (IF 3-9).

The 2006 Heritage Discoveries survey describes two additional archaeological sites as follows:

- *CA-SBa-3812H: a small surface scatter of early 20th century glassware, ceramics, and food remains dated to the period between 1900 and 1925, located adjacent to Highway 101 in the northern portion of the property; and*
- *CA-SBa-3813H: a low-density surface scatter of early 1900's ceramics on the slope above the Orcutt Creek floodplain.*

Several other historic era archaeological sites have also been recorded within a one-half mile radius of the survey area.

As part of the 2006 Heritage Discoveries study, Phase 2 subsurface testing was performed for all four sites, in order to define the site boundaries and contribute to significance evaluations; however, definitive significance determinations were not made in the report, and instead, all four sites were noted as potentially significant resources with additional evaluation noted as required in the event that sites cannot be avoided. Subsurface artifacts were discovered at three of the four sites: CA-SBa-3812H, CA-SBa-2736/H, and CA-SBa-2735/H. No subsurface artifacts were discovered at CA-SBa-3813H.

Based on the results of the Phase 2 testing, the 2006 Heritage Discoveries study concluded that the CA-SBa-3112H, -2736/H and -2735/H are significant under CEQA under the category of "Recognized significance in California or American history" (quoted from CEQA Appendix K [A][1][1]). The 2006 Heritage Discoveries study states that two themes are present based on the types of artifacts and locations of the sites: CA-SBa-3812H, CA-SBa-3813H, and CA-SBa-2736/H are all related to late 19th century ranching, and CA-SBa-2735/H is a residence or series of residences associated with early 20th century oil development in the Orcutt area. The 2006 Heritage Discoveries study further concludes that although CA-SBa-3813H did not yield subsurface artifacts, it gains additional importance from its association with the other historic sites on the property. The study concludes by providing specific mitigation recommendations for each site if they cannot be avoided. These are summarized below.

- *CA-SBa-3812H*. Avoid the site through a setback or other means; conduct a systematic surface collection of all the artifacts.

[1] *Appendix K of CEQA has since been superseded by CEQA Guidelines Section 15064.4.*

- *CA-SBa-3813H*. Avoid the site through a setback or other means; conduct a systematic surface collection of the artifacts on the eroded slopes.

- *CA-SBa-2736/H*. Avoid the site through a setback or other means; conduct a systematic surface collection of all the artifacts; develop further site-specific mitigation measures if the site cannot be avoided.

- *CA-SBa-2735/H.* The originally proposed project called for a road to cross this site, which is arguably the most important of the four sites. The subsurface testing results indicated that the road would affect the outer edge of the site. As a result, the 2006 Heritage Discoveries study recommended additional subsurface testing to determine if the road would affect the site. He also recommended (1) collection of all artifacts and (2) collection of a sample of artifacts from the dump along the ravine near Orcutt Creek. To date, this additional work has not been conducted. The project was subsequently revised to remove the road from this area; however an access easement and dirt trail through the site are a part of the current proposal.

In 2009, Heritage Discoveries Inc. prepared an updated Phase 1 Archaeological Surface Survey (November, 2009) and a Phase 1 Archaeological Surface Survey for Road Corridors at the KS-3 Project (December, 2009). These 2009 studies involved systematic surface surveys along the eastern road corridor connecting the housing areas north of Orcutt Creek, and the house lots located southwest of Orcutt Creek, and along the road corridor connecting the emergency access point (from Chancellor Street) to the proposed house lots. Both 2009 studies produced conditional negative results for the presence of archaeological resources. Because of poor visibility due to vegetation, however, both 2009 Heritage Discoveries studies recommended archaeological monitoring of initial vegetation clearing and/or grading of the road areas within Key Site 3.

In April 2010, Joyce Gerber, an archaeologist with the County Planning and Development Department, conducted a Phase 1 survey along Chancellor Road. The survey was performed to assess the potential for cultural resources on the road shoulder where widening is required to meet Fire Department access requirements. That survey produced negative results for archaeological resources and, because of poor surface visibility, monitoring of initial clearing or grading for road improvements (Joyce Gerber, personal communication, October 28, 2014).

Site type, approximate location, significance and management recommendations for each site are summarized below in Table 4.4-1. Specific locations and maps are confidential due to the sensitive nature of the archaeological sites described in this EIR.

Table 4.4-1 Archaeological Sites on the Key Site 3 Property

Site #	Site Type & Constituents	Archaeologically Significant	Recommendations (Heritage Discoveries 2006: pp 29-30 and County Guidelines)
CA-SBa-2735/H	Family cabins, shellfish, glass and ceramics on surface, large variety of historic items subsurface	Yes, under CEQA Guidelines Section 15064.4 (a) (3) (A), as a residence or series of residences associated with early 20th century oil development in the Orcutt area	Conduct additional subsurface testing to determine if the road would affect the site. Avoid if possible. Collect all artifacts. Collect a sample of artifacts from associated dump. Develop further site-specific mitigation measures if the site cannot be avoided.
CA-SBa-2736/H	Ranch building, shellfish, glass and ceramics on surface, lCceramics, glass, nails, food subsurface	Yes, under CEQA Guidelines Section 15064.4 (a) (3) (A), late 19th century ranching theme,	Avoid through a setback or other means; systematic surface collection of all artifacts; develop further site-specific mitigation measures if the site cannot be avoided.
CA-SBa-3812H	Trash dump, Bottles, ceramics, food remains	Yes, under CEQA Guidelines Section 15064.4 (a) (3) (A), late 19th century ranching theme	Avoid through a setback or other means; systematic surface collection all artifacts. Develop further site-specific mitigation measures if the site cannot be avoided
CA-SBa-3813H	Ranch structure; no subsurface artifacts	Yes, under CEQA Guidelines Section 15064.4 (a) (3) (A), late 19th century ranching theme & based on context/association with other sites	Avoid through a setback or other means; systematic surface collection of artifacts on eroded slopes. Develop further site-specific mitigation measures if the site cannot be avoided

Source: Archaeological Subsurface Testing Study prepared by Thor Conway of Heritage Discoveries Inc. in September of 2006

c. Regulatory Setting. A cultural resource may be designated as significant by National, State, or local authorities. State historic preservation regulations include the statutes and guidelines contained in CEQA (Public Resources Code Sections 20183.2 and 21084.1 and Section 15064.5 of the CEQA Guidelines). CEQA requires lead agencies to carefully consider the potential effects of a project on historical resources (refer to Section 5.0, *Effects Not Found to be Significant*, for a discussion of historical resources).

The disposition of human remains is governed by Section 7050.5 of the California HSC and Sections 5097.94 and 5097.98 of the Public Resources Code, and falls within the jurisdiction of the Native American Heritage Commission (NAHC).

Section 35.60.040 of the Santa Barbara County Land Use and Development Code (LUDC) describes the County's resource protection standards that relate to historical and archaeological resources in the inland area as well as the coastal zone. Policies, actions, and development standards related to cultural resources in the Orcutt area are described in Section IV.E of the Orcutt Community Plan (OCP).

4.4.2 Previous Environmental Review

OCP EIR. The OCP EIR examined the cultural and historical setting of the project region and the potential impacts resulting from development under the OCP in two sections of the document: Archaeological Resources and Historical Resources. The OCP EIR concluded that additional impacts could occur to undiscovered archaeological sites below the ground surface on any of the Key Sites, as a result of grading, other construction related activities or future development. Therefore, mitigation measures ARCH-1 through ARCH-8, which address impacts from development that affects archaeological sites, and generally follow the existing requirements of the County Cultural Resource Guidelines; ARCH-10, which is a discovery clause for resources that may be encountered during grading, construction, landscaping or other construction-related activity; and HIST-1, HIST-2, and HIST-4, which address issues related to discovery of previously undiscovered historical and archaeological resources, were applied to future development on Key Site 3.

With respect to Key Site 3, the OCP EIR concluded that there would be potential for site-specific destruction or displacement of archaeological resources due to grading and construction activities associated with construction of roads or homes in the central portion of the site, or with construction of the Class 1 Bike path/multi-purpose trail along Orcutt Creek (Impact KS3-HA-1). This impact would be mitigated by implementing Mitigation Measure KS3-HA-1, which required 25-foot setbacks around multiple find sites of prehistoric and historic artifacts, and was classified significant but mitigable.

Santa Barbara County Focused Housing Rezone Program EIR. The 2008 Housing Element Focused Rezone Program EIR analyzed the impact of rezoning an eight-acre portion of Key Site 3 to MR-O (Multi-family residential Orcutt) to allow for the development of 160 multi-family residential units. The Focused Rezone Program EIR determined that impacts to known historic or archaeological resources on the 8-acre portion of Key Site 3 (Impact CR-1) would be less than significant without mitigation. Potential impacts to unknown historic or archaeological resources on the site (Impact CR-2), however, were determined to be potentially significant but mitigable, and the EIR proposed Mitigation Measure CR-2 which required work cessation and additional assessment and mitigation should resources be encountered during construction activities in accordance with County cultural Resource Guidelines (standard County archaeological discovery clause).

4.4.3 Impact Analysis

a. Methodology and Significance Thresholds. The significance of a cultural resource and impacts to the resource is determined by whether or not that resource can increase our knowledge of the past. The primary determining factors are site content and degree of preservation. A finding of archaeological significance follows the criteria established in the *CEQA Guidelines* and the *County of Santa Barbara Environmental Thresholds and Guidelines Manual*.

The California Environmental Quality Act (CEQA) declares that the State of California will "take all steps necessary to provide the people of this state with […] enjoyment of […] historic environmental qualities." The CEQA definition of "environmental qualities" includes objects of

historic, archaeological, aesthetic significance [Public Resources Code (PRC) 21001] (Gammage, Jones, and Jones, 1975).

CEQA Guidelines Section 15064.4, Determining the Significance of Impacts to Archaeological Resources, states:

> *Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code, § 5024.1, Title 14 CCR, Section 4852) including the following:*
>
> *(A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;*
>
> *(B) Is associated with the lives of persons important in our past;*
>
> *(C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or*
>
> *(D) Has yielded, or may be likely to yield, information important in prehistory or history.*
>
> *(4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.*
>
> *(b) A project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.*

The County Cultural Resource Guidelines provide local criteria for determining the significance of archaeological resources. County criteria for "important archaeological resource" are identical to the CEQA criteria listed above.

In the event that resources cannot be preserved, "unique archaeological resources" can only be excavated as mitigation if they are threatened with damage or destruction by the proposed project. The time and cost limitations that may apply to the excavation of archaeological resources do not apply to activities that determine whether the archaeological resources are "unique" [PRC 15064.4 (c)(3)].

If an archaeological resource does not meet either the historic resource or the more specific "unique archaeological resource" definition, impacts do not need to be mitigated [13 PRC 15064.4 (e)]. Where the significance of a site is unknown, it is presumed to be significant for the purpose of the EIR investigation.

Historical resources are discussed in Section 5.0, *Effects Not Found to be Significant*.

b. Project Impacts and Mitigation Measures. Impacts related to the development of the site include the following:

Impact CR-1 Construction of the proposed project could adversely affect known historical and archeological resources on the project site.

The Key Site 3 property, including the focused rezone area and roadway corridors, has been surveyed for cultural resources. Four archaeological sites are recorded within Key Site 3. As described above in Section 4.4.1(b) and in compliance with OCP EIR Mitigation Measure ARCH-3, a Phase 2 subsurface testing program (Heritage Discoveries, September 2006) was conducted in order to define the site boundaries of four known sites and contribute to significance evaluations. As a result of this study, all four sites were evaluated as significant under CEQA.

The boundaries of all four sites identified and mapped in the Heritage Discoveries September 2006 Phase 2 report were overlaid onto the development plans to identify any components of the development within the boundaries of the archaeological sites. The proposed development would involve grading and other development within 25 feet of the boundary of two of the four archaeological sites (CA-SBa-3812H and CA-SBa-3813H).

Proposed development in areas of significant cultural sensitivity includes:

- Development in close proximity (approximately 25 feet) to CA-SBa-3812H includes a ~300 foot segment of the multi-purpose trail along the site's eastern frontage and associated cut; and
- Development immediately adjacent to CA-SBa-3813H includes cut associated with the proposed basin access road/ramp to the south of the proposed residential development.

The proposed project differs from what was analyzed in the OCP EIR, as the OCP EIR required the application of 25-foot development setbacks from identified cultural resource sites and included these sites and their buffers in the Open Space Overlay. These mitigation requirements were incorporated into the OCP with a site specific development standard: DevStd KS3-9.

The current site plan precludes the application of Mitigation Measure OCP EIR KS3-HA-1, which requires 25-foot setbacks around multiple find sites of prehistoric and historic artifacts, as well as the avoidance components of OCP EIR ARCH-1. Because the proposed project includes development adjacent to known cultural resource sites, impacts to these cultural resources from grading and construction activities would be potentially significant.

<u>Mitigation Measures</u>. The following mitigation measures are required.

CR-1(a) **Avoidance of CA-SBa-3812H and CA-SBa -3813H**. Development within 25 feet of the boundaries of CA-SBa-3812H and CA-SBa-3813H shall be avoided. If impacts to all or any of these resources cannot be avoided, as determined by the **owner/**applicant with

concurrence from P&D staff, then the recommendations presented in the 2006 Heritage Discoveries report shall be implemented as described in Table 4.4-1 of this EIR and in accordance with Mitigation Measure CR-1(c) (incorporates OCP EIR ARCH-3 and modification of OCP EIR KS3-HA-1).

Plan Requirements and Timing. Prior to final map clearance, the **owner/**applicant shall conduct Extended Phase 1 testing as necessary, (to be determined on a site by site basis in consultation with **P&D** ~~the County Archaeologist~~) to define site boundaries with respect to proposed development. Prior to final map clearance, the **owner/**applicant shall submit for P&D approval a revised site plan that avoids grading and development within the sites and a 25-foot buffer. **Monitoring.** P&D shall review revised grading and improvement plans and verify that avoidance of the site and the buffer area is achieved. P&D shall field check development operations to ensure compliance with avoidance requirements.

CR-1(b) **Cultural Resources Buffer**. For resource sites that are avoided in accordance with Mitigation Measure CR-1(a), the **owner/**applicant shall temporarily fence the archaeological site and a 25-foot buffer area, with chain link fencing flagged with color or other material authorized by P&D, where ground disturbance is proposed within 100 feet of the site (incorporates OCP EIR ARCH-6 as modified by OCP EIR KS3-ARCH-1).

Plan Requirements and Timing: The fencing requirement shall be shown on **zoning clearance,** ~~approved~~ grading**,** and building plans. **Timing:** Fencing shall be in place prior to issuance of grading permits and pre-construction meeting. **Monitoring**: P&D compliance monitoring staff shall verify installation of fencing by reviewing photo documentation or by site inspection prior to approval of grading permits and ensure fencing remains in place throughout grading and construction through site inspections.

CR-1(c) **Artifact Curation**. If avoidance cannot be achieved for CA-SBa-3812H and CA-SBa-3813H, the **owner/**applicant shall have a P&D approved archaeologist conduct the work recommended in the 2006 Heritage Discoveries report as described in Table 4.4-1 of this EIR (additional artifact collection and completion of Phase 3 studies if necessary). All work shall be consistent with the County Cultural Resource Guidelines and funded by the **owner/**applicant (incorporates OCP EIR ARCH-4).

Plan Requirements and Timing. Prior to implementing Mitigation Measure CR-1(c), the **owner/**applicant shall submit a

work plan to P&D for review and approval. An artifact curation agreement with an accredited facility shall be submitted to P&D prior to the start of fieldwork. All fieldwork shall be completed prior to **zoning clearance** issuance ~~of land use permit~~ for grading and subdivision improvements. All reports shall be received by P&D prior to **zoning clearance** issuance ~~of land use permits~~ for grading and subdivision improvements. Notes and/or depictions of plan components shall be included on plans prior **zoning clearance** to issuance ~~of grading permits~~. **Monitoring.** P&D shall approve work plans and ensure that a curation agreement is in place prior to **the** start of fieldwork. P&D shall ensure that archaeological reports have been received prior to issuance of **zoning clearance** ~~land use permits~~ for grading.

CR-1(d) **Prevention of Damage to Cultural Resources from Other Uses**. Off-road vehicle use, unauthorized collecting of artifacts, and other activities other than development which could destroy or damage archaeological or cultural sites shall be prohibited. Signs shall be posted on the property to discourage these types of activities (modification of OCP EIR Mitigation Measure ARCH-7).

Plan Requirements and Timing. This condition shall be in effect during both the construction and operational phase of the development. The **owner/**applicant shall prepare a signage plan for P&D review and approval prior to **zoning clearance issuance** ~~approval of land use permit~~ for grading and subdivision improvements. The **owner/**applicant shall install the required signage prior to issuance of grading permits and shall maintain the signs throughout the construction phase. Maintenance of the signs throughout the operational phase shall be the responsibility of the HOA or similar organization. **Monitoring**. P&D **permit compliance monitoring staff** shall verify installation of signs prior to issuance of grading permits, and shall spot check in the field.

Significance After Mitigation. With the application of ~~the above~~ ~~m~~**M**itigation ~~m~~**M**easures **CR-1(a) through CR-1(d)**, direct impacts to known cultural resources would be reduced to a less than significant level (Class II). A buffer of 25 feet for avoided resource sites was determined to be effective in the OCP EIR (refer to Mitigation Measure KS3-ARCH-1). For sites that cannot be avoided, artifact collection, recordation and mitigation of impact excavations would reduce impacts to less than significant. Note that potential indirect impacts to cultural resources are discussed below in Impact CR-2.

Impact CR-2 **Due to the cultural sensitivity of the project site, previously unidentified, subsurface historical, archeological, or paleontological resources may be unearthed during development of the project.**

As discussed above in Section 4.4.1(b), the project site does not contain known cultural or archaeological resource remains. By its nature, an archaeological reconnaissance can only confidently assess the potential for encountering surface cultural resource remains. The Phase 1 Archaeological Surface Survey for Road Corridors at the KS-3 Project (December, 2009) produced conditional negative results for the presence of archaeological resources along the proposed road corridor connecting the secondary access routes (from Chancellor Street) to the proposed residential lots due to vegetation cover which reduced surface visibility. This survey area is located adjacent to a historic archaeological site which was recorded in 2006 (Phase 1 Archaeological Surface Survey for Road Corridors at the KS-3 Project, December 2009). However, it is possible, although unlikely, that areas of deeper excavation could potentially encounter cultural resources. Because the possibility exists for encountering subsurface archaeological resources remains, impacts to unknown cultural resources would be potentially significant.

In addition, consistent with State law, if human remains are encountered during excavation within the project area, all work must halt, and the County Coroner must be notified (Section 7050.5-California Health and Safety Code). The coroner will determine if the remains are of forensic interest. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, the coroner will contact the NAHC. The NAHC will designate the most likely descendant (MLD), who will be responsible for the ultimate disposition of the remains, as required by Section 5097.98 of the Public Resources Code. The MLD shall make his/her recommendations within 48 hours of their notification by the NAHC. This recommendation may include A) the nondestructive removal and analysis of human remains and items associated with Native American human remains; (B) preservation of Native American human remains and associated items in place; (C) relinquishment of Native American human remains and associated items to the descendants for treatment; or (D) other culturally appropriate treatment.

Mitigation Measures. The following mitigation measures would be required

CR-2(a) **Archaeological Monitoring**. The **owner/**applicant shall have all initial earth disturbances throughout the Key Site, including grading, grubbing, scarification and placement of fill, monitored by a P&D approved archaeologist in compliance with the provisions of the County Cultural Resource Guidelines.

Plan Requirements and Timing: Prior to **zoning clearance** issuance ~~of a land use permit~~ for grading and subdivision improvements, the **owner/**applicant shall submit for P&D review and approval, a contract or Letter of Commitment between the **owner/**applicant and the archaeologist, consisting of a project description and scope of work, and once approved, shall execute the contract. **Monitoring:** The **owner/**applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to **zoning clearance** ~~grading permit~~ issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by

archaeologist and P&D grading inspectors shall spot check field work.

CR-2(b) **Stop Work at Encounter.** The **owner/**applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event cultural remains are encountered during grading, construction, landscaping or other construction-related activity (incorporates OCP EIR ARCH-10). Cultural resource remains may include artifacts, shell, bone, features, foundations, and trash pits, etc. The **owner/**applicant shall retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the County Cultural Resource Guidelines provisions for Phase 2 and Phase 3 investigations. All work shall be funded by the **owner/**applicant (incorporates OCP EIR ARCH-1 through ARCH-8).

Plan Requirements and Timing: This condition shall be printed on all building**, zoning clearance,** and grading plans. **Monitoring:** P&D permit processing planner shall check plans prior to **zoning clearance** issuance ~~of land use permit~~ for grading and subdivision improvements, and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

Significance After Mitigation. Implementation of the Mitigation Measures CR-2(a) and CR-2(b) would reduce impacts associated with the potential to unearth unknown historical, archeological, or paleontological resources during grading and construction to a less than significant level (Class II).

Impact CR-3 Development of Key Site 3 could result in indirect impacts to identified or unidentified historical, archeological, or paleontological resources.

Increased population on the project site could result in an increase of artifact collecting and/or vandalism that could potentially impact archaeological and historical sites. Even if the project is designed to avoid the sites (and 25-foot buffer) directly (as required by CR-1[a]), these sites would have additional exposure as a result of their proximity to the developed areas and increased public access to and use of the sites. Examples of activities that could substantially alter the integrity and significant qualities of the resources due to such proximity and increased use include, but are not limited to: collection of artifacts from the archaeological sites; unauthorized excavation or looting of sites; erosion and other damage resulting from un-motorized or motorized vehicle use (horses, bicycles, dirt bikes, etc.); illicit trash dumping; and vandalism to cultural features. Such effects are potentially significant environmental impacts.

Mitigation Measures. Mitigation Measures CR-2(a), CR-2(b), CR-1(c), and CR-1(d) would be applied, which would require site monitoring of known sites, contingencies for the discovery of as-yet-undiscovered cultural resources; temporary construction-phase fencing of known sites including a 25-foot buffer area; and prohibition of off-road vehicle use and unauthorized

collecting of artifacts. Implementation of these mitigation measures would reduce potential indirect impacts related to identified and unidentified archaeological and historical resources to a less than significant level.

Significance After Mitigation. With implementation of ~~the above m~~**M**itigation ~~m~~**M**easures **CR-2(a), CR-2(b), CR-1(c), and CR-1(d)**, indirect impacts to identified or unidentified historical, archeological, or paleontological resources would be reduced to a less than significant level (Class II).

c. Cumulative Impacts. Buildout of the Orcutt/Santa Maria area would have the potential to disturb known and unknown cultural resources. However, potential impacts to cultural resources would be addressed on a case-by-case basis through site-specific investigations and, if necessary, surveys, assessment, and documentation or other appropriate mitigation. Project-specific mitigation as discussed above would ensure that the project's contribution to cumulative impacts would be less than significant. Mitigation applied for each specific development project in the area would reduce cumulative impacts to cultural resources to a less than significant level. No additional mitigation measures are required, and cumulative impacts are less than significant (Class III).

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4.5 FIRE PROTECTION

4.5.1 Setting

a. Project Site Setting. The majority of the property consists of flat grazing land and open space, although the southern portion of the property contains a steep north-facing slope at the foot of the Solomon Hills. The current uses of surrounding properties include agricultural, residential, and vacant lands. Surrounding uses are included in Table 4.5-1.

Table 4.5-1 Current Uses of Adjacent Properties

Area	Use
Northern Property	Sunny Hills Mobile Home Park residences
Eastern Property	Highway 101 followed by row crop agricultural uses
Western Property	Low density residential land uses
Southern Property	Grazing land, and farther to the south, oil production

The off-site agricultural uses, primarily concentrated east of the site, consist mainly of row cropland farming.

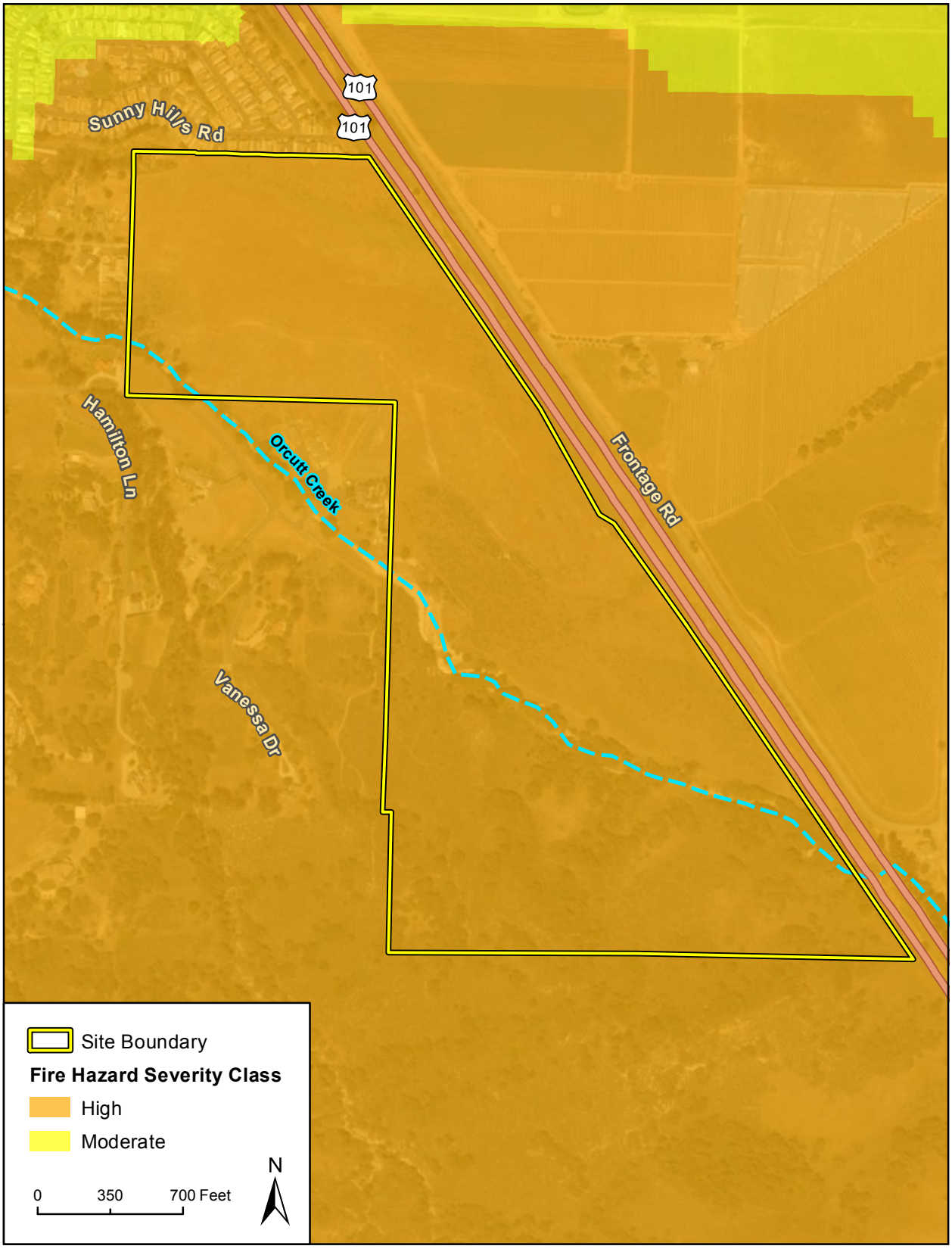
The County of Santa Barbara has designated the site as a high fire hazard area (County of Santa Barbara GIS database, 2005). Figure 4.5-1 shows the County's designated Fire Hazard Severity Zones on the project site. The County's fire hazard map ~~was developed by the County Fire Marshal and serves to determine increased insurance rates and building requirements.~~ **is based on the Fire Hazard Severity Zone map developed by CalFire and adopted by the County of Santa Barbara. The High Fire Hazard Area is an area of the County of Santa Barbara designated by the Building Official as having a high propensity for wild fire due to the existence of excessive wild brush fuel, lack of adequate water for fire suppression, or lack of adequate access to firefighting equipment and is shown on a map entitled "High Fire Hazard Area Map" on file in the County of Santa Barbara Building and Safety Division of the Planning and Development Department. This area is to be considered a Wildland-Urban Interface Area. The High Fire Hazard Area Map is used for:**

- **Building construction standards on building permit**
- **Natural hazard disclosure at time of sale**
- **Defensible space clearance around buildings**
- **Property development standards such as road widths, water supply, address signs**
- **Consideration in City and County General Plans**

Weather is the single most important component affecting wildfire. In particular, specific weather events can occur that drastically alter the normally temperate Santa Barbara coastal plain climate to create catastrophic wildfire conditions. The winds that create extreme wildfire conditions in the Orcutt area are known as the "Santa Ana" winds.

The Santa Barbara County Fire Department (SBCFD) provides fire prevention, fire suppression, and life safety services to unincorporated Santa Barbara County, including the community of

Orcutt. SBCFD has 16 fire stations throughout the County, staffed 24 hours a day, 365 days a year. There are two County fire stations that provide primary fire protection for the Community of Orcutt and other unincorporated areas of Santa Maria Valley. Station 21, located approximately three miles from Key Site 3 at 335 Union Avenue in Orcutt, is staffed by one Captain, one Engineer, and one Firefighter (Dwight Pepin, SBCFD, Personal Communication, October 2014). Station 22 is the closest station to the project site. Station 22 is located approximately 0.5 miles from Key Site 3, at 1596 Tiffany Park Court, and is staffed by one Captain, one Engineer, one Firefighter/ Paramedic, and one Firefighter (Pepin, October 2014). SBCFD Station 23, located approximately eight miles from Key Site 3 at 5003 Depot Avenue in Sisquoc, and the Santa Maria City Fire Department provide back-up firefighting support on an as needed basis (Pepin, October 2014).



Imagery provided by Google and its licensors © 2014. Additional data layer from CAL FIRE, November 7, 2007 (via Santa Barbara County Geographic Information Systems, October 20, 2014).

Fire Hazard Severity Zones

Figure 4.5-1

Primary access to the site would be provided via Sunny Hills Road, which currently connects to Clark Avenue approximately 400 feet west of the Highway 101 Southbound Ramps. The project proposes to realign Sunny Hills Road to connect with Clark Avenue west of its current location. This alignment would be consistent with the preferred alignment identified in the Orcutt Community Plan Final EIR, and would serve as the primary access for the site.

A secondary access road would be provided off of Chancellor Street, which extends to the west from Stillwell Road.

b. Regulatory Setting. Building standards for high fire hazard areas, including roof coverings, construction materials, structural components, and clearing of brush and vegetative growth, are identified in the Uniform Building Code (administered by the Santa Barbara County Building and Safety Division) and the Uniform Fire Code (Orcutt Community Plan, July 1997, amended October 2004).

SBCFD uses the service standard of one on-duty firefighter per 4,000 residents as the absolute maximum population that can be adequately served, and the National Fire Protection Agency's (NFPA) five-minute response time standard from the fire station to the location of the emergency (Pepin, October 2014). As of 2014, the firefighter to population ratio in the Orcutt area is 1:4,129 (based on seven full-time firefighters and an estimated 2010 population of 28,905 [Santa Barbara County Regional Growth Forecast 2010-2040, December 2012]), which does not meet the SBCFD maximum firefighter to population ratio. Currently, there are four firefighters on duty at all times at Station 22 and three firefighters on duty at all times at both Stations 21 and 23 (Pepin, October 2014).

CAL-OSHA requires that a minimum of two firefighters, operating as a team, conduct interior firefighting operations. In addition, a minimum of two firefighters must be positioned outside and remain capable of rapid intervention and rescue if needed. This is also known as the State of California's "Two-In, Two-out" law [29 CFR 1910.134(g)(4)]. If there are only three firefighters assigned to a fire engine, that engine company must wait for additional back-up to arrive before being able to engage in interior firefighting operations in order to be in compliance with State OSHA regulations.

In addition to fire protection services, the SBCFD provides First Responder Emergency Medical Services in the event of a medical emergency. Each firefighter is a certified Emergency Medical Technician (EMT). E-22 at 1596 Tiffany Park Court also has a paramedic assigned which can provide Advanced Life Support (ALS) service. Ambulance service is provided by American Medical Response through contract with Santa Barbara County (Pepin, October 2014).

The County has adopted a number of fire safety requirements and regulations, as well as standard fees, for new development. The Orcutt Community Plan (OCP) identified Orcutt as an area in need of a new fire station due to the imbalance of firefighter to population ratios and the inability of existing fire stations to respond to emergencies in the Orcutt area within the five-minute response time for urbanized areas. SBCFD currently imposes a fire mitigation fee ($0.20 per square foot for non-sprinklered structures or $0.10 per square foot for sprinklered structures) to all new development occurring within the Santa Barbara County Fire Protection District (SBCFPD). This fee typically is used to cover the construction of new fire stations and

acquisition of new equipment and apparatus. Within the Orcutt Planning area, the County additionally requires an "Orcutt Planning Area Development Impact Mitigation Fee," which is charged to all new development (Orcutt Planning Area Fee Summary Sheet, FY 2014-2015).

Fire flow requirements are based on SBCFD standards. SBCFD standards refer to the Uniform Fire Code fire flow requirements for other than one and two family dwellings. Uniform Fire Code fire flow requirements are based on building size, type of construction per California Building Code, and fire flow duration. A two-hour fire flow duration is required by California Code of Regulations Title 22.The SBCFD requires fire flow for residential units to be a minimum of 750 GPM for a duration of two hours. In addition, the water supply system must be able to meet maximum day water demand along with required fire flows while maintaining a minimum system-wide residual pressure of 20 psi (Pepin, October 2014).

4.5.2 Previous Environmental Review

OCP EIR. The OCP EIR examined the risk of upset and hazards, including those due to wildland fires, of the project region and the potential impacts resulting from development under the OCP.

The OCP EIR concluded impacts related to the worsening of the firefighter to resident ratio under buildout of the Plan were significant and unavoidable, due to a shortage of fire protection services in Orcutt and a lack of available funding for additional resources. Mitigation Measures FIRE-1, FIRE-2, and FIRE-4, which address hiring of additional fire-fighters, additional development impact fees, and a new fire station in West Orcutt) were identified as ways to help maintain adequate fire protection service levels, but uncertainty in the feasibility of implementing these measures resulted in the conclusion that impacts remained significant and unavoidable. Since the approval of the OCP, fire mitigation fees have been raised in keeping with the mitigation measures identified in the OCP EIR.

The OCP EIR also identified and analyzed Plan Area-wide impacts and concluded that impacts relating to wild land fire hazards: Impacts FIRE-3 (wildland fire hazards), FIRE-5 (indirect effect from removal of vegetation), and FIRE-6 (cumulative fire impacts) were potentially significant but mitigable. Additionally, the OCP EIR determined that future development of Key Site 3 would present a potentially significant impact: Impact KS3-FIRE-1 (exposure of development south of Orcutt Creek to fire hazards due to presence of dense, flammable vegetation). However, the OCP EIR concluded that General Mitigation Measures FIRE-5 through FIRE-11 and FIRE-13 through FIRE-15 would mitigate the General Impacts to less than significant levels. These mitigation measures required the use of sprinkler systems and other mitigation identified by the Fire Department (FIRE-5); two routes of ingress and egress for the development and the incorporation of Uniform Fire Code standards in regards to access, building and water availability (FIRE-6); no development within 100 feet of flammable vegetation with the exception of spaced access points for fire-fighting access (FIRE-7); a requirement for use of Class A roofs (FIRE-8); the installation of water storage tanks (FIRE-9); and the construction of fire breaks of at least 100 feet between development and foothill vegetation and the annual maintenance of undergrowth and mature oak trees (FIRE-10). Other applicable measures included requirements that all fencing be composed of non-flammable material (FIRE-11), a Fuel Management Program for wild lands within the open space overlay prepared by Planning

and Development with input from the County Fire Department (FIRE-13); fire breaks will be sited to minimize impacts to biological resources (FIRE-14); and siting development adjacent to open lands vegetated by chaparral, scrub or woodlands a minimum structural setback of 100 feet from the edge of the open space area to minimize fire hazards and include the use of paved roads on the perimeter between the development and open lands (FIRE -15).

In addition, Mitigation Measure KS3-FIRE-1 applied the Open Space Overlay to all areas south of Orcutt Creek and thus avoided wildland fire impacts to development in this area of highest fire hazard, and Mitigation Measure KS3-FIRE-2 required that the bike path envisioned along Orcutt Creek would be constructed in a manner that allows use by emergency vehicles. These measures were determined to be adequate in mitigating Impact KS3-FIRE-1 to a less than significant level.

Several of the OCP EIR Mitigation Measures were incorporated into the Final OCP as policies, development standards, and actions. For example, OCP Mitigation Measures FIRE-7 and FIRE-11 were incorporated as OCP DevStd FIRE-2.1, and Mitigation Measure KS3-FIRE-2 was incorporated as OCP DevStd KS3-10.

Santa Barbara County Focused Housing Rezone Program EIR. The 2008 Housing Element Focused Rezone Program EIR analyzed the impact of rezoning an eight-acre portion of Key Site 3 to MR-O (Multi-family residential Orcutt) to allow for the development of 160 multi-family residential units. The Focused Rezone Program EIR determined that this action would result in significant but mitigable impacts related to the introduction of residences into a wildland fire hazard area (Impact FH-1). The EIR noted the application of Mitigation Measures FH-1(a-f), which require a fire/vegetation management plan, fire prevention construction techniques, regulations for access roads, including emergency vehicle access roads, structure addresses, and street name review to ensure that potential impacts are reduced to a less than significant level. These impacts and mitigation measures would apply to the multi-family townhome development in the MR-O zoned portion of the Key Site 3 property. The Focused Rezone Program EIR determined that future development under the MR-O zoning action would result in less than significant impacts to fire protection (Impact PS-3).

4.5.3 Impact Analysis

a. Methodology and Significance Thresholds. According to the County of Santa Barbara Environmental Thresholds and Guidelines Manual (October 2008), potentially significant human health and safety impacts would occur if project implementation would expose current or future site residents/employees/visitors to wildland fire-related hazards. The County's Environmental Thresholds and Guidelines Manual does not include specific significance thresholds for fire protection services or wildland fires. SBCFD, however, has established a standard for the maximum acceptable service ratio as one on-duty firefighter per 4,000 residents and a maximum response time to emergency calls in urbanized areas of five minutes.

For the purpose of this analysis, a significant effect would occur if project implementation would:

- *Decrease adopted service ratios such that it would require new or physically altered facilities, the construction of which could cause significant environmental impacts; or*
- *Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands*

b. Project Impacts and Mitigation Measures.

Impact FP-1 The proposed development would add 125 new residential units, which would be located within this high fire hazard area.

The County of Santa Barbara has designated the site as a high fire hazard area (refer to Figure 4.5-1). In addition, the Fire and Police Protection map created for the Orcutt Community Plan EIR identifies areas with specific types of vegetation that are highly susceptible to wildfire hazards (Santa Barbara County, OCP Update FEIR, 1995). This map identifies the portion of the project site extending from 100 feet north of Orcutt Creek to the southern site boundary as an area which would be most subject to wildfires. These areas are characterized by dense vegetation and steep slopes, and were identified in the OCP and OCP EIR for inclusion in an Open Space Overlay area through the application of DevStd KS3-1 and with setbacks and road fire-breaks identified in OCP EIR Mitigation Measure FIRE-15. The construction of residential structures in a designated high fire hazard area would expose additional people to fire hazards and would also introduce additional sources of wildland fire initiation due to conversion of the presently undeveloped area to a populated area.

Fire Station 22 serves the part of Orcutt in which Key Site 3 is located. The road distance between Fire Station 22 and the Key Site 3 property is approximately 0.5 miles, which is within the 5-minute response time goal. Standard Fire Department requirements such as road naming requirements, address number standards, hydrant requirements, and review of site circulation and design of secondary internal Emergency Vehicle Access (EVA) roads would apply and would reduce the risk from wildland fires. Minor widening of Stillwell Road/Chancellor Street is proposed to provide for improved turning movements for fire trucks and other large vehicles. Offsite access improvements in accordance with Fire Department Standards and in conformance with DevStd FIRE-2-2 would require widening of segments of these roads to 24 foot widths and other modifications to meet maximum gradient change and turning radii standards. The Fire Department has reviewed proposed project plans and has determined that the access design showing two ways in and out of the proposed development that are open and unobstructed is acceptable and that payment of mitigation fees (which are used for the construction of new fire stations and acquisition of new equipment and apparatus) would reduce cumulative impacts associated with Fire Protection in accordance with SBCFD standards (Pepin, October 2014).

DevStds FIRE-2.1, which requires use of certain fire prevention measures and which requires fencing to be comprised of fire-resistant materials would apply. DevStd FIRE-2.2, which incorporates a portion of OCP EIR Mitigation Measure FIRE-6 and which requires two routes of ingress and egress for the site, would also apply, as would DevStd FIRE-2.3, which incorporates the firewater storage requirements of OCP EIR Mitigation Measure FIRE-9. Standard Fire Department requirements such as road naming requirements, address number standards, hydrant requirements, and review of site circulation and design of secondary internal

Emergency Vehicle Access (EVA) roads would apply and would reduce the risk from wildland fires; however, impacts from the introduction of new residential development into a high fire hazard area would remain potentially significant.

Mitigation Measures. To mitigate the potential impacts resulting from siting development in high fire hazard areas, the following mitigation measures are required.

FP-1(a) **Fire/Vegetation Management Plan**. To address the risk to residential development within designated high fire hazard areas, the **owner/**applicant shall prepare fire/vegetation management plans that meet the County Fire Development Standards. The vegetation management plan shall describe all actions that will be taken to reduce wildfire risks to the structure(s) in the high fire hazard areas. The plan shall include:

- *A copy of the site plan that indicates topographic reference lines*
- *A copy of the landscape plan*
- *Methods and timetables for controlling, changing or modifying areas on the property (elements of the plan shall include removal of dead vegetation, litter, vegetation that may grow into overhead electrical lines, certain ground fuels, and ladder fuels as well as the thinning of live trees)*
- *A maintenance schedule for the landscape/vegetation management plan*

Plan Requirements and Timing. A Fire/Vegetation Management Plan that, at a minimum, contains the above listed components shall be submitted to the Fire Department and Planning and Development for review and approval prior to Zoning Clearance **issuance** ~~approval~~ for the first residential structure. Vegetation management of areas outside the identified building envelope shall be the responsibility of the Homeowners Association with the maintenance schedule and responsibilities noted in the CC&Rs.

Monitoring. Permit compliance and/or the Fire Department shall inspect to verify landscaping is in compliance with the plan ~~once~~ prior to issuance of occupancy permits and once each year to monitor landscape maintenance.

FP-1(b) **Fire Prevention Construction Techniques.** Residential development shall abide by the following construction standards:

- *Structures along the perimeter or exposed to internal open space areas shall have one-hour rated exterior fire walls, with exteriors being more than 2 inches, and must not contain vinyl or plastic window frames or rain gutters or down spouts.*
- *All structures in the development shall have non-wood Class A roofs, with the ends of tile blocked, spark arresters visible from the street, proper vent screens, and non-combustible gutters and down*

spouts. No combustible paper in or on attic insulation shall be allowed.

- *Decks, gazebos, patio covers, etc. must not overhang slopes and must be one-hour construction (e.g., by using 2 x 4s). Front doors shall be solid core, minimally 1 ¾ inch thick. Garage doors shall be non-combustible. Wooden or plastic fences or vegetation growing on fences for lots along the project site perimeter shall not be used.*
- *All new power lines shall be installed underground in order to prevent fires caused by arcing wires.*

Plan Requirements and Timing. Where appropriate, all of the structural safeguards described above shall be graphically depicted and printed on all building and construction plans. Accordance with these requirements shall be demonstrated as part of the building inspection process, and all measures shall be installed prior to occupancy.

Monitoring. Fire Department inspectors shall inspect the site prior to occupancy clearance for each residence and annually to ensure compliance.

Significance After Mitigation. Implementation of ~~the above m~~**M**itigation ~~m~~**M**easures **FP-1(a) and FP-1(b)** would ensure that fire hazard impacts would be potentially significant but mitigable (Class II). Pertinent mitigation measures from Sections 4.3, *Biological Resources* and 4.4, *Cultural Resources* (including BIO-5(a), BIO-5(b), BIO-6(a-d), BIO-7(a-f), CR-2(b), OCP EIR ARCH-10) would be applied, and with the incorporation of these measures, secondary impacts would be less than significant. Potential impacts to biological resources resulting from vegetation management plans are discussed in Section 4.3, *Biological Resources.*

Impact FP-2 The proposed project would result in a reduction in the level of fire protection services.

Fire Station 22 serves the part of Orcutt in which Key Site 3 is located. The road distance between Fire Station 22 and the Key Site 3 property is approximately 0.5 miles. In addition, there is a joint service agreement with the City of Santa Maria Airport Fire Station. Due to the 0.5-mile distance between Station 22 and the project site, response times are expected to remain under the 5 minute response time goal. As discussed in Section 4.10.1(a) above, the firefighter to population ratio in the Orcutt area is 1: 4,129, which currently does not meet the SBCFD maximum firefighter to population ratio of 1:4,000. The proposed project would develop 125 residential units and generate 343 new residents, based on an average of County-wide average of 2.74 persons per residential unit (U.S. Census, 2000). An increase of 343 residents would establish a fire protection service ratio of 1:4,178 for unincorporated Santa Maria Valley.

Buildout on Key Site 3 would result in additional residents within this Fire Station's service area. The increase in population anticipated as a result of the project would incrementally degrade the service ratios, and may eventually result in the need for additional equipment and facilities. However, future development on Key Site 3 (and all other development under the OCP) would be required to pay the Orcutt Planning Area fire mitigation fees, which were

adopted following approval of the OCP. Fire mitigation fees are applied toward the construction of new fire stations and acquisition of new equipment and apparatus. While the need for a new station has been identified, SBCFD has not identified a specific site for the new fire station (Pepin, October 2014). New fire protection facilities would be subject to CEQA environmental analysis and any identified mitigation measures. With the payment of the required fire mitigation fees, the potential environmental impacts to fire protection services would be less than significant (Class III).

Mitigation Measures. None required.

Significance After Mitigation. With the payment of the required fire mitigation fees, the potential environmental impacts to fire protection services would be less than significant (Class III).

Impact FP-3 The proposed water distribution system would be able to provide fire flow pressure that meets Santa Barbara County Fire Department standards.

A water distribution study (Penfield & Smith, *Key Site 3 Water Distribution Study*, May 2013) was conducted to evaluate the adequacy of the proposed water distribution system (refer to Appendix D). This analysis included an evaluation of the system's fire flow requirements and capabilities. The Water Distribution Study used a hydraulic software model to design and evaluate the proposed domestic water distribution system for the proposed project. The proposed water system was designed to meet applicable standards, including the required pipe size, system pressure and available fire flows for the proposed project. Fire flows in the hydraulic model were based on applicable buildings equipped with approved fire sprinkler systems. The hydraulic model found that physical system requirements were met with the proposed pipe sizes.

Fire flows of 1,000 GPM for detached single-family units were met using the proposed piping system. Mitigation Measure FIRE-3 from the OCP EIR, which requires that buildings over 5,000 square feet include an automatic sprinkler system, has been adopted as a standard requirement under the Santa Barbara County Code, and the project would comply with this standard SBCFD requirement.

Water system pressure requirements were met throughout the hydraulic model using the proposed pipe sizes. Pressure throughout the project site ranged from 24 pounds per square inch (psi) to 38 psi. Minimum fire flow pressure would meet minimum standard of 20 psi. Therefore, impacts related to fire flow pressure were not noted, and impacts would be adverse, but less than significant (Class III).

Mitigation Measures. No mitigation measures are required.

Significance After Mitigation. Impacts are adverse, but less than significant without mitigation (Class III).

c. Cumulative Impacts. Cumulative development in the Orcutt area, including the 160 multi-family units on a portion of Key Site 3 that were approved under the Focused Rezone

Program, would increase the demand on fire protection services. As discussed in Section 3.0, Environmental Setting, 1,544 residential units and 762,196 square feet of non-residential development are currently under construction, approved without entitlement to begin construction, or under permit review in the Orcutt area. This development would demand additional fire protection services.

As discussed in Impact FP-2, service levels in the Orcutt area are below Fire Department standards, and the increase in population and development would exacerbate service level deficiencies unless Fire Department staffing and facilities are increased. On a cumulative basis, until such time as a new fire station to serve these areas is constructed and operational, emergency response staffing levels would not meet Fire Department standards. Additional residential development attributable to the proposed project would incrementally worsen the service ratios. However, with the payment of the required fair share mitigation fees intended for the construction of a new fire station in the Orcutt area, the project's contribution to cumulative impacts to fire protection services would be adverse but less than significant. As described above, while the need for a new station has been identified, SBCFD has not identified a specific site for the new fire station (Pepin, October 2014). New fire protection facilities would be subject to CEQA environmental analysis and any identified mitigation measures.

The water distribution study (Appendix D) included a cumulative fire flow analysis for the entire Key Site 3 property. It was assumed that the 160 multi-family residential units approved under the Focused Rezone Program EIR would be equipped with an approved automatic sprinkler system. The fire flow analysis was performed in the hydraulic model by simulating the required fire flow at each water demand point throughout the model, and determined that fire flows can be met across the site.

In addition, continued urban development in the Orcutt/Santa Maria area would increase fire hazards by placing additional residential development within County identified high fire hazard areas. The proposed development would incrementally contribute to this cumulative effect. However, all new development will be subject to independent environmental review and regulations in place to minimize any potential health and safety risks. Impacts associated with individual developments will be addressed on a case-by-case basis as needed, in part by the application of development standards or mitigation measures for development in high fire hazards to reduce such risks. Through such development standards and mitigation measures, the proposed development would be expected to mitigate its contribution to cumulative wildland fire hazards. Assuming that all hazards are adequately addressed for each individual development proposal, cumulative human health or wildland fire impacts would be significant but mitigable (Class II).

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4.6 GEOLOGIC PROCESSES

4.6.1 Setting

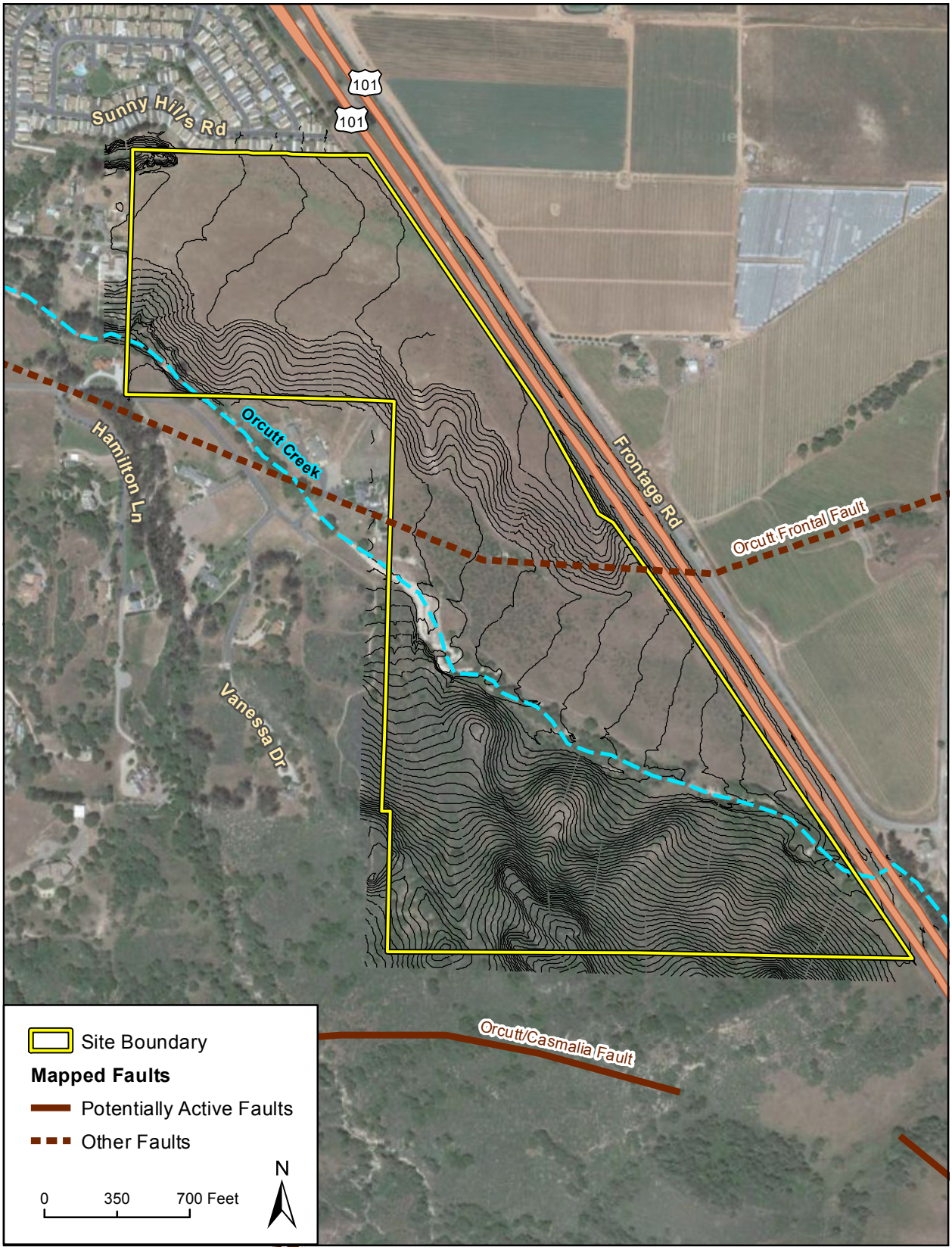
a. Geologic Setting. A summary of the geology and soils in the general project area is discussed below. Further information about geology can be found in the Geologic Hazards Reports for the project site, prepared by Earth Systems Pacific on March 16, 2006 and July 28, 2014. Additional soil information can be found in the Soils Engineering Reports produced by Earth Systems Pacific, dated February 10, 2006 and October 12, 2007. These reports are included in Appendix E.

Topography/Soils. The project site is located in a region characterized by gently-sloped low hills underlain by ancient sand dune deposits. Slopes of the region are generally less than 20% except on the banks of major creeks and in the Solomon Hills, which make up the southern portion of the site. The current United Stated Geological Survey (USGS) topographic map of the Orcutt Quadrangle indicates that the 138.6-acre site is situated within the southern end of the Santa Maria Valley at an elevation of approximately 600 feet above mean sea level (USGS, 1978). The site contains two relatively level areas of approximately 43 acres on a northern mesa and approximately 45 acres in a central low lying area. These areas are separated by a steep bluff which drops from 30-50 feet from north to south. Slopes on the bluff average 20-25%, with some exceeding 30%.

The upper mesa portion of the Key Site 3 property has a generally flat topography. However, a gully in the northwest corner of the project site has banks ranging from steeply sloping to vertical (refer to Appendix E). The top of the gully has an approximate elevation of 570 feet above mean sea level, with the bottom about 30 feet below. An approximately two-foot earthen berm is located along the top of the easterly and southerly sides of the gully. Orcutt Creek and its associated floodplain extend from east to west through the site along the base of the Solomon Hills, with the floodplain extending over approximately 37 acres of the central low lying area. South of the creek, approximately 60 acres of the site ascends the foothills to elevations between 620 and 780 feet. These areas are characterized by steep slopes (many in excess of 30%) and erosional features including deep gullies. Figure 4.6-1 illustrates the topography of Key Site 3.

The rocks and sediments exposed in the Orcutt area include the Sisquoc, Careaga, and Paso Robles Formations and the Orcutt Sand, Dune Sand, and Alluvium. Both the Orcutt Sand and Dune Sands, of which the Betteravia loamy sand is related to, are generally unconsolidated, poorly cemented, highly erodible and potentially subject to collapse under certain load and moisture conditions.

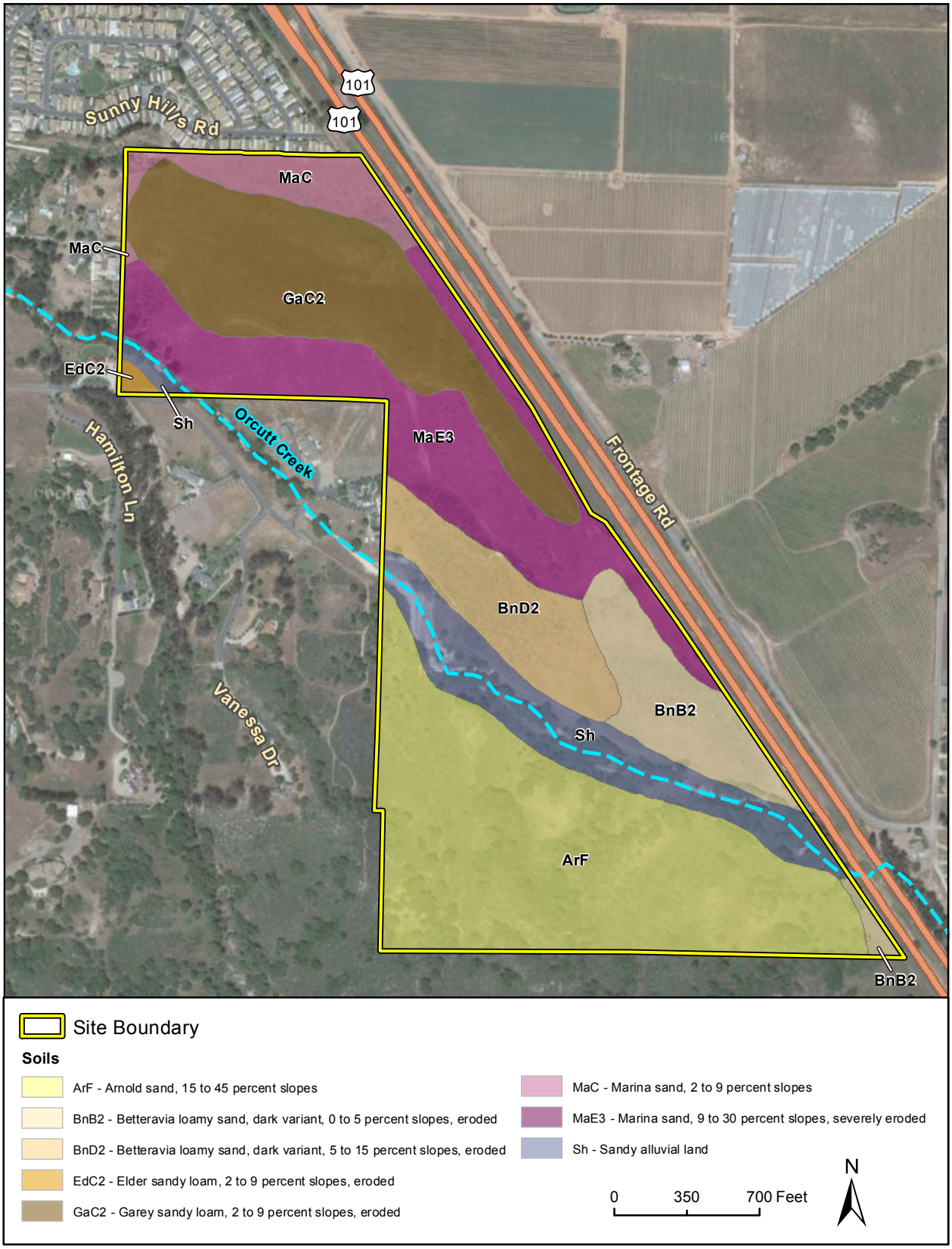
The soils of the project area are delineated as the Betteravia-Garey Association by the Northern Santa Barbara Area General Soil Map (USDA, 1971). This soil association typically contains nearly level to moderately steep, moderately well drained and well drained loamy sands to sandy loams on terraces. Soils which underlie the site include: Garey sandy loam 2-9% slopes (GaC2) and Marina sand 2-9% slopes (MaC) in the northern portion; Betteravia loamy sand (dark variant) 0-5% slopes eroded (BnB2), Botella loam 2-15% slopes eroded (BoD2), and Marina sand 9-30% slopes (MaE3) in the central portion; and Arnold sand 15-45% slopes (ArF), throughout south of Orcutt Creek. As shown on the Soils Map in Figure 4.6-2, approximately



Imagery provided by Google and its licensors © 2014. Additional data layers from Penfield & Smith, 2009, USGS, 2003 and 2005, and Santa Barbara County, 2010.

Site Topography and Faults Map

Figure 4.6-1



Imagery provided by Google and its licensors © 2014. Additional data layer from http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx, September 25, 2014.

Soils Map

Figure 4.6-2

thirty-five percent of the soil on the project site are Arnold sand, 15 to 45 percent slopes (ArF), approximately twenty percent of the property's soils are Gary Sandy loam, 2 to 9 percent slopes (GaC2), an additional approximately twenty percent of the property's soils are Marina sand, 9 to 30 percent slopes (MaE3). A thin band of riverwash exists along the creek channel. Marina sand is characterized by high soil blowing hazards. The soil types in the northern and southern-most portions are highly erodible, while the central portion has soil types ranging from slight to high erodibility from north to south. The USDA NRCS Web Soil Survey program identified the BoD2, MaE3, and ArF soil types as having severe building limitations due to slopes being greater than 15%. The USDA NRCS Web Soil Survey program identified the BnB2 soil type as having severe building limitations due to flooding.

Seismic and Other Soil Hazards. Similar to much of California, the project site is located within a seismically active region. The Transverse Ranges are characterized by east-west trending structural features in contrast to the dominant northwest-southeast structural trend of California. The faults and folds throughout the area are considered active. Regional faults are depicted on the Geological Formations Map included in the Orcutt Community Plan (Santa Barbara County, 2004), and the County's Seismic Safety and Safety Element (Santa Barbara County, 2010).

Fault Rupture. Seismically-induced ground rupture occurs as the result of differential movement across a fault. An earthquake occurs when seismic stress builds to the point where rocks rupture. As the rocks rupture, one side of a fault block moves relative to the other side. The resulting shock wave is the earthquake. If the rupture plane reaches the ground surface, ground rupture occurs.

The USGS defines active faults as those that have had surface displacement within Holocene time (approximately within the last 11,000 years). Surface displacement can be recognized by the existence of cliffs in alluvium, terraces, offset stream courses, fault troughs and saddles, the alignment of depressions, sag ponds, and the existence of steep mountain fronts. Active faults as defined by the State Geologist have been designated as Alquist-Priolo Fault Zones and require special regulation and study for projects proposed in these zones. Further discussion of the Alquist-Priolo Earthquake Fault Zoning Act is provided in the Regulatory Setting. Potentially active faults are those that have had surface displacement during Quaternary time (the last 1.6 million years). Inactive faults have not had surface displacement within the last 1.6 million years.

According to the California Department of Conservation Special Studies Zones Official Map the nearest Alquist-Priolo Earthquake Fault Zone is located approximately 12 miles southeast of the site (California Department of Conservation, 1986). No active faults that could result in rupture of the ground surface have been mapped across the site (refer to Appendix E). A subsurface "blind thrust" fault (the Orcutt Frontal) crosses the northern part of the site but is buried by about 2,500 feet of sediment in the vicinity of the site (refer to Figure 4.6-1). Although the 1980 Point Sal earthquake indicates that the Orcutt Frontal Fault may be active, the buried depth and low angle of the fault would prevent any surface rupture on the project site. The Orcutt/Casmalia Fault also lies within 1,000 feet of the southwestern corner of the site (refer to Figure 4.6-1). This fault is recognized as potentially active due to offsets of the formation along its trend.

Groundshaking. In addition to surface rupture, fault displacement can generate seismic ground-shaking, which is the greatest cause of widespread damage in an earthquake. Whereas surface rupture affects a narrow area above an active fault, ground-shaking covers a wide area and is greatly influenced by the distance of the site to the seismic source, soil conditions, and depth to groundwater. The project site is located in a region with high seismicity and could be subject to strong groundshaking from earthquakes on regional or local causative faults (refer to Appendix E).

The hazard of groundshaking is expressed as the Peak Ground Acceleration (PGA), which is a percentage (or fraction) of acceleration due to gravity (%g) from ground motion that has a 10 percent probability of being exceeded in 50 years (San Benito County, 2010). PGA on the project site is estimated at 33 percent of *g*, or 0.33g, (where g is acceleration due to gravity), based on major mapped faults within 65 miles of the project site and the soil profile encountered during a subsurface investigation conducted by Earth Systems Pacific on-site (refer to Appendix E). However, if the Orcutt Frontal Fault ruptured under the project site, it is estimated that a PGA of 0.58g would occur.

Liquefaction. Liquefaction is a temporary, but substantial, loss of shear strength in granular solids, such as sand, silt, and gravel, usually occurring during or after a major earthquake. The Santa Barbara County Seismic Safety and Safety Element indicates that the project site has a low problem rating for liquefaction (Santa Barbara County, 2010). In addition, the site soils were tested as part of two soil engineering reports completed by Earth Systems Pacific, February 10, 2006 and October 12, 2007. The reports state that the potential for liquefaction is low except in one boring location that noted some potential for liquefaction in a discontinuous layer between 33 and 39 feet below ground surface. For this boring location, potential dynamic and differential settling in this layer would be limited to 1 inch and ½ inch respectively, with a low probability of any surface manifestation of such settling.

Subsidence. Subsidence involves deep-seated settlement due to the withdrawal of fluid (oil, natural gas, or water). As discussed in the Santa Barbara County Seismic Safety and Safety Element (2010), no substantial subsidence or problems arising from subsidence are known to have occurred in Santa Barbara County.

Settlement and Compressible/Collapsible Soils. Compressible soils typically consist of organic material and are common in estuaries and other areas where deposits of organic matter are found.

Compressible soils would have a low potential for occurrence on the site since such soils typically consist of organic material, common in estuaries and other areas where deposits of organic matter are found. Collapsible soils are typically low density, fine-grained, and dominantly granular, characteristic of loamy sands, such as a majority of the soils on the site. Collapsible soils can settle under relatively low loads when saturated and destroy foundations. The County Seismic Safety and Safety Element rates the project site as having moderate potential for compressible/collapsible soils (Santa Barbara County, 2010). The Earth Systems Pacific geotechnical reports for the site state that primary concerns for the site are the potential for differential settlement and settlement from fill placement. Loose alluvial soils adjacent to the north of Orcutt Creek may be subject to settlement, and there is a high potential for

seismically induced settlement to occur in loose dune sands to the south of Orcutt Creek (refer to Appendix E).

Expansive Soils. Soils with relatively high clay content are expansive due to the capacity of clay minerals to take in water and swell (expand) to greater volumes. The loamy sand characteristics of the soils on the site are not highly susceptible to expansive soil hazards. The site soils were tested as part of two soil engineering reports completed by Earth Systems Pacific. The results of the site soil testing indicate that the soils were generally non-expansive (refer to Appendix E).

Erosive Soils. Soil erosion is the removal of soil by water and wind. Factors that influence erosion potential include the amount of rainfall and wind, the length and steepness of the slope, and the amount and type of vegetative cover. As described in the U.S. Department of Agriculture Soil Conservation Survey, the erosion potential on the proposed site ranges from moderate to high for either wind or water erosion. Additionally, the Earth Systems Pacific geotechnical reports state that the site's surface soils are highly erodible (refer to Appendix E). The steep gully in the northwest corner of the site has historically experienced erosion; however, no substantial erosion has occurred since the construction of surface drainage improvements in or around 1996, including an earthen berm, a concrete drainage swale along the northeast corner of the gully, and a drainage inlet and culvert on the south side of the gully (refer to Appendix E).

Slope Stability/Landslides. Santa Barbara County Seismic Safety and Safety Element maps illustrating areas of slope stability/ indicate the northern portion of the site has a low potential for these types of soil hazards (Santa Barbara County, 2010). The loamy sand characteristics of a majority of the soil on the site are not highly susceptible to these types of soil hazards. A field investigation and aerial photographs of the gully in the northwest corner of the site did not show evidence of slope instability in the gully banks (refer to Appendix E). The gully consists of sediments of the Orcutt Sand Formation, which have a low potential for slope instability but exhibit a moderate potential for shallow soil slumps when saturated. However, the County Seismic Safety and Safety Element map does indicate that the central portion of the site has a moderate landslide risk most likely associated with the steep slopes associated with Orcutt Creek (Santa Barbara County, 2010).

b. Regulatory Setting.

International Building Code. Published by the International Code Council (ICC), the scope of this code covers major aspects of construction and design of structures and buildings, except for three-story one and two-family dwellings and town homes. The 2012 International Building Code (IBC) contains provisions for structural engineering design and codes governing structural as well as fire- and life-safety provisions covering seismic, wind, accessibility, egress, occupancy, and roofs.

Alquist-Priolo Earthquake Fault Zoning Act. The Alquist-Priolo Earthquake Fault Zoning Act was signed into California law on December 22, 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The Alquist-Priolo Act provides for special

seismic design considerations if developments are planned in areas adjacent to active or potentially active faults.

Seismic Hazards Mapping Act. The Seismic Hazards Mapping Act (SHMA) of 1990 (Public Resources Code, Chapter 7.8, Section 2690-2699.6) directs the Department of Conservation, California Geological Survey to identify and map areas prone to earthquake hazards of liquefaction, earthquake-induced landslides and amplified ground shaking. The purpose of the SHMA is to reduce the threat to public safety and to minimize the loss of life and property by identifying and mitigating these seismic hazards. The SHMA was passed by the legislature following the 1989 Loma Prieta earthquake. The Seismic Hazards Mapping Act addresses geo-seismic hazards, other than surface faulting, and applies to public buildings and most private buildings intended for human occupancy.

California Building Code. The California Building Code (CBC) requires, among other things, seismically resistant construction and foundation and soil investigations prior to construction. The CBC also establishes grading requirements that apply to excavation and fill activities, and requires the implementation of erosion control measures. The County is responsible for enforcing the 2010 CBC.

Santa Barbara County Comprehensive Plan. The Seismic Safety and Safety Element of the County's Comprehensive Plan (updated in August 2010) is intended to guide land use planning with goals and policies to minimize the adverse effects of hazards related to geology, seismicity, fires, and flooding. The following goals and policies are pertinent to the proposed project:

> *Geologic and Seismic Goal 1: Protect the community to the extent feasible from risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche and dam failure; slope instability leading to mudslides and landslides; subsidence, liquefaction and other seismic hazards pursuant to Government Code §65302(g)(1), Chapter 7.8 (commencing with Section 2690) of Division 2 of the Public Resources Code, and other geologic hazards known to the legislative body.*
>
> *Geologic and Seismic Protection Policy 1: The County shall minimize the potential effects of geologic, soil, and seismic hazards through the development review process.*
>
> *Geologic and Seismic Protection Policy 2: To maintain consistency, the County shall refer to the California Building Code, the Land Use Development Code, County Ordinances, the Coastal Land Use Plan, and the Comprehensive General Plan when considering the siting and construction of structures in seismically hazardous areas.*
>
> *Geologic and Seismic Protection Policy 6: The County should reference the Santa Barbara County Multi-Jurisdiction Hazard Mitigation Plan when considering measures to reduce potential harm from seismic activity to property and lives.*

Orcutt Community Plan. The Orcutt Community Plan (updated in October 2004) provides for orderly development in the unincorporated area of Orcutt, in a manner consistent with the overarching Santa Barbara County Comprehensive Plan. The Orcutt Community Plan

contains policies, actions, and development standards to minimize hazards related to geology and soils.

Policy GEO-O-1	*Development shall be sited to avoid geologically hazardous areas.*
DevStd GEO-O-1.1	*New construction shall be set back a minimum of 50 feet from all known active or potentially active faults which have been mapped.*
Policy GEO-O-2	*In areas of high erosion potential, development shall be sited and designed to minimize increased erosion.*
DevStd GEO-O-2.2	*Development shall be prohibited on slopes greater than 30% unless this would prevent reasonable development of a property. In areas of unstable soils, highly erosive soils or on slopes between 20% and 30% development shall not be allowed, unless an evaluation by a qualified professional (e.g., soils engineer, geologist, etc.) establishes that the proposed project will not result in unstable slopes or severe erosion or this would prevent reasonable development of a property.*
DevStd GEO-O-2.6	*All landscape plans shall be reviewed by P&D to ensure revegetation of graded areas in areas of sandy soils. Landscape securities shall be required unless expressly waived by P&D.*

Santa Barbara County Code, Section 14-29, Drainage, Erosion, and Sediment Control. Section 14-29 of the Santa Barbara County Code requires preparation and execution of an erosion and sediment control plan as part of grading plan requirements. The erosion and sediment control plan shall incorporate applicable County-approved best management practices. In lieu of such a plan, the County may accept a Stormwater Pollution Prevention Plan (SWPPP), if it contains the requirements of the County's erosion and sediment control plan. Erosion and sediment control measures shall be in place prior to any grading on hillsides, sloping or mountainous terrain.

4.6.2 Previous Environmental Review

OCP EIR. The OCP EIR examined the geological setting of the project region and the potential geological impacts resulting from development under the OCP. The OCP EIR concluded that impacts related to increased erosion (Impact GEO-1), blowing sand (Impact GEO-2), and seismic hazards (Impact GEO-3) were Class II, *potentially significant but mitigable*. In the OCP EIR, impacts associated with severe erosion caused by grading along the banks of Orcutt Creek were specifically noted as applicable to future development on Key Site 3. Existing County policies and development standards analyzed by the OCP EIR that would mitigate impacts include restrictions on development for slopes between 20 and 30 percent and the prohibition of development on slopes 30 percent and greater as stated in the Open Space Element; hillside and watershed protection policies outlined in the Land Use element; and

conformance to the Zone IV standards of the Uniform Building Code for seismic hazards. The guidance and restrictions for development on slopes of 20 percent or greater were reiterated in the OCP as Development Standards GEO-O-2.1 and GEO-O-2.2. OCP EIR Mitigation Measures GEO-1 through GEO-9 were noted as applying to future development on Key Site 3[1]. These included: the application of the Open Space Overlay to portions of the site, the discouragement of development on slopes of 20 percent or greater and requirement for geological investigations in cases where such development is proposed, and installation of various erosion control measures. In addition, site-specific Mitigation Measures KS3-GEO-1 and KS3-GEO-2 provided additional guidance on required erosion control measures. The OCP EIR concluded that the proposed mitigation measures would be effective in reducing impacts to a less than significant impact (Class II).

Santa Barbara County Focused Housing Rezone Program EIR. The 2008 Housing Element Focused Rezone Program EIR analyzed the impact of rezoning an 8-acre portion of Key Site 3 to MR-O (Multi-family residential Orcutt) to allow for the development of 160 multi-family residential units. The Focused Rezone Program EIR determined that this action would result in significant but mitigable impacts related to erosive soils on the site (Impact GEO-1). The EIR proposed mitigation measure GEO-1 which required erosion control measures that would reduce potential impacts to a less than significant level. Impacts related to fault hazards (Impact GEO-2), ground-shaking hazards (Impact GEO-3), liquefaction, subsidence, and other seismic- and soil-related hazards (Impact GEO-4) and landslide hazards (Impact GEO-5) were determined to be less than significant.

4.6.3 Impact Analysis

a. Methodology and Significance Thresholds. Assessment of impacts is based on review of site information and conditions and County information regarding geologic issues. In accordance with the State CEQA Guidelines, a project would result in a significant impact if it would:

1) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*
    i. *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault;*
    ii. *Strong seismic ground shaking;*
    iii. *Seismic-related ground failure, including liquefaction; and*
    iv. *Landslides.*
2) *Result in substantial soil erosion or the loss of topsoil;*
3) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse;*
4) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property; and/or*
5) *Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.*

[1] *Several of these mitigation measures have subsequently been included in the Orcutt Community Plan as development standards.*

Per the County of Santa Barbara Thresholds Manual (published in October 2008), impacts are classified as significant with regard to geology if the proposed development activity, including all proposed mitigation measures, could result in substantially increased erosion, landslides, soil creep, mudslides, and unstable slopes. In addition, impacts are considered significant if people or structures would be exposed to major geologic hazards upon implementation of the project. If the project involves any of the following, impacts related to geology are potentially significant:

- *The project site or any part of the project is located on land having substantial geologic constraints, as determined by Planning and Development or Public Works. Areas constrained by geology include parcels located near active or potentially active faults and property underlain by rock types associated with compressible/collapsible soils or susceptible to landslides or severe erosion. Special problem areas designated by the Board of Supervisors have been established based on geologic constraints, flood hazards and other physical limitations to development;*
- *The project results in potentially hazardous geologic conditions such as the construction of cut slopes exceeding a grade of 1.5 horizontal to 1 vertical;*
- *The project proposes construction of a cut slope over 15 feet in height as measured from the lowest finished grade; and*
- *The project is located on slopes exceeding 20% grade.*

Impacts associated with expansive soils are discussed in Section 5.0, *Effects Not Found to be Significant*.

b. Project Impacts and Mitigation Measures.

Impact G-1 The project site may be subject to strong groundshaking, which has the potential to cause fill material to settle, destabilize slopes, and cause physical damage to structures, property, utilities, road access, and people.

No active faults that could result in rupture of the ground surface have been mapped across the project site. The potentially active Orcutt Frontal Fault crosses the northern part of the site but would not result in rupture of the ground surface because of its buried depth and low angle (refer to Appendix E). The potentially active Orcutt/Casmalia Fault lies within 1,000 feet of the southwestern corner of the site, yet movement on this fault would not generate surface rupture on the project site. Therefore, the project site is not vulnerable to fault rupture.

Nevertheless, the project site is located in a region with high seismicity and could be subject to strong groundshaking from earthquakes on regional or local causative faults. According to probabilistic modeling of groundshaking originating from major mapped faults within 65 miles of the site, the site has a 10% probability of experience a peak ground acceleration (PGA) of 0.33g within the next 50 years. Furthermore, if the Orcutt Frontal Fault ruptured under the project site, it is estimated that PGA of 0.58g would occur.

Besides the direct physical damage to structures caused by groundshaking, marginally stable landslides, slopes, and inadequately compacted fill material could move and cause additional damage. Gas, water, and electrical lines can be ruptured during the ground shaking, or broken

during the movement of material activated by the seismic event, which can jeopardize public safety after an earthquake.

Although nothing can ensure that structures do not fail under seismic stress, proper engineering can minimize the risk to life and property. As such, building standards have been developed for construction in areas subject to seismic ground-shaking. The most recent California Building Code requirements ensure that new habitable structures are engineered to withstand the expected ground acceleration at a given location. To conform to the California Building Code, the proposed buildings on-site would be designed to withstand a PGA of 0.58g from an earthquake on the Orcutt Frontal Fault, which is consistent with recommendations in the Geologic Hazards Report prepared by Earth Systems Pacific in March 2006 (refer to Appendix E). Compliance with all applicable provisions of the California Building Code would reduce impacts from ground-shaking to adverse, but less than significant.

Mitigation Measures. No mitigation is required.

Significance After Mitigation. Hazards from groundshaking would be adverse, but less than significant (Class III) with adherence to standards in the California Building Code.

Impact G-2 The proposed project would not require grading on slopes exceeding 20 percent because the project clusters development on the Northern Mesa Area and preserves open space areas consisting of steep slopes.

The OCP restricts development on steep slopes within the unincorporated community of Orcutt. Development Standard GEO-O-2.2 of the OCP, which incorporated OCP EIR Mitigation Measure GEO-3, states that development on slopes greater than 30 percent is prohibited unless it would restrict reasonable development. This development standard also prohibits development on erosive soils or slopes between 20 and 30 percent unless a geotechnical evaluation or similar report by a qualified expert demonstrates that the proposed development will not result in unstable slopes or severe erosion. In compliance with this requirement, the site has been assessed for geotechnical hazards associated with soils (refer to Appendix E), and these evaluations determined that the portion of the site proposed for development would not be subject to severe slope stability risks. Consistent with assumptions in the OCP EIR, the proposed project would cluster development onto the Northern Mesa Area and preserve as open space hillsides exceeding 20 percent to the south of Orcutt Creek. Construction of the proposed project would not entail grading on slopes exceeding 20 percent. Therefore, impacts related to slope stability would be adverse, but less than significant.

Mitigation Measures No mitigation measures are required, as slope stability impacts would be less than significant.

Significance After Mitigation. Impacts related to slope stability would be adverse, but less than significant without mitigation (Class III).

Impact G-3 Loose alluvial soils north of Orcutt Creek and loose dune sands to the south may be subject to collapse on the project site, resulting in settlement of the ground surface. However, the proposed project would not involve the placement of structures in these portions of the site.

The County's Seismic Safety and Safety Element identifies the project site as having moderate potential for compressible/collapsible soils (Santa Barbara County, 2010). Based on a field investigation of the project site, Earth Systems Pacific found that the placement of fill soils on top of loose alluvial soils may result in settlement on the portion of the project site adjacent to and north of Orcutt Creek (refer to Appendix E). Loose dune sands to the south of Orcutt Creek also have a high potential for settlement resulting from seismic events. However, the proposed project would cluster development in the Northern Mesa Area and would not involve grading or development in the vicinity of Orcutt Creek. Therefore, the project would not be subject to a substantial hazard from settlement of compressible or collapsible soils. This impact would be adverse, but less than significant (Class III).

Mitigation Measures No mitigation measures are required, as impacts related to settlement were determined to be less than significant.

Significance After Mitigation. Impacts related to settlement would be adverse, but less than significant without mitigation (Class III).

Impact G-4 Cut and fill of soils on the project site during grading could result in substantial erosion or loss of topsoil. Measures to minimize erosion from cut slopes would be necessary.

As noted in the OCP EIR, erosive soils may occur on the project site, and in particular on the foothills south of Orcutt Creek. Although the proposed project would not involve development on the foothills, cut slopes and fill over cut slopes may be subject to long-term remedial issues with erosion (refer to Appendix E). The proposed development would result in approximately 290,950 cubic yards of grading (168,450 cubic yards of cut and 122,500 cubic yards of fill), with the excess cut generated from grading used as additional fill to offset the anticipated shrinkage and compaction of cut material. The Soils Engineering Report for the portion of the site to the north of Orcutt Creek recommends that cut slopes and fill over cut slopes be overexcavated and rebuilt as compacted fill slopes; covered with synthetic vegetation matting; and revegetated with ground cover, shrubs, and trees with deep, dense root structures (refer to Appendix E). In addition, berms at the top of slopes areas are recommended to prevent all surface runoff from flowing over the slopes.

According to a geotechnical investigation of the gully in the northwest corner of the project site, this drainage feature has historically experienced erosion but is not currently subject to the significant erosion because of existing drainage improvements (refer to Appendix E). Because proposed drainage improvements in the Northern Mesa Area would further control surface drainage to the gully, the proposed project is not expected to result in increased erosion of the gully banks. Furthermore, development of the site is not expected to substantially affect the potential for localized minor soil sloughing and slumps. With property line and building

setbacks from the gully, as per the Santa Barbara County Grading Code (Section 14-28), impacts related to erosive soils in the gully area would be less than significant in this area.

Nevertheless, overall impacts related to erosive soils from site grading would be potentially significant but mitigable through implementation of recommendations from the Soils Engineering Report.

Mitigation Measures. Mitigation Measure WR-2(d), which requires operational-phase erosion control measures would be required. In addition, the following mitigation measure is required.

G-4 **Reduction of Soil Erosion from Cut Slopes.** Grading and construction shall be in accordance with recommendations by Earth Systems Pacific, dated February 10, 2006. These recommendations include, but are not limited to, the following measures to minimize impacts related to soil erosion.

- *Cut slopes and fill over cut slopes should be over excavated and rebuilt as compacted fill slope.*
- *Compacted fill slopes should not exceed a 2:1 (horizontal to vertical) slope, and any proposed constructed fill slope exceeding 10 feet shall be evaluated by a qualified geotechnical engineer with any recommended additional stability measures (retaining walls, etc.) implemented. Slopes should be vegetated with groundcover, shrubs, and trees which possess deep, dense root structure and require a minimum of irrigation.*
- *All imported soil should be non-expansive.*
- *All cut areas shall be over excavated such that a minimum of 3 feet in building in the Northern Mesa Area (northern third of the property).*
- *A program of over-excavation, scarification, moisture conditioning, and compaction of the soils in the building and surface improvement areas is required to provide more uniform soil moisture and density, and to provide appropriate pavement and foundation support.*
- *During or soon after the rainy season when on-site soils may be susceptible to temporarily high soil moisture conditions, the contractor and construction schedule should allow adequate time during grading for aerating and drying the soil to near optimum moisture content prior to compaction.*
- *Voids created by the removal of materials or utilities, and extending below the recommended over-excavation depth, should be immediately called to the attention of the soils engineer. No fill should be placed unless the soils engineer has observed the underlying soil.*

Plan Requirements and Timing. Elements of the approved study shall be reflected on grading and building plans as required.

Monitoring. The Owner/Applicant shall demonstrate that the submitted plans conform to required study components. Grading and building inspectors shall ensure compliance in the field.

Significance After Mitigation. Through adherence to the recommendations in the geotechnical studies in accordance with Mitigation Measure G-4 as well as the erosion control measures required by implementation of a SWPPP/Erosion Sediment Control Plan and Mitigation Measure WR-2(d), the potential for soil erosion would be reduced to a less than significant level (Class II).

c. Cumulative Impacts. The proposed project, in conjunction with other cumulative projects proposed in Santa Maria and the unincorporated Santa Barbara County area, would expose additional people and property to seismic and geologic hazards that exist in the region. The magnitude of geologic hazards for individual projects would depend upon the location, type, and size of development and the specific hazards associated with individual sites. Any specific geologic hazards associated with each individual site would be limited to that site without affecting other areas. In addition, County regulations and policies (including compliance with California Building Code requirements) would be expected to reduce seismic and geologic hazards to acceptable levels. Seismic and geologic hazards would be addressed on a case-by-case basis and would not result in cumulatively considerable impacts. Cumulative geologic hazard impacts would be adverse, but less than significant (Class III).

4.7 GREENHOUSE GAS EMISSIONS

4.7.1 Setting

a. Climate Change and Greenhouse Gases. Climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period of time. The term "climate change" is often used interchangeably with the term "global warming," but "climate change" is preferred to "global warming" because it helps convey that there are other changes in addition to rising temperatures. The baseline against which these changes are measured originates in historical records identifying temperature changes that have occurred in the past, such as during previous ice ages. The global climate is continuously changing, as evidenced by repeated episodes of substantial warming and cooling documented in the geologic record. The rate of change has typically been incremental, with warming or cooling trends occurring over the course of thousands of years. The past 10,000 years have been marked by a period of incremental warming, as glaciers have steadily retreated across the globe. However, scientists have observed acceleration in the rate of warming during the past 150 years. Per the United Nations Intergovernmental Panel on Climate Change (IPCC, 2013), the understanding of anthropogenic warming and cooling influences on climate has led to a high confidence (95% or greater chance) that the global average net effect of human activities has been the dominant cause of warming since the mid-20th century (IPCC, 2013).

Gases that absorb and re-emit infrared radiation in the atmosphere are called greenhouse gases (GHGs). The gases that are widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO_2), methane (CH_4), nitrous oxides (N_2O), fluorinated gases such as hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

GHGs are emitted by both natural processes and human activities. Of these gases, CO_2 and CH_4 are emitted in the greatest quantities from human activities. Emissions of CO_2 are largely by-products of fossil fuel combustion, whereas CH_4 results from off-gassing associated with agricultural practices and landfills. Observations of CO_2 concentrations, globally-averaged temperature, and sea level rise are generally well within the range of the extent of the earlier IPCC projections. The recently observed increases in CH_4 and N_2O concentrations are smaller than those assumed in the scenarios in the previous assessments. Each IPCC assessment has used new projections of future climate change that have become more detailed as the models have become more advanced.

Man-made GHGs, many of which have greater heat-absorption potential than CO_2, include fluorinated gases and sulfur hexafluoride (SF_6) (California Environmental Protection Agency [CalEPA], 2006). Different types of GHGs have varying global warming potentials (GWPs). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO_2) is used to relate the amount of heat absorbed to the amount of the gas emissions, referred to as "carbon dioxide equivalent" (CO_2e), and is the amount of a GHG emitted

multiplied by its GWP. Carbon dioxide has a 100-year GWP of one. By contrast, methane CH_4 has a GWP of 25, meaning its global warming effect is 25 times greater than carbon dioxide on a molecule per molecule basis (IPCC, 2007).

The accumulation of GHGs in the atmosphere regulates the earth's temperature. Without the natural heat trapping effect of GHGs, Earth's surface would be about 34° C cooler (CalEPA, 2006). However, it is believed that emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations. The following discusses the primary GHGs of concern.

Carbon Dioxide. The global carbon cycle is made up of large carbon flows and reservoirs. Billions of tons of carbon in the form of CO_2 are absorbed by oceans and living biomass (i.e., sinks) and are emitted to the atmosphere annually through natural processes (i.e., sources). When in equilibrium, carbon fluxes among these various reservoirs are roughly balanced (United States Environmental Protection Agency [U.S. EPA], April 2014). CO_2 was the first GHG demonstrated to be increasing in atmospheric concentration, with the first conclusive measurements being made in the second half of the 20th century. Concentrations of CO_2 in the atmosphere have risen approximately 40% since the industrial revolution. The global atmospheric concentration of CO_2 has increased from a pre-industrial value of about 280 parts per million (ppm) to 391 ppm in 2011 (IPCC, 2007; Oceanic and Atmospheric Association [NOAA], 2010). The average annual CO_2 concentration growth rate was larger between 1995 and 2005 (average: 1.9 ppm per year) than it has been since the beginning of continuous direct atmospheric measurements (1960–2005 average: 1.4 ppm per year), although there is year-to-year variability in growth rates (NOAA, 2010). Currently, CO_2 represents an estimated 74% of total GHG emissions (IPCC, 2007). The largest source of CO_2 emissions, and of overall GHG emissions, is fossil fuel combustion.

Methane. Methane (CH_4) is an effective absorber of radiation, though its atmospheric concentration is less than that of CO_2 and its lifetime in the atmosphere is limited to 10 to 12 years. It has a GWP approximately 25 times that of CO_2. Over the last 250 years, the concentration of CH_4 in the atmosphere has increased by 148% (IPCC, 2007), although emissions have declined from 1990 levels. Anthropogenic sources of CH_4 include enteric fermentation associated with domestic livestock, landfills, natural gas and petroleum systems, agricultural activities, coal mining, wastewater treatment, stationary and mobile combustion, and certain industrial processes (U.S. EPA, April 2014).

Nitrous Oxide. Concentrations of nitrous oxide (N_2O) began to rise at the beginning of the industrial revolution and continue to increase at a relatively uniform growth rate (NOAA, 2010). N_2O is produced by microbial processes in soil and water, including those reactions that occur in fertilizers that contain nitrogen, fossil fuel combustion, and other chemical processes. Use of these fertilizers has increased over the last century. Agricultural soil management and mobile source fossil fuel combustion are the major sources of N_2O emissions. The GWP of nitrous oxide is approximately 298 times that of CO_2 (IPCC, 2007).

Fluorinated Gases (HFCS, PFCS and SF_6). Fluorinated gases, such as hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfurhexafluoride (SF_6), are powerful GHGs that are emitted from a variety of industrial processes. Fluorinated gases are used as substitutes for

ozone-depleting substances such as chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), and halons, which have been regulated since the mid-1980s because of their ozone-destroying potential and are phased out under the Montreal Protocol (1987) and Clean Air Act Amendments of 1990. Electrical transmission and distribution systems account for most SF_6 emissions, while PFC emissions result from semiconductor manufacturing and as a by-product of primary aluminum production. Fluorinated gases are typically emitted in smaller quantities than CO_2, CH_4, and N_2O, but these compounds have much higher GWPs. SF_6 is the most potent GHG the IPCC has evaluated.

Greenhouse Gas Emissions Inventory. Worldwide anthropogenic emissions of GHGs were approximately 46,000 million metric tons (MMT, or gigatonne) CO_2e in 2010 (IPCC, 2014). CO_2 emissions from fossil fuel combustion and industrial processes contributed about 65% of total emissions in 2010. Of anthropogenic GHGs, carbon dioxide was the most abundant accounting for 76% of total 2010 emissions. Methane emissions accounted for 16% of the 2010 total, while nitrous oxide and fluorinated gases account for 6 and 2% respectively (IPCC, 2014).

Total U.S. GHG emissions were 6,525.6 MMT CO_2e in 2012 (U.S. EPA, April 2014). Total U.S. emissions have increased by 4.7% since 1990; emissions decreased by 3.4% from 2011 to 2012 (U.S. EPA, April 2014). The decrease from 2011 to 2012 was due to a decrease in the carbon intensity of fuels consumed to generate electricity due to a decrease in coal consumption, with increased natural gas consumption. Additionally, relatively mild winter conditions, especially in regions of the United States where electricity is important for heating, resulted in an overall decrease in electricity demand in most sectors. Since 1990, U.S. emissions have increased at an average annual rate of 0.2%. In 2012, the transportation and industrial end-use sectors accounted for 28.2% and 27.9% of CO_2 emissions (with electricity-related emissions distributed), respectively. Meanwhile, the residential and commercial end-use sectors accounted for 16.3% and 16.4% of CO_2 emissions, respectively (U.S. EPA, April 2014).

Based upon the California Air Resources Board (ARB) California Greenhouse Gas Inventory for 2000-2012 (ARB, March 2014), California produced 459 MMT CO_2e in 2012. The major source of GHG in California is transportation, contributing 36% of the state's total GHG emissions. Electric power is the second largest source, contributing 21% of the state's GHG emissions (ARB, March 2014). The industrial sector accounted for approximately 19% of the total emissions. California emissions are due in part to its large size and large population compared to other states. However, a factor that reduces California's per capita fuel use and GHG emissions, as compared to other states, is its relatively mild climate. The ARB has projected statewide unregulated GHG emissions for the year 2020 will be 507 MMT CO_2e (ARB, August 2013). These projections represent the emissions that would be expected to occur in the absence of any GHG reduction actions.

Potential Effects of Climate Change. Globally, climate change has the potential to affect numerous environmental resources through potential impacts related to future air temperatures and precipitation patterns. Scientific modeling predicts that continued GHG emissions at or above current rates would induce more extreme climate changes during the 21st century than were observed during the 20th century. Long-term trends have found that each of the past three decades has been warmer than all the previous decades in the instrumental record, and the decade from 2000 through 2010 has been the warmest. The global combined land and ocean temperature data show an increase of about 0.89°C (0.69°C–1.08°C) over the period 1901–2012

and about 0.72°C (0.49°C–0.89°C) over the period 1951–2012 when described by a linear trend. Several independently analyzed data records of global and regional Land-Surface Air Temperature (LSAT) obtained from station observations are in agreement that LSAT as well as sea surface temperatures have increased. In addition to these findings, there are identifiable signs that global warming is currently taking place, including substantial ice loss in the Arctic over the past two decades (IPCC, 2013).

According to the CalEPA's *2010 Climate Action Team Biennial Report*, potential impacts of climate change in California may include loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years (CalEPA, April 2010). Below is a summary of some of the potential effects that could be experienced in California as a result of climate change.

Sea Level Rise. According to *The Impacts of Sea-Level Rise on the California Coast*, prepared by the California Climate Change Center (CCCC) (May 2009), climate change has the potential to induce substantial sea level rise in the coming century. The rising sea level increases the likelihood and risk of flooding. Sea levels are rising faster now than in the previous two millennia, and the rise is expected to accelerate, even with robust GHG emission control measures. The most recent IPCC report (2013) predicts a mean sea–level rise of 11-38 inches by 2100. This prediction is more than 50% higher than earlier projections of 7-23 inches, when comparing the same emissions scenarios and time periods. The previous IPCC report (2007) identified a sea level rise on the California coast over the past century of approximately eight inches. Based on the results of various climate change models, sea level rise is expected to continue. The California Climate Adaptation Strategy (California Natural Resource Agency, December 2009) estimates a sea level rise of up to 55 inches by the end of this century.

Air Quality. Higher temperatures, which are conducive to air pollution formation, could worsen air quality in California. Climate change may increase the concentration of ground-level ozone, but the magnitude of the effect, and therefore its indirect effects, are uncertain. If higher temperatures are accompanied by drier conditions, the potential for large wildfires could increase, which, in turn, would further worsen air quality. However, if higher temperatures are accompanied by wetter, rather than drier conditions, the rains would tend to temporarily clear the air of particulate pollution and reduce the incidence of large wildfires, thereby ameliorating the pollution associated with wildfires. Additionally, severe heat accompanied by drier conditions and poor air quality could increase the number of heat-related deaths, illnesses, and asthma attacks throughout the state (California Energy Commission [CEC], March, 2009).

Water Supply. Analysis of paleoclimatic data (such as tree-ring reconstructions of stream flow and precipitation) indicates a history of naturally and widely varying hydrologic conditions in California and the west, including a pattern of recurring and extended droughts. Uncertainty remains with respect to the overall impact of climate change on future water supplies in California. However, the average early spring snowpack in the Sierra Nevada decreased by about 10% during the last century, a loss of 1.5 million acre-feet of snowpack storage. During the same period, sea level rose eight inches along California's coast. California's temperature has risen 1°F, mostly at night and during the winter, with higher elevations experiencing the highest increase. Many Southern California cities have experienced their lowest recorded annual precipitation twice within the past decade. In a span of only two years,

Los Angeles experienced both its driest and wettest years on record (California Department of Water Resources [DWR], 2008; CCCC, May 2009).

This uncertainty complicates the analysis of future water demand, especially where the relationship between climate change and its potential effect on water demand is not well understood. The Sierra snowpack provides the majority of California's water supply by accumulating snow during the state's wet winters and releasing it slowly during the state's dry springs and summers. Based upon historical data and modeling DWR projects that the Sierra snowpack will experience a 25 to 40% reduction from its historic average by 2050. Climate change is also anticipated to bring warmer storms that result in less snowfall at lower elevations, reducing the total snowpack (DWR, 2008).

Hydrology. As discussed above, climate change could potentially affect: the amount of snowfall, rainfall, and snow pack; the intensity and frequency of storms; flood hydrographs (flash floods, rain or snow events, coincidental high tide and high runoff events); sea level rise and coastal flooding; coastal erosion; and the potential for salt water intrusion. The rate of increase of global mean sea levels over the 2001-2010 decade, as observed by satellites, ocean buoys and land gauges, was approximately 3.2 mm per year, which is double the observed 20th century trend of 1.6 mm per year (World Meteorological Organization [WMO], 2013). As a result, sea levels averaged over the last decade were about 8 inches higher than those of 1880 (WMO, 2013). Sea level rise may be a product of climate change through two main processes: expansion of sea water as the oceans warm and melting of ice over land. A rise in sea levels could result in coastal flooding and erosion and could jeopardize California's water supply due to salt water intrusion. Increased CO_2 emissions can cause oceans to acidify due to the carbonic acid it forms. Increased storm intensity and frequency could affect the ability of flood-control facilities, including levees, to handle storm events.

Agriculture. California has a $30 billion annual agricultural industry that produces half of the country's fruits and vegetables. Higher CO_2 levels can stimulate plant production and increase plant water-use efficiency. However, if temperatures rise and drier conditions prevail, water demand could increase; crop-yield could be threatened by a less reliable water supply; and greater air pollution could render plants more susceptible to pest and disease outbreaks. In addition, temperature increases could change the time of year certain crops, such as wine grapes, bloom or ripen, and thereby affect their quality (CCCC, 2006).

Ecosystems and Wildlife. Climate change and the potential resulting changes in weather patterns could have ecological effects on a global and local scale. Increasing concentrations of GHGs are likely to accelerate the rate of climate change. Scientists project that the average global surface temperature could rise by 1.0-4.5°F (0.6-2.5°C) in the next 50 years, and 2.2-10°F (1.4-5.8°C) in the next century, with substantial regional variation. Soil moisture is likely to decline in many regions, and intense rainstorms are likely to become more frequent. Rising temperatures could have four major impacts on plants and animals: (1) timing of ecological events; (2) geographic range; (3) species' composition within communities; and (4) ecosystem processes, such as carbon cycling and storage (Parmesan, August 2006).

b. Regulatory Setting. The following regulations address both climate change and GHG emissions.

International Regulations. The United States is, and has been, a participant in the United Nations Framework Convention on Climate Change (UNFCCC) since it was produced in 1992. The UNFCCC is an international environmental treaty with the objective of, "stabilization of GHG concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system." This is generally understood to be achieved by stabilizing global GHG concentrations between 350 and 400 ppm, in order to limit the global average temperature increases between 2 and 2.4°C above pre-industrial levels (IPCC, 2007). The UNFCCC itself does not set limits on GHG emissions for individual countries or enforcement mechanisms. Instead, the treaty provides for updates, called "protocols," that would identify mandatory emissions limits.

Five years later, the UNFCCC brought nations together again to draft the *Kyoto Protocol* (1997). The Kyoto Protocol established commitments for industrialized nations to reduce their collective emissions of six GHGs (CO_2, CH_4, N_2O, SF_6, HFCs, and PFCs) to 5.2% below 1990 levels by 2012. The United States is a signatory of the Kyoto Protocol, but Congress has not ratified it and the United States has not bound itself to the Protocol's commitments (UNFCCC, 2007). The first commitment period of the Kyoto Protocol ended in 2012. Governments, including 38 industrialized countries, agreed to a second commitment period of the Kyoto Protocol beginning January 1, 2013 and ending either on December 31, 2017 or December 31, 2020, to be decided by the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol at its seventeenth session (UNFCCC, November 2011).

In Durban (17th session of the Conference of the Parties in Durban, South Africa, December 2011), governments decided to adopt a universal legal agreement on climate change as soon as possible, but not later than 2015. Work will begin on this immediately under a new group called the Ad Hoc Working Group on the Durban Platform for Enhanced Action. Progress was also made regarding the creation of a Green Climate Fund (GCF) for which a management framework was adopted (UNFCCC, December 2011; United Nations, November 2011).

Federal Regulations. The United States Supreme Court in *Massachusetts et al. v. Environmental Protection Agency et al*. ([2007] 549 U.S. 05-1120) held that the U.S. EPA has the authority to regulate motor-vehicle GHG emissions under the federal Clean Air Act.

The U.S. EPA issued a Final Rule for mandatory reporting of GHG emissions in October 2009. This Final Rule applies to fossil fuel suppliers, industrial gas suppliers, direct GHG emitters, and manufacturers of heavy-duty and off-road vehicles and vehicle engines, and requires annual reporting of emissions. The first annual reports for these sources were due in March 2011.

On May 13, 2010, the U.S. EPA issued a Final Rule that took effect on January 2, 2011, setting a threshold of 75,000 tons CO_2e per year for GHG emissions. New and existing industrial facilities that meet or exceed that threshold will require a permit after that date. On November 10, 2010, the U.S. EPA published the "PSD and Title V Permitting Guidance for Greenhouse Gases." The U.S. EPA's guidance document is directed at state agencies responsible for air pollution permits

under the Federal Clean Air Act to help them understand how to implement GHG reduction requirements while mitigating costs for industry. It is expected that most states will use the U.S. EPA's new guidelines when processing new air pollution permits for power plants, oil refineries, cement manufacturing, and other large pollution point sources.

On January 2, 2011, the U.S. EPA implemented the first phase of the Tailoring Rule for GHG emissions Title V Permitting. Under the first phase of the Tailoring Rule, all new sources of emissions are subject to GHG Title V permitting if they are otherwise subject to Title V for another air pollutant and they emit at least 75,000 tons CO_2e per year. Under Phase 1, no sources were required to obtain a Title V permit solely due to GHG emissions. Phase 2 of the Tailoring Rule went into effect July 1, 2011. At that time new sources were subject to GHG Title V permitting if the source emits 100,000 tons CO_2e per year, or they are otherwise subject to Title V permitting for another pollutant and emit at least 75,000 tons CO_2e per year.

On July 3, 2012 the U.S. EPA issued the final rule that retains the GHG permitting thresholds that were established in Phases 1 and 2 of the GHG Tailoring Rule. These emission thresholds determine when Clean Air Act permits under the New Source Review Prevention of Significant Deterioration (PSD) and Title V Operating Permit programs are required for new and existing industrial facilities.

California Regulations. California Air Resources Board (ARB) is responsible for the coordination and oversight of State and local air pollution control programs in California. California has a numerous regulations aimed at reducing the state's GHG emissions. These initiatives are summarized below.

Assembly Bill (AB) 1493 (2002), California's Advanced Clean Cars program (referred to as "Pavley"), requires ARB to develop and adopt regulations to achieve "the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles." On June 30, 2009, U.S. EPA granted the waiver of Clean Air Act preemption to California for its GHG emission standards for motor vehicles beginning with the 2009 model year. Pavley I took effect for model years starting in 2009 to 2016 and Pavley II, which is now referred to as "LEV (Low Emission Vehicle) III GHG" will cover 2017 to 2025. Fleet average emission standards would reach 22% reduction by 2012 and 30% by 2016. The Advanced Clean Cars program coordinates the goals of the Low Emissions Vehicles (LEV), Zero Emissions Vehicles (ZEV), and Clean Fuels Outlet programs and would provide major reductions in GHG emissions. By 2025, when the rules will be fully implemented, new automobiles will emit 34% fewer GHGs and 75% fewer smog-forming emissions from their model year 2016 levels (ARB, 2011).

In 2005, former Governor Schwarzenegger issued Executive Order (EO) S-3-05, establishing statewide GHG emissions reduction targets. EO S-3-05 provides that by 2010, emissions shall be reduced to 2000 levels; by 2020, emissions shall be reduced to 1990 levels; and by 2050, emissions shall be reduced to 80% below 1990 levels (CalEPA, 2006). In response to EO S-3-05, CalEPA created the Climate Action Team (CAT), which in March 2006 published the Climate Action Team Report (the "2006 CAT Report") (CalEPA, 2006). The 2006 CAT Report identified a recommended list of strategies that the state could pursue to reduce GHG emissions. These are strategies that could be implemented by various state agencies to ensure that the emission reduction targets in EO S-3-05 are met and can be met with existing authority of the state

agencies. The strategies include the reduction of passenger and light duty truck emissions, the reduction of idling times for diesel trucks, an overhaul of shipping technology/infrastructure, increased use of alternative fuels, increased recycling, and landfill methane capture, etc.

California's major initiative for reducing GHG emissions is outlined in Assembly Bill 32 (AB 32), the "California Global Warming Solutions Act of 2006," signed into law in 2006. AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 (essentially a 15% reduction below 2005 emission levels; the same requirement as under S-3-05), and requires ARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHGs to meet the 2020 deadline. In addition, AB 32 requires ARB to adopt regulations to require reporting and verification of statewide GHG emissions.

After completing a comprehensive review and update process, ARB approved a 1990 statewide GHG level and 2020 limit of 427 MMT CO_2e. The Scoping Plan was approved by ARB on December 11, 2008, and included measures to address GHG emission reduction strategies related to energy efficiency, water use, and recycling and solid waste, among other measures. Many of the GHG reduction measures including in the Scoping Plan (e.g., Low Carbon Fuel Standard, Advanced Clean Car standards, and Cap-and-Trade) have been adopted over the last five years. Implementation activities are ongoing and ARB is currently the process of updating the Scoping Plan.

In May 2014, ARB approved the first update to the AB 32 Scoping Plan. The 2013 Scoping Plan update defines ARB's climate change priorities for the next five years and sets the groundwork to reach post-2020 goals set forth in EO S-3-05. The update highlights California's progress toward meeting the "near-term" 2020 GHG emission reduction goals defined in the original Scoping Plan. It also evaluates how to align the State's longer-term GHG reduction strategies with other State policy priorities, such as for water, waste, natural resources, clean energy and transportation, and land use (ARB, June 2014).

Senate Bill (SB) 97, signed in August 2007, acknowledges that climate change is an environmental issue that requires analysis in California Environmental Quality Act (CEQA) documents. In March 2010, the California Resources Agency (Resources Agency) adopted amendments to the State CEQA Guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions. The adopted guidelines give lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts.

ARB Resolution 07-54 establishes 25,000 MT of GHG emissions as the threshold for identifying the largest stationary emission sources in California for purposes of requiring the annual reporting of emissions. This threshold is just over 0.005% of California's total inventory of GHG emissions for 2004.

Senate Bill (SB) 375, signed in August 2008, enhances the state's ability to reach AB 32 goals by directing ARB to develop regional GHG emission reduction targets to be achieved from vehicles for 2020 and 2035. In addition, SB 375 directs each of the state's 18 major Metropolitan Planning Organizations (MPO) to prepare a "sustainable communities strategy" (SCS) that contains a growth strategy to meet these emission targets for inclusion in the Regional Transportation Plan

(RTP). On September 23, 2010, ARB adopted final regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035. The Santa Barbara County Association of Governments (SBCAG) was assigned targets of zero net growth in per capita emissions from passenger vehicles in the 2020 and 2035 target years. The SBCAG 2040 Regional Transportation Plan and Sustainable Communities Strategy (August, 2013) demonstrated that the SBCAG region would achieve its regional emissions reduction targets for the 2020 and 2035 target years.

In April 2011, Governor Brown signed SB 2X requiring California to generate 33% of its electricity from renewable energy by 2020.

For more information on the Senate and Assembly Bills, Executive Orders, and reports discussed above, and to view reports and research referenced above, please refer to the following websites: www.climatechange.ca.gov and www.arb.ca.gov/cc/cc.htm.

California Environmental Quality Act. Pursuant to the requirements of SB 97, the Resources Agency has adopted amendments to the *State CEQA Guidelines* for the feasible mitigation of GHG emissions or the effects of GHG emissions. As noted previously, the adopted *CEQA Guidelines* provide general regulatory guidance on the analysis and mitigation of GHG emissions in CEQA documents, while giving lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts. To date, the Bay Area Air Quality Management District (BAAQMD), the South Coast Air Quality Management District (SCAQMD), the San Luis Obispo Air Pollution Control District (SLOAPCD), and the San Joaquin Air Pollution Control District (SJVAPCD) have adopted quantitative significance thresholds for GHGs. On March 5, 2012 the Alameda County Superior Court issued a judgment finding that the BAAQMD had failed to comply with CEQA when it adopted the thresholds contained in the BAAQMD's 2010 *Updated CEQA Guidelines*. The BAAQMD was ordered to set aside the thresholds and is no longer recommending that these thresholds be used as a general measure of a project's significant air quality impacts. In August 2013, the First District Court of Appeal overturned the trial court and held that the thresholds of significance adopted by the BAAQMD were not subject to CEQA review. The California Supreme Court has agreed to hear an appeal of this case. The case is currently being briefed and the matter is still pending. Thus, BAAQMD will not issue a further recommendation until this litigation is complete.

Local Regulations and CEQA Requirements. Quantitative significance thresholds for this impact area have not been adopted by the State of California, or any particular air pollution control district, including the SBCAPCD. However, Santa Barbara County recommends the use of San Luis Obispo Air Pollution Control District (SLOAPCD) Greenhouse Gas Thresholds, as adopted in April 2012 (SLOAPCD, 2012). The SLOAPCD threshold was developed to help reach the AB 32 emission reduction targets by attributing an appropriate share of the GHG reductions needed from new land use development projects subject to CEQA. Land use sector projects that comply with the GHG thresholds would not be "cumulatively considerable" because they would be helping to solve the cumulative problem as a part of the AB 32 process. Such small sources would not significantly add to climate change and would not hinder the state's ability to reach the AB 32 goal, even when considered cumulatively. Therefore, a project which falls below the quantitative GHG emissions annual threshold of 1,150 MT CO_2e is consistent with the reduction goals of AB 32 and is presumed to have a less than significant GHG impact.

4.7.2 Previous Environmental Review

OCP EIR. The OCP EIR was certified in 1995, prior to the passage of any state legislation regulating GHG emissions or their analysis under CEQA. Therefore, the OCP EIR did not address impacts related to GHG emissions and climate change. Accordingly, this document includes a full analysis of potential impacts related to GHG emissions under the current development proposal.

Santa Barbara County Focused Housing Rezone Program EIR. The Focused Rezone Program EIR determined that the rezone would result in potentially significant impacts related to GHG emissions/climate change (Impact AQ-5). Therefore that EIR proposed operational phase mitigation to reduce fuel usage and associated GHG emissions [Mitigation Measure AQ-5(a)]. Mitigation Measure AQ-5(a) included measures to increase building energy efficiency ratings above what is required by Title 24 requirements and use of Green Building techniques. The mitigation measures included in the Focused Rezone Program EIR were noted as reducing future air pollutant emissions to the extent feasible, and GHG emissions were not noted as a significant impact. The mitigation measures set forth in the Focused Rezone Program EIR would apply to the multi-family residential development in the MR-O zone of the project site.

4.7.3 Impact Analysis

a. Methodology and Significance Thresholds. Based on Appendix G of the *State CEQA Guidelines*, impacts related to GHG emissions from the proposed project would be significant if the project would:

- *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; and/or*
- *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.*

The vast majority of individual projects do not generate sufficient GHG emissions to create a project-specific impact through a direct influence to climate change; therefore, the issue of climate change typically involves an analysis of whether a project's contribution towards an impact is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (CEQA Guidelines, Section 15355).

The significance of GHG emissions may be evaluated based on locally adopted quantitative thresholds, or consistency with a regional GHG reduction plan (such as a Climate Action Plan). However, the SBCAPCD has not adopted GHG emissions thresholds, and no GHG emissions reduction plan with established GHG emissions reduction strategies has yet been adopted. As discussed above, Santa Barbara County recommends the use of San Luis Obispo Air Pollution Control District (SLOAPCD) Greenhouse Gas Thresholds, as adopted in April 2012 (SLOAPCD, 2012). SLOAPCD GHG thresholds are summarized in Table 4.7-1.

Table 4.7-1 SLOAPCD GHG Significance Determination Criteria

GHG Emission Source Category	Operational Emissions
Residential and Commercial Projects	Compliance with Qualified GHG Reduction Strategy OR Bright-Line Threshold of 1,150 MT of CO_2e/yr OR Efficiency Threshold of 4.9 MT CO_2e/SP*/yr
(Industrial) Stationary Sources	10,000 MT of CO_2e/yr

**SP = Service Population (residents + employees)*
For projects other than stationary sources, compliance with either a Qualified Greenhouse Gas Reduction Strategy, or with the Bright-Line (1,150 CO_2e/ yr.) or Efficiency Threshold (4.9 MT CO_2e/SP/yr.) would result in an insignificant determination, and in compliance with the goals of AB 32. The construction emissions of projects will be amortized over the life of a project and added to the operational emissions. Emissions from construction-only projects (e.g. roadways, pipelines, etc.) will be amortized over the life of the project and compared to an adopted GHG Reduction Strategy or the Bright-Line Threshold only.

The SLOAPCD "bright-line threshold" was developed to help reach the AB 32 emission reduction targets by attributing an appropriate share of the GHG reductions needed from new land use development projects subject to CEQA. Land use sector projects that comply with this threshold would not be "cumulatively considerable" because they would be helping to solve the cumulative problem as a part of the AB 32 process. Such small sources would not significantly add to climate change and would not hinder the state's ability to reach the AB 32 goal, even when considered cumulatively. The threshold is intended to assess small and average sized projects, whereas the per service population (SP) guideline is intended to avoid penalizing larger projects that incorporate GHG-reduction measures such that they may have high total annual GHG emissions, but would be relatively efficient, as compared to projects of similar scale. The efficiency threshold is the most appropriate threshold for the proposed project, and the proposed project would have a potentially significant contribution to GHG emissions if it would result in emissions in excess of 4.9 metric tons (MT) of CO_2e per SP per year. Therefore, the project's contribution to cumulative impacts related to GHG emissions and climate change would be cumulatively considerable if the project would produce in excess of 4.9 MT CO_2e per SP per year.

Study Methodology. Calculations of CO_2, CH_4, and N_2O emissions are provided to identify the magnitude of potential project effects. The analysis focuses on CO_2, CH_4, and N_2O because these make up 98.9 percent of all GHG emissions by volume (IPCC, 2007) and are the GHG emissions that the project would emit in the largest quantities. Fluorinated gases, such as HFCs, PFCs, and SF_6, were also considered for the analysis. However, because the project is a residential development, the quantity of fluorinated gases would not be significant since fluorinated gases are primarily associated with industrial processes. Emissions of all GHGs are converted into their equivalent GWP in terms of CO_2 (CO_2e). Minimal amounts of other GHGs (such as chlorofluorocarbons [CFCs]) would be emitted; however, these other GHG emissions would not substantially add to the total calculated CO_2e amounts. Calculations are based on the methodologies discussed in the California Air Pollution Control Officers Association (CAPCOA) *CEQA and Climate Change* white paper (January 2008) and included the use of the California Climate Action Registry (CCAR) General Reporting Protocol (January 2009).

GHG emissions associated with the proposed project were calculated using the California Emissions Estimator Model (CalEEMod) version 2013.2.2 (see Appendix B for calculations).

Operational Emissions. CalEEMod provides operational emissions of CO_2, N_2O, and CH_4. Emissions from energy use include electricity and natural gas use. The emissions factors for natural gas combustion are based on EPA's AP-42, (*Compilation of Air Pollutant Emissions Factors*) and CCAR. Electricity emissions are calculated by multiplying the energy use times the carbon intensity of the utility district per kilowatt hour (CalEEMod User Guide, 2013). The default electricity consumption values in CalEEMod include the CEC-sponsored California Commercial End Use Survey (CEUS) and Residential Appliance Saturation Survey (RASS) studies.

Emissions associated with area sources, including consumer products, landscape maintenance, and architectural coating were calculated in CalEEMod and utilize standard emission rates from ARB, U.S. EPA, and emission factor values provided by the local air district (CalEEMod User Guide, 2013).

Emissions from waste generation were also calculated in CalEEMod and are based on the IPCC's methods for quantifying GHG emissions from solid waste using the degradable organic content of waste (CalEEMod User Guide, 2013). Waste disposal rates by land use and overall composition of municipal solid waste in California was primarily based on data provided by the California Department of Resources Recycling and Recovery (CalRecycle).

Emissions from water and wastewater usage calculated in CalEEMod were based on the default electricity intensity from the CEC's 2006 Refining Estimates of Water-Related Energy Use in California using the average values for Northern and Southern California.

For mobile sources, CO_2 and CH_4 emissions were quantified in CalEEMod. Because CalEEMod does not calculate N_2O emissions from mobile sources, N_2O emissions were quantified using the California Climate Action Registry General Reporting Protocol (January 2009) direct emissions factors for mobile combustion (see Appendix B for calculations). The estimate of total daily trips associated with the proposed project was based on vehicle trip rates from the Traffic Study (Appendix H; also refer to Section 4.11, *Transportation and Circulation*) and was calculated and extrapolated to derive total annual mileage in CalEEMod. Emission rates for N_2O emissions were based on the vehicle mix output generated by CalEEMod and the emission factors found in the California Climate Action Registry General Reporting Protocol.

A limitation of the quantitative analysis of emissions from mobile combustion is that emission models, such as CalEEMod, evaluate aggregate emissions, meaning that all vehicle trips and related emissions assigned to a project are assumed to be new trips and emissions generated by the project itself. Such models do not demonstrate, with respect to a regional air quality impact, what proportion of these emissions are actually "new" emissions, specifically attributable to the project in question. For most projects, the main contributor to regional air quality emissions is from motor vehicles; however, the quantity of vehicle trips appropriately characterized as "new" is usually uncertain as traffic associated with a project may be relocated trips from other locales. In other words, vehicle trips associated with the project may include trips relocated from other existing locations, as people begin to use the proposed project instead of similar existing residential uses. Therefore, because the proportion of "new" versus relocated trips is

unknown, the VMT estimate generated by CalEEMod is used as a conservative, "worst-case" estimate.

Construction Emissions. Although construction activity is addressed in this analysis, CAPCOA does not discuss whether any of the suggested threshold approaches adequately address impacts from temporary construction activity. As stated in the *CEQA and Climate Change* white paper, "more study is needed to make this assessment or to develop separate thresholds for construction activity" (CAPCOA, 2008). Nevertheless, air districts such as the SCAQMD (2010) have recommended amortizing construction-related emissions over a 30-year period in conjunction with the proposed project's operational emissions.

Construction of the proposed project would generate temporary GHG emissions primarily due to the operation of construction equipment on-site, as well as from vehicles transporting construction workers to and from the project site. Site preparation and grading typically generate the greatest amount of emissions due to the use of grading equipment and soil hauling. CalEEMod provides an estimate of emissions associated with the construction period, based on parameters such as the duration of construction activity, area of disturbance, and anticipated equipment use during construction.

For the purpose of this analysis, construction activity was assumed to occur in one phase over a period of approximately three years. The modeling assumed a disturbance of 21.8 acres for single-family residences and 3.2 acres for recreational parks rather than default values to calculate construction emissions. According to the scoping paper for the proposed project, grading operations would result in approximately 290,950 cubic yards (cy) of soil material disturbed (168,450 cy of cut and 122,500 cy of fill) (June 2014). The excess cut generated from the grading would be used as additional fill to offset the anticipated shrinkage and compaction of cut material. Accordingly, no off-site hauling of excess materials was included in the model. All other values utilized in the modeling were based on applicable SBCAPCD defaults for the SCCAB.

b. Project Impacts and Mitigation Measures.

Impact GHG-1 The project would generate short-term as well as long-term GHG emissions. The proposed project would exceed the 4.9 MT CO_2e/SP/year threshold, and would incrementally contribute to climate change. However, these emissions would not hinder or delay achievement of state GHG reduction targets established by AB 32.

<u>Construction Emissions</u>. Construction of the proposed project would generate temporary GHG emissions primarily due to the operation of construction equipment and truck trips. Construction activity is assumed to occur over a period of approximately three years based on the proposed construction schedule. Site preparation and grading typically generate the greatest amount of emissions due to the use of grading equipment and soil hauling.

Table 4.7-2 Estimated Construction Emissions of GHGs

	Annual Emissions (Carbon Dioxide Equivalent (CO_2e)
Total Estimated Construction Emissions	880 metric tons
Amortized over 50 years	17.6 metric tons per year

See Appendix B for CalEEMod Results.

As shown in Table 4.7-2, construction activity associated with the project would generate an estimated 880 metric tons of CO_2e. Air pollution control districts such as the SLOAPCD have recommended amortizing construction-related emissions for residential projects over a 50-year period in conjunction with the proposed project's operational emissions. Amortized over a 50-year period (the assumed life of the project), construction of the proposed project would generate an estimated 17.6 metric tons of CO_2e per year.

On-Site Operational Emissions. Operational emissions from energy use (electricity and natural gas use) for the proposed project were estimated using CalEEMod (see Appendix B for calculations). The default values on which CalEEMod are based include the California Energy Commission (CEC) sponsored California Commercial End Use Survey (CEUS) and Residential Appliance Saturation Survey (RASS) studies. CalEEMod provides operational emissions of CO_2, N_2O, and CH_4. Emissions associated with area sources, including consumer products, landscape maintenance, and architectural coating, were calculated in CalEEMod based on standard emission rates from the California Air Resources Board (ARB), USEPA, and emission factor values provided by SBCAPCD (CalEEMod User's Guide, 2013). Emissions from waste generation were also calculated in CalEEMod and are based on the IPCC's methods for quantifying GHG emissions from solid waste using the degradable organic content of waste (CalEEMod User's Guide, 2013). Waste disposal rates by land use and overall composition of municipal solid waste in California was primarily based on data provided by the California Department of Resources Recycling and Recovery (CalRecycle). Emissions from water and wastewater usage calculated in CalEEMod were based on the default electricity intensity from the CEC's 2006 Refining Estimates of Water-Related Energy Use in California using the average values for Northern and Southern California.

Direct Emissions from Mobile Combustion. Emissions from vehicles driving to and from the site were based on vehicle trip rates from the Traffic Study for the project (Appendix H; also refer to Section 4.11, *Transportation and Circulation*). Emissions of CO_2 and CH_4 from transportation sources were quantified using CalEEMod. Because CalEEMod does not calculate N_2O emissions from mobile sources, N_2O emissions were quantified using the California Climate Action Registry General Reporting Protocol (January 2009) direct emissions factors for mobile combustion (refer to Appendix for calculations). Emission rates for N_2O emissions were based on the vehicle mix output generated by CalEEMod and the emission factors found in the California Climate Action Registry General Reporting Protocol.

Combined Annual Construction, Operational, and Mobile GHG Emissions. Table 4.7-3 combines the construction and operational GHG emissions associated with development for the proposed project. As described above, emissions associated with short-term construction activity (approximately 880 metric tons CO_2e) are amortized over 50 years for residential projects.

Table 4.7-3 Combined Annual Emissions of GHGs

Emission Source	Annual Emissions
Construction	17.6 metric tons CO_2e
Operational Area Energy Solid Waste Water	 1.5 metric tons CO_2e 495.0 metric tons CO_2e 63.5 metric tons CO_2e 27.0 metric tons CO_2e
Mobile	1157.3 metric tons CO_2e
Total	**1761.9 metric tons CO_2e**
Project Total MT CO_2e/SP/year	**5.1 MT CO_2e/SP/year[1]**

Sources: See Appendix B for calculations and for GHG emission factor assumptions.
1. 1,761.9 MT CO_2e/ 343 Service Population = 5.1 MT CO_2e/SP/year

As shown in Table 4.7-3, the combined annual emissions would total approximately 1,762 MT per year of CO_2e. Based on Orcutt's average household size of 2.74 persons per dwelling unit (United States Census Bureau, 2000) 125 new residential units would generate an estimated 343 residents. Therefore, the combined annual emissions would result in per-service-population emissions of 5.1 MT CO_2e/SP/year. These emissions would exceed the applicable threshold of 4.9 metric tons CO_2e/SP/year. Therefore, project GHG emissions would result in a potentially significant impact.

Mitigation Measures. The issue of GHG emissions and climate change were not discussed in the OCP EIR; however, mitigation measures from the OCP EIR set forth to reduce Air Quality impacts would pertain, as these would also reduce GHG emissions. Specifically, OCP EIR Mitigation Measures AQ-3 and AQ-11 would apply. In order to quantify the total annual GHG emissions that would need to be reduced over the operational life of the project, the threshold of 4.9 MT CO_2e per person per year was multiplied by the SP of 343 (totaling 1,680.7 MT CO_2e) to determine the volume of bulk emissions that would be less than significant based on the 4.9 MT CO_2e per person per year threshold. The difference between the proposed project's annual emissions (1,761.9 MT CO_2e) and the bulk permissible emissions (1,680.7 MT CO_2e) is 81.2 MT CO_2e. Therefore, 81.2 MT CO_2e is the total volume of GHGs that the project would need to eliminate or offset to reduce this impact to a less than significant level. The following mitigation measure would also be required to reduce GHG emissions impacts.

GHG-1 **GHG Reduction Plan.** The project shall reduce operational GHG emissions through implementation of one or more of the following measures:

A. Prior to **zoning clearance** ~~permit~~ issuance, develop a project GHG Reduction Plan that reduces annual GHG emissions from the project by a minimum of 81.2 MT CO_2e (0.24 MT CO_2e per person per year) over the operational life of the project. The plan will be implemented on site by the project

owner/applicant and may include, but is not be limited to, the following components:

1. Alternative fuel vehicles
2. Energy conservation policies
3. Energy efficient equipment, appliances, heating and cooling
4. Energy efficient lighting
5. Green building and roofs
6. Water conservation and recycling
7. Renewable energy production
8. Trip reduction
9. Carbon sequestration;

or

B. If GHG emissions cannot be reduced through compliance with a Climate Action Plan, other County GHG reduction plan, or project GHG Reduction Plan, purchase carbon offsets to reduce GHG emissions below threshold levels.

Plan Requirements and Timing. Applicable elements of the approved Climate Action Plan, other County GHG reduction plan, or project GHG Reduction Plan shall be reflected on project site plans prior to **zoning clearance issuance** ~~permit approval~~. If GHG emissions cannot be reduced through compliance with such a plan, purchased carbon offsets hall be approved by P&D staff prior to permit approval. **Monitoring**: ~~Condition~~ **Permit** compliance **monitoring staff** shall monitor and verify implementation of measures included in the GHG Reduction Plan to ensure implementation of mitigation measures included in the plan.

Depending on the specific mix of elements pursued, expected reduction of GHG emissions under this mitigation measure would be as shown in Table 4.7-4 for each component.

As indicated below by Table 4.7-4, depending on the specific mix of GHG reduction components selected by a particular development project, sufficient GHG emissions reductions are available to mitigate significant impacts of the project and reduce net GHG emissions to a level that is not significant. As noted above, the proposed project is expected to exceed the significance criteria by 81.2 MT CO_2e (0.24 MT CO_2e per person per year). To reduce project GHG emissions to a less than significant level, the applicant would be required to select GHG reductions that equal or exceed 0.24 MT CO_2e/SP/yr. The table above indicates that there are 4.96 MT CO_2e/SP/yr "reduction credits" available if all applicable GHG reductions are incorporated into the project. Because the total available reductions (4.96 MT CO_2e/SP/yr) are greater than the amount by which the project GHG emissions exceed the significance criteria (0.24 MT CO_2e/SP/yr), reducing project GHG emissions below the level of significance is possible.

Table 4.7-4 Mitigation Measures and Greenhouse Gas Reduction

Annual CO_2e Reduction (metric tons/yr)	Per Household	Per SF
Energy Efficient Equipment, Appliances, Heating and Cooling		
ENERGY STAR Dishwasher Replacement	0.09	
ENERGY STAR Clothes Washer Replacement	0.07	
ENERGY STAR Water Heater Replacement	0.79	
Energy Efficient Room AC	0.04	
Fuel Switching, electric to natural gas	0.32	
Geothermal heat pump	0.72	
Energy Efficient Lighting		
Efficient Lighting Retrofit	3.72	0.001
Energy Efficiency Education	0.82	
Water Conservation		
Faucet Replacement	0.05	
Showerhead Replacement	0.52	
Toilet Replacement	0.04	
Green Roofs	1.52	0.001
Renewable Energy		
Solar PV Energy (3 kW)	1.98	
Solar Hot Water	0.83	
Trip Reduction		
Bike Integration/Facilities	0.81	
Carbon Sequestration		
Shade Trees/Urban Forest (5 trees)	1.27	
Total Emissions Reductions per Household	**13.59**	
Emissions Reductions/Person[1]	**4.96**	

1. Emissions reduction per person determined by dividing total emissions reduction per household by the U.S. Census Bureau's 2010 generation rate of for the County of 2.74 persons/household.

Significance After Mitigation. Implementation of Mitigation Measure GHG-1 would reduce GHG emission impacts to a less than significant level (Class II). Implementation of Mitigation Measures OCP EIR AQ-3 and AQ-11, would further reduce GHG emissions.

c. Cumulative Impacts. GHG and climate change are, by definition, cumulative impacts. Refer to Impact GHG-1 for discussion of climate change and GHG emissions proposed project. However, in order to assess the impact of cumulative buildout of the Key Site 3 property, an analysis of the combined GHG emissions of the project's 125-unit development and the 160 additional units allowed under the MR-O zone district elsewhere on the Key Site 3 property was also conducted. The impacts of GHG emissions and climate change resulting from the 8-acre MR-O zoned portion of Key Site 3 were analyzed in the Focused Housing Rezone EIR. The Focused Rezone Program EIR concluded that the development of 160 multi-family residences in

[1]*Based on Orcutt's average household size of 2.74 persons per dwelling unit (United States Census Bureau, 2000).*

the MR-O zone district on the Key Site 3 property would result in approximately 1,493 tons/year of CO_2 emissions, and determined that emissions would be mitigated to the extent feasible through application of Mitigation Measure AQ-5 (Operational Phase Mitigation to Reduce Fuel Usage and thus GHG emissions). Note that the emissions calculated in the Focused Rezone Program EIR do not include emissions of CH_4 or N_2O, and are expressed in tons/year rather than metric tons/year.

In order to make a comparison between the MR-O zone district and the current proposal, emissions from the MR-O district have been recalculated according to the methodologies used above for the Key Site 3 project and using the most recently available emission factors. Based on the methodology described in Section 4.7.3(a), the MR-O zone district would emit approximately 1,639 metric tons/year CO_2e or 3.8 MT CO_2e/SP/year. These emissions are summarized in Table 4.7-5.

Table 4.7-5 Combined Annual Emissions of GHGs – MR-O

Emission Source	Annual Emissions
Construction	7.8 metric tons CO_2e
Operational Area Energy Solid Waste Water	 2.0 metric tons CO_2e 368.7 metric tons CO_2e 33.5 metric tons CO_2e 29.6 metric tons CO_2e
Mobile	1,197.4 metric tons CO_2e
Total	**1,639.0 metric tons CO_2e**
Project Total MT CO_2e/SP/year	**3.8 MT CO_2e/SP/year[1]**

Sources: See Appendix B for calculations and for GHG emission factor assumptions.
1. 1639/435=3.8 MT CO_2e/SP/year

As shown in Table 4.7-6, total annual per capita GHG emissions from buildout of the Key Site 3 property, which includes both the 125-unit Key Site 3 project and the 160-unit development under the MR-O zone district, would be 4.4 CO_2e/SP/year. This would not exceed the significance criterion of 4.9 CO_2e/SP/year. Therefore, cumulative GHG impacts of the proposed project would be less than significant (Class III).

Table 4.7-6 Per Capita Annual GHG Emissions

Emission Source	Annual Emissions (MT CO_2e/SP/year)
Proposed Project	5.1
MR-O	3.8
Combined (entire Key Site 3)	**4.4[1]**

Source: CalEEMod v.2013.2.2. Modeling results contained in Appendix B.
1. 3400.9/778=4.4 MT CO_2e/SP/year

4.8 LAND USE

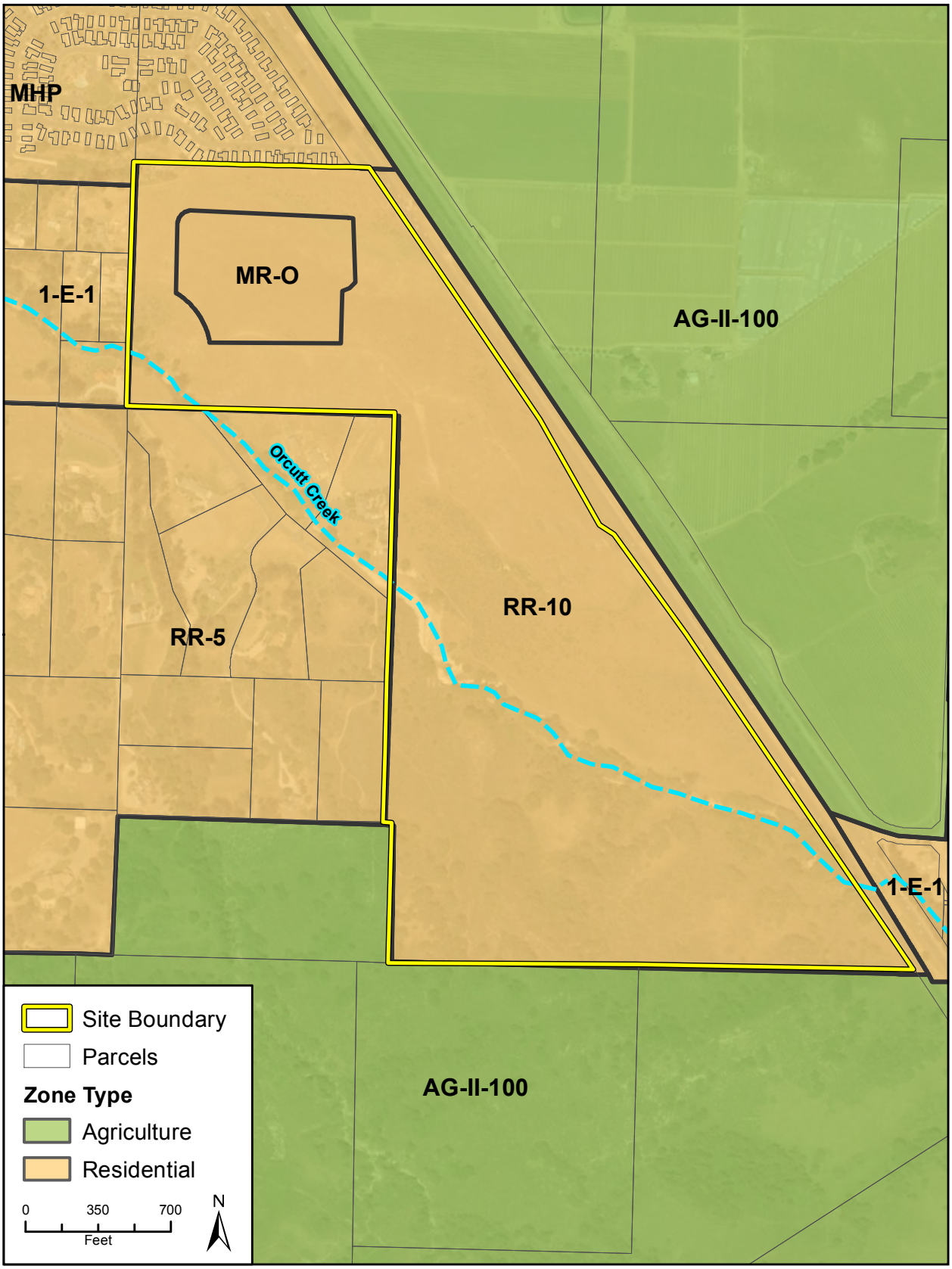
4.8.1 Setting

a. Regional Land Use. The project site is located in the County of Santa Barbara, which occupies approximately 2,774 square miles of both urban and rural land uses. The project site lies within the Santa Maria Valley Rural Region, south of the Santa Maria city limits, in the community of Orcutt. Rural land uses, such as rangeland, row crops and open space occupy the outlying areas of the City and the majority of the area to the south, east, and northeast of the site.

Orcutt is a semi-rural, primarily residential community. Residential neighborhoods are interspersed among large vacant parcels, some of which include grazing livestock, and many large parcels on the edges of the community which still remain vacant. The majority of development in the community is single family residences, large estates, and ranchette homes. Mobile homes, condominiums, and townhomes exist scattered throughout the community. Over the last 30 years, most of the residential development in the central urban area has occurred in developer-constructed subdivisions rather than custom homes on single lots. Orcutt also includes approximately 524,000 square feet of developed commercial space, which is located at the intersections of Clark Avenue and Bradley Road, in the Old Town area, and at the corner of Lakeview and Orcutt Roads. Smaller commercial areas are found at the intersection of Clark Avenue and Orcutt Road, Foster and Orcutt Roads, Foster and Bradley Roads, and Winter and Orcutt Roads. Large vacant commercial sites are located at Clark Avenue and U.S. 101, and the intersection of Santa Maria Way and College Drive. The commercial site at Santa Maria Way/College Drive was recently annexed into the City of Santa Maria.

The City of Santa Maria is the primary retail center for the Santa Maria Valley, with commercial development in Orcutt consisting primarily of neighborhood-serving commercial uses. Recently, however, a new regional shopping center was approved for Key Site 1 approximately 0.5 mile to the northwest of the project site. In addition, several new restaurants have opened in Old Town Orcutt over the past few years that attract people from the City and from other parts of the County.

b. Project Site Setting. The 138.6-acre Key Site 3 property, located in the southeastern section of the Orcutt Planning Area, is an area primarily characterized by agricultural uses and open space. It is bound by U.S. 101 on the east, which runs in a northwest-southeast direction adjacent to the site. The Sunny Hills Mobile Home Park borders the site on the north; agriculture borders the site to the northeast, east, and southeast across U.S. 101; five 20-acre ranchettes border the site to the west; and the undeveloped Solomon Hills and grazing land border the site to the south. The project site is currently undeveloped, and a portion of it is used for seasonal cattle and horse grazing. The site is currently zoned as Residential Ranchette, 10 units per acre (RR-10), except for the 8-acre portion in the north-central portion of the site that was rezoned to Multifamily Residential-Orcutt (MR-O) as part of the Focused Rezone Program in February 2009. Figure 4-1 shows the existing zoning of the site and surrounding parcels.



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County of Santa Barbara Planning and Development, 2014.

Existing Zoning of Site and Surrounding Parcels

Figure 4.8-1

c. Regulatory Setting. Santa Barbara County regulates the design of the built environment through its General Plan and Land Use and Development Code (LUDC). New development must be consistent with the General Plan and the Orcutt Community Plan's (OCP) policies and development standards.

A majority of the site is designated Residential Ranchette with a 10-acre minimum parcel size (RR-10) under the OCP and LUDC. The property is not enrolled in an agricultural preserve (Williamson Act) contract (per the 2010 Santa Barbara County Land Status map). Within the subject site, there is an approximately 8-acre "island" that was rezoned to MR-O in February 2009 as part of the 2008 Housing Element Focused Rezone program (refer to Figure 2-3 in Section 2.0, *Project Description*). Within this MR-O area, approximately 160 multi-family units are allowable "by-right," but they are not being proposed as part of the current project and they are therefore not the subject of the current analysis. The subdivision of the MR-O area into 2 separate legal parcels is part of the proposed project as is rough grading and the provision of infrastructure, but the development of the two MR-O parcels is not part of the proposed project. The permit application for development of the MR-O parcels will be submitted and reviewed at a future date, under separate application.

4.8.2 Previous Environmental Review

OCP EIR. The OCP EIR examined the existing land use on the project site and the potential land use impacts resulting from development under the OCP in two sections of the document: Land Use and Aesthetic/Visual Resources. The OCP EIR also reviewed the project against the various regulatory documents adopted by the County and other agencies responsible for regional planning efforts. The OCP EIR concluded that impacts related to the loss of open space (LU-4 and VIS-13) and obstruction of views (VIS-5) were Class I, *significant and unavoidable*. Mitigation measures LU-1 and VIS-1a, VIS-1b, VIS-1c, VIS-4, and VIS-5 were noted as partially reducing impacts. Mitigation Measures LU-1, VIS-1a, VIS-1b, and VIS-1c relate to County review and County adoption of an Open Space Overlay and a Plan Area-wide open space plan. Mitigation Measure VIS-4, which was incorporated into the Final OCP as DevStd VIS-O-3.1, required maintenance of landscaped medians. Mitigation Measure VIS-5 was also noted in the OCP EIR as applicable to Key Site 3. It included: a prohibition of structures within areas less than 50 feet from property lines, unless this precluded reasonable development; consideration of view preservation; lighting requirements; and limitations on placement of impervious surfaces. The effectiveness of identified mitigation was evaluated in the OCP EIR, and residual impacts were determined to be significant and unavoidable.

Santa Barbara County Focused Housing Rezone Program EIR. The 2008 Housing Element Focused Rezone Program EIR analyzed the impact of rezoning an eight-acre portion of Key Site 3 to MR-O to allow for the development of 160 multi-family residential units. Temporary construction-related land use compatibility conflicts (Impact LU-3) and long-term compatibility conflicts for the MR-O zoning portion of Key Site 3 (Impact LU-5) were determined to be less than significant without mitigation. However, it is noted that future development within the MR-O area must comply with the MR-O Zone Development Standards, as contained in Section 35.23.130 of the County's Land Use and Development Code (LUDC), in addition to the development standards that apply in all residential zones as contained in Section 35.23.050 of the LUDC (Residential Zones Development Standards).

4.8.3 Impact Analysis

a. Methodology and Significance Thresholds. In accordance with the State CEQA Guidelines, a project would result in a significant impact if it would:

- *Physically divide an established community;*
- *Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; or*
- *Conflict with any applicable habitat conservation plan or natural community conservation plan.*

Impacts associated with physically dividing an established community and conflicts with an applicable habitat conservation plan or natural community conservation plan are discussed in Section 5.0, *Effects Not Found to be Significant*.

Substantial changes in the amount of open space in comparison to existing adopted county land use maps, or conflicts with designated open space area (as shown in the OCP or elsewhere in the General Plan) would be considered significant land use impacts. Potential conflicts with other adopted policies and regulations are addressed in Appendix F.

Land use impacts were assessed based upon the level of physical impact anticipated for the various issues that can affect compatibility (air quality, noise, human health and safety, aesthetics). Although the County does not have "Land Use" thresholds of significance, it does provide guidelines related to "Quality of Life."

Quality of Life is broadly defined as the aggregate effect of all impacts on individuals, families, communities, etc. and on the way those groups function. Quality of Life issues, while hard to quantify, are often primary concerns to the community affected by a project. Examples of such issues include the following:

- Loss of privacy;
- Neighborhood incompatibility;
- Nuisance noise levels (not exceeding noise thresholds);
- Increased traffic in quiet neighborhoods (not exceeding traffic thresholds);
- Loss of sunlight/solar access.

The elements comprising "Quality of Life" are to be considered on a case-by-case basis. In accordance with County guidelines, "Where a substantial physical impact to the quality of the human environment is demonstrated, the project's effect on 'quality of life' shall be considered significant." A project would be considered to have a significant land use impact if it meets one of the following criteria:

- The project is incompatible in scale or use characteristics with any adjacent land uses; or
- The project would result in land use conflicts that are detrimental to the well-being and privacy of existing uses.

These thresholds are augmented by those contained in Section 4.1, *Aesthetics/ Visual Resources*; Section 4.2, *Agricultural Resources*; Section 4.3, *Air Quality*; Section 4.7, *Hazardous Materials/Risk of Upset*; and Section 4.10, *Noise*, which are issues that relate directly to land use compatibility.

b. Project Impacts.

Impact LU-1 The proposed project would result in a change in character of the site and the scale of development on the site. This would present potential quality of life compatibility issues.

Future development on the project site would generate long-term land use compatibility effects related to quality of life issues, such as privacy and solar access. Noise nuisance impacts and mitigation measures are discussed in Section 4.10, *Noise.* Traffic-related impacts are addressed in Section 4.13, *Transportation and Circulation.* Visual compatibility impacts are discussed in Section 4.1, *Aesthetics/Visual Resources.*

Full buildout of the Orcutt Key Site 3 property would accommodate 285 dwelling units, including the 125 units proposed in this project and the 160 units approved as part of the Focused Housing Program. This is in comparison to the PR/PRD 125 redesignation/rezoning anticipated and provided for under the Orcutt Community Plan (OCP).[1] The proposed project consists of 125 single family homes on 35 acres surrounding the MR-O zoned property and located entirely on the mesa. Of the 125 homes, 45 would be conventional single story homes. These would lie adjacent to the existing single family homes to the east and adjacent to the proposed open space located below the mesa to the south. Adjacent to the existing mobile home park to the north and Highway 101 to the east would be smaller, clustered homes that would be a combination of one and two stories. Homes would range in size from 1,087 square feet to 3,151 square feet. All of the single family homes would have enclosed garages for two vehicles and meet all current parking standards. Areas south of the mesa, representing approximately 76% of the project site, would be dedicated to the County or to a County-approved agency as open space, as required by the OCP. This open space would include public use trails.

The resultant density would exceed that of the existing surrounding residential development, particularly in comparison to the larger lot residences along Oakbrook Lane and Chancellor Street. Although all future development on the project site, including lighting and landscaping, would have to satisfy OCP Gateway policies including but not limited to review and approval by the Board of Architectural Review, the proposed density and proximity to lower density areas could present potential neighborhood quality of life incompatibilities.

Proposed single-family residences in the northern portion of the site would most closely abut existing residential development within the Sunny Hills Mobile Home Park. A 25 foot landscaping and drainage buffer to be maintained by a homeowners association is proposed along the northern site boundary, which would provide separation between the proposed cluster home lots and the adjacent mobile home park. Additionally, the northernmost homes and the westernmost homes would be a minimum 50 feet from adjacent properties. In addition, all of the homes on the project perimeter would be single-story homes to reduce impacts related

[1] *The OCP allows for KS 3 to be redesignated and rezoned to PD/PRD 125 if designated open space is dedicated as such and if the applicant demonstrates compliance with Action OCP SCH-0-1.3 regarding impacts to schools. Increases in the scale of development on the site attributable to the MR-O zone were addressed as part of the Focused Rezone Program EIR.*

to privacy, shading, aesthetics and solar access. The proposed setbacks and buffers, in combination with the restriction to single-story homes on the project perimeter would reduce impacts related to compatibility and quality of life; however, the potential for long-term compatibility impacts would remain potentially significant and require mitigation.

Mitigation Measures. Mitigation measures and OCP development standards related to long-term compatibility conflicts are discussed in Section 4.10, *Noise,* and Section 4.1, *Aesthetics/ Visual Resources*. Mitigation Measures N-2(a), N-2(b), and AES-1 would apply. No additional mitigation measures are required, as no additional significant impacts were identified.

Significance After Mitigation. Impacts would be less than significant with the incorporation of the above mitigation measures (Class II).

Impact LU-2 The proposed project would rezone a portion of the project site from Residential Ranchette to Planned Residential Development, but would be consistent with the applicable policies and development standards in the Orcutt Community Plan.

The OCP identifies the project site as Residential Ranchette, 10 acre minimum parcel size (RR-10). The proposed project would rezone the project site to Planned Residential Development, 125 units (PRD-125). Therefore, the residential build-out of this project would be 125 residential units. The proposed project would be consistent with the OCP development standards (DevStd KS3-1 through DevStd KS3-12); therefore, the project would not conflict with applicable Key Site 3-specific OCP policies (potential conflicts with other adopted policies and regulations are addressed in Appendix F). Overall, land use impacts related to consistency with land use policies contained in the Orcutt Community Plan would be adverse but less than significant (Class III).

Mitigation Measures. No mitigation measures would be required.

Significance After Mitigation. Impacts would be adverse but less than significant (Class III).

c. Cumulative Impacts. Cumulative development in the community of Orcutt includes 2,160 residential units in addition to 725,804 square feet of commercial and industrial development. Build-out of the Orcutt area would gradually transform the community from a rural to a more urban character and result in additional loss of open space areas. Such development would also generate short-term construction air and noise emissions, and long-term land use compatibility effects related to quality of life issues, noise and traffic nuisances, aesthetic incompatibility, and agriculture/urban conflicts. Potential land use conflicts would be addressed on a case-by-case basis. Cumulative land use impacts would be adverse but less than significant (Class III).

4.9 NOISE

4.9.1 Setting

The County of Santa Barbara Comprehensive Plan Noise Element (1979) provides basic information regarding the physical characteristics of noise and the existing noise environment in the general vicinity of the project site. The following is a summary of the information contained in the Noise Element and other sources of background information that address the properties of noise and sound propagation, and is intended to provide sufficient background material to allow consideration of the potential noise impacts of the proposed development.

a. Overview of Sound Measurement. Noise is generally defined as unwanted sound. Noise level (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound pressure levels to be consistent with that of human hearing response, which is most sensitive to frequencies around 4,000 Hertz (about the highest note on a piano) and less sensitive to low frequencies (below 100 Hertz).

Sound pressure level is measured on a logarithmic scale with the 0 dB level based on the lowest detectable sound pressure level that people can perceive (an audible sound that is not zero sound pressure level). Based on the logarithmic scale, a doubling of sound energy is equivalent to an increase of 3 dBA, and a sound that is 10 dBA less than the ambient sound level has no effect on ambient noise. Because of the nature of the human ear, a sound must be about 10 dBA greater than the reference sound to be judged as twice as loud. In general, a 3 dBA change in community noise levels is noticeable, while 1-2 dB changes generally are not perceived. Quiet suburban areas typically have noise levels in the range of 40-50 dBA, while arterial streets are in the 50-60+ dBA range. Normal conversational levels are in the 60-65 dBA range, and ambient noise levels greater than 65 dBA can interrupt conversations.

Noise levels typically attenuate (or drop off) at a rate of 6 dBA per doubling of distance from point sources (such as industrial machinery). Noise from lightly traveled roads typically attenuates at a rate of about 4.5 dBA per doubling of distance. Noise from heavily traveled roads typically attenuates at about 3 dBA per doubling of distance. Noise levels may also be reduced by intervening structures; generally, a single row of buildings between the receptor and the noise source reduces the noise level by about 5 dBA, while a solid wall or berm reduces noise levels by 5 to 10 dBA. The manner in which older homes in California were constructed (approximately 30 years old or older) generally provides a reduction of exterior-to-interior noise levels of about 20 to 25 dBA with closed windows. The exterior-to-interior reduction of newer residential units and office buildings is generally 30 dBA or more (FTA, May 2006).

In addition to the actual instantaneous measurement of sound levels, the duration of sound is important since sounds that occur over a long period of time are more likely to be an annoyance or cause direct physical damage or environmental stress. One of the most frequently used noise metrics that considers both duration and sound power level is the equivalent noise level (Leq). The Leq is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time(essentially, the average noise level). Typically, Leq is summed over a one-hour period. Lmax is the highest

RMS (root mean squared) sound pressure level within the measuring period, and Lmin is the lowest RMS sound pressure level within the measuring period.

Because of the nature of the human ear, a sound must be about 10 dB greater than the reference sound to be judged as twice as loud. In general, a 3 dBA change in community noise levels is noticeable, while 1-2 dBA changes generally are not perceived. Quiet suburban areas typically have noise levels in the range of 40 to 50 dBA, while those along arterial streets are in the 50 to 60+ dBA range. Normal conversational levels are in the 60-65 dBA range, and ambient noise levels greater than that can interrupt conversations.

The time period in which noise occurs is also important since noise that occurs at night tends to be more disturbing than that which occurs during the day. Community noise is usually measured using Day-Night Average Level (Ldn), which is the 24-hour average noise level with a 10-dBA penalty for noise occurring during nighttime (10 p.m. to 7 a.m.) hours, or Community Noise Equivalent Level (CNEL), which is the 24-hour average noise level with a 5 dBA penalty for noise occurring from 7 p.m. to 10 p.m. and a 10 dBA penalty for noise occurring from 10 p.m. to 7 a.m. Noise levels described by Ldn and CNEL usually do not differ by more than 1 dBA.

b. Regional Setting. Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with each of these uses. Residences, hospitals, schools, guest lodging, and libraries are most sensitive to noise intrusion and therefore have more stringent noise exposure targets than manufacturing or agricultural uses that are not subject to impacts such as sleep disturbance. Land uses that are considered sensitive to noise impacts are referred to as "sensitive receptors." The nearest existing sensitive receptors to Key Site 3 are in the Sunny Hills Mobile Home Park, located adjacent to the northern boundary of the site, as well as single-family homes immediately to the west of the site. In addition, planned residential units within the MR-O zone portion of Key Site 3 would be sensitive receptors.

c. Project Site Setting. The primary transportation noise source in the project area is U.S. Highway 101 (U.S. 101), which runs along the eastern boundary of the site. Heavy traffic, consisting of long-haul semi tractor-trailer vehicles, agricultural trucks, motorcycles and automobiles are clearly audible along the eastern portion of the site. Typical traffic speeds range from 60 to 75 miles per hour (mph), and the vehicular mix includes about 15 percent truck traffic, half of which are medium trucks (having two axles and six wheels) (45dB.com, 2013; refer to Appendix G). Because of their noise characteristics, buses and motorcycles are included in the medium truck category (45dB.com, 2013). The remaining half of the truck traffic is heavy trucks, having three or more axles and designed for the transportation of cargo with a gross weight greater than 25,000 lbs (45dB.com, 2013). According to Caltrans, Average Daily Traffic (ADT) flow for U.S. 101 adjacent to the site is approximately 29,600 vehicles per day (California Department of Transportation, 2013). Clark Avenue, which carries approximately 15,800 ADT from Stillwell Road to U.S. 101 (Penfield & Smith, November 2013; refer to Appendix H), is parallel to the northern project site boundary and is approximately 1,000 feet away at the nearest point, such that it does not substantially contribute to roadway-related noise at the project site.

The Santa Maria Public Airport, located approximately 3 miles northwest of Key Site 3, is a minor noise source at the site. Although the project site is subject to occasional aircraft overflights, the site is outside the 60 dBA CNEL contour for the airport (SBCAG, Santa Barbara County Airport Land Use Plan, 1993). As a result, aircraft noise does not currently exceed County standards on the project site.

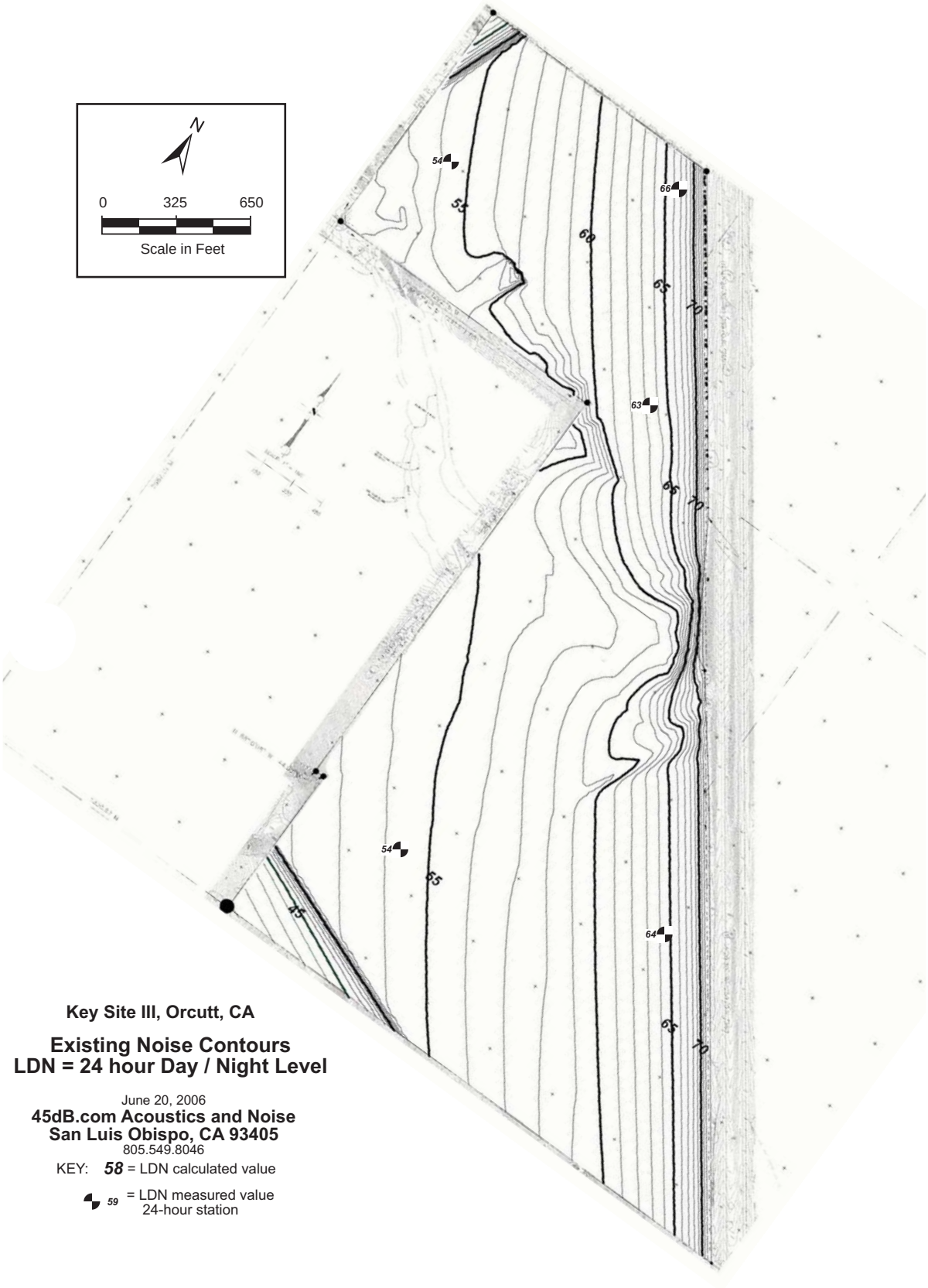
There are no existing sources of noise located on the project site, as the site is currently used for grazing. According to the Orcutt Community Plan (OCP) EIR, a 200-foot wide strip of land along the eastern site boundary of the site is exposed to noise levels in excess of 65 dBA from automobile traffic on U.S. 101, and an additional strip extending 200 feet further toward the interior of the site is subject to levels in excess of 60 dBA. The Sound Level Assessment (SLA) conducted by 45dB.com in June 2006 (discussed in detail in Section 4.9.3) included on-site noise data collection and refined the noise contour mapping. As shown in Figure 4.9-1, the widest portion of the 65 dBA contour line is approximately 180 feet from the eastern site boundary. In 2006, Caltrans estimated that ADT on the segment of U.S. 101 adjacent to the project site was approximately 29,000 vehicles (California Department of Transportation, 2006). In 2013, ADT for the same segment is estimated at approximately 29,600 vehicles (California Department of Transportation, 2013). The 2% increase in ADT observed over the seven years from 2006 to 2013 would not result in a substantial increase in traffic-related noise on the project site; therefore, the 2006 noise conditions are representative of current baseline noise conditions at the project site. However, to provide a conservative estimate of existing on-site noise levels, for the purposes of this analysis, 200 feet is used for the 65 dBA contour line from the roadway.

d. Regulatory Setting. The County of Santa Barbara has adopted noise policies in its Comprehensive Plan Noise Element (1979). These policies establish both interior and exterior noise limits for noise compatibility, which are identified in the *County of Santa Barbara Environmental Thresholds and Guidelines Manual* (October, 2008). The noise level standard for outdoor activity areas of new residential units is 65 dBA CNEL. Outdoor activity areas generally include backyards of single-family residences and individual patios or common outdoor activity areas of multi-family developments. A maximum noise exposure for indoor living areas in new residential units is not to exceed 45 dBA CNEL.

To mitigate construction impacts, the *County of Santa Barbara Environmental Thresholds and Guidelines Manual* indicates that construction within 1,600 feet of sensitive receptors shall be limited to weekdays between the hours of 8:00 A.M. and 5:00 P.M.

4.9.2 Previous Environmental Review

OCP EIR. The OCP EIR examined the noise setting of the project region and the potential impacts resulting from development of the region. The OCP EIR concluded that impacts due to noise increases of greater than 3 dBA on Orcutt-area roadways (Impact NSE-1), noise levels exceeding 65 dBA along major travel corridors (Impact NSE-2), construction related noise (Impact NSE-3), and long-term exposure of sensitive receptors to noise from U.S. 101 (Impact KS3-NSE-1) were potentially significant. These impacts would be reduced to a less than significant level by locating development beyond the 65 dBA contour where possible (NSE-1), requiring design modifications for sensitive uses to reduce exterior and interior noise (NSE-2 and NSE-3), construction scheduling limits and construction noise attenuation measures (NSE-



Noise Measurement Locations
and Existing Sound Level Contours

Figure 4.9-1

Base drawing source: 45dB.com Acoustics and Noise, 2006.

5), and installing sound barriers along the eastern site boundary adjacent to U.S. 101 and document that the barriers would ensure the County's 45 dBA interior noise standard would be met (KS3-NSE-1 and KS3-NSE-2). Mitigation Measures NSE-6 (avoidance of the Santa Maria Public Airport's 65 dBA contour) and NSE-7 (disclosure of potential airport noise impacts to prospective residents) pertain to airport noise impacts. As noted in Project Site Setting above, airport noise levels do not present a potentially significant noise impact; therefore, inclusion of these mitigation measures for the project would not be required. The OCP EIR concluded that with the implementation of identified mitigation measures, noise impacts would be reduced to less than significant.

Santa Barbara County Focused Housing Rezone Program EIR. The 2008 Housing Element Focused Rezone Program EIR analyzed the impact of rezoning an eight-acre portion of Key Site 3 to MR-O (Multi-family residential Orcutt) to allow for the development of 160 multi-family residential units. The Focused Rezone Program EIR determined that this action would result in significant but mitigable impacts related to temporary construction noise (Impact N-1) as well as exposure to noise exceeding County standards (Impact N-2). The EIR proposed Mitigation Measure N-1, which regulates construction noise within 1,600 feet of a sensitive receptor, and Mitigation Measure N-2, requiring noise attenuation to be designed into the project. The Focused Rezone Program EIR determined that impacts related to increased traffic noise (Impact N-3) would be less than significant without mitigation. These impacts and mitigation measures apply to the multi-family townhome development in the MR-O zone of the project site.

4.9.3 Impact Analysis

a. Methodology and Significance Thresholds.

Methodology. The analysis of noise impacts considers the effects of both temporary construction-related noise and long-term noise associated with operation of the proposed project. Construction noise estimates are based upon noise levels reported by the Federal Transit Administration (FTA), Office of Planning and Environment (FTA, May 2006), and the distance to nearby sensitive receptors. Reference noise levels from that document were then used to estimate noise levels at nearby sensitive receptors based on a standard noise attenuation rate of 6 dB per doubling of distance (line-of-sight method of sound attenuation for point sources of noise). Construction noise level estimates do not account for the presence of intervening structures or topography, which could reduce noise levels at receptor locations. Therefore, the noise levels presented herein represent a conservative, reasonable worst-case estimate of actual construction noise.

The Sound Level Assessment (SLA) prepared by 45dB.com in June 2006 determined existing sound levels on the project site, which were the basis for analysis of potential noise levels impacts from U.S. 101 (refer to Appendix G). Continuous, 24-hour sound level measurements were made at five fixed locations on Key Site 3. These fixed-location, long-duration measurements allow an accurate determination of Ldn noise exposure. In addition, a series of average sound levels (Leq) were taken at other locations on the site and correlated with the fixed measurements. The measured Ldn and Leq sound levels characterize existing noise conditions found on the site, as influenced by topographical variations, local built environment

noise obstructions and reflective surfaces, and the variability in traffic flow on different days of the week. The 24-hour sound-level measurements were taken on a typical weekday and on a Saturday, when traffic flow and sound levels were higher, in order to document both average and "worst case" conditions. Noise contours on the site were established from these measurements, which model the expected noise level throughout Key Site 3. The terminology, sound level instruments, measurement techniques, and standards used are more fully described in Appendix G.

The June 2006 SLA study analyzed traffic noise levels on Key Site 3 caused by traffic on U.S. 101, and established a baseline for existing noise levels from U.S. 101 on the project site. In 2006, Caltrans estimated that ADT on the segment of U.S. 101 adjacent to the project site was approximately 29,000 vehicles (California Department of Transportation, 2006). In 2013, ADT for the same segment is estimated at approximately 29,600 vehicles (California Department of Transportation, 2013). The 2% increase in ADT observed over the seven years from 2006 to 2013 would not result in a substantial increase in traffic-related noise on the project site; therefore, the 2006 noise conditions are representative of current baseline noise conditions at the project site.

Four subsequent SLA studies (September 2008, October 2008, November 2009, and September 2013; refer to Appendix G) prepared by 45dB.com evaluated existing and future, unmitigated and mitigated sound levels along the eastern portion of Key Site 3 due to transportation noise from U.S. 101. The September 2008 assessment was specific to the MR-O zoned portion of the Key Site 3 studied in the Focused Housing Rezone Program; the October 2008 supplemental assessment evaluated areas to the northwest and southeast of the MR-O contemplated portion; the November 2009 assessment reevaluated the area analyzed in the September 2008 assessment due to the shifting of the MR-O zoned portion of the Key Site 3 property away from the highway frontage; and the September 2013 assessment evaluated the proposed project's detached homes along the eastern boundary of the project site.

Noise levels associated with existing and future traffic along other local roadways were calculated using the Traffic Noise Model Version 2.5 Look-Up Tables (U.S. Department of Transportation, Federal Highway Administration [FHWA], April 2004) (noise modeling data sheets can be viewed in Appendix G) and traffic volumes from the EIR traffic analysis (refer to Appendix H and see Section 4.11, *Transportation and Circulation*). Roadway noise level estimates do not account for any intervening barriers or topography that may shield individual receptors from the noise source. Therefore, the levels that are presented represent a conservative reasonable worst-case estimate of the noise levels that would be experienced at individual receptor locations.

Significance Thresholds. Pursuant to Appendix G of the *CEQA Guidelines*, potentially significant impacts would occur if the project would result in any of the following conditions:

- *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;*
- *Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels;*

- *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;*
- *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;*
- *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels; and/or*
- *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels.*

Impacts associated with ground-borne vibration or airport noise are discussed in Section 5.0, *Effects Found Not to be Significant*.

Based upon the *Santa Barbara County Environmental Thresholds and Guidelines Manual* (October 2008), noise impacts would be significant if:

- *Noise from grading and construction activity proposed would occur within 1,600 feet of sensitive receptors, including schools, residential development, commercial lodging facilities, hospitals, or care facilities. This is based upon an assumed average construction noise level of 95 dBA at a distance of 50 feet from the source, which would result in a noise level of approximately 65 dBA at a distance of 1,600 feet.*
- *The proposed project would generate noise levels in excess of 65 dBA CNEL and could affect sensitive receptors.*
- *Outdoor living areas of noise-sensitive uses would be subject to noise levels in excess of 65 dBA CNEL.*
- *Interior living areas of noise-sensitive uses would be subject to noise levels in excess of 45 dBA CNEL.*

For traffic-related noise, impacts would be considered significant if project-generated traffic would result in exposure of sensitive receptors to an unacceptable increase in noise levels. Recommendations contained in the May 2006 *Transit Noise and Vibration Impact Assessment* created by the FTA were used to determine whether increases in traffic noise would be unacceptable. With these standards, the allowable noise exposure increase is reduced with increasing ambient existing noise exposure, such that higher ambient noise levels have a lower allowable noise exposure increase. Table 4.9-1 shows the significance thresholds for increases in traffic-related noise levels caused by the project.

Table 4.9-1 Significance of Changes in Operational Roadway Noise Exposure

Existing Noise Exposure (dBA Ldn or Leq)	Allowable Noise Exposure Increase (dBA Ldn or Leq)
45-50	7
50-55	5
55-60	3
60-65	2
65-74	1
75+	0

Source: Federal Transit Administration. Transit Noise and Vibration Impact Assessment. May 2006.

b. Project Impacts and Mitigation Measures.

Impact N-1 Project construction could intermittently generate high noise levels on and adjacent to the project site. Project construction would take place adjacent to existing residences, thereby temporarily exposing sensitive receptors to noise levels exceeding County thresholds.

Short-term noise impacts associated with construction may adversely affect adjacent residential uses. The grading/excavation phase of project construction tends to create the highest construction noise levels because of the operation of heavy equipment. As shown in Table 4.9-2, the maximum noise level associated with heavy equipment at construction sites can range from about 74 to 85 dBA at 50 feet from the source, depending upon the types of equipment in operation at any given time and phase of construction (FHWA, 2006). During grading operations, the equipment is dispersed in various portions of the site in both time and space. Due to site and equipment limitations, only a limited amount of equipment can operate near a given location at a particular time.

Noise levels would diminish at approximately 6 dBA per doubling of distance (refer to Section 4.9.3[a] above). Table 4.9-3 shows typical maximum construction noise levels at various distances from construction activity. Based upon an assumed average construction noise level of 85 dBA at a distance of 50 feet from the source, the maximum average noise levels would be 65 dBA at a distance of 500 feet. The nearest residences to the project site (the Sunny Hills Mobile Home Park) are adjacent to the project site's northern boundary. These land uses would experience a temporary increase in noise during construction of the proposed project. Because these residences would be located within 500 feet of construction, construction noise levels would exceed the County threshold of 65 dBA.

Table 4.9-2 Typical Construction Equipment Noise Levels

Equipment	Acoustical Usage Factor (%)[1]	Measured Lmax (dB at 50 feet)
Augur Drill Rig	20	84
Backhoe	40	78
Compactor (ground)	20	83
Dozer	40	82
Dump Truck	40	76
Excavator	40	81
Flat Bed Truck	40	74
Front End Loader	40	79
Generator	50	81
Grader	40	83
Pickup Truck	40	75
Pneumatic Tools	50	85
Roller	20	80
Scraper	40	84
Warning Horn	5	83
Welder/Torch	40	74

1: The average fraction of time each piece of construction equipment is operating at full power (i.e., its loudest condition) during a construction operation.
Source: FHWA, 2006.

Table 4.9-3 Typical Maximum Construction Noise Levels at Various Distances from Project Construction (dBA)

Distance from Construction	Maximum Noise Level at Receptor (no Pile-Driving)
50 feet	85
100 feet	79
250 feet	71
500 feet	65
775 feet	**61**
1,000 feet	59
2,500 feet	51

Development of the proposed 125-unit development and the associated infrastructure, including the access roads across Key Site 2 and off of Chancellor Road, would result in short-term construction noise. A larger footprint of development and duration of work would be expected in comparison to the development of the site contemplated in the OCP EIR, and this may result in substantially greater construction noise or noise in additional areas. The nearest sensitive receptors to construction noise sources would be the portions of the Sunny Hills Mobile Home Park closest to the new site access through Key Site 2, as well as residences bordering the northern and northwestern most portions of the site, which would be exposed to construction-phase noise from grading and construction activities. Additionally, construction noise from the 160-unit MR-O portion of the site evaluated in the Focused Housing Rezone Program EIR may affect the proposed project, or vice versa, depending on which development on the project site would be constructed first. Although of temporary duration, construction impacts are considered potentially significant.

Mitigation Measures. The following mitigation measures, the first of which incorporates and clarifies the requirements of Mitigation Measure NSE-5 from the OCP EIR, shall be required.

N–1(a) **Construction Timing Limitations**. Noise-generating construction activity for site preparation and for future development shall be limited to the hours between 8:00 A.M. and 5:00 P.M., Monday through Friday. No construction shall occur on weekends or on State or County holidays (e.g., Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as plumbing, electrical, drywall and painting (which does not include the use of compressors, tile saws, or other noise-generating equipment) 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 and Timing. The **owner/**applicant shall provide and post signs stating these restrictions at all construction site entries. Signs shall be posted prior to commencement of construction and maintained throughout construction. Violations may result in suspension of permits.

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.

N-1(b) **Notification of Temporary Construction Noise**. The **owner/**applicant shall provide all adjacent property owners with a construction activity schedule and construction routes at least one

week in advance of construction activities. Any alterations or additions shall require one week notification.

Plan Requirements and Timing. The **owner/**applicant shall submit a copy of the schedule and mailing list to Permit Compliance staff. Schedule and mailing list shall be submitted 2 weeks prior to initiation of any earth movement.

Monitoring. Permit Compliance shall perform periodic site inspections to verify compliance with activity schedules.

N-1(c) **Construction Noise Attenuation Techniques**. Stationary construction equipment that generates noise which exceeds 65 dBA at the project boundaries shall be shielded to Planning and Development's satisfaction. For all construction activity on the project site, noise attenuation techniques shall be employed as needed to ensure that noise remains within levels allowed by Santa Barbara County noise standards. At a minimum, such techniques shall include:

- All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.
- Whenever feasible, electrical power shall be used to run air compressors and similar power tools.
- Air compressors and generators used for construction shall be surrounded by temporary acoustical shelters if within 300 feet of any sensitive receptor.

Plan Requirements and Timing. The **owner/**applicant shall designate the equipment area with appropriate acoustic shielding on building and grading plans. Equipment and shielding shall be installed prior to construction and remain in the designated location throughout construction activities. This condition shall be printed on all grading and construction plans.

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.

Significance After Mitigation. With implementation of the required mitigation measures, short-term construction noise impacts would be reduced to less than significant (Class II).

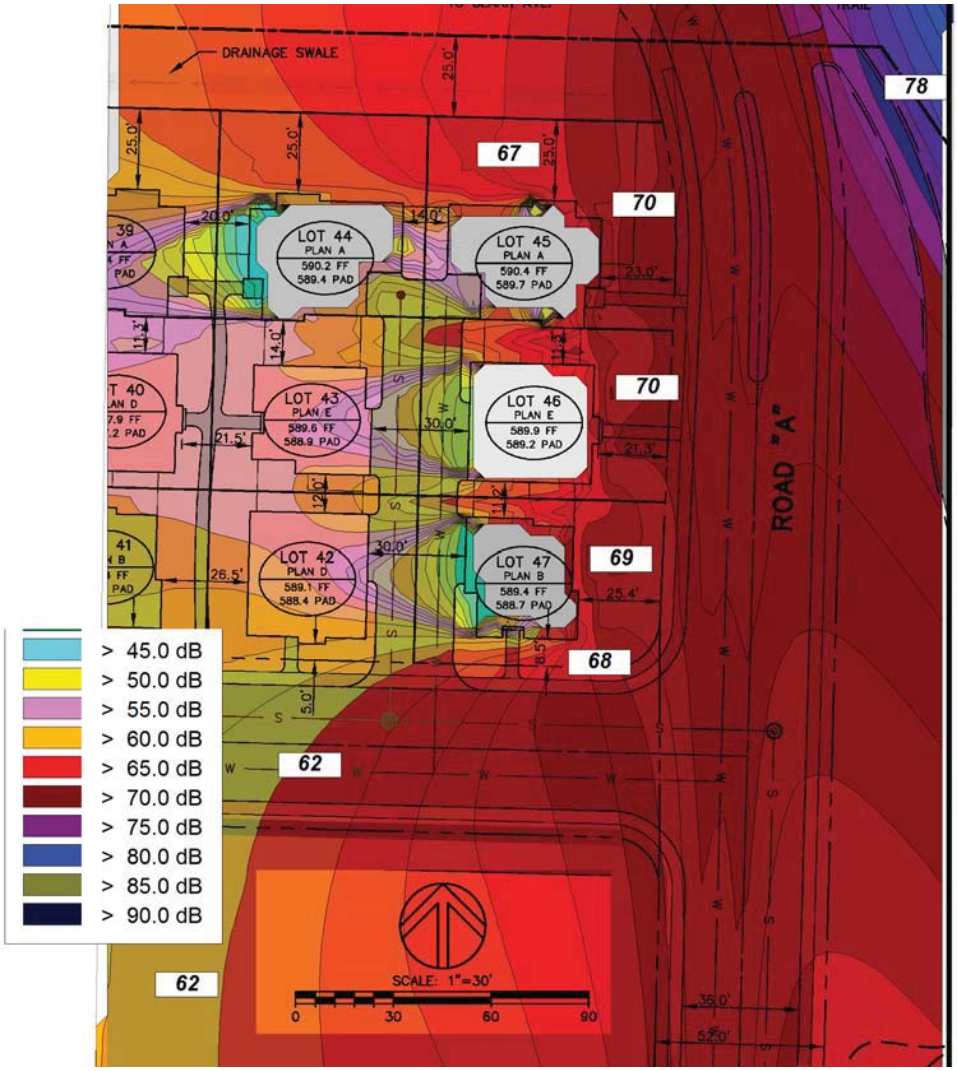
Impact N-2 **Development of residential units adjacent to U.S. 101 would expose future residents to noise levels exceeding County standards.**

The June 2006 SLA study analyzed traffic noise levels on Key Site 3 caused by traffic on U.S. 101, and established a baseline for existing noise levels from U.S. 101 on the project site. As described previously, the September 2008, October 2008, November 2009, and September 2013 SLA studies evaluated existing and future, unmitigated and mitigated sound levels along the eastern portion of Key Site 3 due to transportation noise from U.S. 101 (refer to Appendix G). The sound exposure for the detached homes along the eastern boundary of the project site, which is the area exposed to the highest levels of sound, is shown in Figure 4.9-2 and Figure 4.9-3.[1] Unmitigated sound levels for portions of the project site would exceed the County of Santa Barbara's maximum acceptable sound level of 65 dBA CNEL[2] for outdoor activity areas and 45 dBA Ldn for interior sound levels.

The project's proposed location of residences along the eastern property frontage limits the effectiveness of OCP EIR Mitigation Measure NSE-1, which requires development projects to locate sensitive uses beyond the 65 dBA contour where possible. While the proposed project provides a buffer that is a minimum of 75 feet in width between the U.S. 101 right-of-way and the individual residential lots along the eastern project boundary, avoidance of sound levels exceeding 65 dBA CNEL would require a much wider buffer (up to approximately 200 feet). Providing this larger buffer would preclude development of several of the lots on the project site and is not considered a feasible mitigation measure with the proposed project design. Hence, proposed homes nearest U.S. 101 on the project site would require additional noise reduction measures. Impacts would be potentially significant.

Mitigation Measures. Recognizing that relocating sensitive receptors outside the 65 dBA contour as stated in Mitigation Measure NSE-1 may not be feasible in some cases, the OCP EIR included additional mitigation measures to avoid or minimize noise exposure. These OCP EIR Mitigation Measures: NSE-2, which requires incorporation of noise insulation measures to reduce interior noise levels to acceptable limits, and NSE-3 and KS3-NSE-1, which require incorporation of noise barriers and other measures to reduce noise levels for exterior living spaces to acceptable limits, have been incorporated into the below mitigation measures.

[1] Figure 4.9-2 and 4.9-3 depict existing sound level exposure. Future sound levels would increase due to increased traffic volumes; however, the projected (2020) increase in sound levels would be less than 1.0 dBA Ldn and would not constitute a significant increase (45dB.com, September 2013).
[2] The 45dB.com SLA uses Ldn for representing average noise levels. As discussed above in Section 4.9.1, Setting, CNEL and Ldn are similar representations of average noise levels and are in practice often used interchangeably.

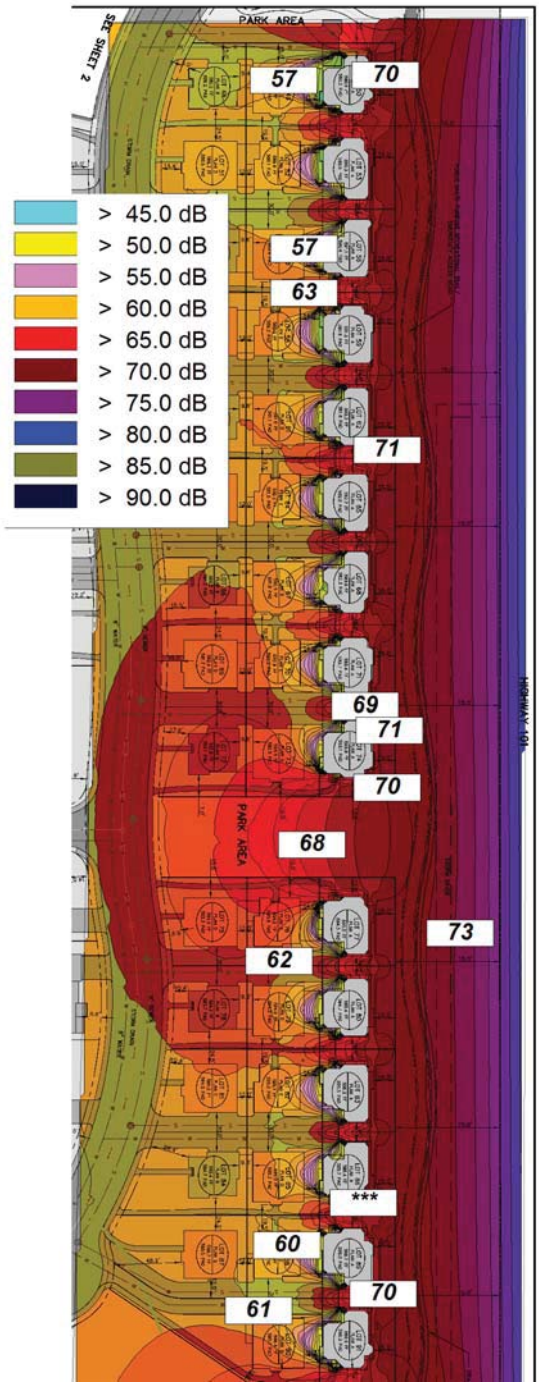


Site Plan showing Units 45, 46, 47. Sound level contours (LDN=dBA) are shown without noise mitigation in place.

Source: 45dB.com, September 4, 2013

Existing Sound Level Contours
Units 45, 46, 47

Figure 4.9-2



Site Plan showing units 50 through 91, sound level contours (LDN=dBA) are shown without noise mitigation in place.

Source: 45dB.com, September 4, 2013

Existing Sound Level Contours
Units 50 through 91

Figure 4.9-3

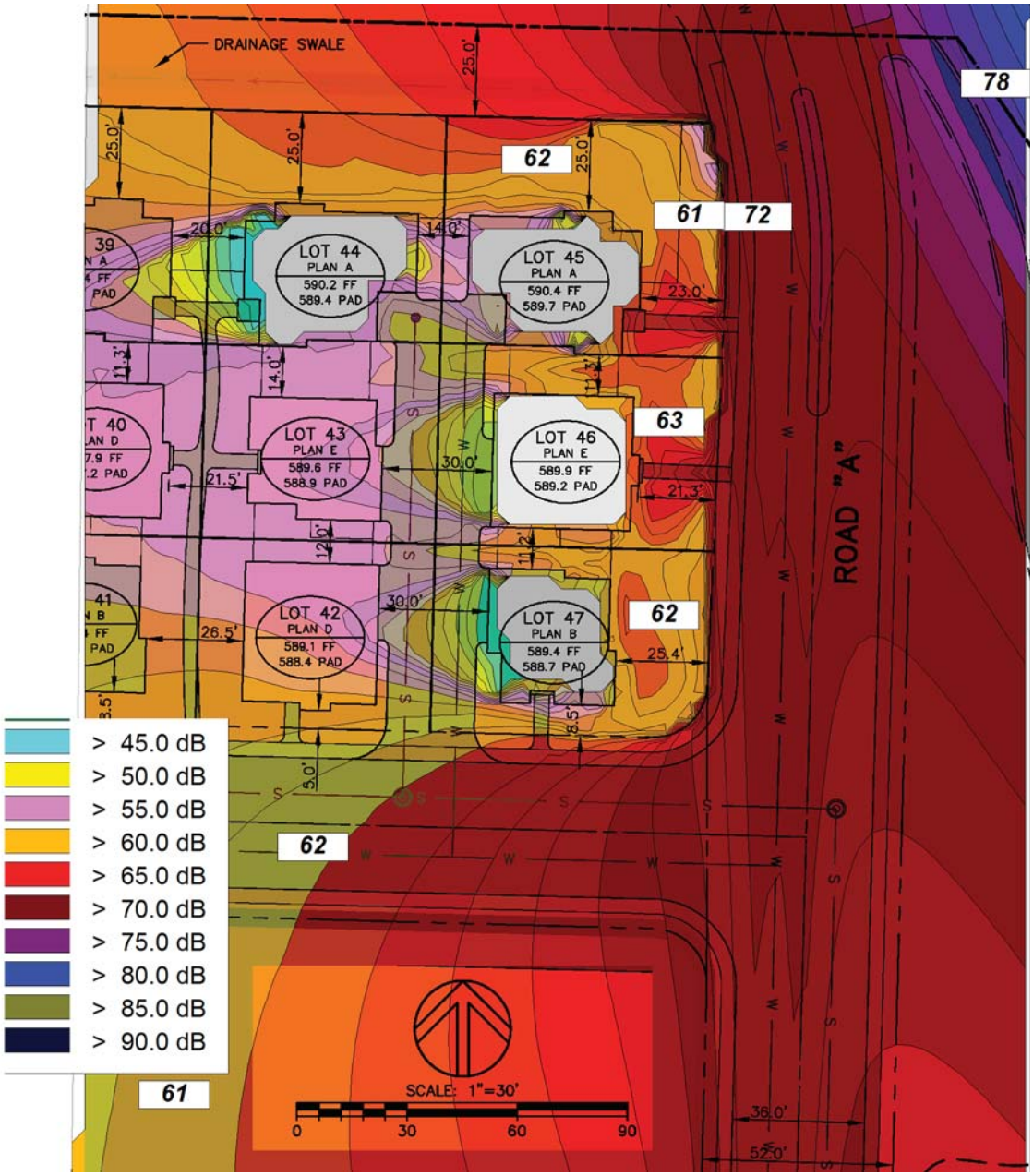
The following mitigation measures were recommended in the October 2008, November 2009, and September 2013 SLA studies, and are required to reduce interior and exterior noise levels for the project below the Santa Barbara County thresholds of significance:

N-2(a) **Solid Noise Barriers.** Solid noise barriers shall be installed along the eastern property lines of dwelling units that face U.S. 101. The noise barriers will provide noise protection for side-yard outdoor areas. Solid noise barriers shall be eight feet in height with reference to finish floor level of nearby dwelling unit. Acceptable materials for solid barriers are masonry, or stucco, or any combination consistent with sound wall design standards stated in OCP DevStd KS3-14 (item 3) and Mitigation Measure AES-1. All construction joints of the solid noise barrier shall be sealed with a resilient acoustical caulking to ensure the noise attenuating integrity of the sound wall. Gates shall be overlapping design to seal any cracks facing the noise source.

Plan Requirements and Timing. Sound walls shall be shown on site, landscape, grading and building plans prior to **zoning clearance** issuance ~~of a Land Use Permit~~ for grading. Plans shall note the location, height, and specifications for all sound walls and shall be installed prior to occupancy clearance for the first residence. **Monitoring** Permit Compliance and grading and/or building inspectors shall perform site inspections to ensure compliance.

N-2(b) **Noise-Resistant Construction.** To ensure that the 45 dBA Ldn interior noise standard is met, the following noise-resistant construction components shall be incorporated for east-facing elevations of the proposed dwelling units nearest U.S. 101:

- **Vents and roof penetrations:** Soffit vents, eave vents, dormer vents and other wall and roof penetrations shall be located on the walls and roofs facing away from the noise source (located on the north, west and south elevation) wherever possible. If kitchens or bathrooms are located on the east side, remote venting to other elevations is required. If vents are required to be located facing the noise source, a 90 degree bend shall be incorporated in the design of the ductwork or vent opening. Use of patented foam insulation solutions, such as Icynene spray foam insulation or equivalent, in walls, floors, and ceiling cavity / roof construction is required and will allow elimination of soffit vents and gable end vents, thereby eliminating a significant path for noise penetration.

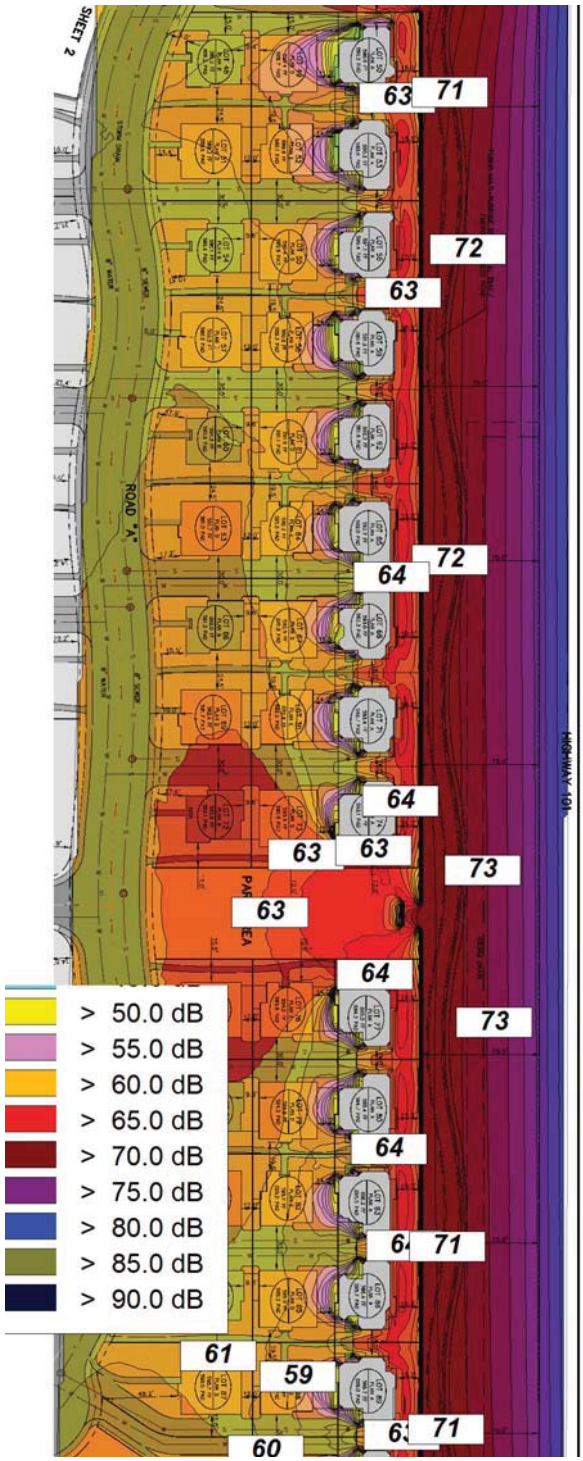


Site Plan showing units 45, 46, 47 sound level contours (LDN=dBA) with specific site noise mitigation, shown at dwelling unit property line facing the noise source.

Source: 45dB.com, September 4, 2013

Sound Level Contours with Mitigation
Units 45, 46 ,47

Figure 4.9-4



Site Plan showing units 50 through 91 sound level contours (LDN=dBA) with specific site mitigation, shown at dwelling unit property lines facing the noise source. Noise barrier mitigation at park area boundary provides mitigation for units 72, 73, 75 and 76.

Source: 45dB.com, September 4, 2013

Sound Level Contours with Mitigation
Units 50-91

Figure 4.9-5

- **Walls:** East-facing exterior walls enclosing habitable spaces closest to U.S. 101 shall be constructed with an STC (Sound Transmission Class) rating of 30 or greater. Metal studs are preferable to wood studs for noise resistance. Construction of the east-facing walls shall include the liberal use of non-hardening acoustical sealant at all construction joints, including the header and footer construction and the edges and corners of gypsum board intersecting ceiling, walls and floor, especially behind papered joints. Acoustical sealant (Johns Manville or equivalent) shall be applied to gaps at intersecting walls, ceiling and floor before taping and spackling Gypsum Board in conventional manner. All peripheries and apertures and joints around windows shall be properly sealed.
- **Acoustical Leaks:** Common acoustic leaks, such as electrical outlets, pipes, vents, ducts, flues and other breaks in the integrity of the wall, ceiling or roof insulation and construction on the east sides of the dwelling units facing U.S. 101 shall be insulated, sealed and caulked with putty pads and a resilient, non-hardening caulking material, as appropriate. All such openings and joints shall be airtight to maintain sound isolation.
- **Windows:** Windows for habitable spaces on all floors of affected east facing elevations for residences closest to U.S. 101 shall be of double glazed construction and installed in accordance with the recommendations of the manufacturer. The windows shall be fully gasketed, with an STC rating of 30 or better, as determined in testing by an accredited acoustical laboratory.
- **Doors:** Doors directly facing U.S. 101 shall be solid core with sound dampening and fully gasketed, sealed jambs and grouted frames, with an overall STC rating of 30 or better, as determined in testing by an accredited acoustical laboratory. Doors meeting "Double Door Construction" criteria, the addition of a laminated glazed second door at least 3 inches from the primary door, shall be considered to meet the STC 30 rating.

Plan Requirements and Timing. All construction techniques shall be incorporated into design of the residences and detailed on building plans. Plans shall note all noise-resistant construction measures. If these specifications are altered an acoustical engineering report in conjunction with submittal of zoning clearance and building permit applications shall be prepared. If alternative noise reduction techniques are designed for the project, the report shall demonstrate the achievement of an equivalent mitigation of noise impacts and provide interior Ldn values of 45 dBA or less. If

recommendations conflict with other conditions of approval or county standards, the specification that is most restrictive shall prevail. All construction techniques and recommendations of the noise analysis shall be incorporated into project design and detailed on building plans. An acoustic survey shall be submitted to Planning and Development staff prior to occupancy clearance demonstrating that interior noise levels do not exceed 45 dBA.

Monitoring. Building & Safety shall ensure that all noise control measures have been included according to the approved plans.

Significance After Mitigation. As shown in Figure 4.9-4 and Figure 4.9-5, implementation of Mitigation Measures N-2(a) and N-2(b) would reduce sound levels for outdoor activity areas along the eastern, noise-exposed portion of the proposed development below the County of Santa Barbara maximum level of 65 dBA Ldn. The implementation of sound noise barriers (Mitigation Measure N-2[a]) would shield exterior areas (yards and other outdoor activity areas) and first floor interior spaces, reducing exterior sound levels below 65 dBA CNEL and ensuring that interior levels in first floor interior spaces would not exceed 45 dBA Ldn. In addition, construction measures associated with Mitigation Measure N-2(b) would ensure that interior noise levels, including second floor interior spaces, would remain below 45 dBA Ldn. The use of walls for sound mitigation presents potential secondary visual impacts related to deficient design of the sound walls and improper upkeep. Mitigation Measure AES-1 in Section 4.1, *Aesthetics/Visual Resources*, would apply to solid noise barriers required by Mitigation Measure N-2(a). Impacts would be less than significant (Class II) with the required mitigation.

Impact N-3 Traffic generated by the project is anticipated to result in noise level increases along roadways in the project vicinity. Traffic-related increases in noise would not exceed the County's threshold at sensitive receptors along four studied roadway segments.

The Traffic and Circulation Study (refer to Appendix H) described traffic increases on two segments of Clark Avenue, on Stillwell Road, and on Sunny Hills Road. Existing and future noise levels were modeled based on traffic volumes as reported in the Traffic and Circulation Study using Traffic Noise Model Version 2.5 Look-Up Tables (FHWA, April 2004; refer to Appendix G for noise modeling data sheets). A comparison of pre-project and post-project traffic noise on study area roadways is presented in Table 4.9-4. It should be noted that these values represent increases at 50 feet from the roadway centerline, rather than at the nearest sensitive receptor. In many instances, sensitive receptors are located further from the noise sources.

Table 4.9-4 Comparison of Pre-Project and Post-Project Traffic Noise on Study Area Roadways

Roadway	Projected Noise Level (dBA CNEL)				Change In Noise Level (dBA CNEL)	
	Existing (1)	Existing + Project (2)	Cumulative (3)	Cumulative + Project (4)	Due to Project Traffic (2-1)	Due to Project Traffic Under Cumulative Conditions (4-3)
Clark Avenue between Bradley Road and Stillwell Road	70.1	70.2	69.4	69.4	0.1	<0.1
Clark Avenue between Stillwell Road and U.S. 101	69.9	70.0	70.2	70.3	0.1	0.1
Stillwell Road south of Clark Avenue	54.7	55.1	60.0	60.2	0.4	0.2
Sunny Hills Road south of Clark Avenue	45.4	47.7	54.2	54.6	2.3	0.4

Estimates of noise generated by traffic from roadway centerline at 50 feet. Cumulative growth is derived from the Housing Element Focused Rezone Program EIR, and includes the 160 multifamily housing units approved by the County as part of that EIR. Refer to Appendix G for the spreadsheets that generated these estimates. Noise levels presented do not account for attenuation provided by existing barriers or future barriers; therefore, actual noise levels at sensitive receptor locations influenced by study area roadways may in many cases be lower than presented herein.
Source: Penfield & Smith, November 2013; Federal Highway Administration Traffic Noise Model

For both studied segments of Clark Avenue, existing noise levels exceed the County's 65 dBA noise thresholds; however, the proposed project would contribute to this noise by 0.1 dBA at each of the studied segments of Clark Avenue under existing + project conditions, which does not constitute a significant noise increase based on the applicable FTA threshold (refer to Table 4.9-1), and would not represent an audible increase in roadway noise. Based on the proposed site circulation, traffic accessing and leaving the site would use either Stillwell Road via Chancellor Road or Sunny Hills Road via the new frontage road across Key Site 2. Stillwell Road and Sunny Hills Road have existing noise levels below County thresholds, and would remain below the County's 65 dBA threshold after development of the project. Project traffic would cause an increase in noise of 2.3 dBA or less on these roadway segments, which would not constitute a significant noise increase based on the applicable FTA threshold (refer to Table 4.9-1).

Similarly, the proposed project would contribute to cumulative project-area roadway noise by 0.4 dBA or less at each of the studied roadway segments, which would not constitute a significant cumulative noise increase (Class III).

Mitigation Measures. No mitigation measures are required.

Significance After Mitigation. Impacts would be adverse, but less than significant (Class III) without mitigation.

c. Cumulative Impacts. Cumulative noise impacts would include those related to traffic-generated increases in roadway noise. Traffic-generated increases in roadway noise were evaluated on a cumulative basis, as the project-level noise exposure impact discussions (Impact N-3) analyzed cumulative traffic levels. Table 4.9-4 shows estimates of cumulative + project traffic noise increases of no more than 0.4 dBA on all studied project area roadways. This cumulative project setting includes the 160 multifamily units approved as part of the *Focused Housing Rezone Program* EIR. Therefore, the project is not anticipated to result in cumulative noise impacts. Project-specific mitigation measures would be required, and cumulative noise impacts would be adverse, but less than significant (Class III).

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4.10 PUBLIC SERVICES AND FACILITIES

4.10.1 Setting

a. Public Schools. Key Sites 3 is located within the Orcutt Union School District (OUSD) and the Santa Maria Joint Union High School District (SMJUHSD). The OUSD has experienced student losses during recent years that have resulted in the May Grisham Elementary School being converted into a high school campus. In addition, SMJUHSD has recently built a new high school. Currently, there are ten primary public schools and four public high schools that serve the Community of Orcutt. Tables 4.10-1 and 4.10-2 depict Fall 2013 enrollment levels for public elementary and middle schools and Fall 2014 enrollment levels for public high schools within Orcutt, as well as capacity and percent of capacity.

Table 4.10-1 Current Enrollment Levels and Capacity of Orcutt Union School District

Schools*	Fall 2013 Enrollment	Capacity	Percent of Capacity
Alice Shaw Elementary	625	746	84%
Joe Nightingale Elementary	753	888	85%
Lakeview Junior High	506	660	77%
Olga Reed Elementary School	199	578	34%
Orcutt Academy Charter	88	88	100%
Orcutt Academy High School	589	756	78%
Orcutt Junior High	515	633	81%
Patterson Road Elementary	635	731	84%
Pine Grove Elementary	556	705	79%
Ralph Dunlap Elementary	618	736	84%
SUB-TOTAL	**5,084**	**6,521**	**78%**

** Does not include 69 students who attended Home School.*
Source: Marysia Ochej, Assistant Superintendent, Business Services, Orcutt Union School District. January 2015.

Table 4.10-2 Current Enrollment Levels and Capacity of Santa Maria Joint Union High School District

Schools*	Fall 2014 Enrollment	Capacity	Percent of Capacity
Delta High School	392	319	100%
Ernest Righetti High School	2,080	2,900	71%
Pioneer Valley High School	2,742	3,277	84%
Santa Maria High School	2,567	3,422	75%
SUB-TOTAL	**7,781**	**9,981**	**78%**

** Capacity information includes both permanent and portables available. Home school students are included in totals, but there were 22 Home School students enrolled as of October 1st, 2014.*
Source: Yolanda Ortiz, Assistant Superintendent, Business Services, Santa Maria Joint Union High School District, January 2015.

b. Water Supply. Currently, all fresh water within the Santa Maria Valley is supplied by groundwater from the Santa Maria Groundwater Basin (SMGB). The basin underlies approximately 110,000 acres of land, including the entire community of Orcutt, and has a storage capacity of 1.5 million acre feet (Santa Barbara County, 1995). The SMGB was at full capacity in 1918, containing about three million acre-feet of usable water. The SMGB is recharged naturally through stream seepage, percolation of rainfall, and subsurface inflow from the surrounding watershed. Accelerated development of irrigated agriculture following World War I has resulted in depletion of approximately two-thirds of the basin's capacity (City of Santa Maria, 2005). Agriculture and petroleum production presently consume approximately 80-85% of the water used in the Santa Maria Valley.

Golden State Water Company (GSWC) is a public water provider that serves the communities of Tanglewood, Orcutt, Lake Marie, and Sisquoc, all of which overlie the SMGB. GSWC draws on several water sources to provide water for the Orcutt System. These sources currently include local groundwater, purchased water from the State Water Project (SWP), and purchased and/or assigned water from Santa Maria. Currently, groundwater is pumped from 16 wells in the SMGB. GSWC also receives imported water from the SWP through a contract with the Central Coast Water Authority (CCWA) (GSWC, August 2011). There are no existing GSWC or City of Santa Maria water facilities on the project site. According to the OCP and OCP EIR, no on-site water wells are noted on the property. Existing nearby facilities include an eight-inch pipe along Oakbrook Lane and an eight-inch pipe along chancellor road.

According to the 2010 Orcutt Urban Water Management Plan (August 2011), the water supplies available to the Orcutt system are sufficient to meet the projected water demand for each multiple-dry year period because groundwater and purchased water can supply reliable water through 2030. GSWC estimates population by multiplying the number of households by average household size (2.74 persons), based on the 2000 U.S. Census. The Orcutt System's metered water use in 2010 was calculated to be 6,594 acre-feet per year (AFY_ (5.887 million gallons per day). In 2010, the number of households in the Orcutt community served by GSWC was 9,579 and the population was an estimated 28,761. Therefore, the average per capita water demand in 2010 was 227 gallons per capita per day (gpcd), or 0.2543 acre feet per year (AFY). In 2020, the number of households in the Orcutt community served by GSWC is estimated to be 10,234 and the population is estimated to be 30,839. GSWC projects that in 2020 the total water demand will be 8,420 AFY and the water supply will be 10,903 AFY (GSWC, August 2011).

c. Wastewater. Sewer service for the proposed project would be provided by the Laguna County Sanitation District (LCSD). The District's boundaries encompass most of the area of Orcutt that is within the urban boundary and areas to the west and north of the Orcutt Planning area, including portions of the City of Santa Maria and the Airport. The District's sewer infrastructure consists of a wastewater reclamation facility, a network of trunk sewers and collection pipes, and spray fields for disposal of treated effluent. The District's 24-inch main trunk line runs under the Santa Maria Airport and is fed by gravity flows from the majority of the planning area. In the area south of Clark Avenue, customers are served by two trunk lines which extend from approximately Blosser Road and Clark Avenue southeast toward Elkhorn Estates (12-inch line), then east to Bradley Road south of Clark Avenue (10-inch line). These two lines run back to a pump station located at Blosser Road and Clark Avenue where the sewage is pumped up to the main trunk line adjacent to the Airport.

The project site would primarily be served by the Solomon Creek Trunk Sewer, which connects with the Bradley Road Trunk Line. The Bradley Road Trunk Line is currently operating at maximum capacity. According to the LCSD Sewer Collection System Master Plan (June 2009), parts of the existing Solomon Creek Trunk Sewer have insufficient capacity to convey peak buildout flows from Blosser Road to Bradley Road.

LCSD currently collects, treats, and disposes of approximately 2.2 million gallons per day (MGD) of wastewater. The District's treatment plant has a permitted/rated design capacity of 3.7 MGD, currently at 59% capacity with an available capacity of 1.5 MGD (LCSD Sewer Collection System Master Plan, June 2009). This plant is regulated by the Central Coast Regional Water Quality Control Board in San Luis Obispo under Waste Discharge Requirements and Master Reclamation Permit Order 01-042. All of the water that is collected and treated at the facility is treated to disinfected tertiary levels and recycled through irrigation and agricultural uses on District land and various off-site locations. The LCSD has a current approved disposal capacity of 2.4 MGD, with an available capacity of 0.2 MGD (LCSD Sewer Collection System Master Plan, June 2009).

d. Solid Waste. The Resource Recovery and Waste Management Division, part of the Santa Barbara County Public Works Department, is responsible for the management of solid waste in the County. The Division's program for the management of solid waste includes the collection, recycling, and disposal of solid waste, as well as the abatement of illegal dumping of waste.

Solid waste collection service in Orcutt is provided by Health Sanitation Service (HSS), a private refuse collection, recycling and disposal company. Solid waste is transported to the City of Santa Maria Landfill, a solid waste disposal site located at the northeastern corner of the Santa Maria city limits, adjacent to the Santa Maria River. This 290 acre landfill is the second largest in the County (Santa Barbara County, 1995). The permitted capacity of the landfill is approximately 14 million cubic yards (CY), with a total remaining capacity of approximately 4.5 million CY and is estimated to reach capacity in 2018 (CalRecycle, 2014). In addition, the approved Santa Maria Integrated Waste Management Facility is anticipated to open in the next five to ten years .

4.10.2 Regulatory Setting

a. Public Schools. Senate Bill 50, Chapter 407, passed in 1998, gives school districts an opportunity to assess three different levels of developer fees. Developer fees levied pursuant to Government Code Section 65995 are typically called "Statutory Fees," "Stirling Fees," or "Level One Fees." On January 25, 2012, the State Allocation Board (SAB) took action to increase developer fees for residential and commercial/industrial construction. The current maximum Level One fee is $3.20 per square foot of residential floor area and $0.51 per square foot of commercial and industrial space for development projects.

In addition to Level One fees, Government Code Section 65995.5 allows school districts to impose higher fees on residential construction if certain conditions are met by school districts. Government Code provides for an alternative fee (Level Two) that may provide approximately 50% of the cost of school construction and site costs (using statewide average costs). School districts must meet two sets of requirements in order to levy Level Two or Three fees. The first

set consists of: (1) being eligible for state funding of new construction; and (2) making "a timely application to the State Allocation Board for new construction funding." The first item establishes that the district has inadequate capacity to accommodate its enrollment. The second item is intended to ensure that the district participates in the State program in addition to seeking supplemental mitigation from developers.

The second set of requirements is intended to ensure that the district is severely stressed for enrollment capacity and is taking steps to meet the need. Four conditions indicating local effort are specified below. The district must demonstrate two of these conditions in order to impose Level Two/Three fees. Briefly summarized, the four conditions are:

1. *The district has a substantial enrollment on a multi-track, year-round schedule;*
2. *A local school general obligation bond measure within the previous four years has received a majority vote;*
3. *The district has incurred a specified level of debt; and*
4. *20% of the district's teaching stations are relocatable classrooms.*

The imposition of Level Three fees is triggered by an official assertion from the State Allocation Board that no more new school construction funds are available for apportionment from the State.

b. Regional Water Quality Control Board, Region 3, Central Coast. The project site is within the jurisdiction of the Central Coast Regional Water Quality Control Board (Regional Board) for water quality control and permitting.

c. Santa Barbara County Wastewater Regulations. Through a memorandum of understanding with the Regional Board, on-site sewage disposal systems in Santa Barbara County are regulated by the County Public Health Department, Environment Health Services Division (EHS). Regulations for onsite systems are contained in the County Wastewater Ordinance which sets forth specific requirements related to: permitting and inspection of onsite systems; septic tank design and construction; drywell and disposal field requirements; and servicing, inspection, reporting and upgrade requirements. Standards pertaining to system sizing and construction are contained in the California (Uniform) Plumbing Code. Additional requirements for onsite systems in Santa Barbara County may be adopted as part of Community Plans or as project-specific mitigation measures or conditions applied to development proposals lying within a designated Special Problem Area of the County.

d. Solid Waste. The California Integrated Waste Management Act of 1989 (Assembly Bill [AB] 939) required all cities and counties to develop a Source Reduction and Recycling Element (SRRE) for diverting 50% of their solid waste from landfills by the year 2000. To comply with the goals set by AB 939, the County of Santa Barbara requires a reduction in solid waste generation for all new development projects in the County. County waste characterization studies estimate that implementation of a SRRE program could reduce the total volume of waste generated by new development projects by approximately 50% (Santa Barbara County Environmental Thresholds and Guidelines Manual, October 2008). Through recycling and reduction programs and policies, Santa Barbara County has achieved a 69% solid waste diversion rate as of 2006 (CalRecycle, 2014).

4.10.3 Previous Environmental Review

OCP EIR. The OCP EIR examined public schools, water, wastewater, and solid waste setting of the project region and the potential impacts resulting from development under the OCP in the Public Services section.

Public Schools. The OCP EIR concluded that development of Key Site 3 would contribute to increased demand for public schools. The OCP EIR concluded that implementation of general and site specific mitigation, impacts to junior high schools and high schools would be reduced to a less than significant level, and impacts to elementary schools would remain significant and unavoidable. The OCP EIR identified Mitigation Measure KS3-SCH-1, which required that developers contribute the maximum fee allowable. The OCP EIR also identified Mitigation Measures SCH-1 through SCH-3, which included the development of the maximum allowable developer impact fee, provision of new schools site and the formation of a Mello-Roos District[1] or other funding source.

Water. The OCP EIR concluded impacts related to increased overdraft by 2006 (Impacts WAT-1) and increased overdraft at buildout (WAT-2) of the Plan were potentially significant, due to the state of overdraft present in the SMGB. The OCP EIR also concluded that long-term increases in water demand (Impact KS-3-WAT-1), due to buildout of Key Site 3, would exceed the County threshold of 25 AFY, thereby contributing to depletion of the SMGB, and creating potentially significant impacts to water supplies. Mitigation Measures WAT-1 through WAT-4 were identified as ways to reduce or offset additional water demand. The OCP EIR concluded that impacts WAT-1 and WAT-2 would be mitigated to less than significant, if a firm commitment had been made by the involved water purveyors and agencies to purchase out-of-basin permanent supplemental supplies to offset the new demand associated with buildout under the Plan. However, impact KS30-WAT-1 would remain significant and unavoidable.

Wastewater. The Orcutt Community Plan (OCP) EIR determined that development of Key Site 3 would generate 42,400 gallons per day of effluent, which would exceed the treatment plant's psychical capacity. As a result, this impact is considered potentially significant. The OCP EIR recommended general Mitigation Measures WW-1 and WW-3 through WW-7 to reduce Total Dissolved Solids within the effluent and thereby increase capacity. However, the OCP EIR determined that the development of Key Site 3 would still exceed the treatment plant's capacity, and that impacts would be significant and unavoidable.

Solid Waste. The OCP EIR determined that Key Site 3 would generate approximately 578 tons of solid waste per year. This amount of solid waste would exceed the County's landfill capacity, thereby reducing the life expectancy of the Santa Maria Landfill. The OCP EIR recommended Mitigation Measures SW-1, SW-2, SW-4, SW-5 and SW-6, which would reduce solid waste stream by as much as 50%, prolonging the life expectancy of the landfill. However, the OCP EIR concluded that remaining solid waste would continue to exceed the County's landfill capacity, and that impacts would be significant and unavoidable.

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[1] *The Mello-Roos Community Facilities Act of 1982 allows any county, city, special district, school district or joint powers authority to establish a Mello-Roos Community Facilities District (a "CFD") which allows for financing of public improvements and services. The services and improvements that Mello-Roos CFDs can finance include streets, sewer systems and other basic infrastructure, police protection, fire protection, ambulance services, schools, parks, libraries, museums and other cultural facilities.*

Santa Barbara County Focused Housing Rezone Program EIR. The 2008 Housing Element Focused Rezone Program EIR analyzed the impact of rezoning an eight-acre portion of Key Site 3 to MR-O (Multi-family residential Orcutt) to allow for the development of 160 multi-family residential units. Relying on updated information on existing service levels and standards and the payment of required development mitigation fees, the Focused Rezone Program EIR determined that future development under the MR-O zoning action would result in less than significant impacts to public schools (Impact PS-1). The analysis in the Focused Rezone Program EIR was specific to the multi-family townhome development on the MR-O zone of the project site.

In addition, the Focused Rezone Program EIR determined that this action would result in solid waste disposal impacts that would be significant and unavoidable at both the project and cumulative levels (Impacts U-1 and U-3). Mitigation Measure U-1 requires implementation of a solid waste management program, which would reduce impacts to the extent feasible. Project-specific impacts related to water supply (Impact U-4) and wastewater (Impact U-5) were determined to be less than significant[2], and cumulative wastewater impacts (Impact U-2) were determined to be significant and unavoidable. However, the Focused Rezone Program EIR recommended Mitigation Measures U-4(a) and U-4(b) to promote both interior and exterior water conservation. These impacts and mitigation measures apply to the townhomes development in the MR-O zone of the project site

4.10.4 Impact Analysis

a. Methodology and Significance Thresholds. Impacts associated with police protection and health care and emergency services are discussed in Section 5.0, *Effects Not Found to be Significant*. Impacts associated with fire protection are discussed in Section 4.5, *Fire Protection*.

Public Schools. Information on school facilities was collected from administrators at OUSD and SMJUHSD. The estimate of the projected future residential growth was combined with data on student generation factors provided by OUSD and SMJUHSD to derive estimated school enrollment impacts of the proposed project. According to the Santa Barbara Environmental Thresholds and Guidelines Manual, an impact on school service is considered significant when a project would generate sufficient students to require an additional classroom. This assumes 29 students per classroom for elementary/junior high students, and 28 students per classroom for high school students, based on the lowest student per classroom loading standards of the State school building program. This threshold is applied in those school districts which are currently approaching, at, or exceeding their current capacity. A project's contribution to cumulative school impacts will be considered significant if the project specific impact, as described above, is considered significant. However, as discussed above in Section 4.10.2(a), pursuant to Section 65995 (3)(h) of the California Government Code (Senate Bill 50, August 27, 1998), the payment of statutory fees "...is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization."

[2] *Impacts related to water supply were noted as significant by the OCP EIR, but were reevaluated in the 2008 Housing Element Focused Rezone Program EIR and were found to be less than significant. The Focused Rezone Program EIR noted that Policy WAT-O-2, which requires new discretionary development to be offset by long-term supplemental water supplies that do not result in additional demands the Santa Maria Groundwater Basin, would apply and would avoid significant impacts on water supply.*

Water. Water demand for the proposed project was estimated using consumptive use factors obtained from the County of Santa Barbara Environmental Thresholds and Guidelines Manual (October 2008). Water use factors used were 0.0898 AFY per person for homes with 5.5 gallon toilets and 3.9 gallon per minute (gpm) showers, 0.0737 AFY per person for homes with 3.5 gallon toilets and 3.0 gpm showers, and 0.0574 AFY per person for homes with 1.6 gallon toilets and 2.0 gpm showers. The County of Santa Barbara has developed thresholds of significance for groundwater basins that are in a state of overdraft. The current threshold for the Santa Maria Basin is 25 AFY (Santa Barbara County Environmental Thresholds and Guidelines Manual, October 2008). Therefore, any new projects that would require the extraction of more than 25 AFY would create a significant impact to water supply. It should be noted, however, that this rate does not consider the availability of water from the State Water Project (SWP).

Wastewater. The County of Santa Barbara Environmental Thresholds and Guidelines Manual (October 2008) does not include thresholds for wastewater impacts. However, on a cumulative basis, the EPA and the Regional Water Quality Control Board have a threshold for overall facilities capacity. Securing agreements and permits, and designing and constructing plant improvements is time-consuming and subject to a number of uncertainties, therefore the EPA and the RWQCB recommend a 75% capacity "check-point" threshold. This threshold requires a sewer district to establish a schedule for necessary treatment plant upgrades (or replacement) and to submit this schedule to both the EPA and the RWQCB at such time as the average daily flow exceeds 75% of the design capacity of the existing facilities. Therefore, impacts to wastewater treatment would be significant if project-generated wastewater causes a treatment plant's average daily flow to meet or exceed 75% of the plant's design capacity.

The wastewater duty factors used in this analysis were 0.00035 cubic feet per second (cfs) for multi-family and 0.00034 cubic feet per second for single-family residential units.

Solid Waste. Solid waste generation for the proposed project was estimated using solid waste generation rates in the County of Santa Barbara Environmental Thresholds and Guidelines Manual. The threshold for solid waste is taken from the County of Santa Barbara Environmental Thresholds and Guidelines Manual (October 2008). Projects that would generate more than 196 tons per year of solid waste are considered to have a significant impact. The 196 tons per year threshold is based on 5% of the expected annual percentage increase in the total average solid waste generation for Santa Barbara County from 1990 to 2005.

Projects or development that results in a significant impact on solid waste generation, as identified above (196 tons/year or more), would also be considered cumulatively significant, as the project-specific threshold of significance is based on a cumulative growth scenario. However, as landfill space is already limited, any increase in solid waste of 1% or more of the estimated increase accounted for in the Source Reduction and Recycling Element (SRRE) would be considered an adverse contribution to regional cumulative solid waste impacts. One percent of the SRRE projected increase in solid waste equates to 40 tons per year. Projects or developments that generate less than 40 tons per year of solid waste would not be considered to have an adverse effect due to the small amount of waste generated by these projects and the existing waste reduction provisions in the SRRE.

b. Project Impacts and Mitigation Measures.

Impact PSF-1 The proposed project could generate approximately 76 additional students. Impacts to local elementary and middle schools would be less than significant. Impacts to local high schools could contribute to the current capacity exceedance, and payment of fair share of impact mitigation fees would be required.

The proposed project would develop 125 homes within the community of Orcutt. Using student generation factors of 0.308 for elementary (K-6), 0.097 for middle school (7-8), and 0.19 for high school per residential unit, the proposed project could generate 76 additional students. Approximately 52 of those students would be elementary and junior high school students, which would attend schools within Orcutt Union School District (OUSD). Approximately 24 students would be high school students, which would attend school within Santa Maria Joint Union School District (SMJUSD). Table 4.10-3 shows projected enrollment increases attributable to the development of the proposed project.

Table 4.10-3 Projected Students at Orcutt Union School District and Santa Maria Joint Union School District

Proposed Residential Units	Student Generation*			
	Elementary School	Junior High	High School	Total
125	39	13	24	76

**Student generation factors of 0.308 students per unit for elementary school, 0.097 students per unit for junior high school, and 0.19 students per unit for high school were used to determine the student generation*

According to Table 4.10-3, the proposed residential development would add 52 students to the OUSD and 24 students to the SMJUHSD schools.

Key Site 3 is located within the OUSD and falls within the Pine Grove Elementary school district boundary. However, only a small portion of the project site is within Pine Grove Elementary school boundary. The remainder of the site is not within a designated school district boundary. Therefore, it is speculative to determine whether students generated by Key Site 3 would attend Pine Grove Elementary. Nonetheless, Pine Grove Elementary would be able to accommodate the 39 additional elementary students generated by the project, as this school has the capacity for an additional 149 students. In addition, as indicated by Table 4.10-1, both middle schools within the OUSD have the capacity to accommodate 13 additional students. Therefore, regardless of the middle school attended, each would be able to accommodate students generated from the project.

Of the four high schools within the SMJUSD, Delta High School is currently over capacity, as indicated by Table 4.10-2. Delta High School is the closest SMJUHSD school to the project site. Therefore, an increase in 30 students could contribute to the need for new or expanded schools facilities.

As discussed in *Methodology and Significance Thresholds* above, the collection of state-mandated fees (pursuant to Section 65995 (3)(h) of the California Government Code) is considered full and

complete mitigation for impacts to public schools. The proposed project would be required by State law to pay their fair share of impact mitigation fees, and impacts to public schools would be adverse, but less than significant (Class III).

Mitigation Measures. No mitigation measures would be required.

Significance After Mitigation. Through the required payment of State-mandated impact mitigation fees, potential impacts to public schools would be adverse, but less than significant (Class III).

Impact PSF-2 The proposed project would require an estimated 43.5 acre-feet of water per year (AFY). An existing long-term Supplemental Water Purchase Agreement with the City of Santa Maria stipulates that the City will provide 200 AFY for the purposes of consumptive use for the proposed project. Adequate water supply would be available and groundwater resources would not be impacted.

The proposed project would develop 125 residential units and generate 343 new residents, based on an average of County-wide average of 2.74 persons per residential unit (U.S. Census, 2000). The County of Santa Barbara Environmental Thresholds and Guidelines Manual (October 2008) recommends water duty factors of 0.33 AFY per small single-family home (97 clustered homes) and 0.41 AFY per year per large single-family home (28 single-family homes). Based on on the recommended water duty factors, the project would require approximately 43.5 AFY of water, which would exceed the County's recommended threshold of 25 AFY.

In addition, the water supply for Key Site 3 would be consistent with the policies and development standards of the OCP. OCP Policy WAT-O-2 requires that the water demand for projects under the OCP be offset by supplemental water supplies that do not result in further overdraft of the ground water basin. On August 15, 2003, the project applicant entered into a long-term Supplemental Water Purchase Agreement with the City of Santa Maria. The agreement stipulates that the City will provide 200 AFY for the purposes of consumptive use for the proposed project. The "supplemental water" is to be either a portion of the State Water Project (SWP) entitlement held by the City or a portion of groundwater rights held by the City. The agreement became effective on August 22, 2006, with payment of the deposit to the City from the applicant. The development shall receive water for the next one hundred (100) years, and thereafter insofar as the City remains in a SWP contract (Supplemental Water Purchase Agreement, 2003). Therefore, adequate water supply would be available for the proposed project. Therefore, impacts to water supply would be adverse, but less than significant (Class III).

The applicant would be responsible for the installation of necessary infrastructure to supply water to the proposed project site with selected pipe sizes adequate in meeting applicable standards. According to the water distribution study (Penfield & Smith, *Key Site 3 Water Distribution Study*, May 2013; refer to Appendix D), the proposed project would consist of an eight-inch diameter piping system for residential service. These proposed water mains would connect to existing off-site infrastructure. All water lines will be located under the public right-of way, residential streets, or contained within public utility easements traversing the property.

As discussed in Section 4.5, *Fire Protection*, the water distribution study also concluded that the proposed water main sizes would provide adequate water pressure throughout the project site and meet minimum fire flow requirements of the Santa Barbara County Fire Department. The environmental impacts associated with the installation of the proposed water main infrastructure are discussed throughout this SEIR. Therefore, impacts to water supply and groundwater resources, as well as water pressure and fire flow requirements would be less than significant.

Mitigation Measures. Although not required to reduce water demands to a less than significant level, the following water conservation measures are recommended and would implement OCP EIR Mitigation Measure WAT-4, which requires the implementation of water conservation measures.

PSF-3(a) **Water Conservation-Outdoor**. To improve water conservation, the **owner/**applicant shall include the following in Landscape and Irrigation Plans to be approved by P&D:

a. Landscaping that reduces water use:
   i. Landscape with native and/or drought tolerant species.
   ii. Group plant material by water needs.
   iii. Turf shall constitute less than 20% of the total landscaped area.
   iv. No turf shall be allowed on slopes of over 4%.
   v. Extensive mulching (2" minimum) shall be used in all landscaped areas to reduce evaporation.
b. Install drip irrigation or other water-conserving irrigation.

Plan Requirements and Timing: The **owner/**applicant shall submit a landscape and irrigation plan to P&D for review and approval prior to **issuance** ~~approval~~ of zoning clearance. The **owner/**applicant shall implement all aspects of the landscape and irrigation plan in accordance with the Landscape and Performance Security Conditions.

Monitoring: The **owner/**applicant shall demonstrate to P&D compliance monitoring staff that all required conserving landscape and irrigation features are installed prior to Final Building Inspection Clearance and landscape and irrigation are maintained per approved landscape plans. Any part of irrigation plan requiring a plumbing permit shall be inspected by building inspectors.

PSF-3(b) **Water Conservation-Indoor**. Indoor water use shall be limited through the use of the following measures:

a. Re-circulating, point-of-use, or on-demand water heaters shall be installed.
b. Water efficient clothes washers and dishwaters shall be installed.

c. Self-regenerating water softening shall be prohibited in all structures.

Plan Requirements and Timing: The **owner/**applicant shall include all indoor water conservation measures on plans, including plumbing and electrical plans, as needed subject to P&D review and approval. Indoor water-conserving measures shall be implemented prior to Final Building Inspection Clearance.

Monitoring: The owner/applicant shall demonstrate compliance with all required indoor water conservation measures to P&D compliance monitoring staff prior to Final Building Inspection Clearance.

Significance After Mitigation. The Supplemental Water Purchase Agreement for the project would reduce impacts to a less than significant level (Class III). The application of OCP EIR Mitigation Measure WAT-1 and the project specific Mitigation Measures PSF-3(a) and PSF-3(b) would further reduce potential groundwater and water supply impacts. Impacts to water supply would be adverse, but less than significant (Class III).

Impact PSF-3 The Laguna County Sanitation District wastewater treatment plant has adequate capacity to serve the proposed project. However, existing off-site sewer infrastructure would not be able to accommodate the wastewater generated by the project without upgrades to this infrastructure.

A sewer study (Penfield & Smith, *Key Site 3 Sewer Study*, November 2013; refer to Appendix H) was conducted to determine the adequacy of the proposed on-site sewer improvements and whether existing treatment plant capacity can accommodate the proposed project. In addition, off-site analysis was performed to determine the capacity of existing trunk sewer pipelines and to identify appropriate upgrades to offsite facilities. The following site-specific wastewater demands are based on the 2009 Laguna County Sanitation District Sewer Collection System Master Plan. Table 4.10-5 shows the estimated wastewater demand totals for the proposed project.

Table 4.10-5 Wastewater Demand by Zone

Zone	Use	Units	Demand (cfs/unit)[1]	Average cfs (gpm)[2]	Peak cfs (gpm)
1	Small Single-Family Residential	97	0.00034/unit	0.033 (14.8)	0.079 (35.5)
3	Large Single-Family Residential	28	0.00034/unit	0.010 (4.5)	0.023 (10.3)
Proposed Project Wastewater Demand Totals				**0.043 cfs (19.3 gpm) (0.028 MGD)[3]**	**0.102 cfs (45.8 gpm) (0.066 MGD)**

Source: Key Site 3 Sewer Study, November 2013.
1. cfs (cubic feet per second)
2. gpm (gallons per minute)
3. MGD (millions of gallons per day)

Disposal Facility Capacity. LCSD currently collects, treats, and disposes approximately 2.3 to 2.4 million gallons per day (MGD) of wastewater. This water is recycled and used for irrigation purposes on District land and various off-site locations. The District has a current disposal capacity of 2.7 MGD. The disposal facilities are currently at approximately 87% capacity, with an available capacity of 0.3 to 0.4 MGD. Based on the estimated wastewater demand totals for the proposed project shown in Table 4.10-5, existing LCSD disposal facilities have sufficient capacity to handle both the projected average and peak sewage generation from the project.

Treatment/Reclamation Plant Capacity. The reclamation plant is regulated by the Regional Water Quality Control Board under Waste Discharge Requirements and Master Reclamation Permit Order 01-042. The plant has a permitted/rated capacity of 3.7 MGD, currently at 65% capacity with an available capacity of 1.3 MGD. The anticipated average and peak flows of the project shown in Table 4.10-5 are within the design capacity of the LCSD disposal facilities. Therefore, the treatment plant has sufficient existing capacity to accommodate anticipated project demands.

Proposed On-Site Sewer Design. The proposed on-site sewer collection system consists of a network of six-inch and eight-inch PVC pipes which convey flows into the Solomon Creek Trunk Sewer. The collection system will conform to LCSD Standard Specifications for the Construction of Sanitary Sewers. Proposed gravity sewer improvements will be dedicated to LCSD for management and future maintenance. According to the sewer study, parts of the existing Solomon Creek Trunk Sewer have insufficient capacity to convey peak build-out flows from Blosser Road to Bradley Road. The proposed project would contribute to this condition and would be required to pay appropriate impact fees for these improvements to be completed as a separate project by the LCSD.

Although the timing and phasing of future upgrades to the Solomon Creek Trunk are speculative at this point, future upgrades could result in construction related impacts to air quality, noise and traffic. However, such impacts would be temporary in nature and subject to subsequent environmental review. The applicant would be required to pay their fair share of impact mitigation fees to the LCSD for upgrades to the Solomon Creek Trunk. These upgrades would ensure the system has sufficient capacity to serve the proposed project. Through payment of fees, impacts related sewer infrastructure would be adverse, but less than significant (Class III).

Mitigation Measures. Through the required payment of impact mitigation fees, potential impacts to sewer demand and infrastructure needs would be less than significant, and no mitigation is required.

Significance After Mitigation. Impacts associated with wastewater demand would be adverse, but less than significant (Class III).

Impact PSF-4 The proposed project would generate an estimated 101 tons of solid waste per year, which does not exceed Santa Barbara County's threshold of 196 tons per year.

The proposed project would develop 125 residential units and generate 343 new residents, based on an average of County-wide average of 2.74 persons per residential unit (U.S. Census, 2000). Based on Santa Barbara County solid waste generation factors, each resident would generate approximately 0.95 tons per year per person. Table 4.10-6 shows estimates of the proposed project's solid waste generation.

Table 4.10-6 Estimated Solid Waste Generation

Land Use	Solid Waste Generation Rate	Tons Generated Per Year
125 Single-family Residences[1]	0.95 tons/person/year	325.9
Total Waste Diverted[2]		*224.9*
Total Waste Disposed at Landfill		**101.0**

1: The proposed project would add approximately 343 persons, based on the 2000 U.S. Census Bureau (2.74 persons/unit).
2: Based on a 69% diversion rate for Santa Barbara County, as of 2006.
Note: Recreational park use was not included in these calculations as this use does not generate substantial solid waste.

As shown in Table 4.10-6, based on a 69% diversion rate[3], the proposed project would generate an estimated 101 tons per year of solid waste, which would not exceed the County's threshold of 196 tons per year of solid waste generation. Waste generated by the project would be accommodated within existing solid waste facilities. Therefore, impacts would be adverse, but less than significant (Class III).

Mitigation Measures. No mitigation is required.

Significance After Mitigation. Impacts to solid waste services would be adverse, but less than significant (Class III).

c. Cumulative Impacts.

Public Schools. Residential development in the area under cumulative conditions could generate enough new students such that it may exceed the capacity of schools within the OUSD or SMJUHSD and therefore require new or altered school facilities in the future. Based on the same student generation factors used for the project-level impact analysis, cumulative residential development within Orcutt area would be expected to generate 412 elementary students, 130 junior high students, and 254 high school students, for a total of 796 students under cumulative conditions. The proposed project would generate 76 students, which accounts for approximately 10% of the total students generated from cumulative buildout.

Although development of new schools could result in environmental impacts associated with ground disturbance (e.g., biological resources, cultural resources, etc.), and/or noise and traffic, a precise evaluation of environmental impacts would be speculative because the location and timing of such a facilities is not known at this time. Future facilities that would need to be constructed as a result of cumulative development would be subject to subsequent environmental review. As discussed above, the collection of state-mandated fees (pursuant to

[3] As noted in the Santa Barbara County Environmental Thresholds and Guidelines Manual (October 2008), AB 939requires each municipality in the state to divert at least 50% of its solid waste from landfill disposal. Through recycling and reduction programs and policies, Santa Barbara County has achieved a 69% solid waste diversion rate as of 2006 (CalRecycle, 2014), and this is considered a more reliable estimate of waste diversion for the project.

Section 65995 (3) (h) of the California Government Code) is considered full and complete mitigation for impacts to public schools. Through the payment of impact mitigation fees, potential cumulative impacts related to public schools would be adverse, but less than significant (Class III).

Water. Cumulative development in the Orcutt area, including the 160 multi-family units on a portion of Key Site 3 that were approved under the Focused Rezone Program, would increase the demand for water. As discussed in Section 3.0, *Environmental Setting*, 1,253 residential units and 740,636 square feet of commercial development are currently proposed, in process, approved, or under construction in the Santa Maria Valley. This development would demand additional water.

The OCP includes several policies and development standards regarding water supply and groundwater consumption. Specifically, Policy WAT-O-2 requires that future development under the Orcutt Community Plan must offset water demand with supplemental water supplies in order to prevent any impacts to the SMGB. Future development within the Orcutt area would be subject to OCP EIR Mitigation Measures WAT-1 would through WAT-4, which would also reduce impacts to water supply. In addition, according to the 2010 Orcutt Urban Water Management Plan (August 2011), the water supplies available to the Orcutt system are sufficient to meet the projected water demand for each multiple-dry year period because groundwater and purchased water can supply reliable water through 2030. The average per capita water demand in 2010 was 227 gpcd, or 0.2543 AFY. As such, based on a 2010 population of 28,761 (GSWC, August 2011), current demand is estimated to be 7,314 AFY. Cumulative buildout would increase the population of Orcutt by 3,433 residents. This population increase would demand 870 AFY. Existing demand plus cumulative buildout demand would total 8,184 AFY while current and planned water supplies by 2020 are anticipated to be 10,903 (GSWC, August 2011). Therefore, impacts to water supply and groundwater resources would be adverse, but less than significant (Class III).

Wastewater. Based on the residential wastewater generation factors obtained from the LCSD, cumulative residential development in the community of Orcutt would generate approximately 0.28 MGD of wastewater. Based on a wastewater generation rate of 0.000525 MGD per 1,000 square feet of non-residential use as provided by LCSD, cumulative non-residential development would generate approximately 0.39 MGD of wastewater. These totals combined equal 0.67 MGD. Existing plus cumulative development would generate approximately 3.07 MGD of wastewater, which would exceed 80% of the treatment plant's permitted capacity of 3.7 MGD. The proposed project would contribute to this cumulative wastewater demand, which exceeds the 75% capacity checkpoint threshold for the plant's design capacity. Although the required payment of impact mitigation fees would ensure that the project's contribution to wastewater demands would be less than significant at a project level, development on the project site would have an average wastewater demand of 0.028 MGD, which is approximately 10% of the projected Orcutt area residential demand, and approximately 4% of the projected total demand. This would be a cumulatively considerable contribution. The project's contribution to cumulative impacts would be significant and unavoidable (Class I).

Solid Waste. Cumulative development in the Orcutt area, including the 160 multi-family units on a portion of Key Site 3 that were approved under the Focused Rezone Program, would increase solid waste generation, thereby reducing the lifespan of solid waste landfills serving the area. The proposed project would incrementally contribute to the cumulative impact to landfill capacity.

As shown in Table 4.10-7, cumulative development of Key Site 3 would exceed the 40-ton per year cumulative County threshold for solid waste. Hence, cumulative development in the Orcutt area would exacerbate the exceedances anticipated from cumulative development of Key Site 3. Therefore, cumulative development would result in a significant and unavoidable impact (Class I) to solid waste generation and the project's contribution to this impact would be cumulatively considerable.

Table 4.10-7 Cumulative Estimated Solid Waste Generation

Land Use	Solid Waste Generation Rate	Tons Generated Per Year
Key Site 3[1]	0.95 tons/person/year	325.9
MR-O Zone[2]	0.95 tons/person/year	416.1
Total Waste Generated		*742.0*
Total Waste Diverted[3]		*512.0*
Total Waste Disposed at Landfill		**230.0**

1: The proposed project would add approximately 343 persons, based on the 2000 U.S. Census Bureau's (2.74 persons/unit).
2: Development of the MR-O zone includes the construction of 160 residential units, which would add approximately 438 persons to the Orcutt area, based on the 2000 U.S. Census Bureau (2.74 persons/unit).
3: Based on a 69% diversion rate for Santa Barbara County, as of 2006.
Note: Recreational park use was not included in these calculations as this use does not generate substantial solid waste.

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4.11 TRANSPORTATION AND CIRCULATION

4.11.1 Setting

a. Project Setting. The project site is located in the southeastern section of the Orcutt Planning Area. As shown in Figure 4.11-1, the project site is located west of U.S. Highway 101 (U.S. 101), south of Sunny Hills Mobile Home Park, north of the Orcutt (or Solomon) Hills, and east of Stillwell Road, and is served by a network of highways, arterial streets, and collector streets. The following text provides a brief discussion of major components of the study area street network.

U.S. 101 extends along the Pacific Coast between Los Angeles and San Francisco. Within Santa Barbara County, this four- to six-lane highway is the principal route between Orcutt and the cities of Buellton, Goleta, and Santa Barbara to the south, and the cities of Santa Maria and San Luis Obispo to the north. Access between U.S. 101 and the project site is provided via the Clark Avenue interchange.

State Route 135 extends from State Route (SR) 1, south of Orcutt, to U.S. 101, adjacent to the County's northern border. The segment of SR 135 within Orcutt contains four travel lanes and provides a connection between the project site and Santa Maria to the north and Lompoc to the south.

Clark Avenue is an east-west arterial that extends through the Orcutt area from Dominion Road east of U.S. 101 to SR 1 to the west. Clark Avenue contains four travel lanes west of Stillwell Road, three travel lanes between Stillwell Road and U.S. 101, and two travel lanes east of U.S. 101. The speed limit in the project vicinity is 45 miles per hour (mph). The intersection with Stillwell Road is signalized, while the intersections with U.S. 101 ramps and Sunny Hills Road are unsignalized. Clark Avenue is classified as a P-2 arterial road by the County of Santa Barbara (a roadway which serves a high proportion of non-residential development with some residential lots and few or no driveway curb cuts).

Stillwell Road is a two-lane collector road that would provide secondary access to the project site via **a** connection to Chancellor Street. The roadway extends south of Clark Avenue until it terminates at Chancellor Street. The speed limit on Stillwell Road is 30 mph. Stillwell Road is designated as a Secondary 3 roadway by the County of Santa Barbara (designed to primarily serve residential uses with small to medium lots).

Sunny Hills Road is a Secondary 3 roadway that extends south of Clark Avenue through undeveloped Key Site 2 property north of the site before entering the Sunny Hills Mobile Home Park located directly north of the project site. Sunny Hills Road has a speed limit of 15 mph. As described in Section 2.0, *Project Description*, this roadway is proposed to be realigned to the west with a new connection to Clark Avenue. The new intersection in this location would be controlled by a traffic signal.

Existing Street Network and Project Location

Figure 4.11-1

Source: Penfield & Smith, November 18, 2013

The traffic and circulation analysis is based on the Traffic and Circulation Study prepared by Penfield and Smith dated November 18, 2013. The study is incorporated by reference, and is included as Appendix I. Study roadways and intersections were selected based on proximity to the project site and potential to be affected by new traffic from the proposed project. In total, four roadway segments and four intersections were analyzed:

Roadways:

1. *Clark Avenue (from Bradley Road to Stillwell Road)*
2. *Clark Avenue (from Stillwell Road to U.S. 101)*
3. *Stillwell Road (South of Clark Avenue)*
4. *Sunny Hills Road (South of Clark Avenue)*

Intersections:

1. *Clark Avenue at Stillwell Road*
2. *Clark Avenue at Sunny Hills Road*
3. *Clark Avenue at U.S. 101 Southbound Ramps*
4. *Clark Avenue at U.S. 101 Northbound Ramps*

Roadway Operations. The operational characteristics of the County roadway segments within the study area were analyzed based on the County's standard engineering roadway capacities, which are listed in the traffic study's Technical Appendix for reference (refer to Appendix I). In rating a roadway's operating condition, "Levels of Service" (LOS) A through F are used, with LOS A indicating very good operation and LOS F indicating poor operation (refer to Table 4.11-1). The County of Santa Barbara has established LOS C as the minimum acceptable LOS for roadway operations.

Table 4.11-1 Level of Service Definitions

LOS	Signalized Intersections (V/C Ratio[1])	Unsignalized Intersections (Sec. of Delay)	Definition
A	< 0.60	≤ 10	Conditions of free unobstructed flow, no delays and all signal phases sufficient in duration to clear all approaching vehicles.
B	0.61-0.70	> 10 and ≤ 15	Conditions of stable flow, very little delay, a few phases are unable to handle all approaching vehicles.
C	0.71-0.80	> 15 and ≤ 25	Conditions of stable flow, delays are low to moderate, full use of peak direction signal phases is experienced.
D	0.81-0.90	> 25 and ≤ 35	Conditions approaching unstable flow, delays are moderate to heavy, significant signal time deficiencies are experienced for short durations during the peak traffic period.
E	0.91-1.00	> 35 and ≤ 50	Conditions of unstable flow, delays are significant, signal phase timing is generally insufficient, congestion exists for extended duration throughout the peak period.
F	>1.00	> 50	Conditions of forced flow, travel speeds are low and volumes are well above capacity. This condition is often caused when vehicles released by an upstream signal are unable to proceed because of back-ups from a downstream signal.

1: V/C Ratio = Volume to Capacity Ratio
Source: Highway Capacity Manual, 2010 Edition

Existing average daily traffic (ADT) volumes for area roadway segments were derived from the *Housing Element Focused Rezone Program EIR* for the segments of Clark Avenue and Sunny Hills Road within the study area based on the peak hour traffic volumes at the intersections within the vicinity of the project site (Santa Barbara County, February 2009). A comparison of the ADT volumes with the County's design capacities indicate that the critical roadway segments in the

study area operate at LOS A. The roadway classification and design capacities for Clark Avenue, Stillwell Road, and Sunny Hills Road, as presented in the OCP, are summarized in Table 4.11-2.

Table 4.11-2 Existing Roadway Levels of Service

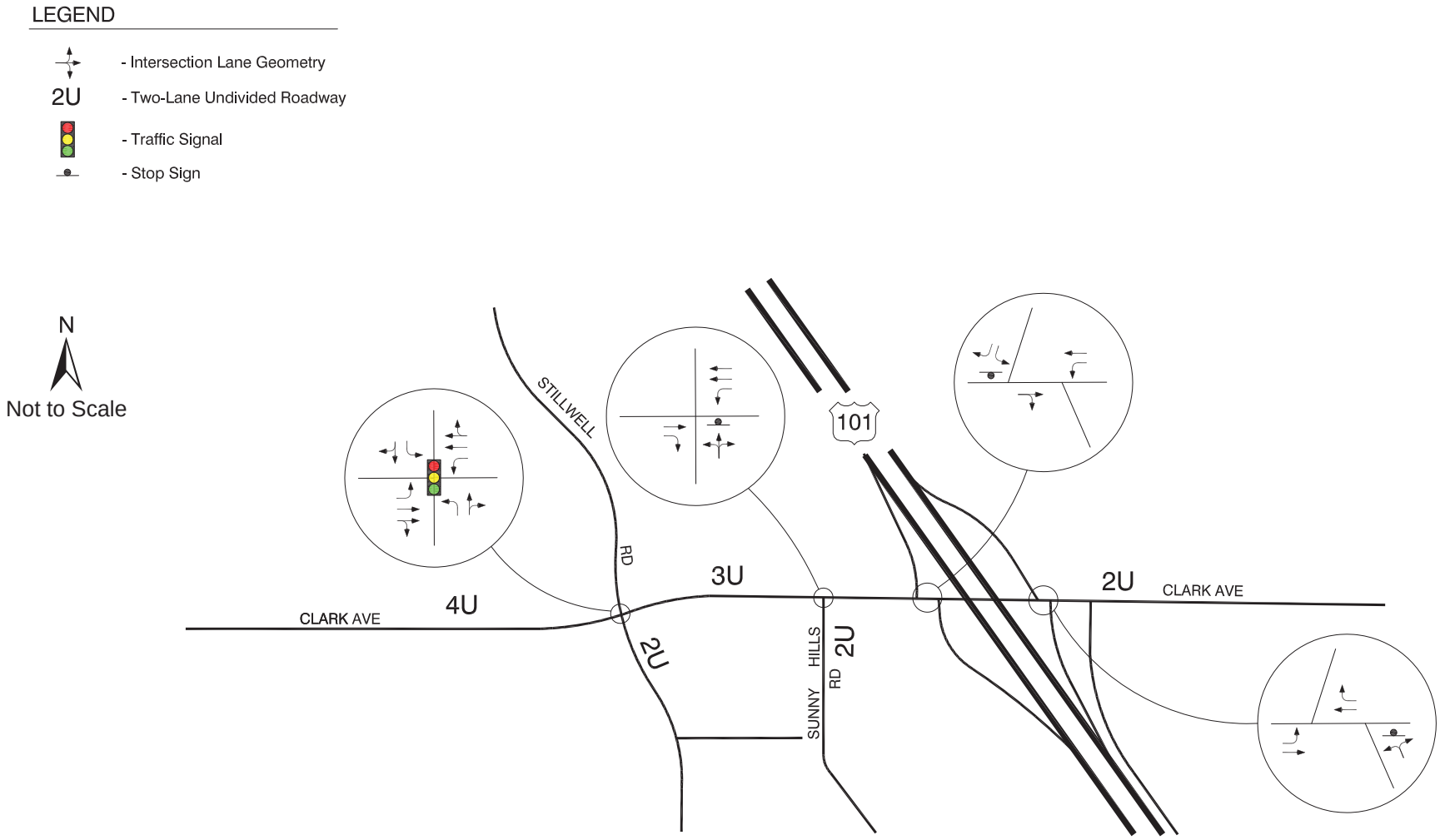
Roadway	Segment	Existing ADT	Classification	LOS C Threshold[1]	Existing LOS
Clark Avenue	Bradley Rd to Stillwell Rd	16,100	Primary 2	34,000 ADT	LOS A
Clark Avenue	Stillwell Rd to U.S. 101	15,800	Primary 2	24,100 ADT	LOS A
Stillwell Road	South of Clark Ave	1,800	Secondary 3	6,300 ADT	LOS A
Sunny Hills Road	South of Clark Ave	800	Secondary 3	6,300 ADT	LOS A

[1]The LOS C threshold for a 4-lane roadway is 34,000 ADT. The LOS C threshold for 3-lane roadway used above (24,100) is based on the median between a 2-lane roadway (14,300 ADT) and a 4-lane roadway.

Intersection Operations. Because traffic flow on street networks is most constrained at intersections, the traffic analysis focuses on the operating conditions of critical intersections during peak travel periods. The LOS rating system discussed above for roadway segments is also used to rate intersection operations. The County of Santa Barbara has established LOS C as the minimum acceptable level for intersection operations.

Turning volume counts at the existing study intersections were collected by Penfield & Smith for the A.M. and P.M. peak commute periods (7 A.M. to 9 A.M. and 4 P.M. to 6 P.M.) in June and September, 2011. The 2011 intersection counts show traffic changes compared to the 2008 roadway ADT levels described above. Data collection included vehicle delay data for the intersections of Clark Avenue with the U.S. 101 northbound and southbound ramps, which are unsignalized. The existing lane geometry and traffic controls for the study area intersections are illustrated in Figure 4.11-2. Figure 4.11-2 also indicates whether undivided roadways are two-lanes (labeled 2U), three-lanes (labeled 3U), or four-lanes (labeled 4U).

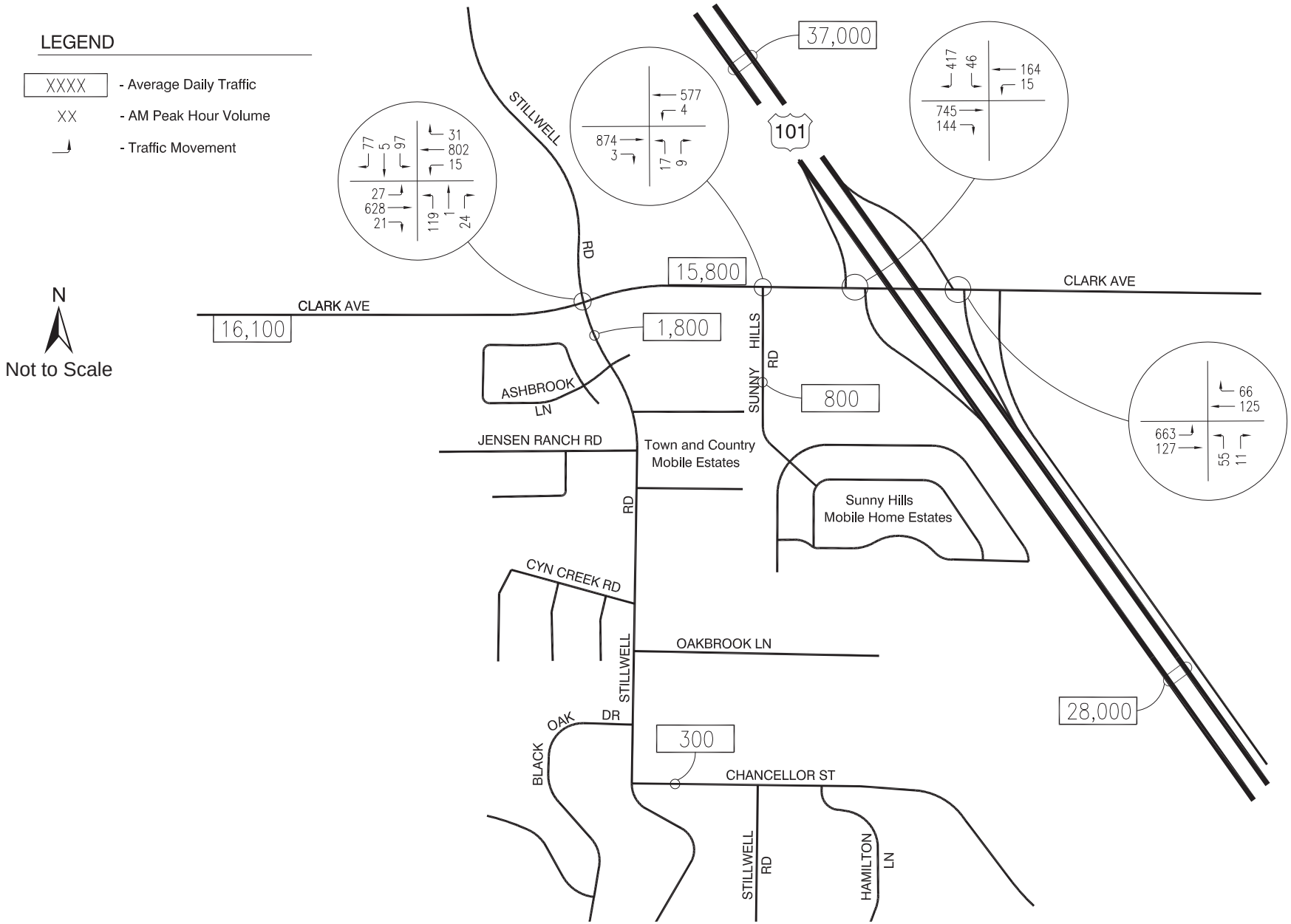
Levels of service for the study area intersections were calculated based on the existing peak hour traffic volumes, existing geometry, and traffic controls at the study area intersections. Levels of Service were calculated for the study area intersections using the County's "Intersection Capacity Utilization" (ICU) methodology. Figure 4.11-3 shows existing ADT and A.M. peak hour traffic volumes and Figure 4.11-4 shows existing P.M. peak hour traffic volumes in the study area. Table 4.11-3 shows the existing A.M. and P.M. peak hour levels of service for the study area intersections. As shown in Table 4.11-3, the study area intersections operate at LOS C or better during both peak hours. These service levels are considered acceptable based on the County's LOS C standard.



Source: Penfield & Smith, November 18, 2013

Existing Roadway and Intersection Geometry

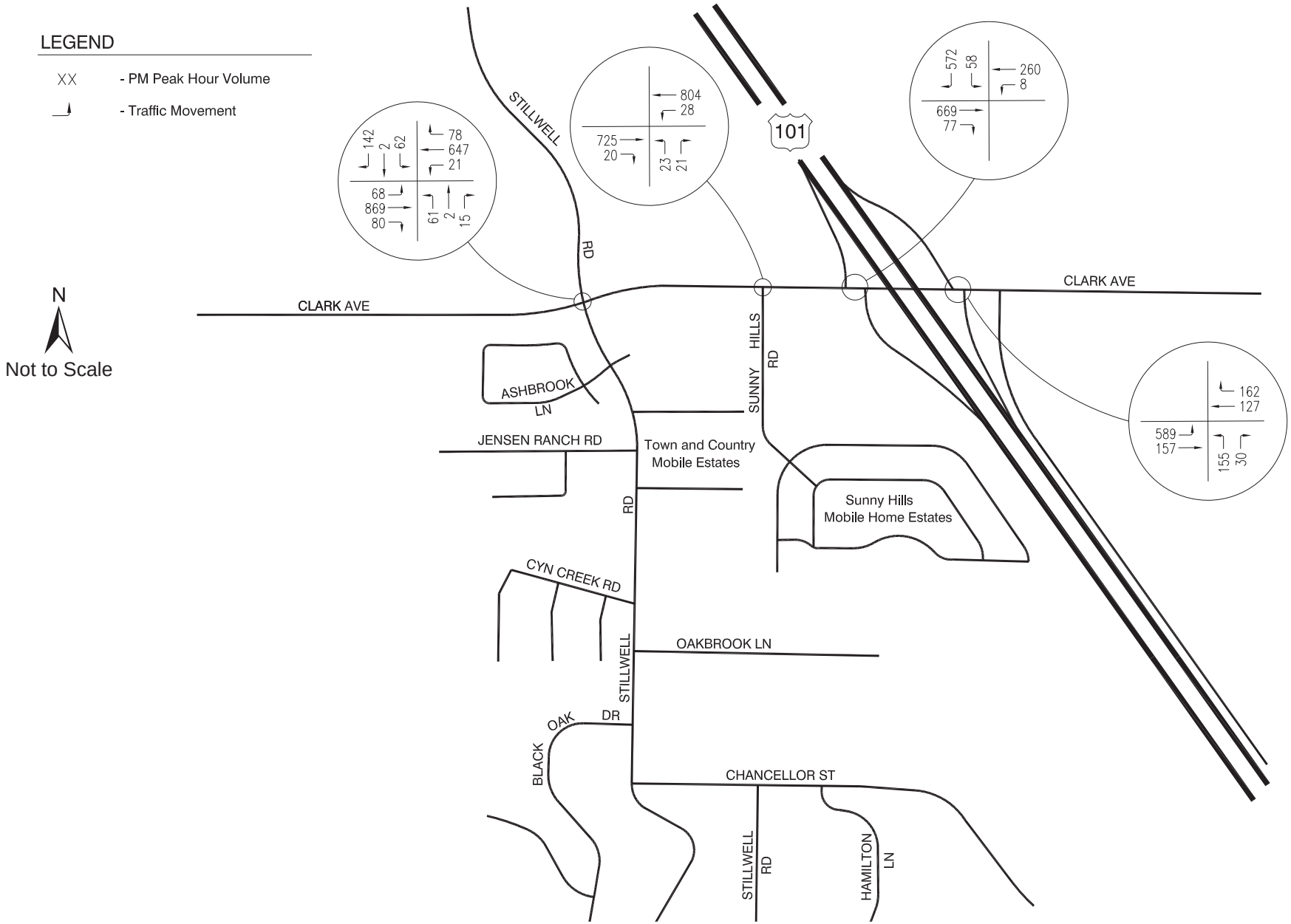
Figure 4.11-2



Existing ADT and AM Peak Hour Traffic Volumes

Figure 4.11-3

Source: Penfield & Smith, November 18, 2013



Source: Penfield & Smith, November 18, 2013

Existing PM Peak Hour Traffic Volumes

Figure 4.11-4

Table 4.11-3 Existing Peak Hour Levels of Service

Intersection	Traffic Control	AM Peak Hour V/C Ratio or Delay	PM Peak Hour V/C Ratio or Delay
Clark Avenue/Stillwell Road	Signal	0.50/LOS A	0.48/LOS A
Clark Avenue/Sunny Hills Road	One-Way Stop	16.4 sec/LOS C	13.7 sec/LOS B
Clark Avenue/U.S. 101 SB Ramps	One-Way Stop	23.8 sec/LOS C	23.4 sec/LOS C
Clark Avenue/U.S. 101 NB Ramps	One-Way Stop	15.1 sec/LOS C	21.3 sec/LOS C

Note: LOS for unsignalized intersections based on average delay per vehicle.

b. Planned Roadway Improvements. The Orcutt Transportation Improvement Plan (OTIP) identifies public improvements to be made as a part of future development affecting LOS and the development of several Key Sites, including Key Site 3. The primary purpose of the OTIP is to serve as a programming document for expenditure of transportation impact fees in the Orcutt Planning Area. Specifically, the OTIP identifies the need to dedicate easements to the County for the construction of a Class I bike path/public trail through Key Site 3 that is integrated with the internal circulation plan and landscape plan and connects with the primary access point at Clark Avenue. It also requires limiting primary access off of Clark Avenue to one signalized intersection, which requires the realignment of Sunny Hills Drive to the west.

Additionally, the OTIP identifies the need to construct a landscaped raised median and other improvements on Clark Avenue along the frontage of Key Sites 1 and 2 (from U.S. 101 to Stillwell Road). As planned, Clark Avenue would be widened to four 12-foot travel lanes (two in each direction), a 16-foot landscaped center median, 5-foot bike lanes, and an approximately 6- to 10-foot wide sidewalk on both sides of the street. All improvements would take place within existing County and State right-of-way and would be coordinated with the development of Key Sites 1 and 2.

4.11.2 Previous Environmental Review

Orcutt Community Plan EIR. The Orcutt Community Plan (OCP) Environmental Impact Report (EIR) examined the transportation and circulation setting of the project region and the potential traffic impacts resulting from development of the region. The OCP EIR concluded that impacts related to an overall increase in traffic volumes/delays (Impacts CIRC-1 and CIRC-15), an increase in volume at unsignalized intersections (Impacts CIRC-2 and CIRC-16), congestion on Stillwell Road south of Clark Avenue (Impact CIRC-7), and turning movement conflicts at the Clark Avenue/frontage road intersection (Impact KS3-CIRC-1) were potentially significant. Mitigation in the OCP EIR included Mitigation Measure CIRC-1 and Mitigation Measure CIRC-2, which require the development of a comprehensive neighborhood traffic control program and provision of funding for the signalization of select intersections. These measures, in conjunction with roadway and intersection improvements proposed as components of the OCP, were noted as effective in reducing Impacts CIRC-1, CIRC-2, CIRC-7, CIRC-15, and CIRC-16 to a less than significant level. However, Impact KS3-CIRC-1 was determined to remain significant and unavoidable, as the new site access point on Clark Avenue was noted as too close to the U.S. 101 interchange, which presented unavoidable turning movement safety hazards.

Focused Rezone Program EIR. The 2008 Housing Element Focused Rezone Program EIR analyzed the impact of rezoning an eight-acre portion of Key Site 3 to MR-O (Multi-family Residential Orcutt) to allow for the development of 160 multi-family residential units. The Focused Rezone Program EIR determined that this action would result in potentially significant but mitigable cumulative traffic and circulation impacts (Impact TC-2). The EIR included Mitigation Measure TC-2 which required the applicant to pay fair share fees to install a traffic signal at the U.S. 101 Southbound Ramps/Clark Avenue intersection. The Focused Rezone Program EIR determined that impacts to local circulation (Impact TC-3) and public transportation (Impact TC-4) would be less than significant. Nevertheless, Mitigation Measure TC-4, which required consultation with Santa Maria Area Transit to ensure that the public transportation demand can be met, was recommended to further reduce impacts on public transportation. These impacts and mitigation measures apply to the multi-family townhome development in the MR-O zone of the project site, which is part of the cumulative development analyzed in this section.

4.11.3 Impact Analysis

a. Methodology. Project trip generation estimates were determined for the project using trip generation rates contained in the ITE's *Trip Generation* manual for Planned Unit Development (Land Use #270) for the proposed small lot single-family residences and Single-Family Detached Housing (Land Use #210) for the larger single-family residences. For the cumulative analysis, which includes the townhomes in the MR-O zoned portion of Key Site 3, average daily traffic volumes were derived from the Focused Rezone Program EIR and were adjusted to reflect updated traffic data for Key Site 1 and Key Site 3, and revised access for Key Site 3.

Based on these trip generation rates, the proposed project would generate 995 daily trips, with 70 trips occurring during the A.M. peak hour and 88 trips occurring in the P.M. peak hour. The trip generation estimates are summarized in Table 4.11-4.

Table 4.11-4 Project Trip Generation

Land Use	Size (Units)	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
			In	Out	Total	In	Out	Total
Single Family Residential	28	267	5	16	21	18	10	28
Planned Unit Development	97	728	11	38	49	39	21	60
TOTAL	**125**	**995**	**16**	**54**	**70**	**57**	**31**	**88**

Source: Penfield & Smith 2013.

The trips generated by the project for the A.M. peak hour (70 trips) and the P.M. peak hour (88 trips) were distributed and assigned to the local street network based on the location of the project site, trip distribution patterns derived from the Orcutt Traffic Model, knowledge of the local street network and travel patterns, type of existing land uses, and current traffic flows in the Orcutt area. The distribution data is summarized in Table 4.11-5.

Table 4.11-5 Project Trip Distribution Percentages

Street (to/from)	Direction	Percentage of Project Trips
U.S. 101	North	35%
	South	15%
Clark Avenue	East	0%
	West	48%
Local	-	2%
Total		**100%**

Source: Penfield & Smith, 2013.

b. Thresholds of Significance. The County uses the ICU methodology for calculating LOS for signalized intersections. Furthermore, the County's CEQA thresholds are based on volume to capacity (V/C) ratios and changes to the V/C ratios based on the ICU calculations. Based upon the County's Environmental Thresholds and Guidelines Manual (October 2008), traffic impacts are considered significant in the following instances:

- *If the addition of project traffic to an intersection increases the V/C ratio by the values listed in Table 4.11-6, then it is considered a significant impact.*

Table 4.11-6 Significant Changes in Levels of Service

Intersection LOS (Including Project)	Increase in V/C or Trips Required for Significant Impact
LOS A	0.20
LOS B	0.15
LOS C	0.10
LOS D	15 Trips
LOS E	10 Trips
LOS F	5 Trips

- *The project's access to a major road or arterial road would require access that would create an unsafe situation, a new traffic signal or major revisions to an existing traffic signal.*
- *The project adds traffic to a roadway that has design features (e.g., narrow width, road-side ditches, sharp curves, poor sight distance, inadequate pavement structure) or receives use which would be incompatible with substantial increases in traffic (e.g., rural roads with use by farm equipment, livestock, horseback riding, or residential roads with heavy pedestrian or recreational use, etc.) that would become potential safety problems with the addition of project or cumulative traffic. Exceedance of the roadways designated Circulation Element Capacity may indicate the potential for the occurrence of the above impacts.*
- *Project traffic would utilize a substantial portion of an intersection's capacity where the intersection is currently operating at acceptable LOS (A-C) but with cumulative traffic would degrade to or approach LOS D (V/C 0.81) or lower. Substantial is defined as a minimum change of 0.03 for intersections which would operate from 0.80*

to 0.85, a change of 0.02 for an intersection which would operate from 0.86 to 0.90 and a change of 0.01 for an intersection which would operate greater than 0.90.

Based on the OCP Consistency Standards for Primary Roadways (P-1 through P-3):

- *For Primary roadways segments, a project is considered consistent with the OCP where the Estimated Future Volume (EFV) does not exceed the Acceptable Capacity (AC).*
- *For Primary roadway segments where the EFV exceeds the AC, a project is considered consistent with the OCP if: 1) intersections affected by traffic assigned from the project operate at or above minimum LOS standards, or 2) if the project provides a contribution toward an alternative transportation project (as defined in the OTIP) that is deemed to offset the effects of project-generated traffic.*

Pursuant to Appendix G of the State CEQA Guidelines, traffic impacts related to the proposed project would be significant if the project would:

- *Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.*
- *Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.*
- *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.*
- *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).*
- *Result in inadequate emergency access.*
- *Conflict with adopted policies, plans, or programs regarding public transit, bikeways, or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities.*

c. Project-Specific Impacts and Mitigation Measures.

Impact T-1 Operation of the project would result in the addition of 995 average daily trips (70 A.M. and 88 P.M. peak hour trips) to the study area roadways and intersections. The addition of project traffic would degrade the LOS at the Clark Avenue/U.S. 101 southbound ramp intersection under P.M. peak hour conditions.

The project would add 631 ADT to Clark Avenue west of Stillwell Road, 657 ADT to Clark Avenue east of Stillwell Road, and 658 ADT to Clark Avenue east of Sunny Hills Road. The project would add 697ADT to Sunny Hills Road south of Clark Avenue. The realigned site access across Key Site 2 and the westward shift of the Sunny Hills Road/Clark Avenue intersection is consistent with the plans for traffic improvements in the OTIP and would avoid the turning movement hazards noted in Impact KS3-CIRC-1 of the OCP EIR.

Roadway operations for the critical segments in the study area were evaluated based on existing + project conditions. Table 4.11-7 shows the existing + project ADT and LOS for the critical roadway segments.

Table 4.11-7 Existing + Project Roadway Levels of Service

Roadway	Segment	Existing + Project ADT	Classification	LOS C Threshold[1]	Existing + Project LOS
Clark Avenue	Bradley Road to Stillwell Rd	16,578	Primary 2	34,000 ADT	LOS A
Clark Avenue	Stillwell Road to U.S. 101	16,297	Primary 2	24,100 ADT	LOS A
Stillwell Road	South of Clark Avenue	2,098	Secondary 3	6,300 ADT	LOS A
Sunny Hills Road	South of Clark Avenue	1,497	Secondary 3	6,300 ADT	LOS A

[1]The LOS C threshold for a 4-lane roadway is 34,000 ADT. The LOS C threshold for 3-lane roadway used above (24,100) is based on the median between a 2-lane roadway (14,300 ADT) and a 4-lane roadway.

As shown in Table 4.11-7, all roadway segments are projected to operate at a LOS A with the addition of project-generated traffic. As a result, the proposed project would not generate any significant impacts to roadway segments based on the County impact threshold.

Project-generated traffic volumes were added to the existing peak hour intersection traffic volumes and levels of service were recalculated assuming existing + project conditions (refer to Figures 4.11-5 and 4.11-6). The results are presented in Tables 4.11-8 and 4.11-9.

Table 4.11-8 A.M. Peak Hour Existing + Project Intersection LOS

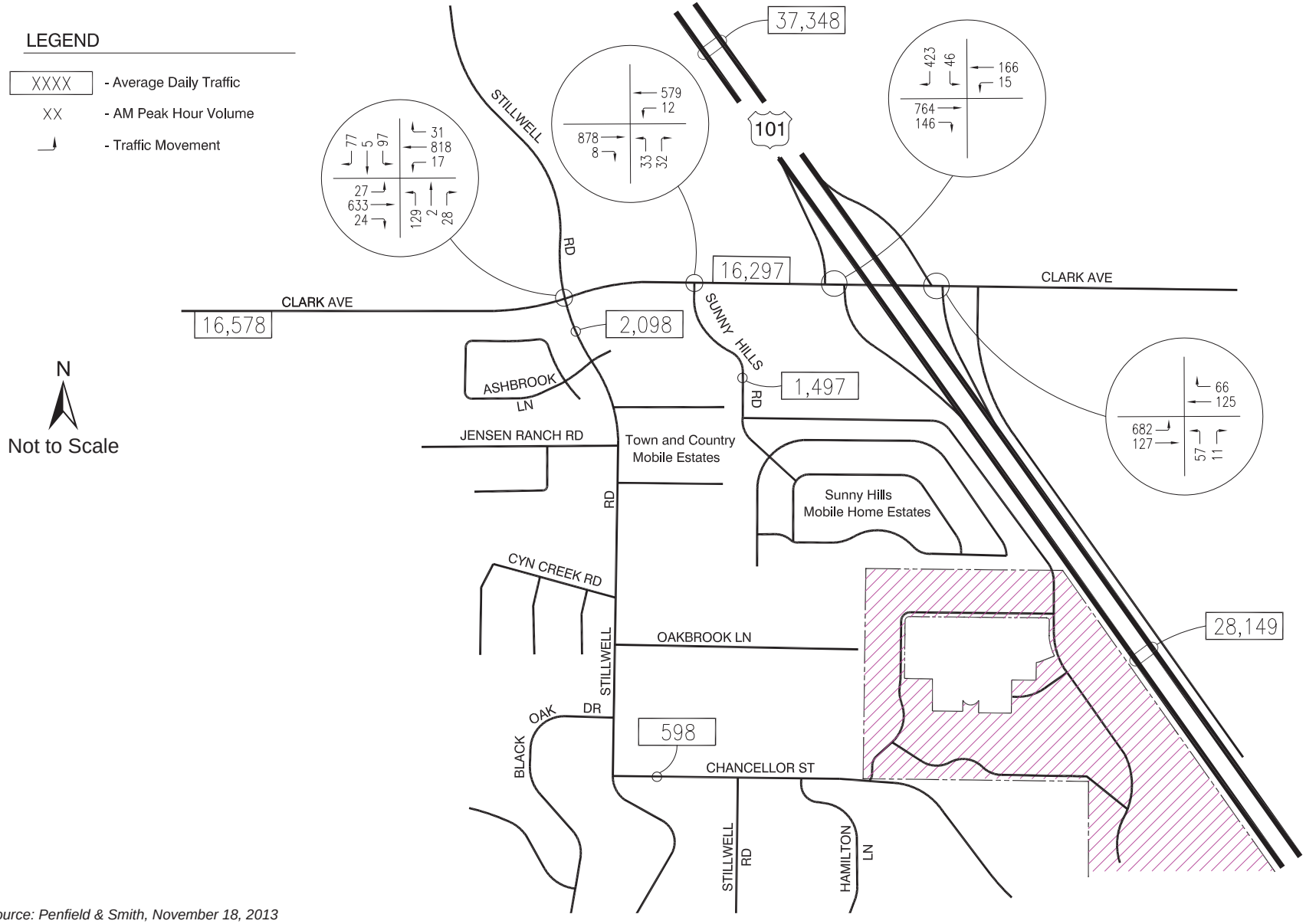
Intersection	Existing LOS (change in V/C ratio or intersection delay)	Existing + Project LOS	Change in V/C or Delay	Project-Added Trips	Impact?
Clark Avenue/Stillwell Road	0.50/LOS A	0.52/LOS A	0.02	39	No
Clark Avenue/Sunny Hills Road	16.4 sec/LOS C	17.7 sec/LOS C	1.3 sec	58	No
Clark Avenue/U.S. 101 SB Ramps	23.8 sec/LOS C	24.4 sec/LOS C	0.6 sec	35	No
Clark Avenue/U.S. 101 NB Ramps	15.1 sec/LOS C	15.7 sec/LOS C	0.6 sec	21	No

Table 4.11-9 P.M. Peak Hour Existing + Project Intersection LOS

Intersection	Existing LOS (change in V/C ratio or intersection delay)	Existing + Project LOS	Change in V/C or Delay	Project-Added Trips	Impact?
Clark Avenue/Stillwell Road	0.48/LOS A	0.50/LOS A	0.02	50	No
Clark Avenue/Sunny Hills Road	13.7 sec/LOS B	14.1 sec/LOS B	0.4 sec	75	No
Clark Avenue/U.S. 101 SB Ramps	**23.4 sec/LOS C**	**25.7 sec/LOS D**	**2.3 sec**	**45**	**Yes**
Clark Avenue/U.S. 101 NB Ramps	21.3 sec/LOS C	21.9 sec/LOS C	0.6 sec	20	No

Bolded values exceed County acceptable standards.

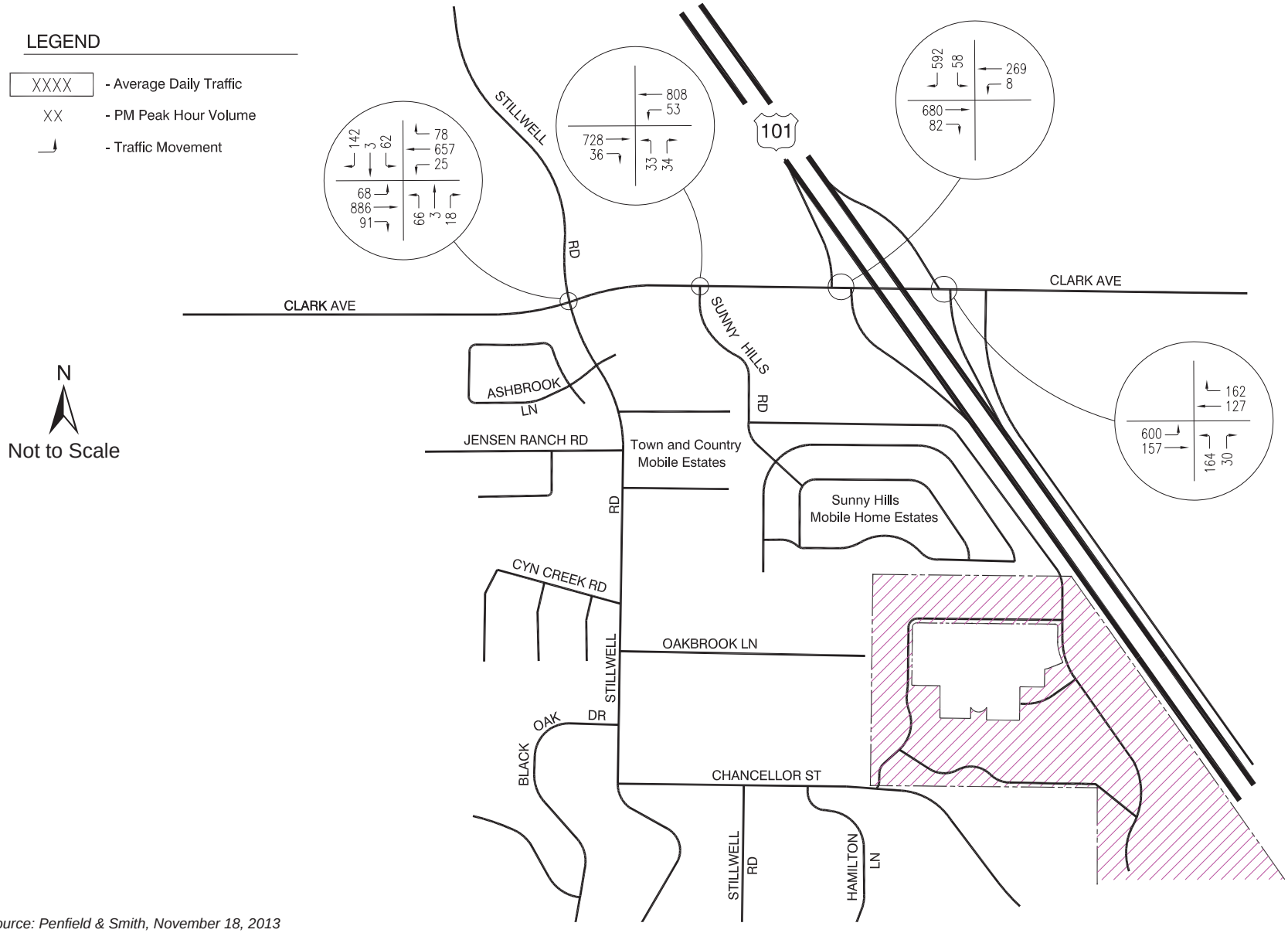
The LOS data contained in Tables 4.11-8 and 4.11-9 indicate that the study area intersections are expected to operate at LOS C or better during the A.M. peak hour under existing + project conditions. However, the project would contribute more than 15 peak hour trips to the Clark Avenue/U.S. 101 southbound ramps, which would operate at LOS D during the P.M. peak hour under existing + project conditions. Based on County thresholds, this would constitute a potentially significant impact.



Source: Penfield & Smith, November 18, 2013

Existing + Project ADT and AM Peak Hour Traffic Volumes

Figure 4.11-5



Source: Penfield & Smith, November 18, 2013

Existing + Project PM Peak Hour Traffic Volumes

Figure 4.11-6

In addition, a Congestion Management Program (CMP) Analysis of potential impacts to regional CMP intersections was conducted. The CMP Analysis is included as part of the project traffic study (Appendix I). The analysis evaluated potential impacts to regional CMP intersections, including the Clark Avenue/Bradley Road intersection to the west of the project site and the highway segments along U.S. 101 north and south of the Clark Avenue interchange. None of the CMP intersections or the U.S. 101 corridor would experience a potentially significant impact as a result of the proposed project.

Mitigation Measures. The traffic analysis completed for the Orcutt Village Marketplace (Key Site 1) (2008) and the Project Study Report – Project Development Support for the Clark Avenue Interchange (2013) identified roadway and intersection improvements to mitigate the Key Site 1 project-specific impacts at the Clark Avenue/U.S. 101 southbound ramps intersection. These improvements, which include road widening and restriping described in Mitigation Measure T-1 below, would also mitigate the project-specific impacts for Key Site 3. These roadway improvements have been developed in coordination with Caltrans and County staff to improve intersection operations at the Clark Avenue/U.S. 101 southbound ramps intersection, and are illustrated on Figure 4.11-7, Figure 4.11-8, and Figure 4.11-9. The following mitigation measure is required.

T-1 **Roadway Improvements.** The ~~project~~ **owner/**applicant shall **either** contribute fair share fees, to be determined by County Public Works staff, towards the following improvements, or shall construct the **following** improvements and develop a reimbursement agreement, to be reviewed and approved by County Public Works staff, for fair share contributions from other nearby future developments:

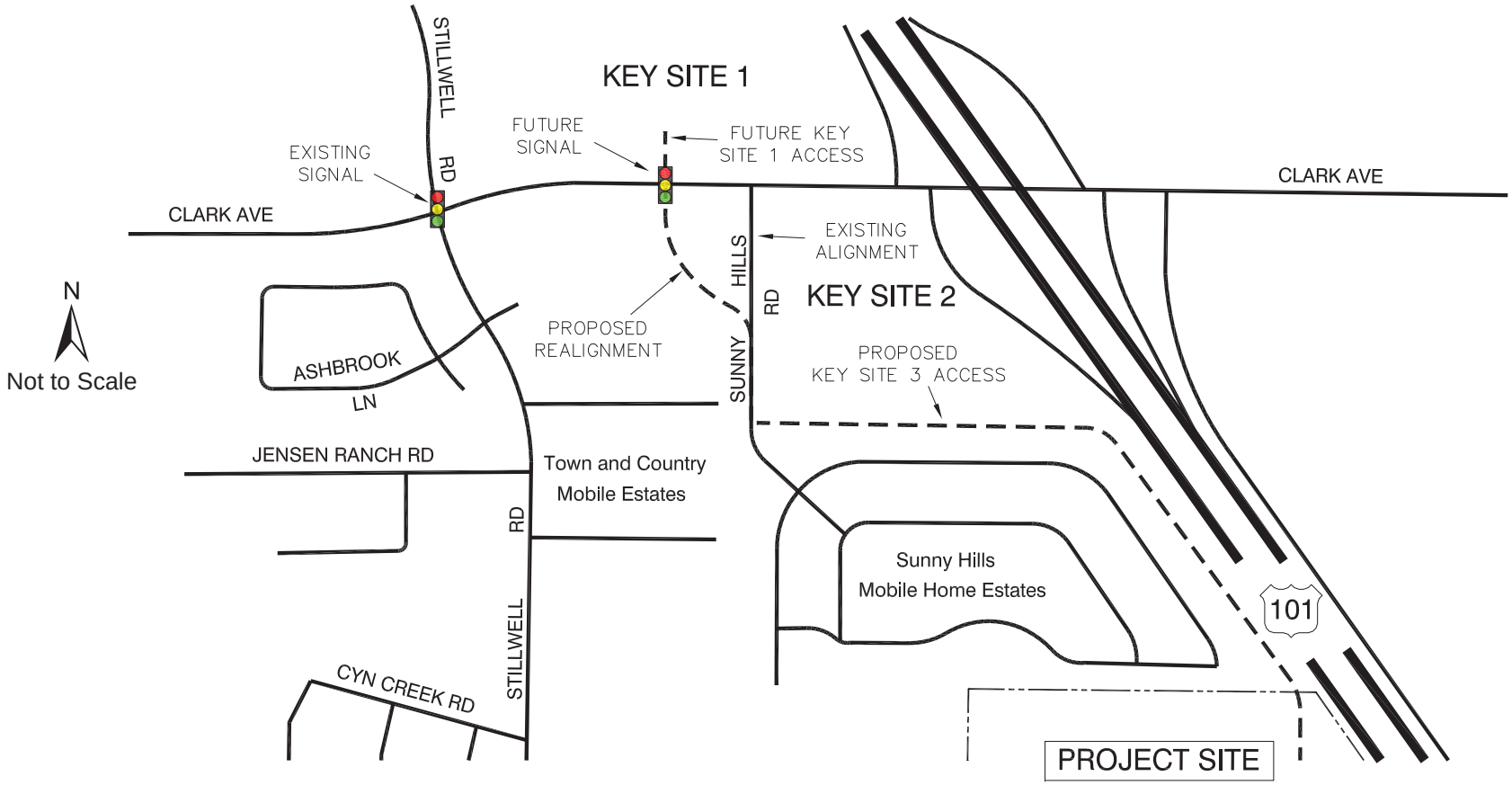
1. Widening ~~of the south side~~ of Clark Avenue between the realigned Sunny Hills Road and the U.S. 101 southbound ramps to provide two eastbound lanes.
2. Widening of the **Clark Avenue** southbound off-ramp to improve the operation of the southbound free right-turn lane.
3. Restripe **the northbound and southbound Clark Avenue** ~~of both~~ ramp intersections and the **Clark Avenue** overpass to maximize eastbound flow to the **Clark Avenue** northbound on-ramp **as described in the Key Site 3 Residential Project Traffic and Circulation Study, dated November 18, 2013**.

Plan Requirements and Timing. The **improvements shall be reviewed and approved by County Public Works and/or Caltrans prior to zoning clearance issuance. The owner/application shall construct the improvements prior to occupancy clearance if they have not yet been constructed by another Key Site project, in which case fair share fees (if required) shall be completed** ~~applicant shall construct the improvements and develop a reimbursement agreement, to be reviewed and approved by County Public Works staff, for fair share contributions from other nearby future developments.~~

~~Improvements shall be bonded for prior to map recordation or in place~~ prior to occupancy clearance.

Monitoring. Completion of improvements in accordance with approved plans shall be monitored by P&D and Public Works.

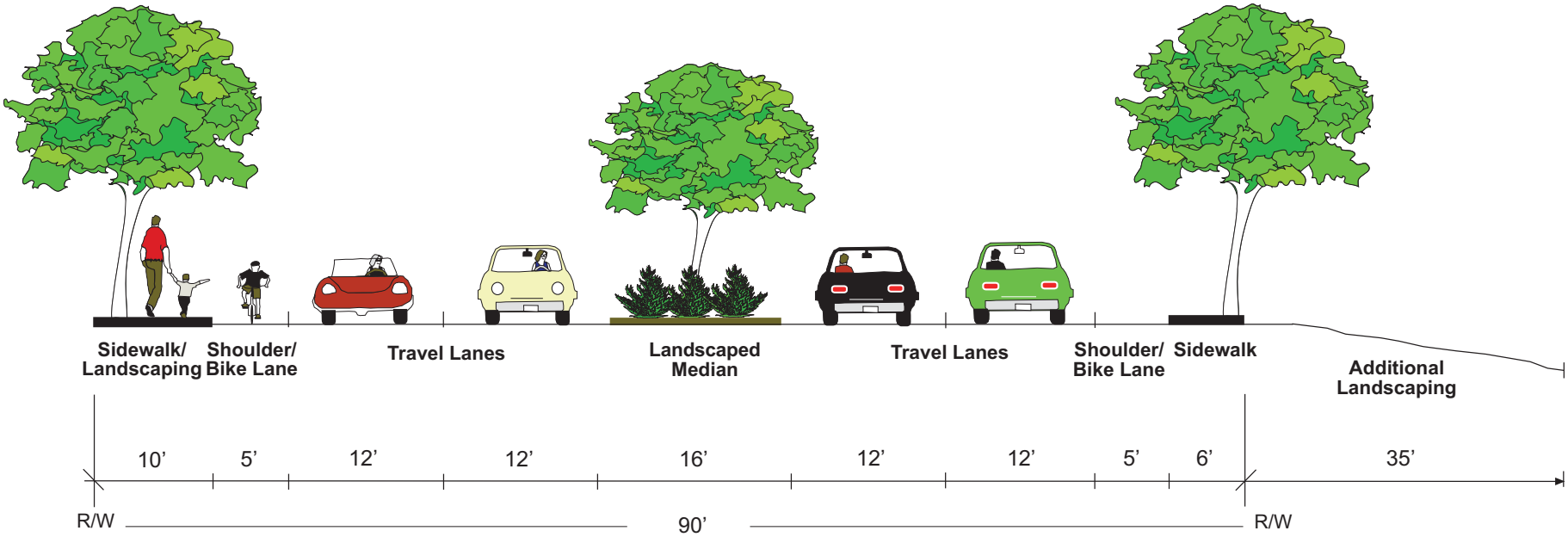
Significance After Mitigation. With implementation of ~~the above~~ **Mitigation M~~m~~easure~~s~~ T-1**, the U.S. 101 southbound ramps intersection would operate at LOS C (15.8 second delay) during P.M. peak hour, and project-specific impacts to the roadway network would be reduced to a less than significant level (Class II).



Source: Penfield & Smith, November 18, 2013

Project Access and Roadway Alignment

Figure 4.11-7



Clark Avenue Cross-Section Looking East

Source: Penfield & Smith, November 18, 2013

Required Clark Avenue Roadway Improvements

Figure 4.11-8

Potential secondary environmental impacts from these roadway improvements would include impacts to biological and cultural resources during construction of the improvements (refer to Section 4.3, *Biological Resources*, and Section 4.4, *Cultural Resources*). However, road widening on Clark Avenue would occur within the existing right-of-way, where no significant cultural or biological resources are anticipated.

d. Cumulative Impacts and Mitigation Measures. Cumulative traffic forecasts were derived from the *Housing Element Focused Rezone Program EIR* (Santa Barbara County, 2009). No changes have occurred to the County's approved and pending projects list or cumulative roadway network since the traffic model run associated with the *Housing Element Focused Rezone Program EIR*, other than a reduction of 175 residential units in the Rice Ranch community (Key Site 12). The cumulative forecasts in the traffic study therefore slightly overstate future traffic volume. This analysis assumes development of the approved and pending projects in Orcutt and Santa Maria, incorporates regional growth, and construction of planned and programmed intersection and roadway improvements that would affect traffic patterns in the Orcutt area. The cumulative forecast also assumes development of 160 multi-family housing units on Key Site 3, which could be developed on the MR-O zoned portion of the Key Site 3 property.

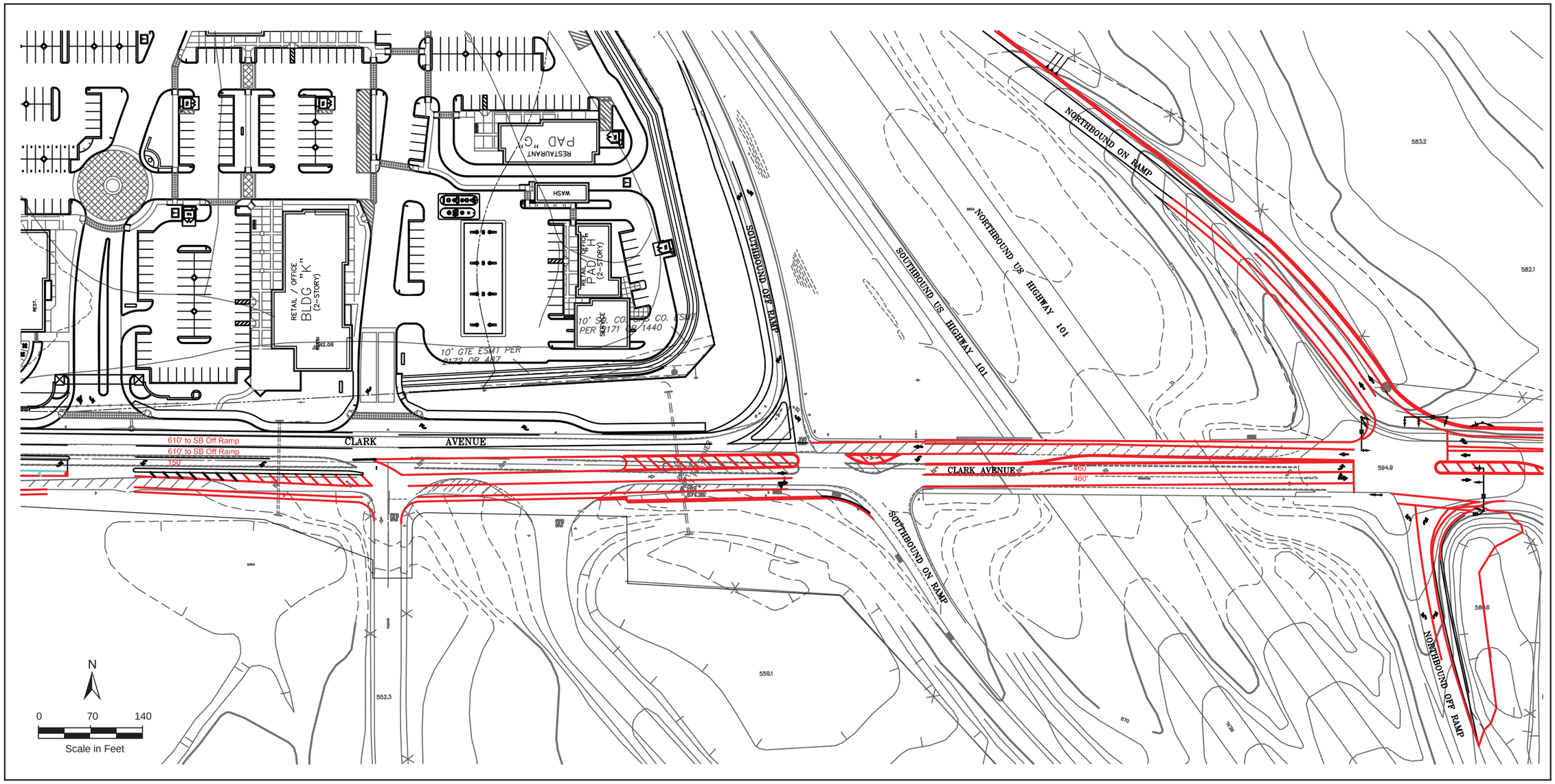
The cumulative traffic forecasts also assume construction of funded street network improvements in the vicinity of the project site. The improvement that would have the most significant effect on traffic flows in the study area is the Union Valley Parkway Extension Project, which was completed in 2013. That project included the construction of a new interchange at U.S. 101/Union Valley Parkway and the extension of the Union Valley Parkway as a four-lane arterial between U.S. 101 and Blosser Road. The County does not have an updated traffic model that reflects the completed Union Valley Parkway Extension Project; however, the project is intended to relieve traffic loads on east-west arterials within the project study area, including Clark Avenue, as well as delay at the Clark Avenue/U.S. 101 ramps. An additional street network improvement included in the cumulative forecasts is the Stillwell Road extension.

Intersection levels of service were recalculated for the study area intersections assuming the cumulative peak hour traffic volumes described in Figures 4.11-10 and 4.11-11. These traffic volumes were adjusted to reflect updated traffic data for the adjacent and nearby Key Site 1 and Key Site 2 developments, and revised access for Key Site 3. As shown in Table 4.11-10, the Clark Avenue/U.S. 101 southbound ramps and Clark Avenue/U.S. 101 northbound ramps intersections would operate below County and Caltrans acceptable standards during both A.M. and P.M. peak hours.

Table 4.11-10 Cumulative Peak Hour Levels of Service (Without Project)

Intersection	Traffic Control	A.M. Peak Hour V/C Ratio or Delay	P.M. Peak Hour V/C Ratio or Delay
Clark Avenue/Stillwell Road	Signal	0.56/LOS A	0.67/LOS B
Clark Avenue/Sunny Hills Road	Signal	0.53 LOS A	0.68/LOS B
Clark Avenue/U.S. 101 SB Ramps	One-Way Stop	**41.6 sec/LOS E**	**>50 sec/LOS F**
Clark Avenue/U.S. 101 NB Ramps	One-Way Stop	17.2 sec/LOS C	**33.8 sec/LOS D**

Bolded values exceed County acceptable standards.



Clark Avenue/U.S. Highway 101
Interchange Improvements

Base drawing source: Penfield & Smith, 2009.

Figure 4.11-9

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Impact T-2 Under cumulative plus project conditions, project development would generate additional traffic that would further degrade the LOS at the Clark Avenue/U.S. 101 southbound and northbound ramps intersections under P.M. peak hour conditions.

Cumulative ADT volumes were derived from the *Housing Element Focused Rezone Program EIR* and were adjusted to reflect updated traffic data for Key Site 1 and Key Site 3, and revised access for Key Site 3. The roadway analysis includes the widening of Clark Avenue between U.S. 101 and Stillwell Road to four travel lanes. Table 4.11-11 shows the cumulative + project ADT volumes at the critical roadway segments. Cumulative plus project traffic volumes are shown on Figures 4.11-12 and 4.11-13

Table 4.11-11 Cumulative + Project Roadway Levels of Service

Roadway	Segment	Cumulative ADT	Cumulative + Project ADT	LOS C Threshold	Cumulative + Project LOS
Clark Avenue	Bradley Road to Stillwell Road	20,600	21,078	34,000 ADT	LOS B
Clark Avenue	Stillwell Road to U.S. 101	18,500	18,997	34,000 ADT	LOS A
Stillwell Road	South of Clark Avenue	5,700	5,998	6,300 ADT	LOS C
Sunny Hills Road	South of Clark Avenue	7,100	7,797	9,300 ADT	LOS B

1 LOS C threshold for Secondary 1 roadway.

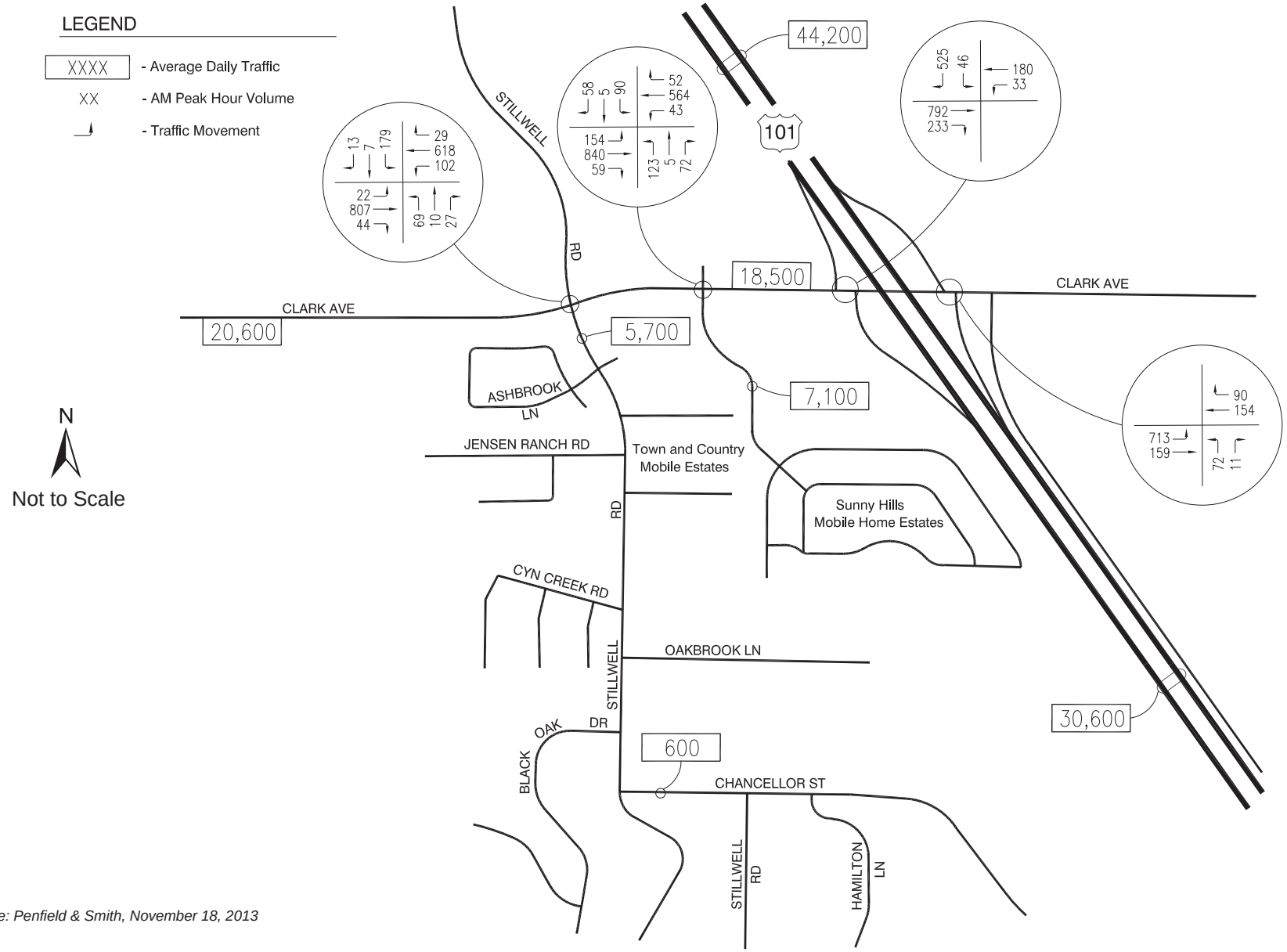
Table 4.11-11 indicates that the critical roadway segments would continue to operate acceptably under cumulative + project conditions. The cumulative analysis assumes buildout of Key Site 2 and construction of Sunny Hills Road through Key Site 2 pursuant to Secondary 1 standards to serve both the Key Site 1 and Key Site 2.

Project traffic was added to the cumulative intersection volumes and the intersection levels of service were recalculated assuming cumulative + project conditions. The cumulative + project peak hour traffic volumes are presented in Figures 4.11-12 and 4.11-13. Tables 4.11-12 and 4.11-13 present the intersection LOS and increase in V/C ratio or intersection delay.

Table 4.11-12 Cumulative + Project A.M. Peak Hour Intersection LOS

Intersection	Cumulative LOS	Cumulative + Project LOS (change in V/C ratio or intersection delay)	Change in V/C or Delay	Project-Added Trips	Impact?
Clark Avenue/Stillwell Road	0.56/LOS A	0.58/LOS A	0.02	39	No
Clark Avenue/Sunny Hills Road	0.53/LOS A	0.54/LOS A	0.01	56	No
Clark Avenue/U.S. 101 SB Ramps	**41.6 sec/LOS E**	**42.0 sec/LOS E**	**0.4 sec**	**35**	**Yes**
Clark Avenue/U.S. 101 NB Ramps	17.2 sec/LOS C	18.2 sec/LOS C	1.0 sec	21	No

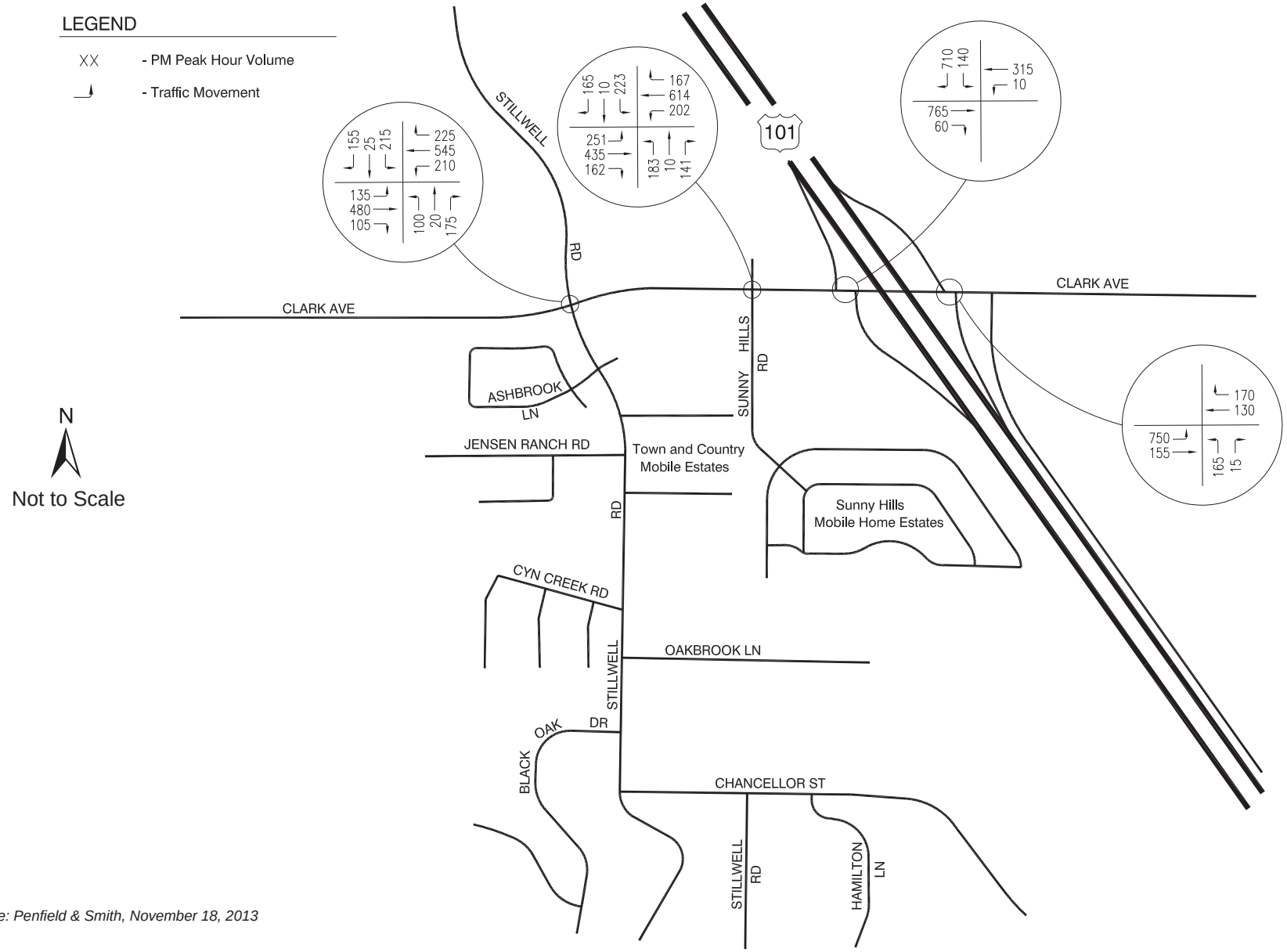
Bolded values exceed County acceptable standard.



Source: Penfield & Smith, November 18, 2013

Cumulative ADT and AM Peak Hour Traffic Volumes

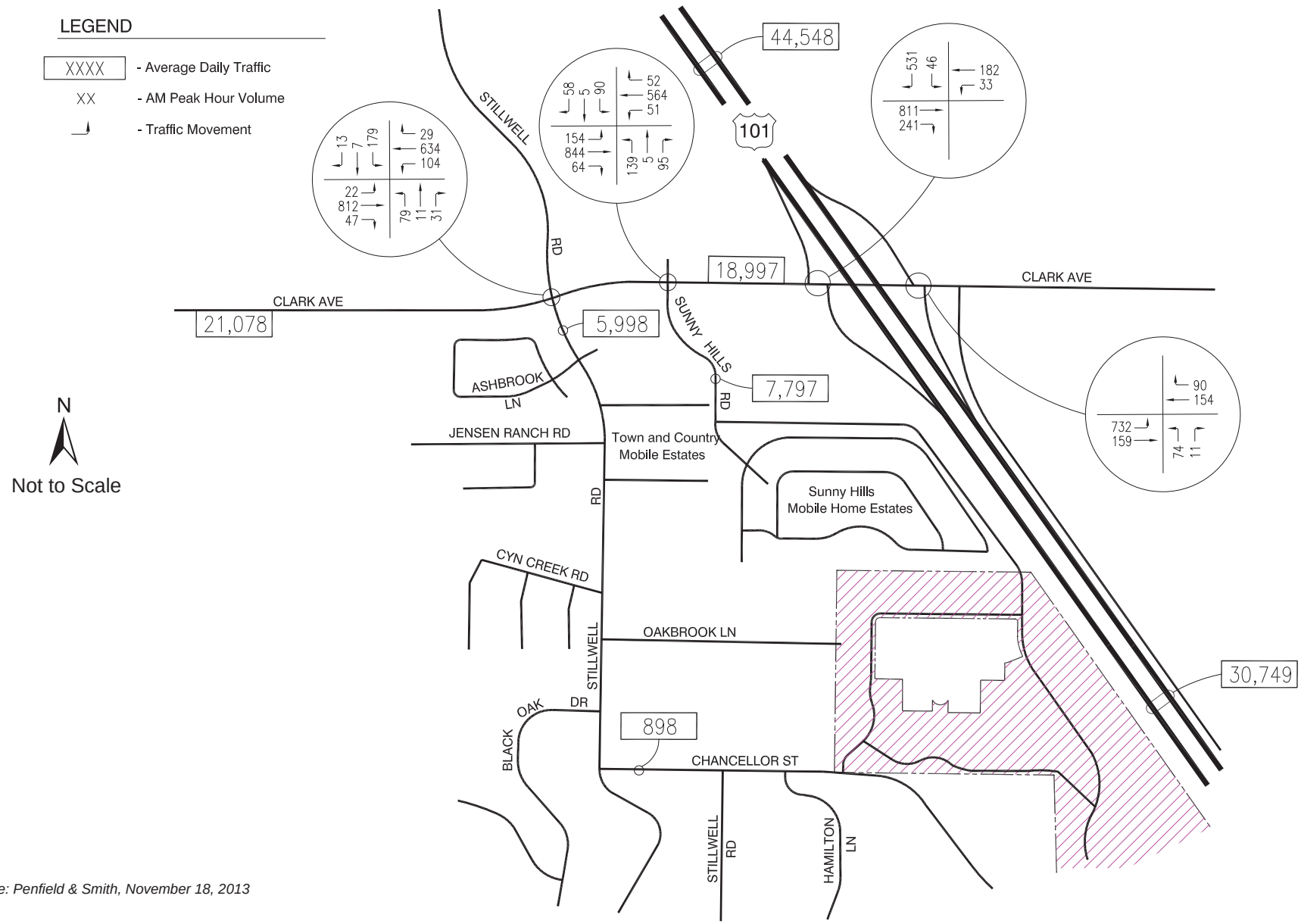
Figure 4.11-10



Source: Penfield & Smith, November 18, 2013

Cumulative PM Peak Hour Traffic Volumes

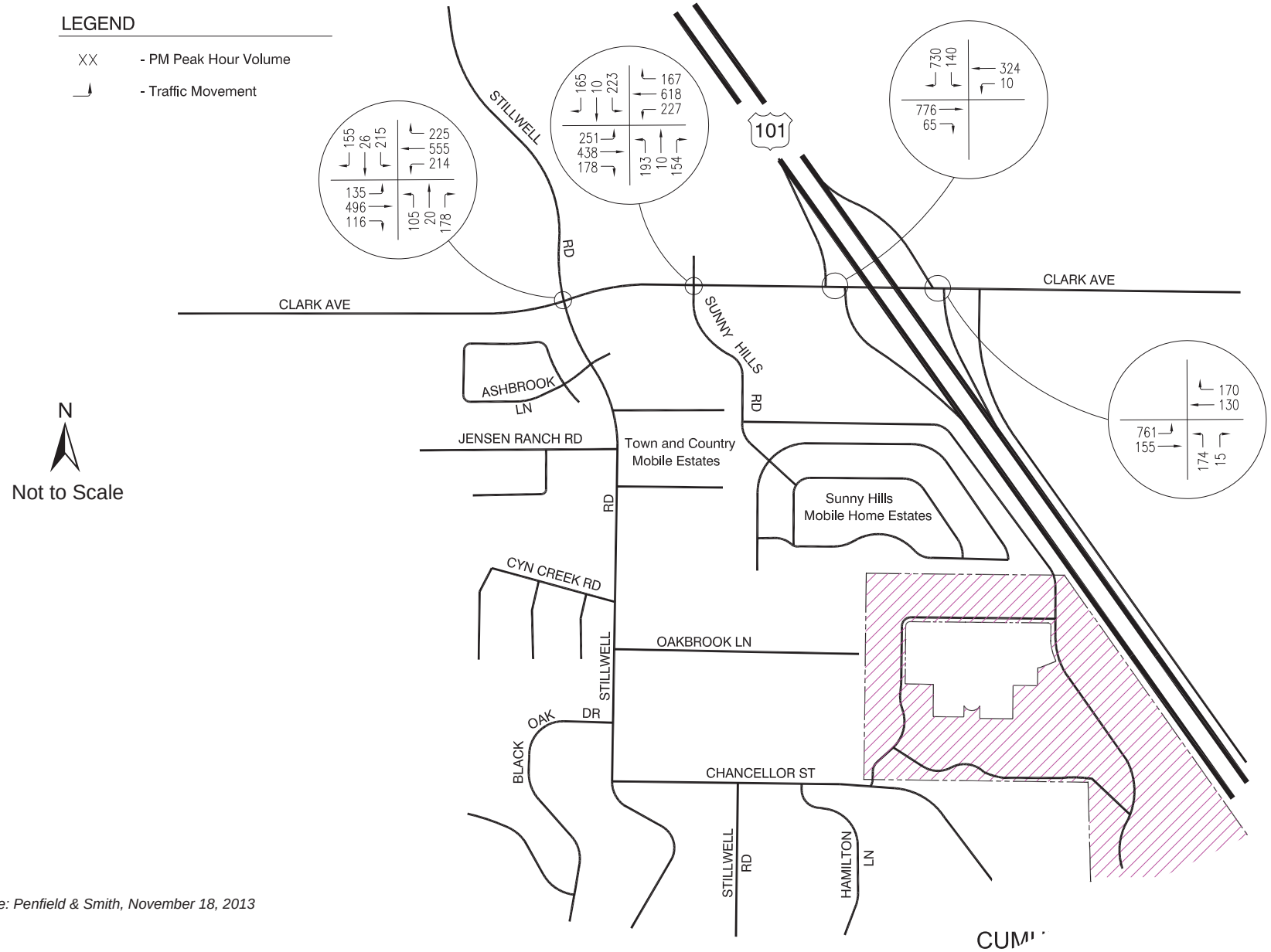
Figure 4.11-11



Source: Penfield & Smith, November 18, 2013

Cumulative + Project ADT and AM Peak Hour Traffic Volumes

Figure 4.11-12



Source: Penfield & Smith, November 18, 2013

Cumulative + Project PM Peak Hour Traffic Volumes

Figure 4.11-13

Table 4.11-13 Cumulative + Project P.M. Peak Hour Intersection LOS

Intersection	Cumulative LOS	Cumulative + Project LOS (change in V/C ratio or intersection delay)	Change in V/C or Delay	Project-Added Trips	Impact?
Clark Avenue/Stillwell Road	0.67/LOS B	0.68/LOS B	0.01	50	No
Clark Avenue/Sunny Hills Road	0.68/LOS B	0.69/LOS B	0.01	71	No
Clark Avenue/U.S. 101 SB Ramps	**>50.0 sec/LOS F**	**>50.0 sec/LOS F**	**n/a**	**45**	**Yes**
Clark Avenue/U.S. 101 NB Ramps	**33.8 sec/LOS D**	**36.5 sec/LOS E**	**2.7 sec**	**20**	**Yes**

Bolded values exceed County acceptable standard.

Tables 4.11-12 and 4.11-13 indicate that the project would result in a potentially significant cumulative traffic impact at the Clark Avenue/U.S. 101 southbound ramps during the A.M. and P.M. peak hours and at the Clark Avenue/U.S. 101 northbound ramps during the P.M. peak hour. This interchange is forecasted to operate below acceptable LOS, and the project added trips exceed County thresholds of 15, 10, and 5 trips for LOS D, E, and F, respectively.

Mitigation Measures. The following mitigation measures are required.

T-2 **Offset of Cumulative Impacts.** The **owner/**applicant shall pay transportation fees to the County to offset project contributions to cumulative **Orcutt Transpiration Improvement Plan (OTIP) identified** impacts on traffic **and circulation for the improvements listed below. This shall be considered the project's fair share of offsite OTIP improvements. The fee amount shall be determined by the County Public Works Transportation Division, based on adopted fee schedules at the time of payment**~~, circulation systems maintenance, including the project's fair share of offsite improvements in an amount determined by the County Public Works /Transportation Division, based on adopted fee schedules at the time of payment~~.

~~1. Widening of the south side of Clark Avenue between the realigned Sunny Hills Road and the U.S. 101 southbound ramps to provide two eastbound lanes.~~

~~2. Widening of the southbound off-ramp to improve the operation of the southbound free right-turn lane.~~

~~3.~~

1. Reconstruction of the Clark Avenue/U.S. 101 northbound ramps intersection. This includes realignment of the U.S. 101 northbound on-ramp to the east opposite the off-ramp, widening of the off-ramp to provide two separate turning lanes and widening of the on-ramp to provide two receiving lanes.

~~4.~~

2. Signalization of the Clark Avenue/U.S. 101 northbound ramps intersection. The existing + project peak hour volumes would satisfy peak hour signal warrants.

~~5. Restripe of both ramp intersections and the overpass to maximize eastbound flow to the northbound on-ramp.~~

Plan Requirements and Timing. Prior to **occupancy clearance** ~~final map recordation~~, the **owner/**applicant shall submit transportation fees.

Monitoring. Compliance shall be monitored by P&D **and Public Works**.

Several improvements for the Clark Avenue corridor adjacent to the project have been developed in coordination with Caltrans and County staff to improve roadway and intersection operations under project-specific and cumulative conditions. These improvements are outlined in the mitigation measures section for project-specific Impact T-1 above. As discussed above in Mitigation Measure T-1, the project would contribute fair share fees or would construct these improvements and develop a fair share reimbursement mechanism for other key development projects in the Orcutt Area. Implementation of these measures would reduce the project's contribution to the cumulative impact at the Clark Avenue/U.S. 101 southbound ramps intersection to a less than significant level.

Significance After Mitigation. Mitigated cumulative + project LOS at the Clark Avenue/Southbound U.S. 101 ramps intersection would be 0.49/LOS A in the A.M. peak hour and 0.46/LOS A in the P.M. peak hour. Mitigated cumulative + project LOS at the Clark Avenue/Northbound U.S. 101 ramps intersection would be 0.53/LOS A in the A.M. peak hour and 0.61.LOS B in the P.M. peak hour. With implementation of the roadway improvement described in Mitigation Measure T-1, and the project's contribution to the OTIP fee program pursuant to Mitigation Measure T-2 would mitigate its contribution on cumulative impacts at this location to less than significant (Class II).

As discussed under Impact T-1, potential secondary environmental impacts from these roadway modifications would include impacts to biological and cultural resources during construction of the modifications. Road widening on Clark Avenue would occur within the existing right-of-way, where no significant cultural or biological resources are anticipated. Potential biological impacts related to the improvements to the U.S. 101 / Clark Avenue interchange, including the preliminary plans for modifications to the northbound U.S. 101 on- and off-ramps, were evaluated in the biological resource studies prepared for the project (refer to Appendix C), and in Section 4.4, *Biological Resources.* The modifications to the northbound U.S. 101 on- and off-ramps would result in a loss of approximately 1.63 acres of non-native grassland and 0.08 acres of planted trees, primarily eucalyptus trees, and would not result in significant impacts.

4.12 WATER RESOURCES/FLOODING

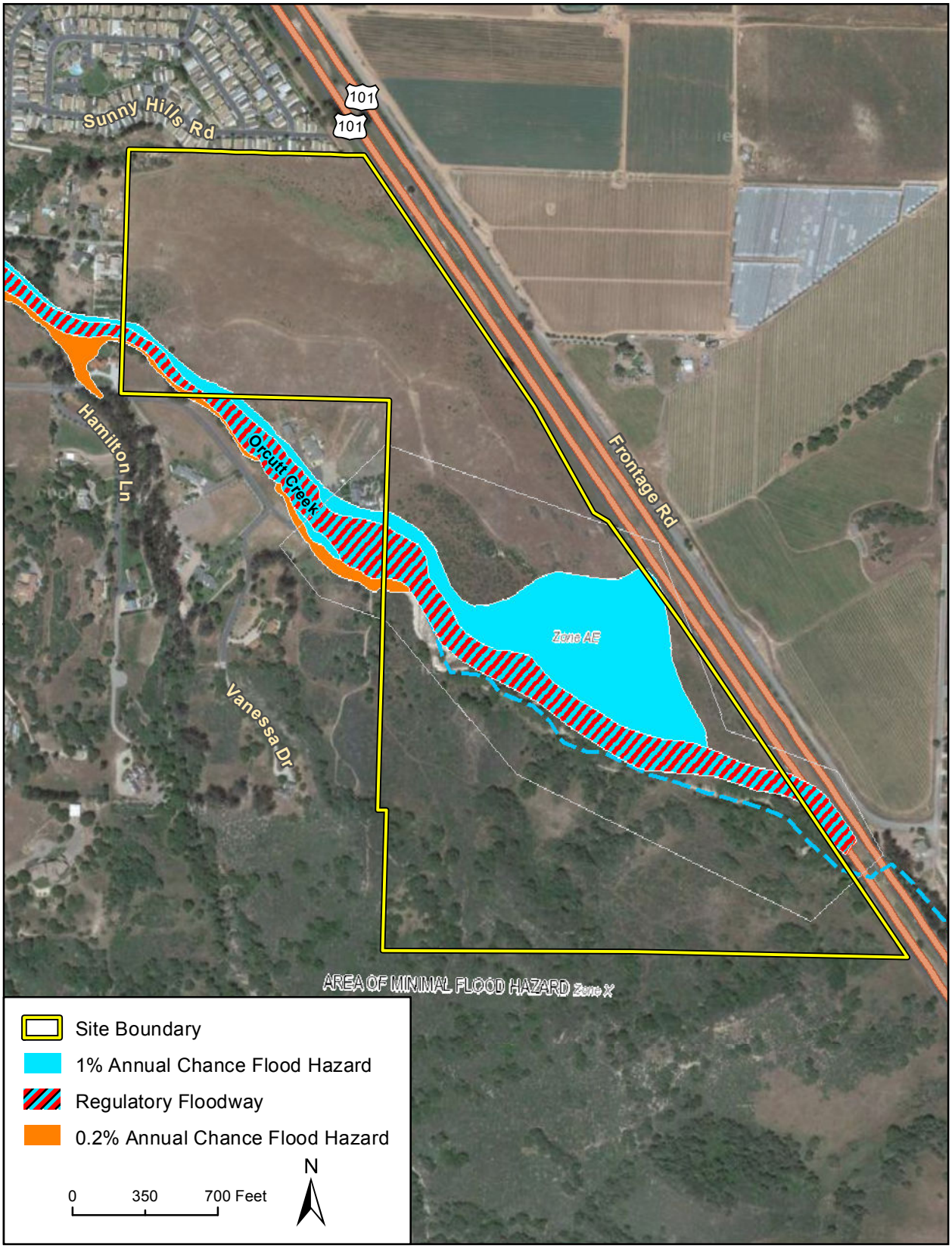
4.12.1 Setting

a. Regional Setting. Santa Barbara County occupies more than 2,700 square miles, most of which is sparsely populated and mountainous. The County is situated among a series of transverse mountain ranges, the only ranges within the continental United States to trend in an east-westerly direction. Most of the County's developed areas are located along the coastal plain and in the inter-mountain valleys. Santa Barbara County's climate is typically warm and dry in summer and cool and wet in winter, close to that of a Mediterranean-type climate. Most of the County's rivers, creeks, and streams remain dry during the summer months. The proximity of the Pacific Ocean tends to moderate Santa Barbara County's climate and temperatures near the coast, while adjacent steep mountain ranges paralleling the coast produce a significant "orographic effect." This occurs when storms approaching the County from the Pacific Ocean are forced upward against the mountains resulting in an increased precipitation release with the increased topographic elevation.

b. Project Site Setting. The *Preliminary Drainage Study* prepared for the proposed project in November 2013 by Penfield & Smith includes a description of hydrologic setting of the Key Site 3 property (refer to Appendix J). The 138.6-acre project site consists of a northern mesa area, a central plain area to the north of Orcutt Creek, and foothills of the Solomon Hills to the south of Orcutt Creek. The northern mesa area is relatively flat and drains to the northwest, to an existing wash that flows west to Orcutt Creek. The central plain area, located downslope of the northern mesa area, also is relatively flat and drains directly to Orcutt Creek to the northwest. This area currently accepts offsite drainage from three storm drains along U.S. 101, as well as surface runoff from the highway. The hilly southern end of the site drains northward, directly to Orcutt Creek. The creek runs west and northwest towards the Betteravia Lakes region.

The Central Coast Regional Water Quality Control Board (RWQCB) has listed Orcutt Creek as impaired from a wide variety of pollutants. Table 4.12-1 lists the categories of pollutants and the specific pollutants for which Orcutt Creek is impaired. As shown in this table, the waterway is polluted with metalloids, nutrients, pathogens, pesticides, excessive salinity, toxicity, and high water temperature (Central Coast RWQCB, 2010).

The Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps identify a 100-year flood hazard area on-site associated with Orcutt Creek (Map Number 06083-0460-F). The majority of the central plain area is located within the 100-year flood zone. The upper mesa and southern hills are not within a designated 100-year flood zone. Figure 4.12-1 shows 100-year flood hazard areas located on the project site.



Imagery provided by Google and its licensors © 2014. Additional data layers from Federal Emergency Management Agency National Flood Hazard Layer (NFHL), October, 2014.

FEMA 100-Year Flood Zone Map

Figure 4.12-1

Table 4.12-1 Impairment of Water Quality in Orcutt Creek

Pollutant Category	Pollutant
Metals/Metalloids	Boron
Miscellaneous	Water temperature
Nutrients	Ammonia
	Nitrate
Pathogens	Fecal Coliform
Pesticides	Chlorpyrifos
	DDT
	Diazinon
	Dieldrin
Salinity	Chloride
	Electrical Conductivity
	Sodium
Toxicity	Sediment Toxicity
	Unknown Toxicity

Source: Central Coast RWQCB, 2010 303(d) List, 2010.

c. Water Quality Background. The following is a summary of information provided by Santa Barbara County Public Works Water Resource Division and is intended to provide sufficient background material to allow consideration of the potential hydrology and water quality impacts of the anticipated development.

Storm Water Runoff**.** Storm water runoff from lands modified by human activities can harm surface water resources and, in turn, cause or contribute to an exceedance of water quality standards by changing natural hydrologic patterns, accelerating stream flows, destroying aquatic habitat, and elevating pollutant concentrations. Such runoff may contain or mobilize high levels of contaminants, such as sediment, suspended solids, nutrients (phosphorous and nitrogen), heavy metals and other toxic pollutants, pathogens, oxygen-demanding substances, and floatables. After a storm event, water runoff carries these pollutants into nearby streams, rivers, lakes, estuaries, wetlands, and oceans. The highest concentrations of these contaminants often are contained in ''first flush'' discharges, which occur during the first major storm after an extended dry period. Individually and combined, these pollutants impair water quality, threatening designated beneficial uses and causing habitat alteration or destruction.

Urbanization alters the natural infiltration capability of the land and generates a host of pollutants that are associated with the activities of dense populations, thus causing an increase in storm water runoff volumes and pollutant loading in storm water that is discharged to receiving water bodies. Urban development increases the amount of impervious surface in a watershed as farmland, forests, and other natural vegetation with natural infiltration characteristics are converted into buildings with rooftops, driveways, sidewalks, roads, and parking lots with virtually no ability to absorb storm water. Storm water runoff washes over these impervious areas, picking up pollutants along the way while gaining speed and volume because of their inability to disperse and filter into the ground. What results are storm water flows that are higher in volume, pollutants, and temperature than the flows from more pervious

areas, which have more natural vegetation and soil to filter the runoff. Studies reveal that the level of imperviousness in an area strongly correlates with decreased quality of the nearby receiving waters.

Construction Site Runoff**.** Polluted storm water runoff from construction sites often flows to storm drains and ultimately is discharged into local rivers and streams. Sediment is usually the main pollutant of concern. Sediment runoff rates from construction sites are typically 10 to 20 times greater than those of agricultural lands, and 1,000 to 2,000 times greater than those of forest lands. Pollutants that are commonly discharged from construction sites include sediment, solid and sanitary wastes, nitrogen (fertilizer), phosphorus (fertilizer), pesticides, concrete truck wash out, construction chemicals, and construction debris.

Post-Construction Runoff. There are generally two forms of substantial impacts of post-construction runoff. The first is caused by an increase in the type and quantity of pollutants in storm water runoff. As runoff flows over areas altered by development, it picks up harmful sediment and chemicals such as oil and grease, pesticides, heavy metals, and nutrients (e.g., nitrogen and phosphorus). These pollutants often become suspended in runoff and are carried to receiving waters, such as lakes, ponds, and streams. Once deposited, these pollutants can enter the food chain through small aquatic life, eventually entering the tissues of fish and humans. The second kind of post construction runoff impact occurs by increasing the quantity of water delivered to the water body during storms. Increased impervious surfaces interrupt the natural cycle of gradual percolation of water through vegetation and soil. Instead, water is collected from surfaces such as asphalt and concrete and routed to drainage systems where large volumes of runoff quickly flow to the nearest receiving water. The effects of this process include stream bank scouring and downstream flooding, which often lead to a loss of aquatic life and damage to property.

d. Regulatory Setting.

Clean Water Act. The Federal Water Pollution Prevention and Control Act (i.e., the Clean Water Act or CWA) requires that discharges do not substantially degrade the physical, chemical or biological integrity of the Nation's waters. Specifically Section 402 established the National Pollutant Discharge Elimination System (NPDES) Regulations for wastewater and other pollutant discharges.

Congress amended the CWA in 1987 to require the implementation of a two-phased program to address storm water discharges. Phase I, promulgated by the U.S. Environmental Protection Agency (EPA) in November 1990, requires NPDES permits for storm water discharges from municipal separate storm sewer systems (MS4s) serving populations of 100,000 or greater, construction sites disturbing greater than 5 acres of land, and ten categories of industrial activities.

The EPA recognized that smaller construction projects (disturbing less than 5 acres) and small municipal separate storm sewers (MS4s[1]) were also contributing substantially to pollutant discharges nationwide. Therefore, in order to further improve storm water quality, the EPA promulgated the NPDES Phase II program (*Federal Register* Vol. 64, No. 235, December 8, 1999).

[1] *Those generally serving less than 100,000 people and located in an urbanized area as defined by the Bureau of the Census.*

The Phase II regulations became effective on February 7, 2000, and require NPDES permits for storm water discharges from regulated small MS4s and for construction sites disturbing more than 1 acre of land. The Phase II regulations published by the EPA designated the urbanized areas[2] of Santa Barbara County as a regulated small MS4.

In addition, Sections 401 and 404 of the Clean Water Act establish regulations for the discharge of dredged or fill material into waters of the United States and water quality impacts associated with these discharges. In California, the Porter-Cologne Water Quality Control Act establishes waste discharge standards pursuant to the Federal NPDES program, and the state has the authority to issue NPDES permits to individuals, businesses, and municipalities.

National Flood Insurance Program. Flood Insurance Rate Maps issued by the Federal Emergency Management Administration (FEMA) divide flood areas into three zones: Zone A for areas of 100-year flood, base flood elevations not determined; Zone B for areas of 500-year flood; and Zone C for areas of minimal flooding. The National Flood Insurance Program 100-year floodplain is considered to be the base flood condition. This is defined as a flood event of a magnitude that would be equaled or exceeded an average of once during a 100-year period. Floodways are defined as stream channels plus adjacent floodplains that must be kept free of encroachment as much as possible so that 100-year floods can be carried without substantial increases (no more than one foot) in flood elevations. Development in these floodplain areas are subject to the standard conditions of approval of the Santa Barbara County Flood Control and Water Conservation District and the requirements and development standards set forth in the County Flood Plain Management Ordinance (Chapter 15-A of the County Code) and the Development Along Water Courses Ordinance (Chapter 15-B of the County Code).

Orcutt Community Plan. The Orcutt Community Plan (OCP) incorporates several policies and development standards to provide construction- and operational-phase runoff control and to reduce flooding impacts. Several of these were modeled after mitigation measures in the OCP EIR. A summary of the OCP development standards that would apply to the project is provided below. Several of these standards require erosion control measures and vegetation to reduce siltation into water courses, measures that increase percolation of storm water to reduce runoff, and flood hazard reduction measures.

Dev Std GEO-O-2.3 *To aid in erosion control, existing hillside topography, large stands of trees, and natural flood channels shall be preserved, unless this would prevent reasonable development of a property.*

Dev Std GEO-O-2.4 *All surface water runoff shall be culverted and diverted to avoid erosion of exposed slopes and shall be directed to the nearest natural drainage channel. Where such measures are feasible and would not substantially increase erosion, vegetated earthen channels should be substituted for culverts. Cribwalls or other methods should only be used where necessary to retain slopes.*

[2] *An urbanized area is a land area comprising one or more places (central place(s)) and the adjacent densely settled surrounding area (the urban fringe) that together have a residential population of at least 50,000 and an overall population density of at least 1,000 people per square mile.*

Dev Std GEO-O-2.5 *In foothill areas, cut and fill slopes shall be planted with slope-stabilizing plants. Only native species shall be planted within designated natural open space corridors, and shall be irrigated until the plants are established.*

Dev Std GEO-O-2.6 *All landscape plans shall be reviewed by P&D to ensure revegetation of graded areas in areas of sandy soils. Landscape securities shall be required unless expressively waived by P&D.*

Dev Std FLD-O-1.2 *No structures or other development (except for bridges, culverts and flood control requirements) shall be allowed within creek channels.*

Dev Std FLD-O-1.4 *Finished floor elevations for units in areas prone to flooding shall be constructed on raised foundations rather than fill material, where practical.*

DevStd FLD-O-2.1: *Pervious construction materials, such as turf-block, non-grouted brick, and gravel, shall be used where feasible.*

DevStd FLD-O-3.1: *Development projects shall incorporate sedimentation traps to minimize the erosion of soils into natural and man-made flood control drainages, where feasible. All development adjacent to stream channels shall be required to install check dams as deemed appropriate by Flood Control and Planning & Development to minimize channel down-cutting and erosion. To the maximum extent feasible, all such structures shall be designed to avoid impacts to riparian vegetation and biological resources.*

DevStd FLD-O-3.2: *Silt fencing, straw bails, or sand bags shall be used in conjunction with other methods to prevent erosion on slopes and siltation of the stream channel.*

DevStd FLD-O-3.3: *Drainage outlets into the creek channel shall be constructed in a manner which causes outlet flow to approximate the general direction of natural stream flow. Energy dissipators beneath outlet points shall be incorporated where appropriate, and designed to minimize damage to creek vegetation.*

DevStd KS3-3: *If it is determined that a weir or retention basin is needed onsite to control runoff, such a facility shall be sited within the proposed open space area (shown on Figure KS3-1 of the OCP) in coordination with SBCFCD and P&D, and designed to minimize impacts to riparian and/or oak woodlands. Peak runoff shall be controlled consistent with County Flood Control District and appropriate National Pollution Discharge Elimination Systems permits.*

4.12.2 Previous Environmental Review

OCP EIR. The OCP EIR examined the water resources, flooding and drainage of the project region and the potential impacts resulting from development under the OCP in two sections of the document: Flooding and Drainage, and Water Resources. The OCP EIR identified four Hydrological and Water Quality impacts which pertain to the Key Site 3 property, including: increased storm flows from impervious surfaces (FLD-3), inadequate storm drain/retention basin capacity (FLD-6), maintenance of flood channels/regional basins (FLD-10), and increased storm flows, erosion and sedimentation, flooding, personal injury and property damage (FLD-11). Mitigation Measures FLD-4 through FLD-6 and FLD-8 would partially reduce impacts. These measures include fair share contribution to installation and maintenance for a regional retention basin, formation of an Assessment District, and onsite infiltration of storm water. However, even with implementation of feasible mitigation measures, overall impacts were determined to be significant and unavoidable (Class I).

In addition, site-specific impacts from the exposure of residents in the central portion of the site to flood hazards (KS3-FLD-1), fill used to create building pads in the floodplain (KS3-FLD2), increased stormwater runoff from impervious surfaces (KS3-FLD-3), and localized erosion of the channel of Orcutt Creek (KS3-FLD-4) were determined to be potentially significant. Mitigation measures KS3-FLD-1 through KS3-FLD-4 were noted as applying to future development on Key Site 3 and found to reduce these impacts to a less than significant level. These measures require finished floor elevations within the central portion of the site to be located two-feet above the flood plain, a County-approved engineering firm to evaluate the impacts of fill on downstream floodwater volumes, construction of on-site retention facilities sufficient to reduce runoff to 0.07 cubic feet per second, and energy dissipaters to minimize erosion from drainage outlets into Orcutt Creek.

Santa Barbara County Focused Housing Rezone Program EIR. The 2008 Housing Element Focused Rezone Program EIR analyzed the impact of rezoning an eight-acre portion of Key Site 3 to MR-O (Multi-family residential Orcutt) to allow for the development of 160 multi-family residential units. The Focused Rezone Program EIR determined that this action would result in long term hydrological impacts that would be significant but mitigable (Impact HWQ-1). The EIR proposed mitigation measures HWQ-1(a), HWQ-1(b), and HWQ-(c), which require preparation of a drainage report and specifications for runoff conveyance and detention/ recharge basin design. All other impacts, including temporary and long-term water quality impacts, flood hazards, and cumulative hydrological impacts, were determined to be less than significant.

4.12.3 Impact Analysis

a. Methodology and Significance Thresholds. Based on the Santa Barbara County Environmental Thresholds and Guidelines Manual (October 2008), hydrology and water quality impacts related to the development of Key Site 3 would be considered significant if the project:

- *Is located within an urbanized area of the County and the project construction or redevelopment individually or as a part of a larger common plan of development or sale would disturb one (1) or more acres of land;*

- *Increases the amount of impervious surfaces on a site by 25% or more;*
- *Results in channelization or relocation of a natural drainage channel;*
- *Results in removal or reduction of riparian vegetation or other vegetation (excluding nonnative vegetation removed for restoration projects) from the buffer zone of any streams, creeks or wetlands;*
- *Is an industrial facility that falls under one or more of categories of industrial activity regulated under the NPDES Phase I industrial storm water regulations (facilities with effluent limitation; manufacturing; mineral, metal, oil and gas, hazardous waste, treatment or disposal facilities; landfills; recycling facilities; steam electric plants; transportation facilities; treatment works; and light industrial activity);*
- *Discharges pollutants that exceed the water quality standards set forth in the applicable NPDES permit, the Regional Water Quality Control Board's (RWQCB) Basin Plan or otherwise impairs the beneficial uses of a receiving waterbody;*
- *Results in a discharge of pollutants into an "impaired" waterbody that has been designated as such by the State Water Resources Control Board or the RWQCB under Section 303 (d) of the Federal Water Pollution Prevention and Control Act (i.e., the Clean Water Act); or*
- *Results in a discharge of pollutants of concern to a receiving waterbody, as identified in by the RWQCB.*

Appendix G of the CEQA guidelines considers a project to have significant impacts if the project would:

- *Violate any water quality standards or waste discharge requirements;*
- *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level;*
- *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site;*
- *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;*
- *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;*
- *Otherwise substantially degrade water quality;*
- *Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map;*
- *Place within a 100-year flood hazard area structures which would impede or redirect flood flows;*
- *Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; and/or*
- *Be subject to inundation by seiche, tsunami, or mudflow.*

Potential impacts to water supply and groundwater depletion are discussed in Section 4.10, *Public Services*. Potential impacts related to soil erosion and sedimentation are discussed in Section 4.6, *Geologic Processes*.

b. Project Impacts and Mitigation Measures.

Impact WR-1 Construction activities associated with the proposed project would disturb more than one acre of land, and could degrade water quality through increased rates of erosion and sedimentation.

The proposed development of the northern mesa area would involve grading operations that would result in cut and fill of approximately 290,950 cubic yards (cy) of soil material. Grading operations would increase the potential for erosion and sedimentation into nearby drainages and Orcutt Creek. If construction grading on the Key Site 3 property occurs during the rainy season, or in the event of heavy storms, soils from the site could be entrained, eroded, and transported to the drainages within and adjacent to the site. Uncontrolled discharges of sediment are considered a significant impact to water quality. Given the project site's proximity to Orcutt Creek, loose soils have the potential to erode and enter the creek, thus result in excessive sediment loads and substantially degrade water quality.

Although the southern two-thirds of the Key Site 3 property, which is most prone to erosional hazards, would remain subject to an Open Space Overlay and would only be subject to minimal grading for the proposed retention basin in the central plains area and for recreational trails, the proposed project would be required to comply with NPDES permit requirements as a result of disturbing more than one acre of land. Under these requirements, all construction activities would be subject to the General Permit for Storm Water Discharge Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ) , which require preparation of a Storm Water Pollution Prevention Program (SWPPP) to control the discharge of pollutants, including sediment, into local surface water drainages. The SWPPP is designed to minimize water quality degradation through storm water monitoring, establish BMPs, implement erosion control measures, and implement spill prevention and containment measures.

In addition to NPDES permit requirements, construction activities would be subject to the County's grading ordinance and applicable OCP development standards. The grading ordinance generally requires a grading permit and an Erosion and Sediment Control Plan for all new grading, excavations, fills, cuts, borrow pits, stockpiling, compaction of fill, and land reclamation projects on privately owned land where the transported amount of materials exceeds 50 cubic yards or the cut or fill exceeds three feet in vertical distance to the natural contour of the land. The County will accept a SWPPP in lieu of an Erosion and Sediment Control Plan, as long as the SWPPP contains the requirements of the County's Erosion and Sediment Control Plan. In addition, a master drainage plan is required as part of the grading plan for all grading permit applications. The project would also conform to OCP Dev Std FLD-O-3.1 and FLD-O-3.2, which require the installation of sedimentation traps and other BMPs to prevent erosion and siltation of waterways.

Nevertheless, due to the potential for erosion and sedimentation into nearby drainages swales, impacts would be potentially significant.

Mitigation Measures. The following mitigation measures are required:

WR-1(a) **Storm Water Pollution Prevention Plan (SWPPP).** The ~~Applicant~~ **owner/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.

Plan Requirements and Timing. Prior to **zoning clearance issuance** ~~approval of a Land Use Permit~~ the **owner/**applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan to P&D's Building & Safety Division. The **owner/**applicant shall keep a copy of the SWPPP on the project site during grading and construction activities.

Monitoring: P&D permit processing planner shall review the documentation prior to **zoning clearance issuance,** ~~approval of a Land Use Permit~~ P&D compliance monitoring staff shall site inspect during construction for compliance with the SWPPP.

WR-1(b) **Equipment Washout-Construction**. The **owner/**applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The area shall be located at least 100 feet from any storm drain, water body or sensitive biological resources.

Plan Requirements and Timing: The **owner/**applicant shall designate the P&D approved location on all **zoning clearance,** grading**,** and building permits. 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.

Significance After Mitigation. With implementation of Mitigation Measures WR-1(a) and WR-1(b) and adherence to OCP Development Standards FLD-O-3.1 and FLD-O-3.2, construction-related impacts to water resources would be reduced to a less than significant level (Class II).

Impact WR-2 **The proposed project would involve the addition of impervious surfaces on the currently undeveloped Key Site 3 property. These impervious surfaces would alter existing drainage patterns and increase stormwater runoff, which could potentially increase flooding and degrade water quality, respectively.**

Currently, the Key Site 3 property is undeveloped and consists of grassland, gently sloping hills, riparian habitat, and Orcutt Creek. Drainage patterns generally flow in a westerly and northwesterly direction, and surface water runoff is typically slowed by soil absorption and existing vegetation. Three existing storm drain outlets along U.S. 101 also convey surface runoff from the east side of the highway and discharges it onto the Key Site 3 property. The stormwater sheet flows across the site, ultimately discharging into either Orcutt Creek or in the case of the northernmost outlet, into the gully at the northwest corner of the property which leads to Orcutt Creek. As stormwater runoff from U.S. 101 sheet flows across the site, it is filtered and slowed prior to entering Orcutt Creek.

Proposed structures and paved surfaces would redirect the drainage of surface flow during storm events. Surface water flows would travel faster as they run along impermeable surfaces and channelized drainages, which could result in increased peak discharge flows, erosion, stormwater runoff and risk of flooding. In addition, as stormwater runoff increases in flow speed, discharge points into Orcutt Creek could lead to increased soil erosion and sedimentation, thus degrading water quality. Oils, chemicals, and other contaminants from vehicles, pesticides, fertilizers, pet waste, dust contaminants, and other urban runoff could accumulate on impermeable surfaces such as roadways and rooftops. During storm events, this accumulation could be discharged into Orcutt Creek, further diminishing water quality.

However, the proposed clustering of development in the northern mesa area, preserving the southern two-thirds of the Key Site 3 property as natural open space, would minimize impacts from stormwater runoff in most of the site. The OCP applied an Open Space Overlay area to the southern two-thirds of the site, in part to reduce impacts to Orcutt Creek from sedimentation during site preparation and construction from development of the site. Consistent with the OCP, the proposed project would only involve the development of a retention basin and multi-purpose recreational trails within the Open Space Overlay. The project would cluster development in the northern mesa area, which would have an average impervious area of 51 percent (refer to Appendix J).

In addition, adherence to requirements of the County Flood Control District would ensure that post-development stormwater flows from the Key Site 3 property to Orcutt Creek do not exceed pre-development flows. Peak discharge after development of the Key Site 3 property must be equal to or less than pre-development peak runoff for 2-, 5-, 10-, 25-, 50-, and 100-year storm events. Further, the maximum outflow discharge from a 25-year storm event[3] must not exceed 0.07 cubic feet per second per acre (cfs/acre). Adherence to requirements of the Regional Water Quality Control Board will ensure that runoff from the 95th percentile storm event[4] also will be retained.

The proposed project includes Low Impact Development (LID) measures and retention basins to comply with these requirements. As a first measure to treat stormwater runoff, single-family residences would include roof drains that direct stormwater through vegetated yard swales to promote infiltration (refer to Appendix J). The project would also be required to incorporate pervious paving materials, such as turf-block, non-grouted brick, and gravel, in accordance

[3] *The 25-year storm event has a 4% probability of occurring within a given year.*
[4] *The 95th percentile storm event is a precipitation total over a 24-hour period that is greater than or equal to the precipitation totals of 95 percent of all 24-hour storm events in a given time period.*

with OCP Dev Std FLD-2.1. Furthermore, consistent with OCP EIR Mitigation Measure FLD-7, the project proposes a system of retention basins to control runoff rates and allow on-site percolation. A deep retention basin within the central plain area would capture post-development stormwater flow from 92 percent of the developed site, including the approved MR-O project in the north-central portion of the northern mesa area. Post-development flow from the remaining 8 percent of the developed site would be routed via a storm drain system to a single deep retention basin, located at the southwest corner of the upper mesa near the site entrance from Chancellor Street. The discharge orifice, invert elevations, and overall capacity of these retention basins were sized to allow time for settling of fine particle and associated pollutants, and for percolation of accumulated stormwater runoff from the 95th percentile storm event within 48 hours, according to the modeling results presented in the *Preliminary Drainage Study*. Discharge from the proposed retention basins during larger storm events would flow to Orcutt Creek. Although the proposed retention basin in the central plain area would be located near the 100-year floodplain associated with Orcutt Creek, the invert elevation for this retention basin's outlet pipe would be located above the 100-year floodplain elevation, preventing the influx of floodwaters that could impair the function of the retention basin.

The *Preliminary Drainage Study* for the proposed project includes modeling of site hydrology and runoff under pre- and post-development conditions, using the HydroCAD 8.5 model in accordance with requirements of the County Flood Control District. Site runoff was modeled for the 95th percentile precipitation depth, and for the 2-, 5-, 10-, 25-, 50-, and 100-year storm events (refer to Appendix J for complete modeling results). The modeling assumed that the project would involve construction of a retention basin with a capacity of 21.78 acre-feet in the central plain area and a smaller basin with a capacity of 0.48 acre-feet in the northern mesa area. Based on HydroCAD modeling, pre-development peak flows from the total site are estimated at 20.88 cfs for 25-year storm events, while post-development peak flows during 25-year storm events are estimated at 12.77 cfs (a reduction of approximately 39 percent). Similarly, peak runoff flows for all other modeled intensities of storms (up to 100-year storm events) would be reduced by at least 22 percent from pre-development conditions. In addition, post-development discharge from both retention basins for 25-year storm events would be 0.01 cfs/acre, which complies with the 0.07 cfs/acre requirement as established by the County Flood Control District. Each retention basin also would retain the runoff produced the 95th percentile storm event independently for its given catchment area. Therefore, the proposed project would reduce on-site stormwater flows as compared to existing conditions.

For stormwater flow that originates offsite from U.S. 101, the proposed project would involve minor alterations to drainage across the project site. Piping would be installed to convey flow from the northern storm drain, located at the eastern edge of the northern mesa area, to the southern edge of the developed area on-site (north of the proposed retention basin). However, the other two existing storm drains along U.S. 101 would still discharge at the eastern edge of the central plain area, and all offsite flow from the highway would continue to sheet flow over vegetated areas of the site before reaching Orcutt Creek. As under existing conditions, sheet flow of runoff from U.S. 101 would attenuate the flow rate and filter contaminants prior to discharge into Orcutt Creek. The proposed alterations to drainage from offsite stormwater runoff would not degrade water quality in Orcutt Creek.

However, given the amount of impervious surfaces that would be introduced to the northern mesa area and because the proposed retention basins would still outfall into Orcutt Creek, stormwater contaminants would still be discharged into the creek and potentially degrade water quality, despite reduced flow rates attributable to the retention basins. Therefore, impacts to water resources from the introduction of impervious surfaces would be potentially significant.

As required by the Santa Barbara County Environmental Thresholds and Guidelines Manual, all projects determined to have a potentially significant stormwater quality impact must prepare and implement a Storm Water Quality Management Plan (SWQMP) to reduce the impact to the maximum extent practical. The County requires that each SWQMP shall include the following:

- *Identification of potential pollutant sources that may affect the quality of the discharges to storm water;*
- *The proposed design and placement of structural and non-structural BMPs to address identified pollutants;*
- *A proposed inspection and maintenance program; and*
- *A method of ensuring maintenance of all BMPs over the life of the project.*

Mitigation Measures. The following mitigation measures are required to supplement design features of the project related to stormwater management:

WR-2(a) **Low Impact Development (LID) Measures**. LID is a site design strategy that uses natural and engineered infiltration and storage techniques to retain stormwater runoff where it is generated to mimic a site's pre-development hydrology and reduce downstream impacts. The Environmental Protection Agency has determined that the following LID measures are highly beneficial at protecting receiving waters. In order to further reduce flooding and water quality impacts, the SWQMP and project design shall include the following LID measures, to the extent feasible:

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

- Bioretention facilities to capture and infiltrate street runoff upstream of retention basins;
- Roof leader flows directed to planter boxes, amended soil, or other low-gradient vegetated areas and/or vegetated swales and buffers;
- Soil amendments to increase infiltration rates; and

- Rain gardens, rain barrels, and cisterns.

Plan Requirements and Timing. Plans indicating LID techniques to be used shall be submitted by the **owner/**applicant for review and approval by the Santa Barbara County Public Works Department prior to **zoning clearance issuance** ~~land use clearance~~ for grading and subdivision improvements. Installation of structural LID technologies shall be performed by the project **owner/**applicant per approved plans and completed prior to occupancy clearance of the first home.

Monitoring. Public Works and Planning and Development staff shall review plans and monitor compliance.

WR-2(b) **Operational Erosion Control Measures**. The development shall incorporate and maintain the following operational erosion control measures into final grading and drainage plans.

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.

Plan Requirements and Timing. This requirement shall be printed on ~~final~~ grading, drainage, and landscaping plans and submitted to P&D and Flood Control for review and approval prior to **the issuance** ~~approval~~ of **zoning clearance** ~~Land Use Permits~~ for grading. Compliance with these measures shall be confirmed by P&D prior to Final Building Inspection Clearance.

Monitoring. The **owner/**applicant shall demonstrate to P&D compliance monitoring staff and Building and Safety grading inspector(s) that all components of the required measures are in place. Compliance monitoring staff will verify compliance including on-going requirements.

Significance After Mitigation. Implementation of Mitigation Measures WR-2(a) and WR-2(b) would provide adequate water quality treatment per Public Works standard conditions

and would reduce impacts associated with increased impervious surfaces to a less than significant level (Class II).

Impact WR-3 The portion of the Key Site 3 property where habitable structures are proposed is not located in a FEMA-designated 100-year flood zone.

As shown in Figure 4.12-1, a FEMA-designated 100-year flood zone occurs on the Key Site 3 property along the channel of Orcutt Creek and extends northward into the central plain area. The proposed project would preserve the area within the 100-year flood zone as natural open space. Although the proposed site entrance off of Chancellor Street would cross Orcutt Creek and its floodplain at the southwest corner of the northern mesa area, and the specific design features of this crossing have not yet been determined, the crossing would be designed as a clear span bridge, in order to avoid development within the floodway and minimize flooding impacts. A fenced drainage basin also would be constructed in close proximity to the floodplain in the central plain area, but the invert elevation of its outlet pipe would be located above the 100-year floodplain elevation. While the OCP EIR determined that the exposure of residents in the central portion of the Key Site 3 property to flood hazards would be a potentially significant impact (KS3-FLD-1), the proposed project would not involve the construction of habitable structures within the 100-year floodplain. All residences would be clustered at higher elevations in the northern mesa area, ensuring that habitable structures and people are not exposed to flood hazards. Furthermore, the proposed development would not be expected to lead to significant upstream or downstream impacts in the floodplain, as the proposed drainage and retention basin system would reduce the flow of post-development stormwater runoff to less than pre-development (existing) conditions, as discussed in Impact WR-2. Therefore, impacts from flooding would be adverse, but less than significant (Class III).

Mitigation Measures. No mitigation is required.

Significance After Mitigation. Impacts from flooding would adverse, but less than significant without mitigation (Class III).

c. Cumulative Impacts.

Hydrology and Water Quality. The proposed project and development throughout the Orcutt area would contribute to hydrological and water quality impacts. Substantial portions of land have the potential to be developed with impermeable surfaces, which would alter drainage patterns, increase peak flows and risk of flooding and degrade water quality. Through the implementation of the policies, and development standards of the OCP, the mitigation measures identified in this SEIR, and Santa Barbara County standards, potential cumulative impacts would be reduced. As these impacts were determined to be significant but mitigable at the project level, they would not be considered cumulatively considerable. Therefore, cumulative impacts to hydrology and water quality would be adverse, but less than significant with mitigation (Class III).

Flooding. Future developments within the Orcutt area could include components located within a 100-year flood zone and result in changes to flood capacity. However, future developments would be subject to review by the County Flood Control District for compliance

with County floodplain development standards, compliance with the policies and development standards of the OCP, and mitigation measures identified in this SEIR. Additional development proposed within the 100-year flood zone would be evaluated on a case-by-case basis and would require the development of additional retention basins in accordance with the OCP to avoid flooding impacts. Such development would be required to ensure that all structures are built above the floodplain elevation and demonstrate that such structures would not cause increased flooding elsewhere, thus reducing potential impacts. Cumulative impacts related to flooding would be adverse, but less than significant (Class III).

5.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

The County of Santa Barbara conducted an initial analysis of the proposed development's impacts through the EIR Scoping Document and Notice of Preparation (NOP) process. The June 4, 2014 NOP and associated EIR Scoping Document are included as Appendix A. Through the NOP and EIR Scoping Document process, the County of Santa Barbara determined that there was no substantial evidence that the project would cause or otherwise result in significant environmental effects in the resource areas discussed below. No further environmental review of these issues is necessary for the reasons summarized in the following discussion. The substantiation for determining that these issues would result in no impact, or a less-than-significant impact is described in further detail in Appendix A, NOP and EIR Scoping Document, pursuant to §15128 of the State *CEQA Guidelines*.

A. AGRICULTURAL RESOURCES

1. Potential Environmental Effects

If the project would conflict with existing zoning for, or cause rezoning of, agricultural land or forest land; or result in the loss of agricultural land or forest land, conversion of agricultural land to non-agricultural use, or conversion of forest land to non-forest use significant impacts could result.

2. Reasons Why Effects Were Not Found Significant

The project site was assigned a total of 54 points on the weighted point system for determining the agricultural productivity and suitability of a parcel (refer to Appendix A), contained in the County's *Environmental Thresholds and Guidelines Manual* Agricultural Resources section (October 2008). The project site's score of 54 points is below the 60 point threshold of significance for agricultural impacts. The site is not under agricultural production, not zoned for agriculture, and is immediately next to residences. The site is highly constrained, and farming potential is low. The project site does not contain any forest land. The absence of prime soils and an Important Farmland designation further support the conclusion that impacts to agricultural resources would be less than significant.

B. ENERGY

1. Potential Environmental Effects

Energy conservation is addressed in Appendix F of the State *CEQA Guidelines*. Environmental impacts related to energy may include the project's overall energy requirements, the energy intensiveness of materials used in project construction or operation, the effects of the project on local and regional energy supplies, the effects of the project on peak and base period demands for electricity and other forms of energy, the degree to which the project complies with existing energy standards, the effects of the project on energy resources, and the project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

2. Reasons Why Effects Were Not Found Significant

The proposed project would receive electricity from Pacific Gas & Electric. Development associated with the proposed project and other related cumulative projects in the Orcutt and Santa Maria areas could result in increased demands on electrical and/or natural gas services and facilities within the Santa Maria Valley. While there are no specific CEQA or County thresholds related to natural gas or electricity impacts, individual future projects would be required to receive a "will serve" letter from the applicable service provider, which would indicate whether adequate electricity and natural gas supplies would be available to each future project. This would ensure that future projects do not cause existing electricity and natural gas systems to exceed capacity. Thus, the project would not result in significant impacts to energy resources.

C. EXPANSIVE SOILS

1. Potential Environmental Effects

If the project would be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property, significant impacts could result.

2. Reasons Why Effects Were Not Found Significant

Soils on the Key Site 3 property were tested for expansiveness as part of two soil engineering reports completed by Earth Systems Pacific. The results of the site soil testing indicate that the soils were generally non-expansive (refer to Appendix E). Soils with relatively high clay content are expansive due to the capacity of clay minerals to take in water and swell (expand) to greater volumes. However, the soils on-site consist of loamy sand and do not have a high clay content. Because the soils on the Key Site 3 property are not highly susceptible to expansive soil hazards, impacts related to expansive soils would be less than significant.

C. HAZARDOUS MATERIALS

1. Potential Environmental Effects

If the project would create a significant hazard through the use or transport of hazardous materials, be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, significant impacts could result.

2. Reasons Why Effects Were Not Found Significant

Santa Barbara County contains a variety of industrial and agricultural uses that involve the handling and storage of potentially hazardous materials that could adversely affect soil and groundwater.

Use, Storage, and Handling of Hazardous Materials. The Santa Barbara County Fire Department (SBCFD) Hazardous Materials Unit has been designated as the administering agency for Certified Unified Program Agency (CUPA) within the County of Santa Barbara. Accordingly, the County Fire Department compiles and maintains the Hazardous Materials Business Plan Program which requires businesses handling hazardous materials in quantities in excess of specified quantities to submit inventories of those materials to the CUPA, and to develop appropriate employee training and emergency procedures. The Hazardous Materials Business Plan Program maintains a list of businesses that meet the threshold criteria for use, storage, or disposal of hazardous materials, compressed gases and/or hazardous waste. Threshold quantities are defined as hazardous materials equal to or exceeding 55 gallons of a liquid, 500 pounds of a solid, 200 cubic feet of compressed gas, and/or hazardous waste in any amount. The CUPA maintains the inventory and emergency contact information submitted from businesses in a computerized data management system. The CUPA, in turn provides this information to emergency response agencies.

A review was conducted of the SBCFD Hazardous Materials Unit Business Plan list for the Orcutt area. No sites that store hazardous materials were identified within a one-mile radius of the site.

Oil Wells. An abandoned dry oil well hole is located on the south-westernmost portion of the site. The well was plugged and abandoned in 1904, before the establishment of the current DOGGR abandonment standards. Improperly abandoned wells can result in gasses such as methane and hydrogen sulfide traveling up the casing and accumulating in the overlying soil or releasing to the surface, which would pose a risk of upset hazard for any buildings located atop the well. DOGGR requirements for structural development in close proximity to abandoned oil wells include re-abandonment of wells to existing standards, application of setbacks from the well head location, and other measures to reduce risk of upset hazards (LFR, Abandon Oil Well Memo, January 24, 2007).

No structural development is proposed within approximately 2,500 feet of the mapped location of the abandoned well, as depicted in the OCP Oil Activity Map (OCP EIR Figure 5.12-1). One of the public trails would be located closer to the mapped location of this well; however, no structures or substantial grading is associated with the trail at this location. Because of the approximately 2,500-foot separation between the well and the building envelope of the nearest residential lot, no significant risk of upset hazards are anticipated.

The presence of other wells in the vicinity, and potential presence of oil-well related sumps is still a potential hazard, as is the likelihood that nearby wells were not abandoned to current DOGGR standards. However, the Orcutt Community Plan stipulates that "in the event that past oil activity or potential hazardous substances are uncovered during grading or construction-related activity, such activity shall be suspended immediately until a Phase II Environmental Site Assessment and appropriate remedial action has been completed (DevStd RISK-O-1.2). Adherence to

this existing policy would ensure that construction-related hazards are less than significant.

Agricultural Contamination. With respect to possible agricultural contamination, Key Site 3 currently consists of undeveloped land with no indication of agriculturally-related environmental conditions that may have adversely affected the site. The CalEPA's Department of Pesticide Regulations establishes regulations regarding agricultural chemical use. These are designed to prevent pesticides from being used in such a way as to jeopardize or cause injury to others. The Santa Barbara County Agricultural Commission regulates and enforces these regulations through site visits and the permitting process. As a result, project specific hazardous materials impacts on Key Site 3 would be less than significant.

Freeways. Hazardous wastes in both solid and liquid form are transported by trucks through the County to treatment and recycling facilities. U.S. Highway 101 runs along the entire eastern property boundary of Key Site 3, and is one of the County's major transportation routes used to move hazardous materials and wastes. Highway 101 is the only major highway through the County. Trucks using Highway 101 transport thousands of tons of hazardous materials each year. While accidents can result in spills of such materials, potential health risks are generally limited to residents and businesses in closest proximity to hazardous material transportation routes. In addition, numerous federal, state and local regulations control the transportation of hazardous materials throughout the County. These regulations serve to limit the hazards associated with accidents and potential releases in proximity to populated areas, and impacts due to freeway hazard-related risk of upset are less than significant.

Airports. The project site is not located within an airport planning area or Airport Area of Influence (AIA).

Cumulative Impacts from Hazardous Materials. Regarding cumulative hazardous material impacts, continued urban development in the Santa Maria-Orcutt Area will cumulatively increase the potential for exposure to existing hazards associated with hazardous materials. If soil and groundwater contamination is found to be present on sited planned and future development, impacts associated with such contamination would be limited to the individual development site and immediate vicinity and would not contribute to any cumulative health and safety impacts in the community. It is anticipated that any necessary remediation would be completed in accordance with applicable regulatory requirements prior to development of any sites determined to have significant hazards. Hence, the project's contribution to potential cumulative hazardous materials impacts would not be cumulatively considerable.

D. HEALTH CARE AND EMERGENCY SERVICES

1. Potential Environmental Effects

If the project would result in substantial adverse physical impacts associated with the provision of new or physically altered health care or emergency medical facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable performance objectives, significant impacts could result.

2. Reasons Why Effects Were Not Found Significant

The Santa Barbara County Emergency Medical Service Agency (SBCEMSA) is responsible for the planning, implementation, and evaluation of emergency medical services within the County. This system, as defined in Division 2.5 of the California Health and Safety Code, consists of "an organized pattern of readiness and response services based on public and private agreements and operational procedures." Both the fire paramedics (employed by Stations 21 and 22) and the American Medical Response (AMR) ambulance service are under the authority of SBCEMSA and dispatched during emergency situations.

Patients served by EMS within the Orcutt area are taken to and served by the Marian Medical Center, which is the nearest receiving hospital to Key Site 3. The Marian Medical Center is located at 1400 East Church Street in Santa Maria. The hospital is equipped with 191 acute care beds, a 95 bed sub-acute Extended Care Center, heliport, CT Scan and MRI (Marian Medical Center, 2014a). The facility has two campuses and a total capacity of 286. Marian Medical Center in staffed with over 1,400 employees and 284 physicians (Marian Medical Center, 2014b).

The proposed project would develop 125 residential units and generate 343 new residents, based on Orcutt's average household size of 2.74 persons per dwelling unit (United States Census Bureau, 2000). The additional 343 residents generated by the project could reduce service ratios and response times for AMR ambulance service. However, AMR and health care services within the County would continue to be guided by the authority of Santa Barbara County Public Health Department (SBCPHD) and SBCEMSA. Ambulance service and health care facilities are continually monitored by the SBCPHD to ensure adequate service is being provided to County residents. If ambulance and health services became inadequate as determined by SBCPHD such that new or expanded facilities were needed, the construction of such facilities could result in environmental impacts. However, such projects would be subject to subsequent environmental review. In addition, ambulance services are not dependent upon building facilities as ambulance vehicles are placed strategically throughout the County using a computer data system, which calculates where they should be located throughout the day. Furthermore, Marian Medical Center recently completed an expansion of the hospital that nearly doubled its current patient capacity in order to meet future demand expected through the year 2020. Therefore, impacts related to ambulance service and health care services would be less than significant.

E. HISTORIC RESOURCES

1. Potential Environmental Effects

If the project would cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 of the State *CEQA Guidelines*, significant impacts could result.

2. Reasons Why Effects Were Not Found Significant

No structures or formal landscape features currently exist on the project site. As a result, no impacts to historic resources are anticipated.

F. LAND USE

1. Potential Environmental Effects

If the project would physically divide an established community; conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; or conflict with any applicable habitat conservation plan, significant impacts could result.

2. Reasons Why Effects Were Not Found Significant

Key Site 3 has been designated by the Orcutt Community Plan (OCP) for the type and density of development that is currently proposed. Key Site 3 defines the easterly limit of the OCP area, with land to the east designated as rural and in agricultural production. The project would not physically dividing the community, and would contribute to the physical cohesion of the Orcutt community as envisioned in the OCP. The project is not located in the Coastal Zone nor would it conflict or interfere with a habitat conservation plan or other adopted policy or regulation adopted for the purposes of avoiding or mitigating an environmental effect.

G. AIRPORT NOISE

1. Potential Environmental Effects

If the project would expose people residing or working in the project area to excessive noise levels from airport or private air strip operations.

2. Reasons Why Effects Were Not Found Significant

The project site is outside the 60 dBA CNEL contour for the airport (SBCAG, Santa Barbara County Airport Land Use Plan, 1993), and would therefore not expose residents to excessive noise levels from airport or private air strip operations.

H. OBJECTIONABLE ODORS

1. Potential Environmental Effects

If the project would create objectionable odors affecting a substantial number of people, significant impacts could result.

2. Reasons Why Effects Were Not Found Significant

The proposed project would involve the development of 125 residential units and would not create objectionable odors that would affect a substantial number of people.

I. POLICE PROTECTION

1. Potential Environmental Effects

If the project would result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives, significant impacts could result.

2. Reasons Why Effects Were Not Found Significant

Information on current service demands and available staff and equipment was provided by Lieutenant Ray Vuillemainroy of the Santa Barbara County Sheriff's Office (SBSO). Police protection in the unincorporated portion of Santa Barbara County is provided by SBSO, while the California Highway Patrol (CHP) provides secondary police protection. SBSO has eight stations throughout the County. Currently, there are approximately 265 sworn Deputy Sheriffs, 181 sworn Corrections Officers, and 162 civilian employees (Lieutenant Vuillemainroy, 2014).

The SBCSD's Orcutt Station, located at 812 West Foster Road in Orcutt (Division Headquarters for North County), is the first responder to the project site, and serves the entire Orcutt Community. The Orcutt Station is approximately 3.3 miles from Key Site 3, and response times are expected to be less than 5 minutes (Lieutenant Vuillemainroy, 2014). Buildout on Key Site 3 would result in additional residents within the Orcutt Station's service area. The increase in population resulting from the development of Key Site 3 would incrementally decrease the service ratios, increasing demand on existing resources. In addition, according to SBSO, as housing densities increase, demand for police protection service may also increase (Lieutenant Vuillemainroy, 2014). However, SBSO has indicated that SBSO's Orcutt Station could accommodate the additional deputies necessary to provide adequate police protection services (Lieutenant Vuillemainroy, 2014). In addition, given the approximately 3.3-mile distance from the Orcutt Station, the project would not hinder attainment of the Department's goal to respond to emergency calls within five minutes (Lieutenant Vuillemainroy, 2014). Furthermore, additional outside

support is provided through Mutual Aid Agreements with the Santa Maria and Guadalupe Police Departments and the California Highway Patrol (Lieutenant Vuillemainroy, 2014).

The County of Santa Barbara imposes a police protection service mitigation fee on all new development in the Orcutt Planning Area to provide funding for capital facilities and related equipment associated with hiring new Sheriff Deputies required to serve new development (Orcutt Planning Area Fee Summary Sheet, FY 2014-2015). With the payment of the required police protection service mitigation fee, which would also help further the County's implementation of OCP EIR Mitigation Measure POL-1, the potential environmental impacts to police protection would be less than significant. Therefore, the increase in population associated with buildout of Key Site 3 would not require the construction of new or expanded SBCSD facilities, and impacts to police services would be less than significant.

J. RECREATION

1. Potential Environmental Effects

If the project would increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, or if the project would include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment, significant impacts could result.

2. Reasons Why Effects Were Not Found Significant

The proposed project would generate additional population, and therefore would result in a need for additional parkland. Based on Orcutt's average household size of 2.74 persons per dwelling unit (United States Census Bureau, 2000) 125 new residential units would generate an estimated 343 residents. Based on the County standard of 4.7 acres of parkland per 1,000 residents, this would generate a need for approximately 1.61 acres of parkland. The majority of the southern portion of the site is identified as open space in the OCP and would be dedicated to the county. Walking trails located along the eastern perimeter as well as traversing the center of the area would provide pedestrian connection between the residential developments on the northern portion of the site. While no new public parklands would be developed as part of the proposed development, developmental impact mitigation fees would be assessed on the new residential development, and these fees would be used to develop new parklands elsewhere in the Orcutt area. Thus, impacts on parks demand from the proposed project would be less than significant.

The proposed project provides approximately 91 acres of public open space and additional public trails that are shown on the Parks, Recreation and Trails map of the OCP associated with the Orcutt Creek Trail. The dedication of open space and trails as identified in the OCP would offset the increased parkland demand resulting from the buildout under cumulative conditions. In addition, the payment of Quimby Act park fees would be required and these fees would be used to develop additional

public parks serving the OCP area. Indirect physical impacts associated with implementation of planned County parks would be addressed through separate CEQA review on a case-by-case basis. Cumulative impacts are considered less than significant.

K. VIBRATION

1. Potential Environmental Effects

If the project would expose residents to excessive ground-borne vibration or ground-borne noise levels.

2. Reasons Why Effects Were Not Found Significant

The proposed project does not propose the use of vibratory pile drivers or other equipment that would be expected to result in ground-borne vibration that could impact sensitive receptors near the project site, and there would not be any potential for excessive exposure of persons to or generation of significant ground-borne vibration levels.

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6.0 OTHER CEQA-REQUIRED DISCUSSIONS

This section discusses other issues for which CEQA requires analysis in addition to the specific issue areas discussed in Section 4.0, *Environmental Impact Analysis*. These additional issues include: (1) the potential to induce growth; and (2) significant and irreversible impacts on the environment.

6.1 GROWTH INDUCING EFFECTS

Section 15126.2(d) of the *CEQA Guidelines* requires that EIRs discuss the potential for projects to induce population or economic growth, either directly or indirectly. CEQA also requires a discussion of ways in which a project may remove obstacles to growth.

Generally speaking, a project may be considered growth inducing if it results in one of the five conditions identified below:

1. *Induces population growth.*
2. *Induces economic expansion.*
3. *Establishes a precedent setting action (e.g. an innovation, a radical change in zoning or general plan designation).*
4. *Results in development or encroachment in an isolated or adjacent area of open space (i.e. being distinct from "infill" development).*
5. *Removes an impediment to growth (e.g. the establishment of an essential public service or the provision of new access to an area).*

The impacts identified below are based on build-out of the proposed project and the 160 multi-family residential units that would be developed under the approved 2008 Housing Element Focused Rezone Program. These projects are both considered in this analysis as they would both allow additional development on the Key Site 3 property. Together, these projects exceed the 212-unit residential growth evaluated for this key site in the Orcutt Community Plan EIR, as well as the 125-unit residential growth anticipated for Key Site 3 in the 1995 adoption of the Orcutt Community Plan.

6.1.1 Population Growth

As discussed in Section 2.0, *Project Description*, the proposed project would result in 125 single family residential units, including small lot, detached cluster homes, and larger single family residences, on the northern portion of the site. In addition, development under the Housing Element Focused Rezone Program would result in the development of 160 multifamily residential units on Key Site 3. The Focused Rezoned Program is intended to ensure compliance with State Housing law and State Housing and Community Development (HCD) policy direction. Buildout of Key Site 3 would result in a total of 285 residential units.

Based on Orcutt's average household size of 2.74 persons per dwelling unit (United States Census Bureau, 2000), buildout under the proposed project and the Focused Rezone Program would result in 781 new residents. The OCP anticipates that up to 212 residential units would be developed, thereby resulting in approximately 581 residents. The proposed project in

conjunction with the Focused Rezone Program would result in 73 additional residential units and approximately 200 residents beyond that originally anticipated by the OCP. The potential environmental impacts associated with this population growth are analyzed throughout Sections 4.1 through 4.12 of this EIR.

6.1.2 Economic Growth

The proposed project includes residential development rather than commercial development. As such, the proposed project would not directly contribute to economic growth by providing additional space for business. Under the proposed project and the Focused Rezone Program, 285 residential units could be developed, which may indirectly contribute to economic growth. As development occurs under the proposed project and the Focused Rezone Program, the additional population would likely contribute to the local economy as demand for general goods increases, which in turn could result in economic growth for various sectors.

6.1.3 Precedent Setting Action

The proposed project would result in residential development on an identified key site in the Orcutt Community Plan: Key Site 3. The development under the proposed project would facilitate development expected under the Community Plan, although to a greater extent than that envisioned in the Orcutt Community Plan. The MR-O rezoning for a portion of Key Site 3 that was approved as part of the Focused Rezone Program was intended to help meet the County's need to satisfy State Housing law and State Housing and Community Development (HCD) policy direction. The MR-O rezoning was approved with the knowledge that additional development on the balance of the Key Site 3 property had been proposed, and the cumulative impact analysis in the Focused Rezone Program EIR included assumptions on potential additional buildout of the property. The combined creation of a mix of affordable high density housing and single-family housing is consistent with County housing policies to provide a mix of residential opportunities for area residents. Nevertheless, the request to exceed the unit count envisioned for the Key Site 3 property in the Orcutt Community Plan, could present a precedent, and these considerations would be part of the County's decision on the project.

6.1.4 Development of Open Space/Vacant Land

Development of open space is considered growth-inducing when it occurs outside urban boundaries or in isolated locations instead of infill areas. The Orcutt Community Plan has identified several key sites within its boundaries that are designated for residential development. Key Site 3 is designated as such and would not extend into land outside of the urban boundary. The proposed project would retain 106 acres of open space on the project site, including the areas of the Key Site 3 property that were designated for open space, as discussed in Section 4.8, *Land Use*.

6.1.5 Removal of an Impediment to Growth

The proposed project would facilitate residential development for one of the key sites identified for future development under the Orcutt Community Plan. The Orcutt Community Plan, as a long-term land use plan, is intended to reduce the potential for uncontrolled growth from

specific development proposals and its associated environmental impacts. The project site is contiguous to urban land uses designated for urban development, and the site is entirely within the OCP's Urban Limit Boundary. In addition, by focusing development within already urban-designated areas, it is anticipated that implementation of the project would reduce growth pressure in undeveloped areas at the periphery of the Orcutt Community Plan Area. This would be expected to reduce the potential for impacts relating to such issues as biological resources, regional traffic, and air quality as compared to continued development on agricultural or open space lands outside urban boundaries.

The proposed project would utilize existing water, wastewater and solid waste facilities that serve the urban areas of Orcutt. Service would be provided through minor extensions of existing utility infrastructure. No additional infrastructure or facilities beyond those necessary to accommodate the proposed project would be required. Although the proposed project was found to have significant but mitigable impacts to traffic and circulation, the required mitigation measures address impacts previously identified in the Orcutt Community Plan's Orcutt Transportation Improvement Program, and as such, would not remove a circulation-related impediment to growth. Overall, the proposed project would not result in the removal of an impediment to growth.

6.2 SIGNIFICANT UNAVOIDABLE EFFECTS

CEQA Guidelines §15126(b) requires that an EIR identify those significant impacts that cannot be reduced to a less than significant level with the application of mitigation measures. The implications and reasons why the project is being proposed, notwithstanding, must be described.

As discussed in Sections 4.1, 4.3, and 4.10, implementation of the proposed project would result in significant, unavoidable impacts to the following impact categories:

- *Aesthetics and Visual Resources*
- *Biological Resources*
- *Public Services and Facilities*

6.3 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL EFFECTS

CEQA Guidelines §15126.2(c) requires a discussion of any significant irreversible environmental changes which would be caused by the proposed project should it be implemented. Such significant irreversible environmental changes may include the following:

- *Use of non-renewable resources during the initial and continued phases of the project which would be irreversible because a large commitment of such resources makes removal or non-use unlikely.*
- *Primary impacts and, particularly secondary impacts (such as highway improvement which provides access to a previously inaccessible area) which generally commit future generations to similar uses.*
- *Irreversible damage which may result from environmental accidents associated with the project.*

Project development of housing would result in the permanent conversion of open, undeveloped lands to a residential use. It would also require building materials and energy, some of which are non-renewable resources. Consumption of these resources would occur with any development in the region and are not unique to the proposed project. The addition of new residential units would irreversibly increase local demand for non-renewable energy resources such as petroleum and natural gas. Increasingly efficient building fixtures and automobile engines, as well as implementation of policies included in the Orcutt Community Plan are expected to offset the demand to some degree. It is not anticipated that growth accommodated under the proposed project would significantly affect local or regional energy supplies.

Growth accommodated under the proposed project would require an irreversible commitment of law enforcement, fire protection, water supply, wastewater treatment, and solid waste disposal services. The proposed project would contribute a significant amount of solid waste to local landfills and would therefore represent a significant and irreversible environmental impact. Impacts related to aesthetic resources, biological resources, and public services and utilities were similarly determined to be significant and unavoidable, as discussed in Sections 4.1, 4.3, and 4.10 of this SEIR. In addition, the vehicle trips associated with the proposed project would incrementally contribute local traffic and noise levels and regional air pollutant emissions.

7.0 ALTERNATIVES

7.1 PROJECT ALTERNATIVES

Three alternatives to the proposed project have been analyzed in this SEIR (in addition to the four alternatives that were previously analyzed in the OCP EIR (1995). These are summarized in Sections 7.1.1 through 7.1.4 below.

OCP EIR Alternatives

1. Key Site 3 Project Evaluated in OCP EIR
2. OCP EIR No Project (OCP EIR Alternative #1)
3. Low Buildout Alternative (OCP EIR Alternative #2)
4. High Buildout Alternative (OCP EIR Alternative #3)

Additional Alternatives Considered in this SEIR

5. Revised No Project Alternative (MR-O Only)
6. Reduced Project Alternative
7. Shifted Project Alternative

7.1.1 Summary of OCP EIR Alternatives and Impacts Identified in the OCP EIR

Alternative 1: Key Site 3 Project Evaluated in OCP EIR

The development of the Key Site 3 property as evaluated in the OCP EIR included the following land use designations: Planned Development 3.3 units/acre (PD 3.3) on approximately 50 acres in the northern portion of the site; and Planned Development 0.5 units/acre (PD 0.5) on the remaining area (noted as approximately 96 acres). The proposed zoning in this alternative is Planned Residential Development (PRD-212). Development on the site was assumed to be clustered within approximately 38 acres on the northern mesa, and approximately 17 acres on the central low-lying area. The proposed PD 3.3 development on the northern portion of the site would allow 164 units within a developable area of approximately 38 acres. The remainder of the site would be designated PD 0.5, allowing 48 units to be constructed in the central plain portion of the site north of Orcutt Creek. Buildout under this alternative would have allowed the construction of 212 residential units on the site.

In accordance with PRD zone district requirements, a minimum of 40% of the gross site area would be retained as public or private open space. As part of the draft OCP, the Planning Commission initiated a community wide Open Space Overlay, which was applied to Key Site 3 property. The Open Space Overlay on Key Site 3 in this alternative included the area extending from 150 feet north of the northern bank of Orcutt Creek to the southern parcel boundary and a 75-foot strip of land along the eastern boundary with Highway. The area within the Open Space Overlay would total approximately 52.4 acres (89% of the minimum PRD open space requirement), with the remaining 6.2 acres of open space requirement comprised by recreational areas within the future development areas (outside of the Open Space Overlay).

This alternative included a 2,000-foot segment of Class 1 bikepath/multi-use trail to parallel the northern bank of Orcutt Creek across the site. Hiking trails were also included along the entire length of the site's boundary with Highway 101, and along the western boundary from the southern bank of Orcutt Creek near the terminus of Chancellor Drive to the southern site boundary. Site access would be from an existing access road originating at the northeast comer of the site and additional access was identified from Oakbrook Lane, an extension of Chancellor Drive, or between Chancellor Drive and the southwest comer of the northern portion of the site.

Impact Summary:

Through placement of the Open Space Overlay, physical impacts in the southern portion of the site would be avoided, as would be the case with the currently proposed project. The OCP EIR determined that this alternative would result in Class III impacts related to hazards and risk of upset, which is also the case for the proposed project. Class II impacts were identified for biological resources including loss of vegetation and riparian habitats, and the alteration of and water quality impacts to Orcutt Creek. Impacts associated with geologic hazards, soils, flood hazards and drainage, historic and archaeological resources, increased traffic volumes, short- and long-term noise, construction emissions, fire hazards and fire protection, and demand on junior high and high schools were also determined to be Class II. Class I impacts identified in the OCP EIR include impacts to biological habitats, wildlife, agricultural land, water supply, traffic safety (Clark Ave/U.S. 101), long-term air quality, wastewater treatment capacity, solid waste, visual character, and demand on elementary schools.

Because this alternative has fewer units than the project currently being proposed (212 vs 285, including the 160 unit MR-O area), it would proportionately reduce regional impacts in the areas of groundwater demand, traffic/circulation, air quality and greenhouse gas emissions, schools, fire protection, solid waste, and wastewater treatment. However, because this alternative involves development in the central portion of the site (between the mesa and Orcutt Creek), it would have greater impacts on visual resources, biological resources, geological resources (i.e., grading) and flooding. It would also offer less to the public in terms of passive and active open space.

Alternative 2: OCP EIR No Project Alternative (OCP EIR Alternative #1)

With the OCP EIR "No Project" alternative, the existing land use designation and zoning in place at the time of the OCP EIR's preparation in 1995 would be retained, allowing for the construction of up to 17 single family residential units with 8 units on 5-acre lots and 9 units on 10-acre lots. Buildout on this site was assumed to be similar to the existing ranchette development to the west. Access was assumed to be provided from the "frontage road" access, or potentially from extensions of the private roads (Oakbrook Lane and Chancellor Drive) to the west. This alternative did not include provisions for the Open Space Overlay, Class I bike path, hiking trails, and rest area proposed in the project description, nor did it include affordable housing or a mix of different housing types. [NOTE: This alternative assumes development of the site under the land use and zoning designations that were in effect prior to the adoption of the OCP and prior to approval of the MRO project. As such, the alternative no longer exists. A variation of this alternative that does still exist would the development of 5-acre estate residential lots on the mesa, surrounding the MR-O project, and 10-acre rural residential lots on remaining portions of the site.]

Impact Summary:

Due to the substantial reduction in residential buildout under this alternative, the OCP EIR determined that regional impacts associated with groundwater demand, traffic/circulation, air quality, schools, and solid waste would be reduced to a less than significant level. Impacts associated with increased demand for sewer service impacts would also be reduced to a less than significant level due to the fact that the units would likely depend upon private septic systems with ample acreage to handle such septic use (it unclear whether this would still be allowable today). The extent of flooding impacts would remain significant but mitigable, but the impact severity would decrease substantially due to the fact that only a few units would be located in areas of potential flooding. Impacts to the site's visual/aesthetic resources would remain significant and unavoidable, in part because the lack of an Open Space Overlay would allow development in the southern hills area south of Orcutt Creek, although impacts would primarily be associated with the clearing of firebreaks and site grading in the southern portions of the site. Geology impacts would significant and unavoidable due to the inability to cluster development to avoid soil erosion and slope stability issues in the southernmost portions of the site as well as the need for a substantially increased amount of grading for access roads and building pads in this area. Impacts to biological resources would increase substantially and would remain significant and unavoidable due to the placement of units within sensitive biological areas south of Orcutt Creek and additional clearing of vegetation. This alternative would also increase impacts associated with Fire Protection to a significant and unavoidable level due to the risk of fire hazards and limited emergency access in the southern portion of the site.

Alternative 3: Low Buildout Alternative (OCP EIR Alternative #2)

This alternative is similar to that of the project evaluated in the OCP EIR with the exception of a lower density (Planned Development 0.2 units/acre, or one unit per 5 acres) being applied to the southernmost 96.49 acres, instead of the 0.5 units/acre density evaluated at the OCP EIR project.

Impact Summary:

As described in the OCP EIR, the reduction in residential development potential under this alternative would have proportionately decreased the extent of regional impacts associated with groundwater demand, traffic/circulation, air quality and greenhouse gas emissions, schools, fire protection, solid waste, and wastewater treatment. Impacts to visual/aesthetic resources on the site would have also decrease slightly, but would remain significant because of the change in visual character. Impacts to wildlife remained significant and unavoidable, but the severity of the impact would decrease slightly due to the lower number of units which would be constructed near the riparian corridor of Orcutt Creek. However, the impacts would be more severe compared to the project that is currently being proposed in the areas of biological resources; visual resources; flooding; geological resources, and fire protection. The alternative would also offer no public open space or active parks within the project for use by residents.

Alternative 4: High Buildout Alternative (OCP EIR Alternative #3)

This alternative applied Small Lot Planned Development (SLP) 7.0 units/acre zoning over an area of approximately 63.5 acres north of Orcutt Creek, and would allow the construction of up to 444 residential units. This zoning would allow for the clustering of units outside of constrained and sensitive areas, but precludes the construction of multiple family units. Access was to be provided in the same manner as that for the proposed project. The Open Space Overlay, Class I bike path, hiking trails, and rest area would be identical to those proposed in the OCP EIR evaluated Key Site 3 project.

Impact Summary:

This alternative would represent a significant increase in the units relative to the OCP EIR evaluated project, and relative to the currently proposed project. As a result, the OCP EIR concluded that regional impacts associated with groundwater demand, traffic/circulation, air quality and greenhouse gas emissions, schools, fire protection, solid waste, and wastewater treatment would increase significantly. Significant and unavoidable impacts to wildlife would increase due to higher unit density near the riparian corridor of Orcutt Creek. The extent of flooding impacts would also increase as a result of higher density in the central portion of the site, although impacts would remain potentially significant, but mitigable. Visual impacts would also be increased compared to the project now being proposed.

7.1.2 Description of Additional Alternatives

Alternative 5: Revised No Project Alternative

This alternative assumes that development would be limited to the already-approved MR-O project (160 units on 8 acres in the central portion of the mesa), potentially surrounded by three (3) 10-acre single family rural residential lots per the existing RR-10 zoning. The OCP Open Space Overlay would apply and would prevent any development from occurring within a 75-foot strip along the site's eastern boundary and on the southern two-thirds of the site (as designated in the OCP), but there would be no dedication of open space to the public. As with the proposed project, primary site access would be through a frontage road that connects to Clark Avenue, and secondary site access would be provided via a roadway connecting to either Oakbrook Lane or Chancellor Street near the southwest corner of the mesa. This secondary access would not be gated, in accordance with Fire Department requirements for unobstructed access.

Alternative 6: Reduced Project Alternative

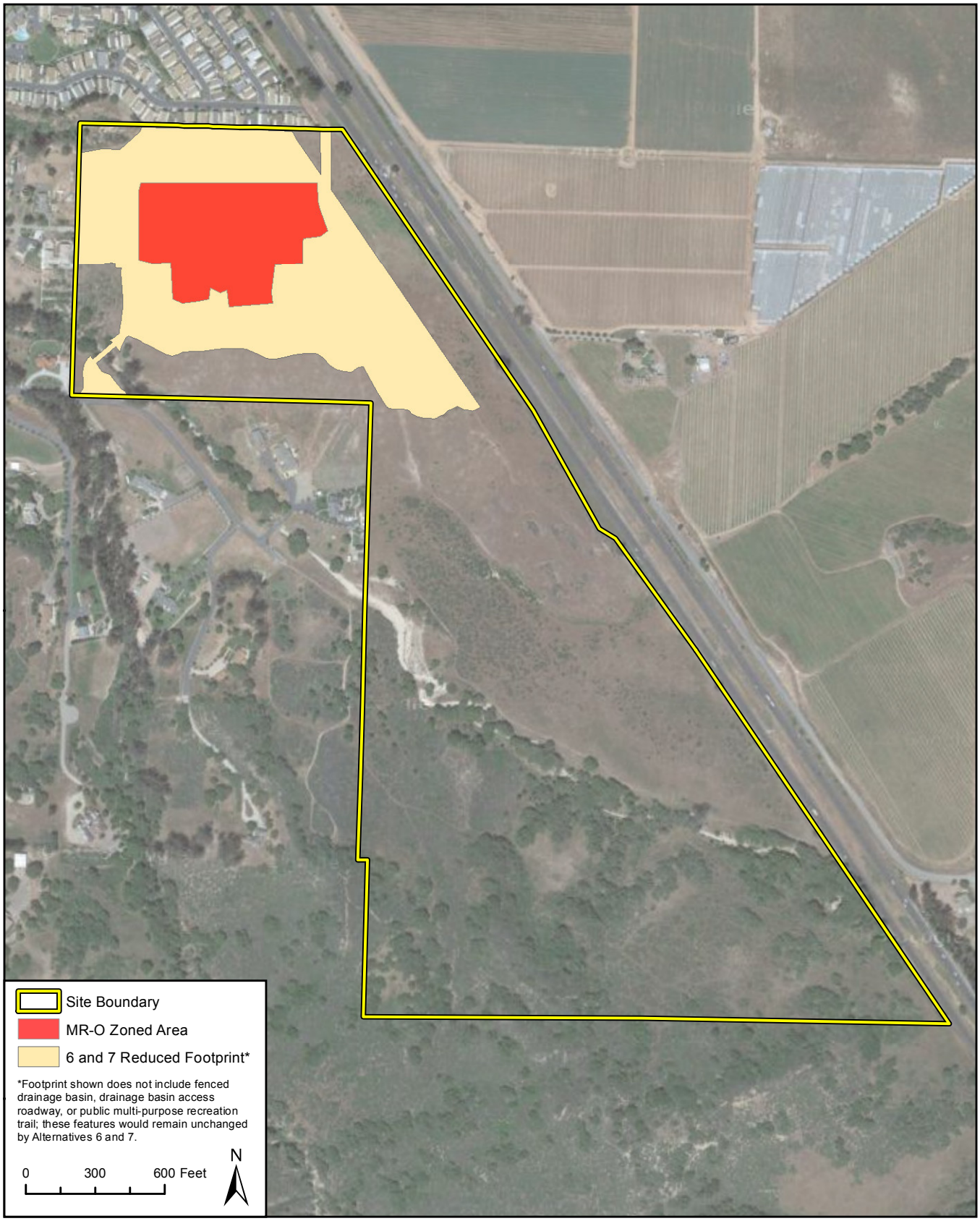
The Reduced Project Alternative would eliminate development within 200 feet of the Highway 101 right-of-way (refer to Figure 7-1). This shifts development beyond the 65 dBA noise contour line, thereby eliminating the need for sound walls to reduce exterior noise levels to less than significant levels. Based on the current project design, all lots on the east side of Road 'A' would be eliminated as would the easterly seven lots north of the MR-O area. This reduces the project by 51 lots (from 125 lots to 74 lots) and it reduces the development "footprint" by 4.16 acres (from 32.6 acres to 28.4 acres).

It is assumed that the Reduced Project Alternative would still comply with OCP requirements, such as single-stories only along the northerly, westerly and southerly perimeters of the mesa and that all OCP-designated open space would be improved with trails and dedicated to the public. No development other than open space uses would be allowed within the southern two-thirds of the site (except a secondary access bridge and retention basin(s). In addition, with the application of OCP EIR Mitigation Measure VIS-5, no structures would be allowed within 50 feet of neighboring property lines. As with the proposed project, primary site access would be through a frontage road that connects to Clark Avenue, and secondary site access would be provided through a roadway connecting to Oakbrook Lane or Chancellor Street near the southwest corner of the mesa. This secondary access road would not be gated, in accordance with Fire Department requirements for unobstructed access. This alternative would also provide additional potential outdoor recreation/parks within the setback area along Highway 101.

Alternative 7: Shifted Density Project Alternative

Whereas the Reduced Project Alternative would simply eliminate portions of the proposed project that lie within 200 feet of Highway 101, the Shifted Density Project Alternative would relocate the proposed density to portions of the site that are at least 200 feet from Highway 101, so that 125 units are maintained (in addition to the 160 MR-O units). Therefore, the footprint of this alternative would be identical to Alternative 6 (refer to Figure 7-1). As with the Reduced Project Alternative, the 200-foot setback from Highway 101 would eliminate 51 lots, but densities and/or height limits would be increased on the remaining development portion of the site to shift the eliminated lots to the west. This alternative would involve replacing the 28 SFD lots west and south of the 160 MR-O units (refer to Figure 2-3 in Section 2.0, *Project Description*) with SFD clustered lots, in order to maintain the proposed 125 units on the reduced footprint of this alternative. The 28 SFD lots encompass approximately 6.5 acres, and each six-lot SFD cluster requires approximately 0.5 acres. Therefore, increased density required to accommodate this alternative would be feasible without increasing the development footprint, and without the loss of the two interior parks included in the proposed project.

It is assumed that the Shifted Density Project Alternative would still comply with OCP requirements, such as single-story perimeter and dedication of all OCP-designated open space. No development other than open space uses is allowed within the southern two-thirds of the site, except the bridge and basin(s). In addition, with the application of OCP EIR Mitigation Measure VIS-5, no structures would be allowed within 50 feet of neighboring property lines. As with the proposed project, primary site access would be through a frontage road that connects to Clark Avenue, and secondary site access would be provided through a roadway connecting to Oakbrook Lane or Chancellor Street near the southwest corner of the mesa. This secondary access road would also not be gated, in accordance with Fire Department requirements for unobstructed access. As with Alternative 6, this alternative would also provide additional potential outdoor recreation/parks within the setback area along Highway 101.



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Alternative 6 and 7: Reduced Footprint

Figure 7-1

7.2 ENVIRONMENTAL ANALYSIS OF ADDITIONAL ALTERNATIVES

As described in Section 2.0, Project Description, the environmental impacts associated with the development of 160 multi-family units within the 8-acre MR-O zoned portion of the Key Site 3 property was previously evaluated in the Focused Rezone Program EIR (State Clearinghouse #2008061139, Santa Barbara County, 2008). These MR-O units are not considered part of the proposed project; however, these units are included in the cumulative development scenario analyzed throughout this EIR. The MR-O portion of Key Site 3 has been approved, and its buildout is acknowledged as being in addition to the various buildout scenarios for the balance of the Key Site 3 property. However, the classification of potential environmental impacts associated with each of the three SEIR alternatives (Alternatives 5-7) focuses on the development potential of the balance of the Key Site 3 property, excluding the 160 MR-O units, consistent with the project-level analysis of each environmental issue area in this SEIR.

Table 7-1 depicts a comparison of the environmental impacts of the development of the proposed project and each of the three SEIR alternatives. The project and the alternatives evaluated in the OCP EIR are summarized above in Section 7.1.1. The comparative analysis of the relative impacts of the proposed project and the alternatives is provided in Sections 7.2.1 through 7.2.5 below.

Table 7-1 Comparison of Environmental Impacts

Environmental Issue	Level of Impact			
	Proposed Key Site 3 Project	Alternative 5: Revised No Project	Alternative 6: Reduced Project	Alternative 7: Shifted Density Project
Aesthetics/Visual Resources				
Visual Character	I	III	II	II
Scenic Views	III	III	III	III
Light/Glare	III	III	III	III
Cumulative Impacts	I	III	I	I
Air Quality				
Construction Emissions	III	III	III	III
Operational Emissions	III	III	III	III
Health Risks	II	III	II	II
CAP Consistency	III	III	III	III
Cumulative Impacts	III	III	III	III
Biological Resources				
Riparian Habitat Disturbance	II	II	II	II
Construction Habitat Impacts	II	II	II	II
Impacts to Orcutt Creek	II	III	II	II
Wildlife Movement Corridors	II	II	II	II
Construction Vegetation Removal	II	II	II	II
Special Status Plants	II	II	II	II
Special Status Animals	II	II	II	II

Table 7-1 Comparison of Environmental Impacts

Environmental Issue	Level of Impact			
	Proposed Key Site 3 Project	**Alternative 5: Revised No Project**	**Alternative 6: Reduced Project**	**Alternative 7: Shifted Density Project**
Cumulative Habitat Loss	I	III	I	I
Cultural Resources				
Identified Cultural Resources	II	II	II	II
Unknown Cultural Resources	II	II	II	II
Indirect Cultural Resources Impacts	II	II	II	II
Cumulative Impacts	III	III	III	III
Fire Protection				
High Fire Hazards	II	II	II	II
Fire Service	III	III	III	III
Fire Flow Requirements	III	III	III	III
Cumulative Impacts	II	II	II	II
Geologic Processes				
Groundshaking	III	III	III	III
Slope Stability	III	III	III	III
Settlement	III	III	III	III
Erosion	II	III	II	II
Cumulative Impacts	III	III	III	III
Greenhouse Gas Emissions				
Operational Emissions	II	III	III	II
Land Use				
Quality of Life	II	III	II	II
Land Use Consistency	III	III	III	III
Cumulative Impacts	III	III	III	III
Noise				
Construction Impacts	II	III	II	II
Roadway Noise Exposure	II	III	II	II
Off-Site Roadway Noise	III	III	III	III
Cumulative Noise	II	III	II	II
Public Services				
Schools	III	III	III	III
Water Demand	III	III	III	III
Wastewater	III	III	III	III
Solid Waste	III	III	III	III
Cumulative Impacts	I	III	I	I
Traffic and Circulation				
Operational-Levels of Service	II	III	II	II
Cumulative Traffic Impacts	II	III	II	II

Table 7-1 Comparison of Environmental Impacts

Environmental Issue	Level of Impact			
	Proposed Key Site 3 Project	Alternative 5: Revised No Project	Alternative 6: Reduced Project	Alternative 7: Shifted Density Project
Water Resources				
Construction Water Quality Impacts	II	III	II	II
Drainage and Runoff	II	III	II	II
Flood Hazards	III	III	III	III
Cumulative Hydrology/ Water Quality	II	III	II	II
Cumulative Flood Hazards	III	III	III	III

7.2.1 Alternative 5: Revised No Project Alternative

Aesthetics/Visual Resources. The Revised No Project Alternative would result in the MR-O project standing alone on the site, with the potential that three 10-acre rural residential lots could be development on the mesa in the future under existing zoning. Under this alternative, visual impacts would be reduced, because there would be less development on the mesa. However, with development of the approved MR-O project, the change in visual character could be more severe under this alternative. Although the MR-O project would be subject to design review within the confines of a Zoning Clearance process, it would still have the potential to standout abruptly on the landscape, without the transitioning effect of the proposed project. Under this alternative, the proposed project would be reduced by almost 98% (from 125 units to three (3) units, based on the three 10-acre single family rural residential lots under the existing RR-10 zoning) and the total number of residential units on the mesa would be reduced by approximately 57% (from 285 units to 288 units) compared to the proposed project. No development would be allowed south of the mesa area, except bridges and basins. Except for the MR-O project, the scale of development on the mesa would be more compatible with the low density, rural character of surrounding parcels. This alternative would have a less than significant impact to visual character, but it would not have the beneficial effect of screening and softening the visual effect of the MR-O project. The construction of three homes on the northern mesa would not be expected to result in additional significant scenic view blockages, and the project's contribution to cumulative visual character impacts would be greatly reduced and would not be considered cumulatively considerable. Implementation of the mitigation described in the OCP EIR and incorporated into the OCP as development standards such as DevStds VIS-O-2.1, VIS-O-2.2, VIS-O-3.6, VIS-O-3.7, KS3-11, KS3-14, KS3-19, and KS3-20 would further reduce impacts.

Air Quality. This alternative represents a 98% reduction in additional residential development surrounding the MR-O project, and a 57% reduction in cumulative residential development on the mesa. This reduced density would substantially reduce both temporary construction emissions and long term operational emissions, when compared to the proposed project. In addition, potential health risks associated with development near Highway 101 would be avoided because rural residential units could be sited away from this source of hazardous vehicle emissions. Overall, both project-specific and cumulative air quality impacts associated with this alternative would be less than significant.

Biological Resources. This alternative assumes that the entire mesa would eventually be developed, just to a far lower density as compared to the proposed project. Hence, potential impacts to biological resources would be similar as the proposed project, although the three 10-acre lots surrounding the MR-O project may never occur and/or the future owners of those lots may keep the majority of the lots in a natural condition. However, this alterative would reduce impacts compared to the proposed project due to the substantially reduced development density and because it would not require the development of a bridge and detention basins in the central portion of the site. Similar to the proposed project, project-specific impacts to biological resources would be less than significant with mitigation and cumulative impacts to biological resources would be significant and unavoidable.

Cultural Resources. The Key Site 3 property contains four known cultural resources sites. Although only three single family homes would be developed under this alternative, the avoidance measures incorporated into the OCP as development standards such as DevStd KS3-9, (described in Section 4.4, *Cultural Resources*) would be required to ensure that these exiting sites are avoided during construction, and are also protected from indirect impacts. Due to the overall sensitivity of the general area and the Key Site 3 property specifically, standard discovery measures prescribed in the OCP EIR and construction monitoring (OCP EIR mitigation measures ARCH-10 and ARCH-5) would be required to prevent impacts to unknown cultural or paleontological resources. Indirect impacts such as those from off road vehicle use and increased use of trails on the property would be less than in the proposed project and reduced to a less than significant level with OCP Mitigation Measure ARCH-7. Cumulative impacts to these resources would be less than significant, as with the proposed project.

Fire Protection. The northern mesa where development of additional residential units would occur (in addition to the 160 MR-O units) is within a high-fire hazard area. As discussed in Section 4.5 (*Fire Protection*), Mitigation Measures FP-1(a) and FP-1(b) would be required to reduce wildland fire impacts to less than significant. The impacts of this alternative are similar to the proposed project.

Geologic Processes. The Key Site 3 property is subject to groundshaking and has moderate potential for damage due to settlement of surface soils. This alternative would require mitigation similar to the proposed project to ensure that future development is engineered according to the requirements of the geotechnical study and the Uniform Building Code. Potential impacts related to slope stability would be avoided by this alternative because development would only occur on the mesa area, and not on the sloped bluffs or hillsides. Therefore, these impacts would be less than significant.

Greenhouse Gas Emissions. The Revised No Project Alternative would not change the existing development potential of the site, leaving only the possibility of an additional three 10-acre rural residential lots on the mesa. Although this alternative would generate a certain degree of greenhouse gas emissions and incrementally contribute to global climate change, the emissions from three 10-acre rural residential lots would not exceed the significance criteria used in this SEIR. In contrast to the proposed project, GHG emissions under this alternative would be less than significant without mitigation.

Land Use. Temporary land use impacts related to construction activity would be substantially less than with the proposed project, due to the reduced size and disturbance area of this alternative. General quality of life impacts related to overall compatibility with adjacent land uses would also be avoided, since neighboring development is on a similar scale and density as this alternative. This alternative would also avoid encroachment into the open space areas, by limiting development to the northern mesa. The open space area requirement described in the OCP would be met by preserving the southern portions of the property as well as the eastern perimeter along Highway 101. Thus, all project-specific and cumulative land use impacts under this alternative would be less than significant without mitigation.

Noise. Temporary construction-related noise would be significantly less than with the proposed project, due to the substantial reduction in total development, and would not require mitigation. Construction activities would be expected to comply with standard requirements that limit construction hours, and the potential future development of rural residential uses could be sited as to avoid potentially significant noise impacts related to Highway 101. The substantial reduction in total development would also result in a corresponding reduction in operational noise, since substantially fewer vehicle trips would be generated under this alternative. Noise impacts under this alternative would be less than significant.

Public Services. This alternative would not change the existing development potential of the site. In addition to the previously-approved MR-O project, the development of three 10-acre rural residential lots would be possible but this would not place a significant demand on schools, water infrastructure, wastewater infrastructure, solid waste collection and disposal services, and other public service facilities. This development would not generate enough students to significantly impact public schools. Project-specific and cumulative impacts to public services and facilities under this alternative would be less than significant, but standard development fees and school impact fees would be required to ensure that even incremental impacts to these facilities are offset by new development. Development of this alternative would also avoid the proposed project's significant and unavoidable cumulative wastewater impact as well as the proposed project's unavoidable impact related to cumulative solid waste generation. Depending on the timing of construction relative to development of the MR-O units, these three residential units may utilize private septic systems. However, should these units decide to connect to the sewer system, wastewater generated by this development alternative would not exceed the County's wastewater thresholds, and wastewater impacts would be less than significant.

Transportation and Circulation. The Revised No Project Alternative would not change the existing development potential of the site, leaving only the possibility of an additional three 10-acre rural residential lots on the mesa, which would independently have to demonstrate adequate access from Clark Avenue, Oakbrook Lane or Chancellor Street. Grading and/or soil hauling requirements would be substantially lower under this alternative, and there would be substantially fewer construction-related vehicle trips added to area roadways under this alternative.

Water Resources. Overall, hydrology and water quality impacts would be reduced to less than significant under this alternative. Should construction activity disturb more than one acre, the development would be subject to the requirements of an NPDES permit, and would have to prepare a SWPPP. Impacts associated with drainage and runoff would be substantially

reduced under this alternative, as the alternative would result in substantially less impermeable surfaces than the proposed project. Development of the single family residences under this alternative would be limited to the northern mesa area, which is not subject to any flood hazards.

7.2.2 Alternative 6: Reduced Project Alternative

Aesthetics/Visual Resources. This alternative would reduce the overall number of additional units on the mesa (from 125 to 74) and increase the setback from Highway 101 (from 75 feet to 200 feet). The increased setback would prevent development within the 65 dBA noise contour, thereby eliminating the need for a sound wall. The increased setback would also provide additional options for berming and landscaping within the setback that could effectively screen developed portions of the site from the east and for southbound travelers on Highway 101, although the change in visual character would likely still be visible to northbound travels. The increased setback and elimination of the sound wall would reduce the severity of visual impacts compared to the proposed project; however, development on the mesa would still constitute a significant alteration of the visual character of the area as viewed from the northbound lanes of Highway 101. The increased setback under this alternative would provide an opportunity to soften impacts to visual character with appropriate mitigation; for example, an applicant-developed landscape plan, subject to County approval, would have the ability to reduce impacts to visual character to a less than significant level. In addition, there would still be a conflict with the general scale and character of surrounding development. Applicable OCP EIR measures as well as Mitigation Measure AES-1 and a County-approved landscape plan for the increased setback along Highway 101 would reduce potential impacts to visual character to a less than significant level. However cumulative-level impacts would remain significant and unavoidable.

Air Quality. The development of 74 additional homes on the site rather than 125 additional homes on the site represents a 59% reduction of additional homes on the site (in addition to the 160 MR-O homes). This would proportionately reduce both temporary construction emissions and long term operational emissions when compared to the proposed project. Potential health risks associated with development near Highway 101 would require similar mitigation as for the proposed project but fewer units would be affected, and residents would be less affected, compared to the proposed project. Similar to the proposed project, the Reduced Project would have air quality impacts that are less than significant with mitigation.

Biological Resources. The increased setback along Highway 101 (from 75 feet to 200 feet) would preserve an additional 4.16 acres of open space on the site, thereby reducing impacts compared to the proposed project. Like the proposed project, the Reduced Project Alternative avoids portions of the site that contain sensitive habitat but still removes grassland habitat on the mesa. The northern mesa area is comprised primarily of non-native annual grassland, which is not a sensitive habitat. The Reduced Project would still require a secondary access bridge and detention basin and thus would impact the Orcutt Creek riparian corridor. Implementation of Mitigation Measure BIO-1(b) requires a riparian habitat restoration plan that would reduce riparian impacts to less than significant. With mitigation, both the proposed project and this alternative would have a less than significant impact on biological resources.

Cultural Resources. The Key Site 3 property contains four known cultural resource sites, all of which are in the southern two-thirds of the property and hence would not be impacted by the residential development "footprint." Since the Reduce Project Alternative only differs from the proposed project relative to the residential "footprint," there is no change in the level of potential impacts. The two sites along the eastern frontage of the Key Site 3 property could potentially be affected by the siting of a recreational trail in this area, and Mitigation Measures described in Section 4.4, *Cultural Resources,* would be required to ensure that these exiting sites are avoided during construction or appropriately documented and curated in the event that avoidance cannot be ensured, and are also protected from indirect impacts. Due to the overall sensitivity of the general area and the Key Site 3 property specifically, construction monitoring and discovery measures (Mitigation Measures CR-2(a) and CR-2(b)) would also be required to prevent impacts to unknown cultural or paleontological resources. Potential impacts would be less than significant, as with the proposed project.

Fire Protection. The northern mesa where development of the 74 additional units would occur (in addition to the 160 MR-O units) is within a high-fire hazard area. As discussed in Section 4.5 (*Fire Protection*), Mitigation Measures FP-1(a) and FP-1(b) would be required to reduce wildland fire impacts to a less than significant level. The impacts of this alternative are similar to the proposed project.

Geologic Processes. The Key Site 3 property is subject to groundshaking and has moderate potential for damage due to settlement of surface soils. This alternative would require mitigation similar to that required for the proposed project (Mitigation Measure G-4) to ensure that future development is engineered according to the requirements of the geotechnical study and the Uniform Building Code. Potential impacts related to slope stability would be avoided in this alternative because development would only occur on the mesa area and not on the sloped bluffs or hillsides, as is the case with the proposed project. However, a decrease in residential units would also expose less people and structures to geologic hazards. As with the proposed project, impacts would be less than significant.

Greenhouse Gas Emissions. As described in the Air Quality discussion above, this alternative would result in 59% fewer additional residential units than the proposed project, and would generate proportionately less emissions. Assuming that the 59% fewer residential units would equate to 59% GHG emissions, the annual GHG emissions in this alternative would be approximately 1,039 MT CO_2e/year, which does not exceed the bright-line significance criterion of 1,100 MT/year. Moreover, the per capita annual GHG emissions rate would be approximately 3.0 MT CO_2e/SP/year, which also does not exceed the efficiency threshold of 4.6 MT CO_2e/SP/year. As opposed to the proposed project, the GHG impacts of this alternative would be less than significant without mitigation.

Land Use. Land use impacts would be substantially the same with this alternative compared to the proposed project. Quality of life impacts related to overall compatibility with adjacent land uses would be similar to the proposed project, since no design changes are assumed except for the increased setback along Highway 101. Setbacks and buffers as set forth in the OCP would still be provided, and like the proposed project, development would be restricted to single-story homes on the project's north, south and west perimeter, closest to existing development. Nonetheless, similar to the proposed project, Mitigation Measure AES-1,

which requires the development of and adherence to architectural and landscape guidelines, would be required and would result in quality of life impacts that are adverse, but less than significant.

Noise. Temporary construction-related noise impacts would be reduced with this alternative as a result of the reduced amount of development, but sensitive receptors are located to the north and west and Mitigation Measures N-1(a) would still be necessary to prevent significant impacts. It is assumed that the layout of residential development on the northern mesa area would be the same as the proposed project, except that the setback from Highway 101 would be increased from 75 feet to 200 feet. The 200-foot setback would roughly correspond (or exceed) the 65 dBA noise contour line, which eliminates the need for Mitigation Measure N-2(a) (i.e., sound walls) to reduce exterior noise levels in residential yards. However, Mitigation Measure N-2(b), as discussed in Section 4.9, may still be required to ensure that interior noise levels are reduced to 45 dBA or less. The 59% reduction in total development would also result in a corresponding reduction in operational noise, since fewer vehicle trips would be generated under this alternative.

Public Services. Development of 74 additional residences under this alternative, rather than 125 units under the proposed project, would proportionately reduce demand on schools, water infrastructure, wastewater infrastructure, solid waste collection and disposal services, and other public service facilities. Standard development fees and school fees would be required to ensure that incremental impacts to these facilities are offset by new development. Overall, project-specific and cumulative impacts to public services and facilities would be less than significant, but they are also less than significant under the proposed project. However, according to County thresholds, a project that would generate 40 tons of solid waste per year would be considered cumulatively significant. Assuming the development is consistent with the most recent Santa Barbara County waste diversion rate of 69% (CalRecycle, 2014), the 74 additional residences that would be developed under this alternative would generate approximately 60 tons of solid waste per year, which exceeds the County's cumulative solid waste threshold. Therefore, this alternative's cumulative solid waste impact would remain significant and unavoidable, as with the proposed project. Likewise, wastewater generated by this development in combination with other anticipated development in the Orcutt area, would exceed the capacity of the wastewater treatment plant. Although this alternative development scenario would reduce the projected total wastewater demand, cumulative impacts would remain significant and unavoidable.

Transportation and Circulation. This alternative represents a 59% reduction in additional residential units, and would therefore generate a similar reduction in vehicle trips, but this alternative would still be required to make roadway improvements (see Mitigation Measure T-1) and pay traffic impact fees (see Mitigation Measure T-2) to avoid impacting area roadways and intersections. As with the proposed project, primary site access would be through a frontage road that connects to Clark Avenue, and secondary site access would be provided via a roadway connecting to Chancellor Street near the southwest corner of the mesa. Traffic generated by this alternative would presumably be split between these access points, before dispersing to surrounding roadways. Although daily vehicle trips generated by this alternative would be less than under the proposed project, this alternative would contribute more than 15 peak hour trips to the Clark Avenue/U.S. 101 southbound ramps, which already

operates at LOS D under P.M. peak hour conditions. Based on County thresholds, this constitutes a potentially significant impact, which would require mitigation similar to that required for the proposed project. Residual impacts would be less than significant, is the case with the proposed project.

Water Resources. The development of 28.4 acres surrounding the MR-O project rather than 32.6 acres surrounding the MR-O project would proportionately reduce site disturbance compared to the proposed project, and impacts related to hydrology and water quality would also be proportionately reduced. Construction activity would still be subject to the requirements of an NPDES permit, and would have to prepare a SWPPP and comply with standard County conditions of approval, as described in Mitigation Measures WR-1(a) and WR-1(b). Although the amount of impermeable surfaces created by development of this alternative would be less than the proposed project, the plan for development of the mesa area would still require the use of LID technologies, drainage pipe re-design, operational erosion control, storm water management, and detention basin maintenance measures, as described in Mitigation Measures WR-2(a) and WR-2(b). Development of the residential units under this alternative would be limited to the northern mesa area, which is not subject to any flood hazards. The reduction in site disturbance would require less grading and an associated decrease in the potential for erosion-induced siltation of Orcutt Creek. As with the proposed project, impacts would be less than significant with mitigation at the project level and would not be considered cumulatively considerable.

7.2.3 Alternative 7: Shifted Density Project Alternative

Aesthetics/Visual Resources. This alternative would also provide a 4.16-acre reduction in the footprint of development, but instead of eliminating units within 200 feet of the Highway it would transfer that the units within the reduced "footprint." Assuming the alternative would still comply with OCP requirements relative to setbacks and reduced building heights adjacent to existing development, internal open space would have to be reduced and/or building heights would have to be increased in order to still provide the desired 125 units. The increased setback from Highway 101 would decrease visual impacts to some extent but the increased density required to accommodate the same number of units on the reduced project footprint would increase impacts to some extent (and probably exacerbate land use compatibility impacts). As with Alternative 6, the increased setback under this alternative would provide an opportunity to soften impacts to visual character with appropriate mitigation; for example, an applicant-developed landscape plan, subject to County approval, would reduce potential impacts to visual character; however, there would still be a conflict with the general scale and character of adjacent development to the south and west. Applicable OCP EIR measures as well as Mitigation Measure AES-1 and a County-approved landscape plan for the increased setback along Highway 101 would reduce potential impacts to less than significant levels but cumulative-level impacts would remain significant and unavoidable.

Air Quality. This alternative would maintain the same number of new residential units as the proposed project, on a smaller "footprint." It is unclear whether such a redesign would reduce or eliminate internal open space or increase building heights, or both, but the reduced footprint of development would proportionately reduce emissions and potential dust generation during construction activities. Long-term impacts operational emissions would also

be proportionately reduced when compared to the proposed project. In addition, potential health risks associated with development near Highway 101 would be avoided by placing the rural residential units at least 250 feet away from this source of hazardous vehicle emissions. Overall, both project-specific and cumulative air quality impacts associated with this alternative would be less than significant.

Biological Resources. The increased setback along Highway 101 (from 75 feet to 200 feet) would preserve an additional 4.16 acres of open space on the site, thereby reducing impacts compared to the proposed project. Like the proposed project, the Reduced Project Alternative avoids portions of the site that contain sensitive habitat but still removes grassland habitat on the mesa. The northern mesa area is comprised primarily of non-native annual grassland, which is not a sensitive habitat. The Reduced Project would still require a secondary access bridge and detention basin and thus would impact the Orcutt Creek riparian corridor. Implementation of Mitigation Measure BIO-1(b) requires a riparian habitat restoration plan that would reduce riparian impacts to less than significant. With mitigation, both the proposed project and this alternative would have a less than significant impact on biological resources.

Cultural Resources. The Key Site 3 property contains four known cultural resource sites, all of which are in the southern two-thirds of the property and hence would not be impacted by the residential development "footprint." Since the Reduce Project Alternative only differs from the proposed project relative to the residential "footprint," there is no change in the level of potential impacts. The two sites along the eastern frontage of the Key Site 3 property could potentially be affected by the siting of a recreational trail in this area, and Mitigation Measures described in Section 4.4, *Cultural Resources,* would be required to ensure that these exiting sites are avoided during construction or appropriately documented and curated in the event that avoidance cannot be ensured, and are also protected from indirect impacts. Due to the overall sensitivity of the general area and the Key Site 3 property specifically, construction monitoring and discovery measures (Mitigation Measures CR-2(a) and CR-2(b)) would also be required to prevent impacts to unknown cultural or paleontological resources. Potential impacts would be less than significant, as with the proposed project.

Geologic Processes. The Key Site 3 property is subject to groundshaking and has moderate potential for damage due to settlement of surface soils. This alternative would require mitigation similar to that required for the proposed project (Mitigation Measure G-4) to ensure that future development is engineered according to the requirements of the geotechnical study and the Uniform Building Code. Potential impacts related to slope stability would be avoided in this alternative because development would only occur on the mesa area and not on the sloped bluffs or hillsides, as is the case with the proposed project. As with the proposed project, impacts would be less than significant.

Fire Protection. The northern mesa where development of the 125 additional units would occur (in addition to the 160 MR-O units) is within a high-fire hazard area. As discussed in Section 4.5 (*Fire Protection*), Mitigation Measures FP-1(a) and FP-1(b) would be required to reduce wildland fire impacts to a less than significant level. The impacts of this alternative are identical to the proposed project.

Greenhouse Gas Emissions. As described in the Air Quality discussion above, this alternative would generate essentially the same emissions as the proposed project, which exceed per capita thresholds but can be reduced to less than significant levels with a Greenhouse Gas Reduction Plan (Mitigation Measure GHG-1).

Land Use. Land use impacts would be substantially the same with this alternative compared to the proposed project. Quality of life impacts related to overall compatibility with adjacent land uses would be similar to the proposed project, but increased building heights and density may increase the severity of conflicts. Setbacks and buffers as set forth in the OCP would still be provided, and like the proposed project, development would be restricted to single-story homes on the project's north, south and west perimeter, closest to existing development. Nonetheless, similar to the proposed project, Mitigation Measure AES-1, which requires the development of and adherence to architectural and landscape guidelines, would be required and would result in quality of life impacts that are adverse, but less than significant.

Noise. Temporary construction-related noise impacts would be similar to the proposed project because the same number of units would be developed. Sensitive receptors are located to the north and west and Mitigation Measures N-1(a) would still be necessary to prevent significant impacts. It is assumed that the layout of residential development on the northern mesa area would be the same as the proposed project, except that the setback from Highway 101 would be increased from 75 feet to 200 feet. The 200-foot setback would roughly correspond (or exceed) the 65 dBA noise contour line, which eliminates the need for Mitigation Measure N-2(a) (i.e., sound walls) to reduce exterior noise levels in residential yards. However, Mitigation Measure N-2(b), as discussed in Section 4.9, may still be required to ensure that interior noise levels are reduced to 45 dBA or less.

Public Services. Development of 125 additional residences under this alternative would have an identical demand on schools, water infrastructure, wastewater infrastructure, solid waste collection and disposal services, and other public service facilities as the 125 units included in the proposed project. Standard development fees and school fees would be required to ensure that incremental impacts to these facilities are offset by new development. Overall, project-specific impacts to public services and facilities would be less than significant, as with the proposed project. Similar to the proposed project, this alternative would result in significant and unavoidable cumulative wastewater impact as well as a significant and unavoidable impact related to cumulative solid waste generation.

Transportation and Circulation. This alternative would provide 125 additional units to the mesa and would therefore generate similar increased vehicle trips as the proposed project. This alternative would therefore be required to make similar roadway improvements (see Mitigation Measure T-1) and pay traffic impact fees (see Mitigation Measure T-2) to avoid impacting area roadways and intersections. As with the proposed project, primary site access would be through a frontage road that connects to Clark Avenue, and secondary site access would be provided via a roadway connecting to Chancellor Street near the southwest corner of the mesa. Traffic generated by this alternative would presumably be split between these access points, before dispersing to surrounding roadways. Like the proposed project, this alternative would contribute more than 15 peak hour trips to the Clark Avenue/U.S. 101 southbound ramps, which already operates at LOS D under P.M. peak hour conditions. Based on County

thresholds, this constitutes a potentially significant impact, which would require mitigation similar to that required for the proposed project. Residual impacts would be less than significant, is the case with the proposed project.

Water Resources. The development of 28.4 acres surrounding the MR-O project rather than 32.6 acres surrounding the MR-O project would proportionately reduce site disturbance compared to the proposed project, and impacts related to hydrology and water quality would also be proportionately reduced. Construction activity would still be subject to the requirements of an NPDES permit, and would have to prepare a SWPPP and comply with standard County conditions of approval, as described in Mitigation Measures WR-1(a) and WR-1(b). Although the amount of impermeable surfaces created by development of this alternative would be less than the proposed project, the plan for development of the mesa area would still require the use of LID technologies, drainage pipe re-design, operational erosion control, storm water management, and detention basin maintenance measures, as described in Mitigation Measures WR-2(a) and WR-2(b). Development of the residential units under this alternative would be limited to the northern mesa area, which is not subject to any flood hazards. The reduction in site disturbance would require less grading and an associated decrease in the potential for erosion-induced siltation of Orcutt Creek. As with the proposed project, impacts would be less than significant with mitigation at the project level and would not be considered cumulatively considerable.

7.3 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

This discussion identifies the environmentally superior alternative by assessing the degree to which each alternative avoids significant and unavoidable environmental impacts. In some cases, an alternative will avoid one or more significant and/or unavoidable impacts identified for the proposed project but then introduce one or more new significant impacts. Hence, the selection of the Environmentally Superior Alternative requires an overall assessment of the changes in the number and type of significant impacts.

The *CEQA Guidelines* do not define a precise methodology regarding the determination of the Environmentally Superior Alternative. For the purposes of this analysis, each alternative has been compared within each issue area to the proposed project, and a determination has been made as to whether the alternative was superior, inferior, or similar to the proposed project. For the purpose of this EIR, the analysis assumes that each impact is equally weighted. Decision makers and the community in general may choose to emphasize one issue or another, which could lead to differing conclusions regarding environmental superiority. If the No Project Alternative is identified as the Environmentally Superior Alternative for a given issue area, the development scenario among the remaining alternatives that produces the fewest impacts is noted, in accordance with CEQA.

The Revised No Project Alternative (Alternative 5) is considered environmentally superior overall, since any future development proposed for this site would be expected to adhere to the land use designation and zoning within the Orcutt Community Plan, as well as any pertinent development standards. This alternative avoids several impacts that were noted as significant and unavoidable for the proposed project including: visual character, scenic resources, cumulative visual resources, cumulative wastewater, and cumulative solid waste impacts. This

alternative would also avoid development of detention basins and bridges near Orcutt Creek; however, it would not dedicate public open space nor satisfy project objectives.
Among the remaining alternatives, the Reduced Project Alternative (Alternative 6) would result in the fewest significant and unavoidable impacts as compared to both the proposed project and to the original alternatives analyzed in the OCP EIR, and hence would be considered environmentally superior among the remaining alternatives. As described in the analysis above, the Reduced Project Alternative avoids the project's significant and unavoidable project-specific impact (visual character), and this alternative's significant and unavoidable cumulative impacts are limited to cumulative aesthetics and solid waste impacts. The Reduced Project Alternative also avoids potentially significant Highway 101-related noise exposure and substantially reduces air toxics risk impacts through the application of a 200-foot setback from the Highway 101 right of way. It also results in reduced GHG emissions and reduced regional impacts on public services and facilities and would generate less operational traffic and noise. In the Reduced Project Alternative, the Highway 101-related impacts would be less than significant without mitigation; however, the use of Mitigation Measures to reduce exposure to health risks would still be recommended to further reduce impacts related to vehicle emissions.

Development of the Reduced Project Alternative would avoid the following project-specific significant impacts identified for the proposed project:

- **Visual/Aesthetic Resources**: The significant and unavoidable (Class I) impact on visual character would become significant but mitigable (Class II).

- **Greenhouse Gas Emissions:** There would be no need for mitigation to reduce greenhouse gas emissions below the applicable threshold of significance.

- **Noise:** There would be no need for mitigation (i.e., sound walls) to reduce exterior noise levels from freeway noise (however, Mitigation Measure N-2(b) may still be required to ensure that interior noise levels are reduced to 45 dBA or less).

The Reduced Project Alternative would avoid one of the identified significant and unavoidable impacts of the project, and it would reduce two of the identified significant but mitigable impacts while still providing benefits such as a mix of new housing types, MR-O screening, and the dedication of public open space and trails.

Furthermore, the Reduced Project Alternative does not present any new significant impacts that were determined to be less than significant in the analysis of the proposed project nor would it increase the severity of impacts identified for the proposed project. For these reasons, the Reduced Project Alternative (Alternative 6) is identified as the Environmentally Superior Alternative among the remaining alternatives.

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8.1 REFERENCES

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Ochej, Marysia, Assistant Superintendent, Business Services. Orcutt Union School District. January 16, 2015.

Ortiz, Yolanda, Assistant Superintendent, Business Services. Santa Maria Joint Union High School District. January 21, 2015.

Pepin, Dwight, Fire Captain. Santa Barbara County Fire Department (SBCFD). Personal Communication. October 28, 2014.

Vuillemainroy, Lieutenant Ray. Santa Barbara County Sheriff's Office (SBSO). Personal Communication. November 17, 2014.

8.2 EIR PREPARERS

The County of Santa Barbara prepared this EIR with the assistance of Rincon Consultants, Inc. John Zorovich**, Dana Eady, and Shannon Reese** served as the project manager**s** for the County. Rincon Consultants' staff involved in the preparation of the EIR are listed below.

Richard Daulton, Principal in Charge
Chris Bersbach, **Senior Environmental** Planner, Project Manager
Mattie Magers, Planner, Assistant Project Manager
Colby Boggs, Senior Ecologist
Gary Kaiser, Senior Planner
Jonathan Berlin, Associate Planner
Lindsey Sarquilla, Associate Environmental Planner
Craig Huff, Graphics Program Manager
Kevin Howen, GIS Analyst
Stephanie Goff, Production

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9.0 RESPONSES TO COMMENTS ON THE DRAFT SEIR

9.1 INTRODUCTION

In accordance with Section 15088 of the State California Environmental Quality Act (CEQA) Guidelines, the County of Santa Barbara, as the lead agency, has reviewed the comments received on the Draft Subsequent Environmental Impact Report (Draft SEIR) for the Orcutt Key Site 3 Project and has prepared written responses to the written comments and verbal testimony received. The Draft SEIR was circulated for a 45-day public review period that began January 26, 2015 and concluded on March 11, 2015. A public hearing to receive public comment on the Draft SEIR was conducted on February 10, 2015.

Each verbal and written comment that the County received is included in this Comments and Responses document. Responses to these comments have been prepared to address the environmental concerns raised by the commenters and to indicate where and how the Draft SEIR addresses pertinent environmental issues. The comment letters included herein were submitted by public agencies and private citizens or groups.

The Draft SEIR and this Responses to Comments report collectively comprise the Final SEIR for the project. Any changes made to the text of the Draft SEIR correcting information, data or intent, other than minor typographical corrections or minor working changes, are noted in the Final SEIR as changes from the Draft SEIR. In addition to the changes to the text of the Draft SEIR shown in this Responses to Comments report, the Final SEIR also includes administrative revisions to the Plan Requirements, Timing, and Monitoring for several Mitigation Measures which are intended to enhance implementation of these requirements. Consistent with the requirements of the State CEQA Guidelines, there are no changes in the Final SEIR that comprise significant new information or analysis since public review of the Draft SEIR.

The focus of the responses to comments is the disposition of environmental issues that are raised in the comments, as specified by Section 15088(c) of the State CEQA Guidelines. Detailed responses are not provided to comments on the merits of the proposed project. However, when a comment is not directed to an environmental issue, the response indicates that the comment has been noted and forwarded to the appropriate decision-makers for review and consideration.

Where a comment results in a change to the Draft SEIR text, a notation is made in the response indicating that the text is revised. Changes in text are signified by strikeouts (~~strikeouts~~) where text is removed and by bold font (**bold font**) where text is added. If text is added where the font is already bold, additions are noted using underlined bold font (**underlined bold font**).

9.2 RESPONSES TO PUBLIC TESTIMONY

On February 10, 2015, County Staff conducted a public hearing at the Board of Supervisors Hearing Room, located at 511 East Lakeside Parkway in Santa Maria regarding the Draft SEIR for the Orcutt Key Site 3 Project. The hearing provided an opportunity for members of the public to receive a summary presentation of the project as well as the major findings of the Draft SEIR. The primary purpose of the public comment portion of the hearing was to receive

input from interested parties regarding the adequacy of the Draft SEIR. There were six speakers at the hearing. Table 9-1 summarizes verbal comments made by the six speakers in the order received.

Table 9-1
February 10, 2015, Public Hearing and Verbal Comment Summary

Num.	Speaker/Affiliation	Comments
1	Lillian Smith, Private Citizen	a. DSEIR does not state how the public will be kept on the trails. Experience on other Orcutt projects indicate that trail users make their own trails which create impacts. (Photo of trails on Rice Ranch project submitted with oral comments included in Appendix K.)
2	Robin Leishman, Private Citizen	a. Read prepared comments from written letter and noted that the comments would be provided in writing. Refer to Letter 14, below.
3	Jane Phelan, Private Citizen	a. Concerned with the limited access into and out of the site. b. Concerned that the Draft SEIR does not address impacts to or mitigation for Sunny Hills Mobile Home Park residents, which is primarily a retirement community. c. Orcutt Community Plan (OCP) was adopted based on what the community wanted.
4	Doug Coleman, Private Citizen	a. The No Project Alternative should be the Environmentally Superior Alternative.
5	David Hassett, Private Citizen	a. Concerned with existing drainage and the effects new development will have on erosion in northwest corner of the site. b. Stated concern about public safety due to increased drainage in the northwest corner of the site. c. Concerned about exposure of SHMHP residents to additional traffic noise and air quality pollutants generated by the proposed project.
6	Katherine Sheehy, Private Citizen	a. Expressed concerns with the visual effects of development in Multifamily Residential-Orcutt (MR-O) zone. b. Questioned how traffic levels of the OCP Project with 212 residential units compared to the proposed project. c. Concerned that project could have a detrimental effect on the sixteen species of bird that are identified as species of special concern in the area. d. Concerned with how development could proceed with erosion occurring in the northwest corner of the site. e. Concerned that additional development could increase fire risk in the area.

Under CEQA, an Environmental Impact Report is required to respond to comments received on the Draft SEIR (*CEQA Guidelines* Section 15088). Responses to verbal comments are provided herein, in addition to the responses to written comments, which are contained in Section 9.3 of the Draft SEIR.

1. <u>Lillian Smith, Private Citizen</u>

a. The commenter noted that the Draft SEIR does not state how the public will be kept on the trails. The commenter refers to their experience with other Orcutt projects that indicates that trail users make their own trails which create impacts. Mitigation Measure BIO-3(a) requires that the applicant develop the trail system including fencing and

signage and any necessary trail structures to the standards and specifications of the OCP (Orcutt Multiple Use Trails Plan and Trail Siting and Design Guidelines) and the County Community Services Department, Parks Division. The trail system would be developed to include the necessary signage, fencing, and trail structures to discourage trail users from making their own trail.

2. <u>Robin Leishman, Private Citizen</u>

a. The commenter read prepared comments from their written comment letter and noted that they would also submit their comments in writing. Refer to Letter 14, below.

3. <u>Jane Phelan, Private Citizen</u>

a. The commenter expressed concern with the limited access into and out of the site. As described in Section 2.0, *Project Description*, primary access to the project site would be via a new private road off Clark Avenue and through Key Site 2 to the north. Secondary access would be via Stillwell Road and Chancellor Street (a private road). Access to the project site was described in the OCP (DevStd KS3-7) and analyzed in the OCP EIR. The proposed project includes a request for OCP amendments described in Table 2-4 on Page 2-8 of the Draft SEIR to clarify the location of the secondary access (Chancellor Street). The commenter's concerns will be forwarded to County decision makers for their consideration.

b. The commenter stated that the Draft SEIR does not address impacts to Sunny Hills Mobile Home Park (SHMHP) residents, which is primarily a retirement community. The commenter also stated that none of the mitigation measures help the SHMHP residents. The Draft SEIR includes analysis of project impacts to local air quality and sensitive receptors, including the SHMHP residents, in Section 4.2, *Air Quality*, and Section 4.9, *Noise.* The impact of project construction on local air quality is described in Section 4.2, *Air Quality*. The Draft SEIR found that implementation of standard dust and emissions control measures required by the Santa Barbara County Air Pollution Control District (APCD) would ensure that construction-related impacts to local air quality would be less than significant. In addition, the impacts of the project on sensitive receptors at the SHMHP, as well as single-family homes immediately to the west of the site, are described in Section 4.9, *Noise*. Mitigation Measures N-1(a) through N-1(c), which include construction timing limitations, notification of temporary construction noise, and use of noise attenuation techniques, would reduce impacts of construction noise on nearby sensitive receptors, such as SHMHP residents, to a less than significant level. The project's traffic generated noise impacts on sensitive receptors on four roadway segments, including Clark Avenue between Stillwell Road and U.S. 101 (north of SHMHP), Stillwell Road south of Clark Avenue (west of SHMHP), and Sunny Hills Road south of Clark Avenue (access road to SHMHP), were analyzed in Impact N-3 and found to be adverse, but less than significant without mitigation. Lastly, the project's vibration impacts on nearby sensitive receptors, such as SHMHP residents, are described in Section 5.0, *Effects Found Not to be Significant*. As the proposed project does not include the use of vibratory pile drivers or other equipment that would be expected to result in ground-borne vibration that could impact sensitive receptors near the project site, there would not be any potential for excessive exposure of persons to or generation

of significant ground-borne vibration levels.

c. The commenter stated that the OCP was adopted based on what the community wanted. Section 4.8, *Land Use*, and Appendix F, Policy Consistency Analysis, of the Draft SEIR discuss the consistency of the proposed project with applicable policies and development standards in the OCP and other County goals, policies, actions, and programs. Although the proposed project would rezone a portion of the project site from Residential Ranchette to Planned Residential Development, the Draft SEIR found that it would be consistent with the applicable policies and development standards in the OCP. Nonetheless, the commenter's concerns will be forwarded to County decision makers for their consideration.

4. <u>Doug Coleman, Private Citizen</u>

a. The commenter stated that the No Project Alternative should be considered the Environmentally Superior Alternative. Alternatives to the project are discussed in Section 7.0, *Alternatives*. The environmentally superior alternative is discussed on pages 7-18 and 7-19. The Draft SEIR states that the Revised No Project Alternative (Alternative 5) is environmentally superior overall. CEQA Guidelines Section 15126.6 (e)(2) states that if the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. Among the remaining alternatives, the Reduced Project Alternative (Alternative 6) would result in the fewest significant and unavoidable impacts, as compared to both the proposed project and the original alternatives analyzed in the OCP EIR; therefore, the Draft EIR determined that Alternative 6 is environmentally superior among the remaining alternatives.

5. <u>David Hassett, Private Citizen</u>

a. The commenter expressed concern with existing drainage and the effects new development will have on erosion in the northwest corner of the site. Refer to Responses 8.3 in Section 9.3 below for a discussion of the project's impacts on drainage and Response 43.1 for a discussion of the project's impacts on erosion in the northwest corner of the site.

b. The commenter also expressed concern about public safety due to increased drainage in the northwest corner of the site. Refer to Response 43.1 for a discussion of the project's impacts on erosion in the northwest corner of the project site. With respect to the project's impacts related to police protection services, please refer to Response 3.3 in Section 9.3 below.

c. The commenter expressed concern that additional traffic noise and air quality pollutants generated by the proposed project would impact SHMHP residents. Please see response to verbal comment 3.b, above.

6. <u>Katherine Sheehy, Private Citizen</u>

a. The commenter expressed concern about the visual effects of development in the Multifamily Residential-Orcutt (MR-O) zone. The previously approved MR-O development is discussed in Section 2.0, *Project Description*, of the Draft SEIR. As discussed therein, "In February 2009, the County Board of Supervisors approved the Housing Element Focused Rezone Program and amended the OCP, the Land Use Development Code, and Santa Barbara County Zoning Map to change an approximately 8-acre portion of Key Site 3 to Residential-20 land use designation with Multifamily Residential-Orcutt (MR-O) zoning for the future development of 160 high-density multi-family townhome units as part of the Focused Rezone Program. The visual impacts of the MR-O zone were previously analyzed in the 2003-2008 Housing Element Focused Rezone Program EIR, which was certified by the Board of Supervisors in 2008. Required mitigation included architectural guidelines, architectural compatibility and elevations, and entrance monuments, lighting requirements, low glare materials, and street light limitations. The visual and aesthetics impacts of the Housing Element Focused Rezone Program were determined to be significant and unavoidable after the implementation of mitigation measures. in the Statement of Overriding Considerations for the Housing Element Focused Rezone Program, the Board of Supervisors found that the adverse visual and aesthetic impacts were mitigated to the maximum extent feasible, and to the extent these impacts remain significant and unavoidable after implementation of mitigation measures, that such impacts were acceptable when weighed against the overriding social, economic and other considerations.

   The 160 units in the MR-O portion of the property are not part of the proposed project evaluated in this SEIR; however, the subdivision of the MR-O area into two lots is part of the current proposed project, for financial and phasing purposes." The visual effects of development in the MR-O zone of the project site are considered in the cumulative impacts analysis of the proposed project in Section 4.1, *Aesthetics*, of the Draft SEIR. The Draft SEIR found that the higher-density, three-story multi-family development on the MR-O portion of the site would add to view impairment impacts of the proposed project. Potential impacts to the project site under the current development proposal are greater than those analyzed in the OCP EIR, even after the application of all feasible mitigation, and cumulative impacts related to change in visual character would remain significant and unavoidable. The visual effects of development in the MR-O zone of the project site alone, however, are not within the scope of the environmental review for the proposed project under CEQA. The commenter's concerns will be forwarded to County decision makers for their consideration.

b. The commenter asked how traffic levels of the OCP Project with 212 residential units compared to the proposed project. The OCP Project with 212 residential units is evaluated as Alternative 1, Key Site 3 Project Evaluated in OCP EIR, in Section 7.0, *Alternatives,* of the Draft SEIR. As discussed on Page 7-2, "because this alternative has fewer units than the project currently being proposed (212 vs 285, including the 160 unit MR-O area), it would proportionately reduce regional impacts in the areas of groundwater demand, traffic/circulation, air quality and greenhouse gas emissions, schools, fire protection, solid waste, and wastewater treatment." Therefore, new vehicle trips associated with the OCP Project would be approximately 25% lower than the proposed project; however, the lower traffic associated with the OCP Project alternative

would still be required to make roadway improvements (Mitigation Measure T-1) and pay traffic impact fees (Mitigation Measure T-2) to reduce impacts on area roadways and intersections.

c. The commenter expressed concern that the project could have a detrimental effect on the sixteen species of birds that are identified as species of special concern. Special status animal species occurring in the vicinity of the project site are listed in Table 4.3-4 of Section 4.3, *Biological Resources*. As discussed therein, thirty special status animal species are known to occur within the vicinity of the project site. Six of these species were determined to have the potential to occur on-site; two of these species were observed during site visits: loggerhead shrike (*Lanius ludovicianus*) and Monarch butterfly (*Danaus plexippus*). Potential impacts to special status animal species are discussed in Impact BIO-6. The Draft SEIR requires implementation of Mitigation Measures BIO-6(a) through BIO-6(f) reduce impacts to special status animal species to less than significant. Mitigation Measure BIO 6-(c) specifically requires that nesting bird surveys be conducted during the nesting season (generally February 1 to September 15) by a qualified biologist no more than 14 days prior to vegetation removal and that construction work be conducted outside a buffer zone if active nests are found. Mitigation Measure BIO-6(f) requires pre-construction surveys be conducted for burrowing owls in accordance with California Department of Fish and Wildlife (CDFW) adopted survey protocols. If burrowing owls are detected on the project site, buffers must be established and no ground disturbance activities shall occur within this buffer until the qualified biologist has determined that the burrow is no longer occupied. Therefore, no additional analysis is required.

d. The commenter expressed concern with how development could proceed with erosion occurring in the northwest corner of the site. Refer to Response 43.1 in Section 9.3 below for a discussion of the project's impacts on erosion in this portion of the project site.

e. The commenter also expressed concern that additional development could increase fire risk in the area. Refer to Response 6.4 in Section 9.3 below for a discussion of the project's impacts related to fire protection services.

9.3 WRITTEN COMMENTS AND RESPONSES ON THE DRAFT SEIR

Each written comment regarding the Draft SEIR that the County of Santa Barbara received is included in this section (refer to Table 9-2). Responses to these comments have been prepared to address the environmental concerns raised by the commenters and to indicate where and how the Draft SEIR addresses pertinent environmental issues. The comment letters included herein were submitted by public agencies, local interest groups, private companies, and private citizens. Each comment letter has been numbered sequentially and each separate issue raised by the commenter, if more than one, has also been assigned a number. Each comment letter is reproduced in its entirety with the issues of concern lettered in the right margin. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 2.1, for example, indicates that the response is for the first comment raised in Letter 2).

Table 9-2 Written Comments on the Draft SEIR

Commenters on the Draft SEIR			
Letter	**Commenter**	**Affiliation**	**Date Received**
Federal, State, and Local Public Agencies			
1	Carly Wilburton, Air Quality Specialist	Santa Barbara County Air Pollution Control District	March 5, 2015
2	Martin Johnson, Deputy Fire Marshal	County of Santa Barbara Fire Department	March 11, 2015
Local Interest Groups, Applicant Representatives, and Private Citizens			
3	Kirk W. Leishman	Private Citizen	February 10, 2015
4	Diane Owens	Private Citizen	February 19, 2015
5	Lillian Smith	Private Citizen	February 23, 2015
6	Colleen Ray	Private Citizen	February 27, 2015
7	Faye and Wayne Amack	Private Citizens	March 4, 2015
8	Muriel E. Gade	Private Citizen	March 4, 2015
9	Suzan Williams	Private Citizen	March 4, 2015
10	Lloyd Campbell	Private Citizen	March 5, 2015
11	Brandon Burginger	Private Citizen	March 6, 2015
12	Richard Cole	Private Citizen	March 6, 2015
13	Steve Mussell	Private Citizen	March 6, 2015
14	Kirk and Robin Leishman	Private Citizens	March 7, 2015
15	Chuck and Lisa O'Neil	Private Citizens	March 7, 2015
16	Matthew Palm	Private Citizen	March 7, 2015
17	Dan Reno	Private Citizen	March 7, 2015
18	Mary Rudd	Private Citizen	March 7, 2015
19	Paul Rudd	Private Citizen	March 7, 2015
20	Tom Shahaden	Private Citizen	March 7, 2015
21	John Fullerton	Private Citizen	March 8, 2015
22	Harry Afshar	Private Citizen	March 9, 2015
23	Chris Fylling	Private Citizen	March 9, 2015
24	Neil Gowing	Private Citizen	March 9, 2015
25	Jeff Hopson	Private Citizen	March 9, 2015
26	Darlene Iversen	Private Citizen	March 9, 2015
27	Steve Mussell	Private Citizen	March 9, 2015
28	Mr. and Mrs. Keith Natzke	Private Citizens	March 9, 2015
29	Lisa O'Neil	Private Citizen	March 9, 2015
30	Ortega Family	Private Citizens	March 9, 2015
31	Richard and Mary Ortiz	Private Citizens	March 9, 2015
32	Roger Pitman	Private Citizen	March 9, 2015
33	Nancy Roach	Private Citizen	March 9, 2015
34	Raymond Seronello	Private Citizen	March 9, 2015
35	Gary and DorothyTaylor	Private Citizens	March 9, 2015
36	Casey and Kim Treur	Private Citizens	March 9, 2015
37	Nancy Zepeda	Private Citizen	March 9, 2015
38	Marvin Armes	Private Citizen	March 10, 2015
39	W. Hugh and Martha Bedford	Private Citizens	March 10, 2015
40	Stephen C. Coonis	Private Citizen	March 10, 2015
41	Holly Costello	Private Citizen	March 10, 2015
42	David J. Dickinson, President	Mesa Verde Homeowners Association	March 10, 2015
43	Ron Faas	Private Citizen	March 10, 2015
44	Danny and Cynthia Gonsalves	Private Citizens	March 10, 2015
45	Richard Hart	Private Citizen	March 10, 2015
46	Sarah Jacobs	Private Citizen	March 10, 2015
47	Joanie James	Private Citizen	March 10, 2015
48	Jennifer Kantorowski	Private Citizen	March 10, 2015
49	Jane Phelan, President	Sunny Hills Mobile Home Community, Homeowners Association	March 10, 2015
50	Paul Rudd	Private Citizen	March 10, 2015
51	Terry and Mary Sharpe	Private Citizens	March 10, 2015
52	David Stornetta	Private Citizen	March 10, 2015

Table 9-2 Written Comments on the Draft SEIR

Commenters on the Draft SEIR			
Letter	**Commenter**	**Affiliation**	**Date Received**
53	Michelle Sullivan	Private Citizen	March 10, 2015
54	Tracey and Michael Winikoff	Private Citizens	March 10, 2015
55	Thomas and Sharon Blake	Private Citizens	March 11, 2015
56	Jeffery Calderon	Private Citizen	March 11, 2015
57	Hilda Chaloupka	Private Citizen	March 11, 2015
58	Jim and Lynda Grant	Private Citizens	March 11, 2015
59	Bruce and Laura Hanavan	Private Citizens	March 11, 2015
60	Mary Herr	Private Citizen	March 11, 2015
61	Tammy Hinden	Private Citizen	March 11, 2015
62	Brandon and Adriana Jebens	Private Citizens	March 11, 2015
63	Allena Jenkins	Private Citizen	March 11, 2015
64	Ross and Kamron Lorencz	Private Citizens	March 11, 2015
65	Jan Lutz	Private Citizen	March 11, 2015
66	Tracy Parks Moreno	Private Citizen	March 11, 2015
67	David Ortiz	Private Citizen	March 11, 2015
68	Gerald Penny	Private Citizen	March 11, 2015
69	Dr. Beau Pierce	Private Citizen	March 11, 2015
70	Shawna Salado	Private Citizen	March 11, 2015
71	SB Clark, LLC	SB Clark, LLC	March 11, 2015
72	Patrick and Katherine Sheehy	Private Citizens	March 11, 2015
73	Clinton and Shirley Thomas	Private Citizens	March 11, 2015
74	Jennifer and Scott Williams	Private Citizens	March 11, 2015
75	Jacob and Vicki Woodfin	Private Citizens	March 11, 2015
76	Ben Ahrens	Private Citizen	No Date
77	David Hassett, Manager	Sunny Hills Mobile Home Community	No Date

Letter 1

Our Vision Clean Air

Santa Barbara County
Air Pollution Control District

March 2, 2015

John Zorovich
Santa Barbara County
Planning and Development
624 W. Foster Road
Santa Maria, CA 93455

Re: APCD Comments on the Draft Supplemental Environmental Impact Report for the Key Site 3 Project, 14EIR-00000-00007, 13DVP-00000-00010, 13GPA-00000-00005, 13RZN-00000-00001, 13TRM-00000-00001

Dear Mr. Zorovich:

The Santa Barbara County Air Pollution Control District (APCD) has reviewed the Draft Supplemental Environmental Impact Report (SEIR) for the Key Site 3 project, which consists of the development of 125 single family units in a variety of product types (small lot, detached cluster homes and large single family residences). Approximately 76% of the site is proposed as open space. Grading associated with the proposed project includes 168,450 cubic yards of cut and 122,500 cubic yards of fill, for a total of 290,950 cubic yards (to be balanced onsite).

The subject property, a 138.6-acre parcel zoned Residential Ranchette (RR-10)/ Multi-Family Residential, Open Space (MR-O) and identified in the Assessor Parcel Map Book as APN 129-151-026, is located at the corner of Highway 101 and Clark Avenue in the community of Orcutt. The site is within the Orcutt Community Plan and is referred to as Key Site 3. This application also proposes to create a total of 138 lots on the site and rezone the Mesa area to Planned Residential Development (PRD-125), and MR-O.

Air Pollution Control District staff has no comment on the Draft SEIR.

If you or the project applicant have any questions, please feel free to contact me at (805) 961-8890 or via email at cvw@sbcapcd.org.

Sincerely,

Carly Wilburton

Carly Wilburton,
Air Quality Specialist
Technology and Environmental Assessment Division

RECEIVED
MAR 05 2015
S.B. COUNTY (NORTH)
PLANNING & DEVELOPMENT

cc: John Franklin
Project File
TEA Chron File

Letter 1

COMMENTER: Carly Wilburton, Air Quality Specialist, Santa Barbara County Air Pollution Control District

DATE: March 5, 2015

RESPONSE:

The commenter states that the Santa Barbara County APCD has no comments on the Draft SEIR.

Letter 2

Memorandum

DATE: March 11, 2015

TO: John Zorovich
Planning and Development
Santa Maria

FROM: Martin Johnson, Deputy Fire Marshal
Fire Department

SUBJECT: APN: 129-151-026
Permit: 13GPA-00005; 13RZN-00001; 13TRM-00001; TM 14,801 and 13DVP-00010
Site: Key Site 3, Orcutt
Project: Subdivision Project, Draft Supplemental Impact Report
14-EIR-07, SCH #2014061015

The fire department has reviewed the Orcutt Key Site 3 Draft Supplemental EIR and recommends the following:

Page 4.5-1 The 2nd paragraph, third sentence reads: "The County's fire hazard map was developed by the County Fire Marshal and serves to determine increased insurance rates and building requirements."

Should read: "The County's fire hazard map is based on The Fire Hazard Severity Zone map developed by CalFire and adopted by the County of Santa Barbara. The High Fire Hazard Area is an area of the County of Santa Barbara designated by the Building Official as having a high propensity for wild fire due to the existence of excessive wild brush fuel, lack of adequate water for fire suppression, or lack of adequate access to firefighting equipment and is shown on a map entitled 'High Fire Hazard Area Map' on file in the County of Santa Barbara Building and Safety Division of the Planning and Development Department. This area is to be considered a Wildland-Urban Interface Area. The High Fire Hazard Area Map serves to determine: 2.1

- Building construction standards on building permit
- Natural hazard disclosure at time of sale
- Defensible space clearance around buildings
- Property development standards such as road widths, water supply, address signs
- Considered in City and County general plans"

See attachment, SB County Code of Ordinances, Chapter 10-Building Regulations as reference.

Regarding the impacts to natural resource protection, I found the mitigation measures recommended in the EIR to be adequate. 2.2

As always, if you have any questions or require further information, please call me at 805-681-5525 or 805-681-5523.

Attachment

RH:mkb

c R. Hazard, Environmental Coordinator, Fire Prevention Division
Chris Browder, Deputy Chief, Environmental Protection, PO Box 944546, Sacramento 94244-2460

ATTACHMENT

SB County Code of Ordinances

Chapter 10- Building Regulations

C.

Section 702A of the California Building Code (Definitions) is hereby amended to modify the definition of Local Agency Very High Fire Hazard Severity Zone to read as follows:

Local Agency Very High Fire Hazard Severity Zone is an area shown as "Santa Barbara County Very High Fire Hazard Severity Zones Map in Local Responsibility Area", on file in the office of the State Fire Marshal, herein designated and based on the recommendation of the CDF Director pursuant to Government Code Section 51178 and where the County of Santa Barbara is responsible for fire protection.

D.

Section 702A of the California Building Code (Definitions) is hereby amended by adding the following definition:

High Fire Hazard Area is an area of the County of Santa Barbara designated by the Building Official as having a high propensity for wild fire due to the existence of excessive wild brush fuel, lack of adequate water for fire suppression, or lack of adequate access to firefighting equipment and is shown on a map entitled "High Fire Hazard Area Map" on file in the County of Santa Barbara Building and Safety Division of the Planning and Development Department. This area is to be considered a Wildland-Urban Interface Area.

F.

The first paragraph of section R327.1.3. of the 2013 California Residential Code is hereby replaced as follows, rest of this section remains intact:

R327.1.3.1 Application date and where required. New buildings, additions, alterations, and repairs for which an application for a building permit is submitted on or after July 1, 2008 located in any Fire Hazard Severity Zone or Wildland Urban Interface Area shall comply with all sections of this chapter, including all of the following areas:

G.

Section R327.2 of the 2013 California Residential Code (Definitions) is hereby amended by adding the following definitions:

High Fire Hazard Area is an area of the County of Santa Barbara designated by the Building Official as having a high propensity for wild fire due to the existence of excessive wild brush fuel, lack of adequate water for fire suppression, or lack of adequate access to firefighting equipment and is shown on a map entitled "High Fire Hazard Area Map" on file in the County of Santa Barbara Building and Safety Division of the Planning and Development Department. This area is to be considered a Wildland-Urban Interface Area.

H.

Section R327.2 of the 2013 California Residential Code (Definitions) is hereby amended by modifying the following definition:

Local Agency Very High Fire Hazard Severity Zone is an area shown as "Santa Barbara County Very High Fire Hazard Severity Zones Map in Local Responsibility Area", on file in the office of the State Fire Marshal, herein designated and based on the recommendation of the CDF Director pursuant to Government Code Section 51178 and where the County of Santa Barbara is responsible for fire protection.

From CalFire:

Hazard map uses

- Building construction standards on building permit
- Natural hazard disclosure at time of sale
- Defensible space clearance around buildings
- Property development standards such as road widths, water supply, address signs
- Considered in City and County general plans

Hazard Severity Zones are not intended for

- Tactical fire fighting
- Seasonal fire severity
- Insurance
- Setting project priorities

Letter 2

COMMENTER: Martin Johnson, Deputy Fire Marshal, County of Santa Barbara Fire Department

DATE: February 10, 2015

RESPONSE:

Response 2.1

The commenter suggests that Section 4.5, *Fire Protection*, be revised to more clearly describe the High Fire Hazard Area. The third paragraph on page 4.5-1 of the Draft SEIR has been revised as follows:

> The County's fire hazard map ~~was developed by the County Fire Marshal and serves to determine increased insurance rates and building requirements.~~ **is based on the Fire Hazard Severity Zone map developed by CalFire and adopted by the County of Santa Barbara. The High Fire Hazard Area is an area of the County of Santa Barbara designated by the Building Official as having a high propensity for wild fire due to the existence of excessive wild brush fuel, lack of adequate water for fire suppression, or lack of adequate access to firefighting equipment and is shown on a map entitled "High Fire Hazard Area Map" on file in the County of Santa Barbara Building and Safety Division of the Planning and Development Department. This area is to be considered a Wildland-Urban Interface Area. The High Fire Hazard Area Map is used for:**
>
> - **Building construction standards on building permit**
> - **Natural hazard disclosure at time of sale**
> - **Defensible space clearance around buildings**
> - **Property development standards such as road widths, water supply, address signs**
> - **Consideration in City and County General Plans**

Response 2.2

The commenter states that they found the Draft SEIR's mitigation measures related to natural resource impacts adequate. The comment will be forwarded to County decision makers for their consideration.

Letter 3

Kirk W Leishman
5559 Cantata Lane
(805) 680-7880

February 7, 2015

County of Santa Barbara
Planning and Development Department
Attn: Mr. John Zorovich, Senior Planner
624 West Foster Road
Santa Maria CA 93455

RECEIVED
FEB 10 2015
S.B. COUNTY (NORTH)
PLANNING & DEVELOPMENT

I have attempted to review the Supplemental EIR report and have a list of issues I would like to bring forward to the planning department and those present at this meeting.

1. In Section 4.1Aethetics/Visual Resources
   Policy VIS-O-1, POLICYVIS-O-3 requires protection of the semi-rural character of Orcutt, including the significant scenic and natural resources in Orcutt. As well as
   - The current proposal to build from 73 to 125 cluster and Single Family homes in addition to 160 apartment units housed in four story apartment buildings on a Gateway Parcel is in direct conflict with protecting the semi-rural character of Orcutt. In my view, Key Site 3 is an extraordinary Gateway Parcel seeing as it is currently zoned for RR-10 semi-rural residential ranchette development which perfectly fits the objective of the Orcutt Community Plan to protect the semi-rural character of Orcutt. Key Site 3 is also the first look at Orcutt. So, as people approach the area from North to South and leave the area heading South, Key Site 3 is what they will see. The beautiful Solomon hills to the West, and agricultural and Ranchette land/parcels to the East is currently the scenic views as you enter Orcutt. 3.1

   Mitigation measures outlined in the various sections of the EIR do not adequately address the significant and devastating affect of re-zoning a very prominent Gateway parcel from RR10 residential ranchette to a high density planned development in addition to the MR-O already approved for Key Site 3.

2. Section 4.8.3 b. Impact Analysis
   - Project Impacts
     i. Page 4.8-5 Impact LU-1 "The proposed project would result in a change in character of the site and the scale of development on the site. This would present potential quality of life compatibility issues." 3.2
   - Yes, it would dramatically and forever change the quality of life for all the adjacent property owners, including the residents of the Sunny Hills Mobile Home park. As noted on page 4.8-5 "The resultant density would exceed that of the existing surrounding residential development particularly in comparison to the larger lot residences along Oakbrook Lane and Chancellor Street.... the proposed density

and proximity to lower density areas could present potential neighborhood quality of life compatibilities."

- We moved to this part of Orcutt to be in the semi-rural ranchette environment. Low noise, low light pollution, closeness to natural surroundings and animals as well as the privacy and protection afforded us by the use of private roads and a security gate on Chancellor St. We recognize that these are among the many benefits of country living, while still being close to schools, office and shopping. 3.2, cont'd

3. Section 4.11 Transportation and Circulation
   - The proposal to add approximately 600 additional daily trips onto Chancellor St. (see Figure 4.11.5) and then onto lower Stillwell Road is significant. My understanding is that the SB County fire department has required that the secondary access to Chancellor St be open 24/7 as opposed to a closed crash gate only accessible in emergencies.
     i. I have looked over the easement granted in 1984 to the previous owners of Key Site 3 to access Stillwell Road via Chancellor St. At the time of the easement the zoning was for 10 ac. Ranchettes, just as it is currently zoned. I do not know what the average daily trips for the 12 – 15 homes sites if the site was built out as originally zoned but it would be a fraction of the 600 average daily trips contemplated by the proposed high density housing and MR-O. I am sure that the owners of the properties who gave up land in order for the future ranchette parcel owners could get access to Stillwell Road and thus connect to Clark Ave would have never given easement rights to allow 600 or more cars a day onto private roadways. 3.3
     ii. Chancellor St is a private road only recently (past 10-15yrs) paved at the personal expense of the property owners (approximately 20) in the valley area between Stillwell Rd and Hwy 101.
     iii. There is currently a security gate on Chancellor St at the entrance to the 10- 12 home sites to the South of Key Site 3.
     iv. I believe that my families' security and privacy will be degraded significantly if a major road connecting the proposed 285 households to our private, narrow, and very seldom traveled rural road-way becomes a reality as proposed by the developer Mr. Franklin.
     v. As more development of the housing tacts off of lower Stillwell Rd. continue the level of daily traffic has also increased significantly based on my observation. The road is a dangerous place for children, walkers, bikers and for that matter cars. The step hill and significant blind spot going up and down the hill is a problem now at current levels of traffic. I have nearly collided with cars entering from Sunny Hills and the other side streets on several occasions due to the lack of visibility on Stillwell Road. I 3.4

2

think it is unrealistic and dangerous to add more automobile traffic to lower Stillwell Rd as is required under the proposed plan. 3.4, cont'd

(This is as far as I have had time to do… will complete my analysis and this letter before the deadline of March 11th)

3

Letter 3

COMMENTER: Kirk W. Leishman, Private Citizen

DATE: February 10, 2015

RESPONSE:

Response 3.1

The commenter states that the proposed project is in direct conflict with Policy VIS-O-1 and Policy VIS-O-3, which require the protection of the semi-rural character of Orcutt. The commenter states that the project site is an "extraordinary Gateway Parcel" as its current zoning of Residential Ranchette (RR-10) fits the above mentioned policies of the OCP. The commenter further states that mitigation measures in the Draft SEIR do not address the adverse effects of the proposed project. The impact of the proposed project on the rural aesthetic character of the project site and its status as a "Gateway Parcel" is discussed under Impact AES-1 in Section 4.1, *Aesthetics*, of the Draft SEIR. The proposed project would be required to implement Mitigation Measures AES-1(a) and AES-1(b), which require the project to develop and implement Architectural and Landscape Guidelines that incorporate the guidance from the applicable OCP Development Standards and to control graffiti on sound walls. As discussed in the Draft SEIR, the mitigation measures would minimize the visual character related impacts of development on Key Site 3 to the extent feasible but would not be capable of fully reducing the substantial change in the conversion of this rural and undeveloped site to residential uses. Impacts would remain significant and unavoidable. In addition, consistency with applicable policies and development standards from the OCP are discussed in Appendix F, Policy Consistency. That analysis determined that, based on the design of the project (i.e., reduced height limits along the easterly and southerly portions of the project), OCP Gateway policies which require architectural review of buildings, landscaping and lighting and implementation of Mitigation Measures AES-1(a) and AES-1(b), discussed in Section 4.1, *Aesthetics/Visual Resources*, the proposed project would be consistent with this policies to preserve the semi-rural character of Orcutt. The commenter's concerns will be forwarded to County decision makers for their consideration.

Response 3.2

The commenter agrees with Impact LU-1 in the Draft SEIR, which finds that the proposed project would present potential quality of life compatibility issues. The commenter adds that this part of Orcutt currently has low noise, low light pollution, closeness to natural surroundings and animals, and privacy and protection from the use of private roads and a security gate on Chancellor Street. Impacts of the proposed project on ambient noise are discussed in Section 4.9, *Noise,* of the Draft SEIR. Construction noise impacts are discussed under Impact N-1 and would be reduced to less than significant levels with implementation of Mitigation Measures N-1(a) through N-1(c). The project's traffic related noise impacts are discussed under Impact N-3 and would be less than significant. Impacts of the proposed project on light pollution are discussed under Impact AES-3 in Section 4.1, *Aesthetic/Visual Resources*, and would be less than significant with application of existing OCP policies and development standards. Impacts to quality of life, including the privacy of adjacent residences, are discussed in Draft SEIR Section 4.8, *Land Use*. The proposed setbacks

and buffers adjacent to existing residences, in combination with the restriction to single-story homes on the project perimeter, would reduce impacts to privacy. The commenter's concerns regarding private roads and security gates constitute social impacts that are outside of the scope of CEQA and do not challenge or question the Draft SEIR's analysis of environmental impacts. However, the commenter's concerns will be forwarded to County decision makers for their consideration.

Response 3.3

The commenter states the opinion that the addition of approximately 600 daily trips on Chancellor Street and then lower Stillwell Road would be a significant impact. The Draft SEIR includes analysis of project impacts to roadway levels of service (LOS) in Section 4.11, *Transportation and Circulation.* Tables 4.11-7 under Impact T-1 and Table 4.11-11 under Impact T-2 of the Draft SEIR show LOS of area roadways that would be expected to result from implementation of the proposed project under existing and cumulative traffic conditions. Based on the significance thresholds in the *Santa Barbara County Environmental Thresholds and Guidelines Manual*, the proposed project would not generate any significant impacts to roadway segments under existing and cumulative traffic conditions. However, the proposed project would generate traffic that would degrade the LOS at the Clark Avenue/U.S. 101 southbound ramp intersection under P.M. peak hour conditions. The proposed project would be required to implement Mitigation Measure T-1, which includes roadway improvements, to reduce impacts to a less than significant level.

The commenter states the understanding that the County Fire Department has required secondary access to Chancellor Street be open all the time. The County Fire Department has indicated that the gate can remain in place provided that it opens for anyone leaving the site via Chancellor Street. The commenter states an opinion that a major road connecting the proposed project to Chancellor Street would degrade security and privacy. Refer to Response 3.2 for a discussion of the project's impacts on privacy. The County of Santa Barbara conducted an initial analysis of the proposed development's impacts through the EIR Scoping Document and NOP process. The increase in population resulting from the development of Key Site 3 under this project would cause the police officer to population ratio to be further exceeded, increasing demand on existing resources. According to Santa Barbara County Sheriff's Department (SBCSD), as housing densities increase, demand for police protection service also increases. However, SBCSD has indicated that SBCSD's Orcutt Station could accommodate the additional deputies necessary to provide adequate police protection services. Furthermore, additional outside support is provided through Mutual Aid Agreements with the Santa Maria and Guadalupe Police Departments and the California Highway Patrol. The increase in population associated with buildout of Key Site 3 would not require the construction of new or expanded SBCSD facilities; therefore, impacts to police protection services would be adverse, but less than significant. The project's impacts to police protection services are discussed under Section 5.0, Effects Found Not to be Significant. In addition, the commenter's concern regarding security constitutes a social impact that is outside the scope of CEQA and does not challenge or question the Draft SEIR's analysis of environmental impacts. Pursuant to *CEQA Guidelines* Section 15131, "Economic or social effects of a project shall not be treated as significant effects on the environment." Nevertheless, the commenter's concern will be forwarded to County decision-makers for their consideration.

Response 3.4

The commenter states that lower Stillwell Road is a dangerous place for children, pedestrians, bicyclists, and motorists at existing traffic levels, due to a steep hill and a blind spot when traveling up and down the hill. Adding traffic to this road segment, the commenter asserts, would be unrealistic and dangerous. The commenter claims that the proposed access road to Key Site 3 would increase the risk of accidents, due to the access points at Clark Avenue and at SHMHP being "extremely busy" with faster drivers coming in and out of Key Site 3. Refer to Draft SEIR Section 4.11, *Transportation and Circulation*, for a discussion of traffic hazards and traffic safety associated with the proposed project. As noted therein, Sunny Hills Road is planned to be realigned to the west and its intersection with Clark Avenue signalized. The realigned site access across Key Site 2 and the westward realignment of the Sunny Hills Road to the west and signalization of the Sunny Hills Road/Clark Avenue intersection would avoid the turning movement hazards noted in Impact KS3-CIRC-1 of the OCP EIR. Additionally, the OTIP identifies the need to construct a landscaped raised median and other improvements on Clark Avenue along the frontage of Key Sites 1 and 2 (from U.S. 101 to Stillwell Road). As planned, Clark Avenue would be widened to four 12-foot travel lanes (two in each direction), a 16-foot landscaped center median, 5-foot bike lanes, and an approximately 6- to 10-foot wide sidewalk on both sides of the street. All improvements would take place within existing County and State right-of-way and would be coordinated with the development of Key Sites 1 and 2. Section 2.5(b) of the Draft SEIR has been revised to include additional detail regarding access to the site off of Chancellor Street and Stillwell Road, as follows:

> **Roadway Access.** Primary access to the project site would be provided via a new private road off of Clark Avenue and through Key Site 2 to the north (see Figures 2-5 and 2-6). In addition, a second access road into the site would be linked to Chancellor Street (a private road), which connects to Stillwell Road. The proposed project has an easement over Chancellor Street for public access and public utility purposes. ~~All roads in the project would be private roads maintained by the project homeowner association (HOA).~~ **The existing intersection of Chancellor Street and Stillwell Road would be improved to include a 'knuckle' at the southwest corner of the intersection to increase vehicle sight lines. All grading at this location would be confined to the existing right-of-way. Beyond the curb knuckle, proposed improvements along Stillwell Road would transition back to the existing pavement.**
>
> The access to the site off of Chancellor Street would require a bridge over Orcutt Creek. **The access to the site off of Chancellor Street would require a clear-span bridge over Orcutt Creek. Chancellor would require minor widening along its northerly edge of approximately two feet. The intersection of Chancellor and Stillwell Road would require minor grading and widening in the right of way to accommodate proposed vehicles. The gate on Chancellor would remain.**
>
> The Mesa neighborhood would be served by a looped road. All roads would be two-lane roads with right of ways (ROWs) varying from 28 feet to 52 feet in width. Roads would have a 24-foot pavement width, with sidewalks or a trail on either or both sides of the road, in most cases. Shared driveways serving the Mesa area cluster homes would

be between 20 and 26 feet in width, and sidewalks would be provided in the courtyard areas for ~~74 of the 99~~ **the small lot detached** cluster homes.

Subsurface improvements would include the construction of a sanitary sewer to service connect to Key Site 3. All roads in the project would be private roads maintained by the project homeowner association (HOA).

Letter 4

Zorovich, John

From: Diane Owens [dhowens@hotmail.com]
Sent: Thursday, February 19, 2015 5:12 PM
To: Office of Supervisor Peter Adam
Cc: Zorovich, John

Gentelmen:
I am a resident and owner of a mobile home at Sunnyhills Mobile Home Community at 1650 E. Clark Ave., Santa Maria. I am responding to the proposal of homes to be built at Orcutt Key Site 3. I do not believe enough considerations have been made for the impact of that many homes in our area. The environment will lose its country atmosphere which is what drew us to buy in this location. 4.1 The number of cars will greatly impact the noise problem, the air problems, the lack of adequate roads in our area for the additional cars to be considered. 4.2 Please delay this project until more studies have been completed or move the low income homes to another area in the city more suited to what is needed. We love our peaceful country atmosphere here and yet we are close to service areas that we need. 4.3 Please take our needs into consideration as well.
Sincerely, Diane Owens, #307 Sunnyhills

Sent from Windows Mail

Letter 4

COMMENTER: Diane Owens, Private Citizen

DATE: February 19, 2015

RESPONSE:

Response 4.1

The commenter expresses concern that the proposed project would cause the area to lose its "country atmosphere." The impact of the proposed project on the rural aesthetic character of the project site is discussed under Impact AES-1 in Section 4.1, *Aesthetics*, of the Draft SEIR. The proposed project would be required to implement Mitigation Measures AES-1(a) and (b), which require the project to develop and implement Architectural and Landscape Guidelines that incorporate the guidance from the applicable OCP Development Standards and to control graffiti on sound walls. As discussed in the Draft SEIR, the mitigation measures would minimize the visual character related impacts of development on Key Site 3 to the extent feasible but would not be capable of fully reducing the substantial change in the conversion of this rural and undeveloped site to residential uses. Impacts would remain significant and unavoidable. The commenter's concerns will be forwarded to County decision makers for their consideration.

Response 4.2

The commenter states that the project would generate vehicle trips that would exacerbate noise, air quality, and traffic issues. The Draft SEIR includes analysis of project impacts to air quality in Section 4.2, *Air Quality.* As discussed under Impact AQ-1, the Draft SEIR found that implementation of standard dust and emissions control measures required by the Santa Barbara County APCD would ensure that construction-related impacts to air quality would be less than significant. Table 4.2-4, under Impact AQ-2, shows estimated unmitigated operational air quality emissions that would be expected to result from implementation of the proposed project. Based on Santa Barbara County APCD significance thresholds, the project's operational air quality emissions would not constitute a significant air quality impact.

The Draft SEIR includes analysis of project noise impacts in Section 4.9, *Noise.* As discussed under Impact N-1, the proposed project would be required to implement Mitigation Measures N-1(a) through N-1(c), which include construction timing limitations, notification of temporary construction noise, and use of noise attenuation techniques. Implementation of these mitigation measures would reduce the impacts of temporary construction noise on nearby sensitive receptors to a less than significant level. Table 4.9-4, under Impact N-3, of the Draft SEIR shows estimated noise increases along area roadways that would be expected to result from implementation of the proposed project under existing and cumulative traffic conditions. Based on the significance thresholds from the Federal Transit Administration, *Transit Noise and Vibration Impact Assessment* (May 2006), the anticipated increases in traffic noise along area roadways due to the project would not constitute a significant noise increase.

The Draft SEIR includes analysis of project impacts to roadway levels of service (LOS) in Section

4.11, *Transportation and Circulation*. Tables 4.11-7 under Impact T-1 and Table 4.11-11 under Impact T-2 of the Draft SEIR show LOS of area roadways that would be expected to result from implementation of the proposed project under existing and cumulative traffic conditions. Based on the significance thresholds in the *Santa Barbara County Environmental Thresholds and Guidelines Manual*, the proposed project would not generate any significant impacts to roadway segments under existing and cumulative traffic conditions. However, the proposed project would generate traffic that would degrade the LOS at the Clark Avenue/U.S. 101 southbound ramp intersection under P.M. peak hour conditions. The proposed project would be required to implement Mitigation Measure T-1, which includes roadway improvements, to reduce impacts to a less than significant level.

The County is preparing a discussion of vehicle miles traveled that may be generated by trips associated with the project's proposed new land uses as part of the staff report for this project.

Response 4.3

The commenter requests that the project be delayed until more studies are completed or that the low income homes be moved to another location. The County of Santa Barbara conducted an initial analysis of the proposed development's impacts through the EIR Scoping Document and NOP process. A brief explanation of issues determined to be less than significant is included in Section 5.0, *Effects Found Not to be Significant*. All other environmental issues areas were analyzed in the Draft SEIR and no additional analysis is required.

Additionally, part of this comment pertains to the 160 high-density multi-family townhome units in the MR-O portion of the property, which are not part of the proposed project evaluated in the Draft SEIR. The project is not proposing to build low income housing and would instead pay in-lieu fees. Refer to Response 11.2 for a discussion of the previously approved MR-O development as well as the proposed market rate housing and the payment of in-lieu fees for development on Key Site 3. The MR-O residential development was approved as part of the Housing Element Focused Rezone Program and an EIR for that program was prepared and certified in February of 2009 (SCH# 2008061139). Therefore, the commenter's suggestion that the MR-O residential development be moved to another location is not applicable to the proposed project analyzed in the Draft SEIR; however, the commenter's concerns will be included in the record for consideration by the County's decision-makers.

Letter 5

Santa Barbara County planning and Development
624 W. Foster Rd. Suite C
Santa Maria, CA 93455

RECEIVED
FEB 23 2015
S.B. COUNTY (NORTH)
PLANNING & DEVELOPMENT

Re. Key Site 3 DSEIR 14-EIR-07

Dear Mr. Zorovich:
Follows are response to the Draft Supplemental Environmental Import Report 14-EIR-07, for Key Site 3 of the Orcutt Community Plan.

Air Quality, Mitigation Measure AQ-3, Indoor Air Pollution,pp 4.2-12,13.

Why is AQ-3, Indoor Air Pollution text so markedly different from the AQ-3 Indoor Air Pollution text of the already Board of Supervisors approved 2003-2008 Housing Element Focused Rezone Program Final EIR (10,2008) ? Please see pp. 4.7, 15-16.
The "mitigation actions " text applies to the first row of residences" west of the freeway." Plan requirements include: " Prior to occupancy, particulate concentrations in the most affected residences and exterior usable spaces shall be verified as below the thresholds by SBCAPCD. Monitoring : P & D in consultation with SBCAPCD shall review the hazard avoidance measures..." 5.1

It is noted in the DSEIR 14-EIR-07 (1/15) that no mention is made of "exterior usable spaces" and that " monitoring" makes no mention of the involvement of SBCAPCD with P & D. Both agencies are noted in the approved 2003-2008 Housing Element Focused Rezone Program Final EIR.

The comparison is made because there is the omission of "exterior usable spaces" in the DSEIR 14-EIR-07 and because all dwellings are on Key Site 3 and some within the 500 ft. setback discouraged by SBCAPCD.

Having received the DSEIR 14-EIR-07 on Monday, 2/9/15 gives insufficient time to call for and receive the new 3/14 Air Quality Manual prepared by SBCAPCD. 5.2

DSEIR 14-EIR-07 (p.2-7):

" The Comprehensive Plan Amendment for the proposed project would change the Land Use Designation of Residential Ranchette with corresponding zoning of planned Residential Development (PRD-125)." 5.3
Govt. Code 65358 reads that amendments must be in the interest of the public. It was a huge number of residents meeting with Long Range Planning during the formulation of the Orcutt Community Plan at Pine Grove School deciding that 10-acre ranchette was their choice for Key Site 3.

The proposal to connect a road to the private section of Stillwell Road prompts the inquiry if the road construction is through previously designated open space.
The agreement dated 1984 for use of the private sector of Stillwell Road, which the County holds, appears not to be an agreement entered into since the proposal for PRD-125 (Residental) and raises the question as to whether the road construction is proposed through previously construction designated open space and if Govt. Code 66474(g) applies. 5.4

Open Space Use by the Public:If trespass was not an issue with which to deal we would not expect to see Govt. Code 66478.4 (4) where a local agency is directed to consider the likelihood of trespass on private land and "means of avoiding trespass."

It is continually distressing to someone who was asked to address biological resources for the Orcutt Community Plan (OCP) in 1997 to read with each development proposal of significant cumulative impacts to wildlife. 5.5

Restoration sites for sensitive plant species should be within the Orcutt Planning Area (OPA) as all OCP polices pertain to the OPA and are not directed to the greater northern Santa Barbara County area. 5.6

It is respectfully submitted that appendix C, Trail Siting Guidelines, is insufficient in guiding either Development of the Park Department. Development Standards are more specific to the roles of each and we would expect that the Board's Resolution of Acceptance of any offer to dedicate the open space would be for the same reasons of acceptance for other sites. Please see Resolution of Acceptance #4820 dated 12/13/2011. 5.7

Sincerely,
Lillian Smith 2/17/15 L. S.
Lillian Smith

Letter 5

COMMENTER: Lillian Smith, Private Citizen

DATE: February 23, 2015

RESPONSE:

Response 5.1

The commenter asks why the text of Mitigation Measure AQ-3 in the Draft SEIR is different from that of Mitigation Measure AQ-3 of the 2003-2008 Housing Element Focused Rezone Program Final EIR. The commenter notes that unlike in the Focused Rezone Program EIR, Mitigation Measure AQ-3 in the Draft SEIR does not refer to "exterior usable spaces" or to the involvement of Santa Barbara County APCD in monitoring. Mitigation Measure AQ-3 in the Focused Rezone Program EIR was intended to reduce indoor air pollution in the first row of residences west of U.S. 101, within the eight-acre portion of Key Site 3 that was rezoned to MR-O (multi-family uses). The Focused Rezone Program EIR states that Mitigation Measure AQ-3 "would be applied to the rezone site at Key Site 3, in accordance with the Health Risk Assessment prepared on September 27, 2008" (the September 2008 Health Risk Assessment is included in Appendix B of the Draft SEIR). The recommendations in the September 2008 Health Risk Assessment were adapted to specifically address the potential impact associated with the proposed development under the Focused Rezone Program EIR and have been similarly adapted to address the proposed project evaluated in the Draft SEIR. Mitigation Measure AQ-3 is intended to reduce exposure to toxic air contaminants in indoor spaces, where residents spend the majority of their time. In so doing, Mitigation Measure AQ-3 effectively reduces their overall exposure to a level that would not result in a significant impact for new residents. Consistent with the air quality mitigation requirements in the Santa Barbara County 2003-2008 Housing Element Focused Rezone Program EIR, Santa Barbara County APCD was designated as the monitoring agency for Mitigation Measure AQ-3 because implementation of this measure is tied to zoning clearance, which is a County approval and SBCAPCD is not identified as a responsible agency for the project. However, the County may consult with Santa Barbara County APCD on matters regarding regional and local air quality on an as-needed basis.

Response 5.2

The commenter states that the timing of release of the Draft SEIR gives insufficient time to call for and receive the Air Quality Manual prepared by Santa Barbara County APCD. The air quality analysis in Section 4.1, *Air Quality*, of the Draft SEIR summarizes and follows the most current methodologies recommended by the Santa Barbara County APCD at the time of public circulation of the Draft SEIR and uses adopted Santa Barbara County APCD thresholds to determine the significance of potential impacts to air quality. Santa Barbara County APCD's *Scope and Content of Air Quality Sections in Environmental Documents* (March 2014) is included by reference in Section 4.1, *Air Quality*, of the Draft SEIR. The Draft SEIR was circulated for a 45-day public review period that began January 26, 2015 and concluded on March 11, 2015. Pursuant to *CEQA Guidelines* Section 15105, "When a draft EIR is submitted to the State Clearinghouse for review by state agencies, the public review period shall not be less than 45 days, unless a shorter period, not less than 30 days, is approved by the State Clearinghouse." Since public circulation of the Draft SEIR Santa Barbara

County APCD has updated the *Scope and Content of Air Quality Sections in Environmental Documents* (July 2017). The Draft SEIR air quality analysis is compared with Santa Barbara County APCD's most recent guidance in a separate analysis being prepared by the County as part of the staff report for this project. The analysis, conclusions, and mitigation requirements described in Section 4.1, *Air Quality*, of the Draft SEIR are consistent with the requirements described in the most recent *Scope and Content of Air Quality Sections in Environmental Documents* (June 2017). A copy of *Scope and Content of Air Quality Sections in Environmental Documents* is also available online at https://www.ourair.org/wp-content/uploads/ScopeContentJune2017-LimitedUpdate.pdf.

Response 5.3

The commenter notes that, pursuant to Government Code Section 65358, amendments to a general plan must be in the interest of the public. The commenter adds that a "huge number of residents meeting with Long Range Planning during the formulation of the Orcutt Community Plan" favored 10-acre ranchettes for Key Site 3. This objection to the proposed Comprehensive Plan Amendment and Rezone does not challenge or question the Draft SEIR's analysis of environmental impacts. Nevertheless, this comment will be forwarded to County decision-makers for their review.

Response 5.4

The commenter asks if the proposed construction of a road to the private section of Stillwell Road would traverse previously designated open space. The commenter states that a 1984 agreement for use of the private section of Stillwell Road "appears not to be an agreement entered into since the proposed for PRD-125." The commenter also wonders if Government Code Section 66474(g) applies. Stillwell Road is a public road. Chancellor Street is a private road for which the project has easement for access, and OCP Dev. Standard OS-O-4.3 allows for roads and bridges in open space areas. Section 66478.4(4) is not applicable, as the project would implement the OCP provisions requiring the southern portion of the site to be dedicated to the County for public open space purposes. Section 66474(g) is not applicable, as the proposed subdivision would not conflict with easements.

Response 5.5

The commenter expresses distress that the proposed project would have significant cumulative impacts on wildlife. As discussed in Draft SEIR Section 4.3, *Biological Resources*, the proposed project would contribute incrementally to the reduction and fragmentation of native habitats, loss of native plant species diversity and population, and reduction in and potential loss of native wildlife diversity and populations. Significance for cumulative impacts to biological resources is based upon:

- *The cumulative contribution of other approved and proposed development to fragmentation of open space in the project site's vicinity;*
- *The loss of sensitive habitats and species;*
- *Contribution of the proposed project to urban expansion into natural areas; and*
- *Isolation of open space within the proposed project by future projects in the vicinity.*

While many of the impacts to specific special status species are mitigated to a less than significant level in the Draft SEIR, the project's contribution to cumulative impacts to sensitive habitats and to habitat loss in general would be potentially significant. Cumulative impacts of development of the key sites in the broader OCP area was addressed in the OCP EIR and determined to be significant and unavoidable (Class I). The Board of Supervisors found that the adverse impacts identified in the OCP EIR as significant have been mitigated to the maximum extent feasible, and to the extent these impacts remain significant and unavoidable after implementation of mitigation measures, that such impacts are acceptable when weighed against the overriding social, economic and other considerations set for the in the Statement of Overriding Considerations as adopted by the Board of Supervisors for the Orcutt Community Plan. The commenter's opposition to significant impacts will be forwarded to County decision-makers for their review.

Response 5.6

The commenter states that restoration sites for sensitive plant species should be within the Orcutt Planning Area (OPA), as all OCP policies pertain to the OPA and are not directed to the greater northern Santa Barbara County area. Mitigation Measure BIO-5(c) in Draft SEIR Section 4.3, *Biological Resources*, prescribes mitigation for special-status plant species in the event that avoidance of such species is not feasible. Pursuant to this mitigation measure, restoration sites for mitigation of special-status plants shall occur on-site at a County-approved location. Restoration may be focused in areas temporarily disturbed by grading activities and may coincide with Central Dune Scrub and/or Central Maritime Chaparral habitat restoration (if appropriate) but should occur south of Orcutt Creek to the greatest extent feasible. These requirements would ensure that restoration sites for sensitive plant species are located within the Orcutt Planning Area, consistent with OCP policies.

Response 5.7

The commenter states that Appendix C (Trail Siting Guidelines) to the Draft SEIR is "insufficient in guiding either development of the Park Department." The commenter states that development standards are "more specific to the roles of each." The commenter expects that "the Board's Resolution of Acceptance of any offer to dedicate the open space would be for the same reasons of acceptance for other sites." Finally, the commenter cites Resolution of Acceptance #4820, dated December 13, 2011. Resolution of Acceptance #4820 addressed open space for the Rice Ranch project and is not related to the currently proposed project. The Trail Siting Guidelines are used to guide the development of public trails within the OCP area.

Letter 6

Attention John Zorovich **Feb.27, 2015**

As a owner of a home in Sunnyhills Mobile Home Community. We received a letter from Santa Barbara County Planning and Development Division in January 2015. The letter was informing us that there would be a hearing on the environmental impact for the proposed **Key Site 3 Multifamily Residential Subdivision Project** on Feb. 10, 2015.

I was unable to make this meeting do to health issues but we did have representatives there to listen and give opinions on the Key Site 3. There was a meeting held at Sunnyhills to inform us as to what the Feb. 10th meeting was about. I was given your name and address by the managers of Sunnyhills, in our meeting we were shown the area where Key Site 3 would be located and how the road would be placed around our community. 6.1

I was concerned that the slot for **Sunnyhills MHC** was **blank on the map** we were shown. I feel it would make a big difference if **each home in Sunnyhills was inserted into that blank slot,** this would be a **realistic vision of the homes, showing the amount of elderly people that this construction in KeySite3 would impact**. This may also help those who have the final decision.

I want to list the reasons why I am against Key Site 3.

Air Quality: The **exhaust fumes** from all cars, truck traffic and construction vehicles in and out each day causing us increased **air pollution**. The **dirt and dust** from Site 3 once construction starts will **blow onto and inside our homes,** this will affect many of us who have lung problems increasing the seriousness of our health, not including the extra work and cost of keeping our homes clean inside and out, when most of us live on a fixed income. 6.2

Noise: Additional traffic of cars, trucks and emergency vehicles. This will **cause extreme noise** and **stress** to many of us who have heart conditions and poor immune systems, who bought our homes here to enjoy the peace and quietness and quality of air. We will also need more police protection, more fire trucks with ladders to reach these large buildings as we do not have them at this time, which will increase our taxes. The access road to get around to the Site is badly planned. The access in from Clark Ave and out, plus at our entrance to our community will be extremely busy with the chance of increased accidents because of the faster drivers coming in and out of Key Site 3. 6.3 6.4 6.5

Enviromental Setting: I own one of the homes across from where the large townhomes will be constructed. This will take away the reason why I bought my home. The serenity of the private ranchette land, rolling hills that has helped me and many others here to release stress and improve our health conditions. I do not feel that there is any necessity for destroying semi rural land where animals are allowed to roam and feed off the land. **Sunnyhills Mobile Home Community is where home owners should enjoy their senior years not endure increased stress, health problems and financial burdens.** 6.6

Sincerely, Colleen Ray

CC: Peter Adam, 4th District Supervisor

Letter 6

COMMENTER: Colleen Ray, Private Citizen

DATE: February 27, 2015

RESPONSE:

Response 6.1

The commenter expresses concern that the SHMHP was not shown in detail in the map contained in the Draft SEIR. The commenter requests that a map showing each home of the SHMHP be included in the Draft SEIR to show "the amount of elderly people" that the proposed project would impact. Figure 2-2 in Section 2.0, *Project Description*, includes an aerial of the vicinity of the project site, which shows the layout of residences in SHMHP and their proximity to Key Site 3. In addition, SHMHP is discussed in Section 4.9, *Noise*, as an area with receptors sensitive to noise generated by the proposed project. Figure 2-3 (Site Plan) is intended to show the layout and details of proposed land uses within Key Site 3. Because the proposed project would be located outside of SHMHP, existing residences in this community are not shown in the proposed site plans.

Response 6.2

The commenter expresses concern that project construction and operation would increase air pollution, including dust and dirt, at nearby homes, exacerbating health issues and affecting the cleanliness of homes. As discussed in Response 4.2, the Draft SEIR analyzed the proposed project's air quality impacts, and determined that they were less than significant, based on thresholds adopted by the Santa Barbara County APCD. The Draft SEIR found that implementation of standard dust and emissions control measures required by the Santa Barbara County APCD would ensure that construction-related impacts to air quality would be less than significant.

Response 6.3

The commenter states that the proposed project would generate traffic that would result in extreme noise and stress, and would impact air quality, which would be detrimental to adjacent community members who have heart conditions and poor immune systems. Refer to Response 4.2 for a discussion of the project's traffic, noise, and air quality impacts.

Response 6.4

The commenter states that the proposed project would require more police protection and fire trucks with ladders to reach large buildings, which would result in an increase in taxes. Refer to Draft SEIR Section 5.0, *Effects Not Found to be Significant*, for a discussion of impacts related to police service. Given the approximately 3.3-mile distance from Key Site 3 to the Orcutt Station, the project would not hinder attainment of the Sheriff Department's goal to respond to emergency calls within five minutes (Lieutenant Vuillemainroy, 2014). The proposed project also would be subject to the County's police protection service mitigation fee, which provides funding for capital facilities and related equipment associated with hiring new Sheriff Deputies. Therefore, the proposed project

would have less than significant impacts on police service, even if more police protection is needed to serve the site.

As discussed in Draft SEIR Section 4.5, *Fire Protection*, the Fire Department has reviewed proposed project plans and has determined that payment of mitigation fees (which are used for the construction of new fire stations and acquisition of new equipment and apparatus) would reduce cumulative impacts associated with fire protection in accordance with SBCFD standards (Pepin, October 2014). Mitigation fees for fire protection would proportionally contribute toward any acquisition of new equipment to serve Key Site 3 and surrounding areas.

Response 6.5

The commenter claims that the proposed access road to Key Site 3 would increase the risk of accidents, due to the access points at Clark Avenue and at SHMHP being "extremely busy" with faster drivers coming in and out of Key Site 3. Section 4.11, *Transportation and Circulation*, shows the results of traffic modeling for the signalized intersection of Clark Avenue and Sunny Hills Road. The proposed project would not result in significant traffic congestion at this intersection under the existing plus project or the cumulative plus project scenario. Realignment of Sunny Hills Road is a part of the project description for Key Site 3 and is required for primary access for the Key Site 3 project site. The realignment will occur as a part of the overall project improvements. Figure 4-11.9 identifies the Clark Avenue and U.S. 101 improvements which would be required for Key Site 3 and not the full build-out of Clark Avenue to accommodate Key Sites 1 through 4.

Response 6.6

The commenter expresses concern that the proposed project would destroy the semi-rural nature of the project site. Refer to Response 4.1 for a discussion of the project's impacts to the site's rural aesthetic character.

Letter 7

Feb. 27, 2015

John Zorovich, Planner
624 W. Foster Road Suite C
Santa Maria, Ca. 93455

Dear Sir,

I am writing to express our profound dismay at the possibility of changing our zoning in Orcutt, Key Site 3 from semi-rural to one of condos, MRO and houses. Presently, this area is zoned for 1 home for every 10 acres.

While we are not against what the Orcutt Plan devised in it's present state, the new proposed zoning and plan would devastate our area with pollution, noise, and traffic. 7.1

We have an average of 800 vehicles per day in and out of Sunnyhills. With the added family condos, 160 , and then the 125 individual residences, each having multiple vehicles and people to drive them, dropping into our road, then jogging it past Town and Country, then out to Clark Ave on two lane roads would create a logistical NIGHTMARE!

We also notice on the plan that you have Sunnyhills drawn as a plot of ground, but not the 165 homes in it. We are mostly retired individuals who bought here for the Stated Semi-Rural area and Senior living. The Orcutt Community Plan protects this area from becoming an overcrowded and high density traffic , more than twice what it is now, on the same size , 2 lane roads. 7.2

If you think about it, we actually can be considered "low income housing" to satisfy the requirement. Obviously, the people wanting to over develop this area do not live here and would not be affected by the many families that would of course have children of all ages, many teenagers with cars and loud stereo systems, many pets, all of which would shatter the peace and tranquility that is Sunnyhills. 7.3

Please, consider our concerns and not only what is mentioned here but a myriad of other issues such a water consumption, loss of habitat for small creatures , and availability of fire dept access , just to mention a few.

Sincerely
Faye Amack Wayne Amack

Faye and Wayne Amack
1650 East Clark Ave. Sp# 301
Orcutt, Calif. 93455

cc: Peter Adam
Fourth District
Supervisor

Letter 7

COMMENTER: Faye and Wayne Amack, Private Citizens

DATE: September 27, 2015

RESPONSE:

Response 7.1

The commenter expresses "profound dismay" that the proposed project would change the zoning of the project site. The commenter states that the proposed project would "devastate" the area with pollution, noise, and traffic. The commenter's opposition to the rezoning of the project site will be forwarded to County decision-makers for their consideration. In particular, the commenter expresses concern that the project traffic would create traffic issues at the access on Clark Avenue. Refer to Response 4.2 for a discussion of the project's impacts related to air pollution, noise, and traffic. Refer to Response 6.5 for a discussion of the project's impacts related to traffic on Clark Avenue. Additionally, the impacts of the OCP EIR No Project Alternative (Alternative 2), an alternative that would retain existing land use designation and zoning in place at the time of the OCP EIR's preparation in 1995, are discussed in Section 7.0, *Alternatives*, of the Draft SEIR.

Response 7.2

The commenter notices that the plans in the Draft SEIR show SHMHP, but not the 165 homes within the community. Figure 2-3 (Site Plan) in the Draft SEIR is intended to show the layout and details of proposed land uses within Key Site 3. Because the proposed project would be located outside of SHMHP, existing residences in this community are not shown in the proposed site plans. Figure 2-2 in Section 2.0, *Project Description*, includes an aerial of the vicinity of the project site, which shows the layout of residences in SHMHP and their proximity to Key Site 3. In addition, SHMHP is discussed in Section 4.9, *Noise*, as an area with receptors sensitive to noise generated by the proposed project.

The commenter also states that the Orcutt Community Plan protects this area from becoming overcrowded and congested with traffic. Potentially significant impacts to traffic and circulation were anticipated by and analyzed in the OCP EIR (95-EIR-01). Also, refer to Response 4.2 for a discussion of the project's impacts on traffic.

Response 7.3

The commenter suggests that SHMHP can be considered "low income housing" and could satisfy the low-income housing requirement. This comment does not challenge or question the Draft SEIR's analysis of environmental impacts but will be forwarded to County decision-makers for their consideration.

The commenter further states that the families that would move into the proposed project would disturb "the peace and tranquility" of SHMHP. Quality of life compatibility issues are discussed in Section 4.8, *Land Use*, under Impact LU-1 in the Draft SEIR. The proposed project would result in a

change in character of the site and the scale of development on the site. This would present potential quality of life compatibility issues. The Draft SEIR determined that OCP development standards implementation of Mitigation Measures N-2(a), N-2(b), AES-1(a), and AES-1(b) would reduce significant impacts related to quality of life compatibility issues to a less than significant level. Refer to Response 4.2 and Verbal Comment 3.b for discussions of impacts related to noise.

The commenter also asks that water consumption, loss of habitat, and availability of fire department access be considered. As discussed in Draft SEIR Section 4.10, *Public Services and Facilities*, an adequate water supply would be available to serve the proposed project, and groundwater resources would not be significantly impacted. The proposed project's impacts on habitat loss are addressed in Section 4.3, *Biological Resources*. Residential development on Key Site 3, together with multi-use paths and construction of a clear-span bridge for secondary access, could result in direct loss of sensitive habitats, including riparian vegetation. However, impacts would be reduced to a less than significant level through implementation of several mitigation measures from the OCP EIR that were developed to offset habitat loss. In addition, Mitigation Measures BIO-1(a) (Sensitive Habitat Restoration Plan), BIO-1(b) (Oak Tree Avoidance), BIO-1(c) (Central Dune Scrub and Central Coast Live Oak Riparian Forest Avoidance), and BIO-1(d) (Landscaping Plan) would reduce potential impacts associated with loss of habitat. Refer to Response 6.4 for a discussion of the proposed project's impacts related to fire protection.

Letter 8

Muriel E. Gade
1650 E. Clark Ave. #309
Santa Maria, CA 93455

March 2, 2015

Mr.John Zorovich,Project Planner CoSB
624 W. Foster Road, Suite C
Santa Maria, CA 93455

RE: Proposed zoning changes **Keysite 3**

As a 25 year resident of Sunnyhills Mobile Home Community, a 55+ community, I am very concerned about the proposed mitigation measures as described in 14-EIR-07.

If I am understanding this proposal, it would add 125 single family homes plus another 160 family units in the MR-O multi-story affordable housing unit. This would mean traffic from a total of 285 additional units that would be entering and exiting Clark Ave. The main access to these residences would wrap about the exterior of the Sunnyhills Community.

1. The vehicles from these additional residences [some multiple per unit]; plus the necessary service vehicles would create a traffic nightmare. This in addition to the homes in Sunnyhills Community. According to a recent report, there are already an average of some 800 vehicles entering and exiting Sunnyhills Community on a dailly basis. Was the MR-O included in the traffic study in this proposed amendment? 8.1

2. We in Sunnyhills are very concerned about the effect on air quality; noise; and on the environment, especially with many senior residents with health issues. 8.2

3. What will the impact be on the current school systems, fire protection [particularly with the proposed muli-level complex], water supply [we are currently being asked to conserve on our water use] water drainage from the proposed homes, pollution, and wild life? 8.3

4. This will change our semi-rural area to high density. Is this what we want? 8.4

5. Is there a plan to provide walls to diminish the noise and also to provide security to the residents of Sunnyhills Community. Most of us moved here to enjoy the **quiet** and **security** of the semi-rural area. 8.5

I am asking that you please recommend to the Santa Barbara County Board of Supervisors that they **not approve the proposed amendment/rezoning of Key Site 3 and keep the acreage zoned as proposed in the current Orcutt Community Plan.**

Sincerely,

Muriel E. Gade

Muriel E. Gade
805-934-4707

cc: Fourth District Supervisor Peter Adam

Letter 8

COMMENTER: Muriel Gade, Private Citizen

DATE: March 4, 2015

RESPONSE:

Response 8.1

The commenter states that the vehicle trips generated by the proposed project would create a "traffic nightmare." Refer to Response 4.2 for a discussion of the project's traffic impacts. The commenter also asks if the previously approved MR-O portion of the project site was considered in the traffic analysis. As discussed on Page 4.11-18 in Section 4.11, *Transportation and Circulation*, of the Draft SEIR, the cumulative traffic forecast assumed development of 160 multi-family housing units on Key Site 3, which could be developed on the MR-O zoned portion of the Key Site 3 property.

Response 8.2

The commenter states that members of the SHMHP community are very concerned about the project's impact to air quality, noise, and the environment, as the community has many residents with health issues. Refer to Response 4.2 and Verbal Comment 3.b for discussions of the project's air quality and noise impacts. The County of Santa Barbara conducted an initial analysis of the proposed development's impacts through the EIR Scoping Document and NOP process. A brief explanation of issues determined to be less than significant is included in Section 5.0, *Effects Found Not to be Significant*. All other environmental issues areas were analyzed in the Draft SEIR.

Response 8.3

The commenter asks what impact the proposed project would have on school systems, fire protection ("particularly with regard to the proposed multi-level complex"), water supply, water drainage from the proposed homes, pollution, and wildlife. As discussed in Draft SEIR Section 4.10, *Public Services and Facilities*, the proposed project could generate approximately 76 additional students. Impacts to local elementary and middle schools would be less than significant. Impacts to local high schools could contribute to the current capacity exceedance, and payment of fair share of impact mitigation fees would be required. Additionally, the applicant has entered into and recorded an agreement with the Orcutt Unified School District that would reduce potential impacts on area schools. The agreement includes providing additional school impact mitigation fee payments to the District, or as an alternative, the option for the owner(s) to create a new Mello-Roos Community Facilities District (CFD).

As discussed in Draft SEIR Section 4.12, *Water Resources/Flooding*, the proposed increase in impervious surfaces on Key Site 3 would alter existing drainage patterns and increase stormwater runoff, which could potentially increase flooding and degrade water quality, respectively. However, implementation of Mitigation Measures WR-2(a) (Low Impact

Development [LID] Measures) and WR-2(b) (Operational Erosion Control Measures) would reduce impacts on drainage to a less than significant level.

As discussed in Draft SEIR Section 4.10, *Public Services and Facilities*, the project applicant entered into a long-term Supplemental Water Purchase Agreement with the City of Santa Maria in August 2013. An adequate water supply would be available from this source to serve the proposed project, and groundwater resources would not be significantly impacted.

The remaining environmental issues about which the commenter expresses concern are addressed in other responses. As discussed in Response 4.3, the 160 high-density multi-family townhome units approved on the MR-O portion of the property are not part of the proposed project evaluated in the Draft SEIR. Refer to Response 6.4 for a discussion of the project's impacts related to fire protection; however, please note that the portion of Key Site 3 that was previously zoned for multi-family development is not part of the proposed project. Refer to Response 7.3 for a discussion of impacts on water supply. Refer to Response 4.2 for a discussion of impacts on air pollution. Finally, refer to Response 6.c in Section 9.2 (Responses to Public Testimony) for a summary of the project's impacts on wildlife.

Response 8.4

The commenter asks if changing the semi-rural character of the project site to "high density" is what people want. Note that the portion of Key Site 3 previously zoned for multi-family development is not part of the proposed project, and only the rezone of land from Residential Ranchette (RR-10) to Planned Development (PRD) is contemplated in the Draft SEIR. Also, refer to Response 4.1 for a discussion of the project's impacts to the project site's semi-rural character.

Response 8.5

The commenter asks if noise walls would be provided between the project site and SHMHP to diminish noise and provide security. As shown in Figure 2-3 of Section 2.0, *Project Description,* a 25 foot landscape buffer would be placed between the project's northernmost homes and the SHMHP, which would reduce operational noise. As described on Page 2-9 of Section 2.0, the rear and side yards of all homes would include wood fencing for privacy and security.

Letter 9

Zorovich, John

From: revsuzw@gmail.com
Sent: Wednesday, March 04, 2015 11:17 AM
To: Zorovich, John
Subject: Orcutt Key Site 3 Comments

Suzan Williams
1650 E. Clark Ave #263
Orcutt, CA 93455

To All That it may Concern:

I was dismayed and horrified when I heard of the proposal to build on the land right next to where I live at Sunny Hills in Orcutt. Apparently this has been in the works for several years, however, I moved to Orcutt two years ago and this is the first I've heard of it.

I love living in this small rural town! Orcutt is one of the few places where open, spacious land of greenbelts, rolling hills, chaparral, horses and cows are a natural part of the landscape. I love the hawks overhead, the quail running around and the lizards sunbathing on the rocks. This is a beautiful, serene and quiet area. And it ought to stay that way.

Now, I'm not against progress and moving forward. But the plan to build in Key Site 3 is a poorly planned idea. Most disconcerting is that the trucks would be running right behind Sunny HIlls. If you come by and look, you will see that there is not enough space for vehicles to pass through. It will add much noise, disruption and pollution to the area. The exhaust and noise would have an adverse affect on the residents at Sunny Hills, those living nearby and those who use the Clark Ave. on/off ramp for the 101. 9.1

I invite you to personally come check out the proposed "road" that runs along Sunny Hills. And come by between 3 and 5 in the afternoon and note the traffic that is already congesting Clark Ave between the 101 and Bradley.

I heard that the owner of this property is so rich he doesn't care about the lives of others and how this plan will disrupt and even threaten the life of the people and creatures living here. I say if he's that rich, he can afford to donate all the land for open space and hiking trails. 9.2

I am absolutely opposed to building on Orcutt Key Site 3!

Thank you for reading this and taking my views into consideration.

Sincerely,

Suzan Williams
805-279-5725

Sent from Windows Mail

Letter 9

COMMENTER: Suzan Williams, Private Citizen

DATE: March 4, 2015

RESPONSE:

Response 9.1

The commenter expresses concern that the proposed project is "poorly planned," particularly because trucks would be driving behind SHMHP. The commenter states that the access road is not large enough for vehicles and that the project would add noise, disruption, and pollution to the area. The commenter expresses concern that exhaust and noise from the project would adversely affect residents of SHMHP. Refer to Response 4.2 for a discussion of the project's noise and air quality impacts. As discussed in Draft SEIR Section 4.11, *Transportation and Circulation*, the proposed access road across Key Site 2 is consistent with the plans for traffic improvements in the Orcutt Transportation Improvement Plan and would avoid the traffic hazards noted in Impact KS3-CIRC-1 of the OCP EIR. The design of project roads would be required to meet Santa Barbara County Fire Department standards.

Response 9.2

The commenter states that existing traffic on Clark Avenue between U.S. 101 and Bradley Road leads to congestion during the P.M. peak hour. Refer to Response 4.2 for a discussion of the project's traffic impacts. The commenter expresses opposition to development of the project site and also suggests that it be donated for open space and trails. The commenter's opposition to the project will be forwarded to County decision makers for their consideration.

Letter 10

Zorovich, John

From: Lloyd Campbell [lcampbellcci@gmail.com]
Sent: Thursday, March 05, 2015 9:43 AM
To: Zorovich, John
Subject: Key Site 3

I reviewed the plan yesterday and have some concerns. I like the idea that they pulled the development, to only be at the higher portion of the property. My concern is the secondary road access. It is proposed to come inside of our community gate. I assume this to mean that our gate would no longer be usable? If we had to remove or relocate, who would pay for that expense? Also the increase in traffic on this rural road is also a concern. Could this access road be relocated to exit outside our gate? 10.1

Thank you for the opportunity to present my concerns.

Lloyd Campbell
5735 Vanessa Way

Letter 10

COMMENTER: Lloyd Campbell

DATE: March 5, 2015

RESPONSE:

Response 10.1

The commenter expresses concern about the proposed secondary access to Key Site 3. The commenter asks if this access road would render the existing gate to their community no longer usable. If this gate had to be relocated, the commenter wonders who would pay for the expense. The commenter also asks if the proposed secondary access road could be relocated to exit outside of the gate. The commenter is referring to a gate that property owners along Chancellor Street have installed across the roadway. The County Fire Department has indicated that the gate can remain in place provided that it opens for anyone leaving the site via Chancellor Street. The commenter's concern regarding this gate does not pertain to the conclusions of the environmental analysis in the Draft SEIR; however, the commenters' concerns will be included in the record for consideration by the County's decision-makers. Property owners along Chancellor Street who have questions regarding the gate should contact the project developer directly.

Letter 11

Zorovich, John

From: Brandon Burginger [bburginger@pcmechanical.com]
Sent: Friday, March 06, 2015 10:21 AM
To: Zorovich, John
Subject: Zoning Change of Key Site 3

Dear, Mr. John Zorovich

I'm writing you with my concern of the Proposed Zoning Changes to Site 3. My family is in the process of purchasing a home located on Chancellor. I have been in the Orcutt area for Thirty Eight years now and have always liked the area located down off of Stillwell. As we are just beginning our family with a three month old baby we have found our dream spot to raise her. We picked this area because of the quiet rural setting that it currently is. If the purposed zoning change goes through this will derasticly change the sought after location. In the EIR it shows the possibility of over an additional 800 cars per day through Chancellor. I for one don't want to raise my daughter living on an express way. Along with this 11.1

is the proposed low income housing. I hate to stereotype but if you look at the crime rates in other low income areas it is far greater than the upscale areas are. With this area being an upscale area everyone has spent the money to live in a nice, quiet and safe rural setting. This would change all of that. Not only will the traffic and crime rate go up we will all suffer the decreased property values that will come from these changes. So not just on my behalf but along with our future neighbors we all hope that you would see the negative effect that this change will bring and decide against it. The bad definitely out weights the good if any that this change will bring. 11.2

Thank you for your time.
Sincerely,

Brandon Burginger

PC Mechanical Inc.

Chief Operations Officer

2803 Industrial Parkway

Santa Maria Ca. 93455

Shop 805-925-2888

Cell 805-896-3799

Email bburginger@pcmechanical.com

Letter 11

COMMENTER: Brandon Burginger, Private Citizen

DATE: March 6, 2015

RESPONSE:

Response 11.1

The commenter expresses concern that the proposed project would change the area's rural setting and add 800 vehicle trips to Chancellor Street, effectively making it an "express way." Refer to Response 4.1 for a discussion of the project's impacts to the site's rural aesthetic character and refer to Response 4.2 for a discussion of the project's traffic impacts.

Response 11.2

The commenter also expresses concern with the project site's previously approved "low income housing," suggesting that this would lead to an increase in local crime and a decrease in property values. The commenter is referring to the 160 high-density multi-family townhome units in the MR-O portion of the property, which are not part of the proposed project evaluated in the Draft SEIR and are not proposed as low-income housing. The MR-O residential development was approved as part of the Housing Element Focused Rezone Program and an EIR for that program was prepared and certified in February of 2009 (SCH# 2008061139). Therefore, the commenter's concern that the MR-O residential development would increase crime and decrease property values in the area is not applicable to the project analyzed in the Draft SEIR. In addition, the project is not proposing to build low income housing and would instead pay in-lieu fees. Also, refer to Response 3.3 for a discussion of the project's impacts on police protection services. The commenter's concerns related to low-income housing will be included in the record for consideration by the County's decision-makers.

Letter 12

San Luis Obispo
SAN LUIS OBISPO Concours
RICHARD C
Steering Committee
805.478.0444
rcole@sloconcours.com
www.sanluisobispoconc

John Zorovich, Senoir Planner

Hi John,

My name is Richard Cole and I live at 5800 Vanessa Drive in Orcutt. I am writing this letter to let you and the Board of Supervisors and the Planning Commisioners know how dismayed I am about the proposed zoning change for Keysite 3 on the Orcutt Community Plan.

12.1

When the Orcutt Community Plan was conceived there were stringent measures enacted concerning structure elevation, planned open spaces, indirect lighting, and many other rules because Keysite 3 was the "Gateway to the Santa Maria Valley" as seen from Highway 101 Northbound.

Now, because of the State mandated housing element, a high density project has been approved, and a zoning change has been proposed to include the taking of a private road that was built and paid for by the current residents of Keysite 3.

According to the Enviornmental Impact Report for this zone change, there will be an additional 800 vehicle trips per day. There are other alternative outlets with better traffic flow patterns that could be used, instead of destroying the rural beauty and security that the currant homeowners enjoy. Thank You

RECEIVED
MAR - 6 2015
S.B. COUNTY (NORTH)
PLANNING & DEVELOPMENT

Richard Cole

Letter 12

COMMENTER: Richard Cole, Private Citizen

DATE: March 6, 2015

RESPONSE:

Response 12.1

The commenter expresses dismay about the proposed zoning change for Key Site 3. The commenter states that the zoning change would include "taking of a private road that was built and paid for by the current residents." The commenter states that other alternative access routes to Key Site 3, with better traffic flow patterns, could be used to accommodate traffic from the project site. This commenter's concern about the proposed zoning change and use of an existing private road does not challenge or question the Draft SEIR's analysis of environmental impacts. Nevertheless, this comment will be forwarded to County decision-makers for their consideration.

Letter 13

Zorovich, John

From: Steve Mussell [steve@smelectric.net]
Sent: Friday, March 06, 2015 9:19 AM
To: Zorovich, John
Subject: Zoning Change of Key Site 3

Mr.. Zorovich,

I am writing this letter in regards to the Zoning Change of Key Site 3. This proposed change would be a huge mistake for all involved.
The area of Chancellor Rd. is a rural area right now. Changing that would only congest the roads even more than they are right now. It would also increase the crime in this area.
The property values of the beautiful homes on the affected properties would have to be re-assessed due to property value decrease.
The areas of Chancellor, Stillwell, Hamilton and Vanessa Streets are quiet, rural areas, that are looked upon as one of the only areas in Orcutt where you can live in the country, but be only a few minutes from stores. Why would someone want to destroy an area like this? I know a lot of people who are constantly looking for property in this area, to buy and build a home for their family to enjoy a peaceful, beautiful area for their children to grow up in. That will change if Key Site 3 passed. 13.1
My family enjoys "the country life" in this area along with the other families in this area, without the worries of crime and cars speeding past our house.
All of this would change if Key Site 3 was passed. All of Orcutt would change if this was passed. Why would you want to make this beautiful town of Orcutt turn into the North/West portion of Santa Maria? I just don't understand it. My guess is that most of the people trying to get Key Site 3 passed are in it for the money and they don't even live in this city, so they could care less of our daily concerns.
There would be less wildlife to see around the Orcutt Creek area, more noise, more traffic, more crime and more of everything the existing neighbors did not move here for.
Stillwell Rd, Clark Ave and the on/off ramps to Hwy 101 at 8:00 in the morning are a congested mess already. If it passes, I think the County will have a lot of money to spend on traffic control, streets, street lighting and maintenance. 13.2
I strongly **OPPOSE** key Site 3
Please do not change this zoning. Try to keep this area the way it was originally supposed to be. Everything is working just fine in this area right now. Why mess it up.

Thank you for your time.

Steve Mussell
Resident
5576 Stillwell Rd.

Letter 13

COMMENTER: Steve Mussell, Private Citizen

DATE: March 6, 2015

RESPONSE:

Response 13.1

The commenter expresses opposition to the proposed project and is concerned that it would increase crime and traffic congestion, decrease property values, and destroy the quiet rural quality of the area. Refer to Response 3.3 for a discussion of the project's impacts to police protection services and crime. Pursuant to CEQA Guidelines Section 15131, "Economic or social effects of a project shall not be treated as significant effects on the environment." The commenter's concern regarding property values constitutes a social and economic impact that is outside the scope of CEQA and does not challenge or question the Draft SEIR's analysis of environmental impacts. Nevertheless, this comment will be forwarded to County decision-makers for their consideration. Refer to Response 4.1 for a discussion of the project's impacts on the area's rural aesthetic character, and Response 4.2 for a discussion of impacts on traffic congestion and noise. Refer to Response 3.3 for a discussion of the project's impacts on police protection services.

Response 13.2

The commenter states that the proposed project would reduce the visibility of wildlife in the area. Refer to Response 4.1 for a discussion of the project's impacts on the area's rural aesthetic character, and Response 6.c in Section 9.2 (Responses to Public Testimony) for a summary of the project's impacts on wildlife.

The commenter also notes that Stillwell Road, Clark Avenue, and the on/off ramps to U.S. 101 are already congested during peak morning hours and states that the County will have to spend a lot of money to address the project's impacts on traffic. Refer to Response 4.2 for a discussion of impacts on traffic congestion. Additionally, as discussed in Section 4.11, *Transportation and Circulation*, Mitigation Measures T-1 and T-2 would require that the applicant contribute fair share fees or construct improvements in accordance with County of Public Works staff direction to address transportation impacts.

Letter 14

March 7, 2015

Kirk and Robin Leishman
5559 Cantata Lane
Orcutt CA 93455
Cell: 805-680-7880

County of Santa Barbara
Planning and Development Department
Attn: Mr. John Zorovich, Senior Planner
624 West Foster Road
Santa Maria CA 93455

I have reviewed the Supplemental EIR report and have a list of considerations I would like to bring forward to the Planning Department, Planning Commission, and our County Supervisors.

1. Section 4.1Aethetics/Visual Resources

   Policy VIS-O-1, POLICYVIS-O-3 requires protection of the semi-rural character of Orcutt, including the significant scenic and natural resources in Orcutt.

   The current proposal to build 125 cluster and Single Family homes in addition to 160 apartment units in up to three story apartment buildings on a Gateway Parcel is in direct conflict with protecting the semi-rural character of Orcutt. Key Site 3 is an extraordinary Gateway Parcel, currently zoned for RR-10 semi-rural residential ranchette development, which perfectly fits the objective of the Orcutt Community Plan to protect the semi-rural character of Orcutt. Key Site 3 also represents a first look at Orcutt. As people approach the area from the south or leave the area heading south, Key Site 3 is what they see. The beautiful Solomon Hills with ranchettes interspersed to the west and agricultural and ranchette land/parcels to the east are currently the scenic views as people enter Orcutt. 14.1

   Mitigation measures outlined in the various sections of the EIR do not adequately address the significant and devastating affect of re-zoning a very prominent Gateway parcel from RR10 residential ranchette to a high density planned development in addition to the MR-O already approved for Key Site 3.

2. Section 4.2.1 Air Quality

   Page 4.2-12 related to Indoor Air Quality Pollution

   - The mitigation actions listed for residences within the 500 feet recommended safety zone (per page 4.2-10 SBCAPCD response letter) are insufficient and in direct conflict with the recommendation by the 14.2

SBCAPCD that when possible, residences be sited at least 500 feet from U.S. 101. It is certainly possible here.

- **The developer should be required to place all residences at least 500 feet from U.S. 101**

14.2, cont'd

3. Section 4.3 Biological Resources

This section is lacking input by the Army Corps of Engineers. It is extremely important to bring in the Army Corps of Engineers given the proximity to Orcutt Creek, U.S. 101 and the significant erosion potential of the proposed project.

There is no input or examination of the area by the California Department of Fish and Wildlife. I would like to see the local Fish and Wildlife Biologist examine and report on the impact this kind of high density development as well as the proposed trail system into the most sensitive area of the Solomon Hills and Orcutt Creek water shed areas.

14.3

4. Section 4.5 Fire Protection

The secondary access road via Chancellor Street is mentioned briefly on page 4.5-3, but without details. What are the details? Will the roads need to be widened? What is being proposed concerning the 90 degree turn at the corner of Chancellor and Stillwell? Will the county annex lower Stillwell Road and Chancellor Street?

14.4

5. Section 4.8 Land Use

Section 4.8.1 Setting

- Within this section of discussion the 8 acre MR-O "island" is being sub-divided into two separate parcels as per this application, however, the applicant states that these 160 units (MR-O) are not being proposed as part of this application. That is the most significant problem with this Supplemental EIR. How can a County Planning Board, the County Supervisors and the residents of Orcutt understand or assess the real impact of this project unless we address the ultimate and proposed final result for Key Site 3, which includes an already approved MR-O for 160 units in addition to 125 units of high density cluster and SFD residences?
- **The developer should be required to address the entire project site proposal as one cohesive project.**

14.5

Section 4.8.3 b. Impact Analysis

- Project Impacts
  i. Page 4.8-5 Impact LU-1 "The proposed project would result in a change in character of the site and the scale of development on the site. This would present potential quality of life compatibility issues."
  - Yes, it would dramatically and forever change the quality of life for all the adjacent property owners, including the residents of the Sunny

14.6

Hills Mobile Home Park. As noted on page 4.8-5 "The resultant density would exceed that of the existing surrounding residential development particularly in comparison to the larger lot residences along Oakbrook Lane and Chancellor Street.... the proposed density and proximity to lower density areas could present potential neighborhood quality of life compatibilities."

- We moved to this part of Orcutt to be in the semi-rural ranchette environment. Low noise, low light pollution, closeness to natural surroundings and animals as well as the privacy and protection afforded us by the use of private roads and a security gate on Chancellor St. We recognize that these are among the many benefits of country living, while still being close to schools, offices and shopping.

14.6, cont'd

6. Section 4.11 Transportation and Circulation
   - The proposal to add 600 to 800 additional daily trips onto Chancellor Street (see Figure 4.11.5) and then onto lower and upper Stillwell Road is significant. My understanding is that the Santa Barbara County Fire Department has required that the secondary access to Chancellor Street be open 24/7 as opposed to a closed crash gate only accessible in emergencies.
     i. I have looked over the easement granted in 1984 to the previous owners of Key Site 3 to access Stillwell Road via Chancellor Street At the time the easement was signed the zoning was for 10 acre ranchettes, just as it is currently zoned. I do not know what the average daily trips for the 17 ranchette sites would be if the Key Site 3 was built out as originally zoned but it surely is a tiny fraction of the 600 - 800 average daily trips contemplated by the proposed high density housing project (not including the MR-O). I am sure that the owners of the properties along Chancellor Street and Stillwell Road, who gave up land in order that future ranchette parcel owners above them could get access to Stillwell Road and thus connect to Clark Ave, would have never given easement rights to allow 600- 800 or more cars a day onto their private roadways.
     ii. Chancellor Street is a private road only recently paved at the personal expense of the property owners in the valley area between Stillwell Road and Hwy 101.
     iii. There is currently a security gate on Chancellor Street at the entrance to the homes of the 12 families that live to the South of Key Site 3.
     iv. I believe that my family's security and privacy will be threatened significantly if a road connecting the proposed 285 households to our private, narrow and very seldom traveled rural road-way becomes a reality as proposed by the developer.

14.7

v. As continued development of the housing tracts connected to lower Stillwell Road. (including the eventual connection of the Rice Ranch developments) the level of daily traffic will also increase significantly. The road is already a hazardous place for children, walkers, bikers and drivers. The steep hill and significant blind spot going up and down the hill is a serious problem now at current levels of traffic. I have nearly collided with cars entering from Sunny Hills and the other side streets on several occasions due to the lack of visibility on Stillwell Road. It is dangerous and potentially catastrophic to add more automobile traffic to Stillwell Road as is required under the proposed plan. 14.7, cont'd

7. Section 6.0 Other CEQA-Required Discussions and all other sections not mentioned

Our immediate plan is to hire an expert, at our expense, to review the EIR and offer counsel moving forward. We request additional time to submit recommendations and concerns to the planning department staff. 14.8

Respectfully,

Kirk W. Leishman
Robin D. Leishman

Letter 14

COMMENTER: Kirk and Robin Leishman, Private Citizens

DATE: March 7, 2015

RESPONSE:

Response 14.1

This comment is identical to a comment in Letter 3. Refer to Response 3.1.

Response 14.2

The commenters state that the mitigation measures in Draft SEIR Section 4.2, *Air Quality*, for residences within 500 feet of U.S. 101 are insufficient. The commenters add that all residences should be placed at least 500 feet away from the highway. As discussed in Impact AQ-3, the recommendation for a distance of at least 500 feet between residences and highways is an advisory statement from the California Air Resources Board's *Air Quality and Land Use Handbook* and is not intended to be used as a significance threshold for the purposes of CEQA. To evaluate the site-specific risk of exposure to toxic air contaminants on Key Site 3, a health risk assessment was conducted based on traffic volumes on U.S. 101 and local environmental conditions. This technical assessment recommended mitigation to reduce the amount of diesel exhaust particulates and other hazardous emissions that nearby residents would be exposed to within the indoor environment, and determined that with the recommended mitigation, included in the Draft SEIR as Mitigation Measure AQ-3, impacts would be reduced to a less than significant level.

Response 14.3

The commenters state that Draft SEIR Section 4.3, *Biological Resources*, lacks input from the Army Corps of Engineers (USACE), which is important due to the potential for erosion in Orcutt Creek. The commenters also request that a California Department of Fish and Wildlife (CDFW) biologist evaluate the proposed project's impacts on biological resources. The Draft SEIR was circulated to multiple reviewing agencies, including CDFW, South Coast Region 5, and the Regional Water Quality Control Board, Central Coast Region 3; neither agency provided comment on the Draft SEIR. In addition, Mitigation Measure BIO-2(d) requires that the applicant obtain correspondence from USACE, CDFW, and the Regional Water Quality Control Board regarding compliance with state and federal laws in impacts to Orcutt Creek. The County would review this correspondence and ensure that the project meets any requirements outlined by agencies.

Response 14.4

The commenters note that the proposed secondary access road via Chancellor Street is mentioned on page 4.5-3 of the Draft SEIR but without details. The commenters ask if the road would need to be widened, what the plans are for the 90-degree turn at the corner of Chancellor Street and Stillwell Road, and whether the County would annex lower Stillwell Road and Chancellor Street. Refer to Response 3.4 for a discussion of project site access from Chancellor Street and Stillwell Road. As discussed in Draft SEIR Section 2.0, *Project Description*, the intersection of Chancellor

Street and Stillwell Road would be widened within the existing right of way to provide for improved turning movements for fire trucks and other large vehicles. This roadway widening would improve accessibility to emergency responders during natural disasters, as well as ingress/egress for on-site residents. All roads discussed in the project description would have a minimum 24-foot pavement width.

Response 14.5

The commenters believe that it is not possible to evaluate the impacts of the proposed project without addressing the ultimate buildout of Key Site 3, which would include the already approved multi-family units within the MR-O area. As noted in Draft SEIR Section 4.8, *Land Use*, the MR-O area is not being proposed as part of the current project and is therefore not the subject of the current analysis. Even though the project would involve subdivision of the MR-O area into two separate legal parcels, the development of the MR-O area has already been approved and was evaluated in the Santa Barbara County 2003-2008 Housing Element Focused Rezone EIR. Therefore, it is outside of the purview of the Draft SEIR to evaluate the environmental impacts of the MR-O development in conjunction with the proposed project. Nevertheless, the Draft SEIR considers buildout of the MR-O area as part of the total potential development on Key Site 3 as part of the cumulative impact analysis for each environmental issue.

Response 14.6

This comment is identical to a comment in Letter 3. Refer to Response 3.2.

Response 14.7

This comment is identical to a comment in Letter 3. Refer to Responses 3.3 and 3.4.

Response 14.8

The commenters state their intent to hire an expert to review the EIR and request additional time to submit recommendations and concerns to County planning staff. The Draft SEIR was circulated for a 45-day public review period that began January 26, 2015 and concluded on March 11, 2015. Pursuant to *CEQA Guidelines* Section 15105, "When a draft EIR is submitted to the State Clearinghouse for review by state agencies, the public review period shall not be less than 45 days, unless a shorter period, not less than 30 days, is approved by the State Clearinghouse." This comment does not challenge or question the Draft SEIR's analysis of environmental impacts but will be forwarded to County decision-makers for their consideration.

Letter 15

Supervisor Peter Adam
Santa Maria Fourth District Office
511 E. Lakeside Pkwy, Suite 141
Santa Maria, CA 93455

March 7, 2015

Dear Mr. Adam,

My husband and I are writing this letter today to express our concerns about the County's future plans for Key Site 3 in Orcutt.

When we bought this beautiful rural piece of property, my husband went to the County building and was given the impression that the future plans for the land surrounding our new home was scheduled to be 10 acre ranchettes and single family homes. We were horribly surprised to find out that the County's plans had been changed to allow a 3 story multi family unit in the middle of this rural area. I can't begin to imagine what this will do to forever change the character and nature of this area. 15.1

We are very concerned about the many environmental impacts that will take place if this is allowed to be built. Since we have moved into our home we have seen many species of birds, coyotes, snakes, frogs, deer, skunks, bobcats and squirrels. 15.2

The increased traffic and noise pollution alone will be hugely significant to the surrounding wild life and human life. We are very concerned about the possibility of increased crime and what the MRO will do to our property values. 15.3 One of the reasons we purchased this property was because of the private community gate that makes us feel secure in our home. By putting in this project, and taking away our private road and gate on Chancellor, you are taking away our peace of mind. The possibility of over 850+ cars a day on a road where children currently ride bikes and people take leisurely walks will change the peaceful country environment we moved here for. 15.4

If you need an example of what a 3 story building looks like at night completely lit up, look at the Betterravia Government Center next time you have an evening meeting at the Supervisor's Office. Would you want that in your rural neighborhood?

Thank You
Chuck and Lisa O'Neil
5560 Cantata Lane
Santa Maria, CA 93455
(805) 938-9795

Letter 15

COMMENTER: Chuck and Lisa O'Neil, Private Citizens

DATE: March 7, 2015

RESPONSE:

Response 15.1

The commenters express dismay that three-story multi-family units would be allowed on the project site and states that this would change the character of the site. The comment pertains to the 160 high-density multi-family townhome units in the MR-O portion of the property, which are not part of the proposed project evaluated in the Draft SEIR. The MR-O residential development was approved as part of the Housing Element Focused Rezone Program and was analyzed in Santa Barbara County 2003-2008 Housing Element Focused Rezone EIR. Therefore, the commenter's concern that the MR-O residential development would change the character of the project site is not relevant to the proposed project analyzed in the Draft SEIR; however, the commenters' concerns will be included in the record for consideration by the County's decision-makers.

Response 15.2

The commenters express concern that the proposed project would have environmental impacts, particularly to animal species. A discussion of the project's impacts to animal species is included in Section 4.3, *Biological Resources*, in the Draft SEIR.

Response 15.3

The commenters state that traffic and noise from the project would have a significant impact on wildlife and neighbors. The commenters also express concern that development of the MR-O portion of the project site would increase crime and decrease property values. Pursuant to CEQA Guidelines Section 15131, "Economic or social effects of a project shall not be treated as significant effects on the environment." The commenter's concern regarding property values constitutes a social and economic impact that is outside the scope of CEQA and does not challenge or question the Draft SEIR's analysis of environmental impacts. Nevertheless, this comment will be forwarded to County decision-makers for their consideration. Refer to Response 3.3 for a discussion of the project's impacts on police protection services. Refer to Response 4.2 for a discussion of the project's traffic and noise impacts. Refer to Response 11.2 for a discussion of the previously approved MR-O development. Also, refer to Response 6.c in Section 9.2 (Responses to Public Testimony) for a summary of the project's impacts on wildlife.

Response 15.4

The commenters believe that the loss of their private road and gate on Chancellor Street would harm their peace of mind and the existing "peaceful country environment." Refer to Response 10.1 for a discussion of the gate. Refer to Response 7.3 for a discussion of the project's impacts on quality of life, and to Response 4.1 for impacts on the area's rural aesthetic character.

Letter 16

March 7, 2015

Matthew Palm

1507 Oak Bluffs Drive

Santa Maria, CA 93455

John Zorovich, Project Planner

Email: **jzoro@co.santa-barbara.ca.us**

624 W. Foster Rd.

Suite C

Santa Maria, CA 93455

Dear Mr. Zorovich,

I am writing in opposition of the zoning change of Key Site 3. The existing land use designation of Residential Ranchette of RR-10 should stay as it is.

As a resident of 1507 Oak Bluffs for over 8 years, I have been fortunate to live in a semi-rural area surrounded by neighbors whose properties are a minimum of 5 acres. The private roads have been quiet, and with little traffic. My views and that of my neighbors have been largely unspoiled, and natural plant and animal life have been mostly unaffected.

16.1

The proposed project at total build out would have an extremely detrimental effect on my neighborhood. Chancellor Street, that is currently a private road, and upper Stillwell Rd would be hugely impacted with as many as 898 additional traffic crossings a day projected in the EIR. The area on the top of Key Site 3(now pastoral grazing land), would be negatively impacted with the dense build-out that is planned. It is more suited to an urban area then a semi-rural area.

The damage to the habitat of Orcutt Creek, the increased noise, pollution of air quality and night sky would forever change the rural character of this peaceful setting. Major negative impacts with regards to waste water and solid waste are also of great concern. 16.2

16.3

I am asking that this zoning change for the project be denied.

Sincerely yours,

Matthew Palm

Letter 16

COMMENTER: Matthew Palm, Private Citizen

DATE: March 7, 2015

RESPONSE:

Response 16.1

The commenter states that the project site's existing land use designation of Residential Ranchette (RR-10) should not be changed. The commenter's opposition to the rezoning of the project site will be forwarded to County decision-makers for their consideration. The commenter states that the project's traffic generation would have a detrimental effect on the Chancellor Street neighborhood and upper Stillwell Road and the project site would be negatively impacted. The commenter states that the project is more suited to an urban area. Refer to Response 4.2 for a discussion of the project's traffic impacts. Key Site 3 is within the mapped Urban Area of the County. Refer to Response 4.1 for a discussion of the project's impacts to the site's rural aesthetic character.

Response 16.2

The commenter states that the project would damage the habitat of Orcutt Creek. The commenter also states that the project's noise, air quality and night sky impacts would change the rural character of the project site. Refer to Response 4.2 for a discussion of the project's noise and air quality impacts. Refer to Response 4.1 for a discussion of the project's impacts to the site's rural aesthetic character.

The project's impacts to nighttime views are discussed in Section 4.1, *Aesthetics/Visual Resources*, in the Draft SEIR under Impact AES-3. The Draft SEIR concluded that adherence to OCP development standards and mitigation measures, including the need for the North County Board of Architectural Review (NBAR) to review the development and its proposed lighting and potential glare, would reduce potential lighting and glare impacts to a less than significant level, consistent with the conclusions of the OCP EIR. Impacts would be adverse, but less than significant.

Response 16.3

The commenter expresses concern that the proposed project would have wastewater and solid waste impacts and requests that the project be denied. The project's wastewater impacts are discussed in Section 4.10, *Public Services and Facilities*, under Impact PSF-3 in the Draft SEIR. As discussed therein, the Draft SEIR determined that the Laguna County Sanitation District wastewater treatment plant has adequate capacity to serve the proposed project. However, existing off-site sewer infrastructure (Solomon Creek Trunk) would not be able to accommodate the wastewater generated by the project without upgrades to this infrastructure. The applicant would be required to pay their fair share of impact mitigation fees to the LCSD for upgrades to the Solomon Creek Trunk. These upgrades would ensure the system has sufficient capacity to serve the proposed project. Through payment of fees, impacts related sewer infrastructure would be adverse, but less than significant.

The project's solid waste impacts are discussed in Section 4.10, *Public Services and Facilities*, under Impact PSF-4 in the Draft SEIR. As discussed therein, the proposed project would generate an estimated 101 tons of solid waste per year, which does not exceed the significance threshold of 196 tons per year in the *Santa Barbara County Environmental Thresholds and Guidelines Manual*. The project-specific impacts to solid waste services would be adverse, but less than significant. The Draft SEIR also found that cumulative development would result in a significant and unavoidable impact to solid waste generation and the project's contribution to this impact would be cumulatively considerable based on the County's adopted cumulative threshold. The commenter's concerns will be forwarded to County decision makers for their consideration.

Zorovich, John

From: Dan Reno [dreno73@gmail.com]
Sent: Saturday, March 07, 2015 11:53 AM
To: Zorovich, John
Subject: Zoning Change of Key Site 3

Dear Mr. Zorovich,

I'm writing due to the concern of the proposed zoning change of Site 3. I don't think this is a good idea to add low income apartments to this area not only to the statistical rise in crime associated with low income housing but also the rise in traffic, pollution, and noise. This will also affect our property values and I don't need that happening to myself and neighbors. This is a very good neighborhood and we enjoy low crime, serenity, and very little traffic. Please reconsider this decision and or proposal and keep low income housing out of our neighborhood.

Regards,

Dan Reno
1591 Canyon Creek Rd.
Orcutt, CA.
805-714-9956

Letter 17

COMMENTER: Dan Reno, Private Citizen

DATE: March 7, 2015

RESPONSE:

Response 17.1

The commenter expresses concern with the project site's previously approved low-income housing, suggesting that this would lead to an increase in traffic, pollution, noise, and local crime and a decrease in property values. The commenter requests that low-income housing be kept out of the neighborhood. Refer to Response 11.2 for a discussion of the previously approved MR-O development. Refer to Response 4.2 for a discussion of the project's impacts to traffic, air quality, and noise. Refer to Response 3.3 for a discussion of the project's impacts to local crime and Response 13.1 for a discussion of the project's impacts to property values.

Letter 18

Zorovich, John

From: Mary Rudd [paulmaryyogi6@gmail.com]
Sent: Saturday, March 07, 2015 3:15 PM
To: Zorovich, John
Subject: Re: DISAPPROVE Key SITE 3 RESIDENTIAL SUBDIVISION PROJECT (zoning change of Key Site 3, APN 129-151-026)

My name is Mary Rudd. The reason I am writing (zoning change of Key Site 3), I live at the Vistas at Mesa Verdi and I am totally opposed at changing the beautiful area we live in. One reason I bought here was the beauty and real estate value. By changing this zoning and putting in low income housing you are undermining the faith of all people who invested their hard earned money to live in a nice area. The charm of the Santa Maria and Orcutt areas is that they try to maintain the beautiful open spaces, areas for wild life, deer, etc. and charm of the Central Coast. By allowing this change you are going to increase crime/gangs in the area. A total increase in traffic and vehicle issues. The Orcutt area will be diminished by losing it charm of privacy that make real estate so desirable in the area. Noise pollution and air quality will definitely be increased to Orcutt Creek, etc. The worst thing is that the reason many people retire and live here is to maintain a higher level of living and quality in the area. This project will definitely hurt all the property values of people here and lower tax revenue for the area. A loose and loose for all involved. This project will hurt the overall area increase vagrants on corners with signs and add to drugs, vandalism in the neighborhood. I lived in Lompoc since 1981 and recently left their to get away from the crime, vagrants, prison welfare families and now you are trying to turn Orcutt into another Lompoc. 18.1 18.2 18.3

>
> Please do not approve this project.
Save Orcutt from being another place you tell you friends that is really not the place you want to move with your family.
Maintain the high reputation Orcutt has achieved over many years.
>
>
> Sincerely,
> Mary Rudd and family

Letter 18

COMMENTER: Mary Rudd, Private Citizen

DATE: March 7, 2015

RESPONSE:

Response 18.1

The commenter expresses opposition to the proposed project. The commenter's opposition to the project will be forwarded to County decision-makers for their consideration. The commenter states that changing the zoning to allow for low-income housing on the project site would increase crime in the area. Refer to Response 11.2 for a discussion of the previously approved MR-O development. Refer to Response 3.3 for a discussion of the project's impacts to police protection services.

Response 18.2

The commenter states that the proposed project would increase traffic, air quality, and noise pollution issues. Refer to Response 4.2 for a discussion of the project's impacts to traffic, air quality, and noise.

Response 18.3

The commenter expresses concern that the proposed project would lower property values and tax revenue in the area. The commenter also expresses concern that the proposed project would increase vagrancy, drug use, and vandalism in the area. In part, the commenter is referring to the 160 high-density multi-family townhome units in the MR-O portion of the property, which are not part of the proposed project evaluated in the Draft SEIR. The MR-O residential development was contemplated as part of the Housing Element Focused Rezone Program and was analyzed in Santa Barbara County 2003-2008 Housing Element Focused Rezone EIR. Refer to Response 11.2 for a discussion of the previously approved MR-O development. Refer to Response 3.3 for a discussion of the project's impacts to police protection services. Refer to Response 13.1 for a discussion of the project's impacts to property values. Additionally, the commenter's concern regarding tax revenue constitutes an economic impact that is outside the scope of CEQA and does not challenge or question the Draft SEIR's analysis of environmental impacts. Pursuant to CEQA Guidelines Section 15131, "Economic or social effects of a project shall not be treated as significant effects on the environment." Nevertheless, this comment will be forwarded to County decision-makers for their consideration.

Letter 19

Zorovich, John

From: paul rudd [paulmaryyogi@gmail.com]
Sent: Saturday, March 07, 2015 3:07 PM
To: Zorovich, John
Subject: DISAPPROVE Key SITE 3 RESIDENTIAL SUBDIVISION PROJECT (zoning change of Key Site 3, APN 129-151-026)

To: Mr. John Zorovich, Project Planner
From: Paul Rudd, 1546 Oak Bluffs Dr. Santa Maria Ca. 93455

The reason I am writing (zoning change of Key Site 3), I live at the Vistas at Mesa Verdi and I am totally opposed at changing the beautiful area we live in. One reason I bought here was the beauty and real estate value. By changing this zoning and putting in low income housing you are undermining the faith of all people who invested their hard earned money to live in a nice area. The charm of the Santa Maria and Orcutt areas is that they try to maintain the beautiful open spaces, areas for wild life, deer, etc. and charm of the Central Coast. By allowing this change you are going to increase crime/gangs in the area. A total increase in traffic and vehicle issues. The Orcutt area will be diminished by losing it charm of privacy that make real estate so desirable in the area. Noise pollution and air quality will definitely be increased to Orcutt Creek, etc. The worst thing is that the reason many people retire and live here is to maintain a higher level of living and quality in the area. This project will definitely hurt all the property values of people here and lower tax revenue for the area. A loose and loose for all involved. This project will hurt the overall area increase vagrants on corners with signs and add to drugs, vandalism in the neighborhood. I lived in Lompoc since 1981 and recently left their to get away from the crime, vagrants, prison welfare families and now you are trying to turn Orcutt into another Lompoc.

Please do not approve this project.

Sincerely,
Paul Rudd and family

Letter 19

COMMENTER: Paul Rudd, Private Citizen

DATE: March 7, 2015

RESPONSE:

Response 19.1

The comment letter is a copy of Letter 18. Refer to Letter 18 for a response to this letter.

Zorovich, John

From: Tom Shahaden [thomas.shahaden@gmail.com]
Sent: Saturday, March 07, 2015 3:02 PM
To: Zorovich, John
Cc: Lisa Shahaden; Tom Shahaden
Subject: Opposition to Zoning Change of Key Site 3

Mr. John Zorovich,

I'm writting with great concern and steadfast opposition regarding the proposed zoning change of Key Site 3.

In 2014 my wife and two young children purchased our home in Mesa Verde at 5600 Chilmark Ln. Having recently moved back to CA I found Orcutt to be the ideal place to settle and raise my family. We've been especially pleased with this newer community situated in a private neighborhood with shared use trails and parks. Many other families seem to enjoy this lifestyle and have children of the same age. Already my young chlldren (age 3 and 4) have become friends with neighboring children and I look forward to seeing them develop in the Orcutt School District which is held in high regard.

I enjoy my home near the top of Mesa Verde and the fact that I can easily access Old Town or the 101 within minutes. While I don't view my recent home purchase as an investment, I felt the price was fair and look forward to it appreciating over time. Additionally, the HOA is well run and the neighbors I've met all seem to share the interest of keeping our neighborhood looking good and crime free.

Today I learned the unfortunate news about this proposed zoning change and the impact it will have on the Mesa Verde community among others in this small area. For all the reasons I mentioned above, my family chose the Central Coast instead of moving back to Southern California where I was born and lived for over 30 years.

I did and do not want to live in a densly popoulated area becuase of the side effects including heavy traffic, crime, eroison of infrastructure, negative impact on public education, and decreased home values. 20.1

Rezoning to allow for 125 single family units and 285 MR-O Condominimums, regardless of income, is absurd and will be a detriment to this community. The idea that almost 900 more cars a day will appear on Stillwell and Chancellor roads is a guaranteed threat to the safety and wellbeing of this community.

I understand why the developer sees value in this change as it undoubtedly will increase revenue and margins, while allowing the devloper to capture Federal and State subsidies for the creation of low income housing. However, I don't see the value to Orcutt as it relates to tax dollars, not to mention, the additonal hard dollar costs associated with high density residential zoning.

Mr. Zorovich, I implore you to put a stop to this and the inevitable negative impact this proposed change will have on local homeowners and the entire community of Orcutt. As an elected official please consider the interests of current community members and tax payers that chose to live in this community based on it's current state, not the compromised version that will play out with if you allow this proposed change.

Respectfully,

Tom Shahaden

Letter 20

COMMENTER: Tom Shahaden, Private Citizen

DATE: March 7, 2015

RESPONSE:

Response 20.1

The commenter expresses opposition to the proposed project. The commenter states that rezoning the project site would be detrimental to the community, particularly project generated traffic on Stillwell and Chancellor roads. The commenter requests that the project be denied. The commenter's opposition to the project will be forwarded to County decision-makers for their consideration. Refer to Response 4.2 for a discussion of the project's traffic impacts.

Letter 21

Zorovich, John

From: John Fullerton [jfullerton007@gmail.com]
Sent: Sunday, March 08, 2015 3:03 PM
To: Zorovich, John
Subject: ZONING CHANGE OF KEY SITE 3

Mr. Zorovich

As I understand you are the project planner of this Key Site 3 issue that has hit my desk. As I can appriciate the job of planning and zoning for new businesses and homes to build, I cannot understand why in such a drought that a proposed project with a 125 saw single family homes and a 285 condo project for very-low to low income families. Along with the increased traffic that according to my calculations will draw a minimum of 400 cars with no room for the increased traffic to go as there is no room to widen the road. With no plan in the budget to have work done on the current road situation we already have. As i am sure you can sure appriciate the impact on the landscaping of the area the Orcutt Creek will also be affected and to try and preserve that would be not likely to happen even though there are no endangered species in that area that we know of. 21.1 21.2 21.3

Being in Santa Barbara/Goleta you are fully aware of the increased traffic and loss of privacy. Noise is never good and to be honest the crime is on the rise. Same in this city. Putting low income housing WILL lead to more crime, more noise, more traffic and a decreased property value for the surrounding area. Because if you want to sell your house, do you really want to advertise that it is close to LOW INCOME HOUSEING/SEC 8...I don't think so. Now I must ask myself and maybe you as well being that YOU do not live here. "Do I want this project to be 300 yds from where I live, and to deal with the problems that clearly exist." because lets face it....it is easy to make a decision that affects other people when you dont have to live next door to it. 21.4

Thank You for your time
John Fullerton
1570 Jensen Ranch Rd

Letter 21

COMMENTER: John Fullerton, Private Citizen

DATE: March 8, 2015

RESPONSE:

Response 21.1

The commenter expresses surprise that the applicant is proposing the project in a time of drought. Refer to Response 7.3 for a discussion of the project's impacts on water supply.

Response 21.2

The commenter expresses concern with the project's potential traffic impacts on roadways. Refer to Response 4.2 for a discussion of the project's traffic impacts.

Response 21.3

The commenter expresses concern about the project's impacts on Orcutt Creek. As discussed in Impact BIO-2 in Draft SEIR Section 4.3, *Biological Resources*, the project may result in direct impacts to Orcutt Creek and associated riparian habitat through installation of a clear-span bridge, for secondary access and installation of two outfalls for storm water drainage pipes as well as construction of the multi-use trail. Impacts to Orcutt Creek from these proposed activities would be significant but mitigable by minimization of effects on the stream channel at bridge crossings (Mitigation Measure BIO-2[a]), coordination with state and federal agencies (Mitigation Measure BIO-2[b]), design features for outlets to Orcutt Creek (Mitigation Measure BIO-2[c]), and equipment storage areas during construction (Mitigation Measure BIO-2[d]).

Response 21.4

The commenter expresses concern that the previously approved low-income portion of the project site would lead to more crime, noise, and traffic and decreased property values. Refer to Response 11.2 for a discussion of the previously approved MR-O development. Refer to Response 4.2 for a discussion of the project's impacts to traffic and noise. Refer to Response 3.3 for a discussion of the project's impacts to local crime and Response 13.1 for a discussion of the project's impacts to property values.

Letter 22

Zorovich, John

From: Afshar, Harry J@DOT [harry.afshar@dot.ca.gov]
Sent: Monday, March 09, 2015 11:02 AM
To: Zorovich, John

Mr. John Zorovich;
My name is harry Afshar and I live on 1531 Jensen Ranch road. I would like to express my **opposition to Zone change for the** KEY **SITE 3 RESIDENTIAL SUBDIVISION PROJECT** (13 gpa-00000-00005,13 RZN-00000-00010; TM 14,801;and 13DVP-00000-00010)
Reasons for my opposition are:

More traffic, Increase crime,Los of privacy,noise,decrease property values, Air quality, damage to Orcutt Creek etc.
Please help to protect our environment and stop this ordinance. Please contact me at 805 234-4234 if needed.

Thank you

Harry Afshar

Letter 22

COMMENTER: Harry Afshar, Private Citizen

DATE: March 9, 2015

RESPONSE:

The commenter expresses opposition to the proposed project citing traffic, increased crime, loss of privacy, noise, decreased property values, air quality, and damage to Orcutt Creek as reasons for his opposition. Refer to Response 4.2 for a discussion of the project's impacts to noise, air quality, and traffic. Refer to Response 3.2 for a discussion of the project's impacts on privacy. Refer to Response 21.3 for a discussion of the project's impacts to Orcutt Creek. Refer to Response 13.1 for a discussion of the project's impacts to property values. Refer to Response 3.3 for a discussion of the project's impacts on police protection services. The commenter's concerns about crime and property values do not address the Draft SEIR's analysis of environmental impacts; however, they will be forwarded to County decision-makers for their consideration.

Letter 23

From: CHRIS FYLLING <rm442@comcast.net>
Subject: **zoning change-key site 3**
Date: March 8, 2015 2:10:11 PM PDT
To: jzoro@santa-barbara.ca.us
Cc: keysite3neighbors@yahoo.com

The addition of 285 condominiums and125 single family houses will cause an unacceptable increase in traffic on the one lone road into our area - Stillwell . Traffic has already been increased by the completion of the large tract at the top of the hill, which was done WITHOUT the opening of Stubblefield. A former resident at the end of Stubblefield, a Mr. Pierce, worked endlessly to stop Stubblefield from opening - he has since deceased. The residents at the upper tract will see lower insurance rates should it be opened, as well as a mile or so shorter driving to our local markets, as well as a direct access to the grammar school near the south end of Bradley. There has already been a number of road restriction incidents that have taken place - a few months ago, a water main in the middle of Stillwell, on the steep slope just north of Canyon Creek caused Stillwell to be reduced to one lane for the week of repairs. In addition to this proposed zoning change, there are notices posted about a 16 unit affair called "Terrance Villas", on Stillwell approximately at the same place where the water main broke. This new zoning change application is a complete disregard for all of us living off the Stillwell connection, and your approval will only add to that disregard. While you're at it, please work at the opening of Stubblefield Road, which will greatly ease the existing traffic. Regards, Chris Fylling, 5285 Pine Creek Ct, Orcutt. My phone is 934-0376.

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MAR 09 2015
S.B. COUNTY (NORTH)
PLANNING & DEVELOPMENT

Letter 23

COMMENTER: Chris Fylling, Private Citizen

DATE: March 9, 2015

RESPONSE:

The commenter expresses concern that the proposed project would impact traffic on Stillwell Road. Refer to Response 4.2 for a discussion of the project's traffic impacts. The commenter also requests that Stubblefield Road be opened to improve existing traffic conditions. Access through Stubblefield Road is not part of the proposed project evaluated in the Draft SEIR; however, the commenter's request will be included in the record for consideration by the County's decision-makers.

Zorovich, John

From: Neil Gowing [neilgowing@yahoo.com]
Sent: Monday, March 09, 2015 8:30 PM
To: Zorovich, John; keysite3neighbors@yahoo.com
Subject: Opposition to Keysite3 Rezoning

Hello Mr. Zoro,

I am writing you tonight to oppose the zoning change that has been requested for KeySite3. I currently reside at 1591 Black Oak Dr in the Mesa Verde Housing Track.

It is my understanding that there has been a request to change the zoning to allow housing and condominiums to be built on the property. I would adamantly oppose this zoning change for the following reasons:

I am currently a Deputy Sheriff with the Santa Barbara County Sheriff's Department. At my last home, which was located in the City of Santa Maria, I had a suspect from a previous investigation show up in front of my house just before I sold it. This caused my wife and I great stress as we had to be in fear for our safety knowing that someone I prosecuted knew where we lived. Although I can take care of myself, I feared for my safety while I slept and more so, I feared for my wife's safety while I was at work. 24.1

I moved to Mesa Verde, because although it is close to town, we are up on the hill away from everyone and get to enjoy the peace and quiet of being surrounded by ranches and open space. The zoning change proposed would drastically change our current living environment and would potentially expose myself and my fellow neighbors that are in law enforcement, to have to live next to people that we have to enforce the law upon.

Additionally, it would drastically increase the amount of traffic, noise, air quality and privacy that I have come to expect due to me purchasing an expensive home in the Orcutt area. I have great fears that it would also decrease my home value and being that I am in law enforcement, I know just by the amount of new families that would move in, it would increase crime in the area. 24.2

As a hard working county employee and tax payer, I respectfully request you deny the zoning change that has been proposed for keysite3. The current 10 acre ranch zoning protects the environment that currently surrounds my home and protects that sanctity and home values in my neighborhood.

Respectfully submitted,

Neil Gowing
1591 Black Oak Dr,
805-896-9668

Letter 24

COMMENTER: Neil Gowing, Private Citizen

DATE: March 9, 2015

RESPONSE:

Response 24.1

The commenter expresses opposition to the proposed project. The commenter states that he is a Deputy Sheriff with the Santa Barbara County Sheriff's Department. The commenter states that the proposed zoning change would change the current environment and "would potentially expose myself and my fellow neighbors that are in law enforcement, to have to live next to people that we have to enforce the law upon." Refer to Response 4.1 for a discussion of the project's impacts to the site's rural aesthetic character. Refer to Response 3.3 for a discussion of the project's impacts to police protection services.

Response 24.2

The commenter states that the proposed project would drastically increase traffic, noise, and air quality, and decrease privacy and property values. The commenter reiterates that "being in law enforcement, I know just by the amount of new families that would move in, it would increase crime in the area" and requests that the project be denied. Refer to Response 4.2 for a discussion of the project's traffic, noise, and air quality impacts. Refer to Response 3.3 for a discussion of the project's impacts to police protection services. Refer to Response 3.2 for a discussion of the project's impacts on privacy. The commenter's concern about property values does not address an environmental issue analyzed by the Draft SEIR but will be forwarded to County decision-makers for their consideration.

Letter 25

Zorovich, John

From: Jeff Hopson [hopson@svmca.com]
Sent: Monday, March 09, 2015 10:47 AM
To: Zorovich, John
Subject: Key site 3 zoning change

Hi John, long time no talk since the Harp Springs project.

I am now living on Old Tisbury Drive in Mesa Verde and am writing to express my concern about a proposed zoning change for Key site 3.
We already have heavy traffic on Stillwell Road and adding some 898 cars per day will further clog the road. The added traffic also means added pollution, noise, and crime and a decrease in the privacy we appreciate so much now. 25.1
This proposed change would also threaten the rural "gateway" that Orcutt is well known for. 25.2

Thank you,

--
Jeff Hopson
President
ServiceMaster CBM
hopson@svmca.com
805-349-0503 x104

Letter 25

COMMENTER: Jeff Hopson, Private Citizen

DATE: March 9, 2015

RESPONSE:

Response 25.1

The commenter states that the project's generated traffic would lead to congestion, pollution, noise, crime, and a loss of privacy. Refer to Response 4.2 for a discussion of the project's traffic, noise, and air quality impacts. Refer to Response 3.3 for a discussion of the project's impacts to police protection services. Refer to Response 3.2 for a discussion of the project's impacts on privacy.

Response 25.2

The commenter states that the project would threaten the rural "gateway" that Orcutt is known for. Refer to Response 4.1 for a discussion of the project's impacts to the site's rural aesthetic character.

Letter 26

March 6, 2015

RECEIVED
MAR - 9 2015
S.B. COUNTY (NORTH)
PLANNING & DEVELOPMENT

Planning and Development Office
624 W. Foster Road
Santa Maria CA 93457

Mr. John Zorovich, Project Planner

RE: ZONING CHANGE OF KEY SITE 3

My name is Darlene Iversen and I live at 5550 Stillwell Road. The entrance to my property is where the road turns by the mailboxes.

I am completely against the the change of the zoning of Key Site 3 allowing a denser zoning with 125 single family homes and 285 MR-O condominiums for very "low income" families. I am against opening Chancellor Street as a public road and widening the corner by the mailboxes and my entrance to 40'. The EIR calls for 898 additional cars a day to travel Stillwell Road. I would need a signal to exit and enter my property and probably a new entrance. Who would pay for that?

I attended almost all the meetings for the Orcutt Community Plan. We were told that we didn't know what was best for ourselves and everything here was changed to 10 acre ranchette parcels. Now I have Mesa Verde next me on one side. I hope you don't try to make more changes and tell me it is "best" for me and my neighbors. We moved here to enjoy country. We want it to stay the same.

Please don't let KEY SIDE 3 change. During the meetings the committee said it was the Gate Way to Santa Maria Valley and should be preserved as beautiful and welcoming.

Darlene Iversen

Darlene Iversen
5550 Stillwell Road
Santa Maria CA 93455
805-937-5014

Letter 26

COMMENTER: Darlene Iversen, Private Citizen

DATE: March 9, 2015

RESPONSE:

Response 26.1

The commenter states opposition to the proposed project, citing concerns about opening Chancellor Street as a public road and widening a turn in the roadway. The commenter requests a signal to exit and enter their property and a new entrance. In addition, the commenter asks who would pay for these improvements. Mitigation Measure T-1 describes transportation improvements that the project applicant will be required to construct. Mitigation Measure T-2 describes transportation fees that the applicant will be required to pay to the County to offset project contributions to cumulative Orcutt Transportation Improvement Plan (OTIP) identified impacts on traffic and circulation for the improvements. Refer to Response 3.4 for additional discussion of project site access from Chancellor Street and Stillwell Road. The commenter's concerns about access to Key Site 3 do not address an environmental issue analyzed by the Draft SEIR but will be forwarded to County decision-makers for their consideration.

Letter 27

Planning & Development
624 W. Foster Rd.
Santa Maria, Ca. 93455

Attn: Mr. John Zorovich

Mr. Zorovich,

I am writing this letter in regards to the proposed zoning change of Key Site 3. This Proposed change would be a huge mistake for all involved.

The area of Chancellor Rd. is a rural area right now. Changing that would only congest The roads even more than they are presently. It would also increase the crime in this area.

The property values of these beautiful homes on the affected properties would have to be re-assessed due to property value decrease, which in turn lessens County of SB tax income.

The areas of Chancellor, Stillwell, Hamilton and Vanessa streets are quiet, rural areas, that are looked upon as one of the only areas in Orcutt where you can live out in the country, but be only a few minutes from the stores. Why would someone want to destroy an area like this? I know a lot of people who are constantly looking to buy property in this area to build a home for their family to enjoy a peaceful, beautiful area for their children to grow up in. That would change if Key Site 3 is passed. 27.1

My family enjoys "the country life" in this area, along with the other neighbors, without the worries of crime and vehicles speeding past our house.

All of this would change if Key Site 3 was passed. All of Orcutt would change if Key Site 3 was passed. Why would you want to make this beautiful town of Orcutt turn into what the North/West portion of Santa Maria is like? I just don't understand it. My guess is that the people trying to get Key Site 3 passed are in it for the money and don't even live in this town, so they could care less of our daily concerns.

There would be less wildlife to see around the Orcutt Creek area, a big impact on the environment with installing a bridge over the creek to Chancellor, more noise, more traffic, more pollution, more crime and more of everything the existing neighbors did not move here to be part of.

Stillwell Rd., Clark Ave and the on/off ramps for Hwy 101 at 8:00 in the morning are a congested mess already. If it passes, I think the County will have a lot of money to spend on traffic control, streets, environmental impacts, street lighting, traffic signals and maintenance. 27.2

I STRONGLY OPPOSE KEY SITE 3. Please do not change this zoning. Try to keep this area the way it was intended to be. Everything is working just fine in this area right now. Why mess it up.

Thank you for your time.

Steve Mussell, Resident
5576 Stillwell Rd.

RECEIVED
MAR 09 2015
S.B. COUNTY (NORTH)
PLANNING & DEVELOPMENT

Letter 27

COMMENTER: Steve Mussell, Private Citizen

DATE: March 9, 2015

RESPONSE:

Response 27.1

This comment is the same as comment 13.1, except for minor word changes. Refer to Response 13.1.

Response 27.2

This comment is the same as portions of comment 13.2, except for minor word changes. Refer to Response 13.2. The commenter also expresses concern about the proposed clear-span bridge over Orcutt Creek. Refer to Response 21.3 for a discussion of the project's impacts to Orcutt Creek.

Letter 28

RECEIVED
MAR 09 2015
S.B. COUNTY (NORTH)
PLANNING & DEVELOPMENT

March 5, 2015

County of Santa Barbara
Planning and Development
Attn: Mr. John Zorovich, Project Planner
624 W. Foster Rd, Suite C,
Santa Maria, CA 93455

Dear Mr. Zorovich:

My name is Glenda Natzke, 5525 Stillwell Rd, and my husband and I are writing this letter to express our opposition to the development at Key Site 3 and in the change in the zoning of this area from 10 acre ranchettes to a denser zoning. We are also opposed to the widening and opening of Chancellor Street as a public road. Our home and property is located at the intersection of Stillwell and Chancellor Streets and would be greatly impacted by this zoning change because of the added traffic, noise, loss of privacy, air quality and decreased property value. 28.1

Additionally our home is located in the flood zone and the damage of additional water flow from this development could damage Orcutt Creek. The problem with flooding in this area is well documented with the County Flood Control District. The additional water flow could damage the banks of the creek and cause erosion and damage to the property owners located along the banks of the creek. 28.2

Because of the significant adverse environmental impact of this project, we hope you will deny this project.

Sincerely,

Mr. and Mrs. Keith Natzke
5526 Stillwell Rd.
Santa Maria, CA 93455

(805) 934-1661

Letter 28

COMMENTER: Mr. and Mrs. Keith Natzke, Private Citizens

DATE: March 9, 2015

RESPONSE:

Response 28.1

The commenter expresses opposition to the proposed project and to the widening and opening of Chancellor Street. The commenter expresses concern that the proposed project would increase traffic, noise, loss of privacy, air quality impacts, and decreased property values. Refer to Response 4.2 for a discussion of the project's impacts to air quality, noise, and traffic. Refer to Response 3.2 for a discussion of the project's impacts on privacy. Refer to Response 3.4 for additional discussion of project site access from Chancellor Street and Stillwell Road. The commenter's concern about property values does not address an environmental issue analyzed by the Draft SEIR but will be forwarded to County decision-makers for their consideration.

Response 28.2

The commenter states the County Flood Control District has documented flood problems in the vicinity of Key Site 3. Given existing flood conditions, the commenter is concerned that additional water flow from the proposed development could damage the banks of Orcutt Creek and cause erosion and damage to adjacent properties. The project's impacts on stormwater runoff, including flooding and degradation of water quality, are discussed in Impact WR-2 in Draft SEIR Section 4.12, *Water Resources/Flooding*. The proposed clustering of development in the northern mesa area, preserving the southern two-thirds of the Key Site 3 property as natural open space, would minimize impacts from stormwater runoff in most of the site. The potential for the proposed project to result in erosion at the gully is analyzed in Impact GEO-4 in Section 4.6, *Geologic Processes*. Based on a geotechnical investigation of the gully in the northwest corner of the project site, this drainage feature has historically experienced erosion but is not currently subject to substantial erosion because of existing drainage improvements. In addition, adherence to requirements of the County Flood Control District would ensure that post-development stormwater flows from the Key Site 3 property to Orcutt Creek do not exceed pre-development flows. Stormwater impacts would be significant but mitigable with implementation of Low Impact Development measures (WR-2[a]) and erosion control measures (WR-2[b]). Furthermore, as discussed in Impact WR-3, the proposed development would not be expected to lead to significant upstream or downstream flood impacts, as the proposed drainage and retention basin system would reduce the flow of post-development stormwater runoff to less than pre-development (existing) conditions.

Letter 29

Zorovich, John

From: Lisa ONeil [keysite3neighbors@yahoo.com]
Sent: Monday, March 09, 2015 9:57 AM
To: Zorovich, John
Subject: Zoning change-key site 3
Attachments: zoning change-key site 3.eml

On Sunday, March 8, 2015 2:18 PM, CHRIS FYLLING <rm442@comcast.net> wrote:

The addition of 285 condominiums and125 single family houses will cause an unacceptable increase in traffic on the one lone road into our area - Stillwell . Traffic has already been increased by the completion of the large tract at the top of the hill, which was done WITHOUT the opening of Stubblefield. A former resident at the end of Stubblefield, a Mr. Pierce, worked endlessly to stop Stubblefield from opening - he has since deceased. The residents at the upper tract will see lower insurance rates should it be opened, as well as a mile or so shorter driving to our local markets, as well as a direct access to the grammar school near the south end of Bradley. There has already been a number of road restriction incidents that have taken place - a few months ago, a water main in the middle of Stillwell, on the steep slope just north of Canyon Creek caused Stillwell to be reduced to one lane for the week of repairs. In addition to this proposed zoning change, there are notices posted about a 16 unit affair called "Terrance Villas", on Stillwell approximately at the same place where the water main broke. This new zoning change application is a complete disregard for all of us living off the Stillwell connection, and your approval will only add to that disregard. While you're at it, please work at the opening of Stubblefield Road, which will greatly ease the existing traffic. Regards, Chris Fylling, 5285 Pine Creek Ct, Orcutt. My phone is 934-0376.

Letter 29

COMMENTER: Lisa O'Neil, Private Citizen

DATE: March 9, 2015

RESPONSE:

The commenter sent a copy of Chris Fylling's commenter letter. Refer to Letter 23 for a response to this letter.

Letter 30

Zorovich, John

From: SweetLindsey Ortega [aug162003@msn.com]
Sent: Monday, March 09, 2015 8:30 PM
To: Zorovich, John
Subject: zoning change of Key Site 3

Dear John,

We are resident at 5620 Chilmark Ln, Orcutt, CA 93455. We do not agree with this development, because it will bring the property values down and also will cause traffic.

Thank you for understanding,

Ortega Family.

Letter 30

COMMENTER: Ortega Family, Private Citizens

DATE: March 9, 2015

RESPONSE:

The commenter expresses opposition to the proposed project because it would bring property values down and increase traffic. Refer to Response 4.2 for a discussion of project traffic impacts. Refer to Response 13.1 for a discussion of the project's impacts to property values. The commenter's concern about property values does not address an environmental issue analyzed by the Draft SEIR but will be forwarded to County decision-makers for their consideration.

Letter 31

John Zorovich

624 W. Foster Rd, Suite C

Santa Maria, CA 93455

Re: Zoning Change of Key Site 3

I am very concern about the proposed zoning change of key site 3. I recently purchased the 5 acre property on the corner of Stillwell and Chancellor for the rural setting and peaceful quite surroundings. If the zone change is approved, I know that it will drastically change the area. Traffic on Chancellor will increase while my property value and surrounding property values decrease. Also, loss of privacy and added noise will be a factor with this zone change.

I beg of you to deny the zone change. I feel that this project will be harmful to not only our area but impact Orcutt as a whole in a negative way.

Thank you

Richard and Mary Ortiz

APN 129-151-088

805-896-9421

MAR -9 2015

Letter 31

COMMENTER: Richard and Mary Ortiz, Private Citizens

DATE: March 9, 2015

RESPONSE:

The commenter expresses concern that the proposed project would change the rural setting, increase traffic and noise, and decrease property values and privacy. Refer to Response 4.2 for a discussion of the project's impacts to traffic and noise. Refer to Response 4.1 for a discussion of the project's impacts to the site's rural aesthetic character. Refer to Response 3.2 for a discussion of the project's impacts on privacy. Refer to Response 13.1 for a discussion of the project's impacts to property values. The commenter's concern about property values does not address an environmental issue analyzed by the Draft SEIR but will be forwarded to County decision-makers for their consideration.

Zorovich, John

From: Roger Pitman [roger@crirealty.net]
Sent: Monday, March 09, 2015 4:30 PM
To: Zorovich, John
Cc: loans@rogerpitman.com
Subject: FW: Zoning Change of Key Site 3

Dear. John Zorovich,

I am writing to oppose this Zoning Change as I live at 5278 Southcreek Ct in Orcutt and my home back right up to Stillwell Drive.

I understand that the EIR looks at the possibility of 898 additional cars a day on Stillwell.
If this is anything over 50 more cars a day on this already busy road it will force us to have to move.

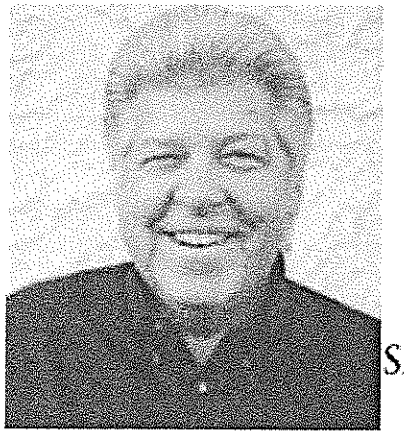
This is such a quiet and peaceful community now, but this extra traffic is going to ruin our neighborhood and the Crime will be increased drastically.

Please do not net this Zoning Change happen to Key Site 3.

Respectfully,

Roger C. Pitman
5278 Southcreek Ct.
Orcutt, CA 93455

Phone # 805-938-5353



Letter 32

COMMENTER: Roger Pitman, Private Citizen

DATE: March 9, 2015

RESPONSE:

The commenter expresses opposition to the proposed project and states that any more than 50 cars a day on Stillwell Road would force them to move. The commenter also states that project generated traffic would "ruin the neighborhood" and increase crime. Refer to Response 4.2 for a discussion of the project's traffic impacts. Refer to Response 3.3 for a discussion of the project's impacts related to police protection services.

Zorovich, John

From: Keith & Nancy Roach [grnlits@sbcglobal.net]
Sent: Monday, March 09, 2015 5:01 PM
To: Zorovich, John
Cc: KeySite3Neighbors@yahoo.com
Subject: Key Site 3

Mr Zorovich,

This email is to you as Project Planner regarding Key Site 3. As a homeowner in Jensen Crossing I am appalled at the size and design of the development this owner/contractor is proposing for Key Site 3. I implore the county to deny or at the very least downsize the development. The traffic, water issues, possible uptick in crime are enough to deter this project not to mention the impact to local schools, parks, etc. 33.1

Our subdivision of homes are zoned residential, regular density and to introduce high density to this area will no doubt hurt our property values. The developer purchased property zoned for ranchettes, not high density housing. 33.2

Please do the right thing and deny this application.

Nancy Roach
1538 Jensen Ranch Roach
Santa Maria

Letter 33

COMMENTER: Keith and Nancy Roach, Private Citizens

DATE: March 9, 2015

RESPONSE:

Response 33.1

The commenter expresses concern with the size and design of the proposed project and requests that the project be denied or downsized. This request does not address an environmental issue analyzed by the Draft SEIR but will be forwarded to County decision-makers for their consideration. Additionally, the impacts of a Low Buildout Alternative (Alternative 3) and a Reduced Project Alternative (Alternative 6) are discussed in Section 7.0, Alternatives, of the Draft SEIR.

The commenter also expresses concern that the proposed project would impact traffic, water, crime, school, and parks. Refer to Response 4.2 for a discussion of the project's traffic impacts, Response 8.3 for a discussion of impacts on water supply and schools, and Response 3.3 for a discussion of impacts related to police protection services. Impacts related to parks are discussed in Draft SEIR Section 5.0, *Effects Found Not to be Significant*. The majority of the southern portion of the site is identified as open space in the OCP and would be dedicated to the county. While no new public parklands would be developed as part of the proposed development, development impact mitigation fees would be assessed on the new residential development, and these fees would be used to develop new parklands elsewhere in the Orcutt area. Thus, impacts on parks demand from the proposed project would be less than significant.

Response 33.2

The commenter states that introducing high density on the project site would hurt nearby property values. Refer to Response 13.1 for a discussion of the project's impacts to property values. This concern about property values does not address an environmental issue analyzed by the Draft SEIR but will be forwarded to County decision-makers for their consideration.

Letter 34

Zorovich, John

From: raymond seronello [rseronello@hotmail.com]
Sent: Monday, March 09, 2015 4:41 PM
To: Zorovich, John
Subject: Mr.John Zorovich, Project Planner

Dear John, we are property owners near the Key Site 3 at 1552 Oak Bluffs Dr. Orcutt, CA . We are opposed to any changes to the Rural Setting and the Zoning that is here in Orcutt. Too have and additional 898 cars a day on Stillwell will be a great inconvenience. As a matter of fact having densely populated areas next to a noisy Hiway 101 would just be intolerable to any quality living conditions. My wife and I oppose this plan. Thanks You for your consideration. Raymond and Jacqueline Seronello

34.1

34.2

Letter 34

COMMENTER: Raymond and Jacqueline Seronello, Private Citizens

DATE: March 9, 2015

RESPONSE:

Response 34.1

The commenter expresses opposition to the proposed project. The commenter expresses concern that the project generated vehicle trips would make travel on Stillwell Road inconvenient. Refer to Response 4.2 for a discussion of project traffic impacts.

Response 34.2

The commenter states that the project's proximity to the U.S. 101 would be intolerable to quality of life. Draft SEIR Section 4.9, *Noise*, describes sound levels along the eastern property boundary of Key Site 3 and includes mitigation measures to reduce interior noise levels (Mitigation Measures N-2[a] and N-2[b]). Draft SEIR Section 7.0, Alternatives, evaluates Alternative 6, Reduced Project Alternative, and Alternative 7, Shifted Density Project Alternative, which include setbacks along U.S. 101. Refer to Response 14.2 for a discussion of the air quality health risk assessment that evaluates the site-specific risk of exposure to toxic air contaminants on the project site and provides recommended mitigation for potential impacts. Refer to Response 7.3 for a discussion of the project's impacts to quality of life.

Zorovich, John

From: Gary Taylor [gary.taylor@comcast.net]
Sent: Monday, March 09, 2015 2:46 PM
To: Zorovich, John
Cc: Office of Supervisor Peter Adam
Subject: Oppose zoning change for Key Site 3

Mr John Zorovich,

I wanted to express my wife's and I opposition to the proposed planning change to Key Site 3.

Regardless of the EIR findings, this change would have tremendous impacts to the site's area in regards to traffic (898 additional cars on Stillwell), increased crime, loss of privacy, noise, air quality, environmental damage to nearby sensitive areas, etc. 35.1

Proposing 125 SFU and 285 MR-O condominiums where once was to be 10 acre ranchettes is ridiculous. We live in the Mesa Verde Estates and having this type of housing density would completely disrupt and disturb the quiet and tranquil neighborhood which we purchased. Our property values would decline rapidly. During a time of historic drought conditions, this plan is also unacceptable.

Please consider all of these factors before approving **any proposed changes.** Also please do not negotiate smaller #s of units as appeasement to the developer. The 10 acre ranchettes parcel zoning should be retained. 35.2

Thank you for your sincere consideration of our opposition.

Gary and Dorothy Taylor

5724 Tuckernuck Lane

Santa Maria, CA 93455

Letter 35

COMMENTER: Gary and Dorothy Taylor, Private Citizens

DATE: March 9, 2015

RESPONSE:

Response 35.1

The commenters express opposition to the proposed project. The commenter states that regardless of the Draft SEIR's conclusions, the project would have tremendous impacts to traffic, crime, loss of privacy, noise, air quality, and sensitive natural resources. Refer to Response 4.2 for a discussion of the project's noise, air quality, and traffic impacts. Refer to Response 3.3 for a discussion of the project's police protection related impacts. Refer to Response 6.c in Section 9.2 (Responses to Public Testimony) for a discussion of impacts on sensitive natural resources. Refer to Response 3.2 for a discussion of impacts on privacy.

Response 35.2

The commenter states that the proposed project would disturb the quiet and tranquil nature of their neighborhood and would cause their property values to decline. Refer to Response 4.2 for a discussion of the project's noise and traffic impacts, which are related to the neighborhood's quiet and tranquil nature, and to Response 7.3 for a discussion of impacts on quality of life. The commenter's concern about property values does not address an environmental issue analyzed by the Draft SEIR but will be forwarded to County decision-makers for their consideration.

The commenter also expresses concern that the proposed project is unacceptable given historic drought conditions. Refer to Response 8.3 for a discussion of the project's impacts on water supply.

The commenter also requests that the existing zoning be retained. This request does not address an environmental impact analyzed by the Draft SEIR but will be forwarded to County decision-makers for their consideration.

Letter 36

Mr. John Zorovich

Project Planner/Key Site 3

Planning and Development Office

624 W. Foster Rd.

Santa Maria, CA 93455

March 9th 2015

Dear Mr. Zorovich

Our family is writing this letter today to oppose the zoning change of Key Site 3 from 10 acre ranchette parcels to a denser zoning that calls for 125 single family units and 285 MR-O condominiums.

In 2000 after searching for a beautiful rural piece of property we were able to purchase RR 5 acres on Stillwell. After 3 years of plans, changes, and numerous trips to the architect review board my husband built our dream home. Along with our neighbors we have paved and widen our private roads, which is upper Stillwell and Chancellor, installed fire hydrants all to keep our neighborhood hills attractive and safe, not only for us but for all the beautiful wildlife. We have all invested a lot in our parcels and I know this zone change will decrease our property values. 36.1

According to the ERI there will 898 additional cars a day on upper Stillwell and Chancellor, our private road that would be taken from us, this is very concerning to us as our children ride their bikes, walk to the neighboring park and their school bus stop is on Stillwell. As neighbors, it's a habit to drive safely as we have roaming deer daily, and I know we have never hit one, Sadly that would not be the case with additional traffic. 36.2

This is a small rural neighborhood, with peaceful rolling hills, wildlife and beautiful views. We feel safe here, planned on living our life here. Our views will change along with our quality of life if this passes, but so will the views from 101 coming into Orcutt. What a shame to destroy that with 125 multi units and 285 MR-O Condos. Please don't change the zoning on this project. 36.3

Thank You

Casey & Kim Treur

5562 Stillwell Rd.

Orcutt, CA 93455

805 331-3239

Letter 36

COMMENTER: Casey and Kim Treur, Private Citizens

DATE: March 9, 2015

RESPONSE:

Response 36.1

The commenters express opposition to the proposed zoning change at Key Site 3, citing their neighborhood's prior investments in paving and widening private roads and installing fire hydrants. The commenters believe that the zoning change will decrease their property values. The commenters' concern about property values does not address an environmental issue analyzed by the Draft SEIR but will be forwarded to County decision-makers for their consideration.

Response 36.2

The commenters express fear that the 898 additional cars per day estimated in the Draft SEIR for upper Stillwell Road and Chancellor Street would result in traffic hazards related to children and deer in the neighborhood. Refer to Response 3.4 for a discussion of the project's impacts on traffic safety.

Response 36.3

The commenters state that the 125 multi-family units and 285 MR-O condominium units would change their beautiful existing views, as well as the views from U.S. 101 coming into Orcutt. The commenters add that this development would change their quality of life. It should be noted that 160 additional high-density multi-family townhome units may be developed on the site under the entitled Multifamily Residential-Orcutt (MR-O) zoning on an approximately 8-acre portion of site. Therefore, the total buildout of the project site would be 285 residential units. Refer to Response 6.a in Section 9.2 (Responses to Public Testimony) for a discussion of the visual effects of development in the MR-O zone of the project site. Refer to Response 7.3 for a discussion of the project's impacts on quality of life.

Letter 37

Zorovich, John

From: Npzep@aol.com
Sent: Monday, March 09, 2015 12:55 PM
To: Zorovich, John
Subject: Key Site 3

Mr. John Zorovich,

I am writing to express my opposition to the zoning change at Key Site 3. I live at 5565 Oakbrook Lane, Santa Maria, CA 93455. I ask you please consider the effects this will have on a neighborhood that many of us have worked very hard to purchase our homes in.

Respectfully,

Nancy Zepeda
Zepeda Trucking
Npzep@aol.com
TEL: 805.937.8519
FAX: 805.937.7471

Letter 37

COMMENTER: Nancy Zepeda, Private Citizen

DATE: March 9, 2015

RESPONSE:

The commenter expresses opposition to the proposed project and requests that the project's impacts on the nearby neighborhoods be considered. The County of Santa Barbara conducted an initial analysis of the proposed development's impacts through the EIR Scoping Document and NOP process. A brief explanation of issues determined to be less than significant is included in Section 5.0, *Effects Found Not to be Significant*. All other environmental issues areas were analyzed in the Draft SEIR and the project's impacts to nearby neighborhoods were detailed.

Letter 38

Mr. John Gorovich, Project Planner
624 W. Foster Road
Santa Maria, Ca.

RECEIVED
MAR 10 2015
S.B. COUNTY (NORTH)
PLANNING & DEVELOPMENT

Re: Key Site 3

Dear Mr. Gorovich:

We live and own the property located at 1598 Jensen Ranch road. We purchased the property with the knowledge that the proposed site was zoned for ranchettes.

Changing this to single family dwellings as well as condos would place traffic at a maximum on Stillwell and need more 3/4 way stop signs and/or stop signals.

Purchased in 2006 my property has lost value to almost half.

In addition condos attract renters with many cars and the increase in traffic will create more pollution, noise and wear and tear on roads.

In Opposition,

Marion Armes
for: Armes Trust
1598 Jensen Ranch Rd
Santa Maria, Ca. 93455

Letter 38

COMMENTER: Marvin Armes, Private Citizen

DATE: March 10, 2015

RESPONSE:

The commenter states that the project-generated traffic would adversely affect Stillwell Road. The commenter states that the value of their home has decreased since 2006. The commenter expresses concern that the project would attract renters, which would increase traffic in the area leading to more pollution, noise, and wear and tear on roads. Refer to Response 4.2 for a discussion of the project's impacts to air quality, noise, traffic, and roads. Refer to Response 26.1 for a discussion of the transportation fees that the applicant will be required to pay to the County to offset project contributions to cumulative Orcutt Transportation Improvement Plan (OTIP) identified impacts on traffic and circulation for the improvements. The commenter's concern about property values does not address an environmental issue analyzed by the Draft SEIR but will be forwarded to County decision-makers for their consideration.

Letter 39

March 10, 2015

W. Hugh & Martha Bedford

5621 Menemsha Lane

Santa Maria, CA 93455

John Zorovich, Project Planner

Email: **jzoro@co.santa-barbara.ca.us**

624 W. Foster Rd.

Suite C

Santa Maria, CA 93455

Dear Mr. Zorovich,

I am writing in opposition of the zoning change of Key Site 3. The existing land use designation of Residential Ranchette of RR-10 should stay as it is.

As a resident of Mesa Verde for over 6 years, I have been fortunate to live in a semi-rural area surrounded by neighbors whose properties are a minimum of 5 acres. The private roads have been quiet, and with little traffic. My views and that of my neighbors have been largely unspoiled, and natural plant and animal life have been mostly unaffected.

The proposed project at total build out would have an extremely detrimental effect on my neighborhood. Chancellor Street, that is currently a private road, and upper Stillwell Rd would be hugely impacted with as many as 898 additional traffic crossings a day projected in the EIR. The area on the top of Key Site 3(now pastoral grazing land), would be negatively impacted with the dense build-out that is planned. It is more suited to an urban area then a semi-rural area.

The damage to the habitat of Orcutt Creek, the increased noise, pollution of air quality and night sky would forever change the rural character of this peaceful setting. Major negative impacts with regards to waste water and solid waste are also of great concern.

I am asking that this zoning change for the project be denied.

Sincerely yours,

W. Hugh Bedford & Martha Bedford

Letter 39

COMMENTER: W. Hugh and Martha Bedford, Private Citizens

DATE: March 10, 2015

RESPONSE:

This letter is identical to Letter 16, except for a change of address. Refer to responses to Letter 16.

Zorovich, John

From: Steve Coonis [scoonis@hotmail.com]
Sent: Tuesday, March 10, 2015 9:59 PM
To: Zorovich, John
Subject: KEY SITE 3

March 7, 2015

Mr. John Zorovich, Project Planner
COUNTY of SANTA BARBARA
624 W. Foster Rd., Suite C
Orcutt, CA 93455

Dear Mr. Zorovich:

I am writing in opposition of the zoning change of Key Site 3. The existing land use designation of RR-10 should stay as-is.

I'm concerned about how the project will affect air quality, biological and geological resources, and water drainage. As well, access for and to fire and other emergency services, the sheer amount and increase in vehicle traffic, the noise pollution, and waste water / solid waste disposal are also of great concern to me.

I am asking that this zoning change for the project be denied.

Sincerely,

Stephen C. Coonis
1540 Oak Bluffs Dr.
Orcutt, CA 93455
805-455-5102
scoonis@hotmail.com

Letter 40

COMMENTER: Steve Coonis, Private Citizen

DATE: March 10, 2015

RESPONSE:

The commenter expresses opposition to the proposed project and requests that it be denied. The commenter also expresses concern that the project would affect air quality, biological resources, geological resources, water drainage, access for fire and emergency services, vehicle traffic, noise pollution, wastewater, and solid waste disposal. Refer to Response 4.2 for a discussion of the project's air quality, noise, and traffic impacts. Refer to Response 16.4 for a discussion of the project's wastewater and solid waste disposal impacts. Refer to Response 8.3 for a discussion of the project's impacts on water drainage. Refer to Response 6.4 for a discussion of the project's impacts related to fire protection and emergency services. Refer to Response 6.c in Section 9.2 (Responses to Public Testimony) for a discussion of impacts on biological resources.

Letter 41

Zorovich, John

From: Holly Costello [fourcostellos@gmail.com]
Sent: Tuesday, March 10, 2015 12:40 PM
To: Zorovich, John; Abresch, Zoraida
Subject: Key Site 3

Dear Planners,

I am writing to express my complete and utter opposition to the development of Key Site 3. **Please do not** change the zoning of that area in order to allow for single family units and condominiums.

I am a resident of Cobblestone Creek and this development would impact me and my family greatly. My children, and dozens of other children, walk to the bus stop which is right on Stillwell Rd. and another 900 cars zooming by would make it dangerous to all those kids. Does the developer care about all those children's lives which would now be in danger? 41.1

We purchased our home for the location. A nice, quiet, family-friendly home close to businesses but with a rural feel to it. Stillwell Rd. (south side of Clark Ave.) isn't a through road so the only travelers are residents. This is a huge appeal to all of us living off Stillwell Rd. We chose this location because there wasn't a lot of traffic; we felt secure that our kids could walk to the park or to their friends without danger of being hit. This will no longer be the case with hundreds driving by.

In the case of a horrible emergency, the many families living off Stillwell Rd. have only one road out. If you add over 400 more families, people wouldn't be able to get out and lives would be in danger. That is too many families living off one road without alternative routes. We have been blessed and lucky to date, but in case of a fire, earthquake, flood, etc. hundreds of people would be at risk with getting out since there is only one way. That is not a smart decision to add more people off only one road. 41.2

I am in favor of providing affordable housing but this proposed project site, Key Site 3, is not the place. There are ample plots of land in Orcutt to build and I encourage the developer to find a more suitable site.

Thank you.

Holly Costello

Letter 41

COMMENTER: Holly Costello, Private Citizen

DATE: March 10, 2015

RESPONSE:

Response 41.1

The commenter expresses opposition to the proposed zone change and development, citing concerns about traffic safety for children walking in the neighborhood. Refer to Response 3.4 for a discussion of the project's impacts on traffic safety.

Response 41.2

The commenter fears that hundreds of people would be at risk in the event of a natural disaster because people living off Stillwell Road would have only one road out. As described in Appendix I to the SEIR (refer to Exhibit 8) approximately 598 vehicles would be expected to access the site daily via Chancellor, while approximately 1,497 vehicles would be expected to access the site daily via Sunny Hills Road. Widening of Stillwell Road and the intersection of Stillwell Road and Chancellor Street is proposed to provide for improved turning movements for fire trucks and other large vehicles. This roadway widening would improve accessibility to emergency responders during natural disasters, as well as ingress/egress for on-site residents. As described in Section 4.5, *Fire Protection*, standard Fire Department requirements such as road naming requirements, address number standards, hydrant requirements, and review of site circulation and design of secondary internal Emergency Vehicle Access (EVA) roads would apply to the proposed project, and would ensure adequate emergency access and reduce the risk from wildland fires.

Letter 42

Zorovich, John

From: DJDCPA1520@comcast.net
Sent: Tuesday, March 10, 2015 4:22 PM
To: Abresch, Zoraida
Cc: Zorovich, John
Subject: Key Site 3 Project

Dear Ms. Abresch & Mr. Zorovich:

I ask that you consider this a letter of protest against the Key Site 3 Project (Assessor Parcel # 129-151-026, proposed south of Clark Avenue. How a project with such an adverse impact on the area could get this far without the families living in the sixty-four homes in Mesa Verde Subdivision being made aware until a few days ago is the first issue.

While the project consists of 138.6 acres, the truth is there will be 125 single-family Affordable Housing Cluster homes built on 15 acres. About 8 homes per acre or an average of 5,000 sq.ft lots. That is a maximum high density project in proximity to Mesa Verde which has 13,000-17,000 sq. ft lots with homes the owners paid $700,000-$800,000. 42.1

That is an undeniable factor: Affordable Housing will bring a different element to one of the nicest areas in Orcutt and cannot help but have a detrimental effect on the value of Mesa Verde and Rice Ranch homes.,

Key-Site 3 will create serious traffic problems as stated below for the Clark Ave/Stillwell area which already has traffic issues at peak hours.

1) Huge increase in the number of cars from not only the homeowners in this project, but also from recreational usage. 42.2

2) Chancellor ingress and egress on to Stillwell cannot handle the increase in traffic, as well as being dangerous with multiple bus stop locations on the south end of Stillwell.

3) A potential new Clark St. exit will require a light inasmuch as access from the trailer park is already dangerous. With this access so close to the on and off ramps to Hwy 101 it will for sure create multiple accidents.

4) If a light is required at this new access on Clark St. it will substantially slow traffic flow and affect the stoplight on Stillwell. Traffic already backs up on Clark from the 101 Freeway to Stillwell Ave. at peak hours. 42.3

4) The environmental impact for our area is great. It will alter the character of all the existing neighborhoods South of Clark Ave. in the vicinity of Stillwell. 42.4

5) When Black Oak is connected to Stubblefield Road, the traffic at Clark & Stillwell will be much greater than the connecting roads were designed to accommodate. And, with the new approved subdivision on Stillwell just south of the trailer park, the County can expect a large increase in accidents and congestion in these areas.

6) It could very well create problems for the Fire Department's access located on the Northeast corner of Clark & Stillwell from increased traffic congestion. 42.5

7) With our current drought issues, can Golden State Water Co. accommodate 125 Key Site 3 homes, in addition to the homes being added to Rice Ranch, as well as the proposed new homes off Stillwell, immediately south of the Trailer Park, and, a proposed subdivision adjacent to Mesa Verde along Stubblefield Rd? 42.6

On behalf of the homeowners, please reconsider approval of the Key Site 3 Project. This is not a project that will add to the community. The smaller town feeling here in Orcutt will disappear if the goal of the County is to grant developments to developers from Southern California. They have destroyed their area, now Santa Maria/Orcutt are on their sight.

David J. Dickinson, President,
Mesa Verde Homeowners Association

Letter 42

COMMENTER: David J. Dickinson, President, Mesa Verde Homeowners Association

DATE: March 10, 2015

RESPONSE:

Response 42.1

The commenter expresses opposition to the proposed project because affordable housing on Key Site 3 would decrease the value of homes in the Mesa Verde and Rice Ranch neighborhoods. Refer to Response 11.2, regarding the proposed market rate housing on Key Site 3 and the payment of in-lieu fees. The commenter's concern about property values does not address an environmental issue analyzed by the Draft SEIR but will be forwarded to County decision-makers for their consideration.

Response 42.2

The commenter expresses concern that the proposed project would create "serious traffic problems" for the Clark Avenue/Stillwell Road area, which already has traffic issues at peak hours. The commenter anticipates a major increase in vehicle trips not only from homeowners in Key Site 3 but also from recreational users. Refer to Response 4.2 for a discussion of the project's impacts on traffic conditions.

In addition, the commenter claims that the proposed project would create dangerous conditions with multiple bus stop locations on the south end of Stillwell Road. Refer to Response 3.4 for a discussion of the project's impacts on traffic hazards. As discussed in Section 4.11, *Transportation and Circulation*, of the Draft SEIR, the Focused Rezone Program EIR determined that impacts to local circulation (Impact TC-3) and public transportation (Impact TC-4) would be less than significant. Nevertheless, Mitigation Measure TC-4 was included in the Focused Rezone Program EIR and requires consultation with Santa Maria Area Transit to ensure that the public transportation demand can be met in order to further reduce impacts on public transportation. These impacts and mitigation measures apply to the multi-family townhome development in the MR-O zone of the project site, which is part of the cumulative development analyzed in the Draft SEIR.

Response 42.3

The commenter claims that a potential new Clark Avenue exit would require a new traffic signal because access to the mobile home park is already dangerous. As discussed in Draft SEIR Section 4.11, *Transportation and Circulation*, the cumulative project setting accounts for the planned realignment of the Sunny Hills Road to the west and signalization of the Sunny Hills Road/Clark Avenue intersection.

The commenter states that a light at this new access point would substantially slow traffic flow and affect the stoplight on Stillwell Road. However, as discussed in Section 4.11, under existing plus project conditions, Clark Avenue is projected to operate at LOS A (free unobstructed traffic flow)

from Bradley Road to U.S. 101. Under the cumulative plus project scenario, traffic conditions on Clark Avenue are projected to remain acceptable.

In addition, the commenter states that the proximity of this access point to the on/off ramps to U.S. 101 would create multiple accidents. Refer to Response 3.4 for a discussion of the project's impacts on traffic hazards.

Response 42.4

The commenter states that the proposed project would alter the character of all existing neighborhoods south of Clark Avenue in the vicinity of Stillwell Road. Refer to Response 4.1 for a discussion of the project's impacts on the area's rural aesthetic character.

Response 42.5

The commenter states that when Black Oak Drive is connected to Stubblefield Road, the traffic at Clark Avenue and Stillwell Road would be greater than the connecting roads were designed to accommodate. As discussed in the Penfield & Smith traffic study for the proposed project, which is included as Appendix I to the Draft SEIR, the Orcutt Transportation Improvement Plan (OTIP) identifies public improvements to be completed as a part of the development of Key Sites 1, 2, and 3. Study area circulation network improvements include a connection between Stillwell Road and Stubblefield Road to the west. These improvements are included in the cumulative analysis assumptions in the traffic study and Section 4.11, *Transportation and Circulation*, of the Draft SEIR. Refer to Response 4.2 for a discussion of the project's impacts on existing and cumulative traffic conditions, including required mitigation measures.

The commenter adds that with the new approved subdivision on Stillwell Road just south of SHMHP, the County can expect a large increase in accidents and congestion. Refer to Response 3.4 for discussion of the project's impacts on traffic hazards.

In addition, the commenter speculates that the increase in traffic congestion from the proposed project could create problems for the Fire Department's access located on the northeast corner of Clark Avenue and Stillwell Road. Though outside of the scope of this EIR, the intersection at Clark Avenue and Stillwell Road is signalized and includes a traffic preemption device. In case of emergency, the Fire Department is able to stop traffic and exit the station unimpeded. As described in Section 4.5, *Fire Protection*, standard Fire Department requirements such as road naming requirements, address number standards, hydrant requirements, and review of site circulation and design of secondary internal Emergency Vehicle Access (EVA) roads would apply to the proposed project, and would ensure adequate emergency access and reduce the risk from wildland fires. Refer to Response 6.4 for a discussion of the Fire Department's review of the proposed project.

Response 42.6

Given the current drought, the commenter asks if Golden State Water Co. can accommodate 125 homes on Key Site 3, in addition to the homes being added to Rice Ranch, the proposed new

homes off Stillwell Road, and a proposed subdivision adjacent to Mesa Verde. Refer to Response 8.3 for a discussion of the project's impacts on water supply.

Zorovich, John

From: RON FAAS [faas@verizon.net]
Sent: Tuesday, March 10, 2015 11:15 PM
To: Zorovich, John
Subject: Concerns on Draft Supplemental EIR - Orcutt Key site 3

To: John Zorovich, project planner, 624 W. Foster Road, Suite C, Santa Maria, CA 93455

Specific Impact Concerns:

Section 4.6 Geologic Processes acknowledges the presence of the gully at the NW corner of KS-3. The existence of the gully is also implied by **Section 4.12 Water Resources** which states "The northern mesa area is relatively flat and drains to the northwest, to an existing wash that flows west to Orcutt Creek." 43.1

However, neither section discusses the likelihood, even the possibility, of further erosion of the gully (politely disguised as "the existing wash" in sec.4.9) by water runoff &/or subsoil drainage. Diverting all water runoff to the south from the natural drainage to the northwest will require considerable amount of extensive grading, which will unlikely divert the direction of subsoil drainage.

Section 4.9 Noise is basically limited to assessment of the impact of noise from Hwy 101 to the residents of KS-3, and fails to address the noise impact of KS-3 traffic on residents of Sunnyhills MHC. While "Traffic generated by the project is anticipated to result in noise level increases along roadways in the project vicinity", "Traffic related increases in noise would not exceed the County's threshold at sensitive receptors along four studied roadway segments." The draft SEIR states "No mitigation measures are required. So, unfortunately, the draft SEIR is woefully inadequate in neglecting to recognize the need to install a sound wall between Sunnyhills Road and Sunnyhills MHC. 43.2

Section 4.11 Transportation & Circulation impacts are limited to the analysis of traffic flows at four intersections that do not include the proposed new intersection of Sunnyhills Road and the entrance to Sunnyhills MHP. Absent is any mention of traffic congestion & collision hazard at the entrance to Sunnyhills MHP and needed mitigation measures.

While a relocation of Sunnyhills Road from the edge of Town & Country MHP to a new intersection on Clark Ave. is proposed, specifics are missing regarding its timing. Will the relocation be required as a condition of project approval, or would relocation be allowed to be deferred (perhaps indefinitely) until the development of KS-1 north of Clark Ave.? A possible indication of such possible deferral is the sketch of the current intersection of Sunnyhills Road & Clark Ave. in Figure 4-11.9, portraying a revised traffic alignment that would prevent westbound Clark Ave. traffic from entering Sunnyhills Road. Is that alignment proposed as an "intermediate" solution pending a new intersection concurrent with the development of KS-1? 43.3

Other Concerns:

The **scale of the Project Access & Roadway Alignment drawings** show an exaggerated width of right-of-way between Sunnyhills MHP and US 101, inconsistent with the actual scale presented in aerial photographs. 43.4

Finally, a **statement of overriding considerations** to be made per Section 16093 of the State CEQA Guidelines is missing from the EIR. 43.5

Thank you.

Ron Faas, homeowner in Sunnyhills MHC, 1650 E. Clark Ave. #248, Santa Maria, CA 93455-7520 & Sunnyhills Homeowners Association board member.

Letter 43

COMMENTER: Ron Faas, Private Citizen

DATE: March 10, 2015

RESPONSE:

Response 43.1

The commenter states that neither Section 4.6, *Geologic Processes*, nor Section 4.12, *Water Resources*, in the Draft SEIR discusses the possibility of further erosion of the gully at the northwest corner of Key Site 3. The commenter states that diverting stormwater runoff to the south from the natural drainage to the northwest would require extensive grading, which would divert the direction of subsoil drainage. The potential for the proposed project to result in erosion at the gully is analyzed in Impact GEO-4 in Section 4.6, *Geologic Processes*. Based on a geotechnical investigation of the gully in the northwest corner of the project site, this drainage feature has historically experienced erosion but is not currently subject to substantial erosion because of existing drainage improvements. Because proposed drainage improvements in the Northern Mesa Area would further control surface drainage to the gully, the proposed project is not expected to result in increased erosion of the gully banks according to geotechnical reports prepared by Earth Systems Pacific and included in Appendix E of the Draft SEIR. Furthermore, development of the site is not expected to substantially affect the potential for localized minor soil sloughing and slumps according to geotechnical reports prepared by Earth Systems Pacific and included in Appendix E of the Draft SEIR. With property line and building setbacks from the gully, pursuant to the Santa Barbara County Grading Code (Section 14-28), impacts related to erosive soils in the gully area would be less than significant in this area.

Response 43.2

The commenter states that Draft SEIR Section 4.9, *Noise*, fails to address the noise of impact of traffic from Key Site 3 on residents of SHMHP. The commenter states that a sound wall would be needed between Sunny Hills Road and SHMHP. Refer to Response 4.2 for a general discussion of the project's impacts on noise from traffic. With regard to traffic noise from Sunny Hills Road, the Draft SEIR included modeling of pre-project and post-project noise levels at sensitive receptors adjacent to this roadway, based on traffic projections. As discussed in Impact N-3, Sunny Hills Road has existing noise levels below County thresholds and would remain below the County's 65 dBA threshold for residential noise exposure after development of the project. Therefore, traffic noise generated by the proposed project would not have a significant impact on residents of SHMHP, and a sound wall would not be necessary.

Response 43.3

The commenter states that Draft SEIR Section 4.11, *Transportation and Circulation*, lacks an analysis of traffic congestion and collision hazards at the entrance to SHMHP. However, Section 4.11 shows the results of traffic modeling for the intersection of Clark Avenue and Sunny Hills Road. The proposed project would not result in significant traffic congestion at this intersection under the existing plus project or the cumulative plus project scenario.

The commenter asks when Sunny Hills Road would be relocated, whether this would be required as a condition of project approval, or if it could be deferred until development of Key Site 1 to the north of Clark Avenue. The commenter also asks if Figure 4-11.9 portrays a revised traffic alignment that would prevent westbound traffic on Clark Avenue from entering Sunny Hills Road, and whether the alignment is proposed as an "intermediate" solution pending a new intersection concurrent with development of Key Site 1. Realignment of Sunny Hills road is a part of the proposed project and is required for primary access for the Key Site 3 project site. Therefore, the realignment will occur as a part of the overall project improvements. Figure 4.11-9, in Section 4.11, *Transportation and Circulation*, identifies roadway improvements that have been developed in coordination with Caltrans and County staff to improve intersection operations at the Clark Avenue/U.S. 101 southbound ramps intersection.

Response 43.4

The commenter states that the scale of the project access and roadway alignment drawings show an exaggerated width of right-of-way between SHMHP and U.S. 101, inconsistent with the actual scale shown in aerial photographs. As the commenter suggests, the existing right-of-way is narrower than the road shown in Figure 2-6. However, Figure 2-6 shows improvements to the road between SHMHP and U.S. 101 that are included in the proposed project, such as installation of a sidewalk and widening of the road.

Response 43.5

The commenter states that a statement of overriding considerations, pursuant to *CEQA Guidelines* Section 16093, is missing from the Draft SEIR. A statement of overriding considerations for significant and unavoidable impacts is prepared with the CEQA Findings, after receipt of public comments and completion of the Final EIR. The Statement of Overriding Considerations is not required as part of a Draft SEIR.

March 10, 2015

County of Santa Barbara
Planning and Development
624 W. Foster Road
Santa Maria, CA 93455

ATTN: Mr. John Zorovich, Project Planner
RE: Key Site 3 Residential Subdivision Project

Dear Mr. Zorovich:

It has been brought to our attention that the developer of Key Site 3 is attempting to change the zoning of the area from 10-acre ranchette parcels to a different zoning that would allow for 125 single family units and 285 MR-O condominiums for low to very low income families. As residents of the Mesa Verde development that will be directly impacted by this change, we **strongly oppose** the re-zoning of this area.

Along with more units and people come the problems of more traffic, more congestion, decreased air quality, increased noise, loss of privacy, decreased property values, etc. We are also quite concerned about damage that may be incurred by Orcutt Creek during this process. This is a rural-type setting and it would definitely impact the current atmosphere enjoyed by the existing community.

We would greatly appreciate your *leaving the current zoning in place* when considering this proposal.

Respectfully submitted,

Danny & Cynthia Gonsalves
1537 Oak Bluffs Drive
Santa Maria, CA 93455

Letter 44

COMMENTER: Danny and Cynthia Gonsalves, Private Citizens

DATE: March 10, 2015

RESPONSE:

The commenter expresses opposition to the proposed project. The commenter states that the proposed project would adversely affect traffic, congestion, air quality, noise, privacy, property values, and Orcutt Creek. The commenter also expresses concern that the proposed project would impact the "current atmosphere" of the area. Refer to Response 4.2 for a discussion of the project's traffic, air quality, and noise impacts. Refer to Response 3.2 for a discussion of the project's impacts on privacy and to Response 21.3 for a discussion of impacts to Orcutt Creek. Refer to Response 4.1 for a discussion of the project's impacts to the site's rural aesthetic character. The commenter's concern about property values does not address an environmental issue analyzed by the Draft SEIR but will be forwarded to County decision-makers for their consideration.

Letter 45

Zorovich, John

From: Richard Hart [richard.hart@breitburn.com]
Sent: Tuesday, March 10, 2015 3:11 PM
To: Zorovich, John
Subject: Key Site 3 Project; 13 GPA-00005, 13RZN-00000-00001, 13TRM-00000-00001, 13DVP-0000-00010

Dear John,

As a resident of Mesa Verde sub-division which is accessed by Stillwell Road, I am concerned that the combination of the existing 160 home project and this proposed additional 125 home project will very significantly increase traffic on Stillwell Road. Chancellor St. exits onto Stillwell Road right at the south end and therefore the Key Site 3 housing project has the capacity to significantly increase traffic on a residential access road. In addition, the Cobblestone Creek children's play area access is also directly onto Stillwell Road and I consider the increased safety risk and noise impact to be unacceptable and potentially immitigable. 45.1 45.2

I THEREFORE OPPOSE THE ABOVE CITED PROPOSED DEVELOPMENT.

RICHARD HART
5790 AQUINNAH LN
ORCUTT
CA 93455.

Letter 45

COMMENTER: Richard Hart, Private Citizen

DATE: March 10, 2015

RESPONSE:

Response 45.1

The commenter expresses concern that the project would adversely affect traffic on Stillwell Road and Chancellor Street. Refer to Response 4.2 for a discussion of the project's traffic impacts.

Response 45.2

The commenter expresses concern that the project's generated traffic would increase safety risks on Stillwell Road, which provides access to the Cobblestone Creek children's play area. The commenter expresses opposition to the proposed project. Refer to Response 3.4 for a discussion of the project's impacts on traffic hazards.

Letter 46

Zorovich, John

From: Sally Jacobs [sjacobsart@hotmail.com]
Sent: Tuesday, March 10, 2015 7:35 PM
To: Zorovich, John
Subject: Key Site 3 zoning change

Dear Mr. Zorovich,

My husband and I own a new home in Mesa Verde. A few days ago we were made aware of a proposed amendment to the Key Site 3 project. We have some major concerns regarding this possible zoning change.

We believe the original proposal was for ten acre ranchette parcels.This would seem to be a good use of that particular acreage. There are already residential areas in similar scope nearby. 46.1

The proposed change to high density housing would impact the surrounding neighborhoods in numerous ways. Perhaps the most obvious is the increased traffic. It is already busy enough on Stillwell and even more so on Clark. The added noise, decreased air quality, and wear and tear on the roads will certainly result.

We are also concerned about water use. Aren't we in a drought? The future weather pattern does not look very promising. Increased housing will not help. 46.2

We purchased our home a year and a half ago because of the open spaces and safe neighborhood. This project would change that and as a result lower our home value and that of every homeowner nearby. 46.3

We hope you will take our concerns into account and oppose this zoning change.
Thank you.

Sincerely,
Sarah Jacobs
1580 Black Oak Dr.

Sent from my iPad

Letter 46

COMMENTER: Sarah Jacobs, Private Citizen

DATE: March 10, 2015

RESPONSE:

Response 46.1

The commenter expresses concern that the proposed project would increase traffic on local roadways, which would adversely affect air quality and increase wear and tear on roads. Refer to Response 4.2 for a discussion of the project's air quality and traffic impacts. Refer to Response 26.1 for a discussion of the transportation fees that the applicant will be required to pay to the County to offset project contributions to cumulative Orcutt Transportation Improvement Plan (OTIP) identified impacts on traffic and circulation for the improvements.

Response 46.2

The commenter expresses concern about the project's water use and is concerned increased housing would exacerbate drought conditions. Refer to Response 8.3 for a discussion of the project's impacts on water supply.

Response 46.3

The commenter expresses concern that the project would change the safety and open space in the area and would therefore decrease home values. Refer to Response 3.3 for a discussion of the project's impacts related to police protection services. While the proposed project would involve development of existing grazing land in the Northern Mesa Area, approximately 76% of the project site would be dedicated to the County or to a County-approved agency as open space, as required by the OCP. The commenter's concern about property values does not address an environmental issue analyzed by the Draft SEIR but will be forwarded to County decision-makers for their consideration.

Letter 47

Zorovich, John

From: Joanie James [joaniesrealty@gmail.com]
Sent: Tuesday, March 10, 2015 11:15 AM
To: Zorovich, John
Subject: Key site 3

To the planning dept., or who it may concern,

My name is Joanie James, I owned a 20 acre parcel at 5800 Vanessa, Orcutt Ca. 93455. In addition, I am a Real Estate Broker for the past 37 years.

Last year I sold two 5 acre parcels at the corner of Stillwell and Chancellor, both clients purchased these parcels for the peaceful and tranquil location that these parcels possessed. They also paid top dollar and invested their life savings so they could build their dream homes.

Upon realizing the intentions of the owners of Key site 3 to high density properties with as much as 800 cars travelling right in front of their homes, one has been forced to put their dream lot on the market, the other is not aware of this change yet. 47.1

If you are going to arbitrarily change the zoning to such a radical density you should consider the possibility of changing their zoning to 1/2 acre ranchettes so they can make money and get out of the neighborhood, that they love and adore.

This is unfair action and must be driven by a political agenda and money.

In addition are you aware of the Endangered Species Act of 1970 to protect Endangered and Rare species. I saw many 47.2

Tiger Salamanders on my property when I lived there for 20 years.....where are the tests for this property?
The gateway to Orcutt from Clark is already riddled by Mobile Homes at Sunny Hills, which make the entrance to our community look like a low income housing community and you want to add to to the hilltop as well, shame on you. 47.2, cont'd
Please contact me,
Joanie James
805 878-8833

--

Joanie James

Real Estate Broker
Lic. # 00675848
805 878-8833 Direct

2665-J Shell Beach Rd
Shell Beach, CA 93449
(805) 773-4130 Office
(805) 773-4159 Fax

411 E. Betteravia Ste. 101
Santa Maria, CA 93454
(805) 349-7777 Office
(805) 349-7789 Fax

Letter 47

COMMENTER: Joanie James, Private Citizen

DATE: March 10, 2015

RESPONSE:

Response 47.1

The commenter states that the proposed change in zoning on Key Site 3 to a "radical density" is unfair and driven by a political agenda. This concern about the proposed project does not address the Draft SEIR's analysis of environmental impacts but will be forwarded to County decision-makers for their consideration.

Response 47.2

The commenter observed tiger salamanders on her former property near Key Site 3 and asks if studies have been conducted for this species on the project site. As discussed in Table 4.3-4 in Draft SEIR Section 4.3, *Biological Resources*, the tiger salamander is not expected to occur on-site. While potentially suitable upland habitat is present on Key Site 3, no suitable breeding habitat is present. The nearest known breeding pond is approximately 1.5 miles to the south. No individuals were captured during protocol-level surveys of the site.

In addition, the commenter is concerned that the proposed project would make the gateway to Orcutt from Clark Avenue look like a low-income housing community. This concern about the character of housing in the area does not address the Draft SEIR's analysis of environmental impacts but will be forwarded to County decision-makers for their consideration.

Letter 48

Zorovich, John

From: Jennifer Kantorowski [jeneric543@yahoo.com]
Sent: Tuesday, March 10, 2015 8:13 PM
To: Zorovich, John
Cc: Jennifer Kantorowski
Subject: Zoning Change of Key Site 3 in Orcutt

Mr. John Zorovich
Project Planner, Santa Barbara County

Dear Mr. Zorovich,

We are writing in opposition to the proposed zoning change of Key Site 3 in Orcutt near Clark Ave.

My family lives in the Mesa Verde community off Stillwell. Currently Mesa Verde and the adjacent communities of Cobblestone Creek and Jensen's Crossing are quiet neighborhoods consisting of single-family homes. We are family-friendly neighborhoods of almost entirely homeowners. Up and down Stillwell, we regularly see children and families walking among our communities and around Cobblestone Park and its greenbelt. With the SB County/Orcutt trail system nearby, we also have a large number of cyclists in and around us.

We were dumb-founded when we heard that a large-scale condominium or apartment complex is under consideration to be built off of Clark. A re-zone like that would have a huge negative impact on our community! 48.1

My family strongly opposes this for many more reasons:

Our biggest concern is the addition of an estimated 850+ cars a day on our communities' small residential streets. This would be a real threat to pedestrians and bicycles. Stillwell is a two-lane street and **includes a hill that blocks the view of oncoming traffic** for several hundred yards. The addition of more cars on this road would be just inviting some very serious traffic accidents.

We moved here to get away from traffic congestion. We like the nearly rural setting where we see deer and other wildlife creatures occasionally meander through our streets. 48.2

We are also very concerned about the increased crime that typically is associated with greater traffic and a higher population density. 48.3

Furthermore, the homeowners in our community would likely see a steep decrease in property values, which would negatively affect the home prices in Orcutt as a whole, as this area is one of the higher valued neighborhoods in Orcutt. 48.4

We implore you to reconsider the re-zoning of Key Site 3.

Eric, Jennifer, Arlene Kantorowski
5612 Menemsha Lane
Orcutt, CA 93455

Letter 48

COMMENTER: Eric, Jennifer and Arlene Kantorowski, Private Citizens

DATE: March 10, 2015

RESPONSE:

Response 48.1

The commenters state that a rezone for large-scale condominium or apartment uses would have a negative impact on their community. Refer to Response 11.2 for a discussion of development in the MR-O zone within Key Site 3, which is not part of the proposed project. The commenters add that increased traffic on small residential streets would pose a safety hazard for pedestrians and bicyclists, in particular on Stillwell Road where a hill blocks the view of oncoming traffic. Refer to Response 3.4 for a discussion of the project's impacts on traffic hazards.

Response 48.2

The commenters state that they moved to their community to get away from traffic congestion and like the rural setting, including wildlife sightings. Refer to Response 4.1 for a discussion of the project's impacts on the area's rural aesthetic character and to Response 4.2 for a discussion of impacts on traffic congestion.

Response 48.3

The commenters are concerned about increased crime that is typically associated with greater traffic and a higher population density. Refer to Response 3.3 for a discussion of the project's impacts on police protection services.

Response 48.4

The commenters anticipate a decrease in property values due to the proposed project. This concern about the property values does not address the Draft SEIR's analysis of environmental impacts but will be forwarded to County decision-makers for their consideration.

Letter 49

Re: Key Site #3

2

Schedule

Santa Barbara County P&D is soliciting comments on the adequacy and completeness of the analysis and proposed mitigation measures described in 14-EIR-07. You may comment by providing testimony at the public environmental hearing on February 10, 2015 at 5:30 p.m. in the Board of Supervisors Hearing Room, located at 511 East Lakeside Parkway, Santa Maria, and/or submitting written or oral comments to the project planner, John Zorovich, at 624 W. Foster Road, Suite C, Santa Maria, CA 93455, Phone: (805) 934-6297, or FAX: (805) 934-6258, or email at jzoro@co.santa-barbara.ca.us prior to the close of public comment on **Wednesday, March 11, 2015 at 5 p.m.**

Contacts

John Zorovich, Planner
jzoro@co.santa-barbara.ca.us
(805)934-6297

RECEIVED
MAR 10 2015
S.B. COUNTY (NORTH)
PLANNING & DEVELOPMENT

Peter Adam
Fourth District Supervisor

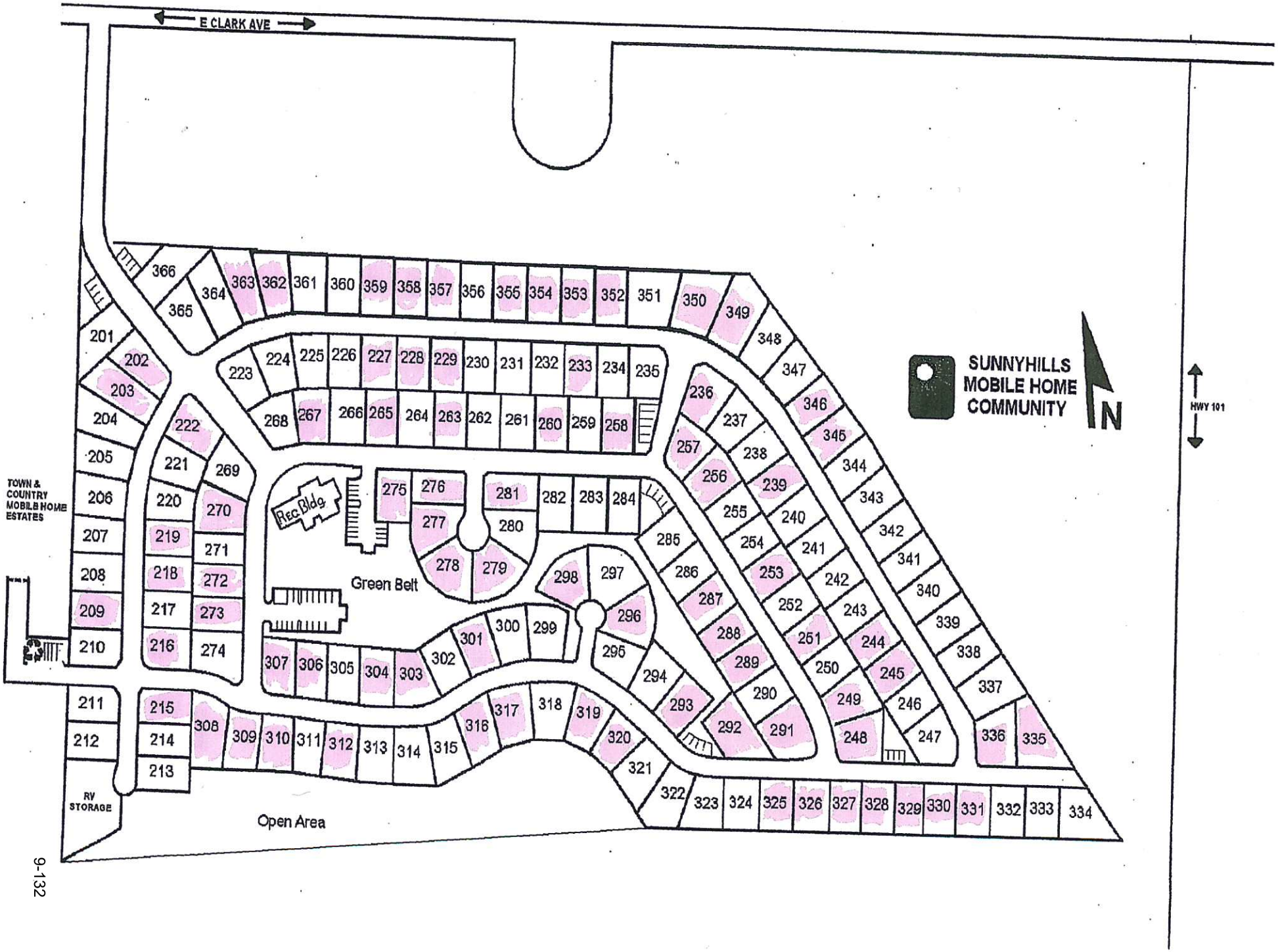
Fourth District Offices

Santa Maria
511 East Lakeside Pkwy, Suite 47
Santa Maria, CA 93455
(Betteravia Government Center)
Phone: (805) 346-8407
FAX: (805) 346-8498

Email

Peter Adam, Fourth District Supervisor, officeofpeteradam@countyofsb.org

6 copies Petition from Sunnyhills
including original to John Zorovich
Follow-up of comments made 2-10-2015
Jane T Phelan
HOA Pres.


E CLARK AVE
SUNNYHILLS MOBILE HOME COMMUNITY
N
HWY 101
TOWN & COUNTRY MOBILE HOME ESTATES
RV STORAGE
Open Area
Green Belt
Rec Bldg
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3

(1)

SUNNYHILLS MOBILE HOME COMMUNITY

1650 East Clark Avenue, Santa Maria, CA, 93455

To The County of Santa Barbara Planning Commission regarding Key Site #3: Dear Commissioners,

We the residents of Sunnyhills Mobile Home Community vehemently oppose the plan for development of Key Site#3. 49.1

The single access road planned is a fire and safety hazard. It creates a noise, dirt, pollution, and traffic nightmare.

The mitigation measures planned will do nothing to lessen the severe negative impacts for the residents of Sunnyhills. 49.2

This Plan flies in the face of The Orcutt Community Plan and destroys the gateway parcel semi-rural spirit. 49.3

This plan would destroy the needed safe, peaceful affordable housing community and construct housing for which there is neither demand nor market. 49.4

Signature/Print Name		Space #
Jane Phelan	Jane Phelan	#319
Betty Ann Berube	Betty Ann Berube	#357
Carol Dishman	CAROL DISHMAN	#291
Bill Dishman	Bill Dishman	#291
Don James	Don James	#265
Jane Flamm	Jane Flamm	#239
GLORIA FLAMM	Gloria Flamm	#239
Ruth Bixby	Ruth Bixby	#312
DARRYL CORNETT		#335
Muriel E. Gade	MURIEL E. GADE	#309
Joan L. Virgin	JOAN L. VIRGIN	#327
Aletha Mabley	ALETHA MABLEY	#272
Marilyn D. Traili	Marilyn Traili	#265
Robert A. Garvin	GARVIN	#245
Caroline Poelstra	Caroline Poelstra	#249
Marcia Anderson	Marcia Anderson	#263

Kenneth Moore	Louise Moore	#279
Lester Whinnery	LESTER WHINNERY	# 326
Amelia Whinnery	AMELIA WHINNERY	#326
Margaret Joy Sechler	MARGARET JOY SECHLER	# 331
Susan Bushong	Susan Bushong	#267
Ronald C. Fabs	Ronald C. FABS	#248
Alice Karen Sherrill	ALICE KAREN SHERRILL	#345
Josephine Salce	JOSEPHINE SALCE	~~#222~~
Anthony L Salce	ANTHONY SALCE	# 222
Evelyn Plyler	EVELYN PLYLER	251
W. Scott Plyler	W. Scott Plyler	251
Maria de Bruin	MARIA DE BRUIN	308
~~Paulina F. de Bruin~~	~~PAULINA F. DE BRUIN~~	~~308~~
Dave Dowling	Dave Dowling	362
SEE PAGE 5 Kenneth Turner	SHARON TURNER	296
Alice Utsunomiya	ALICE UTSUNOMIYA	320
Kan Utsunomiya	KAN UTSUNOMIYA	320
Bonita Hales	BONITA HALES	303
Joan Pirtle	JOAN PIRTLE	328
Judi Fitzgerald	Judi Fitzgerald	273
Darylleen Noble	DARYLEEN NOBLE	
Lethe Anna Long	LETHE ANNA LONG	251
Thompson A. Knott	Thompson Knott	# 236
Lilly Black	Lilly Black	216
Dan Black	DAN Black	216
Laura Hanavan	LAURA HANAVAN	238
Bruce Hanavan	Bruce Hanavan	238
Kirby Stutler		229
Faye Amack	FAYE AMACK	#301
Della Powers	DELLA POWERS	#229
Darrien Powers	DARRIEN POWERS	#229
Patricia Knott	Patricia Knott	# 236
Wayne Amack	WAYNE AMACK	# 301

Mary E. House	MARY E. HOUSE	253
Curtis H. House	CURTIS H. HOUSE	253
MARCELLA GRIEP		289
Carmel D. Amorosano	Linde D. Vierra	
Carmel Amorosano +	Linde Vierra	359
Betty Calvert Faas	Betty Calvert Faas	#248
John W. Korpal	JOHN W. KORPAL	#330
Alice M. Korpal	ALICE M. KORPAL	#330
Henry & Ofelia Velasquez	Henry & Ofelia Velasquez	#259
Danny Elliott	DANNY ELLIOTT	#306
Marilyn L. Dobbins	MARILYN DOBBINS	#365
Kathryn Sue Griffin	KATHRYN SUE GRIFFIN	#227
SUZAN WILLIAMS	Suzan Williams	#263
Gloria S. Lamb	Gloria Hills	#304
Ann Greene		#358
Bob Henry	Millie Henry	#292
Dean Oates	DEAN OATES	#277
Jim Long	JIM LONG	#281
Carol V. Walker	CAROL WALKER	#278
Gerald Walker	GERALD WALKER	278
Beatrice Burns	BEATRICE BURNS	#203

(4)

James F. Crombie	James F. Crombie	#316
BOB WHITE		#286
Darlene Cornett	Darlene Cornett	#335
Colleen Ray		#317
Michael DeCant	Linda DeCant	#260
Esther Hanson		#304
Jean E. Ingalls	JEAN E. INGALLS	#215
Sandra A. Frazier		#219
RONALD & VERNA BLEEN	Ronald & Verna Bleen	#202
Carlos Alvarez (Charlie)	Vanna Alvarez	#257
Tracia Coelho		#355
Kelly Coelho		#355
Don Coelho		#355
Merle Kelley		#293
Lionel Poggio	& Diane Poggio	#256
Walter J. Poteat		#209
Eri J. Poteat		#209
Ellen Pillow	ELLEN PILLOW	#276
Marylin Cox		#270
Betty Frick		#350
David J. Frick		#350

(5)

Vincent Pillow	VINCENT PILLOW	# 276
Diane Owens	Diane Owens	#307
Dorothy Jackson	Dorothy Jackson	#352
CATHY SHELBY	DAVID SHELBY	#275
Marvin Douglass	MARVIN DOUGLASS	354
Joan Murray	JOAN MURRAY	
Charlotte Gibbs	Richard Gibbs	349
[illegible]		244
[illegible]		
Mary L. Simon & [illegible]		329
[illegible]	PAULUS F. DE BRUIN	308
Judith Vandonzel	Judith Vandonzel	258
Nancy Crawford		#344
Dora L. Arnold		353
Don & Phyllis Nelson		346
Pat Niles		336
K. Chardon		298
AL HALL		233
Ora Reas		310
Darlene Boes		218

Phyllis Nelson 346
Joanne Moore 279

Letter 49

COMMENTER: Jane Phelan, Private Citizen

DATE: March 10, 2015

RESPONSE:

Response 49.1

The commenter includes an attachment of a petition signed by members of SHMHP in opposition to the proposed project. The petition states that the "single access road planned" is a fire and safety hazard and creates noise, dirt, pollution, and a "traffic nightmare." Primary access to the project site would be provided via a new private road off of Clark Avenue and through Key Site 2 to the north, and a secondary access road would be linked to Chancellor Street (a private road), which connects to Stillwell Road. All roads in the project would require grading, would be considered private roads maintained by the project homeowner association (HOA). Refer to Response 6.4 for a discussion of the project's impacts related to fire protection services; to Response 3.3 for a discussion of impacts related to police protection services; and to Response 4.2 for a discussion of impacts from noise, air quality, and traffic.

Response 49.2

The petition states that the Draft SEIR's mitigation measures do not reduce impacts to the SHMHP residents. Refer to Response 3.b in Section 9.2 (Responses to Public Testimony) for a discussion of the project's impacts on existing sensitive receptors, including SHMHP residents.

Response 49.3

The petition claims that the proposed project contravenes the OCP and destroys the semi-rural spirit of the area. The proposed project would include a rezone of the project site from Residential Ranchette, 10 acre minimum parcel size (RR-10) to Planned Residential Development, 125 units. As discussed in Impact LU-2 in Draft SEIR Section 4.8, *Land Use*, the proposed project would be consistent with the OCP's development standards for Key Site 3 and would not conflict with applicable site-specific policies in the plan. Refer to Response 4.1 for a discussion of the project's impacts on the area's rural aesthetic character.

Response 49.4

The petition states that the proposed project would destroy a safe, peaceful affordable housing community and construct unnecessary housing. Refer to Response 3.3 for a discussion of the project's impacts related to police protection services and to Response 7.3 for a discussion of impacts on quality of life. The petition's claim that the proposed housing is unnecessary does not address the Draft SEIR's analysis of environmental impacts but will be forwarded to County decision-makers for their consideration.

Letter 50

Zorovich, John

From: paul rudd [paulmaryyogi@gmail.com]
Sent: Tuesday, March 10, 2015 9:09 PM
To: Zorovich, John
Subject: Cancel Project Residential Ranchette of RR-10

March 7, 2015

Paul Rudd

1546 Oak Bluffs Dr.

Santa Maria, CA 93455

John Zorovich, Project Planner

Email: jzoro@co.santa-barbara.ca.us

624 W. Foster Rd.

Suite C Santa Maria, CA 93455

Dear Mr. Zorovich,

I am writing in opposition of the zoning change of Key Site 3. The existing land use designation of Residential Ranchette of RR-10 should stay as it is.

As a resident of YOUR ADDRESS for over ???? years, I have been fortunate to live in a semi-rural area surrounded by neighbors whose properties are a minimum of 5 acres. The private roads have been quiet, and with little traffic. My views and that of my neighbors have been largely unspoiled, and natural plant and animal life have been mostly unaffected.

The proposed project at total build out would have an extremely detrimental effect on my neighborhood. Chancellor Street, that is currently a private road, and upper Stillwell Rd would be hugely impacted with as many as 898 additional traffic crossings a day projected in the EIR. The area on the top of Key Site 3(now pastoral grazing land), would be negatively impacted with the dense build-out that is planned. It is more suited to an urban area then a semi-rural area.

The damage to the habitat of Orcutt Creek, the increased noise, pollution of air quality and night sky would forever change the rural character of this peaceful setting. Major negative impacts with regards to waste water and solid waste are also of great I.

I am asking that this zoning change for the project be denied.

Sincerely yours,

Paul Rudd

Letter 50

COMMENTER: Paul Rudd, Private Citizen

DATE: March 10, 2015

RESPONSE:

This letter is identical to Letter 16, except for minor text changes. Refer to responses to Letter 16.

Letter 51

Zorovich, John

From: Mary Sharpe [mesharpe@verizon.net]
Sent: Tuesday, March 10, 2015 3:30 PM
To: Zorovich, John
Subject: Opposition to Zoning Change of Key Site 3

We are residents of Mesa Verde. We are opposed to the zoning change being attempted by the developer of Key Site 3. Changing the zoning from 10 acre parcels to a denser zoning of 125 houses single family units and 285 MR-O condominiums is a terrible change in our opinion. The EIR addresses the possible increase of 898 additional cars daily on Stillwell and Chancellor Road. The traffic on Chancellor Rd will empty onto Stillwell. We are concerned about the traffic congestion it will create for our neighborhood. Stillwell is a two-lane road that is congested now as it is. The only exit our neighborhood has is via Black Oak Drive which empties onto Stillwell Rd. There are no sidewalks on Stillwell Rd from the County Park to Chancellor Rd. 51.1

The school bus picks up children at the bus stop on Stillwell. The bus driver then continues towards Black Oak Dr and turns the bus around by backing up onto Black Oak Drive. The driver then makes a left turn and continues north on Stillwell to Clark Ave. With the added traffic the school children will be in danger just waiting to go to school. Also, the lack of sidewalks causes people to walk in the road. Imagine children walking home from school and encountering an inattentive driver! If Key Site 3 has plans for schools, that needs to be considered as additional traffic since more and more parents are required to drive their children to and from school. This change in zoning is a terrible idea and we strongly oppose it. 51.2

Respectfully submitted,

Terry and Mary Sharpe

5603 Chilmark Lane

805-934-4686

Letter 51

COMMENTER: Terry and Mary Sharpe, Private Citizen

DATE: March 10, 2015

RESPONSE:

Response 51.1

The commenter expresses opposition to the proposed project and expresses concern about the traffic congestion in the area. Refer to Response 4.2 for a discussion of the project's traffic impacts.

Response 51.2

The commenter expresses concern about the proposed project's impacts on the safety of school children walking to school, given that the lack of sidewalks on Stillwell Road causes people to walk in the road. Refer to Response 3.4 for a discussion of project site access from Chancellor Street and Stillwell Road, and the project's impacts on traffic safety. Section 2.5(b) of the Draft SEIR has been revised to include additional detail regarding access to the site off of Chancellor Street and Stillwell Road, as follows:

> **Roadway Access.** Primary access to the project site would be provided via a new private road off of Clark Avenue and through Key Site 2 to the north (see Figures 2-5 and 2-6). In addition, a second access road into the site would be linked to Chancellor Street (a private road), which connects to Stillwell Road. The proposed project has an easement over Chancellor Street for public access and public utility purposes. ~~All roads in the project would be private roads maintained by the project homeowner association (HOA).~~ **The existing intersection of Chancellor Street and Stillwell Road would be improved to include a 'knuckle' at the southwest corner of the intersection to increase vehicle sight lines.**

Letter 52

Zorovich, John

From: D.J. Stornetta [djs@producecareers.com]
Sent: Tuesday, March 10, 2015 4:31 PM
To: Zorovich, John; Russell, Glenn; Black, Dianne; Mason, Steve; Schneider, Matthew; Drude, Kevin
Cc: 'Jenny Stornetta'
Subject: Opposition To Development of Key Site 3, including PN 129-151-026
Attachments: Letter Opposing Development of Key Site 3 03'10'15.pdf

Opposition To Development of Key Site 3, including PN 129-151-026

To all County of Santa Barbara personnel involved with the development of Key Site 3 in Orcutt, CA:

Good Afternoon:

We vehemently oppose the zoning change to Key Site 3 to allow any development, most especially to the development of 125 single family units and 285 MR-O condominiums.

Reasons for opposing: 52.1

- No available water resources for new development. Santa Barbara County and other areas in California have nearly depleted all available water. Very soon there will not be enough water for current residences, businesses, and farms; the development of Key Site 3, or any other, will force water rationing to unsustainable levels, resulting in severe economic and social loss.
- Increased crime from low income and very low income residents. Increased government expenses for police, fire, and all related departments to handle the increased criminal activity and their victims. 52.2
- Massive loss of property values for Jenson's Crossing, Coldwater Creek, and all other nearby homes and real estate. 52.3
- Lower test scores, increased crime, increased sickness and illness at all surrounding schools including Ralph Dunlap Elementary, Pine Grove Elementary, Patterson Road Elementary, Orcutt Junior High, Lakeview Junior High, and Righetti High School, among others. All Orcutt Union and surrounding schools will achieve lower test results which will decrease funding to these schools, both from the state, the federal government, and the PTA/PTO parent organizations. 52.4
- Increased traffic, traffic accidents, and calculable traffic fatalities on Stillwell, Clark, and all surrounding streets, roads, and vehicle accessible areas. 52.5
- Increased noise, pollution, wear-and-tear on the roads, streets, public parks, sidewalks. Increased taxpayer costs to maintain these areas.
- Loss of high income households and subsequent tax revenue as current residents leave to escape the crime, traffic, vandalism, decline in education at nearby schools. 52.6
- Loss of professional services and businesses. Low income households will drive out current residents and will not replace their spending at Albertson's, CVS, and other retail businesses in the area.

Please permanently forbid and prohibit any development of Key Site 3, or any other nearby regions.

David Stornetta
Orcutt Resident
1562 Solomon View Road
Orcutt, CA 93455
Mobile 805-441-1041

David Stornetta
1562 Solomon View Road
Santa Maria, CA 93455

Attention:

John Zorovich

Glenn S. Russell, Ph.D., Director

Dianne Black, Assistant Director

County of Santa Barbara

Regarding Zoning Change of Key Site 3

Good Afternoon:

We vehemently oppose the zoning change to Key Site 3 to allow any development, most especially to the development of 125 single family units and 285 MR-O condominiums.

Reasons for opposing:

- No available water resources for new development. Santa Barbara County and other areas in California have nearly depleted all available water. Very soon there will not be enough water for current residences, businesses, and farms; the development of Key Site 3, or any other, will force water rationing to unsustainable levels, resulting in severe economic and social loss.
- Increased crime from low income and very low income residents. Increased government expenses for police, fire, and all related departments to handle the increased criminal activity and their victims.
- Massive loss of property values for Jenson's Crossing, Coldwater Creek, and all other nearby homes and real estate.
- Lower test scores, increased crime, increased sickness and illness (i.e. measles) at all surrounding schools including Ralph Dunlap Elementary, Pine Grove Elementary, Patterson Road Elementary, Orcutt Junior High, Lakeview Junior High, and Righetti High School, among others. All Orcutt Union and surrounding schools will achieve lower test results which will decrease funding to these schools, both from the state, the federal government, and the PTA/PTO parent organizations.
- Increased traffic, traffic accidents, and calculable traffic fatalities on Stillwell, Clark, and all surrounding streets, roads, and vehicle accessible areas.
- Increased noise, pollution, wear-and-tear on the roads, streets, public parks, sidewalks. Increased taxpayer costs to maintain these areas.
- Loss of high income households and subsequent tax revenue as current residents leave to escape the crime, traffic, vandalism, decline in education at nearby schools.
- Loss of professional services and businesses. Low income households will drive out current residents and will not replace their spending at Albertson's, CVS, and other retail businesses in the area.

Please permanently forbid and prohibit any development of Key Site 3, or any other nearby regions.

David Stornetta 03-10-15

David Stornetta, Orcutt Resident

Letter 52

COMMENTER: David Stornetta, Private Citizen

DATE: March 10, 2015

RESPONSE:

Response 52.1

The commenter expresses opposition to the proposed project, in part because the commenter states that no water resources are available for the proposed development. Refer to Response 8.3 for a discussion of the project's impacts on water supply.

Response 52.2

The commenter states that the proposed project would increase crime and government expenses to deal with crime due to the previously approved affordable housing development present on a portion of the project site. Refer to Response 11.2 for a discussion of the previously approved MR-O component of a portion of the project site. Refer to Response 3.3 for a discussion of the project's impacts on police protection services.

Response 52.3

The commenter states that the proposed project would result in massive property value losses in nearby neighborhoods. This concern about property values does not address the Draft SEIR's analysis of environmental impacts but will be forwarded to County decision-makers for their consideration.

Response 52.4

The commenter states that the proposed project would result in lower test scores (and thus decreased funding to schools), increased crime, and increased sickness at all surrounding schools. Refer to Response 8.3 for a discussion of the project's impacts related to the physical capacity of local schools. Refer to Response 3.3 for a discussion of impacts related to police protection services. The commenter's concerns about lower test scores and increased sickness at schools do not address the Draft SEIR's analysis of environmental impacts but will be forwarded to County decision-makers for their consideration.

Response 52.5

The commenter states that the proposed project would result in increased noise, pollution, wear and tear on roads, parks, and sidewalks. The commenter contends that taxpayer costs would rise to maintain these areas. Refer to Response 13.2 for a discussion of required fair share fees. Refer to Response 4.2 for a discussion of the project's impacts to noise, air pollution, and roads. The maintenance of roads and sidewalks within Key Site 3, as discussed in Draft SEIR Section 2.0, *Project Description*, would be the responsibility of the project homeowner association (HOA). Refer to Response 33.1 for a discussion of the project's impacts on parks.

Response 52.6

The commenter states that the proposed project would result in a loss of high-income households, tax revenue, professional services, and businesses because low-income households would "drive out current residents." The comment pertains to the 160 high-density multi-family townhome units in the MR-O portion of the property, which are not part of the proposed project evaluated in the Draft SEIR. The MR-O residential development was approved as part of the Housing Element Focused Rezone Program. Therefore, the commenter's concerns related to the MR-O residential development is not relevant to the proposed project analyzed in the Draft SEIR; however, the commenter's concerns will be included in the record for consideration by the County's decision-makers.

Zorovich, John

From: Michelle [princessmkg@aol.com]
Sent: Tuesday, March 10, 2015 6:27 PM
To: Zorovich, John
Subject: Key Site 3

Dear Mr. Zorovich,

I am writing you in regards to the zoning change of Key Site 3, located off of the 101 and Clark Avenue in Orcutt. I live at 5245 Sycamore Creek Court in the Cobblestone Creek Development. I became very alarmed when I discovered there were proposed changes to Key Site 3. I am very concerned about the increase in housing and the subsequent increase in traffic on Stillwell Road and the impact that will have on Orcutt Creek and the safety of the many children who live in the neighborhood and who play in the adjacent park. It is not uncommon to see wildlife such as deer, quail, and even coyote on Stillwell road. As stated in the EIR, "The project site is currently undeveloped and a portion is used for cattle and horse grazing. The property contains a variety of landforms: hillsides, steep bluffs, Orcutt creek, and its associated floodplain terrain. The predominant land use surrounding the property is agriculture, which exists to the east (across U.S. 101) and to the south of the project site. Other surrounding uses consist of medium density residential immediately to the north; general commercial further to the north; and low density residential development and 5-20 acre ranchettes to the west. " This is the quaint and rural feel of the neighborhood and surrounding areas that we fell in love with and what made us choose to buy a home in this neighborhood. I moved here from Orange County after witnessing the result of rampant residential growth and sudden decrease in open space. Adding an additional 410 residences, threatens the way of life that we chose when we purchased property in the area. Please consider voting "no" on these proposed zoning changes. 53.1 53.2

I appreciate and thank you for your time,

Michelle Sullivan
(805)937-6337
5245 Sycamore Creek Ct.
Orcutt, CA 93455

Letter 53

COMMENTER: Michelle Sullivan, Private Citizen

DATE: March 10, 2015

RESPONSE:

Response 53.1

The commenter expresses concern that the proposed project would increase traffic, which would adversely impact Orcutt Creek and the safety of neighborhood children. Refer to Response 21.3 for a discussion of the project's impacts on Orcutt Creek, and to Responses 3.4 and 51.2 for discussions of impacts to traffic safety.

Response 53.2

The commenter states that the proposed project's 410 residences threaten the area's "way of life" and requests that the project be denied. It should be noted that 160 additional high-density multi-family townhome units may be developed on the site under the entitled Multifamily Residential-Orcutt (MR-O) zoning on an approximately 8-acre portion of site. Therefore, the total buildout of the project site would be 285 residential units. Refer to Response 4.1 for a discussion of the project's impacts to the site's rural aesthetic character.

Zorovich, John

From: Michael [mwinikoff@yahoo.com]
Sent: Tuesday, March 10, 2015 10:34 PM
To: Zorovich, John
Subject: Opposition of the Zoning Change of Key Site 3

March 10, 2015
Tracey & Michael Winikoff
5631 Menemsha Lane
Santa Maria, CA 93455
Email: mwinikoff@yahoo.com

John Zorovich, Project Planner
Email: jzoro@co.santa-barbara.ca.us
624 W. Foster Rd.
Suite C
Santa Maria, CA 93455

Dear Mr. Zorovich,

I am writing in opposition of the zoning change of Key Site 3. The existing land use designation of Residential Ranchette of RR-10 should stay as it is. We oppose the zoning change Amendment to the General Plan including the Vesting Tentative Tract Map to divide the 138.6 acre parcel into 125 lots and over several hundred additional housing units.

As a resident of 5631 Menemsha Lane for over 7 years, I have been fortunate to live in a semi-rural area surrounded by neighbors whose properties are a minimum of 5 acres. The private roads have been quiet, and with little traffic. My views and that of my neighbors have been largely unspoiled, and natural plant and animal life have been mostly unaffected.

The proposed project at total build out would have an extremely detrimental effect on my neighborhood. Chancellor Street, that is currently a private road, and upper Stillwell Rd would be hugely impacted with as many as 898 additional traffic crossings a day projected in the EIR. The area on the top of Key Site 3(now pastoral grazing land), would be negatively impacted with the dense build-out that is planned. It is more suited to an urban area then a semi-rural area.

The Draft EIR identifies as significant: Visual and aesthetic resources, biological resources and wastewater and solid waste discharge without any viable mitigations. This is unacceptable. The damage to the habitat of Orcutt Creek, the increased noise, pollution of air quality and night sky would forever change the rural character of this peaceful setting. Major negative impacts with regards to waste water and solid waste are also of great concern.

I am asking that this zoning change for the project be denied.

Sincerely yours,

Tracey & Michael Winikoff

Letter 54

COMMENTER: Tracey and Michael Winikoff, Private Citizen

DATE: March 10, 2015

RESPONSE:

This letter is identical to Letter 16, except for minor text changes and one additional comment. Refer to the responses to Letter 16.

The commenter also states that significant and unavoidable impacts identified in the Draft SEIR for aesthetics, biological resources, wastewater, and solid waste discharge are unacceptable. The commenter's concern regarding significant and unavoidable impacts of the project will be forwarded to County decision-makers for their consideration.

Letter 55

9:58 AM

RECEIVED
MAR 11 2015
S.B. COUNTY (NORTH)
PLANNING & DEVELOPMENT

Mr. John Zorovich
Project Planner
Planning and Development

March 10, 2015
Tom and Sharon Blake
1558 Solomon View Rd
Jensen's Ranch
Santa Maria, Ca 93455

Mr. Zorovich,

We are writing in regards to the zoning change of Key Site 3. We live in Jensen's Ranch and are very concerned about the way this new proposal will affect our community and our way of life.

Going from the proposed zoning of 10 acre ranchette parcels to zoning for 125 single family units and 285 MR-O condominiums seems a little excessive. There are many points of concern- not the least of which is the addition of over 400 new homes in the area- with a conservative estimate of 4 people per family, that is over 1,600 people moving to the area. That is obviously going to have a huge impact on this area in terms of personal privacy, the air quality as well as possible damage to our very sensitive Orcutt Creek. 55.1

Having said that, the biggest concern we have is the traffic that will be generated and how that will be addressed. The only road available to us to get out of this area and onto Clark Avenue now is Stillwell Rd. which is a very small, two lane road that cannot possibly handle the huge increase in traffic that will occur from this change. There are only sidewalks on one side of the road, there are no crossing areas and the hill coming up Stillwell towards Clark is very dangerous in that one has very little visibility when coming up the hill. The EIR looks at the possibility of 898 cars on Stillwell and Chancellor Roads a day. How will the roads be maintained and who will be responsible for the cost of the upkeep? It seems to us that the infrastructure needs to be addressed before anything of this magnitude can go any further. 55.2

Please do not allow this proposal to go any further until the issues of the infrastructure are addressed.

Thank you,
Thomas Blake

Sharon Blake

Letter 55

COMMENTER: Thomas and Sharon Blake, Private Citizens

DATE: March 11, 2015

RESPONSE:

Response 55.1

The commenter expresses concern about the proposed project's impacts on personal privacy, air quality, and Orcutt Creek. Refer to Response 3.2 for a discussion of the project's impacts on privacy, to Response 4.2 for a discussion of impacts on air quality, and to Response 21.3 for a discussion of impacts to Orcutt Creek.

Response 55.2

The commenter expresses concern about the volume of traffic that the proposed project would generate. The commenter asks how the roads would be maintained and who would be responsible for the cost of upkeep. Refer to Response 4.2 for a discussion of traffic impacts. Refer to Response 13.2 for a discussion of the project's contribution to traffic improvements and required fair share fees. Refer to Response 52.5 for a discussion of the responsibility for maintenance of roads in Key Site 3.

Letter 56

March 11, 2015

Jeffery A Calderon

5765 Aquinnah Lane

Santa Maria, CA 93455

John Zorovich, Project Planner

Email: **jzoro@co.santa-barbara.ca.us**

624 W. Foster Rd.

Suite C

Santa Maria, CA 93455

Dear Mr. Zorovich,

I am writing in opposition of the zoning change of Key Site 3. The existing land use designation of Residential Ranchette of RR-10 should stay as it is.

As a resident of 5765 Aquinnah Lane for a year and a half, I have been fortunate to live in a semi-rural area surrounded by neighbors whose properties are a minimum of 5 acres. The private roads have been quiet, and with little traffic. My views and that of my neighbors have been largely unspoiled, and natural plant and animal life have been mostly unaffected. Al of these are reasons we chose to this neighborhood as we relocated from Arizona.

The proposed project at total build out would have an extremely detrimental effect on my neighborhood. Chancellor Street, that is currently a private road, and upper Stillwell Rd would be hugely impacted with as many as 898 additional traffic crossings a day projected in the EIR. The area on the top of Key Site 3(now pastoral grazing land), would be negatively impacted with the dense build-out that is planned. It is more suited to an urban area then a semi-rural area.

The damage to the habitat of Orcutt Creek, the increased noise, pollution of air quality and night sky would forever change the rural character of this peaceful setting. Major negative impacts with regards to waste water and solid waste are also of great concern.

I am asking that this zoning change for the project be denied.

Sincerely yours,

Jeffery Calderon

Letter 56

COMMENTER: Jeffery Calderon, Private Citizen

DATE: March 11, 2015

RESPONSE:

This letter is identical to Letter 16, except for minor text changes. Refer to responses to Letter 16.

Letter 57

RECEIVED
MAR 11 2015
S.B. COUNTY (NORTH)
PLANNING & DEVELOPMENT

March 7, 2015

Hilda Chaloupka

5572 Stillwell Rd.

Santa Maria, CA 93455

John Zorovich, Project Planner

624 W. Foster Rd.

Suite C

Santa Maria, CA 93455

Dear Mr. Zorovich,

I am writing in opposition of the zoning change of Key Site 3. The existing land use designation of Residential Ranchette of RR-10 should stay as it is.

As a resident of 5572 Stillwell Rd. for over 25 years, I have been fortunate to live in a semi-rural area surrounded by neighbors whose properties are a minimum of 5 acres. The private roads my family and I travel on have been quiet, and with little traffic. My views and that of my neighbors have been largely unspoiled, and natural plant and animal life have been mostly unaffected.

The proposed project at total build out would have an extremely detrimental effect on my neighborhood. Chancellor Street, that is currently a private road, and upper Stillwell Rd would be hugely impacted with as many as 898 additional traffic crossings a day projected in the EIR. The views from my home, north to the top of Key Site 3(now pastoral grazing land), would be negatively impacted with the dense build-out that is planned. It is more suited to an urban area then a semi-rural area.

The damage to the habitat of Orcutt Creek, the increased noise, pollution of air quality and night sky would forever change the rural character of this peaceful setting

I am asking that this zoning change for the project be denied.

Sincerely yours,

Hilda Chaloupka

Letter 57

COMMENTER: Hilda Chaloupka, Private Citizen

DATE: March 7, 2015

RESPONSE:

This letter is identical to Letter 16, except for minor text changes. Refer to responses to Letter 16.

Letter 58

Zorovich, John

From: Lynda Grant [ldgmsw@cox.net]
Sent: Wednesday, March 11, 2015 4:34 PM
To: Zorovich, John
Subject: Zoning Change of Key Site 3

Dear Mr. Zorovich:

We purchased a home in Cobblestone Creek in 2011 with a plan to move into the community upon our retirement. We have lived in Orange County for more than 40 years and have looked forward to the time when we can move to a more rural, quiet community with less traffic and pollution. We will be moving into our home this summer and are highly disappointed to hear of a plan to possibly change the zoning of the area known as Key Site 3 from 10 acre ranchette parcels to a denser zoning to include high-density housing. 58.1

After reviewing the Environmental Impact Report which states that this zoning change could bring a possible 898 additional cars on Stillwell and Chancellor roads per day, we are very concerned over the impact this type of change could have on traffic, air quality, noise, possible increased crime, damage to Orcutt Creek, possible decreased property values and general overall crowding. This small area does not currently have the infrastructure to facilitate such an increase in population and/or traffic. In order for this type of zoning change to occur, it would seem that there would need to be a major commitment on the part of the county to upgrade the roads to accommodate the growth this type of a community would bring. It is our understanding that, at this time, there is no plan for additional maintenance or restructuring to assist in this type of growth by the developer. 58.2

Please consider the well-being of the current residents of this area, many of whom moved here to accommodate a rural lifestyle. If you have any questions, or would to discuss this matter with us, please contact us at: ldgmsw@cox.net.

Sincerely,
Jim and Lynda Grant
5285 Southcreek Court
Orcutt, CA 93455

Letter 58

COMMENTER: Jim and Lynda Grant, Private Citizens

DATE: March 11, 2015

RESPONSE:

Response 58.1

The commenter expresses concern that the project's generated vehicle trips would impact traffic, air quality, noise, crime, and Orcutt Creek, and would decrease property values and lead to overcrowding. The commenter also expresses concern that the area does not have the necessary infrastructure to facilitate the project's increased traffic or population. Refer to Response 4.2 for a discussion of the project's impacts on traffic, air quality, and noise; to Response 3.3 for a discussion of impacts related to police protection services; to Response 21.3 for a discussion of impacts on Orcutt Creek; and to Response 4.1 for a discussion of impacts on the area's rural aesthetic character. The commenter's concern about property values does not address the Draft SEIR's analysis of environmental impacts but will be forwarded to County decision-makers for their consideration.

Response 58.2

The commenter states that a major upgrade of roads would seem to be necessary to accommodate the proposed zoning change. The commenter's understanding is there is currently no plan for the developer to assist in additional road maintenance or restructuring. However, mitigation measures T-1 and T-2 in Draft SEIR Section 4.11, *Transportation and Circulation*, would require the applicant to contribute fair share fees for toward several offsite improvements to the roadway network. These mitigation measures would reduce to a less than significant level the project's impacts on traffic congestion.

Letter 59

Zorovich, John

From: Laura Hanavan [lhanavan3@gmail.com]
Sent: Wednesday, March 11, 2015 11:05 AM
To: Zorovich, John
Cc: Office of Supervisor Peter Adam
Subject: Key Site 3

I moved to SB Cty from Orange Cty to get away from the sprawl of badly planned housing projects that did not consider the facts of gridlock 24 hours a day. San Juan Cap was a quite little town that was not to grow beyond 25,000 residents it now has reached over 35,000 and the number of roads in and out of that town have not changed gridlock 24/7.
I moved to Orcutt for the fact it was RUAL and it was to stay this way. Keysite 3 is poorly planned just the road in & out does not seem to meet the demand of traffic that will be entering this project, it should be placed back on the planner of the project to find a better in & out from 101 than using a easement road?
If this project moves forward I might find my self moving again due to what I know is coming over populating a small rual area.
If something needs to be built I say go back to the 10 acre Ranchett homes that were first proposed.

Thank you for your consideration this this matter.

Bruce & Laura Hanavan
Sunny Hills
1650 E Clark #238

Letter 59

COMMENTER: Bruce and Laura Hanavan, Private Citizens

DATE: March 11, 2015

RESPONSE:

The commenter states that the proposed project is poorly planned and in particular that the site access would not be adequate to accommodate traffic. Refer to Response 4.2 for a discussion of the project's impacts on traffic congestion.

The commenter suggests that the original zoning be maintained. This comment does not address the Draft SEIR's analysis of environmental impacts but will be forwarded to County decision-makers for their consideration.

Letter 60

Zorovich, John

From: Mary Herr [Mary.Herr@verizon.net]
Sent: Wednesday, March 11, 2015 12:13 PM
To: Zorovich, John
Cc: mary.herr@verizon.net
Subject: Zoning change of Key Site 3

Mr. Zorovich,

I understand that the developer is attempting to change the zoning of the area from 10 acre ranchette parcels to a denser zoning. This isn't the area to do this. And I feel that if the developer lived here they would agree.

Yes, housing needs to be put in everywhere, I especially feel that we need housing for our senior citizens since they live on a limited budget, but again this isn't the area. 60.1

By rezoning this area, you will be changing the entire landscape around here. When I walk in this area it is so serene and beautiful, and the wildlife that you see, foxes, deer's, coyotes and owls just to name a few will be taken away from us.

And currently these roads leading to this project are private roads, which would have to be changed over to county roads, and they need to be made wider so vehicles can pass each other. The number of homes that the developer is considering on such small lots is asking for problems. Too many people in too small an area. Not good. And when driving on Hwy 101 do I really want to see low incoming housing that probably won't be maintained based on previous low income housing areas that you see? I don't think so. 60.2

When I visit my son down in Mission Viejo and the surrounding areas, it is absolutely gorgeous. And what makes it beautiful in my opinion is the thought process that was put in when this area was being developed. The landscaping, all the walking trails and everything is maintained including the trails.

I live in this area where you want to change this zoning. And I know Santa Barbara County doesn't have money. The county doesn't maintain the trails in the Orcutt hills right now. And you can see at one time an irrigation system was put in for the trees which are now dead because the county doesn't have the money to water them. So I hope the county isn't looking at this as an option to just throw something together just to make money. That's not the answer. 60.3

Again if the developer lived here, he would see the beauty and decide to build somewhere else, maybe the Oxnard area?

Thank you

Mary Herr

Letter 60

COMMENTER: Mary Herr, Private Citizen

DATE: March 11, 2015

RESPONSE:

Response 60.1

The commenter opposes the placement of relatively dense housing in Key Site 3. In addition, the commenter expresses concern that the proposed project would change the "serene and beautiful" landscape of the area, including its visible wildlife. Refer to Response 4.1 for a discussion of the project's impacts on the area's rural aesthetic character.

Response 60.2

The commenter states that the density of the proposed project would be too high. The commenter also does not want to see "low-income" housing from Highway 101. Refer to Response 4.1 for a discussion of the project's impacts on the area's rural aesthetic character and to Response 7.3 for a discussion of impacts on quality of life. Refer to Response 11.2 for a discussion of the portion of Key Site 3 that has been previously approved for multi-family housing. It should also be noted that this area is not a part of the proposed project.

Response 60.3

The commenter hopes that the County does not view the proposed project as a way to make money. This comment does not address the Draft SEIR's analysis of environmental impacts but will be forwarded to County decision-makers for their consideration.

Letter 61

Zorovich, John

From: Tammy Hinden [tsh58@yahoo.com]
Sent: Wednesday, March 11, 2015 7:31 AM
To: Zorovich, John
Subject: Key Site 3 Zoning Change

I am a new resident to a neighborhood off Stillwell Road in Orcutt and was recently informed of the proposed development "Key Site 3" which would change the zoning from 10-acre ranchette parcels to a much denser zoning of 125 single family units & 285 MR-O condominiums. This saddens me because I moved to this area for the peaceful, scenic atmosphere. The environmental impact of 900 cars per day on our country roads is troublesome. Please consider what this will do to the area. Is the county prepared to maintain the roads to accommodate the extra traffic?
Not to mention the increase in crime, loss of privacy, noise, decreased property values and obstructed views. I oppose this zoning change.

Letter 61

COMMENTER: Tammy Hinden, Private Citizen

DATE: March 11, 2015

RESPONSE:

The commenter expresses concern that the project's traffic impacts would change the area and asks if the County would be maintaining the roads to accommodate the extra traffic. The commenter also states that the proposed project would adversely affect crime, privacy, noise, property values, and views. The commenter expresses opposition to the proposed project. Refer to Response 4.2 for a discussion of the project's impacts on traffic and noise; to Response 3.3 for a discussion of impacts related to police protection services; and to Response 4.1 for a discussion of impacts on the area's rural aesthetic character. The commenter's concern about property values does not address the Draft SEIR's analysis of environmental impacts but will be forwarded to County decision-makers for their consideration. Refer to Response 13.2 for a discussion of the project's required contribution to fair share fees and required traffic improvements.

Letter 62

Zorovich, John

From: bsjebens@comcast.net
Sent: Wednesday, March 11, 2015 2:58 PM
To: Zorovich, John
Subject: Key Site 3 Rezoning Opposition

Mr. Zorovich,
I am writing to express my families opposition to rezoning of the Key Site 3 area located on Clark and Hwy. 101 in Orcutt. We live in the Cobblestone Creek subdivision located off of Stillwell and Clark and very close to the proposed rezoned area.

When we purchased our house we carefully chose to stay away from more congested areas and overcrowding. We made an investment in our property that would keep having rural qualities that made it appealable in the first place. We enjoy being able to see the mountains in every direction we look and this highly congested proposed development with multi-story condominiums would clash with the aesthetic quality of the community which caused us to buy here in the first place. Wildlife can be seen in the community. Deer, coyote, and roadrunners have all been seen in the area frequently. The addition of several hundred more residences would clash with the biological diversity of the area for the worse. 62.1

The rezoning would have a negative impact on our children who are students at Pine Grove elementary. Pine Grove has already been recently impacted when the school district closed May Grisham Elementary and split the students between Pine Grove and Patterson schools. The student population of Pine Grove increased by several hundred. Adding the proposed housing at Key Site 3 would only add hundreds of more students to an already crowded school. The quality of my children's education would be severly and negatively impacted. This development would lower the quality of the education at Pine Grove. 62.2

Cobblestone Creek is a community with many young families. We already foresee an increase in the number of drivers in the very near future as young children turn to driving age. Stillwell Road does not have the capacity to handle the number of cars the natural increase in drivers will bring about AND the increase in cars that this development will bring with it. There is a steep hill in front of Cobblestone Creek that drivers are often seen speeding down. They drive too fast for the area. The addition of more houses will bring more cars driving recklessly down that hill. With an increase in cars also comes a concomitant risk to the safety of younger children on the streets. 62.3

Many of the local subdivisions have small playgrounds for kids to play at. The influx of hundreds of new families to the community would adversely affect these parks. Cobblestone Creek has a park and playground in its neighborhood that has inadequate parking as it is. Summer brings soccer practice and an influx of cars parking on the streets in front of people's houses and preventing residential owners from parking in front of their own homes. This rezoning would exacerbate the parking situation at the park year round. In addition, there comes the liklihood of an increase of people using the park at night to "party" and making noise, drinking, etc. This would disturb residents and require more police response to the area. Furthermore, an increase in people would bring an increase in the number of pets who defecate on the park lawns, next to the creek, and interfering with the enjoyment of the park that these would cause. 62.4

Our housing value would be negatively impacted by this rezoning. Our home value has only recently begun to climb again after the property bubble of 2008/09 burst. The addition of "low to very low 62.5

income" housing would retard, if not reverse our housing value. Once again our house and mortgage would become "under water." This is unfair. If only the decision makers were similarly affected, and their lives and property values were similarly impacted this rezoning would not occur in their neighborhoods.

62.5, cont'd

This proposed rezoning for very low to low income families brings with it a host of problems that negatively affect the surrounding communities including an increase in noise, an increase in crime, a loss of privacy and overcrowding. The proposed rezoning does not coexist with the current character of the existing community. The existing character is that of single family, middle income residences and retirement communties. The addition of very low to low income homes would be a jarring clash to those who have already purchased in this rural, tranquil and uncrowded area.

Sincerely,
Brandon Jebens
Adriana Jebens

Letter 62

COMMENTER: Brandon and Adriana Jebens, Private Citizen

DATE: March 11, 2015

RESPONSE:

Response 62.1

The commenters believe that the "highly congested" proposed development with multi-story condominiums would clash the rural aesthetic of the existing community. Refer to Response 11.2 for a discussion of the portion of Key Site 3 that has been previously approved for multi-family housing. Please note that this area is not a part of the proposed project. Refer to Response 4.1 for a discussion of the project's impacts on the area's rural aesthetic character.

Response 62.2

The commenters state that the proposed project would add hundreds of students to an already crowded Pine Grove Elementary School, which would adversely impact the quality of education. Refer to Response 8.3 for a discussion of the project's impacts related to schools.

Response 62.3

The commenters believe that the increase in traffic flow on Stillwell Road would generate a safety hazard for younger children on the streets. Refer to Responses 3.4 and 51.2 for discussions of impacts to traffic safety.

Response 62.4

The commenters are concerned that rezoning of Key Site 3 would exacerbate an inadequate supply of on-street parking in the Cobblestone Creek neighborhood. This concern about the availability of on-street parking does not address the Draft SEIR's analysis of environmental impacts but will be forwarded to County decision-makers for their consideration.

The commenters also are concerned about an increase in people using an existing park in their neighborhood and making noise at night. Refer to Response 4.2 for a discussion of the project's impacts on noise. Furthermore, the commenters believe that an increase in pets that defecate on park lands would interfere with their enjoyment of the park. Refer to Response 33.1 for a discussion of the project's impacts on parks.

Responses 62.5

The commenters believe that the proposed project would adversely affect home values. This concern does not address the Draft SEIR's analysis of environmental impacts but will be forwarded to County decision-makers for their consideration.

Letter 63

Zorovich, John

From: jenkinsfamily@webjenkins.com
Sent: Wednesday, March 11, 2015 4:44 PM
To: Zorovich, John
Subject: zoning of Key Site 3

Mr. Zorovich,

My family is writing requesting no change in the zoning of Key Site 3. We are a military family and chose this community for what it is, quiet, clean and most of all safe. We believe that the increase of traffic would be detrimental to this neighborhood. Several of the residents that would be affected by this (more on farm acreage) have worked their entire life to establish themselves in a neighborhood with the qualities mentioned above. The amount of traffic, loss of privacy, decrease in property values is unmeasurable. 63.1

Another thing that would be greatly affected is the wildlife. On any given day there are deer and other wildlife wondering near the bottom of Stillwell and on Chancellor Road.

Please give this community extra special consideration and deter disruption. The impact won't only affect this part of a small community it will have a negative impact on all of Orcutt as well. 63.2

Sincerely,
Allena Jenkins
5285 Southcreek Ct.

Letter 63

COMMENTER: Allena Jenkins, Private Citizen

DATE: March 11, 2015

RESPONSE:

Response 63.1

The commenter requests that the project site zoning not be changed. The commenter states that the project's traffic would have a detrimental effect to the neighborhoods. The commenter expresses concern that the traffic, loss of privacy, and decrease in property values is "unmeasurable." Refer to Response 4.2 for a discussion of the project's impacts on traffic and to Response 3.2 for a discussion of impacts on privacy. The commenter's concern about property values does not address the Draft SEIR's analysis of environmental impacts but will be forwarded to County decision-makers for their consideration.

Response 63.2

The commenter states that the proposed project would adversely affect wildlife. Refer to Response 6.c in Section 9.2 (Responses to Public Testimony) for a discussion of the project's impacts on wildlife.

Letter 64

RECEIVED
MAR 11 2015
S.B. COUNTY (NORTH)
PLANNING & DEVELOPMENT

3/11/2015

To Whom It May Concern:

As a neighboring property owner to Key Site 3, we are in complete disagreement as to the proposed project. In years past we have made many attempts in reaching out to the current owner in anticipation of a mutually agreed upon and complimentary project to its bordering neighbors. Unfortunately, our attempts have been futile and ignored. 64.1

Key Site 3 remains to be the gateway to our small town and an abomination of such a proposal (i.e.- the highest building zoning possible) would alter the aesthetics to Orcutt forever. Further, as it is proposed, Key Site 3 is a complete juxtaposition to the Orcutt Community Plan. 64.2

Currently held in RR 10 (Residential Ranchettes – 10 acre parcels) it is complimentary to its neighbors who would be most grossly affected – the Chancellor Properties. The Chancellor Properties are consistent with RR 10 because we are zoned RR 5 (Residential Ranchettes – 5 acre parcels). Altering the current zoning to the highest building density possible, will have an obvious impact on property value and cannot be ignored. We request that more investigation be done at the expense of Key Site 3 as to this adverse impact. 64.3

It has been brought our attention that an easement was granted *many, many years ago*. It is also our understanding that this secondary access must be granted for the project to be approved. Please be mindful that when this easement was granted it had little or no effect to the Chancellor Properties for it recognized that both properties are consistent – RR 10 and RR 5. It is with little doubt that the original grantor foresaw a zoning change, especially of this magnitude. 64.4

Further, almost no mention (except possibly 4 times) of Chancellor Road. Chancellor Road is privately owned and is maintained by its current users. It is currently 20 feet wide but has been threatened to be widened to 40 feet and will destroy a community gate which offers privacy and security. Moreover, the EIR Report suggests that over 800 vehicles will pass over Chancellor Road on any given day. At present, only 20 property owners use the road. This impact is enormous and will further impact our property values. 64.5

Amazingly enough, the EIR Report fails to mention the 70 foot ravine that is located at its Westerly corner nearby. The magnitude of this gorge and its close proximity to the project cannot be ignored. Soil stability is a great concern to the proposed project and should be further investigated. 64.6

Pollution, waste and especially a bridge that crosses over a sensitive area are of further concern to this project. We request that mindful consideration be given to this project for all the mentioned concerns, not just for us as current owners but to the greater Community of Orcutt and all future generations. 64.7

Sincerely, 3/11/15 3/11/15

Ross and Kamron Lorencz

Letter 64

COMMENTER: Ross and Kamron Lorencz, Private Citizens

DATE: March 11, 2015

RESPONSE:

Response 64.1

The commenters express opposition to the proposed project and state that their efforts to reach out to the current owner have been ignored. This comment does not address the Draft SEIR's analysis of environmental impacts but will be forwarded to County decision-makers for their consideration.

Response 64.2

The commenters state that the proposed project would forever alter the aesthetics of Orcutt and is incompatible with the OCP. Refer to Response 4.1 for a discussion of the project's impacts on the rural aesthetic character of the area. As discussed in Impact LU-2 in Draft SEIR Section 4.8, *Land Use*, the proposed project would be consistent with the OCP's development standards for Key Site 3 and would not conflict with applicable site-specific policies in the plan.

Response 64.3

The commenters claim that altering the current zoning to increase density would have an impact on property values. The concern about property values does not address the Draft SEIR's analysis of environmental impacts but will be forwarded to County decision-makers for their consideration.

Response 64.4

It is the commenters' understanding that an easement was granted many years ago. Chancellor Street is a private road for which the project has easement for access. As discussed in Response 3.4, Section 2.5(b) of the Draft SEIR has been revised to include additional detail regarding access to the site off of Chancellor Street and Stillwell Road.

Response 64.5

The commenters state that project-generated traffic will have an "enormous" impact on Chancellor Road and will impact property values. Refer to Response 4.2 for a discussion of the project's impacts on traffic. The concern about property values does not address the Draft SEIR's analysis of environmental impacts but will be forwarded to County decision-makers for their consideration.

Response 64.6

The commenters claim that the Draft SEIR fails to mention the 70-foot ravine located at the western corner of Key Site 3 and express concern over soil stability in this area. The gully in the northwest corner of the project site is discussed in Section 4.6, *Geologic Processes*. Impact GEO-4 concludes that impacts related to erosive soils in the gully area would be less than significant in this area. Refer to

Response 43.1 for a detailed discussion of the project's less than significant impacts on the stability of this gully.

Response 64.7

The commenters express concern about the proposed project's impacts related to pollution, waste, and a bridge crossing sensitive habitat. Refer to Response 4.2 for a discussion of the project's impacts on air quality, to Response 16.3 for a discussion of impacts related to solid waste, and to Response 21.3 for a discussion of impacts to Orcutt Creek from clear-span bridge crossings.

Zorovich, John

From: Jan Lutz [theapronlady@gmail.com]
Sent: Wednesday, March 11, 2015 4:42 PM
To: Zorovich, John
Subject: Key Site 3 Project; 13 GPA-0005, 13RZN-00000-00001, 13TRM-00000-00001, 13DVP-0000-00010

Dear John,

I reside in the Mesa Verde sub - division in Orcutt. I am writing with concern over the new home project as well as the proposed additional 125 home project and how they will negatively impact traffic on Stillwell Road. As you know there are 2 mobile home parks on Stillwell Road, these parks house many elderly people who are walking in the area every day. We also have increased foot and bike traffic in the area with people using the Orcutt Trails, and children walking home from school.
Please consider the safety of the current residents as well as the public use of this area.
I am against the proposed development for the reasons I stated above.

JAN LUTZ
5780 AQUINNAH LANE
ORCUTT, CA
93455

Letter 65

COMMENTER: Jan Lutz, Private Citizen

DATE: March 11, 2015

RESPONSE:

The commenter expresses concern regarding the proposed project and its potential negative impact to traffic on Stillwell Road. The commenter expresses concern that project traffic would adversely affect the safety of current residents. Refer to Responses 3.4 and 51.2 for discussions about the project's impacts on traffic safety.

Letter 66

March 11, 2015

Tracy Parks Moreno

1777 Oakbrook Lane

Santa Maria, CA 93455

John Zorovich, Project Planner

Email: **jzoro@co.santa-barbara.ca.us**

624 W. Foster Rd.

Suite C

Santa Maria, CA 93455

Dear Mr. Zorovich,

I am writing in opposition of the zoning change of Key Site 3. The existing land use designation of Residential Ranchette of RR-10 should stay as it is.

As a resident of 1777 Oakbrook Lane for over 18 years, I have been fortunate to live in a semi-rural area surrounded by neighbors whose properties are a ranchette style large parcels. The private roads have been quiet, and with little traffic. My views and that of my neighbors have been largely unspoiled, and natural plant and animal life have been mostly unaffected.

The proposed project at total build out would have an extremely detrimental effect on my neighborhood. Chancellor Street and Oakbrook Lane, which are currently a private roads, and upper Stillwell Rd would be hugely impacted with as many as 898 additional traffic crossings a day projected in the EIR. The area on the top of Key Site 3 (now pastoral grazing land), would be negatively impacted with the dense build-out that is planned. It is more suited to an urban area then a semi-rural area.

The damage to the habitat of Orcutt Creek, the increased noise, pollution of air quality and night sky would forever change the rural character of this peaceful setting. Major negative impacts with regards to waste water and solid waste are also of great concern.

Our lifestyles will be severely impacted. Gone will be the cherished country life style. We have raised our children and grandchildren in this wonderful area. We will be sad to see the proposed changes that will effect each of us so deeply. Please do not do this to our families!

I am asking that this zoning change for the project be denied.

God Bless You,

Tracy Parks Moreno

Letter 66

COMMENTER: Tracy Parks Moreno, Private Citizen

DATE: March 11, 2015

RESPONSE:

This letter is identical to Letter 16, except for a change of address. Refer to responses to Letter 16. The commenter also states that the proposed project would eliminate the area's country lifestyle. Refer to Response 4.1 for a discussion of the project's impacts to the site's rural aesthetic character.

Letter 67

March 11, 2015

David & Yolanda Ortiz

5714 Tuckernuck Lane

Santa Maria, CA 93455

John Zorovich, Project Planner
Email: **jzoro@co.santa-barbara.ca.us**
624 W. Foster Rd.
Suite C
Santa Maria, CA 93455

Dear Mr. Zorovich,

I am writing in opposition of the zoning change of Key Site 3. The existing land use designation of Residential Ranchette of RR-10 should stay as it is.

As a resident of 5714 Tuckernuck Lane for the past year, I have been fortunate to live in a semi-rural area surrounded by neighbors whose properties are a minimum of 5 acres. The private roads have been quiet, and with little traffic. My views and that of my neighbors have been largely unspoiled, and natural plant and animal life have been mostly unaffected.

The proposed project at total build out would have an extremely detrimental effect on my neighborhood. Chancellor Street, that is currently a private road, and upper Stillwell Rd would be hugely impacted with as many as 898 additional traffic crossings a day projected in the EIR. The area on the top of Key Site 3(now pastoral grazing land), would be negatively impacted with the dense build-out that is planned. It is more suited to an urban area then a semi-rural area.

The damage to the habitat of Orcutt Creek, the increased noise, pollution of air quality and night sky would forever change the rural character of this peaceful setting. Major negative impacts with regards to waste water and solid waste are also of great concern.

Additionally, the mitigation fees as stated in Section 65995 (3) (h) of the California Government Code would not mitigate the impacts on the local school district. The developer fees collected from the Rice Ranch Trilogy project alone is a mere fraction of would it would cost the local district to build new or expand current facilities.

I am asking that this zoning change for the project be denied.

Sincerely yours,

David Ortiz

Letter 67

COMMENTER: David Ortiz, Private Citizen

DATE: March 11, 2015

RESPONSE:

This letter is identical to Letter 16, except for a change of address. Refer to responses to Letter 16. The commenter also states that the proposed project's school mitigation fees would not mitigate the impacts on the local school district. The commenter requests that the project be denied. Under Section 65996 of the California Government Code, the payment of such fees is deemed to fully mitigate the impacts of new development on school facilities. No additional analysis is required in the Draft SEIR. However, the commenter's concerns will be included in the record for consideration by the County's decision-makers. Refer to Response 8.3 for a discussion of impacts on water supply and schools.

Letter 68

March 11, 2015

Gerald and Katha Penny

5713 Old Tisbury Lane

Santa Maria, CA 93455

John Zorovich, Project Planner

Email: **jzoro@co.santa-barbara.ca.us**

624 W. Foster Rd.

Suite C

Santa Maria, CA 93455

Dear Mr. Zorovich,

I am writing with concerns of the Key Site 3 Residential Subdivision Project following our review of the Environmental Impact Report (EIR) for the proposed site.

As a resident of 5713 Old Tisbury Lane in the Mesa Verde development since 2008, we have been driving on the access streets and understand the precautions that are necessary to safely drive on Stillwell. In review of Section 4.11 (Transportation and Circulation) we noticed a substantial increase in ADT for Stillwell Rd through Chancellor St. This is of concern especially seeing that there is no proposed improvement that we could find for these particular roads as these are listed as secondary access roads versus primary roads to the project. 68.1

Upon the proposed project total build out, we believe the traffic increase would have an extremely detrimental effect on our neighborhood and the safety of the individuals driving/biking on Stillwell and Chancellor without mitigation measures put into place to assist in improving the safety of the general public on these streets. Although we are not opposed to development we believe that all issues need to be considered and mitigated appropriately so not to adversely impact the longstanding residents in this area and to ensure public safety is addressed appropriately.

We are asking that the zoning change for the project be denied until mitigation measures for Stillwell –Chancellor Road can be implemented. 68.2

Sincerely yours,

Gerald Penny

Letter 68

COMMENTER: Gerald Penny, Private Citizen

DATE: March 11, 2015

RESPONSE:

Response 68.1

The commenter expresses concern that traffic generated by the proposed project would adversely affect the safety of motorists and bicyclists on Stillwell and Chancellor roads. The commenter states that these impacts should be mitigated appropriately. Refer to Responses 3.4 and 51.2 for discussions about the project's impacts on traffic safety.

Response 68.2

The commenter requests that the County deny the proposed Rezone for Key Site 3 until mitigation measures for Stillwell and Chancellor roads can be implemented. This request will be forwarded to County decision-makers for their consideration.

Letter 69

Zorovich, John

From: Beau Pierce [dr.beaupierce@gmail.com]
Sent: Wednesday, March 11, 2015 3:23 PM
To: Zorovich, John
Subject: Key Site 3 Opposition

Mr. Zorovich,

I am writing you in regards to the rezoning process currently underway regarding Key Site 3 located off the 101/Clark freeway exit in Orcutt. Myself and family live in the Cobblestone Creek neighborhood directly off Stillwell so I know this area very well.

I only learned of this petition a few days ago so forgive me for waiting so long to write you. The main reason we decided to purchase in this area was for the rural open spaces and the wildlife that accompanies this immediate area. We have deer, coyotes and many smaller animals that not only live in our neighborhood but would also be directly and negatively impacted by the deforestation that would occur with a development of this size in the area. My family is very active and the trials and wildlife are such an amazing attribute for this area and I would hate to have that changed.

As you may or may not be aware Stillwell is a small arterial road that should not be used by an extra 1000 cars per day that is estimated within the report bringing with them pollution to our air quality, a safety hazard for our children and a direct impact on the creek at the end of our street.

In speaking with the county inspector it is noted that the fire department has made a requirement that Stillwell would need to remain open in order for cars to get through to Chancellor Road. Nor should the properties that are on the private road be subjected to this increased traffic and noise. The grading that would have to happen in order to allow for the 125 homes and large scale condominium complex would not allow for the natural flow and removal of man made toxins to the creek that runs downstream. Not to mention the fact that the proposed low income units would bring increased crime to the are which can be verified through numerous reports on this subject.

This is the first time I have ever exercised my right to impose my beliefs on a situation like this and it is because I am adamantly opposed to the devastating effects this will have on my neighborhood and the area in which I know and love. If you have any further questions and would like to contact me you can do so using the below contact information.

I hope you will take my comments into consideration when voting.

Thank you for your time,

--
Dr. Beau Pierce
http://www.DoctorBeau.com
c:(408) 421-3038
s: dr.beau

Letter 69

COMMENTER: Dr. Beau Pierce, Private Citizen

DATE: March 11, 2015

RESPONSE:

The commenter expresses opposition to the proposed project and cites concerns about the rural aesthetics of the area, air pollution, traffic safety hazards for children, impacts to Orcutt Creek, drainage impacts, and crime. Refer to Response 4.1 for a discussion of the project's impacts on the area's rural aesthetic character; to Response 4.2 for a discussion of impacts to air quality; to Responses 3.4 and 51.2 for discussions about traffic safety; to Response 21.3 for a discussion of impacts to Orcutt Creek; to Response 8.3 for a discussion about drainage impacts; and to Response 3.3 for a discussion of impacts related to police protection services.

Letter 70

Zorovich, John

From: Shawna S [shawna.s@circleofdocs.com]
Sent: Wednesday, March 11, 2015 1:39 PM
To: Zorovich, John
Subject: Opposition to Key Site 3

Mr. Zorovich,

I am writing you in regards to the rezoning process currently underway regarding Key Site 3 located off the 101/Clark freeway exit in Orcutt. I live in the Cobblestone Creek neighborhood directly off Stillwell so I know this area very well. I only learned of this a day ago so forgive me for waiting so long to write you. The main reason we decided to purchase in this area was for the rural open spaces and the wildlife that accompanies this immediate area. We have deer, coyotes and many smaller animals that not only live in our neighborhood but would also be directly and negatively impacted by the deforestation that would occur with a development of this size in the area. My family is very active and the trials and wildlife are such an amazing attribute for this area and I would hate to have that changed. 70.1

As you may or may not be aware Stillwell is a small arterial road that should not be used by an extra 1000 cars per day that is estimated within the report bringing with them pollution to our air quality, a safety hazard for our children and a direct impact on the creek at the end of our street. In speaking with the county inspector it is noted that the fire department has made a requirement that Stillwell would need to remain open in order for cars to get through to Chancellor Road. Nor should the properties that are on the private road be subjected to this increased traffic and noise. The grading that would have to happen in order to allow for the 125 homes and large scale condominium complex would not allow for the natural flow and removal of man made toxins to the creek that runs downstream. Not to mention the fact that the proposed low income units would bring increased crime to the are which can be verified through numerous reports on this subject. 70.2

This is the first time I have ever exercised my right to impose my beliefs on a situation like this and it is because I am adamantly opposed to the devastating effects this will have on my neighborhood and the area in which I know and love. If you have any further questions and would like to contact me you can do so using the below contact information.

I hope you will take my comments into consideration when voting.

Thank you for your time,

My home address is 5264 Sycamore Creek Court, Orcutt, Ca 93455

--
SHAWNA SALADO
Chief Operations Officer

SHAWNA.S@CIRCLEOFDOCS.COM
408.823.3533 MOBILE

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Letter 70

COMMENTER: Shawna Salado, Private Citizen

DATE: March 11, 2015

RESPONSE:

This letter is identical to Letter 69, except for minor text changes. Refer to the responses to Letter 69.

SB Clark, LLC comments to Orcutt Key Site 3 Draft SEIR 14-EIR-07 January 2015

March 11, 2015

Bio-1(b) – with regard to the bridge crossing Orcutt creek and connecting to Chancellor, it is not reasonably feasible to construct a "pervious material" bridge at least 25' from preserved oaks. Suggest allowing the bridge to be placed up to the driplines of preserved oaks and to be constructed of impervious material. This will allow for a smaller overall impacted area. 71.1

Bio-3(a) – last sentence in plan requirements is confusing. References plan approval and security to be reviewed and approved "Prior to recordation of the final map recordation the lot line adjustment and land use clearance for final development plan..." Suggest the sentence be revised to one approval milestone timing – "prior to recordation of the final map" 71.2

Bio-3(c) – measures call for the maintenance of warning signs and educational signs in open space areas by HOA or Developer. This is not consistent with the County's overall responsibility to maintain the open space areas after acceptance. Once the open space areas are dedicated to the County and trail system installed by Developer, County should maintain the signs consistent with BIO-3(a). Bio-3(a) requires developer to be responsible for "... maintenance of the trail system for two years, at which time the Orcutt Community Facilities district, would assume maintenance responsibility." 71.3

Bio-3(d) - measure requiring openings at least 16" in diameter in privacy fencing "...near open space areas..." is not necessary, ambiguous, and not practical. The privacy fencing such as rear yard fencing along the east side of the project is designed to prevent animals from both entering and leaving the private yard areas. Adequate wildlife movement areas are provided in other areas of the project. 71.4

Bio-5(a) – project no longer proposes "estate lots". Delete plan requirements and timing references to estate lots. 71.5

Bio-5(b) – references Bio-6(c). Should be Bio-5(c). 71.6

BIO-5(c) – This requires that seed collection occur prior to removal. For sensitive annual species, this could mean that we can't do a survey until spring, and then if we find the plants, we can't collect seed until summer/fall and construction would have to wait. In practice, the amount of seed available from the actual disturbed area is likely to be small and insufficient to support restoration. Seed would also need to be collected from other populations on site and perhaps throughout the area. As such, suggest the first sentence be revised as follows: 71.7

If avoidance of List 1B species is not feasible, seed for mitigation shall be collected from on-site individuals and/or from other local populations. If timing allows, seed from the individuals within the disturbance area should be collected.

BIO-6(b) – The second bullet should be clarified to require surveys of any trees proposed for removal or work within or adjacent to areas with suitable roosting trees. Requiring large scale surveys of the development area is not warranted based on the findings described in the EIR that no evidence of the species was found on-site, no trees are proposed for removal, and no impacts to roosting are anticipated. 71.8

T-1 – The three roadway improvements are also listed and referenced in T-2 which requires payment of transportation fees not construction as required by T-1. Needs clarification to resolve inconsistency.

The plan requirements call for the improvements to be bonded for prior to map recordation **or** in place prior to occupancy. Requirement is confusing and needs clarification.

71.9

If the improvements are to be in place prior to occupancy clearance, we have a significant concern with the ability to control the timing for plan processing, approval and completion of the improvements especially since they involve agencies outside of the County jurisdiction specifically Caltrans. As is well known, any improvements requiring Caltrans approval prior to construction and completion are very difficult to predict and plan for and significant investment can be put at risk and in jeopardy. If the Plan Requirements are linked to occupancy clearance, we request the requirement not be linked to final construction and suggest that the occupancy clearance requirement be linked to having a bond prior to map recordation and start of construction for the three referenced improvements. We believe this provides the appropriate certainty for the improvements to be completed and mitigation achieved.

Letter 71

COMMENTER: SB Clark, LLC

DATE: March 11, 2015

RESPONSE:

Response 71.1

With regard to Mitigation Measure BIO-1(b) in the Draft SEIR, the applicant states that it is not "reasonably feasible" to construct a "pervious material" bridge over Orcutt Creek that is located at least 25 feet away from preserved oaks. The applicant suggests allowing the bridge to be placed up to the driplines of preserved oaks and to be constructed of impervious material. The commenter states that these modifications would result in a smaller overall impacted area.

As shown in Draft SEIR Section 4.3, Mitigation Measure BIO-1(b) does not require that a bridge over Orcutt Creek be placed at least 25 feet away from preserved oaks; rather, this measure allows encroachment of County-approved project access roads within 25 feet, but requires that such development be located outside of the driplines of all preserved oak trees. Within 25 feet of the dripline, Mitigation Measure BIO-1(b) requires that paving on access roads or driveways be pervious material (i.e., gravel, brick without mortar). This requirement for pervious materials would only apply to pavement over a substrate of soil, not to the proposed clear-span bridge over Orcutt Creek. To clarify this point, Mitigation Measure BIO-1(b) has been revised as follows in the Final SEIR.

BIO-1(a) **Sensitive Habitat Restoration Plan**. (*modification of OCP EIR Mitigation Measures BIO-3 and BIO-3.2*) […]
Plan Requirements and Timing. The Habitat Restoration Plan shall be submitted to P&D for review and approval prior to issuance of **Zoning Clearance** ~~Land Use Permits~~. If habitat restoration is to take place off-site, the above requirements shall also apply, and, in addition, proof of purchase or an easement controlling off-site acreage shall also be submitted to P&D prior to issuance of **Zoning Clearance** ~~Land Use permits~~.

Monitoring. The restoration shall be monitored by a **P&D** qualified biologist for five years. P&D shall oversee implementation of the Habitat Restoration Plan ~~through periodic monitoring~~ **to ensure that monitoring by a P&D qualified biologist is conducted on a yearly basis,** and a final restoration site inspection **is conducted** upon completion of the Habitat Restoration Plan.

BIO-1(b) **Oak Tree Avoidance.** (*Modification of Mitigation KS3-BIO-2 in OCP EIR*). The **owner/**applicant shall modify the proposed development to either incorporate and/or avoid oak trees or their

driplines. The following shall be graphically depicted on all final grading and building plans:

- The location and extent of dripline**s** for all trees and the type and location of any fencing.
- Development shall be located **25 feet** outside of the driplines of all preserved oak trees. Equipment storage and staging areas shall be designated on approved grading and building plans outside of dripline areas.
- Paving **over soil** shall be **a** pervious material (i.e., gravel, brick without mortar) where access roads or driveways encroach within 25 feet of the dripline of an oak tree**, except on bridges over Orcutt Creek**.
- Permanent tree wells or retaining walls shall be specified on approved plans and shall be installed prior to **the issuance of Zoning Clearance** ~~approval of Land Use Permits~~. A County-approved arborist/biologist shall oversee such installation.
- Drainage plans shall be designed such that oak tree trunk areas are properly drained to avoid ponding.
- All utilities shall be placed in development envelopes or within or directly adjacent to roadways and driveways or in a designated utility corridor in order to minimize impacts to trees.

[…]

Plan Requirements and Timing. Final grading**, zoning clearance,** and building plans submitted to P&D for review and approval shall include the above protection measures.

Monitoring. P&D shall ensure that final plans include this measure prior to **zoning clearance issuance** ~~land use clearance~~ for grading and subdivision improvements. Permit compliance staff shall site inspect and verify installation of protective barriers prior to **the** commencement **of** grading activities. Thereafter, site inspections shall be conducted at a minimum of once per week through all phases of development to ensure compliance with the above measures.

Response 71.2

The applicant states that the last sentence in Mitigation Measure BIO-3(a), under Plan Requirements, is confusing. Mitigation Measure BIO-3(a) has been revised in the Final EIR as follows:

BIO-3(a) **Development Restriction.** […]

Plan Requirements and Timing: The **owner/**applicant shall dedicate, through a dedication on the final map, the open space in

fee to the County for open space and public trails purposes, as identified on **the** approved Development Plan and Tentative Tract Map, and shall develop the trail system including fencing and signage and any necessary trail structures to standards and specifications of the Orcutt Community Plan (Orcutt Multiple Use Trails Plan and Trail Siting and Design Guidelines) and the County Community Services Department, Parks Division. The developer shall be responsible for the construction and maintenance of the trail system for two years, at which time the Orcutt Community Facilities District, would assume maintenance responsibility. Prior to recordation of the final map ~~recordation the lot line adjustment and land use clearance~~ for the final development plan: (1) The **owner/**applicant shall submit trail system plans, including specific alignment and landscaping, fencing, and signage, and maintenance funding/responsibility, for review and approval by Planning and Development (P&D) and Community Services Department - Parks Division; (2) A performance security for trail installation and maintenance shall be submitted by the **owner/**applicant to P&D for review and approval. **Timing:** The trail system shall be constructed as part of initial tract improvements, prior to the issuance of occupancy clearance for dwellings along the perimeter of the open space.

Monitoring: P&D Permit Compliance staff and Parks Division staff shall monitor trail and bike path installation in accordance with the approved plans.

Response 71.3

The applicant states that Mitigation Measure BIO-3(c) in the Draft SEIR calls for maintenance by HOA or developer of warning and educational signs in open space areas, which is not consistent with the County's responsibility to maintain the open space areas after acceptance. The applicant requests that after the open space areas are dedicated to the County and the trail system has been installed, the County should maintain the signs consistent with Mitigation Measure BIO-3(a). The applicant notes that Mitigation Measure BIO-3(a) requires that the developer be responsible for "...maintenance of the trail system for two years, at which time the Orcutt Community Facilities district, would assume maintenance responsibility."

Mitigation Measure BIO-3(c) has been revised in the Final EIR as follows:

BIO-3(c) **Wildlife Impact Avoidance** (*includes modification of Mitigation Measures BIO-6 and KS3-BIO-6 in the OCP EIR).* The **owner/** applicant shall design the development to incorporate the following measures to reduce impacts to wildlife following occupancy:

- Roadway widths adjacent to open space areas shall be reduced to the minimum width possible while maintaining Fire Department Requirements for emergency access.
- Appropriate signage warning residents of the potential presence of wild animals on roadways and bike paths shall be installed along roads adjacent to open space areas. In addition, interpretative educational signage discussing sensitive resources on-site (e.g., Orcutt Creek, central dune scrub, oak woodland, rare plants and animals etc.) shall be installed along all bike paths, hiking trails and rest areas. Information on educational signage shall be developed by a County-approved biologist. Such signage shall be maintained by the developer or HOA **for two years, at which time the Orcutt Community Facilities district would assume maintenance responsibility**.
- Utilities, such as electrical, water and sewer, shall be installed under paved roads and sidewalks wherever possible.
- Information brochures shall be provided to potential buyers and included as an attachment to the subdivision's CC&Rs outlining the impacts associated with non-native animals, (especially feral cats and dogs), impacts associated with introduction of invasive landscaping plants, and impacts associated with use of pesticides. The information brochures shall also inform potential buyers of the potential for wild animals, such as coyotes, to prey upon domestic animals.

Plan Requirements and Timing. Grading**, zoning clearance,** and building plans shall include the above measures and shall be submitted to P&D for review and approval prior to issuance of **zoning** ~~land use~~ clearance for grading and subdivision improvements. The information brochure shall be submitted to P&D for review and approval prior to zoning clearance for the first residence.

Monitoring. P&D shall site inspect upon completion of construction.

Response 71.4

The applicant states that the requirement in Mitigation Measure BIO-3(d) of the Draft SEIR for openings at least 16" in diameter in privacy fencing "near open space areas" is unnecessary, ambiguous, and impractical. The applicant states that privacy fencing, such as rear yard fencing, along the east side of Key Site 3 is designed to prevent animals from both entering and leaving private yards. The commenter asserts that adequate wildlife movement areas are provided in other areas of the project. Mitigation Measure BIO-3(d) does not apply to rear yard fencing. This measure is designed to permit wildlife movement along and through i.e. roads,

trail, and other non-residential portions of the project site. Therefore, this measure applies only to accessory components of the project, such as fencing along roads and trails.

Response 71.5

In reference to Mitigation Measure BIO-5(a) in the Draft SEIR, the applicant notes that the project no longer proposes "estate lots." The applicant requests the references to estate lots be deleted from this measure. Mitigation Measure BIO-5(a) has been revised as follows in the Final SEIR:

> **Plan Requirements and Timing.** A report of the rare plant survey results shall be submitting to P&D for review prior to **zoning clearance issuance** ~~land use clearance~~ for grading and subdivision improvements~~, and prior to zoning clearance for development of each estate lot, if grading on each of these lots is not conducted concurrent with subdivision improvements serving the estate lots~~. Mapped locations of rare plants shall be shown on grading plans.

Mitigation Measure BIO-5(b) has been revised as follows in the Final SEIR:

> **Special Status Plant Avoidance and Minimization.** If List 1B species are found during the special status plant species surveys, the **owner/**applicant shall avoid impacting these plant species to the greatest extent feasible. If avoidance is not feasible, the project shall mitigate impacts to special status plan**t**s pursuant to Mitigation Measure BIO-**5**~~6~~(c). Rare plant occurrences that are not within the immediate disturbance footprint, but are located within 50 feet of disturbance limits shall have bright orange protective fencing installed at least 30 feet beyond their extent to protect them from harm.
>
> **Plan Requirements and Timing.** The **owner/**applicant shall submit revised tract and/or development plans, as applicable, indicating the location of rare plants to P&D for review and approval prior to **zoning clearance issuance** ~~land use clearance~~ for grading and subdivision improvements. P&D **permit compliance monitoring staff** shall inspect the site prior to initiation of ground disturbance activities to ensure the protective fencing is installed properly.

Mitigation Measure BIO-5(c) has been revised as follows in the Final SEIR:

> **Plan Requirements and Timing.** The **owner/**applicant shall submit the mitigation and monitoring plan to P&D for review and approval prior to **zoning clearance issuance** ~~land use clearance~~ for grading and subdivision improvements~~, and prior to zoning clearance for development of each estate lot, if grading on each of~~

> ~~these lots is not conducted concurrent with subdivision improvements serving the estate lots~~.

Mitigation Measure BIO-5(d) has been revised as follows in the Final SEIR:

> **Plan Requirements and Timing.** If applicable, a copy of the CESA Incidental Take Permit shall be filed with P&D prior to **zoning clearance issuance** ~~land use clearance~~ for grading and subdivision improvements~~, and prior to zoning clearance for development of each estate lot, if grading on each of these lots is not conducted concurrent with subdivision improvements serving the estate lots~~.

Response 71.6

The applicant states that Mitigation Measure BIO-5(b) in the Draft SEIR includes an erroneous cross-reference to Mitigation Measure BIO-6(c). The applicant requests that this reference be changed to Mitigation Measure BIO-5(c). Mitigation Measure BIO-5(b) has been revised as shown in Response 71.5.

Response 71.7

The applicant notes that Mitigation Measure BIO-5(c) in the Draft SEIR requires that, if avoidance of special-status, List 1B plant species cannot be achieved, seed shall be collected prior to removal. The applicant disagrees with this provision. For sensitive annual species, the applicant is concerned that a survey could not be conducted until spring, and that if plants are not found, then construction would have to wait until the summer or fall. In practice, the applicant contends, the amount of seed available from the actual disturbed area is likely to be insufficient to support restoration. The applicant requests that Mitigation Measure BIO-5(c) be revised to require seed collection from individual plants within the disturbance area only "if timing allows." However, even if the collection of seed is infeasible on-site, Mitigation Measure BIO-5(c) would allow seed collection "from other local populations of plants." Therefore, it is reasonable to expect that sufficient seed would be available, whether on-site or from nearby local populations, to support restoration of special-status plants without delaying construction of the proposed project.

Response 71.8

The applicant requests that the second bullet in Mitigation Measure BIO-6(b) be clarified to require surveys for roosting bats in any trees proposed for removal or for work within or adjacent to areas with suitable roosting trees. The applicant claims that surveys of the entire area of disturbance are not needed because surveys found no evidence that special-status bats occur on-site and no roosting trees are proposed for removal. While roosts of special-status bats have not been observed on-site, Impact BIO-6 in Draft SEIR Section 4.3, Biological Resources, states that trees suitable for roosting as well as foraging habitat can be found within or adjacent to the key site and impact area. Consistent with the applicant's request, Mitigation Measure BIO-6(b) would require surveys for roosting bats in the area of disturbance around suitable

roosting habitat. This requirement would not apply to the entire area of grading on Key Site 3. The second bullet of Mitigation Measure BIO-6(b) is revised as follows for clarification:

- Surveys for roosting bats shall be conducted by a **County-approved** qualified biologist **in suitable habitat** no more than 14 days prior to **the initiation of ground disturbing activities and/or** vegetation removal. The surveys shall **focus on trees located within the disturbance area** ~~include the entire area of disturbance area and focus on the trees located within the impact area~~. If active roosts are located, **the locations shall be mapped, and a buffer ranging in size from 100 to 500 feet around the roost within the project site shall be determined and demarcated by a County-approved biologist with bright orange construction fencing.** ~~all~~ **All** construction work shall be conducted outside ~~a~~ **of the** buffer zone **until** ~~from the roost to be determined by the qualified biologist. Work may resume within this buffer zone when~~ the **County-approved** qualified biologist determines that bats are not occupying roosting trees.

Response 71.9

The applicant notes that whereas Mitigation Measure T-2 in the Draft SEIR requires payment of transportation fees for three roadway improvements, Mitigation Measure T-1 requires either payment of fees for these improvements or construction of the improvements. The applicant requests clarification.

Mitigation Measure T-1 has been revised as follows in the Final SEIR to clarify the timing and requirements of this mitigation:

T-1 **Roadway Improvements.** The ~~project~~ **owner/**applicant shall **either** contribute fair share fees, to be determined by County Public Works staff, towards the following improvements, or shall construct the **following** improvements and develop a reimbursement agreement, to be reviewed and approved by County Public Works staff, for fair share contributions from other nearby future developments:

1. Widening ~~of the south side~~ of Clark Avenue between the realigned Sunny Hills Road and the U.S. 101 southbound ramps to provide two eastbound lanes.
2. Widening of the **Clark Avenue** southbound off-ramp to improve the operation of the southbound free right-turn lane.
3. Restripe **the northbound and southbound Clark Avenue** ~~of both~~ ramp intersections and the **Clark Avenue** overpass to maximize eastbound flow to the **Clark Avenue** northbound on-ramp **as described in the Key Site 3 Residential Project Traffic and Circulation Study, dated November 18, 2013**.

Plan Requirements and Timing. The **improvements shall be reviewed and approved by County Public Works and/or Caltrans prior to zoning clearance issuance. The**

owner/application shall construct the improvements prior to occupancy clearance if they have not yet been constructed by another Key Site project, in which case fair share fees (if required) shall be completed ~~applicant shall construct the improvements and develop a reimbursement agreement, to be reviewed and approved by County Public Works staff, for fair share contributions from other nearby future developments. Improvements shall be bonded for prior to map recordation or in place~~ prior to occupancy clearance.

Monitoring. Completion of improvements in accordance with approved plans shall be monitored by P&D and Public Works.

Mitigation Measure T-2 has been revised as follows in the Final SEIR to clarify the owner/applicant's obligation to pay transportation fees to the County to offset project contributions to cumulative Orcutt Transpiration Improvement Plan (OTIP) identified impacts:

T-2 **Offset of Cumulative Impacts.** The **owner/**applicant shall pay transportation fees to the County to offset project contributions to cumulative **Orcutt Transpiration Improvement Plan (OTIP) identified** impacts on traffic **and circulation for the improvements listed below. This shall be considered the project's fair share of offsite OTIP improvements. The fee amount shall be determined by the County Public Works Transportation Division, based on adopted fee schedules at the time of payment**~~, circulation systems maintenance, including the project's fair share of offsite improvements in an amount determined by the County Public Works /Transportation Division, based on adopted fee schedules at the time of payment~~.

~~1. Widening of the south side of Clark Avenue between the realigned Sunny Hills Road and the U.S. 101 southbound ramps to provide two eastbound lanes.~~

~~2. Widening of the southbound off-ramp to improve the operation of the southbound free right-turn lane.~~

~~3.~~

1. Reconstruction of the Clark Avenue/U.S. 101 northbound ramps intersection. This includes realignment of the U.S. 101 northbound on-ramp to the east opposite the off-ramp, widening of the off-ramp to provide two separate turning lanes and widening of the on-ramp to provide two receiving lanes.

~~4.~~

2. Signalization of the Clark Avenue/U.S. 101 northbound ramps intersection. The existing + project peak hour volumes would satisfy peak hour signal warrants.

~~5. Restripe of both ramp intersections and the overpass to maximize eastbound flow to the northbound on-ramp.~~

Plan Requirements and Timing. Prior to **occupancy clearance** ~~final map recordation~~, the **owner/**applicant shall submit transportation fees.

Monitoring. Compliance shall be monitored by P&D.

Letter 72

10:56

RECEIVED
MAR 11 2015
S.B. COUNTY (NORTH)
PLANNING & DEVELOPMENT

March 9, 2015

Patrick and Katherine Sheehy

1705 Chancellor St.

Santa Maria, CA 93455

John Zorovich, Project Planner

624 W. Foster Rd.

Suite C

Santa Maria, CA 93455

Dear Mr. Zorovich,

The Current RR-10 development on Key Site 3 should stand as it is. We oppose the zoning change Amendment to the General Plan including the Vesting Tentative Tract Map to divide the 138.6 acre parcel into 125 lots and over several hundred additional housing units. 72.1

If the developer's proposal and any of the alternative project proposals are approved the quality of life as we know it will be negatively altered forever.

The Draft EIR identifies as significant: Visual and aesthetic resources, biological resources and wastewater and solid waste discharge without any viable mitigations. This is unacceptable.

Visually and aesthetically Key Site 3 is a gateway parcel to the Orcutt area – EVERY POSSIBLE MEANS should be put in place to keep this bucolic valley and its surrounding ranchettes consistent with the semi-rural spirit of the Orcutt Community Plan. The build out that this proposal is suggesting is more suited to an urban area and will create a negative impression of Orcutt as it is entered. 72.2

Biological resources would suffer tremendously. Sensitive habitat and oak trees would be destroyed. The views in our neighborhood would be forever altered by a bridge over Orcutt Creek which at full build out would have literally hundreds of Average Daily Trip's (ADT's). Animals, especially avian species would be adversely affected as their canopies are removed. Hiking and biking trail access across Orcutt Creek to the south would seriously undermine the area on the southern part of the Key Site. The privacy of that and our neighbors would be extremely compromised. Sewer lines and possible gas lines routed along Orcutt Creek would further add to the biological degradation of the area. 72.3

Of major concern is the amount of waste water this project would generate at full build out. It would comprise a full 10% of the Orcutt community's wastewater alone. How would this be handled? Solid waste generated by the plan appears to exceed what current facilities can process. The Draft EIR fails to address this in detail. 72.4

Potentially significant but supposedly mitigatable (Class II) impacts were identified in nine other areas.

These are our concerns regarding these:

- Air Quality: it is proposed that project residents have dwellings that filter out some of the excess air pollution, but what about the existing residents who will also have to breathe the same air without the benefits of filters etc.? 72.5
- Biological Resources: Does the arroyo/gully to the south of Sunny Hills have a wetland designation? If so are the setbacks adequate for the extra 125 homes the developer proposes? The arroyo has steep eroded sides. Is the mesa stable enough to support an extra 125dwellings? We would like to see a second engineer evaluate this area, independent of the developer's findings. The neighbors who border the area to the south have seen the erosion of this area over the years and are extremely concerned about any further impacts to the gully. 72.6
- Geological Resources: Grading of unstable hillsides is an issue. Erosion caused by such grading is of huge concern – especially with the building of a bridge across Orcutt Creek which would have to involve sinking pilings in for stability. There is no detail in this Draft EIR of the proposed bridge that will span Orcutt Creek. FULL DETAIL should be given. 72.7
- Drainage: Water shoots off the hills to the east of the mesa across the freeway and jumps the existing berms. A detailed plan is not mentioned that we can see in this Draft EIR. The top of the mesa floods as it is, not to mention the arroyo behind Sunny Hills. The residents of eastern Chancellor St. and to the west of the corner of Stillwell often have to sandbag to deal with extensive runoff when it rains. A DETAILED PLAN needs to be included in this document. 400+ dwelling on top of the existing drainage problem would obviously have to be a major impact. 72.8
- Greenhouse Gas Emissions: The project speaks to the projected residents of its eventual 400+ development, but does not take into consideration the existing neighbors who must breathe the same air, and deal with the same pollution. Oak trees along Orcutt Creek on the west side of the project are slated to be removed. These are the very trees which help to improve the existing homeowner's breathable air. 72.9
- Fire Protection: With over 800 ADT's projected for Chancellor St. alone at full build out, and many hundreds more on Stillwell Rd. to Clark Ave., one has to be concerened at the congestion of these streets during peak times and the very real possibly of a fire occurring then. How can residents of Mesa Verde, Cobblestone, Chancellor Street, and southern Stillwell Rd to the south rest assured that assistance would arrive in a timely fashion with streets impacted with this much more traffic? 72.10
- Traffic/Transportation: There is no DETAIL WHATSOEVER in this document except for the slight mention of Chancellor Street/ Oakbrook Lane being used as secondary access for fire. FULL DETAIL and a copy of the easement are not included in this document. Even the project reduction alternative would cause close to 600 ADT's. Stillwell Rd, Clark Ave and Chancellor St. are already congested and a new (already approved development, Tuscan Villas), has not even been built out yet. How will those residents be able to enter and exit on a steep hill with the additional traffic that is called for in the EIR? It is irresponsible and dangerous to add to this already impacted area. 72.11

- Noise: Inconsistencies exist between the last project description 2012 and this Draft EIR. In 2012 it appears that even with a 200 ft. buffer between the 101 freeway the Project exceeded County Standards of 65dB. How is this project different? Clarification in the EIR is inadequate. 72.12
- Loss of privacy and protection: Several years ago Planning and Development issued our neighborhood a permit to build an electric gate at a cost of over $15,000 to protect ourselves. Does P & D now expect us to tear the gate down (as the fire department would require) to accommodate a zoning change? 72.13

It is our sincere hope that County Staff, the Planning Commission and the Board of Supervisors do not support or approve the proposed zoning change. We feel it is neither in the best interests of any of the residents of Orcutt nor in the spirit of the Orcutt Community Plan.

Sincerely yours,

Patrick Sheehy

Katherine Sheehy

Letter 72

COMMENTER: Patrick and Katherine Sheehy, Private Citizens

DATE: March 11, 2015

RESPONSE:

Response 72.1

The commenters express opposition to the proposed Rezone and recommends that the current zoning for 10-acre ranchettes remain in place. The commenters state that significant and unavoidable impacts identified in the Draft SEIR for aesthetics, biological resources, wastewater, and solid waste discharge are unacceptable. The commenter's opposition to the proposed project will be forwarded to County decision-makers for their consideration.

The commenters also claim that the proposed project and any alternatives would adversely affect quality of life. Refer to Response 7.3 for a discussion of the project's impacts on quality of life. As discussed in Draft SEIR Section 6.0, *Alternatives*, the proposed project as well as Reduced Project Alternative (Alternative 6) and Shifted Density Project Alternative (Alternative 7) would have significant but mitigable impacts on quality of life; however, Revised No Project (Alternative 5) would have less than significant impacts in this area.

Response 72.2

The commenters express concern about the proposed project's impacts on the aesthetic character of the Orcutt area. Refer to Response 4.1 for a discussion of the project's impacts on the area's rural aesthetic character.

Response 72.3

The commenters express concern about biological resources, including sensitive habitat, oak trees, and birds. Refer to Response 6.c in Section 9.2 (Responses to Public Testimony) for a discussion of the project's impacts on wildlife and to Response 7.3 for a discussion of impacts to sensitive habitat and oak trees.

The commenters believe that the proposed clear-span bridge over Orcutt Creek, and traffic on this bridge, would adversely affect views in their neighborhood. As discussed in Draft SEIR Section 4.1, *Aesthetics*, views from private property such as backyards, frontyards, interior living spaces, or private roadways (i.e., Chancellor Road and Oakbrook Lane) are not considered public view corridors. Furthermore, CEQA distinguishes between public and private views, and focuses on whether a project would affect the public environment rather than of particular individuals. Private views, such as from individual homes, generally are not analyzed under CEQA. Potential impacts on such individual views would not be environmentally significant.

The commenters also express concern about impacts on privacy. Refer to Response 3.2 for a discussion of the project's impacts on privacy.

Response 72.4

The commenters are concerned about the amount of wastewater that the proposed project would generate and ask how this wastewater would be handled. The commenters add that solid waste generated by the proposed project appears to exceed the capacity of current facilities. Refer to Response 16.3 for a discussion of the project's impacts related to wastewater and solid waste.

Response 72.5

The commenters ask how the proposed project would mitigate air quality impacts on existing residents near Key Site 3. Refer to Response 3.b in Section 9.2 (Responses to Public Testimony) for a discussion of the project's impacts on existing sensitive receptors, including local residents.

Response 72.6

The commenters ask if the gully to the south of SHMHP has a wetland designation and, if so, if the proposed setbacks for residences are adequate. Draft SEIR Section 4.3, *Biological Resources*, discusses a 2009 jurisdictional delineation of Key Site 3 for the presence of wetlands. The gully is not identified as a wetland.

In addition, the commenters ask if the gully is stable enough to support 125 new dwellings on the mesa. Refer to Response 43.1 for a discussion of the project's impacts related to stability of the gully.

Response 72.7

The commenters express concern about erosion caused by grading of unstable hillsides, especially from construction of a bridge across Orcutt Creek. As discussed in Draft SEIR Section 4.6, *Geological Processes*, construction of the proposed project would not entail grading on slopes exceeding 20 percent. The proposed bridge across Orcutt Creek would be a clear-span bridge with footings constructed outside of the streambed. Impacts related to erosive soils from site grading, including grading required for construction of the proposed clear-span bridge across Orcutt Creek, would be potentially significant but mitigable through implementation of recommendations from the Soils Engineering Report for the proposed project. Mitigation Measure G-4 would require grading and construction in accordance with these recommendations. Furthermore, as discussed in Section 4.12, *Water Resources/Flooding*, construction activities on Key Site 3 would be subject to the County's grading ordinance and applicable OCP development standards. The grading ordinance would require a grading permit and an Erosion and Sediment Control Plan for all new grading, excavations, fills, cuts, borrow pits, stockpiling, compaction of fill, and land reclamation.

Response 72.8

The commenters express concern about drainage and flooding associated with the mesa on Key Site 3. Refer to Response 8.3 for a discussion of the project's impacts on drainage and to Response 28.2 for a discussion of impacts on flooding.

Response 72.9

The commenters claim that the Draft SEIR's analysis of GHG emissions does not consider impacts on existing neighbors who must breathe the same air. The commenters also state that the oak trees on the west side of the project site would be removed. The issue of GHG emissions and their effect on climate change is inherently a global concern that does not have localized effects. Therefore, the Draft SEIR's discussion of impacts related to GHG emissions is applicable to existing neighbors of Key Site 3. As discussed in Section 4.3, *Biological Resources*, of the Draft SEIR, implementation of the project, including the proposed multi-use trail systems, would impact approximately 0.12 acre of Central Coast Live Oak Riparian Forest and the existing oak trees therein. Mitigation Measure BIO-1(b), Oak Tree Avoidance, would require the project applicant to incorporate oak trees into project plans and/or avoid oak trees or their driplines. County Planning and Development would be responsible for ensuring that final plans reflect the requirements described in Mitigation Measure BIO-1(b) prior to land use clearance for grading and subdivision improvements. Permit compliance staff would be required to site inspect and verify installation of protective barriers prior to commencement grading activities. Thereafter, site inspections would be required to be conducted at a minimum of once per week through all phases of development to ensure compliance with the oak tree protection measures.

Response 72.10

The commenters are concerned that peak-hour traffic congestion on Chancellor Street, Stillwell Road, and Clark Avenue could delay the arrival of emergency responders in the event of a fire. Refer to Response 6.4 for a discussion of the project's impacts related to fire protection services.

Response 72.11

The commenters claim that the Draft SEIR lacks detail on the proposed project's impacts on traffic. The commenters note that the already approved Tuscan Villas development has not even been developed yet. With this additional traffic, the commenters wonder if the entering and existing of motor vehicles on a steep hill poses a traffic hazard. Refer to Response 4.2 for a discussion of the project's impacts on traffic congestion and to Response 3.4 for a discussion of impacts on traffic hazards.

Response 72.12

The commenters note in 2012, the project exceeded the County's noise standard of 65 dB even with a 200-foot buffer from U.S. 101. The commenters ask how the proposed project differs from the 2012 version of the project. The version of the project evaluated in a publicly-circulated Draft EIR in 2012 included additional residential units on the southern portion of the property, but a similar footprint and buildout on the upper mesa of the project site, with residential units near U.S. Highway 101. The noise impacts of the proposed project are similar to those evaluated in the publicly-circulated Draft SEIR for the 2012 version of the project. Both the publicly-circulated Draft SEIR for the 2012 version of the project and the analysis in this SEIR include mitigation for roadway noise associated with U.S. Highway 101, including solid noise barriers

(Mitigation Measure N-2[a]) and noise-resistant construction techniques (Mitigation Measure N-2[b]).

Response 72.13

The commenters ask if the County expects their neighborhood to tear down their electric gate and believe this would represent a loss of privacy and protection. Refer to Response 3.2 for a discussion of the project's impacts on privacy. Refer to Response 10.1 and Response 3.3 for a discussion of the security gate on Chancellor Street. Also refer to Response 3.3 for a discussion of the project's environmental impacts related to police protection services. The commenters' concern about security does not address an environmental issue analyzed by the Draft SEIR. Nevertheless, this comment will be forwarded to County decision-makers for their consideration.

Letter 73

Zorovich, John

From: shirleys55@verizon.net
Sent: Wednesday, March 11, 2015 1:50 PM
To: Zorovich, John
Subject: zoning change of Key Site 3
Attachments: Key Site 3 Letter.docx

March 11, 2015
Clinton & Shirley Thomas
1730 Chancellor Street
Santa Maria, CA 93455

John Zorovich, Project Planner

Email: jzoro@co.santa-barbara.ca.us

624 W. Foster Rd.

Suite C

Santa Maria, CA 93455

Dear Mr. Zorovich,

I am writing in **opposition** of the zoning change of Key Site 3. The existing land use designation of Residential Ranchette of RR-10 should stay as it is.

As a resident of 1730 Chancellor Street since 1986, we have been fortunate to live in a semi-rural area surrounded by neighbors whose properties are a minimum of 5 acres. The private roads have been quiet, and with little traffic. My views and that of my neighbors have been largely unspoiled, and natural plant and animal life have been mostly unaffected.

The proposed project at total build out would have an extremely detrimental effect on my neighborhood. Chancellor Street, that is currently a private road, and upper Stillwell Rd would be hugely impacted with as many as **898 additional traffic crossings a day projected in the EIR**. The area on the top of Key Site 3(now pastoral grazing land), would be negatively impacted with the dense build-out that is planned. It is more suited to an urban area then a semi-rural area.

The damage to the habitat of Orcutt Creek, the increased noise, pollution of air quality and night sky **would forever change the rural character of this peaceful setting**. Major negative impacts with regards to waste water and solid waste are also of great concern.

I am asking that this zoning change for the project be **denied**. Please leave our rural area as is, the main reason we all bought and built our homes here is this is where we wanted to raise our children and our grandchildren.

Sincerely yours,

Clinton Thomas & Shirley Thomas

Letter 73

COMMENTER: Clinton and Shirley Thomas, Private Citizen

DATE: March 11, 2015

RESPONSE:

This letter is identical to Letter 16, except for a change of address. Refer to responses to Letter 16.

Letter 74

Zorovich, John

From: Scott Williams [jenllosk0514@icloud.com]
Sent: Wednesday, March 11, 2015 2:17 PM
To: Zorovich, John
Subject: Zoning change of Key site 3

Dear Mr. John Zorovich,

The reason I am writing this email is because I am concerned about the proposed zoning change of key site 3. My name is Jennifer Williams and I live at 1541 Solomon view rd in Orcutt. I oppose this change because I am worried with all the new houses that will be built, it will bring an increase of traffic on Stillwell road. It already gets pretty busy as it is and I can't even imagine how bad it will get with the influx of people. We are a small town and do not want an increase in crime, noise and air quality. Our property values are finally starting to recoup and I have a feeling this could make the values drop. We also don't want any environmental damage to our creek. My kids love to play down there.

Thank you for your time,

Jennifer and Scott Williams

Letter 74

COMMENTER: Jennifer and Scott Williams, Private Citizens

DATE: March 11, 2015

RESPONSE:

The commenter expresses concern that the proposed project would increase traffic on Stillwell Road and affect crime, noise, air quality, property values and Orcutt Creek. Refer to Response 4.2 for a discussion of the project's air quality, noise, and traffic impacts; to Response 3.3 for a discussion of the project's impacts related to police protection services; and to Response 21.3 for a discussion of impacts to Orcutt Creek. The commenter's concern about property values does not address an environmental issue analyzed by the Draft SEIR but will be forwarded to County decision-makers for their consideration.

Zorovich, John

From: Woodfin, Jack H - Exelis [Jack.Woodfin@exelisinc.com]
Sent: Wednesday, March 11, 2015 10:55 AM
To: Zorovich, John
Cc: woodydx@yahoo.com
Subject: Zoning change of Key Site 3

Mr. John Zorovich
Project Planner
County of Santa Barbara
11 March 2015

Mr. Zorovich,
My name is Jacob Woodfin and my wife Vicki and I own the property on Parcel #21, 1546 Jensen Ranch Road in Orcutt. I am writing in response to the proposed building of 125 Single Family homes and 285 MR-0 Condominiums that are proposed on Key Site 3 near Clark Ave and the 101 Freeway. I understand that the current proposal is to change the zoning in that area from 10 acre ranchette parcels to a higher density zoning structure which would allow for a more dense development plan.

I am writing in opposition to rezoning this property and the future mass development that will take place if this is allowed to move forward. I would like to have my concerns officially recorded in this matter. My wife and I purchased our home in 2006 under the intention of living in a quiet, low traffic area of the city. We paid premium prices for the housing in our neighborhood because of the peace and sanctity that we have experienced over the past 9 years. I am concerned with the water shortages that we are currently experiencing in this area, the traffic impacts that will occur, the possibility in a rise in our local crime rate, and our overall loss of privacy that will occur with the increase in population to this small, rural area of the city.

The Environmental Impact Report (EIR) considers the possibility of almost 900 extra cars travelling down Stillwell Rd which is an already precarious Rd to navigate due to the blind views caused by the uphill and downhill locations of the streets that feed onto that road. We are worried about the Excess noise that will be generated from the overflow of traffic as well. This is a quiet neighborhood and most residents purchased homes here because of the lower traffic density and quiet nature of the neighborhood. The EIR does not stipulate any upgrades or maintenance to the existing roads to enable the extra traffic that will flow in these areas. These roads will be unable to sustain that amount of traffic without expansion or re-routing of traffic.

I would like to know what water source they will be using and will it be sustainable in the current drought environment that we face. Water shortages can lead to higher utility costs and I am opposed to paying higher rates for water to sustain this proposed project. I have concerns with a rise in small crimes such as burglaries, vandalism, graffiti, and auto thefts. These are real concerns when an area grows in population to the levels that are being considered here. I understand the need for housing and every family deserves a roof over their head. There must be areas or multiple areas where a plan of this nature would be a better fit. Orcutt is a low density area that has been that way since its existence. The demographics of Orcutt are characteristic of middle to upper income levels of people who have moved to our area for the reasons and concerns I have stated above. To change the dynamic of our neighborhood would be a travesty and a potential for current residents to sell out and leave our beautiful area. I for one would definitely consider putting our house up for sale if this plan comes to fruition.

Please allow our concerns to be recorded, heard, and addressed on this matter. It is disheartening to think that our quiet way of life, which we all worked very hard to achieve and preserve, may be given away to a growth plan that does not make sense in the current zoning environment.

Regards,

Jacob and Vicki Woodfin

Letter 75

COMMENTER: Jack and Vicki Woodfin, Private Citizen

DATE: March 11, 2015

RESPONSE:

The commenters state their opposition to the proposed Rezone, citing concerns about the project's impacts on noise, traffic congestion, "peace and sanctity," water supply, crime, and privacy. Refer to Response 4.2 for a discussion of the project's impacts on noise and traffic congestion; to Response 7.3 for a discussion of impacts on quality of life; to Response 8.3 for a discussion of the source of water supply for Key Site 3 and the impacts on water supply; to Response 3.3 for a discussion of impacts related to police protection services; and to Response 3.2 for a discussion of impacts on privacy.

Letter 76

Dear Mr. Zorovich,

I am writing in response to the proposed zoning change of "Key Site 3" Residential Subdivision Project. First and foremost, I am opposed to this project for a variety of reasons and concerns for the community I live and raise my children in. I have a background in law enforcement, community policing and traffic management. I share this experience as this relates to my concerns about the proposed development.

It is my understanding that the proposed site is located in the area of Chancellor St. and Vanessa Way. As it is now this area is only accessed via one road, Stillwell Rd. Stillwell Rd. is a standard width, two lane residential roadway, approximately 20' to 24' across in most areas and a speed limit of 30 MPH. This road is the only road for (5) subdivisions in the general area; Cimarron, Town & Country Mobile Estates, Jensen's Ranch, Cobblestone Creek and Oak Bluffs. These 5 subdivisions combined are roughly 300 units, and does not include an estimated 30 residential properties also in the area south of E Clark Ave. An estimate, based on typical family dynamics, would indicate two vehicles per household, thus estimated to be over 600 vehicles that access Stillwell Rd and E Clark Ave. 76.1

The proposed subdivision project is 125 additional single family units and 285 condominiums. Based on the previous vehicle estimation, this would add an additional 800+ vehicles accessing Stillwell Rd. Combined the 800+ with the existing 600 vehicles would total over 1400 vehicles that would be using Stillwell Rd, the only road to travel to and from the residential properties in the area. This would be a huge impact on the overall safety for pedestrian, bicycle and vehicle traffic along Stillwell Rd. It should also be noted Stillwell Rd. is the only road used by most families taking children to and from school. Stillwell Rd. is also a route/stop for the local elementary and Jr High Schools in the area. In addition, the closest access to public transportation is at E Clarke Ave. and Stillwell Rd, increasing pedestrian traffic and safety hazards on south of E Clark Ave. **(See Attachment # 1 and #2)**

Under **Section 4.11 Transportation and Circulation, 4.11.1 (a) Project Setting**, describes **Stillwell Rd** and it's designation as a Secondary 3 Roadway, primarily to serve residential uses with small to medium lots. **Sunny Hills Rd** is also described and designated as a Secondary 3 Roadway, entering the Sunny Hills Mobile Home Park, with a speed limit of 15 MPH, but bypassing the mobile home park. This will create a level of traffic noise and flow around the mobile home park itself, impacting the resident's quality of life. 76.2

As described in **Section 2.0, Project Description**, it proposes Sunny Hill Rd being realigned to the west with a connection to Clark Ave. and controlled by a traffic signal. The proposed outlined in **Figure 4.11-1** indicates that a traffic signal controlled intersection will be implemented between Sunny Hills Rd. and Stillwell Rd. I believe this will create a significant hazard for traffic exiting/entering southbound Highway 101 via E Clark Ave., which is routinely accessed by commercial vehicle and agricultural farm vehicles. 76.3

I have concerns on the environmental impact, emergency response for medical and law enforcement calls for service, and the potential for increased crime.

As for the environmental impact, the proposed project is in the area of the Orcutt Creek and should be reviewed and considered by all it may affect. Development and structural changes to this specific area could result in changes of *flood and/or erosion damage to the already existing homes and properties in the area as wells as the only accessible road, (Stillwell Rd Bridge),* should the creek be altered, diverted or blocked. This again can have a significant impact on the quality, value and safety of the homes already built in the area. Several homes may be only within a few feet of being required to purchase Flood Insurance, costing the home owner over $2,000 in expenses annually should the creek be altered. 76.4

I also have concerns of the proposed "Low Income" and "dense-zoning". High-density, low-income project developments have proven to be a failed business model for many reasons, one of which is crime. I know from experience that High-density, Low-income project developments do not cure poverty or cure crime, but it moves both the poverty and the crime to a new location, where the poverty will continue and the crime will flourish. The proposed subdivision, will nearly double the number of existing homes and properties in the area south of E Clark Ave. and Stillwell Rd. 76.5

With only two Santa Barbara County Fire Stations, (Stations 21 and 22), I feel there would be a lack of emergency response coverage that would impact all of Orcutt, not just the residents in the Stillwell Rd and Clark Ave areas. Station 21 is located in Old Town Orcutt providing emergency medical coverage for residents west of CA Highway 1. Station 22 is located at E Clark Ave. and Stillwell Rd. and provides coverage for the areas east of CA Highway 1. With the proposed added development, this would hinder the capabilities of Station 22 to provide adequate emergency medical coverage to the community it is already responsible for. The impact and coverage assistance east of Highway 1 would then be shared by Station 21, thus impacting the community members west of Highway 1. To add, there is already a struggle with the limited number of fire department and paramedic personnel that service this area of Santa Barbara County. I feel the information and formulations used to determine the impact on Emergency Service was inaccurate, basing this only on the estimated current residential numbers, with a tremendous increase of the proposed units. **(See Attachment # 3)** 76.6

As for the impact on law enforcement services, this area is serviced by the Sheriff's Department and California Highway Patrol. The proposed plan will increase vehicle traffic collisions at the smaller and limited intersection of E. Clark Ave and Stillwell Rd. as well as the proposed intersection of E. Clark Ave. and Sunny Hills Rd. The Sheriff's Department with their limited number of resources would be inundated with a greater responsibility from the addition of the larger proposed development. The government would then be looked upon to assist in the protection of the entire community. 76.7

The proposed plan of 125 single family homes and 285 condominiums is an increased level of properties and condos compared to the average that is found in the proposed area. The proposed plan would create a very high density and low income concentration area above what is considered normal.

As it pertains to crimes, the residents residing in the Town & Country Mobile Estates are more likely to become victims of Part 2 (assaults, burglary, theft) and Public Disorder (vandalism, vagrancy and loitering). These residents are comprised of mostly seniors and assisted elderly residents. I believe based on my experience and background seniors and assisted elderly are targeted due to their vulnerability. With the proposed development, there is also a strong likelihood, other development areas will also experience crimes related to Part 2 crimes, and potentially greater Part 1 Crimes (aggravated assault, rape, robbery) due to the increased population 76.7, cont'd

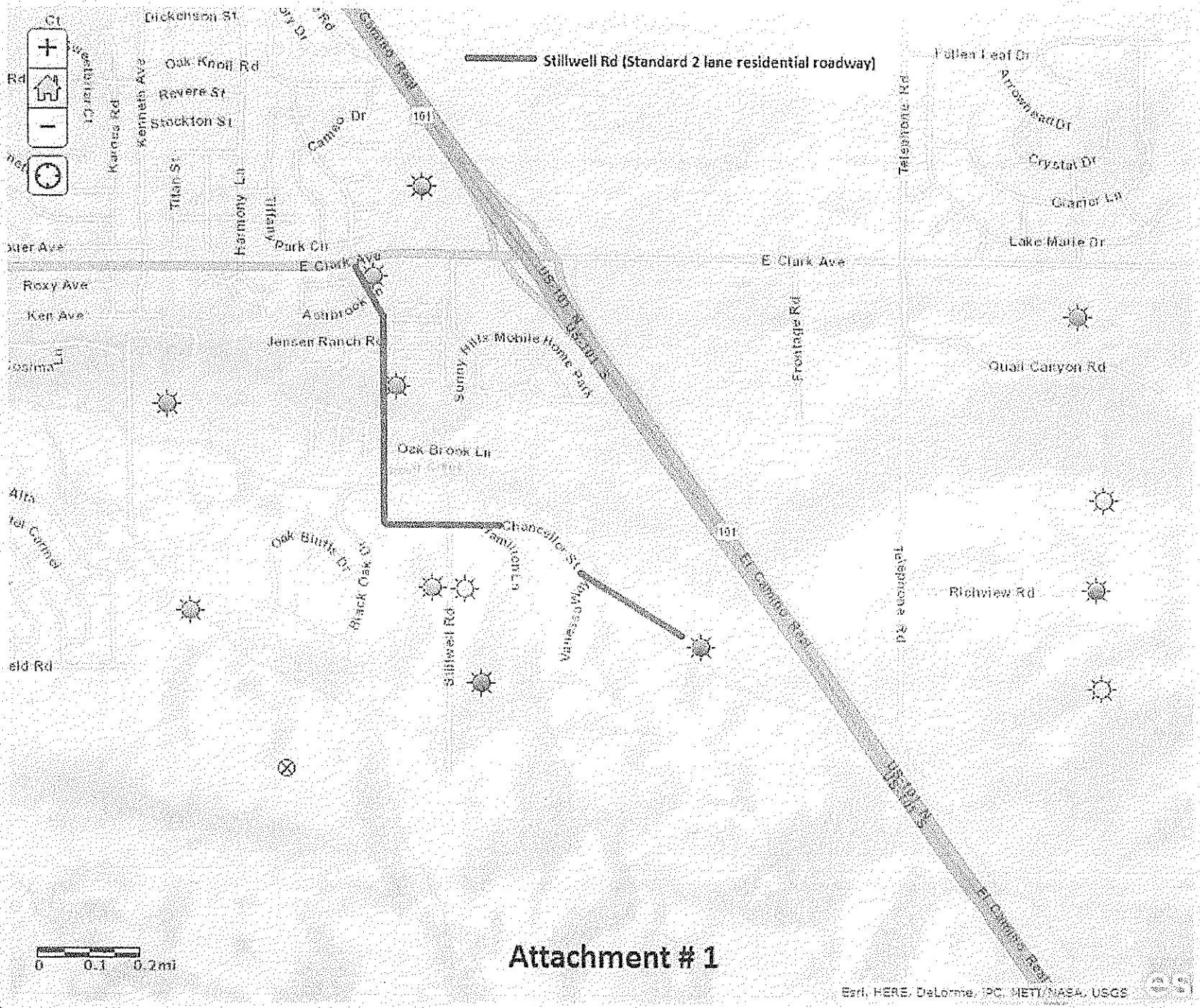
In closing, I wanted to express my fears about what is stated under **Section 6.2 Significant Unavoidable Effects**. It identifies the impacts that cannot be reduced to less than a significant level within the application. As mentioned throughout my letter, I addressed the public service (Schools, Fire, Police ect.) and safety concerns. However, I also want to avoid the changes of aesthetics, visual and biological resources. Having large structures atop a mesa, will undoubtedly hinder the aesthetics and my quality of life and the community I live in. I feel the need and justification to make such a large subdivision, which again nearly doubles all the existing subdivisions, is not only unnecessary, but carelessness for the existing residents in the community. 76.8

I respectfully request that the application/request for the Re-Zoning and Development Plan Entitlements on Key Site 3, be denied so as to maintain the site be restricted to its current designation of Residential Ranchette Zoning of RR-10.

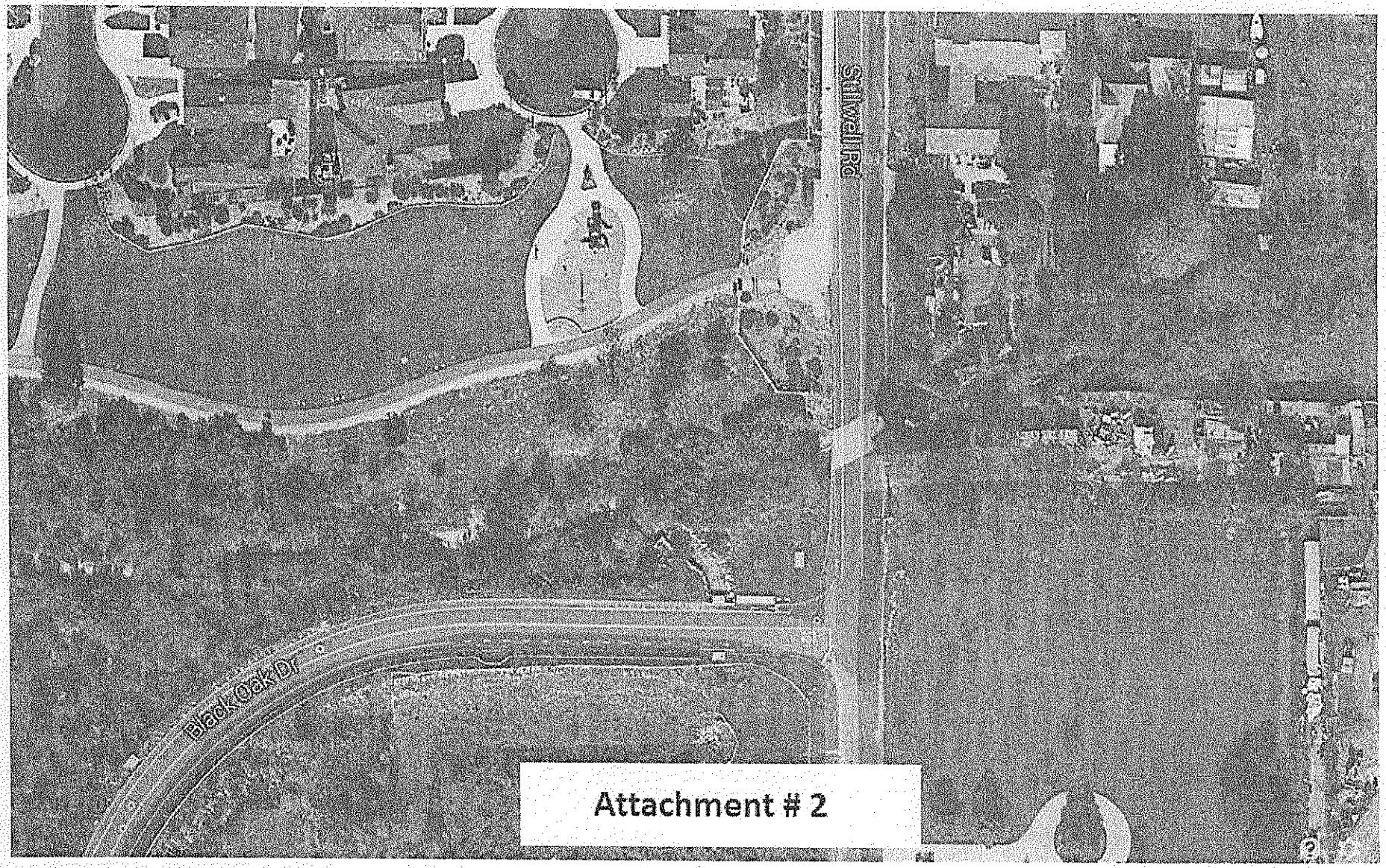
If you have any questions or comments, please feel free to contact me at (805) 588-3653.

Thank You,

Ben Ahrens
5259 Sycamore Creek Ct
Orcutt, CA 93455

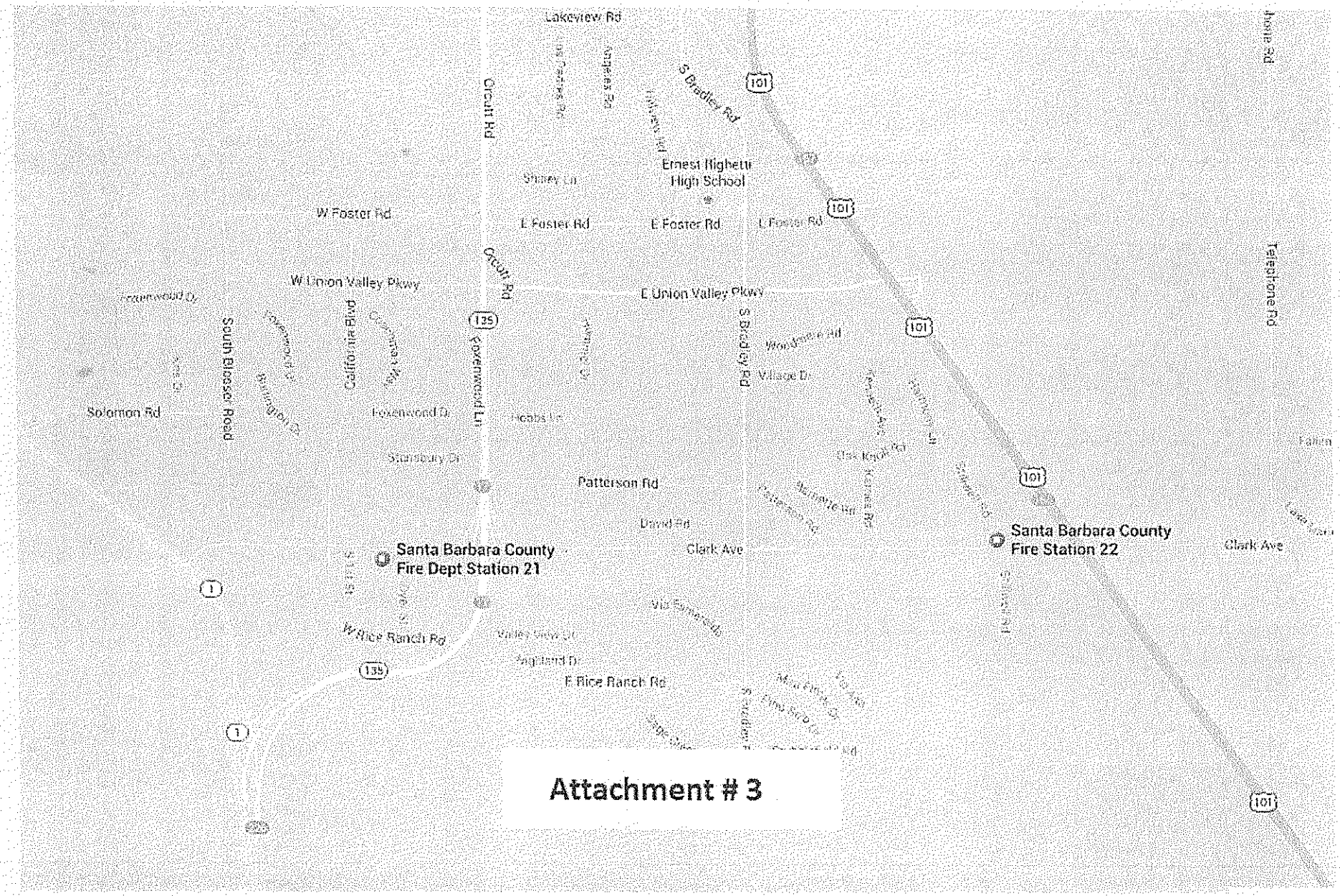


Attachment # 1



Attachment # 2

5



Attachment # 3

6

Letter 76

COMMENTER: Ben Ahrens, Private Citizen

DATE: No Date

RESPONSE:

Response 76.1

The commenter claims that traffic generated by the proposed project would adversely affect safety for pedestrians, bicyclists, and motor vehicles on Stillwell Road. The commenter notes that Stillwell Road is the only road that most families use to take children to and from school. The commenter adds that because the closest access to public transportation is at Clark Avenue and Stillwell Road, traffic hazards to pedestrians would increase south of Clark Avenue. Refer to Response 3.4 for a discussion of the project's impacts on traffic hazards.

Response 76.2

The commenter states that Sunny Hills Road would create traffic noise and flow around SHMHP, affecting its residents' quality of life. Refer to Response 4.2 for a discussion of the project's impacts on traffic and noise and to Response 7.3 for a discussion of impacts on quality of life. In addition, refer to Response 43.2 for a discussion of traffic noise from Sunny Hills Road.

Response 76.3

The commenter states that the signalization of the intersection of Clark Avenue and the realigned Sunny Hills Road would create a significant hazard for traffic existing and entering southbound U.S. 101 via Clark Avenue. As discussed in Draft SEIR Section 4.11, *Transportation and Circulation*, the cumulative project setting accounts for the planned realignment of the Sunny Hills Road to the west and signalization of the Sunny Hills Road/Clark Avenue intersection. Refer to Response 3.4 for a discussion of the project's impacts on traffic hazards. Refer to Response 4.2 for a discussion of the project's impacts on existing and cumulative traffic conditions, including required mitigation measures.

Response 76.4

The commenter expresses concern about the proposed project's impacts on flood and erosion damage to existing homes and properties near Orcutt Creek and to the Stillwell Road bridge. The commenter adds that several existing homes may be within a few feet of being required to purchase flood insurance. Refer to Response 28.2 for a discussion of the project's impacts on flooding and erosion associated with Orcutt Creek. Because the project would not be expected to lead to significant upstream or downstream flood impacts, it would not result in an expansion of the 100-year floodplain associated with Orcutt Creek or in a greater need for existing residences to purchase flood insurance.

Response 76.5

The commenter expresses concern that the proposed development would facilitate poverty and crime in the area. Refer to Response 3.3 for a discussion of the project's impacts on police protection services. Refer to Response 11.2, regarding the proposed market rate housing on Key Site 3 and the payment of in-lieu fees.

Response 76.6

The commenter expresses concern that the proposed project would result in inadequate emergency response coverage to all of Orcutt, with only two Santa Barbara County Fire Stations in the vicinity. Refer to Response 6.4 for a discussion of the project's impacts related to emergency responders.

Response 76.7

The commenter expresses concern that the proposed project would likely generate an increase in crime, in which would particularly affect existing senior residences in the area. Refer to Response 3.3 for a discussion of the project's impacts related to police protection services.

Response 76.8

The commenter wants to avoid changes to aesthetics, biological resources, and quality of life. Refer to Response 4.1 for a discussion of the project's impacts on the area's rural aesthetic character; to Response 6.c in Section 9.2 (Responses to Public Testimony) and Response 7.3 for discussions of the project's impacts on biological resources; and Response 7.3 for a discussion of impacts on quality of life. The commenter's concerns will be forwarded to County decision-makers for their consideration.

Letter 77

My concerns regarding key site 3

To whom it may concern:

First, I feel that the project is unnecessary for the area. The area is the first thing you see heading north on 101 freeway. Here in Orcutt our area is a semi rural area, not a 3 story apartment complex. So I vote for no change to the 1 home per 10 acres parcels as it is zoned now. I don't fill it's right for someone who doesn't even live in our area to have the right to vote to put a highly condensed complex / MR-O in our back yard. Here are some of my concerns with this project. If the MR-O has to stay then I vote MR-O only. But I would like to see if the MR-O can be moved to a better location. So my question is: Can the MR-O be moved some were it won't be seen as a large apartment complex right next to hwy 101? 77.1

Problems with the project:

(1) Hazardous air pollutant emissions from Highway 101 then when you add the main road leaving key site 3, all three sides of Sunnyhills North, East, and South sides will be surrounded by traffic and noise. Here at Sunnyhills we are a **senior** complex. A 55 plus community. Our seniors will be exposed to more health risk and safety. So we would like to know if Sunnyhills is going to get a 8 foot block or concrete wall around our complex? The wall would help protect our residents from air pollutants, noise, and crime! We all have to do all we can to protect our seniors, so please help protect our seniors Thank You. 77.2

(2) The Penfield & Smith did a survey of the road going in and out of key site 3. In their survey they didn't include the MR-O traffic. So my question is why not? There is another 160 units in the MR-O that needs to be included in the traffic survey! I would like to also know how is the 77.3

traffic going to affect Sunnyhills at the three way stop sign? Also what would be the delay on traffic and emergency vehicles coming into and out of Sunnyhills. 77.3, cont'd

(3) I also noticed that all the testing on sound, air pollutants and Hazardous air quality all was for the project, and not for the impact on surrounding properties like Sunnyhills. We would like to know how it will affect us here at Sunnyhills, we are all seniors with lots of health risks. 77.4

(4) We here a Sunnyhills are also concerned about all the animals such as: dear, coyotes, frogs, salamanders, rabbits, ect. 77.5

(5) There is what I call our mini grand cannon, it is South of our community. Called the gully. I feel with condensed homes at key site 3 all of the watering of their grass, trees and shrubs the water will flow below ground and out to the gully. Which will make the gully erode even faster. Also one of my main concerns is the safety of any one going down into the gully! There are vertical cliffs that may fall at any time and could kill someone. So I'm asking for a 8' block or concrete fence to help prevent anyone from going down into the gully from key site 3 side. Note: on the plans now there is a buffer of 25' between Sunnyhills and the backyard fence of the homes. This location will be a hang out place for children which will go right to the gully. This is the reason why I'm asking for a 8' block / concrete wall behind Sunnyhills and the gully. The key site 3 owner owns the home behind Sunnyhills which is rented out. The kids that live there already goes down into the gully. This owner should help prevent this before someone gets killed. Please help with all my concerns. 77.6

Thank You,

David Hassett, Manager

Sunnyhills Mobile Home Community

Letter 77

COMMENTER: David Hassett, Manager, SHMHP

DATE: No Date

RESPONSE:

Response 77.1

The commenter, who manages the SMHMP, opposes the proposed project. The commenter cites concerns about the semi-rural character of the area and the approved MR-O development. Refer to Response 4.1 for a discussion of the project's impacts to the area's rural aesthetic character and to Response 11.2 for a discussion of the previously approved MR-O development within Key Site 3 (which is not a part of the proposed project).

Response 77.2

The commenter expresses concern that the proposed project would result in the exposure of seniors at SHMHP to health risks from hazardous air pollutants. Refer to Response 3.b in Section 9.2 (Responses to Public Testimony) and Response 4.2 for discussions of the project's impacts on air quality for local sensitive receptors, including SHMHP.

The commenter also asks if SHMHP will get an 8-foot wall around its complex to protect residents from air pollutants, noise, and crime. As shown in Figure 2-3 of Section 2.0, *Project Description,* a 25 foot landscape buffer would be placed between the project's northernmost homes and the SHMHP, which would reduce project operation noise. As described on Page 2-9 of Section 2.0, the rear and side yards of all homes would include wood fencing for privacy and security. In addition, refer to Response 43.2 for a discussion of the need for sound wall to protect SHMHP from noise. A wall around SHMHP would not be necessary to reduce the project's impacts on air quality and noise to a less than significant level.

Response 77.3

The commenter asks why the Penfield & Smith traffic study for the proposed project did not include traffic from the MR-O area in Key Site 3. As discussed in Section 4.11, *Transportation and Circulation,* the cumulative traffic analysis includes development of 160 multi-family housing units on Key Site 3, which could be developed on the MR-O zoned portion of the Key Site 3 property. As described in the Penfield & Smith traffic study, which is included as Appendix I to the Draft SEIR:

> "Cumulative traffic conditions were derived from the *Housing Element Focused Rezone Program EIR*. The cumulative forecast assumes development of the approved and pending projects in Orcutt and Santa Maria, incorporates regional growth, and construction of several planned and programmed intersection and roadway improvements that would affect traffic patterns in the Orcutt area. The cumulative forecast also incorporates the development of 160 multifamily housing units on Key Site 3, which was approved by the County as part of the *Housing Element Focused Rezone Program EIR*."

Response 77.4

The commenter claims that testing for noise, air pollutants, and hazardous air quality did not account for impacts on surrounding properties like SHMHP. However, the Draft SEIR analyzes the proposed project's impacts related to noise and air pollution on sensitive receptors beyond Key Site 3. Air Quality impacts are discussed in Section 4.2, *Air Quality*, of the Draft SEIR. The analysis of air quality impacts follows the guidance provided in the Santa Barbara County Environmental Threshold and Guidelines Manual (October 2008). Santa Barbara County APCD recommends quantification of construction-related emissions from construction activities and, as shown in Table 4.2-3 of the Draft SEIR, the project's construction-related emissions were found to be below the recommended 25-ton-per-year threshold under Santa Barbara County APCD Rule 202.F.3. Operationally, air quality impacts are assessed at a basin-wide level and Santa Barbara County APCD has adopted thresholds to achieve federal and state ambient air quality standards for criteria pollutants. As shown in Table 4.2-4, the project is below Santa Barbara County APCD's criteria pollutant thresholds for operational emissions. The residential component of the project would not emit localized toxic air contaminants that would impact nearby sensitive receptors. Impact AQ-3 discusses the potential for future residents on the project site to be exposed to toxic air contaminants associated with diesel exhaust from traffic on U.S. 101, but the project would not be substantially contributing to those toxic air contaminants; therefore, the proposed project would not result in impacts to existing off-site receptors.

The project's noise impacts on sensitive receptors at the SHMHP are discussed in Section 4.9, *Noise,* of the Draft SEIR. Construction noise impacts on receptors at the SHMHP are discussed under Impact N-1 and were found to be potentially significant and implementation of Mitigation Measures N-1(a) through N-1(c) would reduce impacts to a less than significant level. Operational roadway noise impacts to SHMP receptors adjacent to Sunny Hills Road and Stillwell Road were also discussed under Impact N-3 of the Draft SEIR and found to be less than significant. Refer to Response 4.2 for additional discussion of the project's impacts on noise and air quality.

Response 77.5

The commenter expresses a concern about wildlife on Key Site 3. Refer to Response 6.c in Section 9.2 (Responses to Public Testimony) for a discussion of the project's impacts on wildlife.

Response 77.6

The commenter is concerned about erosion and safety risks at the gully in the northwestern part of Key Site 3. The commenter requests an eight-foot block/concrete wall between SHMHP and the gully to protect children. Refer to Response 43.1 for a discussion of the project's impacts on erosion at the gully. Although the commenter's concern about safety hazards in the gully do not address an environmental impact analyzed in the Draft SEIR, it will be forwarded to County decision-makers for their consideration.

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