

#### 4.0 CONSISTENCY WITH PLANS AND POLICIES

The following discussion of County policies and preliminary determinations regarding the consistency of the proposed project with these policies is presented for informational purposes. Section 15125(d) of the State California Environmental Quality Act (CEQA) Guidelines requires that an environmental impact report (EIR) “shall discuss any inconsistencies between the proposed project and applicable general plans and regional plans. Such regional plans include, but are not limited to, the applicable air quality attainment or maintenance plan...and regional land use plans for the protection of the coastal zone, Lake Tahoe Basin, San Francisco Bay, and Santa Monica Mountains.” In this case, the adopted plans most relevant to the proposed project are *Santa Barbara County’s Comprehensive Plan*, including the policies of the *Montecito Community Plan (MCP)*. Where appropriate, analysis of the *Montecito Land Use Development Code (MLUDC)*, the *Montecito Architectural Guidelines and Development Standards (Montecito Design Guidelines)*, and a brief summary of the *Montecito Growth Management Ordinance (MGMO)* are also included.

Although the Montecito Fire Protection District (MFPD) is the lead agency, as a responsible agency, the Montecito Planning Commission (Commission) has initial responsibility for determining if the proposed project is consistent with the County’s adopted plans and policies. Decisions by the Commission are subject to appeal to the Santa Barbara County Board of Supervisors. Because the County is the final decision-maker, this analysis is focused on the subset of the County’s adopted plans and policies with which the proposed project may be potentially inconsistent. Where such inconsistencies are identified, to the extent feasible, the EIR identifies mitigation measures or alternatives to improve project consistency with these policies. County decision-makers will make the final decision regarding consistency.

**Table 4-1. Consistency with Santa Barbara County Comprehensive Plan Policies and Other Regulations**

Policy Requirement	Discussion
<b>AESTHETICS/VISUAL RESOURCES</b>	
<p><i>MCP Goal VIS-M-1:</i> Protect the visual importance of the Santa Ynez Mountain Range and ocean view as having both local and regional significance and protect from development which could adversely affect this quality.</p> <p><i>MCP Policy VIS-M-1.1:</i> Development shall be subordinate to the natural open space characteristics of the mountains.</p> <p><i>MCP Policy VIS-M-1.3:</i> Development of property should minimize impacts to open space views as seen from public roads and viewpoints.</p> <p><i>Land Use Element, Visual Resource Policy 3:</i> In areas designated as urban on the land use plan maps and in designated rural neighborhoods, new structure shall be in conformance with the scale and character of the existing community. Development, varied circulation patterns, and diverse housing types shall be encouraged.</p>	<p><b>Consistent:</b> Construction of the proposed project would not obstruct mountain or other scenic views from public roadways and viewpoints. The proposed structures’ setbacks, limited visibility, location at the margin of agricultural operations, and screening provided by surrounding oaks and proposed landscaping would substantially reduce potential visual disruption of the area. Although the project would contrast with immediately surrounding orchards it would be visually consistent with regard to size, bulk, height, and design of residences and other structures in the vicinity within the 2-E-1, Estate Residential zoning district.</p>
<p><i>MCP Policy VIS-M-1.2:</i> Grading required for access roads and site development shall be limited in scope so as to protect the viewshed.</p> <p><i>Land Use Element, Hillside and Watershed Protection Policy (HWPP) 1:</i> Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.</p>	<p><b>Consistent:</b> The proposed project is located on a gently sloped site (2 to 9 percent). Although export of 7,400 cy of cut is proposed, this would be the minimum necessary excavation and export of fill to allow the proposed development given the need to create level building pads, parking and internal circulation, in compliance with the County’s Grading Ordinance.</p>
<p><i>Land Use Element, HWPP 2:</i> 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.</p>	<p><b>Consistent:</b> Land coverage onsite has been previously disturbed given the current primary use of the site as a lemon orchard. Several mature oaks exist onsite along East Valley Road. With the exception of the removal of three mature oaks, other oaks would remain intact. Additional oaks and other trees would be planted with landscape buffers to provide visual screening and would soften views of the structures.</p>
<p><i>Land Use Element, Visual Resource Policy 4:</i> 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.</p>	<p><b>Consistent:</b> All signage would comply with Chapter 35.438 - Sign Standards of the MLUDC and would be reviewed by the MBAR to ensure project consistency with this policy.</p>

**Table 4-1. Consistency with Santa Barbara County Comprehensive Plan Policies and Other Regulations (Continued)**

Policy Requirement	Discussion
<p><i>Land Use Element, Visual Resource Policy 5:</i> 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.</p>	<p><b>Consistent:</b> Utility lines for the proposed development would be underground. Thus, the proposed project would be consistent with this policy.</p>
<b>AGRICULTURAL RESOURCES</b>	
<p><i>Agricultural Element, Goal I:</i> Santa Barbara County shall assure and enhance the continuation of agriculture as a major viable production industry in Santa Barbara County. Agriculture shall be encouraged. Where conditions allow (taking into account environmental impacts), expansion and intensification shall be supported.</p> <p><i>Agricultural Element, Policy I.A:</i> The integrity of agricultural operations shall not be violated by recreational or other non-compatible uses.</p> <p><i>Agricultural Element, Policy I.E:</i> The quality and availability of water, air, and soil resources shall be protected through provisions including but not limited to, the stability of Urban/Rural Boundary Lines, maintenance of buffer areas around agricultural areas, and the promotion of agricultural practices.</p> <p><i>Agricultural Element, Goal II:</i> Agricultural lands shall be protected from adverse urban influence.</p> <p><i>Agricultural Element, Policy II.A:</i> Santa Barbara County shall require measures designed for the prevention of flooding and silting from urbanization, especially as such damage related to approved development.</p> <p><i>Agricultural Element, Policy II.D:</i> Conversion of highly productive agricultural lands whether urban or rural, shall be discouraged. The County shall support programs which encourage the retention of highly productive agricultural lands.</p> <p><i>Agricultural Element, Goal III:</i> Where it is necessary for agricultural lands to be converted to other uses, this use shall not interfere with remaining agricultural operations.</p> <p><i>Agricultural Element – Policy III.B.</i> It is a County priority to retain blocks of productive agriculture within Urban Areas where reasonable, to continue to</p>	<p><b>Consistent:</b> The project would convert 2.55 acres of prime agricultural land to nonagricultural uses. However, agricultural resources within the site were evaluated in Appendix K and were found to be below the County thresholds for agricultural viability. Due to the site’s small size and relatively small contribution to the area’s farming operations, the agricultural viability of the site is limited and is not considered to be “highly productive”. Further, development of the project would not reduce the integrity of agricultural operations within Rancho San Carlos nor interfere with adjacent agricultural operations. Therefore, the conversion of the 2.55 acres would be a less than significant under CEQA and would therefore be consistent with the provisions of adopted policy regarding discouraging conversion of highly productive agricultural land.</p> <p>The applicant has proposed a series of mitigation measures to reduce potential urban-agricultural conflicts with surrounding orchard on residential land, which have been incorporated into the project design. The measures would ensure policy consistency and would minimize conflicts with adjacent agricultural operations. Pesticide drift and other hazards to site inhabitants related to vicinity agricultural use would be minimized by implementing the design measures listed below:</p> <ul style="list-style-type: none"> <li>• A densely landscaped buffer of generally 50 feet in width on the northern and eastern sides of the site, separating support buildings and structures from agricultural operations.</li> <li>• A 100-foot buffer (which includes a landscape buffer of generally 50 feet in width described above) between agricultural operations and the primary use areas on the site (main fire station and residential quarters).</li> <li>• A 50-foot habitat restoration buffer from the top of the bank of the drainage along the western side of the site.</li> </ul>

**Table 4-1. Consistency with Santa Barbara County Comprehensive Plan Policies and Other Regulations (Continued)**

Policy Requirement	Discussion
<p>explore programs to support that use, and to recognize the importance of the objectives of the County’s Right to Farm Ordinance.</p> <p><i>MCP Policy LUG-M-2.1:</i> Agricultural activities on residential parcels that are consistent with the provisions of the applicable residential zone district shall be supported and encouraged by the County.</p>	<ul style="list-style-type: none"> <li>• MFPD would coordinate with the Agricultural Commissioner’s Office and the Ranch Manager for Rancho San Carlos regarding notification of agricultural spraying activities.</li> </ul> <p>With incorporation of these mitigation measures, the project would establish a buffer that would separate the project from agricultural operations and would not reduce the quality of water or soils within adjacent agricultural operations. Coordination with the Agricultural Commissioner’s Office would also protect the right to farm on adjacent sites. The development of approximately 2.55 acres of prime agricultural land would constitute a less than significant impact to agricultural resources and would therefore be consistent with adopted County policies for protection of agricultural resources (Refer to Section 3.2.1.3 and Appendix K).</p>
<b>AIR QUALITY</b>	
<p><i>Santa Barbara County Clean Air Plan (CAP):</i> The federal Clean Air Act Amendments of 1988 and 1990 mandate the preparation of CAPs that provide an overview of air quality and sources of air pollution, and identify pollution-control measures needed to meet federal and state air quality standards. The CAP affects the development of regulations and programs within the Santa Barbara County Air Pollution Control District (APCD). Since the County is classified as “moderate” non-attainment for the state 1-hour ozone standard, it must track and meet transportation performance standards. The updated 2013 CAP provided a long-range emissions estimate for the County that was consistent with regional growth and development plans.</p>	<p><b>Consistent:</b> The proposed project is consistent with growth projections and other plan elements within the established County Comprehensive Plan, and is therefore potentially consistent with the 2013 CAP.</p>
<p><i>MCP Policy AQ-M-1.1:</i> Maintain consistency of all land use planning and development with the Air Quality Attainment Plan and subsequent APCD air quality plans and guidelines.</p>	<p><b>Consistent:</b> The CAP is responsible for the development of rules and regulations to help the County implement pollution-control measures needed to meet clean-air standards. Consistency with the 2013 CAP would also, therefore, make the proposed project consistent with the Air Quality Attainment Plan for the County.</p>
<p><i>MCP Policy AQ-M-1.3:</i> Air pollution emissions from new development and associated construction activities shall be minimized to the maximum extent feasible. These activities shall be consistent with the Air Quality Attainment Plan and Air Pollution Control District guidelines.</p> <p><i>MCP Development Standard AQ-M-1.3.1:</i> Future project construction in Montecito shall follow all requirements of the APCD and shall institute Best</p>	<p><b>Consistent:</b> The proposed project would not result in generation of significant long-term operational emissions or air quality impacts to the inhabitants of the proposed fire station. The project would comply with required standard conditions including use of BACT and Best Management Practices (BMP) to ensure that emissions are below the APCD thresholds and fugitive dust during construction is minimized.</p>

**Table 4-1. Consistency with Santa Barbara County Comprehensive Plan Policies and Other Regulations (Continued)**

Policy Requirement	Discussion
<p>Available Control Technology (BACT) where necessary to reduce emissions below APCD thresholds.</p> <p><i>MCP Development Standard AQ-M-1.3.2:</i> The applicant shall minimize the generation of fugitive dust during construction activities by observing the following: minimize the amount of disturbed area; utilize water and or dust palliatives; and revegetate/stabilize disturbed area as soon as possible.</p>	
<b>BIOLOGICAL RESOURCES</b>	
<p><i>MCP Policy BIO-M-1.2:</i> The following biological resources and habitats shall be identified as environmentally sensitive and shall be protected and preserved to the extent feasible through the ESH overlay: Riparian woodland corridors; Monarch butterfly roosts; sensitive native flora; and, coastal sage scrub.</p> <p><i>MCP Policy BIO-M-1.6:</i> Riparian vegetation shall be protected and restoration of degraded riparian areas shall be encouraged.</p> <p><i>MCP Policy BIO-M-1.8:</i> The minimum buffer strip for development near streams and creek shall be 100 feet in rural areas and 50 feet in urban areas, adjustable on a case-by-case basis.</p>	<p><b>Consistent:</b> While the drainage channel and associated oak trees along the western boundary of the project site are not designated as ESH, and do not appear to qualify for ESH designation due to lack of habitat continuity with adjacent habitats and the lack of any understory, the project would include measures to protect and improve the potential habitat value provided by the drainage. Project design would preserve all native trees associated with the drainage and would include a minimum 50-foot habitat restoration buffer from the drainage channel to proposed facilities. Additionally, a Habitat Restoration Plan would be implemented. Any non-native naturalized vegetation associated with the drainage on the western portion of the site would be removed during proposed habitat restoration efforts; however, such habitat is minimal and restoration activities over the long-term would benefit soil stabilization and drainage control, and would result in an increase in biological value and function within the drainage channel. The proposed restoration would substantially enhance the habitat qualities of the drainage channel, resulting beneficial impacts and ensuring policy consistency.</p>
<p><i>MCP Policy BIO-M-1.14:</i> Significant biological communities shall not be fragmented into small non-viable pocket areas by development.</p> <p><i>MCP Development Standard BIO-M-1.14.1:</i> In rural areas and where major wildlife corridors are present in urban areas, new development shall not interrupt major wildlife travel corridors within the Community Plan Study Area.</p>	<p><b>Consistent:</b> The project would result in the conversion of approximately 2.55 acres containing approximately 206 lemon trees. Loss of existing lemon trees on the project site would remove limited roosting and foraging habitat for native or migratory bird and bat species; however, given existing human disturbance associated with ongoing cultivation, the habitat is considered of marginal value. Additionally, the project site is located in the southwestern margin of the approximately 237-acre Rancho San Carlos. Rancho San Carlos extends north into the Santa Ynez foothills towards Romero Canyon and project development would not fragment this contiguous rural, unlit area and associated habitat values. Project development includes approximately 1 acre of landscaping to include native species, particularly coast live oaks and</p>

**Table 4-1. Consistency with Santa Barbara County Comprehensive Plan Policies and Other Regulations (Continued)**

Policy Requirement	Discussion
	native understory. Given the limited habitat value provided by orchard operations on the site and the proposed restoration and landscaping to include native species, the project meets the intent of the applicable biological resource policies.
<p><i>MCP Policy BIO-M-1.15:</i> To the maximum extent feasible, specimen trees shall be preserved.</p> <p><i>MCP Development Standard BIO-M-1.15.1:</i> All existing specimen trees shall be protected from damage or removal by development to the maximum extent feasible.</p> <p><i>MCP Policy BIO-M-1.16:</i> All existing native trees regardless of size that have biological value shall be preserved to the maximum extent feasible.</p> <p><i>MCP Development Standard BIO-M-1.16.1:</i> Where native trees of biological value may be impacted by new development, a Tree Protection Plan shall be required.</p> <p><i>MCP Policy BIO-M-1.17:</i> Oak trees shall be protected to the maximum extent feasible. Regeneration of oak trees shall be encouraged.</p> <p><i>MCP Policy BIO-M-1.19:</i> Oak Woodlands shall be protected as a collective entity, rather than as individual trees, with emphasis on preservation and enhancement.</p>	<p><b>Potentially Consistent:</b> An Oak Tree Assessment was prepared for the project site to assess the condition of and potential impacts to oak trees from proposed construction. The project site includes 46 coast live oak trees concentrated linearly along the western drainage channel and East Valley Road. The project has been designed to limit potential impacts to oaks to the greatest extent feasible; however, development of project driveways along East Valley Road would require the removal of three mature oaks, with two of 6-8 inches in diameter and one of 14 inches in diameter, among the smallest specimen trees on the site. In addition, site grading and construction of drainage facilities could also impact oaks. Project design would include planting of numerous oaks within the landscape buffer and habitat restoration areas. In addition, mitigation measure MM BIO-2 requiring implementation of a Tree Protection and Replacement Plan would reduce impacts to oak trees to less than significant, consistent with tree protection policies and standards.</p>
<p><i>Land Use Element, HWPP 2:</i> 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.</p>	<p><b>Potentially Consistent:</b> Site grading and development would generally preserve existing native vegetation. Where grading and development would impact native vegetation, the application of mitigation measures to require a Tree Protection and Replacement Plan (MM BIO-2) would make this project potentially consistent with this policy.</p>
<b>CULTURAL RESOURCES</b>	
<p><i>MCP Development Standard CR-M-2.1.1:</i> Prior to the issuance of a Land Use or Coastal Development Permit, Resource Management Department (RMD) shall determine whether the project site is located either in a known archaeological site or in an area with potential archaeological resources... In</p>	<p><b>Consistent:</b> A Phase I Cultural Resources Survey performed for the project site determined that the potential to encounter unknown but potentially significant subsurface prehistoric remains is considered unlikely. Further, the proposed project includes implementation of procedures to follow in the</p>

**Table 4-1. Consistency with Santa Barbara County Comprehensive Plan Policies and Other Regulations (Continued)**

Policy Requirement	Discussion
<p>the event that the site is located in an area which is likely to contain archaeological resources and there has not yet been a Phase I survey of the property, the applicant shall fund preparation of a Phase I survey to be prepared by an RMD-qualified archaeologist. . . All recommendations of an archaeological report analysis including completion of additional archaeological analysis and/or project redesign shall be implemented or incorporated into the proposed development prior to issuance of a Land Use or Coastal Development Permit.</p>	<p>event that prehistoric or historic resources are discovered during project construction (i.e., work would be stopped immediately or redirected until a County qualified archeologist and Native American representative are retained by the applicants to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines). Therefore, the proposed project is consistent with this policy.</p>
<b>FIRE PROTECTION</b>	
<p><i>MCP Goals F-M-1 and -2</i> include ensuring that adequate fire protection services are available in High Fire Hazard Areas prior to permitting new development and reducing fire hazards throughout the community. “. . . if development in the eastern portion of [Montecito] was to continue at higher levels, the [MFPD] might have the need for a new fire station in the eastern area.</p> <p><i>Land Use Element, Land Use Development Policy (LUDP) 4:</i> Prior to the issuance of a development permit, the County shall make the finding. . . that adequate public or private services. . . are available to serve the proposed development.</p> <p><i>Agricultural Element, Policy IV.B:</i> Because of fire-risk reduction or soil instability, the use of certain slopes for agricultural production may be preferable to leaving the land in its natural state, or allowing non-agricultural development provided that adverse effects are minimized.</p>	<p><b>Consistent:</b> The proposed project goal is to enhance the adequacy and availability of fire protection services for current and future residences residing in the eastern region of the Montecito Community Planning Area, providing an emergency response time addresses and significantly improves the current deficient response rate of 5 minutes. This would consequently result in Zones I through IV meeting the MFPD’s goal of compliance with the NFPA Response Time Standard (MFPD 2008, MFPD 2014) and represents a public benefit with respect to health, safety, and welfare.</p>
<b>GEOLOGIC PROCESSES</b>	
<p><i>MCP Policy GEO-M-1.1:</i> Mountainous watershed areas shall be protected to the maximum extent feasible from development which would interfere with their watershed function and would intensity fire and flood danger.</p> <p><i>MCP Policy GEO-M-1.2:</i> Grading from future ministerial and discretionary projects in Montecito shall be minimized to the extent feasible in order to prevent unsightly scars in the natural topography due to the grading, and to minimize the potential for earth slippage, erosion, and other safety risks.</p>	<p><b>Consistent:</b> The proposed project is located on a gently sloping site with overall average grade of 7%. Site preparation would include approximately 8,500 cubic yards of cut and 7,400 cy of export, which is the minimum necessary to establish level building pads and paved areas for equipment maneuvering and maintenance. Excavation of undocumented fill and re-compaction of soils within the development area would be performed in compliance with the County’s Grading Ordinance.</p>

**Table 4-1. Consistency with Santa Barbara County Comprehensive Plan Policies and Other Regulations (Continued)**

Policy Requirement	Discussion
<p><i>Land Use Element, HWPP 1:</i> Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.</p> <p><i>Land Use Element, HWPP 2:</i> 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.</p>	
<p><i>MCP Policy GEO-M-1.4:</i> Construction within fifty feet of Historically Active and Active Fault traces shall be avoided. The County shall require special engineering features to minimize potential structural damage from fault rupture for any structure which cannot avoid faults.</p>	<p><b>Consistent:</b> The mapped locations of the Fernald Point and Arroyo Parida Faults are more than 50 feet horizontally from proposed structures on the project site. The 2009 USGS map shows queried (or uncertain) fault locations through or near the site. In order to investigate the potential for occurrence of onsite faults, the MFPD commissioned extensive geologic testing. This testing and follow-up laboratory work revealed no evidence of faults onsite. The results of onsite geologic testing were utilized to locate proposed structures a minimum of 50 feet from any potential fault locations. With incorporation of engineering measures and design standards required by existing regulations, such as the International Building Code/California Building Code, the project would be consistent with applicable geologic processes policies.</p>
<p><i>MCP Policy GEO-M-1.5:</i> Development standards shall be required to decrease the potential for soils or slope hazards.</p>	<p><b>Potentially Consistent:</b> The potential for project development to occur on unstable soils and result in significant subsidence, landslides, liquefaction, or differential settlement at the project site was determined to be low. Mitigation measure MM GEO-2 requiring implementation of soils engineering design recommendations in the project-specific geotechnical evaluation report would further reduce potential impacts to less than significant. Therefore, the proposed project would maintain consistency with this policy.</p>



**Table 4-1. Consistency with Santa Barbara County Comprehensive Plan Policies and Other Regulations (Continued)**

Policy Requirement	Discussion
<b>LAND USE</b>	
<p><i>MCP Goal LU-M-1:</i> In order to protect the semi-rural quality of life, encourage excellence in architectural and landscape design. Promote area-wide and neighborhood compatibility. Protect residential privacy, public views, and to the maximum extent feasible, private views of the mountains and ocean.</p> <p><i>MCP Goal LU-M-2:</i> Preserve roads as important aesthetic elements that help to define the semi-rural character of the community. Strive to ensure that all development along roads is designed in a manner that does not impinge upon the character of the roadway.</p> <p><i>MCP Policy LU-M-2.1:</i> New structures shall be designed, sited, graded, and landscaped in a manner which minimizes their visibility from public roads.</p> <p><i>MCP Policy LU-M-2.1:</i> Lighting of structures, roads and properties shall be minimized to protect privacy, and to maintain the semi-rural, residential character of the community.</p> <p><i>MCP Goal LUED-M-1:</i> Provide for educational and institutional uses that are harmonious and compatible with the character and fabric of the existing residential community.</p> <p><i>MCP Policy LUED-M-1.1 and Montecito Design Guidelines Sec. V.C.3.a.:</i> All education, institutional, and other public &amp; quasi-public uses shall be developed and operated in a manner compatible with the community's residential character.</p> <p><i>MCP Goal LUG-M-1:</i> Comprehensively plan for, and maintain, an ultimate community buildout that is based on the conservation of limited resources. Infrastructure and services planning shall respect the need to preserve the community's existing quality of life and community character and shall be scaled to accommodate growth provided within the context of the adopted land use maps and this Plan.</p> <p><i>MCP Policy LUG-M-1.1:</i> The County shall recognize that the Montecito Planning Area is a community nearing its full buildout potential, and shall require that development respect its small town, semi-rural character.</p>	<p><b>Consistent:</b> The proposed project would introduce an institutional use into a residential area. Institutional uses such as schools, churches, retreat centers, or other destinations such as retirement homes with skilled nursing facilities are conditionally permitted in residential zones. In order to reduce or eliminate any potential incompatibilities between the proposed fire station and surrounding uses, the proposed project includes multiple design features and proposed mitigation measures, including use of landscape buffers around the project perimeter, use of dense landscape screening, inclusion of agricultural buffers, oak tree protection and replacement measures, riparian restoration along the site's western boundary, use of hooded lighting fixtures to reduce the spread of night lighting, and noise restrictions to avoid individual significant impacts. The project has been designed to comply with the compatibility guidelines of the Montecito Design Guidelines and would require MBAR approval, ensuring compliance with land use compatibility policy intent.</p>

**Table 4-1. Consistency with Santa Barbara County Comprehensive Plan Policies and Other Regulations (Continued)**

Policy Requirement	Discussion
<p><i>Montecito Growth Management Ordinance (MGMO):</i> The purpose of the MGMO is to pace residential growth with resources and services such as water, fire, wastewater systems, and transportation. The MGMO is a stand-alone ordinance that has been in effect since 1991. On October 5, 2010, the Board of Supervisors amended the ordinance and extended the expiration date to December 31, 2030</p>	<p><b>Potentially Consistent:</b> The MGMO does not regulate non-residential development and therefore does not directly apply to the project. Growth-inducing effects of the project are discussed in Section 5.2, <i>Other CEQA</i>.</p>
<b>NOISE</b>	
<p><i>Noise Element, Recommended Policy 1:</i> In the planning of land-use, 65 dB Day-Night Average Sound Level should be regarded as the maximum exterior noise exposure compatible with noise-sensitive uses unless noise mitigation features are included in project designs.</p>	<p><b>Potentially Consistent:</b> All long-term exterior noise exposure levels of surrounding residences as well as fire district staff group living quarters would be less than 65 Day-Night Average Sound Level; therefore, the project would be potentially consistent with this policy.</p>
<b>PUBLIC FACILITIES</b>	
<p><i>Land Use Element, LUDP 4:</i> Prior to the issuance of a development permit, the County shall make the finding...that adequate public or private services...are available to serve the proposed development.</p> <p><i>Land Use Element, LUDP 5:</i> Within designated urban areas, new development other than that for agricultural purposes shall be serviced by the appropriate public sewer and water district or an existing mutual water company, if such service is available.</p>	<p><b>Consistent:</b> The proposed project would not have a significant impact on existing police protection, health care services, or schools, and existing service levels would be sufficient to serve the proposed project. The proposed project would not generate solid waste in excess of County thresholds or cause the need for new or altered sewer system facilities as it is already in the service district, and the District is presumed to have the capacity to serve the minimal needs of the proposed project. As part of the proposed project, the Montecito Water District and Montecito Sanitary District would be contacted to confirm service availability and adequacy. Therefore, the project would be consistent with these policies.</p>
<b>RECREATION</b>	
<p><i>Parks, Recreation, and Trails Map for Carpinteria-Summerland-Montecito (PR-T 2):</i> Easements for trails shall be required as a condition of project approval for that portion of the Proposed On-Road trail traversing the site’s frontage along East Valley Road.</p>	<p><b>Consistent:</b> As part of the proposed project, a 10-foot wide easement would be offered for dedication along the entire project’s site frontage with East Valley Road to reserve land for the Comprehensive Plan designated Proposed On-Road Trail (Parks, Recreation and Trails Map, PRT-2, Carpinteria-Montecito-Summerland). This offer of dedication maintains consistency with the Comprehensive Plan recreational planning goals and policies.</p>

**Table 4-1. Consistency with Santa Barbara County Comprehensive Plan Policies and Other Regulations (Continued)**

Policy Requirement	Discussion
<b>TRANSPORTATION AND TRAFFIC</b>	
<p><i>MCP Policy CIRC-M-1.6:</i> The minimally acceptable Level of Service (LOS) on roadway segments and intersections in the Montecito Planning Area is "B." Exceptions to this are: Roadways: East Valley Rd/Buena Vista to Sheffield - LOS C is acceptable and Hot Springs &amp; East Valley - LOS C is acceptable.</p> <p><i>MCP Policy CIRC-M-1.4:</i> The County shall strive to permit reasonable development of parcels within the community of Montecito based upon the policies and land use designations adopted in this Community Plan, while maintaining safe roadways and intersections that operate at acceptable levels.</p> <p><i>MCP Policy CIRC-M-3.10:</i> New Major Conditional Use Permits shall be required to demonstrate that the proposed use would not potentially result in traffic levels higher than those anticipated for that parcel by the Community Plan and its associated environmental documents. If higher traffic levels could potentially result from the proposed Major Conditional Use Permit, in order to approve the project, a finding must be made that: the increase in traffic is not large enough to cause the affected roadways and/or intersections to exceed their designated acceptable capacity levels at build-out of the Community Plan, or road improvements included as part of the project description are consistent with the community plan and are adequate to fully offset the identified potential increase in traffic.</p>	<p><b>Consistent:</b> The proposed project's 32 new ADT, 11 peak hour trips in the A.M. and 3 peak hour trips in the P.M. would not substantially increase area traffic volumes in relationship to existing flows on East Valley Road or Sheffield Drive. Turning movement volumes are not projected to increase substantially in relation to existing capacity at the intersection of the project driveway and East Valley Road and no other impacts to area intersections are anticipated due to low project traffic volumes. East Valley Road and Sheffield Drive would continue to operate at LOS A, the intersection of East Valley Road and Ortega Ridge Road would continue to operate at LOS A, and the intersections of East Valley Road with Sheffield Drive and Romero Canyon Roads would continue to operate at LOS B with project-added traffic. The proposed project would be consistent with County policies.</p>
<p><i>MCP Policy CIRC-M-3.6:</i> It is the intent of the community to preserve and maintain mature landscaping within the road rights-of-way to the extent that it does not interfere significantly with motorized and non-motorized transportation safety.</p> <p><i>MCP Policy CIRC-M-3.9:</i> The County Public Works Department shall not grant new encroachment permits allowing the installation of structures, fences, walls, landscaping, etc. where the placement of such structures, fences, walls, landscaping, etc. would preclude safe pedestrian access and/or adequate site distance in the public right-of-way.</p>	<p><b>Consistent:</b> The proposed project would not substantially increase demand for transit, pedestrian or bicycle facilities. The small number of turning movements at the site entrance would not result in a significant increase in risk to bicyclists or pedestrians utilizing the East Valley Road shoulder or proposed on-road shoulder trail. Conflicts between emergency vehicles and bicyclists/pedestrians during turning movements would be especially minimal as the bicyclists/pedestrians would be alerted by the vehicles' sirens. In order to reduce or eliminate any potential impacts associated with transportation safety, the proposed project includes multiple design features to ensure maximum line-of-sight along East Valley Road, including strategic location of driveways, tree removal, and landscape maintenance. Therefore, the project has been designed to comply with transportation safety policies.</p>

**Table 4-1. Consistency with Santa Barbara County Comprehensive Plan Policies and Other Regulations (Continued)**

Policy Requirement	Discussion
<p>Caltrans <i>Highway Design Manual</i> (HDM), <i>Chapter 400, Topic 405 – Intersection Design Standards</i>: At design speeds of 50 mph, which is the 85<sup>th</sup> percentile speed along East Valley Road (ATE 2010), the sight distance standard for stopping is 550 feet (Table 405.1A). This is applicable to Public Road Intersections, a designation chosen over the Private Driveway category in an effort to be conservative with regards to sight distance.</p>	<p><b>Consistent:</b> The sight distance looking to the west from the western driveway is limited by the overhanging limbs of the oak trees that line the road. The overhanging limbs would be trimmed (and the trimming maintained) to provide adequate sight distance. The project as proposed includes a landscaping and maintenance plan designed to maintain line-of-sight on East Valley Road. Assuming these changes, there would be 900 feet of sight distance looking west to the horizontal curve on East Valley Road at the bridge, and there would be approximately 1,225 feet of sight distance looking east to the vertical curve on East Valley Road. Site distance in both directions substantially exceeds the 550 feet required by the Caltrans standards and maintains consistency with this standard.</p>
<b>WATER RESOURCES, SUPPLY, AND SERVICE</b>	
<p><i>Land Use Element, HWPP 2:</i> 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.</p> <p><i>Land Use Element, HWPP 4:</i> Sediment basins (including debris basins, desilting basins, or silt traps) shall be installed on the project site in conjunction with the initial grading operations and maintained through the development process to remove sediment from runoff waters. All sediment shall be retained on site unless removed to an appropriate dumping location.</p> <p><i>Land Use Element, HWPP 5:</i> Temporary vegetation, seeding, mulching, or other suitable stabilization method shall be used to protect soils subject to erosion that have been disturbed during grading or development. All cut and fill slopes shall be stabilized immediately with planting of native grasses and shrubs, appropriate nonnative plants, or with accepted landscaping practices.</p> <p><i>Land Use Element, HWPP 7:</i> Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other</p>	<p><b>Consistent:</b> The proposed project would be subject to erosion and sedimentation control Best Management Practices (BMPs) during construction, such as avoiding grading during rainy season, installation of sediment basins, use of straw bales or bundles, and other measures that would be included in a Storm Water Pollution Prevention Plan (SWPPP) required by the RWQCB and enforced as part of the County’s Grading Permit. Site-specific measures would reduce the occurrence of soil movement during precipitation events and minimize sediment and polluted runoff from entering nearby tributaries and water bodies.</p> <p>Once operational, the proposed project would comply with regulations requiring, compliance with standard NPDES Industrial Permit requirements, including development of a long-term SWPPP, BMPs, and discharge monitoring. Further, the proposed project has been designed to include water quality engineering controls, such as landscape and habitat restoration buffer areas around the project perimeter, a designated, contained, vehicle/equipment wash area away from sensitive biological resources, a wash area ‘rain switch’ valve system to allow discharge switch over from the storm drain to the sanitary sewer during vehicle/equipment washing activities, a maintenance bay drainage system tied to a sand and oil separator prior to discharging to the sanitary sewer, and vegetated swales that would allow for uptake of storm water runoff along with the uptake of potential surface water pollutants. Therefore, the proposed project would be consistent with applicable erosion and water quality policies.</p>

**Table 4-1. Consistency with Santa Barbara County Comprehensive Plan Policies and Other Regulations (Continued)**

Policy Requirement	Discussion
harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.	
<p><i>Land Use Element, HWWP 6:</i> Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as result of development. Water runoff shall be retained onsite whenever possible to facilitate groundwater recharge.</p> <p><i>MCP Policy FD-M-2.1:</i> Development shall be designed to minimize the threat of on-site and downstream flood potential and to allow recharge of the groundwater basin to the maximum extent feasible.</p> <p><i>MCP Policy FD-M-4.5:</i> The County shall strive to ensure through public and private projects that adequate drainage is provided to minimize existing community-wide flooding and drainage problems.</p>	<p><b>Potentially Consistent:</b> The proposed project would increase impervious surfaces at the project site, which would increase runoff. However, consistent with Santa Barbara County’s Low Impact Development (LID) policy, the project would incorporate 0.07 acres of permeable paving surfaces in parking areas and would direct most of the site’s runoff to vegetated swales at the south of the project site. Further, incorporation of mitigation measure MM WAT-3 requiring a detention basin to reduce peak flows, along with design review of the drainage plan by County Planning and Development (P&amp;D) and Flood Control, would reduce impacts to increased runoff to less than significant. Therefore, the proposed project would be potentially consistent with these policies.</p>
<p><i>MCP Policy WAT-M-1.1:</i> When planning for future water supply, the County shall encourage reasonable, practical, reliable, efficient, and environmentally sound water policies.</p> <p><i>MCP Development Standard WAT-M-1.2.1:</i> Landscape plans, where required for development, shall include drip irrigation systems and/ or other water saving irrigation systems.</p> <p><i>MCP Policy WAT-M-1.5:</i> When supplemental alternative water sources become available, a buffer of 10 percent between supply and demand should be maintained in reserve for periods of drought condition.</p>	<p><b>Consistent:</b> The proposed project would result in a reduction of long-term water demand as a result of replacing water-intensive agricultural use with low water uses including a fire station and drought-tolerant landscaping. Therefore, the proposed project would be consistent with water supply policies.</p>

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## 5.0 OTHER CEQA SECTIONS

### 5.1 IRREVERSIBLE ENVIRONMENTAL IMPACTS

CEQA Guidelines, Section 15126.2(c) requires that irretrievable commitments of resources be evaluated to assure that such current consumption is justified. This includes use of non-renewable resources, the commitment of future generations to similar uses, and irreversible damage which can result from environmental accidents associated with the project.

Construction of new buildings and paved surfaces would involve consumption of building materials and energy, some of which are non-renewable or locally limited natural resources (e.g., fossil fuels and wood). Non-renewable resources utilized for the proposed project could no longer be utilized for other purposes. Consumption of building materials and energy is associated with any development in the region, and these commitments of resources are not unique or unusual to the proposed project. The proposed project would represent an incremental commitment to long-term use of non-renewable resources, particularly fuel for increased automobile use and oil, coal, and natural gas for power generation. In addition, as discussed in Section 3.3, *Air Quality*, use of each of these forms of non-renewable energy would contribute to the generation of GHGs with an incremental contribution to global climate change. Thus while project energy demand and use of non-renewable sources itself would not be significant, the project would also incrementally contribute to resultant secondary impacts to other resources, such as air quality.

Implementation of the proposed project would irreversibly commit 2.55 acres of prime soils to development of the fire station and associated paved surfaces. The proposed project would commit future generations to similar uses. The analysis in this EIR concludes that the conversion of 2.55 acres of currently-cultivated agricultural land to a public service use would create adverse, but less than significant impacts to agricultural resources (please see Section 3.2, *Agricultural Resources* for a detailed discussion of impacts to agriculture). The irretrievable commitment of this site for the project is considered justified given that this site has been designated and zoned by the County for residential use, the County approved overriding considerations for that zoning, and the proposed project is a high priority public benefit project.

The proposed project is not expected to result in environmental accidents that have the potential to cause irreversible damage to the natural or human environment.

## 5.2 GROWTH-INDUCING IMPACTS

Section 15126.2(d) of the CEQA Guidelines requires a discussion of how the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects that would “remove obstacles to population growth.” CEQA Guidelines also state that growth in any area should not be assumed to be necessarily beneficial, detrimental, or of little significance to the environment (Section 15126.2[d]).

Based on this guidance, the following discussion of growth inducement reviews adopted County growth controls, whether the construction of Station 3 would remove a significant barrier to population growth, or lead to new housing construction, particularly in eastern Montecito, generally defined as the area currently identified as being outside of the Montecito Fire Protection District’s (MFPD’s) currently accepted service response zone (refer to Figures 3.6-1 and 3.6-2a/b). This discussion addresses the potential growth in the context of Montecito, within eastern Montecito specifically, and in relation to potential theoretical development that could occur or be induced on Rancho San Carlos and Featherhill Ranch in the vicinity of proposed Station 3 in response to station construction. Finally, an overview of the potential impacts of any such growth or housing construction and mitigation measures which could be applied to such growth is provided. However, it should be noted that the MFPD is not the Lead Agency responsible for approving such growth and has limited authority in the primary decisions regarding whether such growth should occur and the application of relevant mitigation measures required to address related impacts.

Existing Constraints and Controls on Growth: The proposed project may have some potential to result in growth-inducing impacts due to the improvement of fire service in eastern Montecito. Fire service response times in eastern Montecito are among a number of regional factors that potentially limit growth and development in that part of the community. In recognition of these factors, in order to protect public health and safety, the County has adopted the Montecito Growth Management Ordinance (MGMO), which limits the residential growth rate to 0.5 percent or 19 residential units per year. Under the MGMO, projects are awarded points based on environmental constraints, the availability of public services and other factors. Projects that receive the highest rating are most competitive to receive an allocation in years where more than the total of 19 available allocations is requested. Key constraints recognized in this ordinance include non-attainments status of the air basin for particulates and ozone, adequacy of long-term water



supply, inadequate road and intersection capacity, public infrastructure such as sewer service, high fire hazards in most of the community, and the fact that portions of the community lie outside the MFPD's acceptable 5-minute response time. In fact, the MGMO stipulates that properties outside the MFPD's 5-minute response time must be awarded lower scores during the County's development review process. Section 7.2.5 of the point criteria in the MGMO point criteria awards 20 points to a project if it complies with all of the following:

- Travel distance from nearest Montecito Fire Protection District fire station to proposed structure is less than three miles; and
- Response time for fire apparatus from fire station does not exceed 5 minutes (County of Santa Barbara 2010).

Unless renewed, the MGMO will expire in approximately 15 years (December 31, 2030).

Water supply is another existing barrier to growth in the community of Montecito. As demonstrated by critical water shortages during the current drought since 2011, the adequacy of long-term water supply is a key regional barrier to growth in Montecito. The Montecito Water District (MWD) has declared a critical Water Shortage Emergency and has issued Ordinances 92 and ~~93~~ 94, which limit water use and restrict water allocations. The MWD has adopted a Mandatory Water Use Restriction Ordinance and declared that "[t]hose who have not already drastically reduced usage must do so at once...". ~~Additionally, on April 1, 2015, the Governor Brown issued Executive Order B-29-15 that directs the State Water Resources Control Board to implement statewide mandatory water restrictions to achieve a 25 percent reduction in potable urban water usage through February 28, 2016 (Office of Governor Brown 2015).~~ Additionally, on May 9, 2016, Governor Brown issued Executive Order B-37-16, establishing longer-term water conservation measures through the end of January 2017, which include monthly water use reporting, strengthened urban drought contingency plans, elimination of wasteful water use practices, and mandated adjustments to emergency water conservation regulations and restrictions during extended drought conditions. These extended water conservation measures, and emergency conservation regulations adopted by the State Water Resources Control Board (SWRCB) on May 18, 2016, recognize differing water supply conditions for many communities, and require local agencies to meet a conservative standard equal to the projected shortage in their supplies and report to the SWRCB.

Sewer service, including the adequacy of infrastructure such as pump station capacity and sewer mains, are also identified as important regional constraints to growth in the MGMO. Traffic capacity along selected roadway segments, such as Sheffield Drive between Jelinda Drive and Birnam Wood Drive southeast of the proposed project site, is also of concern.

The MGMO and County policy also recognize the importance of site-specific resources and constraints and the extent to which potential growth and development in eastern Montecito can be constrained by site-specific factors. For example, the MGMO awards points to projects that protect oak trees, creeks and monarch butterfly habitats and that avoid flood plains. In addition regional constraints can constrain growth, such as the presence of Environmentally Sensitive Habitat Areas (ESHAs), including riparian and oak woodlands, intact chaparral and coastal sage scrub, wetlands and other habitats. The County *Comprehensive Plan* protects ESHAs, oak trees and other resources and requires avoidance of hazards. ESHAs are identified throughout eastern Montecito, particularly along Romero Canyon, Picay and Buena Vista Creeks. One of the largest ESHAs in eastern Montecito is located on the Rancho San Carlos where approximately 45 acres (19 percent) of this 237 acre ranch is designated as ESHA.

Additional physiological and site specific constraints in eastern Montecito that potentially constrain growth include geologic hazards, such as steep slopes along Ortega Ridge, or in the foothills and active and potentially active earthquake faults, including the Arroyo Parida and Fernald Point faults and unstable soils. In addition, eastern Montecito is traversed by Romero, Picay and Buena Vista Creeks with their associated flood hazard zones. Rancho San Carlos and Featherhill Ranch exhibit a number of these constraints, including traces of the Arroyo Parida and Fernald Point Faults, steep slopes in the northern reaches of Rancho San Carlos and the flood plains of Romero Creek across the Featherhill Ranch and Picay Creek on Rancho San Carlos. The degree to which any of these constraints limits development on a particular site requires detailed analysis; however, the County's adopted Land Use Development Policy #2 permits the County to reduce development potential based on such constraints (County of Santa Barbara 2015).

Emergency response times in many parts of eastern Montecito exceed MFPD and National Fire Protection Association (NFPA) guidelines of a 5-minute response time (MFPD 2008, MFPD 2014). The Montecito Community Plan (MCP) cites the potential need for a new fire station in eastern Montecito if development continues in this area of the community; however, the MCP does not contain any specific policies or restrictions

on growth related to the potential need for such a new fire station. In fact, the County has not found that approval of development projects within eastern Montecito in areas that do not meet the MFPD's 5-minute standard would be inconsistent with County Land Use Development Policy # 4 and Coastal Plan Policy 2-6, which require provision of adequate public services. The 2010 MGMO Extension EIR identifies planned growth as consistent with adopted policies and the County has not denied pending development projects within this area based on adequacy of fire protection service issues (Almy 2014).<sup>1</sup>

The MGMO currently allows a maximum of 19 new residential allocations annually; however, demand for allocations over the last decade has averaged only 9 units per year, with a low of 4 units in 2007 and a high of 15 in 2003 (Harris 2014). Thus, over the last decade, the MGMO apparently has not restrained the rate of growth, and a long-term average of 9-10 allocations appears to be available annually for potentially less competitive projects under the County's point system, such as those outside the 5-minute response time. In addition, the MGMO stipulates that properties outside the MFPD's 5-minute response time are awarded lower scores during the County's MGMO point allocation process. Therefore, while a reduction in points assigned under the MGMO to potential future development in eastern Montecito due to inadequate fire response times may incrementally limit development, fire response time does not appear to constitute a major barrier to growth in eastern Montecito.

Given historical availability of excess allocations (i.e., 9-10 per year), the MGMO does not directly prohibit or even severely limit growth in eastern Montecito, but it may serve to limit the pace of such growth at the current set rate of 0.5 percent per year. Therefore, construction of Station 3 is likely to have very limited growth inducing impacts in relation to the County's adopted growth pacing mechanism, the MGMO. However, it should be noted that recent amendments to the MGMO included the completion of a third fire station as one of several factors that would allow the County to consider possible expiration of the MGMO (County of Santa Barbara 2010). Additional factors include adequate water resources and long-term water supply, transportation/circulation and wastewater infrastructure. Based on this amendment, if multiple other regional and site-specific constraints on growth were successfully addressed or eliminated, construction of

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<sup>1</sup> In addition to response times, the County also considers a fire fighter to population ratio of a maximum of one fire fighter/4,000 residents for determining adequacy of service. MFPD currently exceeds this goal with approximately 1 on duty fire fighter for roughly every 2,000 residents, so that the County may determine that current conditions are consistent with policy.

Station 3 could facilitate expiration of the MGMO, allowing elimination of the current growth pacing mechanism.

Amount of Future Potential Growth: Various long-term growth estimates exist for the community of Montecito, including older projections within the MCP, updated communitywide estimates in the 2010 MGMO EIR, and projections by the MFPD. In 2008, MFPD prepared the Station 3 Site Identification Study, which included maximum long-term build out projections for eastern Montecito based upon the MCP and assessor's parcel data. In this study, MFPD identified the areas of eastern Montecito that are currently underserved with fire protection services (i.e., outside the 5 minute response time) as having a maximum growth potential of 175 new single family homes, with up to 524 Residential Second Units (RSUs) and 35 guest homes, presuming that all eligible parcels would apply for and receive permits for RSUs and guest homes (MFPD 2008).<sup>2</sup> By comparison, the MGMO Amendments and Extension Final Supplemental EIR identified a maximum communitywide growth throughout Montecito of 455 units by 2030 and full buildout of the MCP as 592 units (County of Santa Barbara 2010). The County's estimates are markedly different in part because the County relied upon historical trends rather than theoretical maximums in estimating construction of only 60 RSUs in all of Montecito over the coming decades. These growth estimates provide a range of possible long term development that should be considered when reviewing the impacts of long term development and growth inducement in the community.

While regulatory barriers such as the MGMO, policies of the MCP and Comprehensive Plan, provision of adequate public sewer and water service, or the presence of sensitive biological resources could limit or pace eventual growth or development in eastern Montecito, construction of Station 3 would incrementally ease future development in the project vicinity.<sup>3</sup> While lack of fire protection services is one of many potential barriers to growth and this level of development represents a worst case growth projection, construction of Station 3 would theoretically remove one of many barriers to future growth in eastern Montecito. Such growth could theoretically include eventual construction of as many as 250 new units, with up to 175 single family homes, 60 RSUs and 15 guest houses in eastern Montecito. However, it must be noted that to date, the

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<sup>2</sup> While these numbers of new homes are theoretically possible, many factors constrain development potential of individual parcels and the 175 units is thought to represent a theoretical maximum. In addition, development of secondary residential units is even more speculative; as of 2010, the County was issuing only 7 permits annually *countywide* for such secondary units.

County has not denied development or prohibited subdivisions in the areas of eastern Montecito located outside of the 5-minute response time.

Rancho San Carlos, the site of proposed Station 3, and the adjacent Featherhill Ranch represent the largest remaining undeveloped area within the urban area of Montecito with substantial potential for future residential development. While no development is currently planned or proposed for the Rancho San Carlos and Featherhill Ranch properties which surround the proposed location of Station 3, construction of a fire station would remove one potential barrier to development of up to 97 new homes on these ranches as permitted under the zoning and land use designations set forth in the MCP. Based on the MFPD's study of potential growth in currently underserved areas of the community, this would constitute more than 60 percent of the potential theoretical 175 single-family homes that could be developed in eastern Montecito. Based on County estimates of buildout of Montecito by 2030, full development of Rancho San Carlos and the Featherhill Ranch would constitute 16 percent of the theoretical maximum future potential buildout of 592 units in Montecito.

Future development throughout Montecito of up to 455 new units by 2030 or 592 units at full buildout of the community as identified in the County's MGMO Extension EIR would create a number of potentially significant impacts. As discussed above, maximum projected growth in eastern Montecito in the areas underserved by fire protection services (i.e., outside of 5-minute response times) is estimated to be approximately 250 units or 55 percent of the up to 455 units permitted under the MGMO through 2030 or 42 percent of projected full buildout of the community (County of Santa Barbara 2010).<sup>4</sup>

Timing of Future Growth: As set forth in the list of cumulative projects in Table 2-3, Section 2.7, only limited development is currently pending in Montecito. Developable land within the community is limited and, as discussed above, the limited remaining development potential within eastern Montecito, estimated at approximately a total of 250 units (including second units and guest houses), would limit the total amount of future potential growth. It is not possible to project the timing of any development on Rancho San Carlos or Featherhill Ranch; no pending permits have been submitted to the County of Santa Barbara, although the property is currently for sale. The pace of such growth is limited by the MGMO to 19 units per year, although growth has been proceeding at a slower pace of 9-10 units per year over the last decade (Harris 2014). As

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<sup>4</sup> Note that County future growth estimates include single family homes, residential second units and guest homes; however, only single family homes regulated under the MGMO

long as the MGMO remains in effect, construction of Station 3 would have little or no effect on the maximum allowable rate of growth. However, if other barriers such as provision of an adequate long-term water supply are removed and the County determines that the MGMO should expire, growth could accelerate with construction of Station 3. In addition, it must be noted that the County historically has not denied development projects in eastern Montecito based on emergency response times.

Environmental Impacts and Mitigation Measures: To the limited extent that construction of Station 3 removes one of the multiple barriers to this potential future growth, its construction could be one factor that allows for or facilitates future development planned by the County under the MCP.<sup>5</sup> Thus, if all other barriers to growth were removed and the County found growth in areas outside a 5-minute fire service response times to be inconsistent with adopted policy, construction of Station 3 could incrementally contribute to creation of potentially significant impacts associated with such growth. However, the role of a potential future Station 3 and fire service response times does not appear to be a barrier to growth based on historic County policy interpretation. Nonetheless, the following analysis is provided to disclose possible environmental impacts associated with the limited potential for the project to contribute to growth inducement in eastern Montecito.

As discussed below, the 2010 MGMO Extension EIR identified community wide significant impacts associated with future growth and development (County of Santa Barbara 2010). The MGMO EIR along with specific analysis of impacts in eastern Montecito as well as on the Featherhill Ranch and Rancho San Carlos is further described below. Please refer to the MGMO EIR for detailed descriptions of potential impacts associated with community wide growth.

### **5.2.1 Unavoidable and Significant Impacts**

In the MGMO EIR (and previous 1992 MCP EIR), the County identified the following impacts as unavoidable and significant, even with application of mitigation measures:

*Transportation:* Future growth could generate traffic, which would exceed MCP roadway capacity standards at 5 roadway segments including Sheffield Drive between Jelinda Drive and Birnam Wood Drive within the Station 3 project site in eastern Montecito and increases in delays at 5 intersections in central and western Montecito. As most impacted

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<sup>5</sup> As discussed above, fire service response times have not been found by the County to be a major land use policy issue in eastern Montecito.

roads and intersections are in central and western Montecito, traffic generated by future potential induced development in eastern Montecito is likely to contribute only incrementally to such congestion. However, Sheffield Drive would be more directly impacted by eastern Montecito development, particularly by future development of up to 97 homes and associated RSU and/ or guest house on Rancho San Carlos and the adjacent Featherhill Ranch. This roadway segment is expected to exceed its designated capacity. Mitigation measures identified by the County in the MGMO EIR include studying Montecito circulation upon completion of improvements to US Highway 101 over the next decade to see if trips are diverted from surface streets and/ or reclassifying Sheffield Drive with a higher average daily trip capacity if warranted. Widening or straightening of this road appears infeasible as mitigation due to inconsistencies with County policies, secondary impacts to oak trees and aesthetic resources, and major costs associated with such non-programmed improvement (County of Santa Barbara 2010).

*Wastewater Disposal:* Use of private septic systems to serve new development could impact water quality as existing wastewater disposal infrastructure is inadequate to serve community buildout (County of Santa Barbara 2010). Sewer lines and service exists throughout most of eastern Montecito; however, potential future induced growth in areas not served by sewer or with inadequate sewer infrastructure may create potential impacts. Potential future induced growth of up to 250 units in eastern Montecito could make up approximately 42 percent of projected increase in demand for sewer services, with the potential for development of up to 97 new homes and associated RSU and/ or guest house units at the Rancho San Carlos and Featherhill Ranch also contributing to increases in demand for wastewater disposal. Potential mitigation measures identified in the MGMO EIR may include requirements to connect to the Montecito Sanitary District sewer system where available and/or completion of upgrades to sewer mains and lift stations; however, potential water quality impacts attributed to septic systems would remain given should connections and/or improvements to the public sewer system not be feasible (County of Santa Barbara 2010).

*Fire Protection/Hazards:* Impacts are associated with inadequate response times in eastern Montecito and high wildfire danger throughout the community, particularly in the foothills. Potential future induced growth in eastern Montecito would be exposed to high fire hazards and inadequate response time that would be at least partially mitigated or reduced through construction of Station 3. Similarly, while 97 new homes and associated RSU and/ or guest house units at the Rancho San Carlos and Featherhill Ranch potentially would be exposed to high fire hazards, construction of Station 3 would help

reduce such impacts. However, development may still be located within areas without adequate fire pressure and the risk of damage to structures during a major wildfire would remain; such impacts may therefore remain significant (County of Santa Barbara 2010).

*Public Facilities; Police Protection:* New development would increase demand for police protection by approximately 1.8 officers. Potential future induced growth in eastern Montecito could make up approximately 42 percent of projected increased demand for police protection at full buildout of the community as identified in the MGMO EIR. Similarly, the potential development of 97 new homes and associated RSU and/ or guest house units at the Rancho San Carlos and Featherhill Ranch would incrementally increase demand for police protection services. Increased funding for police protection may or may not be available; such impacts may therefore remain significant (County of Santa Barbara 2010).

*Public Facilities; Schools:* Impacts to schools associated with potentially significant increase in student to teacher ratios at elementary, junior high, and high schools. Potential future induced growth in eastern Montecito could make up approximately 42 percent of projected increases in enrollment and declines in student teacher ratios at full buildout of the community. Similarly, the potential development of 97 new homes and associated RSU and/or guest house units at the Rancho San Carlos and Featherhill Ranch would incrementally increase demand for schools. Payment of school fees would partially offset facilities impacts. However, increased funding for additional teachers may or may not be available and such impacts therefore may remain significant (County of Santa Barbara 2010).

*Public Facilities; Solid Waste:* Future development would contribute to greater than a 1 percent increase in total landfill volume at the Tajiguas Landfill. Potential future induced growth in eastern Montecito could make up approximately 42 percent of projected increase in solid waste generation at full buildout of the community. Similarly, the potential development of 97 new homes and associated RSU and/ or guest house units at Rancho San Carlos and Featherhill Ranch would incrementally increase solid waste generation. Although a currently proposed onsite waste to energy facility at the Tajiguas Landfill may partially mitigate such impacts by extending the life of the landfill, capacity would remain limited and full mitigation would not be available. Such impacts may therefore remain significant (County of Santa Barbara 2010).

*Public Facilities, Storm water, and Flooding:* New development would increase runoff that may exceed storm drain capacities. Where such development is located in 100-year



flood plains, flooding impacts could occur. Development in eastern Montecito, particularly within the floodplains of Romero, Picay, and Buena Vista Creeks could be impacted by flooding and contribute runoff, which could exceed the capacity of local drainage systems. Flooding along Romero Creek, which borders Featherhill Ranch, could expose future development to flood hazards as would flood waters from Picay Creek that cross Rancho San Carlos. Increased runoff from development on these ranches could also exceed local drainage capacity and incrementally contribute to downstream flooding. The County would likely require on and offsite drainage improvements during its development review process. The MCP EIR also recommends preparation of a Master Drainage Plan; however, risk of flooding would remain and increased funding for all offsite improvements and Master Drainage Plan preparation may not be available. Therefore impacts would remain significant (County of Santa Barbara 2010).

*Aesthetics and Visual Resources:* New growth and development could obstruct scenic vistas, impact aesthetic resources, and create new light and glare. Potential future induced growth in eastern Montecito could make up approximately 42 percent of projected future development at full buildout of the community, with associated impacts to scenic views and community character, particularly on steep slopes or within visually sensitive areas such as oak woodlands. Similarly, potential construction of 97 new homes and associated RSU and/ or guest house units on the Rancho San Carlos and Featherhill Ranch could affect view corridors to the mountains and contribute to a change in the semi rural character of eastern Montecito. The County's development review process and application of the Montecito Architectural Review Guidelines would partially address such impacts; however, given the amount of theoretical potential development and the sensitive visual nature of the area such impacts may remain significant (County of Santa Barbara 2010).

*Biological Resources:* New growth and development could impact sensitive habitats, including oak and riparian woodlands, coastal sage scrub, monarch butterfly roosts, chaparral and coastal sage scrub and well as sensitive plant and wildlife species. Potential future induced growth in eastern Montecito, particularly within the native habitats such as oak and riparian woodlands along and near Picay and Romero Creeks, which traverse the Featherhill Ranch, could impact sensitive resources. Rancho San Carlos supports one of the largest ESH areas in the community, including oak woodlands, many individual oak trees, a mapped monarch butterfly roost and coastal sage scrub and chaparral, all of which could be impacted by future development of up to 97 homes and associated RSU and/ or guest house on this ranch and the adjacent Featherhill Ranch. The County's

development review process and application of standard habitat protection and restoration measures would partially address such impacts; however, given the amount of theoretical potential development and the sensitive nature of biological resources in eastern Montecito, such impacts may remain significant (County of Santa Barbara 2010).

*Historic Resources:* New development could cause physical or aesthetic impacts to historic structures. Potential future induced growth in eastern Montecito could make up approximately 42 percent of projected new development at buildout of the community with associated potential impacts to potential historic resources such as the Valley Club Golf Course and older historic homes. Development of up to 97 new homes and associated RSU and/ or guest house units on the Rancho San Carlos and Featherhill Ranch could also impact historic resources as at least one known historic structure exists on these properties. The County's development review process and application of standards historic resource protection polices and mitigations as well as review by the Historic Landmarks Advisory Commission would partially address such impacts; however, given the amount of theoretical potential development and the sensitivity of the few remaining historic structures and resources in this area, impacts would remain significant (County of Santa Barbara 2010).

### **5.2.2 Potentially Significant Impacts that can be Mitigated to Less than Significant**

The following impacts from projected regional growth have been identified by the County in the MGMO EIR to be potentially significant, but subject to feasible mitigation as discussed below.

*Air Quality:* The MGMO EIR identifies construction and operational emissions as well as greenhouse gas (GHG) generation from new homes and associated motor vehicle traffic as having the potential to exceed adopted thresholds of significance. Potential future induced growth in eastern Montecito could make up approximately 42 percent of projected increase in pollutant and GHG emissions at full buildout of the community. Development of up to 97 homes and associated RSU and/ or guest house units of Rancho San Carlos and Featherhill Ranch could also incrementally contribute to such emissions. Implementation of mitigation measures such as transportation demand management, energy conservation and reduction in emissions under best management practices during construction would partially reduce such impacts; however, cumulative impacts would remain significant (County of Santa Barbara 2010).

*Water Resources; Public Water Supply and Groundwater:* New growth and development could exceed available supplies as state water has not proven as reliable as forecast and available groundwater resources are limited. While the current drought has created an emergency situation, it remains unclear if this will impact long term water supplies previously forecast by the County and MWD to be adequate to serve projected growth in Montecito. Potential future induced growth in eastern Montecito could make up approximately 42 percent of projected increases in water demand, potentially contributing to the potential to exceed available supply. Development of up to 97 homes and associated RSU and/ or guest house units of Rancho San Carlos and Featherhill Ranch could also impact supplies, but high levels of historic agricultural water use onsite may limit any net increase in demand. Implementation of mitigation measures such as monitoring of long- and short-term water availability at the state and local level, improvements in water conservation, and adjustments in policies may partially address these issues. If water demand approaches or exceeds water supply, MGMO growth allocation may be reduced. Moreover, MWD is currently investigating water conservation and securing supplemental supplies. Additional long term efforts include expanding the reliable local supply, such as continuing to work with the City of Santa Barbara to explore reactivation of the City's desalination plant, increasing storage capacity, capital facility improvements and improved financial planning. The County has found that these measures would reduce impacts to long term water supply to less than significant and MWD has not determined that a long term supply deficit exists outside of the current drought crisis (County of Santa Barbara 2010).

*Transportation:* Impacts to multi-modal uses and pedestrian and bike safety could occur through increased development. Potential future induced growth in eastern Montecito could make up approximately 42 percent of projected increase in overall development in community, with impacts along roads such as Sheffield Drive and East Valley Road. Development of up to 97 homes and associated RSU and/ or guest house units of Rancho San Carlos and Featherhill Ranch could also contribute to such impacts. A proposed on-road trail along East Valley Road bordering the Rancho San Carlos and Featherhill Ranch would help address this safety concern (County of Santa Barbara 2010).

*Recreation:* New development would increase demand for parks, recreation and trails, with impacts to coastal access and trails of particular concern. Potential future induced growth in eastern Montecito could make up approximately 42 percent of projected increase in overall development in community, with impacts of increase demand for trail access. Rancho San Carlos and Featherhill Ranch support the largest remaining

undeveloped area in the community, although with the exception of a road shoulder trail along East Valley Road, no trails are currently plan to serve future development of up to 97 homes on these properties (County of Santa Barbara 2010).

*Geologic Resources:* Construction of new development on steep slopes, unstable soils or near earthquake faults may expose future homes to geologic hazards. Potential future induced growth in eastern Montecito could make up approximately 42 percent of projected increase in overall development in the community with impacts associated with excessive grading, increased erosion and sedimentation and damage from seismic shaking or earth movement. Development of up to 97 homes and associated RSU and/ or guest house\_units of Rancho San Carlos and Featherhill Ranch could be located on steep slopes where excessive grading, erosion and slope failure could occur. The potentially active or active Arroyo Parida and Fernald Point Faults cross portion of Rancho San Carlos and may expose future development to seismic hazards (County of Santa Barbara 2010).

*Cultural Resources:* New development could impact recorded or not previously identified subsurface archaeological sites. Potential future induced growth in eastern Montecito could make up approximately 42 percent of projected increase in overall development in the community with impacts associated with associated impacts to cultural resources. Development of up to 97 homes and associated RSU and/or guest house\_units on Rancho San Carlos and Featherhill Ranch could also impact cultural resources (County of Santa Barbara 2010).

*Risk of Upset/ Hazardous Materials (Electromagnetic Radiation):* New development may be exposed to hazards from electromagnetic radiation from major power lines which run through Montecito in the foothills north of most new potential development.

*Land Use and Agriculture:* In adopting the MCP and certification of the accompanying EIR, the Board of Supervisors found that the MCP would result in significant and unavoidable impacts to agriculture with no feasible mitigation available (see Appendix K). As part of its approval of the MCP, the Board of Supervisors adopted accompanying Findings and a Statement of Overriding Considerations regarding the loss of prime agricultural land. Potential future induced growth in eastern Montecito could make up approximately 42 percent of projected increase in overall development in the community with associated potential impacts to agriculture. As discussed in detail in Section 3.2, *Agricultural Resources*, eastern Montecito supports two areas of agricultural activity. The largest of these, including both Featherhill Ranch and Rancho San Carlos, supports

substantial areas of orchards, but these areas are zoned for residential use. The Montecito Avocado Ranch also supports orchards and is zoned for agriculture but has been subdivided, allowing up to 12 new homes. Both Rancho San Carlos and Featherhill Ranch are designated and zoned for residential use, but they have prime agricultural soils and active agriculture, and the County has identified future residential development in Montecito as having significant and unavoidable impacts to agriculture. Accordingly, development of up to 97 homes and associated RSU and/ or guest house units on Rancho San Carlos and Featherhill Ranch could impact active agricultural use. To the limited extent that construction of a fire station may reduce a barrier to growth it may also facilitate conversion of agricultural land, with associated potentially significant impacts. However, as discussed above, fire services do not appear to have a limiting effect on growth based on historic County actions.

The MCP and MGMO EIRs also identify a ranges o impacts that are less than significant.

*Employment Generation and Growth Inducement:* The proposed project could also result in a potential increase of 10 new employees for MFPD. This increase would be associated with three shifts of three fire fighters per shift and potentially one paramedic working at Station 3. Based upon average household size of approximately 2.4 residents per household, these new employees could generate an increase in population of up to 24 new residents to the South Coast. However, it is currently unknown whether these new emergency personnel would come from the existing labor pool or in-migrate from another community and increase demand for housing. Anecdotal evidence for recent emergency personnel hires in the area indicates that employees are either already living the community or living in a neighboring community from which they can commute (e.g., Ventura) (Wallace 2011).

Demand for housing associated with these new employees could increase by as many as 10 new units. Although the County historically has tracked the link between employment growth and housing demand, no current housing demand estimate exists for the link between non-residential developments such as Station 3 with increases in housing demand for unincorporated areas of the County of Santa Barbara. The County has identified projects such as the proposed fire station, with highly-trained and skilled emergency service workers, as incrementally contributing to an increased demand for housing, particularly affordable housing (County of Santa Barbara 2010). However, given a South Coast population in excess of 200,000 residents, with 8,965 persons in Montecito (U.S. Census Bureau 2015), a total population increase of up to 24 new

residents potentially associated with construction of Station 3 would not be considered as significantly growth-inducing. MFPD has set aside three rental units to help accommodate such additional housing needs. For these reasons, the project's contribution to employment growth and related growth inducement would be less than significant.

### 5.3 GLOBAL WARMING/CLIMATE CHANGE

Recent state legislation and opinions by the California Attorney General have indicated that CEQA evaluations are to include an assessment of a proposed project's potential to contribute to global climate change (also known as "global warming") impacts. CEQA requires that Lead Agencies inform decision-makers and the public about potential significant environmental effects of the proposed project.

Global climate change can be measured by changes in wind patterns, storms, precipitation, and temperature. Scientific consensus is that human-related emission of GHGs above natural levels is a significant contributor to global climate change. GHGs are substances that trap heat in the atmosphere and regulate the Earth's temperature, and include water vapor, carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), ground level ozone, and fluorinated gases, including chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), and Halons.

Primary activities associated with GHG emissions include transportation, utilities (e.g., power generation and transport), industry/manufacturing, agriculture, and residential. End-use sector sources of GHG emissions in California are as follows: transportation (37 percent), electricity generation (20 percent), industry (23 percent), agriculture and forestry (8 percent), and other (12 percent) (California Environmental Protection 2015). The main sources of increased concentrations of GHGs due to human activity include the combustion of fossil fuels and deforestation (CO<sub>2</sub>); livestock and rice paddy farming, land use and wetland depletions, and landfill emissions (CH<sub>4</sub>); refrigeration systems and fire suppression systems use and manufacturing (CFCs); and agricultural activities, including the use of fertilizers.

Climate change could potentially affect other resource areas, including hydrologic, economic, and biologic resources. Projected impacts to the region caused by climate change include: decreases in the water quality of surface water bodies, groundwater, and coastal waters; rising sea levels; increased flooding and fire events; declines in aquatic ecosystem health; lowered profitability for water-intensive crops; changes in species and habitat distribution; and impacts to fisheries (The California Regional Assessment 2002).

Construction of a fire station would incrementally improve the community's ability to respond to climate change and related impacts such as wildfires and floods.

As discussed in Section 3.3, *Air Quality*, long-term operation of the proposed project would result in the generation of GHG emissions from vehicle trips and area sources (e.g., use of appliances, landscaping, and heating/cooling) associated with the operation of the fire station. Under the proposed project, operational vehicular and area sources would generate approximately 88.2 tons/year of CO<sub>2</sub> emissions (see Table 3.3-5). The generation of GHGs would be relatively minor and below the 10,000 metric tons of CO<sub>2</sub> per year threshold; the proposed project would incrementally contribute to the challenge of meeting the State's attainment goals of reducing GHG emissions to 1990 levels by the year 2020 as stated in Assembly Bill (AB) 32. Mitigation Measure AQ-2b described in Section 3.3 *Air Quality* would further reduce GHG emissions and ensure that project-level impacts are less than significant. In combination with existing GHG emissions, direct emissions from the proposed project would incrementally add to cumulative GHG emissions. Recent State legislation pertaining to climate change is summarized in Section 3.3 *Air Quality*.

#### **5.4 ECONOMIC AND SOCIAL EFFECTS**

Section 15131(a-c) of the CEQA Guidelines sets forth standards for the assessment of economic or social effects in an EIR and mandates that "economic or social effects of a project shall not be treated as significant effects on the environment." However, because public concerns have been raised over the potential impacts of a new fire station on property values, in the interest of full disclosure, this EIR provides a brief discussion of issues related to property values. Consistent with the guidance provided in CEQA Guidelines Section 15131, the following discussion briefly summarizes potential economic issues.

It is widely recognized that certain types of land uses may adversely impact property values and a considerable body of literature exists regarding possible effects of locally undesirable land uses on property values. Such land uses typically include nuclear power plants, hazardous waste facilities, landfills, airports and major industrial facilities. Economic analyses of such effects employ "hedonic" assessment of potential effects of these land uses based on factors including proximity, visibility, and area of potential effects from noise or emissions, and provide mathematical models to assess potential changes in property values associated with such uses. However, none of the studies

reviewed as part of the research for preparation of this EIR identifies fire stations as an adverse land use.

In order to determine possible effects of Station 3 on surrounding property values, Amec Foster Wheeler staff conducted an initial review of available literature on this issue. Subsequent to Amec Foster Wheeler's initial review, Amec Foster Wheeler contracted with Phillips Fractor Gorman, a well-known real estate economics and finance research firm, to conduct a more detailed literature search and preliminary analysis. This report concluded that "[a] broad investigation of academic literature revealed that fire station presence in a neighborhood typically adds to the value of that neighborhood rather than detracting from it." Information from this research is included in Appendix J. Relevant information sources from the initial review included:

- Office of Planning and Research- State Clearinghouse: The state repository for all environmental documents prepared in the state contained no references for analysis of the economic effects of fire stations. Three EIRs have been prepared for fire station construction within the state over the last decade; although property value issues were raised as items of concern in at least one EIR, none of these documents analyzed economic effects of station construction.
- CEQAnet Online Document Repository: No relevant documents were available on this website.
- American Planning Association: A review of all available online studies and publications available did not locate any studies of the effects of fire stations on property values.
- Urban Lands Institute Document Archives: The Urban Lands Institute is a nationally recognized organization that studies urban planning issues. This organization's document archives contained no relevant documents that addressed the economic effects of fire stations.
- Google Search: A Google search was performed for links related to economic and property value impacts related to new fire stations. Anecdotal discussions of potential impacts of fire stations on property values exist, including appraisers chat rooms (Appraisers Forum 2009). In addition, a review of public documents indicated that possible effects of fire stations on property values are often raised by neighbors of such projects.



One economic analysis for the impacts of a fire station was reviewed (Portland Development Commission 2004). Conducted in an urban area of Portland, this analysis found that a fire station would have a beneficial effect on property values and noted the following:

*“Introduction of a new, full-block development incorporating a fire station that is operated twenty-four hours, seven days per week, Fire Department administrative offices, a museum, and a learning center, as well as offices or housing, and street-level retail can only serve as a stabilizing factor for the study area overall, and the immediately surrounding buildings and businesses in particular. The Blagen Block to the south of the site has been redeveloped for some years and is not close to full occupancy. The Fleischner Building to the west is in much the same situation. Attracting tenants to the area is not considered an easy sell, due to the character of the neighborhood discussed previously; therefore, the addition of a fire station that can serve as a catalyst for neighborhood improvement is seen as particularly positive for existing businesses.*

*As noted in the case studies for Charlotte, North Carolina and Austin Texas, fire stations in mixed-use areas can prove beneficial for commercial and residential uses alike. Their impact can be particularly positive where the design of the fire station is open and encourages interaction with the surrounding community. The presence of a fire station diminishes concerns about safety and increases the perception of overall protection, thus reducing concerns about risk within the area. As noted earlier, the perception of risk directly impacts both personal and professional investment in a property or area, and hence directly impacts rental levels and property values.*

*In each and every case we investigated, a fire station is viewed as a valuable member of its community; property values have continued to increase even with the infrequent inconvenience of sirens or large trucks – the benefit of having the facility close by outweighing any of the acknowledged negatives. Further, in each instance we found fire fighters are integral participants in community activities and considered welcome neighbors.”*

Because this study took place in an urban context and the fire station was part of a larger mixed-use redevelopment effort, it may not be directly applicable to construction of a new fire station in the semi-rural context of Montecito.

A summary appraiser’s report was also prepared for the Rancho San Carlos property to assess potential economic impacts of locating Station 3 (Appendix J). The report includes a review and comparison of listed asking prices and actual sales prices as well as inquiries of both listing agents and buyers regarding any concerns about proximity to a

fire station. The qualitative evidence from that report is that the proximity to fire stations had no impact on property values.

Our analysis reveals that potential effects of a new fire station on property values center on the project's potential visual compatibility with the community and changes or increases in noise levels. As discussed in this EIR (refer to Section 3.1, *Aesthetics and Visual Resources*), the design of Station 3 would include substantial landscaping and new buildings would be well setback from East Valley Road. Project design and architecture would be largely consistent visually with surrounding residential uses. Based on this analysis, it does not appear that project design and aesthetic characteristics would have demonstrable negative effects on the neighborhood.

Potential changes in noise levels may also be of concern. As discussed in Section 3.9 *Noise*, Station 3 is projected to have an average of 1.1 emergency responses per day. Exterior/outdoor siren noise levels during the average of 1.1 responses per day would be in the range of 95 to 100 decibels affecting surrounding residences for 10 seconds. Interior noise levels would be substantially lower. These noise levels would not exceed any adopted local ordinances or thresholds, but would create very short-duration noise impacts. Based on a review of existing literature, it is unclear if such low frequency short-duration nuisance noise would have a demonstrable effect on property values. However, existing studies indicate that such low frequency short-duration noise becomes part of the accepted environment for surrounding residents.

Finally, it should also be noted that in high fire hazard areas such as Montecito, construction of a new fire station may have beneficial effects on property values due to enhanced protection provided to area homes. A new fire station may also reduce or stabilize insurance rates in the area, thereby potentially lowering costs for area homeowners ( (Insurance Services Office 1996)).

### **5.5 UNAVOIDABLE SIGNIFICANT ENVIRONMENTAL EFFECTS**

CEQA Guidelines, Section 15126.2(b) requires a description of any significant impacts resulting from implementation of a project, including impacts that cannot be mitigated to below a level of significance. The proposed project was evaluated with respect to specific resource areas to determine whether implementation would result in significant adverse impacts. A detailed discussion of each of the impacts can be found in Section 3.0, *Environmental Impact Analysis and Mitigation Measures*.

Specific significance thresholds were defined for each potential impact associated with each resource area. Based on the environmental impact assessment presented in Section 3.0, *Environmental Impact Analysis and Mitigation Measures*, of this EIR, the proposed project's impacts to biological resources, geologic processes, and water resources would be potentially significant. Mitigation measures were developed that would reduce all impacts to less than significant levels. Therefore, MFPD will not be required to adopt a Statement of Overriding Considerations for the proposed project.

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## 6.0 ALTERNATIVES

### 6.1 INTRODUCTION

The California Environmental Quality Act (CEQA) Guidelines state that an environmental impact report (EIR) “shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives” (Section 15126.6[a]).

The CEQA Guidelines state that “the range of alternatives required in an EIR is governed by a ‘rule of reason’ that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the Lead Agency determines could feasibly attain most of the basic objectives of the project” (Section 15126.6[f]).

In defining feasibility of alternatives, the CEQA Guidelines state that “[a]mong the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries... and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site...” (Section 15126.6(f)(1)). The alternatives must adequately represent the spectrum of environmental concerns in order to permit a reasonable choice of alternatives. The EIR must provide the rationale for selecting or defining the alternatives, including identifying any alternatives that were considered by the Lead Agency but rejected as infeasible during the scoping process.

Alternatives must be prepared at a sufficient level of detail to permit their consideration for adoption by the Montecito Fire Protection District (MFPD). When considered with the information contained in the body of this EIR, the analysis contained in these alternatives must adequately characterize the potential associated impacts. However, depending upon the degree of design changes associated with any given alternative, an additional administrative level of environmental review may be required to refine mitigation measures and assess detailed changes in the project description associated with the adoption of one of these alternatives.

The alternatives analysis for this EIR is presented in four major parts. The first section describes the objectives of the MFPD Station 3 Site Acquisition and Construction. The second section summarizes the potentially *significant unavoidable* short- and long-term impacts of the project from information presented in Section 3.0. The third section presents the project alternatives considered by MFPD and discusses potential impacts under the project alternatives. The final section concludes with the selection of an environmentally superior alternative, based on the project configuration with the fewest significant impacts while meeting the greatest number of project objectives.

### 6.2 PROJECT OBJECTIVES

The proposed project includes the following major objectives:

- (1) Improve overall emergency services and response times to fires and emergencies in Montecito, especially in the community's east end.
- (2) Construct a high-quality fire station with modern equipment and facilities, staffed 24 hours per day, 7 days per week by trained personnel, that is architecturally compatible with nearby residences.
- (3) Coordinate throughout the design and environmental review process with concerned neighbors and interested organizations to ensure that the station location and design meet community concerns and standards.
- (4) Site the station to minimize and avoid, as possible, adverse environmental impacts.
- (5) Provide an essential public services building for the community to provide for resources such as temporary refuge, food, and support of emergency equipment during disasters.
- (6) Provide facilities to support training activities for MFPD personnel.

### 6.3 SUMMARY OF POTENTIALLY SIGNIFICANT UNAVOIDABLE PROJECT IMPACTS

The proposed project would have no potentially significant and unavoidable impacts that would not be subject to feasible mitigation. As summarized below, the project would create three potentially significant impacts, which would be reduced to less than significant with required mitigation:

- BIO-2 The proposed project would result in potentially significant (but mitigable) adverse affects to coast live oaks as a result of project grading, detention basin development and other construction activities causing damage to existing oaks, the removal of three mature oaks, and routine trimming of oaks fronting East Valley Road (Class II).

- GEO-2 The proposed project would expose people or structures to potentially significant (but mitigable) adverse effects as a result of project development on soil that is unstable or that could become unstable as a result of the project, and potentially result in expansion, differential settlement, or collapse (Class II).
- WAT-3 The proposed project would result in potentially significant (but mitigable) long-term increases in runoff to site drainages and watersheds due to increase in impervious surfaces, including buildings, aprons, and driveways (Class II).

#### 6.4 ALTERNATIVES ANALYSIS

This section discusses alternatives to the proposed project, including alternatives that were considered and discarded. Each of these considers the ability of a particular alternative to substantially reduce or eliminate the project's significant environmental impacts while still meeting basic project objectives. The EIR also includes a No-Project Alternative and an analysis of possible alternative sites (named as they were in the Site Identification Study [MFPD 2008]). Alternative sites that were considered for the proposed Station 3 are presented in Table 6-1. These sites were again screened for consideration as potential locations for Station 3 as discussed further below.

##### 6.4.1 Alternatives Considered but Discarded

As discussed above, Section 15126.6(c) of the CEQA Guidelines requires that an EIR disclose alternatives that were considered and discarded and provide a brief explanation as to why such alternatives were not fully considered in the EIR. In particular, as required by the CEQA Guidelines, the selection of alternatives included a screening process to determine which alternatives could reduce significant effects and also feasibly meet project objectives. The following alternatives were considered but eliminated from further analysis by MFPD due to infeasibility or inconsistency with primary project objectives.

###### 6.4.1.1 Alternative Uses

Several alternative uses could potentially occur under the zoning of the project site (Residential, minimum parcel size 2 acres [2-E-1]). These could include residential development or a range of conditionally permitted uses allowed in this zone district (e.g., schools, churches). However, consideration of such alternative uses would not be

Table 6-1. Sites Considered for Further Screening and Analysis

Site	Site Name/ Ownership	Parcel Number	Parcel Size (acres)	Key Constraints	Suitability for Further Analysis
A	Palmer Jackson East/ Palmer G Jackson Trust	155-070-008	76.9	<ul style="list-style-type: none"> <li>Scattered mature oak trees</li> <li>Prime farmland</li> <li>Minor tributary drainage</li> <li>High speeds on adjacent arterial</li> </ul>	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>Adjacent to arterial</li> <li>Limited constraints</li> <li>Includes proposed project site.</li> </ul>
B	Roman Catholic Archdiocese of Bishop (Los Angeles/San Diego)	155-070-009	1.4	<ul style="list-style-type: none"> <li>Recorded historic Catholic cemetery</li> <li>Small size may not meet MFPD needs</li> <li>High speeds on adjacent arterial</li> <li>Existing mature oak trees</li> <li>Prime farmland</li> </ul>	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>Adjacent to arterial</li> </ul>
C	Palmer Jackson West/ Palmer G Jackson Trust	155-070-012	17.6	<ul style="list-style-type: none"> <li>Adjacent to Romero Creek 100-year floodplain, ESHA, and riparian woodland</li> <li>Limited line-of-sight due to Romero Creek bridge</li> <li>High speeds on adjacent arterial</li> <li>Prime farmland</li> </ul>	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>Adjacent to arterial</li> <li>Large parcel size</li> </ul>
D	Kimball- Griffith #1/ Kimball- Griffith LP	005-030-007	29.2	<ul style="list-style-type: none"> <li>Steep slopes and erosion potential</li> <li>Grading and site preparation costs</li> <li>Located on eastern edge of study area</li> <li>Existing oak woodland</li> <li>High speeds on adjacent arterial</li> </ul>	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>Adjacent to arterial</li> <li>Large parcel size</li> </ul>
E	Kimball- Griffith #2/ Kimball- Griffith LP	005-030-003	16.3	<ul style="list-style-type: none"> <li>Steep slopes and erosion potential</li> <li>Grading and site preparation costs</li> <li>Located on eastern edge of study area</li> <li>ESHA, oak woodland, and coastal sage scrub</li> <li>High speeds on adjacent arterial</li> </ul>	<p><b>No</b></p> <ul style="list-style-type: none"> <li>Lacks direct arterial access</li> <li>Steep slopes</li> <li>Mapped ESHA</li> <li>High site development costs</li> </ul>
F	Feather Hill	155-050-014	1.0	<ul style="list-style-type: none"> <li>Many vicinity driveways are “back out only”</li> <li>Poor line-of-sight</li> <li>Both roads are narrow</li> </ul>	<p><b>No</b></p> <ul style="list-style-type: none"> <li>Not adjacent to arterial</li> <li>Surrounded by residences</li> <li>Small parcel</li> </ul>



**Table 6-1. Sites Considered for Further Screening and Analysis (Continued)**

Site	Site Name/ Ownership	Parcel Number	Parcel Size (acres)	Key Constraints	Suitability for Further Analysis
G	Stonehouse/680 Stonehouse Lane, LLC	155-060-030	2.0	<ul style="list-style-type: none"> <li>Proximity to existing residences</li> <li>Traffic safety and vehicle access on small private lane</li> <li>Scattered oak trees</li> <li>Owner unwilling to sell</li> </ul>	<p><b>No</b></p> <ul style="list-style-type: none"> <li>Not adjacent to arterial</li> <li>Surrounded by residences</li> </ul>
H	Birnam Wood/ Birnam Wood Golf Club	007-480-032	2.2	<ul style="list-style-type: none"> <li>Potential flooding hazards</li> <li>Existing residence and maintenance facilities</li> <li>Riparian woodland</li> <li>Specimen oak trees</li> <li>Proximity to existing residences</li> <li>High site development costs</li> </ul>	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>Best response time of all sites</li> <li>Adjacent to arterial</li> </ul>
I	Upper Sheffield	007-480-016	0.62	<ul style="list-style-type: none"> <li>Poor line-of-sight</li> <li>Insufficient parcel size</li> <li>Mature oak trees</li> <li>Unnamed creek</li> <li>One existing residence</li> <li>Proximity to existing residences</li> </ul>	<p><b>No</b></p> <ul style="list-style-type: none"> <li>Very small parcel</li> <li>Expensive drainage improvements required</li> <li>Demolition of residence</li> </ul>
J	Klein/Theodore M Klein	007-250-012	14.5	<ul style="list-style-type: none"> <li>Proximity to ESHA</li> <li>Mature oak trees</li> <li>Limited frontage with Sheffield Drive</li> <li>Moderate slopes</li> <li>Southern edge of study area</li> </ul>	<p><b>No</b></p> <ul style="list-style-type: none"> <li>Undesirable response time</li> <li>Line-of-sight issues</li> <li>Turning radius issues</li> </ul>
K	Montecito Valley Ranch/Coffin Family Trust	005-060-028 005-060-027	5.3 12.5	<ul style="list-style-type: none"> <li>Steep slopes/limited developable area</li> <li>Potentially unstable soils</li> <li>Proximity to Picay Creek 100-year floodplain, ESHA, and oak and riparian woodland</li> <li>Need for bridge across Picay Creek</li> <li>Potentially high development costs</li> </ul>	<p><b>No</b></p> <ul style="list-style-type: none"> <li>High development costs</li> <li>Need to go through intersection to get to arterial</li> <li>Unsuitable site configuration</li> </ul>
L	Pines Trust	005-020-044	14.6	<ul style="list-style-type: none"> <li>Adjacent to Romero Creek 100-year floodplain, ESHA, and riparian woodland</li> <li>Limited line-of-sight</li> <li>Close proximity to existing residence</li> </ul>	<p><b>Yes</b></p> <ul style="list-style-type: none"> <li>Adjacent to arterial</li> <li>Line-of-sight can be improved</li> </ul>

**Table 6-1. Sites Considered for Further Screening and Analysis (Continued)**

Site	Site Name/ Ownership	Parcel Number	Parcel Size (acres)	Key Constraints	Suitability for Further Analysis
M	Sinser-de Dominic	005-020-051	1.78	<ul style="list-style-type: none"> <li>• Small parcel size</li> <li>• Owner unwilling to sell</li> <li>• Proximity to Picay Creek 100-year floodplain, ESHA, and oak and riparian woodland</li> <li>• Riparian woodland</li> <li>• Specimen oak trees</li> </ul>	<p style="text-align: center;"><b>No</b></p> <ul style="list-style-type: none"> <li>• Small parcel and unsuitable configuration</li> <li>• Expensive drainage improvements required</li> </ul>
N	Valley Club	005-020-050	84.55	<ul style="list-style-type: none"> <li>• Limited line-of-sight</li> <li>• Existing portions of golf course would be significantly altered</li> <li>• Proximity to Romero Creek 100-year floodplain, ESHA, and riparian woodland</li> <li>• Mature native oaks and Monterey Cypress trees would likely be removed or relocated</li> <li>• Owner unwilling to sell</li> </ul>	<p style="text-align: center;"><b>Yes</b></p> <ul style="list-style-type: none"> <li>• Adjacent to arterial</li> <li>• Two potential developable locations</li> </ul>

ESHA – Environmentally Sensitive Habitat Area  
Refer to Figure 6-1 for site locations.

consistent with MFPD’s primary objective of development of a fire station in eastern Montecito. In addition, a number of these alternative uses would have the potential to increase environmental impacts beyond those anticipated for the proposed project and would therefore be inconsistent with the primary purpose of the alternatives analysis under CEQA, which is to reduce adverse environmental effects. As a result, alternative uses have been dropped from consideration.

#### 6.4.1.2 Alternative Site Configuration

Under this alternative, proposed Station 3 would be constructed at a location on Rancho San Carlos farther set back from East Valley Road, on what is commonly referred to as a “flag lot.” The goal of this flag lot alternative would be to minimize visibility of the new station from East Valley Road and potentially remove sources of noise, light, and glare from existing residences south of the existing project site. This new configuration would incrementally increase response time due to increased driveway length, in conflict with a primary project objective. In addition, a flag lot would not decrease siren noise to



Figure 6-1. Potential Sites for Station 3 – Montecito Fire Protection District

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residences south of East Valley Road as emergency vehicle sirens would be engaged only at the intersection of the Station 3 driveway with East Valley Road. While a flag lot could incrementally decrease the effects of noise, light, and glare from Station 3 to residences to the south, such reconfiguration would not reduce any potentially significant impacts. Further, while a flag lot would reduce project visibility from East Valley Road, the 60-foot structural setback included in the proposed project design, combined with extensive landscaping and the project's residential character and single-story design, already minimizes visual resource concerns and impacts. Finally, reconfiguration of Station 3 into a flag lot would increase impacts to agricultural resources, until such time as Rancho San Carlos may be developed consistent with existing zoning. A flag lot would increase the loss of prime soils and disruption of ongoing farming associated with locating the fire station and extended driveway in the middle of existing orchards. A flag lot could also increase urban-rural conflicts associated with cultivation and pesticide use as the station would be surrounded on all sides by active agriculture. Therefore, an alternate site configuration using a flag lot was not considered further as an alternative to the proposed project.

#### 6.4.1.3 Alternative Building Scale or Site Design

Under this alternative, the proposed structures associated with Station 3 would be reconfigured or reduced in scale in order to improve visual compatibility with the community. This would involve decreasing the total amount of development of the proposed fire station and incrementally increasing the setbacks of structures from East Valley Road. Reductions in building scale and increased setbacks would incrementally reduce changes in the existing visual character of the area associated with construction of the proposed project. However, the proposed site plan already includes a landscape buffer and structural setback of approximately 60 feet along East Valley Road. This setback is larger than those of typical residences located along East Valley Road in the vicinity, which generally include average setbacks of approximately 45 feet (refer to Section 3.1, *Aesthetics*, Table 3.1-1). In addition, proposed project construction would consist of primarily single-story buildings with limited taller elements such as the apparatus bays and hose tower, while four of the six residences that front East Valley Road in the vicinity are of two-story or partial two-story construction. Because of these factors and due to very limited views of the project from surrounding public viewing locations, the EIR does not identify any significant aesthetic impacts associated with project construction. Further, the current design of Station 3 reflects a key MFPD objective to both enhance service in eastern Montecito and provide support facilities for enhanced fire

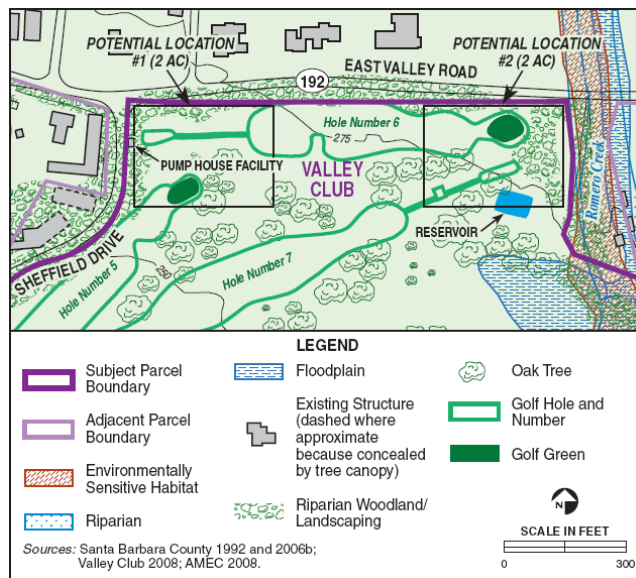
protection services, including training, for the community. Under this alternative, proposed project site area would remain at 2.55 acres, and impacts to agricultural resources would remain similar, as alternative site design would commit the same amount of prime soils and active agricultural land to urban use. Therefore, because reductions in building scale or site design would not avoid or substantially reduce project impacts and would interfere with project objectives, this was not considered further as an alternative to the proposed project.

6.4.1.4 Alternative Locations Determined to Be Unsuitable Upon Further Evaluation

Of the potential alternative fire station sites listed in Table 6-1, seven were carried forward for further screening to determine the ability of these sites to reduce or avoid project impacts while meeting all or most project objectives. Of those seven, three were determined to create similar or substantially more severe impacts than those associated with the proposed project, one of which would also not meet response time objectives as briefly discussed below.

Valley Club Site

Under this alternative, Station 3 would be constructed at one of two possible sites on the Valley Club Golf Course, each of two acres located along East Valley Road. Location One at the southeast corner of the intersection of East Valley Road and Sheffield Drive would provide ideal response times due to its location. Location Two at the east end of the Valley Club’s property immediately adjacent to Romero Creek would require an additional 15



seconds to respond to service calls on upper Bella Vista Drive, but would also provide excellent response times (MFPD 2008). Access for either location would be off East

Valley Road<sup>1</sup>. Construction of Station 3 at either of the two potential Valley Club locations would potentially create the following impacts:

*Transportation and Traffic.* Access to either location within this site would be from East Valley Road. The roadway in this area is lined with dense hedges and mature Monterey Cypress trees. Similarly to the proposed project, access to either site may require removal of mature specimen trees, trimming of other trees and clearing of dense hedges, with associated potential aesthetic impacts, in order to provide clear



*Line-of-sight to the west on East Valley Road from Location One may be an issue due to high vehicle speeds.*

lines of sight for emergency vehicles exiting the site. Available line-of-sight for emergency vehicle access would vary depending on the final station driveway location. It is estimated that line-of-sight from Location One would be more than 500 feet to the east and approximately 275 feet to the west along East Valley Road. Line-of-sight from Location Two is estimated to be approximately 375 feet to the east due to the Romero Creek Bridge and approximately 425 feet to the west. Line-of-sight from both locations would be adequate based on the posted speed limit of 35 miles per hour (mph) (Caltrans 2010). Although meeting minimum Caltrans standards, available line-of-sight from potential driveways at either location would be substantially less than that available at the proposed project site. Further, actual traffic speeds on East Valley Road can exceed 50 mph, indicating that line-of-sight to the west from Location One and to the east from Location Two may be inadequate, which could create potential traffic safety impacts for use of these sites that are substantially more severe than for the proposed project site.

*Agricultural Resources:* The sites have been developed with golf course uses for decades and no agricultural activities exist within their boundaries. Both sites are underlain by Cortina Stony Loamy Sand, identified as a non-prime agricultural soil with limitations on cultivation (USDA 1981). Development of either site would not displace existing agriculture, but would cover existing non-prime soils with buildings and paving. Although impacts of the proposed project to agriculture have been found to be less than

<sup>1</sup> Although Location One has frontage on both East Valley Road and Sheffield Drive, access from Sheffield Drive would be problematic due to the proximity to the intersection and poor line-of-sight to the south.

significant, impacts to agriculture would be less severe if Station 3 were developed at either of these locations because active agriculture and prime soils would not be impacted.

*Biological Resources.* The Valley Club is a heavily wooded site with trees lining all road frontages and golf course fairways. Approximately 22 coast live oak trees and 34 mature Monterey Cypress trees are scattered throughout Locations One and Two. Many of the oak trees are large specimens with trunk diameters ranging from 24 to 48 inches (MFPD 2008). Construction of two 16- to 26-foot-wide driveways, three buildings, and approximately 0.8 acre of paved parking and apron space could cause damage to or removal of a number of specimen Monterey cypress and oak trees and could create potentially significant impacts to biological and aesthetic resources. Depending upon the degree of tree removal required, this could conflict with Montecito Community Plan (MCP) and Santa Barbara County Comprehensive Plan biological resource protection policies. In addition, Location Two within this site would be immediately adjacent to the riparian corridor of Romero Creek, which could create the potential for impact to this ESHA.

*Cultural Resources.* The Valley Club has the potential to be considered a historic resource because it is almost 80 years old, is largely in its original configuration, and was designed by Dr. Alister MacKenzie, a renowned golf course architect. Although not currently listed as a landmark or place of historical significance by the County of Santa Barbara, the site's age, largely intact features, international recognition, and design by a noted figure in golfing history indicate a high potential for this site to be identified as an important historical resource. Under Section 15064.5(3) of the CEQA Guidelines, disruption or disturbance to such historic resources may be considered a potentially significant impact. Construction of Station 3 at either Location One or Location Two on this site would require realignment or reconfiguration of greens and tees associated with two holes, with unknown potential for further redesign in other parts of the golf course. Such reconstruction could impact the historic value of the golf course and could create potentially significant impacts to historic resources, which would be substantially more severe than those associated with construction at the proposed project site. Such impacts could make project approval difficult due to possible conflicts with the adopted cultural resource protection policies of the County's Comprehensive Plan.

*Public Facilities.* Both potential locations are traversed by the South Coast Conduit, a major water delivery pipeline for the South Coast of Santa Barbara County. Construction

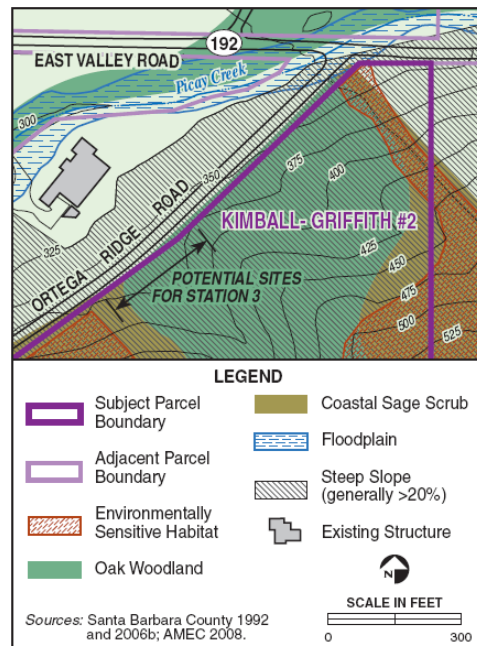


of Station 3 at either location has the potential to disrupt or damage this pipeline and may require special engineering efforts to either protect or relocate this pipeline, as well as negotiations with the pipeline operator to permit such actions. Thus, construction of Station 3 at either potential Valley Club location may create potentially significant effects to public facilities.

*Summary.* Construction of Station 3 at either potential Valley Club location would have the potential to create impacts that are substantially more severe than those associated with the proposed project in a number of areas. The current use of these sites appears to be integral to the continued operation and preservation of this potentially historic golf course. Construction of Station 3 would require major redesign of the golf course, would severely disrupt golf course operation and has the potential to affect its historic character. In addition, access off East Valley Road from either site would not provide optimal line-of-sight for emergency vehicle access and may create potentially significant safety impacts due to high speeds and somewhat limited line-of-sight at these locations. Construction of Station 3 at these locations would require removal of or cause damage to an unknown number of specimen Monterey cypress and coast live oak trees. Finally, Station 3 construction may require costly improvements or engineering solutions related to relocation or protection of the South Coast Conduit that traverses the site. For these reasons, this alternative was eliminated from further consideration.

### Kimball Griffith #2 Site

Under this potential alternative, Station 3 would be constructed on a two or more-acre portion of this 20-acre parcel. This potential site is located on relatively steep slopes on the east side of Ortega Ridge Road, approximately 0.70 miles east of Sheffield Drive and Romero Canyon Road. This site is currently undeveloped and is characterized by dense oak woodland containing mature coast live oak trees interspersed with coastal sage scrub and areas of chaparral. Slopes onsite generally exceed 20 percent, and two small tributary canyons drain this hillside northwest into Picay Creek. Under this alternative, construction of Station 3 would require extensive grading to



provide level pads for building locations, level apron areas, and driveways. Based on the existing Station 3 site plan, construction of Station 3 would require creation of approximately 1.5 acres of level building pads and paved areas on this steep site.

Fire engines would be required to stop at the intersection of Ortega Ridge Road and East Valley Road before continuing east or west in order to access a major arterial route, increasing response times. Still, this site's location would meet adopted standards to provide service to the majority of the area currently lacking adequate response time service, but its location away from the center of the study area is not ideal.

*Agricultural Resources:* The site is not developed with agricultural uses. It is underlain by Todos-Lodo Soils Complex, identified as a non-prime agricultural soil with limitations on cultivation (USDA 1981). Development of the site would not displace existing agricultural uses, but would cover at least 1.5 acres of non-prime soils with buildings and paving. Although impacts of the proposed project to agriculture have been found to be less than significant, impacts to agriculture would be less severe if Station 3 were developed at this location because active agriculture and prime soils would not be impacted.

*Transportation and Traffic.* Ortega Ridge Road is a narrow local roadway that connects eastern Montecito with Summerland and carries approximately 1,100 daily trips near this site (County of Santa Barbara 2010). The site would have an acceptable line-of-sight of more than 500 feet along Ortega Ridge Road in both directions; however, the relatively narrow width of Ortega Ridge Road (21 feet) may require added on-site improvements (e.g., a wider driveway than would otherwise be required for turnout) to facilitate engine access and turning movements. Fire engines would be required to stop at the intersection of Ortega Ridge Road and East Valley Road before proceeding east or west. This two-lane arterial has relatively low traffic volumes and minimal congestion (County of Santa Barbara 2010). Line-of-sight at this intersection is approximately 350 feet to the west due to a slight curve and approximately 500 feet to the east. Line-of-sight at this intersection would be adequate based on the posted speed limit of 35 mph (Caltrans 2010). However, traffic speeds on East Valley Road can exceed 50 mph, particularly as westbound traffic accelerates down a long slope from Toro Canyon to the east. Such high speeds could expose emergency vehicles making turns onto East Valley Road to potential traffic safety hazards. In addition, this more remote location at the edge of the MFPD's service area would incrementally increase response times to portions of the community.

*Geologic Hazards.* This site is characterized by steep slopes generally in excess of 20 percent and erosion-prone soils. Onsite soils consist of Todos-Lodo Complex (TdF2) with 30 to 50 percent slopes (County of Santa Barbara 2006). Todos-Lodo Complex has severe constraints for construction, including low strength, severe shrink-swell potential, and a variety of erosion hazards (USDA 1981). Construction of Station 3 at this site would require extensive grading to provide level pads for building locations, level apron areas, and driveways. Based on the existing Station 3 site plan, construction of Station 3 would require creation of approximately 1.5 acres of level building pads and paved areas on this steep site. Grading to create these level pads would create potentially significant impacts associated with erosion and potential for downstream sedimentation as well as potential for failure of fill slopes. These constraints are substantially more severe than those present at the project site and would require costly engineering measures to create safe and usable level areas and implementation of measures to mitigate these geological hazards. Construction on steep slopes and associated grading may also be potentially in conflict with the County's Comprehensive Plan Hillside and Watershed Protection Policies.

*Biological Resources.* Coast live oak woodland interspersed with chaparral and coastal sage scrub characterize the vegetation of this potential site. Mapped ESHA exists in the southern areas of this site surrounding the potential Station 3 location. However, Amec Foster Wheeler's review of the site indicates that oak trees and other intact native habitats are prevalent throughout the site, which may qualify the site for consideration for designation as ESHA. Construction of Station 3 on this site would require grading and clearing of 2 acres or more of vegetation as well a clearing or thinning of an addition 1 to 2 acres of vegetation to provide fire safety. Grading and clearing of 2 to 4 acres of oak, chaparral and coastal sage scrub habitats and removal of or damage to an unknown number of oak trees could create potentially significant impacts to biological resources. Hillside grading and related potential for erosion and sedimentation could also impact offsite biological resources such aquatic habitats within downstream portions of Picay Creek. Such impacts would be substantially more severe than those anticipated to occur with construction of Station 3 at the currently proposed project site. Because of these potential impacts, construction of Station 3 at this site may also raise potential conflicts with Santa Barbara County Comprehensive Plan and MCP habitat and oak protection policy issues.

*Aesthetics.* Under this alternative, construction of Station 3 would require grading and clearing of two to four acres or more of scenic native vegetation as well as substantial

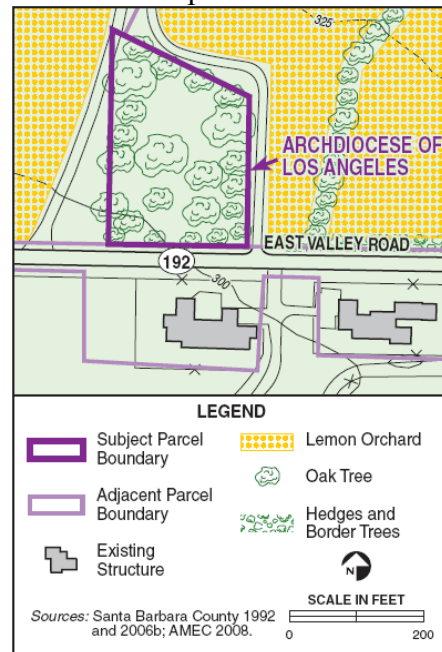
hillside grading. The site is currently visible from a number of public roads, including segments of Romero Canyon and East Valley Roads as well as Ortega Ridge Road. Hillside grading and clearing of oak, chaparral and coastal sage scrub habitats and removal of or damage to an unknown number of oak trees could create potentially significant impacts to community aesthetics through hillside scarring and substantial changes to the existing undisturbed character of this hillside.

*Summary.* Construction of Station 3 at this site would require substantial grading and vegetation clearing with associated impacts to erosion, native habitats, and aesthetics. The site’s location off a main arterial would increase response times and present potential turning movement hazards for emergency vehicle. Because of the greater impacts of developing this site and increases in response times when compared to the proposed project site, this site was dropped from further consideration.

Archdiocese Site

This site is located on the north (mountain) side of East Valley Road east of Sheffield Drive and Romero Canyon Road and west of Ortega Ridge Road. It can be accessed from an existing driveway on an adjacent parcel off East Valley Road; it is unknown if this driveway provides legal access to this site. The site is generally level, slopes gently to the south, and is bordered by lemon orchards. The site is currently vacant, but contains a recorded historic Catholic cemetery. Onsite soils are considered prime farmland and support many coast live oak and other trees.

This site’s 1.4-acre size is 0.1 acre less than the minimum of 1.5 acres identified by MFPD as necessary to accommodate Station 3, and substantially smaller than the 2.55-acre project site. This relatively small size would reduce flexibility of station placement on the property with regard to building location, driveway alignment, tree protection, equipment storage, buffers from agricultural operations, etc. In addition, under this alternative, construction of Station 3 could potentially require removal of or damage to many of the onsite specimen trees.



*Agricultural Resources:* The site is not developed with agricultural uses but is underlain by Ballard Fine Sandy Loam, identified as a prime agricultural soil which is the same soil type as the project site (USDA 1981). Development of the site would not displace existing agricultural uses, but would cover existing prime agricultural soils with buildings and paving. Although impacts of the proposed project to agriculture have been found to be less than significant, impacts to agriculture at this site would be similar (i.e., loss of prime soils) but incrementally less severe if Station 3 were developed at this location because active agriculture would not be impacted.

*Transportation and Traffic.* As with the proposed project site, this site's location on East Valley Road would facilitate emergency personnel response to greater Montecito. The site's close proximity to Sheffield Drive and Romero Canyon Road, approximately 0.33 miles to the east, would enable rapid service to areas north and south of East Valley Road. The site has excellent line-of-sight along East Valley Road of more than 500 feet to the east and approximately 480 feet to the west. Line-of-sight at this intersection would be adequate based on the posted speed limit of 35 mph (Caltrans 2010). However, traffic speeds on East Valley Road can exceed 50 mph. Such high speeds could expose emergency vehicles making turns onto East Valley Road to some degree of hazards; especially from eastbound traffic due to the Romero Creek bridge somewhat limiting sight distance to the west.

*Cultural Resources.* This site is a recorded historic Catholic cemetery with an unknown number of human burials dating from the late 19<sup>th</sup> and early 20<sup>th</sup> centuries. The site's status as an early Catholic cemetery from a historic period of the community indicates a high potential for the presence of burials associated with both early pioneer families and Native American Chumash residents. This cemetery would therefore be considered a culturally significant resource. The number and exact location of burials on site is unknown and would require extensive investigation. Adopted County policies strongly discourage development on significant cultural sites and require that project design avoid impacts to such sites. It is unclear if sufficient space is available to accommodate Station 3 and supporting facilities without re-interment or relocation of existing burials. Therefore, construction of Station 3 on the site of an abandoned historic cemetery could create potentially significant and potentially immitigable impacts to cultural resources which may also raise potential conflicts with the policies of the County's Comprehensive Plan.

*Biological Resources.* The site supports existing oak woodland with more than 20 oak and a number of other mature trees spread throughout, although understory vegetation is limited due to previous clearing. The site is not designated as ESHA. Development of the site with approximately 1.5 acres of new structures and paving would require removal or have the potential to cause damage to the majority of 1 mature coast live oak and other trees on this site. Potential oak removal could also raise potential conflicts with biological resource protection policies in the MCP and the Santa Barbara County Comprehensive Plan.



*The Archdiocese site facing south towards East Valley Road.*

*Summary.* Construction of Station 3 at the Archdiocese site could impact a historic cemetery and create potentially significant and possibly unavoidable impacts to cultural resources. Such impacts could make project approval difficult due to possible conflicts with the adopted cultural resource protection policies of the County’s Comprehensive Plan. In addition, due to the small size and wooded nature of this site, this alternative could also substantially increase tree removal from that anticipated to occur under the proposed project. Because development of the proposed project on this site could create potentially significant and possibly unavoidable impacts to cultural resources and would have substantially more severe impacts associated with tree removal than on the proposed project site, this site was dropped from further consideration.

#### **6.4.2 Project Alternatives**

Section 15126.6(a) of the CEQA Guidelines states that “an EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” The “basic objectives of the project” are presented in Section 1.2 of this EIR. Section 15126.6(e)(2) of the Guidelines states, “If the environmentally superior alternative is the ‘no project’ alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.”

An EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives

that are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. Section 15126.6(a) of the CEQA Guidelines also states that “[t]here is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.” (Section 15126.6(a) [citing *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553 and *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376].)

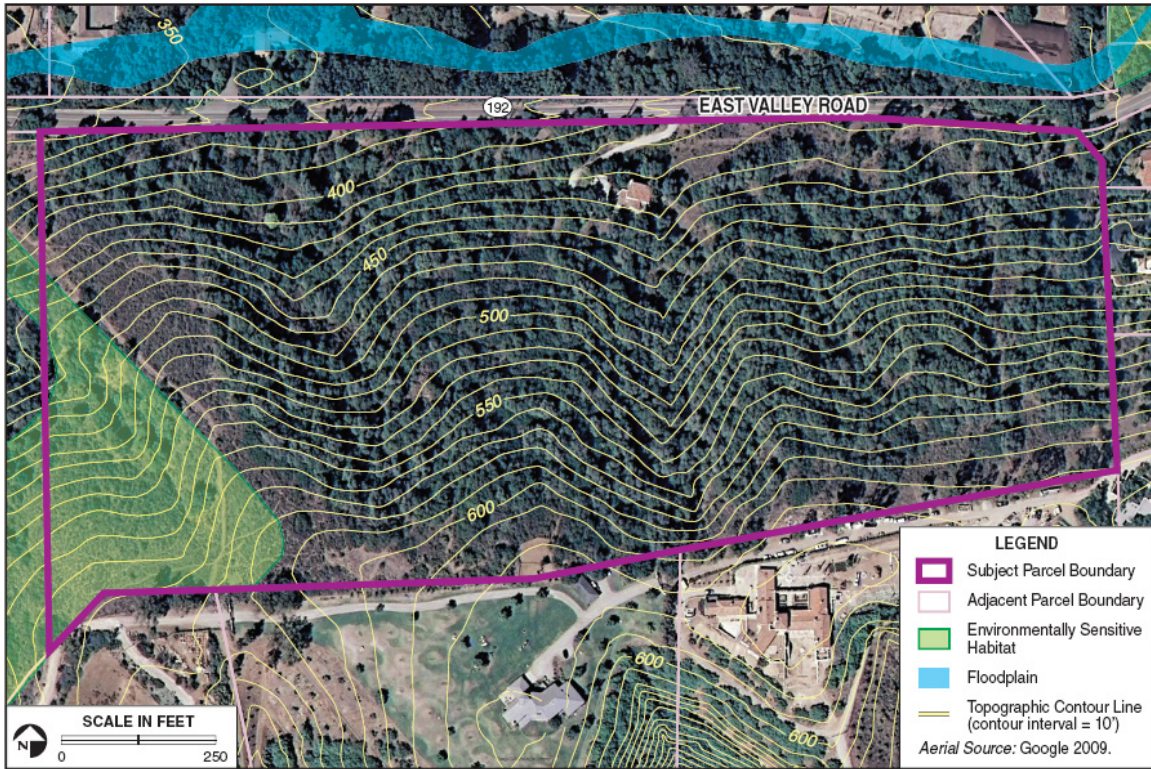
As required by CEQA, this EIR considers a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. Some of these alternatives were identified during scoping or by the Applicant, while others have been developed during EIR preparation. The alternatives selected for analysis include:

- Alternative 1 - Location at Kimball-Griffith #1 Site;
- Alternative 2 - Location at Birnam Wood Site;
- Alternative 3 - Location at Palmer Jackson West Site;
- Alternative 4 - Location at Pines Trust Site; and
- No-Project Alternative.

Each alternative consists of a brief description of the alternative itself followed by an analysis of potential impacts and a comparison to those impacts associated with the proposed project. This will permit report reviewers to determine the general significance of impacts (if any) associated with the alternative and their relative severity when compared to those associated with the proposed project. Any substantial new mitigation measures not included in the analysis of project impacts in Section 3.0 are also briefly described.

#### 6.4.2.1 Alternative 1 – Location at Kimball-Griffith #1 Site

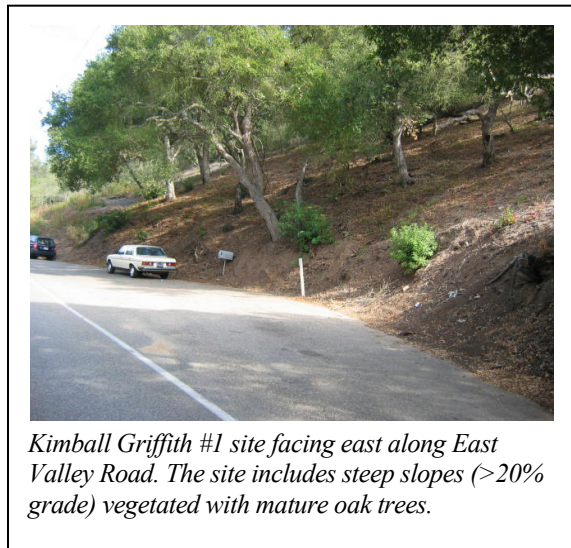
Under this alternative, Station 3 would be constructed on a two or more-acre portion of this 20-acre parcel located on the south side of East Valley Road, east of Ortega Ridge Road (Figure 6-2). This site slopes relatively steeply upwards from East Valley Road with overall slopes averaging 15 to 25 percent. This parcel is currently undeveloped and is characterized by oak woodland vegetation intermixed with areas of chaparral containing mature coast live oak trees and coastal sage scrub. Under this alternative,



**Figure 6-2. Kimball-Griffith #1 Site**

construction of Station 3 would require substantial grading and clearing of native vegetation to provide level pads for building locations, level apron areas, and driveways. Based on the existing Station 3 site plan, construction of Station 3 at this site would require creation of approximately 1.5 acres of level building pads and paved areas on this steep site. Level building and paved areas would be surrounded by cut and fill slopes from which vegetation would also be removed.

*Transportation and Traffic.* This site’s location on East Valley Road, the major east-west arterial serving the study area, would facilitate emergency personnel response to greater Montecito. However, this possible alternative site is the eastern-most site reviewed by MFPD to potentially accommodate Station 3 and its location approximately 0.70 miles east of Sheffield Drive and Romero Canyon Road would increase response times to areas north and





south of East Valley Road. Still, this site's location would meet adopted standards to provide service to the majority of the area currently lacking 5-minute response time service. Line-of-sight for potential driveways at this location is greater than 500 feet in each direction. Line-of-sight at this location would be adequate based on the posted speed limit of 35 mph (Caltrans 2010). However, traffic speeds on East Valley Road can exceed 50 mph, particularly on the long westbound downhill slope fronting this project site. While such high speeds could expose emergency vehicles making turns onto East Valley Road to potential traffic safety hazards, line-of-sight would meet Caltrans standards even for the higher speeds which may exist at this location.

*Geologic Hazards.* This site is characterized by steep slopes generally in excess of 20 percent and erosion-prone soils. Onsite soils consist of Ballard Variant (BbC) with 2 to 9 percent slopes immediately fronting East Valley Road, and Todos-Lodo Complex (TdF2) with 30 to 50 percent slopes over most of the site (County of Santa Barbara 2006). Todos-Lodo Complex has severe constraints for construction, including low strength, severe shrink-swell potential, and a variety of erosion hazards (USDA 1981). Construction of Station 3 at this site would require extensive grading to provide level pads for building locations, level apron areas, and driveways. Based on the existing Station 3 site plan, construction of Station 3 would require creation of approximately 1.5 acres of level building pads and paved areas on this steep site. Grading to create these level pads would create potentially significant impacts associated with erosion and potential for downstream sedimentation as well as potential for failure of fill slopes. It is unknown if this grading would be balanced onsite, or require export of fill. However, given the large amount of grading, export of fill is probable.

These constraints are substantially more severe than those present at the project site and would require costly engineering measures to create safe and usable level areas and implementation of measures to mitigate these geological hazards. Extensive grading on areas in excess of 20 percent slopes and the clearing of large areas of native vegetation would raise substantial conflicts with County Hillside and Watershed Protection, Visual Resource, Environmental Resource Management Element, and MCP biological resource protection policies. Development of Station 3 at this site would have substantially greater impacts to geologic processes than development at the proposed project site and would require mitigation to reduce impacts to less than significant.

*Agricultural Resources:* The site is not developed with agricultural uses. It is underlain by Todos-Lodo Soils Complex, identified as a non-prime agricultural soil with limitations

on cultivation (USDA 1981). Development of the site would not displace existing agricultural uses, but would cover at least 1.5 acres of existing non-prime soils with buildings and paving. Although impacts of the proposed project to agriculture have been found to be less than significant, impacts to agriculture would be less severe if Station 3 were developed at this location because active agriculture and prime soils would not be impacted.

*Air Quality.* Compared with development on the proposed project site, the amount of grading required to prepare this site for construction would result in substantial generation of fugitive dust, as compared to the proposed project. In addition, development and grading on steep slopes would require use of additional heavy machinery and its operation over a longer period of time. Such grading would also increase the probability of required export of fill via heavy haul trucks. All of these construction activities would increase construction emissions over those associated with the proposed project, incrementally increasing impacts. This may present a significant impact that would require mitigation.

*Biological Resources.* Coast live oak woodland interspersed with chaparral and coastal sage scrub characterize the vegetation of this potential site. Mapped ESHA exists in the southwest portion of this site. In addition, Amec Foster Wheeler's review of the site indicates that oak trees and other intact native habitats are prevalent throughout the site which may qualify the site for consideration for designation as ESHA. Construction of Station 3 on this site would require grading and clearing of 2 acres or more of vegetation as well as clearing or thinning of an additional one to two acres vegetation to provide for fire safety. Grading and clearing of two to four acres of oak, chaparral, and coastal sage scrub habitats and removal of or damage to an unknown number of oak trees could create potentially significant impacts to biological resources. Hillside grading and related potential for erosion and sedimentation could also impact offsite biological resources such as aquatic habitats within downstream portions of Picay Creek. Such impacts would be substantially more severe than those anticipated to occur with construction of Station 3 at the currently proposed project site. Because of these potential impacts, construction of Station 3 at this site may also raise potential conflicts with Santa Barbara County Comprehensive Plan and MCP habitat and oak protection policy issues.

*Noise.* No residences are located in the immediate vicinity of the Kimball Griffith #1 site. This would limit the exposure of residents to nuisance noise from fire trucks leaving the proposed Station 3. However, residences located along East Valley Road and other area

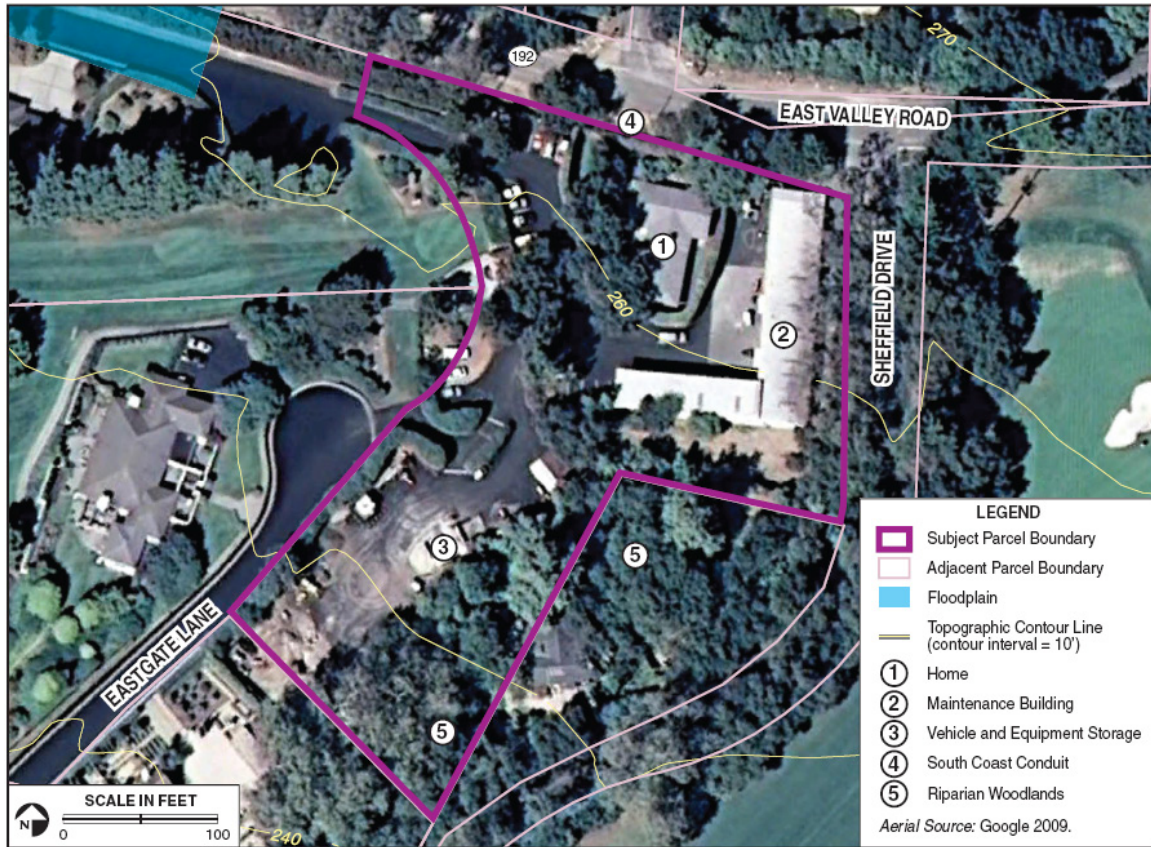
roads would still be exposed to nuisance noise from fire trucks traveling to calls. Impacts from noise resulting from development and operation of Station 3 at this site would be somewhat less than at the proposed project site and would be less than significant.

*Aesthetics.* Under this alternative, construction of Station 3 would require grading and clearing of two to four acres or more of scenic native vegetation as well as substantial hillside grading. The site is currently visible from limited portions of public roads, including segments of Romero Canyon and East Valley Roads. Although site visibility appears to be somewhat limited, extensive hillside grading and clearing of oak, chaparral, and coastal sage scrub habitats, and removal of or damage to an unknown number of oak trees could create potentially significant impacts to community aesthetics through hillside scarring and substantial changes to the existing undisturbed character of this hillside. As a result, aesthetic impacts would appear to be substantially more severe for this alternative site when compared to those associated with development of the proposed project site.

*Summary.* Construction of Station 3 at this site would require substantial grading and clearing of mature native vegetation including oak trees with associated impacts including erosion and downstream sedimentation and impacts to onsite native habitats, and aesthetics. Although this site would provide direct access to an arterial, its location at the eastern end of the community would result in longer response times as compared to the proposed project. Overall, the impacts of developing Station 3 at this site to geological hazards and biological and aesthetic resources would be substantially more severe than those associated with the proposed project site; however, impacts to agriculture would be less severe. In addition, response times would incrementally increase when compared to the proposed project site.

#### 6.4.2.2 Alternative 2 – Location at Birnam Wood Site

This 2.22-acre site is located within the Birnam Wood Golf Club at the corner of Sheffield Drive and East Valley Road and is developed with over 10,000 square feet (sf) of golf course maintenance buildings and supporting facilities, including the grounds supervisor's single-family residence (Figure 6-3).



**Figure 6-3. Birnam Wood Site**

The site slopes gently to the south to an intermittent drainage in the site’s southeast corner. Many large trees, including native oaks and sycamores are located on site. A floodwall along East Valley Road acts as a barrier to sheet flow and sediment transport during extreme rain events.



*The Birnam Wood site supports a large number of specimen oak trees which could be damaged or need to be removed to accommodate development of Station 3.*

Under this alternative, the existing single-family residence and 10,000 sf of maintenance building and outdoor storage facilities would be demolished and/ or relocated to a new, as yet unidentified location within Birnam Wood. Key constraint and design issues that may affect development of this site include the presence of over a dozen specimen coast live oak trees scattered throughout currently developed area, the location of a spring fed riparian woodland and a remnant creek channel within and adjacent

to the southeast portions of the site and the presence of the South Coast Conduit, a major regional water delivery line, which runs along the northern site boundary. Additional secondary consideration may include potential costs and indirect impacts of relocating the existing maintenance facilities to another location within Birnam Wood.

*Transportation and Traffic.* This site at the corner of Sheffield Drive and East Valley Road is an ideal location for Station 3 and would optimize emergency personnel response to greater Montecito. If access were directly onto East Valley Road (opposite Romero Canyon Road), movement would be facilitated in either direction along this main arterial. However, direct access to East Valley Road would require breaching the existing solid concrete block wall that protects the site from flood hazards and crossing the South Coast Conduit -- a 30-inch diameter high pressure regional water supply pipeline that runs along the site's northern boundary. Driveway design would require investigation of engineering solutions to maintain site protection provided by the existing floodwall as a 30-foot-wide driveway gap in this wall could expose Station 3 to flood damage. This access would also need to be designed to protect the South Coast Conduit. If access on East Valley Road were aligned with Romero Canyon Road, line-of-sight would be more than 500 feet in each direction along East Valley Road. Line-of-sight at this location would be adequate based on the posted speed limit of 35 mph (Caltrans 2010). Actual vehicular speeds along this segment are generally lower than segments farther to the east. With appropriate design modifications to provide access via East Valley Road, development of Station 3 at this site would have less than significant impacts to transportation and traffic.



*A densely vegetated creek channel is located within the southeast portion of the Birnam Wood site and would be disturbed by development of Station 3.*

*Flooding.* Birnam Wood Golf Club has submitted testimony that this site is subject to flooding, including sediment flows accumulating on the northeast side of the floodwall. A review of County maps and flooding information showed that this site is approximately 100 feet from the Buena Vista Creek floodplain. However, the source of flooding on the site could be breakout from Buena Vista Creek, sheet flow down Romero Canyon Road, or overflow from local drainages. The existing floodwall along East Valley Road appears to protect the site from these existing flood hazards. Development of the site, particularly if the floodwall had to be breached to accommodate an access driveway, would require

further investigation to determine the extent of and potential mitigation for flood-related hazards. Impacts to hydrology and flooding from development of this site would be somewhat greater than for the proposed project, and would be considered potentially significant until final flood protection design issues are resolved.



*Agricultural Resources:* The site has been developed with golf course support and maintenance uses as well as being a single family home for decades, and no agricultural activities exist within its boundaries. The site is underlain by Cortina Stony Loamy Sand, identified as a non-prime agricultural soil with limitations on cultivation (USDA 1981). Development of this already-developed site would not displace existing agriculture, but would cover existing non-prime soils with buildings and paving. Although impacts of the proposed project to agriculture have been found to be less than significant, impacts to agriculture would be less severe if Station 3 were developed at this location because active agriculture and prime soils would not be impacted.

*Biological Resources.* This site is almost fully developed; however, more than 12 specimen coast live oaks are present throughout developed portions of the site. Some of these coast live oaks are as large as 36 to 48 inches in trunk diameter and are scattered throughout the property. In addition, the intermittent creek shared with the adjacent property southeast of the site supports a large grove of mature multi-trunk California sycamore trees, many 40 to 60 feet in height. Demolition of existing structures, removal of paving and other facilities along with development of approximately 12,500 sf of new structures and surrounding paving and driveways for Station 3 could potentially lead to damage to or removal of a number of mature coast live oaks and other specimen trees. In addition, Station 3 would be developed immediately adjacent to the riparian woodland located within and adjacent to the southeastern portions of this site, potentially impacting that habitat area. Removal of or damage to specimen oak trees and the riparian woodlands could create potentially significant impacts to these resources along with conflicts with MCP biological resource protection policies. Depending upon final station design, impacts to biological resources appear to be substantially more severe than those for proposed project site due to potential impacts to scattered mature oaks across the site and to riparian woodlands. Required mitigation measures, including restoration, tree

protection, and/or replacement may potentially reduce such impacts to less than significant; however, measures such as setbacks from riparian areas may limit the development potential of this site, making its development as a full service fire station more difficult. These matters would require detailed investigation to fully identify potential impacts and determine if full mitigation is feasible.

*Fire Protection:* Based on past studies, the site is well located to provide fire protection services to eastern Montecito and its location would provide incrementally faster response times than the proposed project site. Therefore, development of a fire station at this location would incrementally improve potential fire service to the community. However, due to the presence of mature trees within and surrounding the this site, fire hazards associated with development of this site may be incrementally greater than those for the project site, which is bordered on two sides by mature irrigated lemon orchards.

*Geologic Processes:* Regional geologic maps depict the southwest-trending Fernald Point Fault that splays off the Arroyo Parida as running east of this site, and the Mission Ridge/Arroyo Parida/More Ranch Fault (MRIAP Fault) as being located north of this site (Figure 3.7-1; see also Appendix G). Given that existing regional geologic maps depict the Fernald Point Fault as located east of this site and the Arroyo Parida Fault as located north of this site, geologic impacts would be considered potentially significant because precise fault locations are unknown. Regional faulting is complex in the vicinity of this site, with several fault traces possible; therefore, geologic testing similar to that performed for the proposed project site, including potentially both boring and trenching, is highly likely to be required for this essential public services building to further refine this analysis (Campbell 2012). If such trenching revealed fault races crossing the property, the ability to develop Station 3 on this site could be severely curtailed.

Development of this site may also require grading and potential importation of fill in order to raise this site up to avoid flood hazards and to fill in lower lying areas of the southern part of the site. However, precise amounts of required fill have not been determined. Given potential exposure to seismic hazards and the need for grading on this site, impacts of geologic processes would be similar to the proposed project site but have the potential to be more severe because of the potential for a fault trace to cross the site.

*Noise.* Three existing residences are located within 100 feet of this site's boundary, which is one more than are located within 100 feet of the proposed project site. However, approximately 12 residences are located within 450 feet of this site, substantially more than exist near the proposed project site. Under this alternative, these residences would be

exposed to an increased level of short-duration nuisance noise from emergency vehicles exiting the site onto East Valley Road. These impacts would be considered adverse and of concern to the neighborhood. However, the short duration and limited occurrences of such increased nuisance noise, although incrementally greater than for the proposed project site, would be less than significant.

*Public Facilities.* The northern boundary of this site is traversed by the South Coast Conduit, a major water delivery pipeline for the South Coast of Santa Barbara County. Construction of Station 3 at this location has the potential to disrupt or damage this pipeline and may require special engineering efforts to protect this pipeline as well as negotiations with the pipeline operator to permit such actions. Thus, construction of Station 3 at this site may create potentially significant effects on public facilities that may require engineering solutions.

*Summary.* Site acquisition would be costly due to required demolition and relocation of more than 10,000 sf of Birnam Wood Golf Club's existing maintenance facilities. In addition, this relocation could create potential secondary impacts at the selected new site for these facilities and it remains unclear if a new site for such facilities is readily available. Access to East Valley Road would require potentially expensive engineering to protect the South Coast Conduit, and address



*The potential site is currently used for Birnam Wood Golf Club maintenance facilities.*

potential flooding issues as reported by the site owner. Project construction would create potentially significant impacts to biological resources through removal of specimen oak trees and damage to onsite and adjacent riparian areas. County policies may require that all structures be setback a minimum of 50 feet from the onsite riparian area, substantially limiting the development potential of the southern half of the site. Combined with the presence of multiple large specimen oak trees, the site's irregular and narrow parcel configuration and the potential for occurrence of fault traces across the site, the impacts associated with developing Station 3 at this location appear substantially more severe than those for the proposed project site. When combined with the past opposition of the property owners to development of this site, these impacts could increase the difficulty of developing Station 3 at this location.



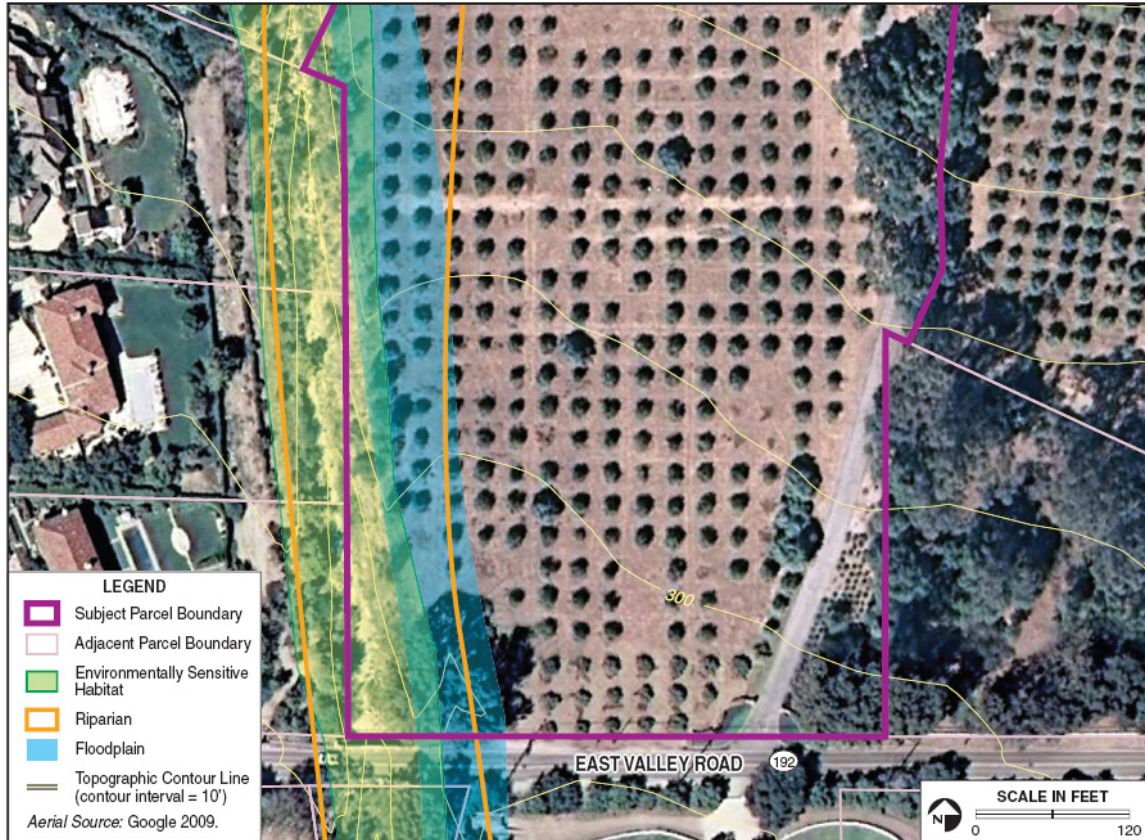
### 6.4.2.3 Alternative 3 – Location at Palmer Jackson West Site

This 17.58-acre site is located on the north (mountain) side of East Valley Road east of Sheffield Drive and west of Ortega Ridge Road (Figure 6-4). The site borders to the east a shared driveway that leads to residences. The site for Station 3 would potentially be located at the southern-most portion of this property, along the parcel's frontage with East Valley Road. The site where Station 3 might be constructed is mostly level and slopes gently to the south, surrounded by agricultural or undeveloped land. The parcel has extensive frontage along East Valley Road (approximately 400 feet) and is part of Rancho San Carlos. Romero Creek runs north-south immediately adjacent to the western edge of the property.



*The Palmer Jackson West site is currently cultivated with lemon orchards, similar to the proposed project site.*

*Transportation and Traffic.* This site would be superior to the proposed project site in terms of response time because it would be closer to the center of the response area and would still be located along East Valley Road. Line-of-sight to the west along East Valley Road is moderately obstructed by the Romero Creek Bridge, located approximately 213 feet from the site. Traffic speeds on East Valley Road frequently exceed 50 mph, which may require installation of a warning signal or other methods to permit safe emergency vehicle access. According to the Highway Design Manual, line-of-sight to the east would be inadequate based on the posted speed limit of 35 mph (Caltrans 2010); however, this matter would require further investigation as it is possible that due to their elevation above the road, fire trucks would have adequate line-of-sight.



**Figure 6-4. Palmer Jackson West Site**

*Flooding.* Romero Creek drains to the south along the western property boundary. However, the site would allow for Station 3 to be ideally located outside the creek’s 100-year floodplain and setback at least 50 feet from the top of the stream bank. Therefore, impacts to flooding from developing Station 3 at this site would be less than significant.

*Agricultural Resources:* The site currently has agricultural uses (lemon orchards) similar to the proposed project site and is underlain by Ballard Fine Sandy Loam, identified as a prime agricultural soil, which is the same soil type as the project site (USDA 1981). Development of the site would displace existing agricultural uses and would cover existing prime agricultural soils with buildings and paving. Impacts to agriculture at this site would be similar to impacts at the proposed project site and would be considered less than significant because no more than 2.55 acres of active orchard and prime soils would be impacted (see Section 3.2.3.4 for a detailed discussion of why the impact of the loss of no more than 2.55 acres of active agricultural land with prime soils would be less than significant).

*Biological Resources.* Similar to the proposed project site, Palmer Jackson West has historically been used for lemon orchards. The only remaining specimen coast live oaks in the vicinity of the potential station location along East Valley Road exist on the corners of the property to the southwest and southeast. It is not expected that these would be removed for project construction, but there is a potential that line-of-sight issues (see *Transportation and Traffic* above) would necessitate removal of one or more of the trees to the southwest, similar to the proposed project. Required mitigation measures, including restoration and tree protection and/ or replacement would reduce impacts to less than significant.

*Geologic Processes:* Regional geologic maps depict the southwest-trending Fernald Point Fault that splays off the Arroyo Parida as passing near this site, and the Mission Ridge/Arroyo Parida/More Ranch Fault (MRIAP Fault) as being located just north of this site (Figure 3.7-1; see also Appendix G). However, extensive geologic testing failed to locate either fault on the proposed Station 3 site, leaving the precise location of these faults unknown. Given that existing regional geologic maps depict both these faults in close proximity to this site, geologic impacts would be considered potentially significant. Such impacts are similar to those for the proposed project site, with the additional potential for fault traces to cross this site. Extensive geologic testing would be required to further refine this analysis.

*Noise.* Four existing residences are located within 100 feet of the site where Station 3 could be constructed, which is two more than are located within 100 feet of the proposed project site. However, approximately 10 residences are located within 450 feet of this site, substantially more than exist proximate to the proposed project site. Under this alternative, these residences would be exposed to an increased level of short-duration nuisance noise from emergency vehicles exiting the site onto East Valley Road as well as short-term noise from construction. However, the short duration and limited occurrences of such increased nuisance noise and construction noise, although incrementally greater than for the proposed project site, would be less than significant.

*Aesthetics.* Unlike the proposed project site, the frontage of the Palmer Jackson West site is mostly devoid of trees to screen the proposed Station 3 structures. Therefore, development at this site would have greater impacts to aesthetics than the proposed project. However, the frontage would still be limited to approximately 200 feet, resulting in a maximum visual exposure to passing vehicles of approximately 4 seconds. Project

design features such as setbacks, walls, and landscaping could reduce any visual impacts, and impacts would remain less than significant.

*Summary.* Impacts associated with development of Station 3 on this site are very similar to those identified for the proposed project site. Greater proximity to residences would result in greater impacts from nuisance noise; however, impacts would be still be less than significant and concentrated along the East Valley Road arterial. Inferior line-of-sight to the west compared to the proposed project could result in greater impacts to transportation; however, this may not be a major issue due to the height of the fire trucks and their resultant vantage point. The lack of screening from trees along the project frontage would increase impacts to aesthetics, but these impacts could be reduced to less than significant. This alternative would also result in development on prime soils and the conversion of agricultural lands; however, similar to the project, impacts would be less than significant due to the small acreage of the alternative site. In summary, some impacts would be incrementally greater than for the proposed project.

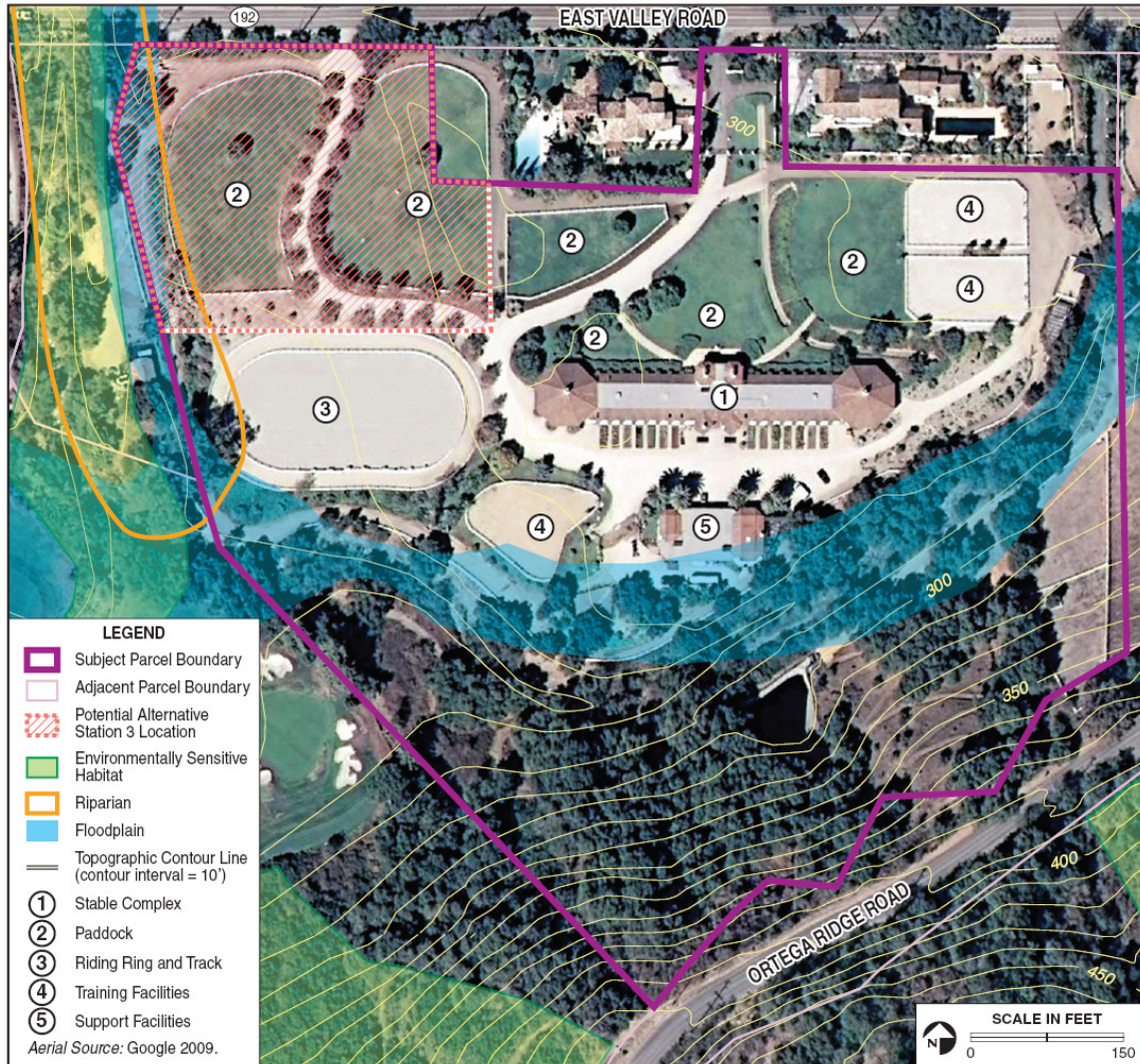
#### 6.4.2.4 Alternative 4 – Location at Pines Trust Site

This site is located on East Valley Road east of Romero Canyon Road and Sheffield Drive and west of Ortega Ridge Road. Romero Creek runs along the western edge and Picay Creek runs along the southern boundary of the property. The potential location of Station 3 would be along the western portion of the parcel. The site currently contains one single-family residence and with a large outbuilding and is bound by East Valley Road to the north, Ortega Ridge Road and undeveloped areas to the south, the Valley Club Golf Course to the east, and an existing residence to the west (Figure 6-5).<sup>2</sup> Even with creek setbacks, there would be ample room for the facilities that would be associated with Station 3.

This site's location on East Valley Road would facilitate emergency personnel response to greater Montecito. The site's close proximity to Romero Canyon Road and Sheffield Drive, approximately 0.28 miles to the east, would also enable rapid service to areas north and south of East Valley Road.

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<sup>2</sup> The historic stable located in the large outbuilding on this property is apparently undergoing remodel to accommodate storage of privately owned automobiles.



**Figure 6-5. Pines Trust Site**

*Traffic and Transportation.* This site has an excellent line-of-sight of more than 500 feet to the east. However, line-of-sight to the west is slightly impeded by the Romero Creek Bridge and is approximately 264 feet. Observations indicate traffic speeds along this main arterial frequently exceed 50 mph, which may require installation of a warning signal or other methods to permit safe emergency vehicle access. Line-of-sight to the east would be inadequate based on the posted speed limit of 35 mph (Caltrans 2010); however, further investigation may result in a determination that due to their elevation above the road, fire trucks would have adequate line-of-sight. Impacts to transportation would be somewhat greater than for the proposed project site and may require mitigation to improve safety related to line-of-sight.

*Flooding.* Romero Creek runs along the western boundary and Picay Creek runs along the southern portion of the site. However, the western portion of the site along East Valley Road that could be utilized by Station 3 is located outside the floodplains. Impacts to hydrology and flooding would be similar to the proposed project, and would still be less than significant.

*Biological Resources.* The site's western boundary with Romero Creek contains designated ESHA (County of Santa Barbara 2006). There is also oak woodland in the southern portion of the site. However, the area under consideration for Station 3 consists of irrigated pasture of low biological value. Station 3 and any improvements would need to be located a minimum of 50 feet from the top of the bank of Romero Creek. Impacts to biological resources would be similar to the proposed project, and would be less than significant with mitigation.

*Geologic Processes:* Regional geologic maps depict the southwest-trending Fernald Point Fault that splays off the Arroyo Parida as running through this site and the Mission Ridge/Arroyo Parida/More Ranch Fault (MRIAP Fault) as being located north of this site (Figure 3.7-1). However, extensive geologic testing failed to locate either fault on the proposed Station 3 site, leaving the precise location of these faults unknown. Given that existing regional geologic maps depict the Fernald Point Fault as crossing the Pines Trust site and the Arroyo Parida Fault as located north of this site, geologic impacts would be considered potentially significant. Because the mapped fault trace actually crosses this site (although its precise location is unknown), impacts would be considered potentially more severe than those for the proposed project site. Extensive geologic testing similar to that performed for the proposed project, including potentially both boring and trenching, would be required to further refine this analysis.

*Agricultural Resources:* The site is underlain by Ballard Fine Sandy Loam, identified as a prime agricultural soil, which is the same soil type as the project site (USDA 1981). These soils are currently utilized for irrigated pasture. Development of the site would displace existing irrigated pasture and would cover existing prime agricultural soils with buildings and paving. Impacts to agriculture at this site would be similar to the proposed project and would be considered less than significant as up to 2.55 acres of active pasture and prime soils would be impacted (see Section 3.2.3.4 for a detailed discussion of why the impact of the loss of no more than 2.55 acres of active agricultural land with prime soils would be less than significant).

*Noise.* There are two single-family residences immediately east of the potential location for Station 3 and one residence onsite. Other neighboring residences are within 300 feet across East Valley Road to the northwest on Stonehouse Lane. Because of these adjacent residences which, would be much closer to the proposed construction and operation of Station 3 on this site would have greater nuisance noise impacts than the proposed project, but would remain less than significant.

*Summary.* Impacts of development of this site would be similar to or more severe than development at the proposed project site. Similar amounts of prime soils would be impacted and active agricultural use (e.g., pastures) would be displaced. Impacts associated with seismic hazards appear substantially more severe because an active fault trace is mapped crossing this property. In addition, the close proximity to the existing residences on the property and to the south would make noise impacts incrementally more severe, while still less than significant. Line-of-sight to the east may be compromised by the Romero Creek Bridge. Therefore, impacts appear to be incrementally more severe than for the proposed project site.

#### 6.4.2.5 No-Project Alternative

Section 15126.6(e)(3)(B) of the CEQA Guidelines provides that where the project is other than a land use or regulatory plan, but is a development project on identifiable property, the No-Project Alternative is defined as “...the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved.”

Continuation of the existing site conditions would generate no impacts to aesthetics and visual resources, agricultural resources, air quality, biological resources, cultural resources, geologic processes, hazardous materials, land use, noise, recreation, transportation and traffic, or water and flooding. In particular, under the No-Project Alternative, the existing lemon orchard may continue in production as long as the property owner wishes to pursue agriculture on this residentially-designated parcel. Thus, the adverse, but not significant impacts associated with loss of 2.55 acres of prime soils would be avoided. Ongoing use of the property for agriculture would continue current relatively high levels of water demand which would likely exceed those associated with Station 3. The site’s undeveloped rural agricultural character would remain intact and existing oak trees may also remain undisturbed. Continuation of existing agricultural uses would also likely entail ongoing application of herbicides and pesticides consistent with

historic practice and existing regulations. Continuation of agriculture would also be consistent with County Agricultural Element policies which promote protection of agriculture, although it would not address response time deficiencies noted in the MCP.

While the No-Project Alternative would avoid many of the adverse, but not significant impacts of the proposed project (e.g., loss of agricultural land) and perpetuate the site's rural agricultural character for an unknown period of time, continuation of cultivated agriculture would have different types of environmental impacts. For example, higher water demand and greater use of pesticides and herbicides and application through potential helicopter spraying may create more severe impacts than the proposed project. Further, as agricultural production is elective, especially on a residentially-designated parcel, such uses may change to other crop types or be abandoned for economic or other reasons.

However, over the longer term, the site's residential designation may lead to applications for development of the property as well as surrounding areas on Rancho San Carlos and Featherhill Ranch. If the County approved such development, the agricultural value of the site could be reduced or eliminated. Similarly, depending of the location and amount of potential future residential development impacts to other resource areas may be roughly similar to or slightly less than those associated with the proposed project.

Because the site is residentially-designated in a community with very high property values, the potential remains that the site may be proposed for development at any time in the future. If such development were approved by the County, impacts to agriculture, biological resources, and geologic processes may be similar to those associated with the proposed project. The nature and severity of such impacts would depend on type and size of development proposed. Based on County permit records for recent developments in eastern Montecito, a single family home of 5,000 to up to 15,000 sf could be expected to occur on a 2.55-acre site. Construction and occupancy of such a home would likely have incrementally lower impacts in some areas and greater impacts in others. For example, a single family home would generate 10 to 15 new ADTs vs. 32 ADT for Station 3, with incrementally lower long-term air pollutant emissions. Further, such a home would not generate noise associated with emergency vehicle operations, although construction of Station 3 on another nearby parcel would create similar noise levels to the proposed project in the vicinity. However, large Montecito estates can periodically generate high traffic levels and associated emissions when used for special event such as weddings, or fund raisers. Further, depending on the regulations in place, over the long-term such an



estate home has the potential to generate water demand similar to or in excess of the proposed project.

Finally, not constructing proposed Station 3 on this site would not improve fire service to a currently underserved area of the community or increase MFPD's overall ability to provide services throughout Montecito. This would result in continued exceedance of Board-adopted response times in eastern Montecito, as well as not increasing overall MFPD capability to respond to wildfires, resulting in impacts to fire protection. Thus, failure to construct Station 3 would contribute to significant adverse health impacts associated with delay response times, including potential for loss of human life. Failure to construct Station 3 would also weaken future MFPD wildfire response capacities, which could reduce ability to contain future wildfires before they spread or limit MFPD capability to respond to future major wildfires, including defense of structures. Thus, if the No-Project Alternative led to no construction of Station 3, impacts associated with public health, safety and welfare would be substantially more severe.

#### **6.5 IDENTIFICATION OF ENVIRONMENTALLY SUPERIOR ALTERNATIVE**

Section 15126.6(e)(2) of the CEQA Guidelines states that if the environmentally superior alternative is the No-Project Alternative, the EIR shall also identify an environmentally superior alternative from amongst the other alternatives. Table 6-2 summarizes the environmental advantages and disadvantages associated with the proposed project and the analyzed alternatives.

In evaluating alternatives, different weights may be assigned to the relative importance of specific environmental impacts. The No-Project Alternative would avoid many of the proposed project's less than significant impacts and those which can be fully mitigated; there are no unavoidable and significant project-related impacts. Thus, for most issue areas, the No-Project Alternative would create less severe impacts than the proposed Project. However, on the issue of public health, safety and welfare as discussed in fire hazards and elsewhere, the No-Project Alternative could result in substantially more severe impacts to public health due to ongoing deficient response times and the limitation of MFPD capabilities to respond to structural fires and major wildfire events. Because of the importance of public health, safety and welfare and the less than significant nature of other project related impacts, the No-Project Alternative is not considered environmentally superior to the Project.

Based on the analysis in this EIR, the proposed project was identified as the environmentally superior alternative. As discussed above, the proposed project would be environmentally superior to the No Project Alternative due to project beneficial effects in addressing important public health, safety and welfare issues. Further, as discussed under each of the alternatives, each of the alternative sites either has environmental constraints equal to or greater than the project site (with resultant impacts). The Kimball-Griffith site (Alternative 1) and Birnam Wood site (Alternative 2) would result in reduced impacts to agricultural resources due to the lack of prime soils and active agricultural lands, greater impacts to biological resources, and Alternative 1 would have more severe impacts to geologic processes. For Palmer Jackson West (Alternative 3) and the Pines Trust site (Alternative 4) with associated impacts most similar to developing the project site, incrementally greater noise impacts would render the project site environmentally superior. Alternative 3 would result in similar impacts to agricultural resources due to the presence of prime farmland soils and active agricultural lands, and Alternative 4 would have less severe impacts to agricultural resources due to the lack of active agricultural land. While such impacts are not significant, neighborhood concerns over noise have been an issue of public concern. As a result, the project site's greater distance from surrounding residences renders it superior to either of those sites. Therefore, this EIR finds the proposed project to be the environmentally superior alternative (see Table 6-2).

**Table 6-2. Impact Comparison of Alternatives to the Proposed Project**

	<b>Alternative 1 – Kimball Griffith #1</b>	<b>Alternative 2 – Birnam Wood</b>	<b>Alternative 3 – Palmer Jackson West</b>	<b>Alternative 4 – Pines Trust</b>	<b>No Project</b>
Aesthetics and Visual Resources	Substantially More	Somewhat Less	Somewhat More	Similar	None
Agricultural Resources	Somewhat Less	Substantially Less	Similar	Somewhat Less	None
Air Quality	Substantially More	Similar	Similar	Similar	None
Biological Resources	Substantially More	Substantially More	Somewhat Less	Similar	None
Cultural Resources	Similar	Similar	Similar	Similar	None
Fire Protection	Somewhat Less (Beneficial)	Somewhat More (Beneficial)	Similar	Similar	Substantially more severe
Geologic Processes	Substantially More	Similar	Similar	Somewhat More	None
Hazardous Materials	Similar	Similar	Similar	Similar	None
Land Use	Similar	Similar	Similar	Similar	None
Noise	Somewhat Less	Somewhat More	Somewhat More	Somewhat More	None
Recreation	Similar	Somewhat More	Similar	Similar	None
Transportation and Traffic	Similar	Somewhat Less	Somewhat More	Somewhat More	None
Water and Flooding	Somewhat More	Somewhat More	Similar	Similar	None
All Project Objectives Met	No	No	Yes	No	No

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### Oak Trees Assessment

Bill Spiewak Arborist

### Phillip Fractor Gorman

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## **9.0 RESPONSE TO COMMENTS**

### **9.1 INTRODUCTION**

Comments received during the 45-day public comment period for the Draft EIR, ending September 14, 2015, included written comments from one agency, one legal firm, one companies, one organization, and one individual. One oral comment was received from one individual during the Public Hearing on August 24, 2015.

### **9.2 FORMAT OF THE RESPONSES TO COMMENTS**

Comments received on the Draft EIR are organized by the type of commenter, with agencies listed first, then companies, organizations, and individuals. Each comment letter or e-mail is assigned a unique number with each comment individually numbered as well. Individual comments and issues within each comment letter or e-mail are numbered individually along the margins in Section 9.4. For example, Comment 2-1 is the first substantive comment in Comment Letter 2; “2” represents the commenter; the “1” refers to the first comment in that letter. All comment letters are embedded within this chapter.

### **9.3 INDEX OF COMMENTS RECEIVED**

Table 9-1 lists all agencies, organizations, companies, and individuals that provided written and oral comments on the Draft EIR. As described above, each comment letter was assigned a unique number.

### **9.4 RESPONSE TO COMMENTS**

The following pages contain copies of the comment letters. Presented first is a copy of the comment letter with vertical lines indicating the extent of specific numbered comments, and on the subsequent pages are the corresponding numbered responses to individual comments.

**Table 9-1. Index of Comments Received on the Draft EIR**

<b>Commenter Number</b>	<b>Name of Commenter</b>	<b>Response to Comment Location</b>
<b>Agency</b>		
1	Betty Courtney, Environmental Program Manager I, California Department of Fish and Wildlife (CDFW) – South Coast Region	9-5
<b>Company</b>		
2	Jackson, James H. Petan Company	9-9
3	Jackson, James H. Petan Company	9-20
<b>Organization</b>		
4	Cole, Joseph L., Montecito Agricultural Foundation	9-36
5	Rose, Mary R. East Valley Preservation Association	9-55
<b>Individual</b>		
6	Philip S. and Sally F. Wilcox	9-69
<b>Oral Testimonies</b>		
7	Lyons, Graham Petan Company	9-75



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
South Coast Region  
3883 Ruffin Road  
San Diego, CA 92123  
(858) 467-4201  
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor  
CHARLTON H. BONHAM, Director



September 10, 2015

Chip Hickman, Fire Chief  
Montecito Fire Protection District  
595 San Ysidro Road  
Santa Barbara, CA 93108  
chickman@montecitofire.com

**Subject: Draft Environmental Impact Report for the Station 3 Site Acquisition and Construction Project, SCH # 2011031094, Santa Barbara County**

Dear Mr. Hickman:

The California Department of Fish and Wildlife (Department) received the Draft Environmental Impact Report (DEIR) from the Montecito Fire Protection District (MFPD) for the Station 3 Site Acquisition and Construction project (Project), pursuant to the California Environmental Quality Act (CEQA). MFPD proposes to acquire a 2.55-acre site and to construct a new fire station in the unincorporated community of Montecito, in the County of Santa Barbara (County). The Project would include development of a main fire station building and two support structures. Supporting infrastructure would include construction of paved driveways, parking and circulation space, and connections to potable water and sewer. The Project also includes landscape buffers, a habitat restoration area, bioswales, a stormwater detention basin, and an offer for dedication of an easement to the County to reserve land for a proposed on-road trail. The Project site is located at 2500 East Valley Road, on the north side of East Valley Road, east of Sheffield Drive and Romero Canyon Road, and west of Ortega Ridge Road.

The habitat type with the potential to be impacted by the Project is a riparian zone along the drainage channel (drainage) on the western edge of the Project site. Project impacts include potential disturbance of 46 mature coast live oak trees (*Quercus agrifolia*), and removal of 3 mature coast live oak.

Measures proposed to mitigate impacts include:

- a 50-foot wide habitat restoration buffer (buffer), measured from the top of the bank of the drainage;
- an oak protection and replacement plan, including replanting of native oaks removed by the Project within Project landscaped areas;
- pre-construction bird nesting surveys and nesting bird avoidance;
- exterior building and site lighting to use hooded fixtures to shield and reduce the spread of light;
- washing of concrete, paint, or equipment to occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Washing shall not be allowed near sensitive biological resources;
- the use of porous paving in parking areas to reduce runoff and increase infiltration, and;
- treatment of runoff in a graded, vegetated swale prior to offsite discharge.

*Conserving California's Wildlife Since 1870*

Chip Hickman, Fire Chief  
Montecito Fire Protection District  
September 10, 2015  
Page 3 of 3

1-1

CEQA Guidelines §15126.4(a)(1)(B) states: "Formulation of mitigation measures should not be deferred until some future time." The Department considers the planned preparation of a Habitat Restoration Plan as a deferral of mitigation. We therefore recommend a draft Plan, including performance standards, be included in the DEIR. The draft Plan should include details of amount and locations of ground disturbance, types and amounts of plantings proposed, and methods of erosion control and other drainage protection measures.

Thank you for this opportunity to provide comment. Questions regarding this letter and further coordination on these issues should be directed to Mr. Martin Potter, Senior Environmental Scientist (Specialist) at (805) 640-3677 or [Martin.Potter@Wildlife.ca.gov](mailto:Martin.Potter@Wildlife.ca.gov).

Sincerely,



Betty Courtney  
Environmental Program Manager I  
South Coast Region

ec: Ms. Christine Found-Jackson, CDFW, Glendale  
Ms. Sarah Rains, CDFW, Newbury Park  
State Clearinghouse, Sacramento  
Mr. Scott Morgan, Sacramento

**Comment Letter 1 – Betty Courtney, Environmental Program Manager I, California Department of Fish and Wildlife (CDFW) – South Coast Region**

**Comment Response 1-1:** Comment noted. The purpose of this Environmental Impact Report (EIR) is to assess potential impacts to both the biological and human environment, and recommend separate mitigation measures where necessary to reduce potentially significant impacts to a less than significant level. The Habitat Restoration Plan mentioned in this EIR has been proposed by the applicant to be incorporated as part of the proposed project. As is appropriate at this stage in the review process, the preliminary landscape plan (Figure 2-5) sets forth the locations of proposed habitat landscape features and provides a preliminary plant palette to be utilized in each specific habitat area. When combined with the details set forth in the preliminary grading and drainage plan (Figure 2-4) and the detailed mitigation measures included in the project (Sections 2.6.2 and 2.6.3), the EIR provides a clear blue print for restoration of habitats onsite that does not constitute deferral of mitigations. Project landscape and habitat restoration plans would be finalized by the MFPD consultants prior to submittal to the County and would be subject to review approval by the County project permitting. During this review period, the County would also consider if the Habitat Restoration Plan, as well as mitigation measures proposed in this EIR, are adequate to mitigate impacts to biological resources. As this final Habitat Restoration Plan shall be prepared by qualified individuals retained by the applicant as part of the project based upon clear and detailed parameters set forth in this EIR including preliminary landscape plan, preparation of a draft plan, or inclusion of such plan in this EIR is not required. Section 2.4.5 describes proposed drainage protection measures; in addition, standard County erosion control conditions would apply to the project as described in MM GEO-3. Section 2.4.6 of the Project Description includes additional details on the types and amounts of plantings proposed as part of the Habitat Restoration Plan.



P.O. BOX 5580 • SANTA BARBARA, CALIFORNIA 93150-5580

August 6, 2015

Chip Hickman, Fire Chief  
Board of Directors  
Montecito Fire Protection District  
595 San Ysidro Road  
Montecito, CA 93108-2124

**Re: MFD interest in parcel that is part of Rancho San Carlos (2500 East Valley Rd.)**

Dear Chief Hickman and Members of the Board:

In the most recent issue of the *Montecito Journal*, Geri Ventura is quoted as saying that the District is interested in "re-engaging" the Jackson family regarding selling the 2.5 acre parcel that had been the subject of the EIR that is now being circulated.

2-1 Just so there isn't any confusion, I wanted once again to clarify the Petan Company's position. Following completion of the 2008 Site Selection Study we entered into an option agreement with the District in 2011. At that time, we were "willing sellers." But much has changed since then as mentioned in my letter to the District of October of 2013, an extra copy of which is enclosed. Most importantly, the entire property has been listed for sale for some time (as mentioned in the MJ article) and for that reason we no longer can be considered "willing sellers". These changed circumstances and my October, 2013 letter were both brought to the District's attention in comments made in response to the Notice of Preparation for the current DEIR. Our position has not changed. It is not a question of engaging us to discuss the sale of the parcel. If the site selection study were done today, we would have to be classified as "not willing to sell" because the entirety of the property is now on the market. It is out of our hands and we simply can't speak for a future owner.

I have communicated this position verbally to Chief Hickman on more than one occasion, but given the comments in the MJ article I felt it was important to reiterate it once again.

If there are any questions, please don't hesitate to call me.

Sincerely,

A handwritten signature in black ink, appearing to read "James H. Jackson", is written over a horizontal line.

James H. Jackson

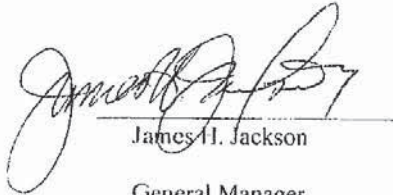
General Manager  
Petan Company, a California limited partnership  
cc: Montecito Journal (for publication)



Therefore, before incurring the additional time, effort and public expense that will be required in moving forward, we felt it would be only fair and considerate that we let you know our position as soon as possible and let you know that if our property continues to be the chosen site it will have to be acquired in some way other than under the existing option agreement.

We thank you for your continued efforts to determine the need for and location of a third fire station in our community and hope you understand our position.

Sincerely,

A handwritten signature in cursive script, appearing to read "James H. Jackson", written over a horizontal line.

James H. Jackson

General Manager  
Petan Company, a California limited partnership



P.O. BOX 5580 • SANTA BARBARA, CALIFORNIA 93150-5580

October 10, 2013

Chip Hickman, Fire Chief  
Board of Directors  
Montecito Fire Protection District  
595 San Ysidro Road  
Montecito, CA 93108-2124

**Re: Option Agreement Dated April 15, 2011  
Montecito Fire Protection District and Petan Company**

Dear Chief Hickman and Members of the Board:

I have been following with interest the activities of the district in regard to the proposed fire station including the votes to rescind approval of the station and to decertify the EIR in order to comply with the judge's ruling in the lawsuit filed by the Montecito Agricultural Foundation. But I was surprised to discover that the district has elected to pursue the revisions to the EIR at this point in time. As I understand it, there are two studies that are in the process of being commissioned which may provide significant insight into the appropriate direction that the community should take with regard to the fire station or in short whether one is called for and if so what nature of station it should be. In addition, there continue to be significant concerns about the financial resources available to operate a station. So I am disappointed that the district would move forward with the EIR when there is a chance that this effort, and the efforts on the part of the community to circulate and review the EIR may be wasted. But perhaps the district will reconsider this approach with one more piece of information.

As you know, the district's option to purchase the property for the proposed station number three location expires on 12/31/13 and given the requirements of the option agreement it would be impossible for the district to exercise it prior to its expiration. Since we do not want the district operating under mistaken assumptions, we thought it would be appropriate to let you know that we will not extend or renegotiate the option.

Our efforts to cooperate with the District date back nearly five years to shortly after the 2008 Site Selection Study recommended our property as the location of choice. Circumstances have changed greatly since then in many respects. First, the value of the property has likely changed significantly given the length of time that has passed since the option was negotiated. Second, there is now a neighborhood organization with significant resources that has demonstrated that it is committed to stopping the construction of the station on the site proposed. And, finally, it would not be an understatement to say that this project has generated significant controversy within the community. Given these circumstances it is not fair to us nor to the community to support another option agreement which could easily put parts of our property in limbo for another five years.

**Comment Letter 2 – James Jackson, Petan Company**

**Comment Response 2-1:** Comment noted. The MFPD appreciates the Jackson Family’s continued interest in Station 3. This EIR recognizes the Petan Company’s position and the status of the 2.55 acre parcel, as described in Section 2.2, *Project Location and Ownership*. It is the purpose of this EIR to assess impacts resulting from the proposed development of the parcel found most appropriate for a new fire and emergency response facility. As the lead agency, the Montecito Fire Protection District (MFPD) is responsible for the acquisition of the 2.55-acre property along East Valley Road. How or from who the MFPD purchases this property is not a decision which will be made in this EIR. This analysis makes no assumptions as to how the property shall be acquired for development, but only describes the existing setting and ownership status of the proposed parcel.



P.O. BOX 5580 • SANTA BARBARA, CALIFORNIA 93150-5580



September 14, 2015

**Via email: [chickman@montecitofire.com](mailto:chickman@montecitofire.com)**  
**and Hand Delivery**

Chip Hickman, Fire Chief  
Board of Directors  
Montecito Fire Protection District  
595 San Ysidro Road  
Montecito, CA 93108-2124

**Re: Comments on Draft Environmental Impact Report (DEIR)**

Dear Chief Hickman and Members of the Board of Directors:

Enclosed please find a table of comments on the DEIR prepared by our land use consultants. Though it is mentioned in several places in these comments, at the outset we want to remind you once again of the change in our willingness and ability to sell a portion of San Carlos Ranch to the District since the original Site Selection Study was done in 2008. We have informed you of that several times both orally and in writing most recently in our letter of April 2, 2015 an additional copy of which is enclosed for your ready reference. That changed circumstance is not mentioned in the DEIR but, as more specifically addressed in the attached comments, we think it should be.

Thank you in advance for considering these comments and we look forward to the District's responses.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "James H. Jackson".

James H. Jackson  
General Manager  
Petan Company,  
a California limited partnership

cc: L&P Consultants  
Attn.: Mark Lloyd  
Mullen & Henzell L.L.P.  
Attn.: J. Robert Andrews  
Graham M. Lyons

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Received  
9/14/15



April 2, 2015

P.O. BOX 5580 • SANTA BARBARA, CALIFORNIA 93150-5580

Chip Hickman  
Fire Chief  
Montecito Fire Protection District  
595 San Ysidro Road  
Santa Barbara, CA 93150

Dear Chip:

In response to your letter of March 25th, in which you ask about our interest in selling all or a portion of our Rancho San Carlos property for the purpose of building a fire station to service Eastern Montecito, we do not have any interest in pursuing a sale of property with the Fire District at this point in time.

As I mentioned when I talked to you, the property is currently for sale and under contract with a real estate broker to accomplish that. It would obviously be problematic to have any discussions about selling property while that arrangement is in place. If at some point in time our property does not sell, we may reconsider your proposal, but at the current time we are unable to do so.

If you were interested in discussing a purchase of the entire property as you mention in your letter, that would be a different matter. But I doubt the district has the need for 237 acres or the interest in allocating \$125 million for the new station.

Let me know if you have any further questions.

Best regards,

A handwritten signature in black ink, appearing to read "James H. Jackson".

James H Jackson

General Manager, Petan Company

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L & P Consultants Review and Analysis of  
Montecito Fire Protection District Draft Environmental Impact Report for Station 3 Site Acquisition and Construction  
(SCH Number 2011031094)  
September 1, 2015

Introduction by L&P Consultants

This Draft Environmental Impact Report (DEIR) Review and Analysis was undertaken for the Petan Company (Petan), owner of San Carlos Ranch, a 238 acre property located in the easterly region of the Montecito Community Plan planning area of Santa Barbara County. The Montecito Fire Protection District (MFPD) has proposed to locate and construct a new facility known as "Station 3" over a 2.55 acre site within San Carlos Ranch adjacent to and northerly of East Valley Road. San Carlos Ranch is comprised of multiple legal lots and is adjacent to and westerly, northerly and easterly of the proposed Station 3 site. The 238 acre San Carlos Ranch is zoned for residential development and represents a significant "high end" development opportunity for up to 88 residential lots and single family residences.

The subject DEIR was prepared in response to a court judgment that found a previous Final EIR adopted by MFPD for the Station 3 project to be inadequate. Subsequent to the judgment, MFPD decertified the adopted FEIR and initiated a new environmental review process which produced the subject DEIR. In general, the DEIR provides a description and plans for the proposed Station 3 project and operations; describes the character of the project site setting and surrounding lands; identifies and quantifies improvements and resources upon and over the project site and surrounding lands; identifies and analyzes potential impacts resulting from the Station 3 construction and operation on such improvements and resources, and suggests mitigation measures that will be implemented to reduce or eliminate impacts to such improvements and resources.

The following is our review and analysis of the DEIR, broken down to correspond with the DEIR Section headings, highlighting areas of concern that may adversely affect San Carlos Ranch, along with identifications of potential deficiencies in the DEIR which may render the document inadequate:

3-2

Section 1.0 – Introduction	
This Section provides (i) a brief Project Overview; (ii) sets out Project Objectives which highlight the public health and safety attributes; (iii) discloses the Purpose and Authority for the DEIR preparation which discloses that existing environmental information was utilized from the 1992 Montecito Community Plan EIR, the 2008 MFPD Site Identification Study and the 2014 Standards of Coverage and Risk Assessment Study; (iv) a Project History and Public Review and Comments narrative that asserts that the project site has undergone an extended public review process and site selection analysis, discloses that the 2012	<b><i>Section 1.0 Analysis - Disclosures in this Section raise concerns of potential DEIR inadequacies arising from the utilization of outdated data and information, thereby depriving decision makers of the ability to make informed decisions based on analysis of current information. The NOP in 2012 signals that the subject DEIR is a new and independent document with no connection to the FEIR that was decertified as a result of the Superior Court decision. However, the subject DEIR utilizes environmental information and studies prepared for the decertified FEIR, studies</i></b>

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certification of the prior FEIR was overturned by the Superior Court based on a finding that the FEIR did not fully evaluate impacts to agriculture; discloses that the subject DEIR Notice of Preparation (NOP) was made in February 2014, and that additional information from the 2014 Standards of Coverage and Risk Assessment Study are incorporated including the conclusion that the eastern Montecito area is underserved for fire protection; (v) identifies the Project Applicant as MFPD; (vi) very briefly describes the Scope of the DEIR including relative impacts categories; and (vii) discloses that areas of known public controversy includes impacts to ag lands, project alternatives (site selection), East Valley Road traffic issues, noise, growth inducing impacts associated with improving public health and safety response times, and economic concerns regarding effects on area property values.

*that in most cases were prepared several years prior to the NOP, and are now another several years older. It appears that the only "new" information or studies deal with agriculture and the 2014 Standards of Coverage and Risk Assessment. At a minimum, the DEIR information and studies should have been updated with supplemental reports or update letters from experts that either stated the environmental setting and information was unchanged and the previous (decertified) analysis was still relevant, or that conditions have changed and additional analysis was performed. We recognize that CEQA rightly protects project applicants from having to endlessly update information as a CEQA review is undertaken by "freezing" information and data to the NOP event. However in this case much of the CEQA review is based on older data that significantly predated the NOP and may not adequately disclose the project environmental setting or the potential impacts from the project. It appears that the DEIR preparer is asserting that the DEIR is a new and independent analysis, but fundamentally bases the analysis on older and potentially inaccurate information.*

*An example is the outdated and now inaccurate statement in the 2008 Site Selection Study that describes the property owner as a "willing seller". The property owner has since stated repeatedly in writing and orally that due to changed circumstances it no longer is a willing seller.*

#### Section 2 - Project Overview

3-3

Section 2.1 Introduction - This section provides a brief description of the project and identifies County of Santa Barbara application processes that will be required, as well as grading quantities which includes 8,000 cubic yards of cut (excavation) and 600 cubic yards of fill (embankment), with a resulting 7,400 cubic yards of earth material export to be accomplished by "dump truck to a site determined to be acceptable at the time of construction".

*Section 2.1 Analysis - The export of 7,400 cubic yards will generate approximately 740 truck trips. There is no analysis of truck trip impacts or identification of export routes in this section or in Section 3.11 (Transportation and Traffic). It appears that the analysis is inadequate in not identifying an impact from truck trips and routing to Highway 101 (a logical destination for export routing).*

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9-14

Section 2.4 Project Description - This section discloses that the proposed project would include the purchase of privately owned property, that the west side of the 2.55 acre site would be utilized for "habitat restoration" (Table 2-2 notes 15,330 sq. ft. of restoration area), as well as again identifying the 7,400 cubic yards of export.

Section 2.4 Analysis - *The section provides no information on how the site is to be acquired (purchased or condemned) and provides an inadequate analysis of this component of the Project. The decision makers and public should be informed as to the availability and cost of the site. As noted elsewhere in these comments, this section – like others - fails to disclose that the property owner has provided written notice to MFPD that it is not a willing seller of the 2.55 acres as described in the now outdated 2008 Site Selection Study, rendering the Project Description inaccurate. Furthermore, the DEIR should disclose that it would be necessary to initiate condemnation as the feasible process for acquisition, and should disclose and analyze that process along with its timing and cost.*

3-4

*The issue of habitat restoration is particularly troubling in that the establishment of such habitat will have an adverse impact on the adjacent property by the imposition of setbacks and buffers to protect lands that will be "restored" and become habitat that will be afforded all of the policy and regulatory protections under the law, with no mention of a "Safe Harbor" provision to protect the adjacent land owner agricultural operations. The DEIR is inadequate in limiting its analysis to the "beneficial" Class IV impacts to the project and omitting adverse impacts to adjacent property resulting from the project*

3-5

Section 2.4.5 Grading and Drainage - This section again identifies the 7,400 cubic yards of dump truck export, and also identifies that 14 feet of soil would be excavated to accommodate building construction with 12 foot high retaining walls. Figure 2-4 Proposed Grading and Drainage Plan depicts a drainage swale that discharges collected storm water sheet flow onto East Valley Road apparently without any velocity reduction. Section 2.4.6 Landscaping, Habitat Restoration and Walls again identifies habitat restoration which "would entail planting of typical native vegetation that would be found along such an ephemeral drainage".

Section 2.4.5 Analysis - *The substantial grading and retaining wall height as described indicates that the site design does not minimize grading nor does it fit the site topography, design elements and is therefore inconsistent with County Land Use Policies 1 and 2.*



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3-6	<p><u>Section 2.4.7 Station Operations</u> - This section estimates that "based on existing demands and records" Station 3 personnel and equipment "could respond to approximately 400 calls per year" (just over 1 call per day) with medical emergencies constituting 50 percent of these calls.</p>	<p><i><u>Section 2.4.7 Analysis</u> - It would appear that the call demand for eastern Montecito is limited and can be adequately served from other existing stations.</i></p>
3-7	<p><u>Section 2.5 Project Approvals and Permitting</u> - This section discloses that the project design would be required to be reviewed by the Montecito Board of Architectural Review (MBAR).</p>	<p><i><u>Section 2.5 Analysis</u> - Policy requires that all development must be reviewed by MBAR, and discretionary applications (such as CUPs) are by common practice presented to MBAR for Conceptual Review prior to the preparation of a CEQA document so that MBAR comments and findings regarding policy consistency can be incorporated into the CEQA document to enable decision makers to make informed decisions.</i></p>
<p><b>Section 3.0 Environmental Impact Analysis and Measures</b></p>		
3-8	<p><u>Section 3.1 Aesthetics and Visual Resources</u> - Subsection 3.1.1.4 notes that exposure to public roads is limited to East Valley Road and Ortega Ridge Road, and states that Ortega Ridge Road is "removed from the site and offers only intermitted glimpses of the project vicinity", implying that the visual impact potential for Ortega Ridge Road is slight due to this "removed" disposition. Key Viewing Location (KLV) photos are utilized to depict the existing visual conditions. KVL E is the lone viewing site along Ortega Ridge, and the analysis indicates the "glimpse" to the project site is obstructed and can only be seen by a gap in the oak tree obstructions. The analysis does indicate that views of the existing project site lemon orchard and oaks would be altered, but that the context of the existing residential structures and large out buildings to the south of the site, and the proposed landscaping, would limit the "dominance" of Station 3, and the existing views would not be substantially altered as no scenic elements would be blocked and visual continuity of the larger rural area would remain. Section 3.1.2.2 "Applicable County Policies" notes that Comprehensive Plan Policy 1 requires minimization of cut and fill operations, Policy 2 requires all development to fit the site topography, and that Policy VIS-M-1.3 requires grading for site development to be limited so as to protect the</p>	<p><i><u>Section 3.1 Analysis</u> - The DEIR analysis puts forth the notion that the impact of 2.55 acres of development with 3 buildings totaling nearly 13,000 square feet of floor area, with building heights of 35 feet, all into an existing agricultural orchard setting, is a Class III impact that does not require any identified mitigation. Certainly one can argue that the project has a substantial adverse effect on a scenic vista with the introduction of a large urban public safety facility into a semi-rural agricultural setting. These impacts may be mitigated by implementation of landscape screening, earth tone colors and texture of materials. Policy inconsistency is also a potential issue. The project description notes grading cuts of up to 14 feet, and retaining walls of 12 feet, which appear to conflict with Policy 1 requirements of minimal grading and Policy 2 requirements for fitting the site topography. Another issue is the lack of "common practice" in which projects in Montecito are required to undergo MBAR Conceptual Review before completion of CEQA review so that MBAR comments regarding policy consistency can be provided to decision makers.</i></p>

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91-6

viewshed. Furthermore, Impact VIS-1 states that "proposed changes in site topography of generally 1 to 2 feet "will be masked by proposed landscaping. As previously noted, the DEIR asserts that impacts to Visual Resources are Class III.

3-9

Section 3.4 Biological Resources - This section provides a general description of biological resources over the region and project site that are reflective of existing published reference sources, with emphasis on the project site and adjacent oak woodland and drainage channel. The impacts analysis determined that the project would result in adverse and significant (Class II) impacts for removal of three (3) mature oak trees, and provides mitigation measures to bring the impact to a less than significant level that include (i) a 50-foot habitat restoration area along the westerly side; (ii) replanting oaks in landscaped areas; (iii) "retention" of all but three of the oaks along East Valley Road. The proposed restoration area is also identified as a Class VI (beneficial) project impact.

***Section 3.4 Analysis - Overall, the impacts analysis is consistent with projects of a similar scope, as are the mitigation measures for oak tree replanting, specifically the 10:1 and 3:1 options for oak tree replacement, which is a mitigation measure consistent with County environmental guidelines. However, the mitigation to establish a restoration area does not seem to mitigate an impact, and is troubling in the sense that the habitat restoration area will ripen into a habitat area, and will require protection in any future development project on the adjoining San Carlos Ranch through required mitigation of buffers that will limit development absent a "Safe Harbor" provision wherein the adjoining owner is protected from such an imposition. This impact is clearly not beneficial to the adjacent property owner. In this regard it appears that the extent of potential impacts from the project have not been fully identified or mitigated.***

3-10

Section 3.6 Fire Protection - This section provides a detailed description of the regional fire danger issues, history and current fire protection services and resources, including response times, and states that the 2014 Standards of Coverage and Risk Assessment identified that the eastern Montecito area is underserved. It notes that MFPD adopted response times between 7 to 11 minute dispatch and arrival times for fire and emergency events, and provides exhibits demonstrating that eastern Montecito falls below the 11 minute response window. It also notes that the 2008 MFPD Station 3 Site Identification Study based its assessment on a 5 minute response time and that Zone IV (eastern Montecito) was below the 5 minute response time. It identifies service response agreements that exist between MFPD and Carpinteria-

***Section 3.6 Analysis - The DEIR provides a robust section for fire protection, highlighting the response time standards adopted by MFPD as the regulatory policy compelling construction of Station 3. Although the public health and safety responsibility of MFPD is undisputed, MFPD has continued to approve development within eastern Montecito through its Fire Protection Permit process despite the adopted standards identified in the DEIR.***

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	<p>Summerland Fire Protection District, but offers no specific analysis of response time from the Summerland Fire Station. The exhibits imply that eastern Montecito is still underserved when including this station. The impact analysis identifies that construction of Station 3 will result in a Class IV (beneficial) impact. The Regulatory Setting identifies that various fire agencies have adopted various response time guidelines (the shortest being 5 minutes), that the Santa Barbara County Comprehensive Plan has no response time requirement for public safety, but that the Montecito Growth Management Ordinance (MGMO) includes points for 5 minute or less response coverage.</p>	
3-11	<p><u>Section 3.8 Land Use</u> - The Regulatory Setting describes the State and County policies and requirements affecting the project for land use and permitting, including an Subdivision Exemption Parcel Map Waiver approval for the project site and a statement that a Certificate of Compliance (CC) request would ensure that the residual (Petan) parcel would be a legal lot. The section contains proposed mitigation measures intended to mitigate the land use impacts, which include the habitat restoration area described in the biological analysis.</p>	<p><b><i>Section 3.8 Analysis - The Project Description should be revised to require a Certificate of Compliance be processed and issued for the residual parcel so that the existing property owner is not burdened with a subdivision violation of local and state subdivision regulations. The Property is shown in the Montecito Community Plan and is zoned for residential use to match the community's expectation and plan that the property is planned for semi-rural residential use.</i></b></p>
3-12	<p><u>Section 3.9 Noise</u> - This section notes that current noise sources for the area are East Valley Road, which generates noise levels of 64 decibels (dBA) 50 feet from the road centerline. The analysis focuses on the noise generated from the proposed facility, namely long term emergency siren and amplified address system noise and short term construction noise. The impact and mitigation analysis identifies emergency siren noise to be 95 dBA for 10 seconds or less, but with only one event per day. Construction noise levels are 75 to 95 dBA. Standard mitigations for construction noise are proposed, along with volume controls for address systems.</p>	<p><b><i>Section 3.9 Analysis - Noise generation associated with Station 3 is estimated to reach 95 dBA and can be mitigated by developing a response protocol that limits siren activation for 10 seconds from departure from the station. This would lessen the impact to lands immediately surrounding the station and distribute the impact to areas east and west of the station.</i></b></p>
3-13	<p><u>Section 3.11 Water Resources, Supply and Service</u> - This section describes water resources in significant detail due to the increased regulatory focus on water demand and supply resulting from the</p>	<p><b><i>Section 3.11 Analysis - The Class IV beneficial impact is supported in that our experience is that an acre of orchard can demand 1.5 to 2 AFY of water supply depending on climatic conditions. If</i></b></p>

Received  
9/19/15

<p>9-18  3-13</p>	<p>historical drought. The section also describes water quality and storm drainage issues (water quality and retention) with the appropriate regulatory analysis. The impact and mitigation analysis for storm water issues consisting of construction measures for bio swale, retention basins and velocity reduction, along with the standard NPDES storm water discharge requirements are appropriate. The impact and mitigation analysis is for water resources and supply are Class IV (beneficial) due to the fact that water demand will be decreased with residential/facility use demand as compared to the baseline agricultural demand. The total water demand for the project is estimated at 1.39 Acre Feet per Year (AFY) while the base line orchard consumption is estimated at 3 AFY for 2 acres of lemon orchard irrigation.</p>	<p><i>drought conditions persist, and if global warming becomes a proven circumstance, irrigation demand per acre of orchard will likely rise under such conditions.</i></p>
<p><b>Section 4.0 Consistency with Plans and Policies</b></p>		
<p>3-14</p>	<p>The section provides a consistency analysis of Santa Barbara Comprehensive Plan and other regulations. The analysis indicates that the proposed project is consistent and potentially consistent with such plans and policies.</p>	<p><i>Section 4.0 Analysis - Potential Comprehensive Plan and other regulation policy consistency issues have been identified in the above section analysis.</i></p>
<p><b>Section 6.0 Alternatives</b></p>		
<p>3-15</p>	<p><b>Section 6 Alternatives</b> - This section provides the CEQA required Alternatives analysis that should describe a range of reasonable alternatives to the project, or to its location, which would feasibly attain most of the objectives of the project but would avoid or substantially lessen any significant effects of the project. The Project Objectives (basically providing emergency services to eastern Montecito) could be met at any site meeting the prescribed response times, with the exception of sites that would not minimize or avoid possible, adverse environmental impacts. The section goes on to list the potentially significant unavoidable (Class II) project impacts as (i) biological impacts from oak tree removal; (ii) geological impacts that expose people and structures to potentially unstable soils; and (iii) water resource impacts from increases in storm water runoff.</p>	<p><i>Section 6.0 Analysis - The DEIR has identified that the "No Project" alternative would result in substantially more severe impacts to public health, safety and welfare due to ongoing deficient response times and MFPD limitations to respond to structural fires and major wildfire events, rendering the Project as the environmentally superior project. It is questionable from a CEQA "baseline" perspective whether such a determination is appropriate. The baseline "deficient response times" situation in eastern Montecito may fall below some guidelines for response time thresholds, but in any case is a baseline condition. The "Project" may improve response times, but the project itself does not avoid or substantially lessen any significant effects of the Project, and it is therefore inconsistent with CEQA to claim that</i></p>

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	<p><i>the Project is the environmentally superior project over the No-Project Alternative.</i></p>
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### **Comment Letter 3 – James Jackson, Petan Company**

**Comment Response 3-1:** Refer to Comment Response 2-1.

**Comment Response 3-2:** Preparation of the 2008 MFPD Site Identification Study was conducted separately from the original decertified FEIR. While the 2008 site study may describe the Petan Company as a “willing seller,” this EIR is not based on the acquisition of the subject parcel by the MFPD from the Petan Company, but instead assess potential impacts resulting from the development of this property, regardless of how the property is acquired. As discussed in Comment Response 2-1, this EIR does not refer to the Petan Company as a willing seller, nor does it assume who the MFPD shall purchase the property from. In regards to comments about dated documents, information referenced from the 1992 Montecito Community Plan FEIR is applicable and relevant. Referencing an older, County prepared and certified EIR which contains information which is still relevant does not constitute inadequate analysis. Further, the analysis in this has been completed independently from former County documents.

**Comment Response 3-3:** Comment noted. The Congestion Management Plan (CMP) establishes roadway service standards throughout the County of Santa Barbara. As discussed in 3.10.2.2, *Local Plan Policies and Development Standards*, construction vehicle trips are exempt from the evaluation of CMP roadway LOS deficiencies. As East Valley Road is a CMP roadway, potential impacts to LOS resulting from cut and fill export from the site need not be assessed in this EIR. Further, as discussed under Impact TT-1 on page 3.10-12, vehicle trips requiring the export of 8,000 cy of excavated soils would result in approximately 800 haul truck trips over three months, equating to an average of 30 additional daily round trips. Project construction related trips would result in an approximately 0.5 percent increase in peak hour trips along U.S. Highway 101 at Sheffield Drive. Because this increase is minimal and short-term, impacts to this roadway would not be substantial.

**Comment Response 3-4:** For discussion of issues pertaining to site acquisition, refer to Comment Response 2-1. In regards to comments addressing the issue of habitat restoration, the proposed habitat restoration area is incorporated under the project to reduce impacts resulting from the loss of large, mature coast live oak trees, as well as the loss of habitat provided by these trees. How the quality of this restoration increases or decreases over the course of project operation cannot be predicted, and assumptions regarding potential increases in the status of this area and its designation as an environmentally sensitive habitat area requiring protection are speculative. Further, as this area is not mapped by the County as sensitive habitat, such designation is unlikely given construction of Station 3 and parameters set forth in the MCP regarding the size and composition of such areas.

**Comment Response 3-5:** Comment noted. As described in Table 4-1, the estimated 7,400 cy of export is the minimum necessary excavation and export of fill required to allow development of the facility. Further discussed in Section 2.4.5, *Grading and*

*Drainage*, grading of the site would typically range from 2-3 feet over the central section, with cuts generally 3 to 5 feet deep near the northern boundary. The most substantial cut would occur within a localized area and is not representative of the overall trend for grading of the site.

**Comment Response 3-6:** Comment noted. The primary reason Station 3 is being proposed is to meet State and County established emergency response time standards. Development of a new facility in this location would result in increased fire protection and emergency response, allowing the MFPD to respond to eastern Montecito emergency calls within the established response period thresholds. As shown in Figure 3.6-11, the Carpinteria-Summerland Fire Department Station 2 is currently incapable of responding to emergency calls from the northeastern Montecito within the 5-minute period.

**Comment Response 3-7:** Comment noted. The MFPD is the lead agency of this project with the County of Santa Barbara acting as a responsible agency only after action by the MFPD. Design of the project is subject to review by the Montecito Board of Architectural Review (MBAR) prior to the issuance of a required Conditional Use Permit by the County to determine project consistency with design guidelines and established policies. Although the MFPD has cooperated with the County at all steps in the project process (including prior MBAR review), *required* review by MBAR prior to the preparation of a California Environmental Quality Act (CEQA) document applies to County prepared documents, and does not apply to this project.

**Comment Response 3-8:** Comment noted. As identified in Section 3.1, *Aesthetics and Visual Resources*, Section 3.1.2.2, *Applicable County Policies*, and Section 3.1.3.4, *Impact Analysis*, architectural design of the project is subject to design standards and review by the MBAR as part of any future County permit process. During this review process, MBAR shall review the project to address aesthetics and visual resource concerns, , as well as the design of the proposed facility, and determine if any additional adjustments are required to meet applicable MBAR design guidelines and remain consistent with established Comprehensive Plan policies.

**Comment Response 3-9:** Comment noted. Refer to Comment Response 3-4.

**Comment Response 3-10:** Comment noted. The MFPD does not hold regulatory authority to approve or decline development within Montecito. Increased development in eastern Montecito, despite inadequate emergency response times, has not resulted from any approval of these developments by the MFPD. The County's Montecito Growth Management Ordinance does recognize this issue and awards points based on adequacy of fire protection services.

**Comment Response 3-11:** Comment appreciated and additional discussion has been added to the text in Section 3.8.2.1, *State Policies and Requirements*, to address the concerns presented by the Petan Company. MFPD would continue to cooperate with the property owners, and the County shall prepare a Certificate of Compliance indicating that the residual parcel shall be created legally.

**Comment Response 3-12:** Comment appreciated, but further analysis is not required. As stated under Impact NO-2, noise generated from emergency sirens would temporarily disrupt adjacent land uses, but would occur on an average of 1.1 times per day. State law requires certain response times, and requires that emergency siren use shall not be restricted. Activation of sirens upon departure of the facility is crucial to allow unimpeded travel to the response location from the facility. This EIR identifies that noise disturbances from emergency vehicle operation will be temporary, and will likely not substantially increase existing noise levels along East Valley Road due to existing emergency vehicle use of adjacent roadways.

**Comment Response 3-13:** Comment appreciated and noted. Discussion for impact determination has been expanded to incorporate changes in climactic conditions within Section 3.11, *Water Resources*. However, a Class III Impact is conservatively determined due to the inability to accurately predict these conditions. In addition, water supply for the proposed facility has not been determined, and demand may or may not affect current on-site water supplies.

**Comment Response 3-14:** Comment noted. It is the finding of this EIR that with incorporated mitigation, the project is consistent with the County of Santa Barbara Comprehensive Plan, Montecito Community Plan, and other applicable policies and regulations addressed in Section 4.0, *Consistency with Plans and Policies*. Responses to the comments addressed in this section further express the project's consistency with these regulatory plans and policies.

**Comment Response 3-15:** Comment noted. While the EIR identifies the "No-Project Alternative" as the environmentally superior alternative, Section 15126.6(e)(2) of the CEQA Guidelines 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." In this case, the project would be the environmentally superior alternative as it would not result in any significant and unavoidable impacts, while resulting in beneficial impacts to public safety and emergency response. Because other alternatives would generate potentially greater impacts, this EIR remains consistent with CEQA Guidelines to claim the project alternative as the environmentally superior alternative.



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September 14, 2015

**BY EMAIL ([CHickman@MontecitoFire.com](mailto:CHickman@MontecitoFire.com)) AND HAND DELIVERY**

Montecito Fire Protection District  
595 San Ysidro Road  
Montecito, California 93108  
Attn: Chip Hickman, Fire Chief

**Re: Comments to 2015 Station 3 Draft Environmental Impact Report.**

Dear Chip:

This letter outlines the Montecito Agricultural Foundation's comments to the District's 2015 Draft Environmental Impact Report as requested in your public notice. The revised EIR relates to the District's proposed development on agricultural lands of three structures for fire station three of about 12,560 square feet on a 2.55 acre site near 2500 East Valley Road.

**Broad Support for Fire Protection.**

Beginning in 2011, affiliates of the Foundation have offered to Montecito Fire air firefighting resources, state-of-the-art equipment, and emergency water tank availability, to enhance the District's ability to fight fires in Montecito.

The Foundation also arranged for the funding in 2014 of a \$300,000 grant to County Fire to allow fire-fighting helicopters and related support crews to move to the Santa Barbara City Airport from Santa Ynez during high fire warning periods. After approval by the County Board of Supervisors, about \$50,000 was paid in salaries and overtime to fire fighters at the Santa Barbara airport in the summer of 2014 and the \$250,000 balance is being paid this summer by the County Fire Chief to fire fighters at his discretion depending on fires.

The Foundation also arranged the pledge of \$130,000, which will be likely drawn in 2015 as construction starts, to fund the major upgrade of the regional training fire facility at East Beach to be used by all South Santa Barbara County Fire agencies, including Montecito Fire. The City of Santa Barbara matched this \$130,000 grant from a Foundation affiliate.

As engineering and design costs increased during the training facility's land use permitting process, additional funds were raised for building the facility as follows: (1) Santa Barbara County Fire and its labor group donated \$40,000 through its Joint Apprenticeship Committee; (2) Santa Barbara City Fire and its labor group donated \$40,000; and (3) Montecito Fire agreed to donate \$25,000.

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4-1 The Joint Apprenticeship Committee is a State Fire program that reimburses fire departments for keeping fire fighters certified to specific levels as a way of recognizing outstanding training programs. Any decision to spend money from that fund must have the approval of both labor and staff. The vastly upgraded training facility will allow all local firefighters to experience the type of heat and fire conditions that cannot be replicated in any other manner. This will keep this the premier regional training center at East Beach relatively close to Montecito.

**EIR and Citygate Background**

4-2 In 2012, the District certified a Final Environmental Impact Report for the 2.55 acre development, without contemporary expert data analysis of the District station placement plan and fire and EMT protection.

In 2013, Judge Anderle set aside the District's EIR (retaining continuing jurisdiction over the new EIR).

In 2013, the District's option to purchase real property for the fire station expired.

In 2014, the District retained Citygate Associates, LLC to provide independent expert advice respecting fire station placement plan and to assess optimal fire and emergency medical protection. Citygate's "Standards of Coverage Study and Risk Assessment" dated November 12, 2014 Report was thereafter accepted and implemented by your Board.

Citygate concludes in this November 2014 study that the "new Station 3 would only need to be large enough for a single fire company."

Citygate writes in detail in its Executive Summary about Fire Station 3 as follows:

4-3 *"While the District has discussed a third fire station for a considerable time in east Montecito, and this study shows that there is less coverage in that part of the District, Chief Hickman also identified and proposed another option: a three-station model, but in a different configuration.*

*"Citygate observed that possibly lining up three fire stations in a linear method across the District would place the center station farther away from the bulge in the coast containing the highest population, risks, and emergency incident densities in the District. Considering the road network and risks in the District, a stronger deployment plan would be a triangle, with a station at each corner of the triangle.*

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*“Maps #16a and b in Volume 2 show the coverage result if Station 1’s fire unit was moved west closer to the population center at San Leandro Lane and San Ysidro Road. A third, single fire engine in a smaller, more residential station, would then be added in east Montecito.*

*“The result is positive; ...*

*“If this plan became a reality, additional options become available to solve under-met needs of the District:*

4-3

1. *The existing Station 1 can serve as an administrative office, small training site, and provide other support functions.*
2. *This “four site” plan then eliminates the need for the new east Montecito station to be larger for training functions as first proposed due to the severed space constraints at the two existing stations. In Citygate’s opinion, a larger fire station in east Montecito would pull the other stations too far east for training given the call-for-service densities in the western half of the District.*
3. *The replacement Station 1 and a new Station 3 would only need to be large enough for a single fire company.”(Emphasis added.)*

**General Observations to the 2015 Station 3 Draft EIR:**

In early 2015, after the Citygate report, the County approved the new Miramar Hotel at the 101 Freeway and San Ysidro Road, which will substantially increase the need for coverage at “*the population center at San Leandro Land and San Ysidro Road.*”

4-4

Despite Citygate’s recommendation of a “*single fire engine*” and a “*single fire company*” (meaning approximately three fire fighters and maybe one support person per shift) in eastern Montecito, the 2015 EIR sticks with the mammoth pre-Citygate 2012 facility, including from the EIR’s Project Description:

- 19 parking spaces (for a three-person engine company of three employees per shift);
- Three separate structures of 12,560 sf, including a gym, a separate training building and a maintenance building with two truck bays;

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- 4-5 [ ■ More than an acre of open pavement over rare prime agricultural lands; and
- 4-6 [ ■ An undetermined ability to fund purchase, construction and operation of fire station three, much less a fourth station (“closer to the population center at San Leandro Lane and San Ysidro Road”).
- 4-7 [ Montecito Fire does not own any land or have the right to buy any land for fire station three. It nevertheless is moving forward this with EIR because it is being prepared “free.”
- 4-8 [ If Montecito Fire is able to obtain land, we trust that it will consider an alternative building scale and site design that not only better meets the needs for a stronger deployment plan outlined by the Citygate report, but that also potentially addresses many of Montecito’s remaining concerns associated with view and character impacts in this agricultural area; the preservation of specimen trees; bulk, scale and height; neighborhood compatibility; and the short term (including construction needs) and longer term (irrigation and operational use) water use and supply issues.

**Legal Comments on the 2015 Station 3 Draft EIR:**

- 4-9 [ “A legally adequate EIR . . . ‘must contain sufficient detail to help ensure the integrity of the process of decisionmaking by precluding stubborn problems or serious criticism from being swept under the rug.’” (Kings County Farm Bureau v. City of Hanford (1990) 221 Cal. App. 3d 692, 733). The EIR “must present information in such a manner that the foreseeable impacts of pursuing the project can actually be understood and weighed, and the public must be given an adequate opportunity to comment on that presentation before the decision to go forward is made.” (Sunnyvale 190 Cal. App. 4th at 1388 (quoting Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova (2007) 40 Cal.4th at 449–450).) Agencies have a duty under CEQA to avoid or minimize environmental damage whenever feasible to do so, and must give major consideration to preventing environmental damage. (Guidelines § 15021 (a)).
- 4-10 [ The Draft Environmental Impact Report (DEIR) for the Station 3 Project includes many improvements over the previously rejected EIR, however there are several areas in which the DEIR remains inadequate. Specifically, the DEIR lacks sufficient detail regarding the Project’s water supply and demand, and the trees that will be impacted by the Project. The DEIR also understates the significance of Project impacts to aesthetics, agriculture, and water supply. Importantly, the DEIR also fails to include a detailed analysis of the Alternative Building Scale or Site Design Alternative that is consistent with a proposed “stronger deployment plan” evaluated in the 2014 Citygate Report. A reduced development alternative would substantially

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4-10 [ reduce the Project's impacts, would be environmentally superior to the other alternatives, and would satisfy all of the Project's major objectives.

4-11 [ We respectfully request that the flaws identified herein be corrected in revisions to the final EIR, and that the final EIR include a robust discussion of the Alternative Building Scale or Site Design Alternative including how a smaller station in east Montecito fits within an enhanced vision for District preparedness.

**1. Environmental Setting**

4-12 [ "An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective." (CEQA Guidelines § 15125 (a).) "The environmental setting will normally constitute the baseline physical conditions by which a Lead Agency determines whether an impact is significant." (Id.) "Without a determination and description of the existing physical conditions on the property at the start of the environmental review process, the EIR cannot provide a meaningful assessment of the environmental impacts of the proposed project." (Save Our Peninsula Committee v. County of Monterey (2001) 87 Cal. App. 4th 99, 119 (citing Pub. Resources Code, §§ 21100, subd. (a), 21060.5).)

4-13 [ In our Scoping Comments, we requested that the DEIR fully disclose all issues with respect to water supply, including the present water shortage emergency, and a detailed accounting of available water supply as well as Station 3's anticipated water demand for day-to-day operations, training, landscaping, etc. Although the present drought conditions may be ongoing well into the future, the DEIR fails to include adequate information regarding the present drought conditions, emergency ordinances in place for Montecito Water District (MWD) users including Ordinance No. 92 and Ordinance No. 93. The DEIR states "the MWD has succeeded in purchasing surplus water to augment existing supplies. In addition, the MWD is actively considering supplemental sources including continued water purchases and potential use of desalinization and reclaimed water" (DEIR p. 3.11-4) however fails to discuss the quantity of water that will result from these supply enhancements, which by all accounts will be grossly insufficient to alleviate the current water shortage emergency in a significant way.

4-14 [ At present time, institutional water users including the Montecito Fire Protection District can receive 70% of their former Base Allotment. The Base Allotment is the average amount of water delivered to the property per month during the three-year period 2003/04 to 2005/06. (Ordinance No. 93, <http://www.montecitowater.com/Ord93Allocations.pdf>) The DEIR does not calculate the site's Base Allotment, or provide the information necessary for that calculation. Rather, the

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4-14

DEIR states “it is unknown which source of water the site relies upon” and accordingly that there is “the potential for incremental increases in demand from the MWD during a critical drought” (DEIR p. 3.11-19.) Based on the limited information provided in the DEIR, it is unknown whether there is adequate water supply available to serve the Project in the short- or long-term, or whether the Project could be constructed with current water use restrictions in place. Moreover the DEIR fails to disclose that without appreciable rain and local reservoir recharge, water use by all customers may have to be limited to interior health and sanitation purposes with no water for outdoor use (see [http://www.montecitowater.com/V14\\_Aug.Ord.93.update.Pages.FINAL.pdf](http://www.montecitowater.com/V14_Aug.Ord.93.update.Pages.FINAL.pdf)). This failure precludes an adequate analysis of the Project’s water supply impacts, and avoids the consideration of feasible mitigation measures and alternatives that could reduce the Project’s impacts by limiting water use by constructing a smaller station with fewer water demands and less landscaping required to reduce visual and land use impacts.

The Environmental Setting must be updated to include this critical baseline information, necessary for an informed analysis of Project impacts and alternatives. (See Save Our Peninsula Committee, 87 Cal. App. 4th at 119.)

**2. Project Description**

4-15

“An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR.” (County of Inyo v. City of Los Angeles (1977) 71 Cal. App. 3d 185, 193). The project description must describe “whole of the action” which has the potential to impact the environment (see CEQA Guidelines § 15378 (a)). “An accurate project description is necessary for an intelligent evaluation of the potential environmental effects of a proposed activity.” (San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus (1994) 27 Cal. App. 4th 713, 730).

The Project Description in the DEIR is inadequate in two specific respects. First, it fails to identify the location of the three specimen oak trees that may be removed to accommodate the proposed Project (note, the Proposed Site Plan only identifies one tree identified for removal). The DEIR identifies a Class II impact associated with “the removal of three mature oaks” (DEIR p. 3.4-13). In failing to identify the location of two of these three oaks, the DEIR fails to provide the information necessary to determine whether mitigation measures or alternatives could substantially lessen or avoid this impact. For example, the site plan could potentially be reconfigured to preserve all three oaks either as required mitigation or as part of a reduced development alternative (see discussion of alternatives, below). The DEIR also relies on the presence of mature oaks to mitigate the Project’s visual/aesthetic impact (see below). Without

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adequate information regarding which trees will be removed, it is not possible to assess the Project's aesthetic impact including impact to views of the Santa Ynez Mountains.

Second, the Project Description fails to adequately describe the Project's water demand, in particular with respect to landscaping. A DEIR must consider all phases of a project when evaluating its impact on the environment (Guidelines § 15126), and accordingly the EIR must provide information regarding how much water will be required to establish the dense landscape buffer proposed to reduce the Project's aesthetic impacts. California native plants require minimal watering once established, but require regular watering to become established. Moreover, discussed above, restrictions on water use are already in place and may be tightened in the near future, including potentially a prohibition on outdoor water use. Without a complete understanding of whether or how the proposed landscaping can be established with tightening water use restrictions, it is impossible to determine whether the landscaping plan will feasibly reduce the Project's aesthetic and land use impacts.

To allow for an intelligent evaluation of the Project's impacts, the Project Description must be revised to include additional information regarding the location of specimen oaks and the Project's water demand. (See San Joaquin Raptor, 27 Cal. App. 4th at 730.)

**3. Impact Analysis**

4-16

"To facilitate CEQA's informational role, the EIR must contain facts and analysis, not just the agency's bare conclusions or opinions." (Concerned Citizens of Costa Mesa v. 32nd District Agricultural Association (1986) 42 Cal.3d 929, 935.) All phases of a project must be considered when evaluating its impact on the environment. (Guidelines § 15126). "CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible." (CEQA Guidelines § 15021 (a)). Accordingly, an EIR must identify feasible alternatives and mitigation measures that avoid or mitigate the significant environmental impacts. (CEQA Guidelines §§ 15126.4, 15126.6 (b)). Deferring the formulation of mitigation measures until after project approval is inadequate, unless specific performance standards are identified. (CEQA Guidelines § 15126.4(a)(1)(B), Sundstrom v. County of Mendocino (1988) 202 Cal.App.3d 296, 307-309).

In several instances, the DEIR lacks adequate facts and analysis to support its conclusions. The DEIR understates certain Project and cumulative impacts, resulting in the lack of necessary mitigation measures and/or alternatives to reduce significant impacts. Discussed below, revisions are necessary for the impact analysis to comply with CEQA.

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**a. Visual/Aesthetic Impacts**

The DEIR understates the Project's impacts to visual resources and aesthetics including the semi-rural visual character of the Project vicinity, and views of the Santa Ynez Mountains available across the Project site. The DEIR describes that "[l]arge orchards and undeveloped lands on Rancho San Carlos and Featherhill Ranch contribute to the semi-rural visual character of the project vicinity and provide views through to the Santa Ynez Mountains for travelers on East Valley Road." (DEIR p. 3.1-2) These views are protected by visual resource protections in the Montecito Community Plan (MCP) including Goal VIS-M-1: Protect the visual importance of the Santa Ynez Mountain Range and Ocean View as having both local and regional significance and protect from development which could adversely affect this quality and Policy VIS-M-1.3: Development of property should minimize impacts to open space views as seen from public roads and viewpoints.

4-17

Applicable thresholds of significance include whether the Project would have a substantial adverse effect on a scenic vista, substantially damage scenic resources, substantially degrade the existing visual character of quality of the site and its surroundings, and inconsistencies with applicable policies and standards that protect visual resources. (DEIR pp. 3.1-8 – 3.1-9.) "The proposed project would contrast with and break up the nearly contiguous orchard and woodlands on the north side of East Valley Road in this area, one of the least developed stretches of East Valley Road in Montecito" (DEIR p. 3.1-18) and would impact views of the Santa Ynez Mountains. Discussed below, the DEIR's conclusion that the Project's visual/aesthetic impacts to would not be significant is not supported by substantial evidence.

With respect to Impact VIS-1 (impacts to views from East Valley Road), the Project would alter the existing semi-rural character of this area of Montecito. The DEIR emphasizes the existence of other structures in the area, however these structures are largely concentrated on the south side of East Valley Road and are not part of the view looking toward the Santa Ynez Mountains available on the North side of East Valley Road including across the Project site. The DEIR acknowledges that views of the Santa Ynez Mountains are available north across the lemon orchards of Rancho San Carlos (see DEIR p. 3.1-6), however the DEIR improperly minimizes the Project's impact to those protected mountain views. For example the DEIR states "due to mature oaks in the foreground, the new structures would not substantially block any existing mountain views" (DEIR p. 3.1-18). However immediately proceeding this the DEIR states that "[c]onstruction of project driveways would entail removal of one mature oak, opening up some views of the new structures." (Id.) The DEIR does not adequately disclose the degree of impact to these protected mountain views. Photographs of the site from each KVL do not identify which of the mature oaks would be removed, or attempt to show the available mountain views with the tree removed.



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The DEIR also improperly diminishes the significance of Impact VIS-1 by focusing on impacts to individuals driving on East Valley Road. For example the DEIR provides “viewer exposure to the structures would be intermittent and of short duration, occurring for approximately 5 seconds for travelers driving at 35 mph, though slightly longer for cyclists” (DEIR p. 3.1-22). However, the DEIR concedes that East Valley Road is used by pedestrians as well (DEIR p. 3.1-6), who would experience views of the Project for significantly longer durations, as do bicyclists. Moreover, where a Project would impact public views, private views should also be considered, which in this case includes views from residences in the area. (See *Ocean View Estates v. Montecito Water District* (2004) 116 Cal. App. 4th 396.)

4-17

The DEIR also overstates the degree to which the proposed landscape buffer would mitigate the Project’s visual/aesthetic impacts. To mitigate visual/aesthetic impacts the DEIR relies on a 60-foot deep buffer along East Valley Road, and 30 to 50 foot landscape buffers along the north, west, and east project boundaries (DEIR p. 3.1-13). While the Proposed Landscape Plan includes native drought tolerant species, to establish this extensive landscape will require irrigation and as discussed above current restrictions on water use imposed by the MWD. Discussed above, the DEIR fails to include sufficient information regarding the water supply baseline and water demand to establish the proposed landscape buffer. Sufficient water may not be available to establish the proposed landscape buffer which includes dense stands of large trees and shrubs, or if restrictions increase, sufficient water may not be available for any landscaping at all. Uncertainties regarding future water supplies mandate that the DEIR fully analyze the visual impact of the Project without landscaping, and seek to reduce visual impacts through implementation of a reduced development alternative (see Alternatives Analysis, below).

Native plants, while being drought tolerant once established, often lose leaves and are less effective at maintaining a visual screen during late summer to early winter periods. The EIR should acknowledge this residual, seasonal impact.

**b. Impacts to Agricultural Resources**

4-18

While the DEIR included additional analysis to address the issues raised in the Petition for Writ of Mandate granted by Judge Anderle, the DEIR nonetheless has several inadequacies in its discussion of agricultural resources. First, as with visual resources, the DEIR relies heavily on the “30- to 50-foot densely landscaped buffer area” between the proposed structures and the adjacent agricultural operation to minimize both the Project’s impacts to agriculture (see DEIR p. 3.2-10) and impacts from agriculture including pesticide drift (see DEIR p. 3.2-11). Discussed throughout this letter, the water supply reality facing MWD users may preclude establishing any landscape buffer at all, let alone allow the establishment and maintenance of a densely

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landscaped buffer. Given this, the DEIR improperly concluded that Impact AG-1 is insignificant and requires no mitigation.

4-18 The DEIR must evaluate alternative means to protect agriculture including with a reduced development alternative that would allow for wider setback from the agricultural operation. A reduced development alternative could also allow for reduced impacts to prime agricultural land and require removal of fewer lemon trees than the proposed Project incrementally reducing Impact AG-2 as well.

**c. Water Supply Impacts**

4-19 In our Scoping Comments we noted that on February 11, 2014, the Montecito Water District Board of Directors adopted Ordinance No. 92, declaring a water shortage emergency and providing for restrictions on the use of water and penalties for failure to comply with conservation measures. We requested that the DEIR fully disclose all issues with respect to water supply, including a detailed accounting of available water supply as well as Station 3's anticipated water demand for day-to-day operations, training, landscaping, etc. Unfortunately the DEIR fails to include adequate detail regarding water supply and demand, and understates the Project's impacts to local water supplies.

4-20 First, as discussed above, the DEIR lacks the necessary environmental baseline information for an adequate analysis of water supply impacts. The DEIR assumes the Project will result in a net decrease in water use from existing conditions, however it acknowledges that "it is unknown which source of water the site relies upon" and accordingly that there is "the potential for incremental increases in demand from the MWD during a critical drought" (DEIR p. 3.11-19.) Without adequate baseline information regarding the water supply, the DEIR's impact analysis is flawed and incomplete. (See *Save Our Peninsula Committee v. County of Monterey* (2001) 87 Cal. App. 4th at 119.) Additionally, the DEIR's conclusions regarding water supply impacts are not supported by facts and analysis as required, but rather constitute bare conclusions or opinion. (See *Concerned Citizens of Costa Mesa*, 42 Cal.3d at 935.)

Given the dire circumstances posed by the ongoing drought throughout California and in Montecito in particular, the DEIR must identify means of drastically reducing the water required to bring the Project to fruition. The Project's water supply impacts can be feasibly reduced with a smaller station without training and maintenance facilities. Such a reduced development alternative would also potentially accommodate a reduced landscape buffer to further reduce the Project's impacts to water supply. Discussed below, the identified reduced development alternative (Alternative Building Scale or Site Design Alternative) must be thoroughly vetted in revisions to the final EIR.

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**4. Alternatives Analysis**

4-21 An EIR must describe a range of alternatives to the proposed project, and to its location, that would feasibly attain the project's basic objectives while avoiding or substantially lessening the project's significant impacts. (Pub. Res. Code § 21100(b)(4); CEQA Guidelines § 15126.6(a).) The range of alternatives must be sufficient to foster informed decisionmaking and public participation. (CEQA Guidelines § 15126.6(a).) If the environmentally superior alternative is the No-Project Alternative, the EIR shall also identify an environmentally superior alternative from amongst the other alternatives. (CEQA Guidelines § 15126.6(e)(2).) A proper analysis of alternatives is essential to comply with CEQA's mandate that significant environmental damage be avoided or substantially lessened where feasible. (Pub. Res. Code § 21002; CEQA Guidelines §§ 15002(a)(3), 15021(a)(2), 15126.6(a); Citizens for Quality Growth v. City of Mount Shasta (1988), 198 Cal.App.3d 433, 443-45.)

4-22 The only alternative other than the No Project Alternative considered in detail require an alternative location for the proposed Project, resulting in an unreasonable range of alternatives. The DEIR summarily rejects the "Alternative Building Scale or Site Design" Alternative that would utilize the proposed Project site while decreasing the total amount of development and associated impacts. (DEIR p. 6-9.) The rejection of this alternative is particularly inappropriate considering that the Alternative Building Scale or Site Design Alternative is consistent with the vision for Station 3 in the alternative station configuration identified and proposed by Chief Hickman (Citygate Report, p. 4.) The Citygate Report describes this alternative configuration as "a stronger deployment plan" that achieves an equitable 7 minute total response time District-wide. (Id.) It would move Station 1's fire unit west closer to the population center at San Leandro Lane and San Ysidro Road and add a "smaller, more residential station" in east Montecito (in lieu of the proposed Station 3 Project). (Id.) Under this configuration the existing Station 1 would serve as an administrative office and training and support site, and thus "eliminates the need for the new east Montecito station to be larger for training functions as first proposed" (Id.) Despite the fact that the Citygate Report was finalized before the DEIR, the DEIR makes no attempt discuss Chief Hickman's proposal in the alternatives analysis, or describe how the Alternative Building Scale or Site Design alternative would further Chief Hickman's proposal while reducing the Project's significant impacts.

4-23 The DEIR's rejection of the Alternative Building Scale or Site Design Alternative is not supported by substantial evidence. The DEIR reasons that this alternative would only improve visual compatibility incrementally, and therefore "would not avoid or substantially reduce project impacts and would interfere with project objectives". (DEIR p. 6-10.) There are several serious flaws with this reasoning.

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4-23 First, the Alternative Building Scale or Site Design Alternative could substantially reduce two identified significant impacts of the Project. Reducing the amount of development onsite would directly reduce two identified significant impacts of the Project – BIO-2 (impacts to coast live oak trees resulting from project grading, detention basin development and other construction activities and the removal of three mature oaks), and Impact WAT-3 (long-term increases in runoff and site drainages and watersheds due to increased impervious surfaces including buildings, aprons, and driveways). Specifically, less development onsite would have the potential to preserve the three specimen oak trees that would be removed associated with the proposed Project (note, discussed above the DEIR lacks the necessary information regarding the location of impacted oaks to enable this required analysis.) Not only could this reduce Impact BIO-2, it is also necessary to comply with Montecito Community Plan (MCP) Policy BIO-M-1.15 which provides that “to the maximum extent feasible, specimen trees shall be preserved” and Development Standard BIO-M-1.15.1 which provides that “All existing specimen trees shall be protected from damage or removal by development to the maximum extent feasible.” Less development onsite would also require less site-coverage with impervious surfaces, reducing Impact WAT-3.

4-24 Second, the Alternative Building Scale or Site Design Alternative would reduce the Project’s impacts to views/aesthetics, agricultural resources, and water supply, which were improperly identified as insignificant in the DEIR. The Impact Analysis section, above, describes how this alternative would substantially reduce these impacts.

4-25 Third, the DEIR has no basis for concluding that the Alternative Building Scale or Site Design Alternative would “interfere with project objectives.” The alternatives studied in detail in an EIR must only meet the basic objectives of the Project. (See Pub. Res. Code § 21100(b)(4); CEQA Guidelines § 15126.6(a).) Of the six articulated Project Objectives, only one “provide facilities to support training activities for MFPD personnel” may not be fully achievable with a reduced development alternative. However, as outlined in the Citygate Report, training facilities could be at the existing Station 1 under a reconfiguration that would optimize response times.

To ensure that the EIR includes a reasonable range of alternatives sufficient to foster informed decision making the EIR must be revised to include a detailed discussion of the Alternative Building Scale or Site Design Alternative. (See CEQA Guidelines § 15126.6(a).) The DEIR identified the proposed Project as the environmentally superior alternative, based on a conclusion that each of the alternative sites would entail more impacts. The Alternative Building Scale or Site Design Alternative therefore, which utilizes the Project site while also reducing the Project’s significant impacts, must be identified as the Environmentally Superior Alternative.

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**CONCLUSION.**

4-26 Thank you for the opportunity to provide comments to your new draft Environmental Impact Report.

The Montecito Association in 2012 in writing recommended that Montecito Fire interact with neighbors respecting development of the new fire station three project. The 2012 EIR recommended coordination with the neighbors. The Citygate report recommends community outreach respecting fire station 3. Your new 2015 EIR also recommends that you “*coordinate throughout the design and environmental review process with concerned neighbors and interested organizations to ensure that the station location and design meet community concerns and standards.*”

In the past, there could have been better outreach and collaboration with residents. We hope that we will be able to work with Montecito Fire in an accommodative manner as the fire station three project moves forwards.

More specifically, if Montecito Fire is able to obtain land, we trust that you will consider an alternative building scale and site design that not only better meets the needs for a stronger deployment plan outlined by the Citygate report, but that also potentially addresses many of Montecito’s remaining concerns associated with view and character impacts in this agricultural area; the preservation of specimen trees; bulk, scale and height; neighborhood compatibility; and the short term (including construction needs) and longer term (irrigation and operational use) water use and supply issues.

Best personal regards.

Sincerely yours,



Joseph L. Cole

**Comment Letter 4 – Joseph Cole, Counselor at Law, on behalf of Montecito Agricultural Foundation**

**Comment Response 4-1:** Comment noted. However, the issues raised in this comment do not pertain to adequacy of the EIR. Donations to firefighting funds and capabilities are noted and appreciated by the MFPD.

**Comment Response 4-2:** Comment noted. However, issues raised in this comment do not pertain directly to the adequacy of the EIR.

**Comment Response 4-3:** Comment noted. Information from the Citygate study is included in the EIR. However, the Citygate study recommends a redistribution of District facilities and services, and its recommendations are not a part of the project description in the EIR. The project description includes a concept for Station 3 that the MFPD Board of Directors has determined will enable the District to improve services under current and reasonably foreseeable conditions. Any changes to the project description following certification of the Final EIR will be subject to the requirements of CEQA Guidelines 15162 and 15164.

**Comment Response 4-4:** Comment noted. Issues raised in this comment do not pertain directly to adequacy of the EIR, but instead cite the Citygate study and a model for redistribution of District services and facilities that is not a part of the EIR's project description. Any changes to the project description following certification of the Final EIR will be subject to the requirements of CEQA Guidelines sections 15162 and 15164.

**Comment Response 4-5:** Comment noted. However, this EIR fully addresses impacts to prime agricultural land. Detailed analysis of impacts to designated prime agricultural land is included in Section 3.2, *Agricultural Resources*.

**Comment Response 4-6:** Comment noted. This comment does not apply to adequacy of the EIR. The author states unsupported opinion regarding MFPD financial capabilities.

**Comment Response 4-7:** Comment noted. As a public agency providing essential public services, MFPD has a right and duty to carry out fire station planning activities it determines necessary, and CEQA authorizes an agency to designate and study a preferred site for a project regardless of whether the agency currently owns the land in question.

**Comment Response 4-8:** Comment noted. The proposed project is subject to review by the County, as well as by MBAR. The EIR addresses all issues noted in this comment, including impacts to views, community character, specimen trees, project size bulk and scale, neighborhood compatibility, landscape water demand and water supply, and it provides substantial evidence and analysis to demonstrate that any related impacts are either insignificant or can be fully mitigated. Any changes to the project description following certification of the Final EIR will be subject to the requirements of CEQA Guidelines sections 15162 and 15164.

**Comment Response 4-9:** Comment noted. The EIR is consistent with applicable law as cited because it provides over 200 pages of analysis of proposed Station 3 supported by substantial information and evidence regarding the existing setting and potential impacts as well as a highly detailed project description. Both the proposed project itself and potential impacts are clearly described using text, tables, maps and graphics to permit report reviewers to understand both the proposed project and potential impacts. As noted in Section 2.6, *Mitigation Measures Included in the Proposed Project*, Fire Station 3 would be designed and operated to include more than 40 mitigation measures to address potential impacts. The EIR also includes additional mitigation measures where required to address any remaining potential impacts.

**Comment Response 4-10:** Comments noted. The EIR provides 26 pages of detailed background information, data and analysis of water resource issues, including additional information added for context on current water supply within Section 3.11, *Water Resources*. Further, the EIR does not understate potential project impacts to aesthetics, agriculture or water supply, but provides detailed analysis of these issues based on guidance from CEQA Appendix G, the County of Santa Barbara's adopted Environmental Thresholds and Guidelines Manual and other relevant data and information. The EIR does not include a reduced development alternative because the detailed analysis within the EIR does not identify any impacts that have not already been mitigated through the 40 mitigation measures included in the project description or through additional mitigation measures set forth in the EIR. A smaller station that lacks training elements would be inconsistent with Project Objective 6 which states: "Provide facilities to support training activities for MFPD personnel reduced". CEQA does not require review of alternatives that are not needed to reduce or avoid significant environmental effects or that would fail to meet basic project objectives. Because there are no potentially significant impacts that would be substantially reduced by a reduced size project and such reductions in size would interfere with a basic project objective, such an alternative is neither environmentally superior nor required to be reviewed.

**Comment Response 4-11:** Comment noted. For discussion to comments regarding the inclusion of the Alternative Building Scale or Site Design Alternative, this alternative was discarded for further analysis as it would not meet all of the project objectives and would not avoid or substantially reduce significant impacts. Further, as noted in Comment Response 4-3 and 4-10 above, while the MFPD Board of Directors may eventually consider alternative distributions of services and facilities or other modifications to the project described in the EIR, a reduction in the size of the project is not required to reduce potentially significant adverse impacts associated with Station 3 as such impacts have either been identified as insignificant or reduced to less than significant through application of mitigation measures.

**Comment Response 4-12:** Comment noted. The EIR is consistent with applicable law cited (CEQA Guidelines Section 15125[a]) because it provides over 200 pages of fact-based discussion, supported by numerous maps, tables and graphics that provide a detailed description of the current environmental setting, which serves as the existing physical baseline for which project impacts are assessed.

**Comment Response 4-13:** Comment noted. The EIR acknowledges and provides additional details on the existing drought emergency, available water supply and the long term water demand associated with operation of Station 3. Please refer to Sections 3.11.1.2 and 3.11.1.3 for detailed discussion of regional groundwater conditions and water supply, Section 3.11.2.3 which discloses emergency drought related actions taken by the Montecito Water District (MWD), and Impact WAT-4, which addresses long-term impacts of water demand. Additional information has been added to Sections 3.11.1.3 to describe current ongoing drought conditions, and 3.11.2.2 to address actions by the State of California related to the ongoing drought emergency. Importantly, it should be noted that Station 3 will likely reduce net demand of local and regional water supplies through replacement of a high water demand orchard with lower water demand uses; however, this EIR conservatively acknowledges that the project may result in a 1.39 AFY increase in MWD water demand as existing water supply for the site may or may not be provided by the MWD. Please refer to Table 3.11-3 which provides information on a projected net reduction in onsite water demand of 1.61 acre feet per year (AFY), or over 500,000 gallons per year of conserved water associated with project development. Discussion of the 2014 Sustainable Groundwater Management Act and the 1998 Groundwater Basin Management Plan for the Montecito Water District have been added to Section 3.11.2.2 to supplement analysis of MWD groundwater sources.

**Comment Response 4-14:** Identification of required additional analysis is appreciated and a discussion of the potential Base Allocation has been added to the EIR based upon the best available information. It should also be noted that the MWD has stated that it is not possible to determine the exact mix of water used to irrigate the site due to reliance on the mix of MWD water, well water and that from stream diversions. However, as noted in Comment Response 4-13 above, actual water use on the site would decline by more than 50% with project approval. In terms of impacts to MWD supplies and its ability to provide water service to the property, if a property does not have 3 years of use history or if the use changes materially, MWD Ordinance 94 Section 3.3 sets forth a process to be used to determine the Base Allocation. Under these circumstances, Ordinance 94 requires MWD to consider other factors such as established historical uses of the property, water usage of properties of comparable sizes, or with comparable uses during the Base Allocation period. The EIR addresses the historic criteria by demonstrating an estimated historical use of 3 AFY. A 26% increase in the historic 70% Base Allotment compared to historic use would be 2.6 AFY, substantially more than the projected water demand of 1.39 AFY from Station 3. Although the site has been served by a variety of water sources including the MWD, a worst case analysis for impacts to MWD supply would be to assume that 100% of historic water use (3 AFY) on the site was provided by the MWD. The resultant Base Allocation based on historic use would be 2.6 AFY. Impact WAT-4 within Section 3.11, *Water Resources*, has been updated to include an analysis of Base Allocation.

**Comment Response 4-15:** Comment noted and several revisions have been made to the project description. The EIR is consistent with applicable law cited because it provides 34 pages supported by detailed maps, tables and graphics to describe the proposed project. The project as proposed envisions direct removal of only one oak tree. Consistent with



the requirements of CEQA, the EIRs identifies the potential for substantial damage to or removal of one or two additional oak trees. Such potential for oak removal and associated impacts does not need to be identified in the project description as it is an impact of the project. Consistent with County standards, this level of impact can be fully mitigated by replanted and does not require a major reconfiguration of the project or substantial reduction in station size. Further, as noted above in Comment Responses 4-10 and 4-11, such a reduction in station size would be inconsistent with a key project objective.

Regarding oak removal and impacts to aesthetics, the one or two additional trees that may potentially be removed are relatively small in stature and constitute fewer than 5% of the total oaks onsite and considerably less than 5% of total oak canopy which provides screening. The effects of such removal on views and project aesthetic impacts would be minor or insignificant. None the less, a brief discussion of the effects of oak removal has been added to the aesthetics section.

Regarding project short term irrigation demand associated with landscape establishment, the EIR uses conservative estimates for project water demand. Drought tolerant California native plants often require no water after established or supplemental water only during extended dry periods. In fact, applying added water, particularly during the summer months, can actually damage some California natives such as oak trees by supporting the growth of damaging soil fungus. Thus project water demand figures are by nature conservative. Further, water demand figures and MWD allocations are based on long-term averages to permit long term stable water supply planning, not a potential short term 1-2 year incremental increase in demand associated with establishment of native plants, which thereafter may require little or no water. None the less, Section 2.4.6, *Landscaping, Habitat Restoration and Walls*, discussion in the project description has been adjusted to discuss these issues.

**Comment Response 4-16:** Comments noted. Consistent with the requirements of CEQA and cited law, the project has been designed to avoid or minimize environmental damage and the EIR identifies further mitigation measures by which MFPD will meet its duties. In addition, the EIR does not defer formulation of mitigation measures to a future date, but provides detailed mitigation measures either as part of the proposed project or as requirements set forth within the EIR. The EIR is replete with detailed facts and analysis to support both project specific and cumulative impact analysis. These matters are discussed further below.

**Comment Response 4-17:** With regards to Visual and Aesthetic Impacts: The EIR provides a detailed description of existing views from public roads and potential project impacts on these views. This is supported by photographs from five key viewing locations. In addition, the EIR provides substantial evidence and analysis in support of its conclusion that impacts to visual resources would not be significant. As noted in the EIR, views are primarily experienced by motorists passing the site at approximately 35 miles per hour; given these speeds, the views of motorists are of very short duration. Existing trees along East Valley Road both east and west of the site also tend to break up views of the property. As noted on page 3.1-6 of the EIR:

*“Views of the site for eastbound travelers approaching the project site are obscured due to dense stands of oak trees on the Archdiocese property to the west and along the drainage channel on the site’s western boundary. Eastbound travelers in vehicles moving along East Valley Road at 35 miles per hour (mph) could view the project site through the existing line of oak trees for approximately 4.5 seconds by looking directly north as they transit the 300-foot length of the site.”*

Further, page 3.1-6 also notes:

*For westbound travelers in vehicles proceeding downhill toward the site from Toro Canyon, views are largely obscured by oaks that line the roadway for the majority of this approach. Distant views of the Santa Ynez Mountains are available north across the lemon orchards of Rancho San Carlos; however, views to the northwest (towards the project site) are largely obstructed by tree trunks and foliage. Westbound on East Valley Road at 35 mph, views across the project site occur for approximately 6.5 seconds.<sup>1</sup> It should be noted that while the posted speed is 35 mph, actual speeds of 45 mph or more are typical along this road and reduce viewer exposure to the site.*

As discussed above and demonstrated by photographs on pages 3.1-16 through 3.1-19., views of the site are largely occluded by offsite trees, with very limited foreground views across the site experienced typically at high speed, requiring drivers to slow down or turn their heads to see through the oak canopies for distant partially obscured views to the distant mountains. It should be noted that these offsite oaks would not be removed as part of the project and that most onsite oaks would remain. Because of the very short duration of views provided of the site and the fact that these views are either obscured or broken up by trees that would remain in place, impacts were not deemed significant.

The EIR focuses on impacts to motorists’ views because motorists are by far the most common users of this street. While the roadway supports substantial bicycle traffic, it might reach an average of dozens per day as opposed to the 2,600 vehicles per day. Offsite trees and as well as the majority remaining onsite would also occlude the views of cyclists and pedestrians. While cyclists would have some partially obscured views, it is presumed that they would be primarily focused on safely navigating this relatively narrow high speed road, rather than turning their heads to observe relatively fleeting views of the site. East Valley road lacks a striped bike path or paved shoulders so cyclists are compelled to share traffic lanes with high speed traffic. The road has no developed pedestrian facilities and supports low pedestrian volumes as verified by over two dozen sites visits to this property over 8 years in which Amec Foster Wheeler staff have never encountered a pedestrian walking along the segment of East Valley Road that borders the site. While there is some pedestrian traffic, volumes are anticipated to be even lower than those for cyclists.

Regarding impacts to private views, most homes south of East Valley Road are well set back from the roadway and are fronted by high walls and/ or hedges or lines of mature

trees along the south side of the road, which would tend to obstruct existing views from such homes. Further, similar to those views for passersby, such private views would be obstructed by mature trees along the north side of East Valley Road, and almost all of these views would remain intact after project construction. Finally, unlike the Summerland water tank project, these homes are not looking down upon the Project site and as noted above, have limited views. As most mountain views from such homes would remain intact after project construction, private views would not be substantially affected.

Regarding landscaping, the commenter has provided no evidence that water would not be available to support establishment of proposed landscaping. Please see Comment Responses 4-13, 4-14 and 4-15 above. Based on historic use and existing MWD policies, adequate water would be available to ensure establishment and maintenance of drought tolerant landscaping.

Some native plants loose leaves during the summer months, but are less prone to such occurrences with even minimal irrigation as this relieves stress from the “summer drought”. This response is most typical for natives within the coastal sage scrub community, particularly on hot dry south facing slopes; such plants were not selected for this project. Most plants selected for screening this project, such as ceanothus, coast live oak, toyon, Catalina or Hollyleaf cherry, are much less likely to experience substantial leaf drop, particularly when lightly irrigated. Given the density of existing oaks and proposed plantings, such minor leaf drop would not substantially increase exposure of proposed structures or related impacts.

Based on the above discussion and that within the EIR, impacts to views from passing motorists, cyclists, and pedestrians and from private homes would be less than significant as described in the EIR.

**Comment Response 4-18:** Comments noted. The commenter offers no factual basis to support the contention that proposed setbacks and buffers are inadequate in relation to agricultural resources. These buffers were designed in consultation with the County’s Agricultural Commissioner’s office. It should also be noted that general County policy and practice would not require any buffer as this area is zoned for residential uses. It should be further noted that neither the County Planning and Development Department nor the Agricultural Commissioner’s Office commented on this issue or raised objections to the planned buffers. For comparison purposes, the County has sometimes required buffers of 50 feet between home and active cropland (e.g., vegetables), where fields are frequently plowed and pesticide use is heavy. Planned buffers at this residentially zoned location are generally consistent with County practices for protection of heavily cultivated rural agricultural land. It should also be noted that the proposed main station building is more than 100 feet from the edge of active orchards and that only less heavily used outbuildings and parking are located adjacent to the 30-50 foot buffer. Please see Comment Responses 4-13, 4-14, 4-15 and 4-17 above regarding water use and landscaping. Because there would be no significant impacts to agriculture, there is no requirement to include a reduced project alternative to address such impacts; see also responses Comment Responses 4-8, 4-10 and 4-11.

**Comment Response 4-19:** Comments noted. However, the EIR provides a detailed analysis of water related issues, particularly considering that water use for the proposed station is similar to or lower than many typical Montecito single family homes. The EIR discloses current water supply issues and, project related water demand and compares project demand to high levels of historic use onsite. As noted in the EIR, the project would result in a substantial reduction in overall water use on the site. Please see Comment Responses 4-13 and 4-14.

**Comment Response 4-20:** Comments noted. The EIR provides a detailed environmental baseline on historic water use on the site based on available records. As noted in the EIR, the site is irrigated via three sources: a water meter shared with adjacent parcels; groundwater from wells on the Rancho San Carlos and stream diversions available to the Rancho San Carlos, and the EIR explains that all three sources have been historically utilized to irrigate the approximately 80 acres of orchards on Rancho San Carlos. Because of the shared use of these three sources to irrigate various parcels across the 80 acres of Rancho San Carlos orchards, it is not possible to disaggregate historic use of each particular source. However, it is clear that overall historic water use on the site would decline by approximately 1.61 AFY or 500,000 gallons per year (see Impact WAT-4). Further, regardless of the source utilized, this decline would benefit MWD supplies as it would incrementally reduce demand on the groundwater basin from Rancho San Carlos wells. Incremental reductions in stream diversions would also potentially increase recharge of the groundwater basin potential through slight reductions in stream diversions and increased water available for percolation into the groundwater basin. Finally, regardless of the above, as discussed in Comment Response 4-13 and 4-14, MWD policy specifically allows for such circumstances and the project water demand would be consistent with such policy. Given that the project would result in substantial reductions in historic water use and would be consistent with MWD policy, there is no need for a “drastic reduction” in water demand. The project itself already represents such a drastic reduction, with historic use declining by approximately 50%.

**Comment Response 4-21:** Comments noted. Consistent with the requirements of CEQA, the EIR provides a substantial 37-page analysis of potential alternatives, including discussion of 4 alternatives considered but discarded and 5 project-level alternatives. Because there are no aspects of the project that create unavoidable and significant impacts, this level of alternatives analysis exceeds CEQA requirements. This analysis provides decision-makers and the public with an understanding of the both potential alternatives and the No Project Alternative.

**Comment Response 4-22:** Comments noted. However, the EIR provides a reasonable range of alternatives for consideration. The reduced project alternative is considered and discarded as it would be inconsistent with project objectives as set forth by the MFPD Board of Directors and because it would not produce any substantial environmental benefits when compared to the project. As noted above, the project does not create any significant and unavoidable impacts and those identified potentially significant impacts can be fully mitigated by application of relatively simple measures that do not require substantial station redesign, particularly one that would conflict with attainment of basic

project objectives. As discussed in responses 4-3, 4, 8 and 11, the Citygate study recommends a model for redistribution of District services and facilities that affects more than Station 3, and the recommendations for Station 3 do not provide a stand-alone alternative to the project as described in the EIR. Any changes to the project description following certification of the Final EIR will be subject to the requirements of CEQA Guidelines sections 15162 and 15164.

**Comment Response 4-23:** Comment noted. However, the Alternative Building Scale or Site Design would not substantially reduce impacts to oak trees and site drainage compared to the project after implementation of project mitigation. The EIR finds that impacts to biological resources (oak trees) and water quality will be fully mitigated by the application of relatively simple mitigation measures without requiring major project redesign that would be required under a reduced project alternative. Use of these simple and widely accepted mitigation measures permit both the attainment of basic project objectives and the reduction of potential impacts to biological resources and water quality to less than significant. These measures would also ensure consistency with adopted Montecito Community Plan policies.

**Comment Response 4-24:** Comment noted. As discussed throughout the EIR and in the responses above, the project would not create any unavoidable and significant impacts and potentially significant impacts could be fully mitigated by the application of standard mitigation measures without requiring major redesign of the MFPD's preferred project. While a reduced scale alternative might incrementally reduce such impacts, these impacts are already either less than significant or fully mitigated. CEQA does not require the endless exploration of every possible alternative, particularly where no significant impacts would remain after mitigation.

**Comment Response 4-25:** Comment noted. As discussed in Comment Responses 4-21 through 4-24 above, where no significant impacts remaining after mitigation, an EIR is not required to review an alternative entailing major project redesign that would be inconsistent with a basic project objective. The Alternative Building Scale or Site Design Alternative was considered discarded as it was not required to reduce any project impacts to less than significant, would provide minimal environmental benefits when compared to the project, and would conflict with a basic project objective. Under such circumstances, there is no basis under CEQA to require the MFPD to review and consider such an alternative.

**Comment Response 4-26:** Thank you for your comments which have all been noted and are greatly appreciated. The MFPD has engaged in extensive community outreach for this project, including offers to meet and confer with the project commenter after completion of the DEIR review period. Such offers were not accepted. However, the MFPD will continue its outreach efforts and will consult with all parties as it proceeds with the process of improving the protection of public safety in Montecito.

East Valley Preservation Association

received  
9/14/15

September 14, 2015

Montecito Fire Protection District  
595 San Ysidro Road  
Santa Barbara CA 93108  
Attn: Chip Hickman, Fire Chief

Re: Comments on Draft Environmental Impact Report for Station 3 Site Acquisition and Construction Project

Dear Chief Hickman:

The East Valley Preservation Association is a group of concerned citizens, local residents, and property owners dedicated to preserving the historic, visual and agricultural resources of the Montecito Area. We have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Station 3 Site Acquisition and Construction Project (Station 3 Complex). We have the following comments on the DEIR for the Project.

5-1 The Station 3 Complex is proposed for one of the most visually sensitive sites along Highway 192, generally acknowledged as one of the most scenic roads in the area. The affected stretch of East Valley Road offers sweeping northerly vistas of orchards and mountains for more than 300 feet, with tidy horse properties extending to the south. No other locations in Montecito combine the foreground vegetation, mid-ground orchards and background mountains into a single public viewshed. This stretch of East Valley Road is unique in providing both insight into the agricultural history of Montecito and expansive views of the area's natural beauty.

5-2 The Station 3 Complex will occupy virtually all of this iconic vista with institutional buildings, paving, retaining walls, detention basins, and drought-tolerant urban landscaping. The proposed 50' setback is not consistent with the closest residential development on either side of East Valley Road, which either consists of landscaped walls with minimal setbacks or large unfenced homes with deep setbacks. Although the proposed landscaping is intended to soften views of the fire station from the road, the resulting development will eliminate the current unobstructed views of the orchards and mountains for travelers on East Valley Road. The DEIR focuses on minimizing views of the institutional fire station complex from the road, but it fails to address the impact of the Complex on the magnificent distant views enjoyed by residents and travelers alike at this location.

5-3 The Station 3 Complex also affects the integrity of the historic Rancho San Carlos property, the only intact estate remaining from the heyday of grand development in Montecito. The Rancho San Carlos estate is eligible for the National Register under three of the four criteria, including architectural merit, association with important individuals and reflections of broad historic patterns of development. The proposed site is part of the historic approach to the property, and

was part of the original purchase by the Jackson family in 1927. The orchard has been an integral part of the estate since its inception.

5-4 The DEIR does not fully disclose the impacts of the Station 3 Complex on views, agricultural soils and historic integrity. The alternatives analysis is inadequate because it seriously understates the actual extent of Project impacts when comparing it to other locations. In addition, while the DEIR purports to rely on new information contained in the 2014 Standard of Cover and Risk Assessment Study completed by Citygate "to assess response time issues and potential suitability of sites to accommodate Station 3," DEIR 1-3, there is no evidence that it does so. The recommendation of Citygate is that "considering the road network and risks in the District a stronger deployment plan would be a triangle with a station at each corner of the triangle." This plan would place "a single fire engine in a smaller, more residential station" in eastern Montecito. See Standard of Coverage Study and Risk Assessment Montecito Fire Protection District, Executive Report p. 4. In other words, Citygate finds that east Montecito can be fully protected with a smaller station. This new information was not considered in the DEIR, which rejected viable and possibly environmentally superior alternative sites that could accommodate a smaller, more residential station. In fact, the DEIR simply ignores the Citygate conclusion that the needs of the community can be met with a smaller station on a better located site.

Along with the deficiencies described below, the DEIR fails to provide the public and decision-makers with adequate information in accordance with the California Environmental Quality Act (CEQA).

#### COMMENTS

##### 1. Inadequate Project Description

5-5 a. Cemetery Parcel: The Project Description references an undeveloped parcel located 100' west of the site at DEIR 2-3. The property is a cemetery owned by the Los Angeles Archdiocese. The DEIR does not properly describe the use of the property and thus fails to consider whether the proposed Project is consistent with the historic cemetery use, which may qualify for cultural resource protection.

5-6 b. Emergency Shelter: The Project Description divides the Fire Station building into two parts, with the northern portion including a large fitness/multi-purpose room. DEIR 2-8. According to the Project Description, the entire building will be used to shelter evacuees during emergency situations, with the emergency vehicles relocated from the Apparatus Bays to the site pavements. Although included in the Project Description, the DEIR does not address any potential impacts from emergency use, including transportation and safety impacts.

5-7 c. Equipment Maintenance: The Project Description locates two drive-through Apparatus Bays in the fire station building, with another two bays for maintaining equipment. DEIR 2-8 and 2-9. Staffing will accommodate one fire engine. DEIR 2-17. The only on-site maintenance activities will consist of oil, lube and replacement of parts or installation of equipment. DEIR 2-17. The Project Description does not explain the need for maintenance for two fire engines in a Fire Station expected to house only 1 engine. The Maintenance Building also includes "an office for the Fire District Mechanic," yet this staff position is not accounted for in subsequent analysis. DEIR 2-9. If this position is to be located at the Station 3 Complex, or equipment from other fire stations will be serviced at the Complex, this information should be included in the Project Description and subsequent analysis.

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5-8 d. Training: The Project Description states that training activities will occur weekly for Station 3 personnel, with personnel from other stations or departments expected to participate on less frequent occasions. The DEIR states that 420 hours of annual training is required in multi-company drills. In addition, 360 hours of field training, 24 hours of evaluation and 450 hours of classroom training is required for each platoon of 3 to 5 personnel. The DEIR never totals the number of person hours of training that is contemplated, although it equals thousands of hours. The EIR also fails to explain how this amount of training for MFPD and other agency personnel can be accomplished with only 4 quarterly multi-company drills and 1-2 multi-agency drills, and no additional parking. DEIR 2-18. The DEIR does not describe the length of the drills, whether they will occur outside, whether they will include practice fires, or smoke drills, and how up to 6 fire engines will be accommodated on the site. The amount of training described in the DEIR could require daily training sessions on the Project site.

5-9 e. Other Community Uses: The Project Description does not contain any restrictions on using the large Multi-Purpose room for other community gatherings that could attract large crowds on a regular basis. The Multi-purpose room is designated for "fitness," but it is larger than would be required for the 3-4 firefighters lodged at the Station at any one time. The Project Description should either clarify that the Multi-Purpose room will be used only for fitness and, possibly, classroom training, or consider the likelihood and frequency of alternative uses, so their impacts can be considered.

## 2. Agricultural Resources

5-10 a. On-Site. The Project proposes to develop 2.55 acres of prime agricultural soils actively used for agriculture, as part of a combined farming operation for more than 75 years, to public institutional use. Montecito Community Plan Policy LUG-M-2.1 provides that "agricultural activities on residential parcels that are consistent with the provisions of the applicable residential zone district shall be supported and encouraged by the County." DEIR 3.2-6. The proposed Fire Station parcel would be non-viable and would be removed from agricultural production entirely, violating the County's environmental standard for land divisions. Although the Project proposes to eliminate all agricultural use from 2.55 acres of prime soils, the DEIR finds that no significant impacts will result because the Project site is too small to be independently viable, the County previously acknowledged loss of agriculture land as significant in 1995, and agricultural operations would continue to be viable on the remaining portion of the parcel. These assertions do not support the conclusion that significant agricultural impacts will not occur, or that mitigation is not required. The DEIR improperly and subjectively inflates the 20-acre Certificate of Compliance parcel to 61 points under the County's weighting system, by awarding 3 points for combined farming operations, instead of 1 point awarded to the equally-integrated Project site. DEIR, Appendix K, Table 1. The DEIR notes that orchards lands are generally zoned for a minimum size of 20 to 40, but after subdivision for the Project, the Certificate of Compliance parcel will be only 17 acres. DEIR 3.2-13. Under the County policies, therefore, the removal of 2.55 acres of prime soils from a 20-acre parcel would have significant unmitigated Class I impacts. As noted in the DEIR, the County finding that no mitigation was available to lessen significant impacts from the rezoning of the parcel was made more than 20 years ago. DEIR 3.2-13. Mitigation for agricultural impacts is now generally required in the form of agricultural conservation easements and permanent preservation of off-site land when prime soils and highly productive agriculture is removed. The DEIR must consider whether circumstances have changed under CEQA, either in terms of significant impacts or available mitigation measures, since the County approved the Montecito Community Plan. Without



mitigation, the loss of prime agricultural soil to a non-viable non-agricultural parcel is a significant Class I impact, and would require findings of overriding consideration.

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5-11 b. Indirect impacts. The DEIR acknowledges that construction of Station 3 will remove a potential barrier to development of the entirety of the 237-acre Rancho San Carlos agricultural operation. DEIR 3.2-15. However, the DEIR downplays the significance of making fire service available to a currently underserved area by arguing that residential redevelopment is already planned in the Montecito Community Plan and, at the same time, capped under the Montecito Growth Management Ordinance ("MGMO"). DEIR 3.2-15. The Project will put fire service on the site of the largest undeveloped residentially zoned parcel in Montecito. Currently, the property does not meet County fire response time standards, which was one of the bases for adoption of the MGMO. Construction of the Project will immediately improve the developability of Rancho San Carlos under the MGMO point allocation system, and makes it more likely that the cap will be reached annually. The fact that development of Rancho San Carlos may occur at a slower rate because of the MGMO does not change the impact of the fire station on facilitating development of a significant agricultural resource. The lack of available vacant parcels for sale has been one of the major contributing factors to the lack of annual applications to the MGMO. The Rancho San Carlos Property is currently on the market, and zoned for up to 93 new homes and support structures. Once the Fire Station is installed, the agricultural use and character of the adjacent property is forever changed. Indirect, cumulative impacts from the Fire Station 3 Complex on growth and development on prime agricultural lands will be Class I significant and unmitigated.

### 3. Aesthetics and Visual Resources

5-12 a. East Valley Road Scenic Corridor: The highly sensitive view of orchards and mountains from East Valley Road is unique in the area; it undoubtedly qualifies as a scenic vista under the CEQA Guidelines and as a significant Scenic View Corridor in the MCP Update. DEIR 3.1. The Project will directly block the highest quality stretch of this view for drivers, pedestrians and cyclists, who frequently use the Road. DEIR 3.1-6. Once the easement is dedicated for trail use along East Valley Road, the impact of the Project on pedestrian views will be even more adverse, with views of the Fire Station Complex filtered through vegetation replacing the expansive existing vista. The DEIR focuses on buffering views of the structures from drivers on the Road, but does not fully consider the effect of placing 3 buildings, retaining walls and parking, plus additional landscaping, between the Road and mountain views. The DEIR asserts that mountain views are already blocked by mature oaks, but the photograph at KVL C clearly shows a view of both orchards and mountains from the Road, albeit filtered through widely-spaced oak trees. DEIR 3.1-18. This view will be entirely lost, either blocked by new construction or hidden by new landscaping designed to block views of the massive complex of structures. The DEIR states that new structures would not "substantially block" existing mountain views, but it does not consider landscaping which is part of the Project Description. DEIR 3.1-18. At a minimum, the DEIR should include a visual simulation showing the effect of the structures and the landscaping on the orchard and mountain views at KVL C and D. DEIR 3.1-19. The visual impact severity at KVL C and D on East Valley Road immediately south of the Project is *severe*. The Project would result in Class I significant adverse impacts to important scenic views from East Valley Road, which are not acknowledged in the DEIR.

5-13 b. Public Views from Ortega Ridge Road: KVL E demonstrates the scenic vista of the site as seen from Ortega Ridge Road. While acknowledging the "potential visual dominance" the Project would have, the DEIR improperly and subjectively minimizes the impact by noting it



5-13 would be surrounded by landscaping and no scenic elements would be blocked, while providing no objective analysis or view simulation. The Complex will be clearly visible from Ortega Ridge Road, adversely and significantly impacting the sense of open rural use extending from East Valley Road to the mountains.

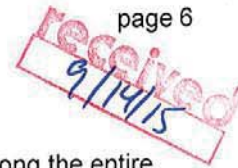
5-14 c. Height Impacts: The DEIR does not fully disclose the impacts of the 27' high main Fire Station ridgeline and the 35' high Hose Tower, given the topography of the site. According to the DEIR, the finished floor elevations for these buildings will be 317' and 318', respectively. DEIR 2-12. The Proposed Grading and Drainage Plan shows the elevation of East Valley Road at 306' immediately south of the Tower, rising to 314' at the eastern boundary of the Project. DEIR, Figure 2-4. In effect, therefore, the Fire Station ridgeline will be 38' above the road, while the Hose Tower will be 47' above the road for viewers immediately south of the Project. These heights are not consistent with surrounding structures or County guidelines.

5-15 d. Proposed Landscaping: The DEIR should clarify the locations where landscaping will be thinned or removed along East Valley Road to maintain sight lines from the Project. Although the proposed landscaping is described as dense along the frontage, the plant palette is also described as consisting of drought tolerant vegetation, which tends to be sparser. The vegetation is designed to "partially screen and break up building masses when viewed from East Valley Road," but this is inconsistent with the contention that impacts to longer views will not be significant. DEIR 3.1-12. Ten feet of the 50' setback is proposed to be a public trail. Approximately 35' of the 50' setback along East Valley is to be occupied by a depressed drainage basin with sloping sides and limited vegetation. DEIR Figure 2.2. These two factors suggest that there is only approximately 5' for vegetative screening of the facilities, which is already occupied by the existing oak trees. The height and density of the landscaping, both when installed and mature, should be described, especially in light of the grade change between East Valley Road and the Project and the resulting additional building height.

5-16 e. Incorrect Baseline Comparison: The DEIR finds the Project's contribution to the cumulative reduction of farmland and associated rural aesthetics in Santa Barbara County will be insignificant because it "would be consistent with the MCP and the Montecito Growth Management Ordinance (MGMO) development guidelines and zoning." DEIR 3.1-24. In other words, the DEIR compares the Project to what could happen in the future, not to the existing visually significant baseline plus cumulative projects already in the pipeline. The DEIR asserts that there are no pending developments on the site, along East Valley Road or on Ortega Ridge. DEIR 3.1-23. Despite the Project's elimination of a unique view along a scenic corridor, the DEIR improperly argues there will be no effects because future development, if it occurs at all, will necessarily be allowed under existing County regulations. This is same type of baseline error that resulting in the prior EIR being returned for additional analysis with a proper baseline.

#### 4. Air Quality

5-17 a. Training Emissions: As noted above, the DEIR fails to describe the type of training that may take place at the Complex. The DEIR states that "while periodic training exercises, particularly those with two or three engines from Stations 1 and 2 and/or up to 3 engines from neighboring agencies, would occasionally raise these emissions estimates, such emissions would not be daily and would not approach or exceed thresholds." DEIR 3.3-11. However, no analysis is provided. To the extent that the training exercises may include practice fires or smoke drills, the short term air quality impacts of these types of training must be disclosed and analyzed. Mitigations, such as limitations on such uses or notice to neighbors, both current and future, must be considered and adopted, if feasible.



5. Biological Resources

5-18 a. Trails: A 10' wide trail easement will be offered for dedication along the entire frontage of East Valley Road. The DEIR does not show where the trail will be located in relation to the existing oak trees and proposed landscaping along East Valley Road, or how the trees will be protected.

5-19 b. Detention Basins Conflict With Proposed Habitat Restoration: The Project proposes to install a 50' habitat restoration buffer from the top of the bank of the drainage channel at the western side of the site. DEIR 3.4-11, Figure 2-2. However, the DEIR shows drainage basins at the same locations as the proposed habitat restoration along the western boundary, and in the 50' landscaped setback from East Valley Road. DEIR Figure 2-4. Although the drainage basins are proposed to be vegetated, they typically do not provide either significant habitat benefits or dense visual screening due to the need to clear them regularly for drainage purposes. Of the 15,330 square feet of habitat restoration proposed on the western portion of the site, and the 13,959 square feet of landscaped area at street frontage, the majority appears to be reserved permanently for drainage purposes. Installation of drainage basins, with steeply sloping sides dropping 5-10' from the surrounding ground, does not provide any meaningful habitat or visual buffering. Impact BIO-2 is not adequately mitigated by installation of vegetated detention basins, and it remains significant and unmitigated. Impact BIO-3 relies on a future implementation of an as-yet-undeveloped Habitat Restoration Plan within a 50' setback to improve the potential habitat value of the westerly off-site drainage. However, the vegetated drainage basin that makes up most of the 50' front setback does not qualify as habitat restoration because it must be cleaned regularly to maintain its drainage function, and must use a limited plant palette suitable for drainage basins.

6. Cultural Resources

5-20 a. Historic District: The DEIR completely misses the historic significance of the 237-acre Rancho San Carlos estate, of which the Project site is the most highly visible portion. Rancho San Carlos was acquired by Ann and Charles Hervey Jackson, Jr. in 1927, shortly after their marriage. Ann Gavit Jackson, a nationally-known women's polo player, dog breeder and philanthropist, was the granddaughter of Anthony N. Brady, a wealthy industrialist. Her husband, known as Pete Jackson, was also a prominent polo player, as well as a local banker, developer and co-founder of the Valley Club of Montecito. The young couple hired master architect Reginald Johnson to design their home on a knoll overlooking the Project site, along with approximately 10 cottages and farm buildings for the estate, all in complementary Monterey Revival style. The cottages housed employees, while the farm buildings supported the more than 100 acres of orchards that surrounded the house as a working farm estate. Rancho San Carlos is the only one of the great agricultural and equestrian estates in Montecito that remains intact today, giving an important glimpse into the lives, tastes, styles and surroundings of earlier generations. See DEIR 3.2-17. The collection of Reginald Johnson-designed buildings set on the historic orchards and equestrian grounds form a historic district eligible for the National Register of Historic Places, the California Register and the Santa Barbara County Historic Landmarks List. Its historic significance was recognized by the County in the MCP Update in 1995. The 2.55-acre Project site has been part of Rancho San Carlos since before it was purchased by the Jacksons, and it has been in continuous agricultural use as an integral part of the larger Rancho San Carlos orchards for more than 90 years. The DEIR ignores the importance of site and setting in defining the boundaries of an historic district, and incorrectly assumes that historical agricultural uses are not part of Montecito's cultural heritage. The DEIR must consider the impact of the Project on the historic character of the Rancho San Carlos

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5-20 estate, as a historic district consisting of numerous architecturally important buildings in their original agricultural setting. Removal of a highly visible portion of the historic district is a Class I impact.

5-21 b. Historic Impacts: The Project will destroy one of the most striking historic public views of the Rancho San Carlos property. For more than 90 years, travelers along East Valley Road and Ortega Ridge have been able to admire the same breath-taking view of orchards and mountains as they view or pass the Project site. They have been able to enjoy the rural ambiance, as well as the agricultural history of Montecito. The Project will replace these views, which take passers-by into the area's storied past, with institutional buildings, walls, ramps, parking lots, landscaping and artificial detention basins. The Project will not only eliminate historic views, it will increase the sense that preservation of the rural environment is impossible and urban development is inevitable. The DEIR must consider the impact of locating a large multi-bay Fire Station Complex, including training and maintenance facilities, within the historic context.

7. Fire Protection

5-22 a. Response Times: The DEIR must disclose the areas of Montecito that will remain outside the recommended response times after construction of the Project, to ensure that both the impacts and benefits of the Project are fully disclosed. The DEIR must also compare the respective coverage areas of all the alternatives to compare their satisfaction of Project objectives, and to determine whether these objectives align with the new information contained in the Citygate Study. This information is necessary for a full understanding of the Project, as well essential to complete consideration of alternatives.

5-23 b. Equipment Usage: East Valley Road is a two-lane road without curbs or lighting. The Project will be expected to serve many hilly areas accessed by narrow or substandard streets. In many areas of eastern Montecito, speed constraints may result in exceeding response times, even with a closer fire station. The DEIR should discuss whether the size of the fire engines to be located at Fire Station 3 will be appropriate for the topography of the service area, and how they will be deployed depending on the location and type of the emergency call.

8. Geological Processes

5-24 a. Evacuation Center: The DEIR states that all structures will be located more than 50' of known active faults to avoid the potential for surface rupture hazards. DEIR 3.7-10. However, the DEIR does not address the suitability of the site for use as an evacuation center, given the location of 2 faults within the property, one of which was discovered exactly 50' from the firefighter living quarters. DEIR Figure 2-4. The DEIR should consider the potential number of evacuees who could be sheltered in the building and adopt a mitigation measure ensuring that appropriate construction methods for high-occupancy buildings are used for any portion of the Fire Station that might serve as a shelter. In addition, the DEIR does not assess the desirability of locating an evacuation center in a high-fire State Responsibility Area, with limited ingress and egress, particularly when that ingress and egress may be further limited by fire or flood, given the project location between flood prone stretches of Romero Creek and Picay Creek.



9. Land Use

5-25 a. Consistency with Montecito LUDC: The Montecito Land Use and Development Code allows public safety facilities as conditionally permitted uses. MLUDC Sec. 35.423.030. A "public safety facility" is defined as "a facility that houses public safety personnel and equipment, (e.g., police, fire, paramedics). Facility may include kitchens, sleeping accommodations, areas for equipment maintenance." MLUDC Sec. 35.500.020. The proposed Fire Station Complex will be far more than a facility "housing" firefighters and their equipment. The Complex will be used for thousands of hours of training each year, both indoors and, potentially, outdoors serving multiple jurisdictions. As proposed, it will serve as an evacuation shelter for an unknown number of area residents who, presumably, will be directed to the Fire Station Complex in the event of a public emergency. Food and supplies will have to be stored at the Complex for future emergencies. The Multi-Purpose Room will be used for fitness and training, but it also appears to be sized for large community meetings. A hose drying tower is not a typical accessory use for a single-engine station. These other uses are either not allowed under the MLUDC or and may not be allowed even with a CUP. Depending on the scope of these uses in a revised Project Description, parking may be inadequate to meet Project needs and community standards. Some of these activities may be inappropriate for a two-lane road with narrow shoulders. DEIR 3.10-2. The DEIR must be revised to consider whether all of the activities proposed for the Fire Station are allowed under the MLUDC and whether they may have a significant adverse impact on Land Use, due to incompatibility with current or planned adjacent uses or the need to modify applicable regulations.

5-26 b. Incorrect Baseline Comparison: The DEIR uses the same incorrect baseline for Land Use Impacts as it does for Aesthetics and Visual Resources, comparing the cumulative impacts of the Project to development that could occur in the future under current zoning, rather than to actual proposals in the pipeline. The DEIR also appears to rely on a Statement of Overriding Considerations adopted by the County in connection with another project, without requiring the statement to be reconsidered or readopted. DEIR 3.8-8. The cumulative impacts discussion must therefore be revised.

5-27 c. Fuel Storage: The Project will include fuel storage of up to 1,000 gallons of diesel in aboveground storage tanks located near the western boundary of the property, adjacent to residentially zoned property. DEIR 2-17. Up to 300 gallons of oil, solvent and hydraulics fluids will also be stored onsite. The Project Description does not address whether fuel storage in aboveground tanks is consistent with residential zoning and adjacent uses, or whether mitigation measures are available to reduce risks to the surrounding environment. Fuel storage should be addressed in the DEIR in terms of its compatibility with land use regulations for the Project site to determine whether it is allowed under the MCP and compatible with uses that may develop in the future.

10. Noise

5-28 a. Daytime Limitations: The DEIR states that construction activities will be limited to 8:00 a.m. to 5:00 p.m., Monday through Friday. DEIR 2-24. At the same time, the exterior address system would be operational from 8:00 a.m. to 7:00 p.m., 7 days a week. DEIR 3.9-8. The Project site is located in a rural area, where sound may be more disruptive because of lower background noise than in urban areas. The DEIR does not address the decibel levels of the exterior address system or the frequency that it will be operational. The potential impact of an exterior address system on neighboring residents, domestic animals, and wildlife should be



addressed in the DEIR, as well as the compatibility of exterior sound with the zoned residential use of surrounding agricultural properties.

5-29 b. Siren Noise: The DEIR states that the three residences located closest to the Fire Station will experience peak short-duration exterior noise levels in the 95 to 100 dB range an average of once per day. Interior noise would be reduced to 75 to 80 dB. DEIR 3.9-9. 95 dB is equivalent to the sound of a jackhammer at 50 feet, while 100 dB is equivalent to a lawnmower at 3 feet. Although the DEIR asserts that fire station use is compatible with residential zoning under the Montecito Community Plan, it does not consider the impact of peak noise up to 100 dB on future development of adjacent property. The DEIR should consider a mitigation measure requiring soundproofing of houses exposed to peak noise levels in excess of County standards.

11. Transportation and Traffic

5-30 a. Trip Calculations: The DEIR assumes 32 daily trips will be generated by the Fire Station, including 3-4 firefighters per shift, administrative personnel, fuel and supply deliveries. The DEIR does not include any trips for the district mechanic, although the maintenance building provides an office for the mechanic, training activities, meetings in the Multi-Purpose Room or other visits. Background information for the trip estimates is not provided, but the DEIR should disclose the full scope of potential activities and trip generation, including timing. Without this information, the baseline comparison is inadequate under CEQA.

5-31 b. Evacuation: The DEIR states that evacuees will be sheltered in all covered areas of Station 3. DEIR 2-8. Project Objective #5 is to "provide essential public services building to provide shelter, food and support during disasters." The DEIR does not discuss the number of evacuees who could be accommodated, the adequacy of the transportation system to deliver evacuees to the Fire Station, the areas from which evacuees could be expected to arrive, the desirability of locating an evacuation center as this location of eastern Montecito, the amount of food and other supplies that would be kept at the station, and the compatibility of using an active fire station for the provision of shelter to civilians during an emergency. At a minimum, the DEIR should consider whether East Valley Road can handle emergency and evacuation traffic both departing and arriving at the station, and whether traffic into the station is likely to back up due to the small number of visitor spaces, and the need to allow emergency fire vehicles to maneuver. Without this information, the DEIR traffic analysis is inadequate.

12. Water Resources

5-32 a. Water Baseline: All of the Project water use will be supplied by the Montecito Water District, which had a deficit of at least 600 AFY in its water supplies in 2007. DEIR 3.11-3. The DEIR states that Project use will be 1.39 AFY, but then asserts it will represent a decrease in water use from the existing orchards. DEIR 3.11-19. There is no evidence in the DEIR that any portion of the orchard irrigation to the site is provided by the Water District, so it is improper to assume any level of decrease associated with the Project. The DEIR should be revised to evaluate the Project as representing 1.39 AFY of new demand for potable water from the Montecito Water District.

5-33 b. Water Use: The DEIR estimates .25 AFY for hose training, based on activities at other MFPD stations. DEIR 3.11-20. However, Fire Station No. 3 is intended to provide training opportunities for all MFPD platoons, as well as other Fire Departments. The Project Description does not disclose whether the training will be outdoors and whether it will include hose training



5-33 and practice fires. The DEIR should clearly describe the type and frequency of training activities, together with any water use that will be required. The DEIR also uses General Office to estimate administrative uses, and residential to estimate firefighter needs, but does not consider whether water will be required for the large Apparatus Bays, equipment maintenance and related uses, or for the hose drying facility. See DEIR 3.11-20.

5-34 c. Construction Water: The DEIR does not provide any estimate for construction water or irrigation required for landscaping and other vegetation during the initial establishment period.

#### 13. Consistency with Plans and Policies

5-35 a. MCP Policies: The Project will adversely affect the quality of views toward the Santa Ynez Mountain Range in violation of the Montecito Community Plan policies described at DEIR 4-2. The location of the buildings and the screening described in the DEIR will eliminate current scenic views from East Valley Road and Ortega Ridge, replacing them with a screen of vegetation or views of institutional buildings. The Project violates Agricultural Element Goals II and II, and Policies I.A., II.D. and LUG-M-2.1. EIR 4-3 and 4-4. Other policies are violated as described above.

#### 14. Growth-Inducing Impacts

5-36 a. Over-Capacity Triggers Growth: The Project Description states that Station 3 is expected to respond to approximately 400 calls per year, with medical emergencies constituting approximately 200 calls and fire or hazardous conditions emergencies involving an estimated 40 to 48 calls. All of these calls are currently being handled by other fire stations, although with longer response times. The District currently has double the number of firefighters required for adequate service to the Montecito population under County standards. DEIR 5-4. According to the DEIR, the Project will add another 3-4 firefighters without reducing the number of personnel at other stations. To the extent that the availability of fire service is at issue, the Project will not only remove obstacles to development in eastern Montecito, but it will free up firefighters in other areas of Montecito, removing development obstacles throughout the community. Currently, MFPD has enough capacity to serve twice the population of Montecito; the Project will increase this over-capacity by 50%. The DEIR fails to address the amount of growth that could be accommodated in other areas of Montecito with additional fire service, except to refer to the MCP. DEIR 5-6.

5-37 b. Inadequate Fire Service Response Times As An Obstacle To Growth: CEQA requires the DEIR to identify whether the Project will remove obstacles to growth. CEQA Guidelines §1526.2(d). The lack of fire service within recommended response times is the type of issue identified as an obstacle to growth. However, the DEIR applies another layer of subjective analysis to determine that construction of another fire station will not remove an obstacle to growth. Specifically, the DEIR finds that "fire services do not appear to have a limiting effect on growth based on historic County actions." DEIR 5-14. The MGMO relies on the inadequacy of fire response times as one of the reasons for growth control, so it is not reasonable or consistent with CEQA to assert that additional fire service will not facilitate growth. This should be acknowledged in the DEIR.

5-38 c. Growth Inducing Impacts outside of Montecito Planning Area: The DEIR limits its review of growth inducement to the Montecito Community Plan boundaries. DEIR 5-2. However, as demonstrated in Figure 3.6-2a/b, the Montecito Fire District provides mutual aid to

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5-38 both the City of Santa Barbara and Carpinteria/Summerland Districts. Placing a new fire station at the eastern end of Montecito would also increase the ability to provide mutual aid to areas in the western portion of the Carpinteria/Summerland Fire Protection District, including Toro Canyon. The growth-inducing aspects of increased fire service to areas outside the Montecito Community Plan boundaries should be analyzed and disclosed in the DEIR.

15. Alternatives

5-39 a. Site Not For Sale. The landowner has stated the Project site is not available for voluntary sale to the Fire District for use as a fire station. The District must address the impact that condemnation would have on the timing, cost and selection of the Project site, particularly since other alternatives in the DEIR were rejected in part due to owner opposition.

5-40 b. Other Sites More Suitable Under Citygate Study. As noted in section 1.3, the DEIR analysis builds on a variety of studies; the newest one is the 2014 Standard of Coverage and Risk Assessment Study completed by Citygate. One of the main conclusions of this extensive operational study is that the community as a whole – including eastern Montecito – would be best served by a single fire engine in a smaller, more residential station in east Montecito. This information was not addressed by the DEIR. In fact, to the contrary, many potential and possibly appropriate smaller sites were discarded without analysis based on the need for a minimum of 1.5 acres. The entire Alternatives analysis is therefore inadequate.

5-41 16. Unavoidable and Significant Impacts. The MGMO EIR and prior MCP EIR found that development of Rancho San Carlos could affect view corridors to the mountains and contribute to a change in the semi-rural character of eastern Montecito, with development review standards providing only partial mitigation. DEIR 5-11. They also found that development of Rancho San Carlos and Featherhill Ranch could impact historic resources, with impacts remaining significant and unmitigated due to the amount of development and sensitivity of historic structures and resources. DEIR 5-12. Impacts to prime soils and agricultural use would remain significant and unmitigated with development on Rancho San Carlos. DEIR 5-14. To the extent the DEIR relies on these findings, and the associated statements of overriding considerations, the District must revisit these findings under CEQA.

The East Valley Preservation Association appreciates this opportunity to provide input on the important decision to construct a new fire station in eastern Montecito. The Association supports the efforts of the Fire District to protect residents throughout Montecito, and encourages a decision that provides both top-quality fire services and protects the unique environment of Montecito.

Sincerely,



Mary R. Rose  
For the East Valley Preservation Association

c/o Mary Rose & Associates  
PO Box 90610  
Santa Barbara, CA 93190



**Comment Letter 5 – Mary Rose, on behalf of East Valley Preservation Association**

**Comment Response 5-1:** Comment noted. The EIR acknowledges and describes the scenic nature of the project area. Please refer to Comment Response 4-17.

**Comment Response 5-2:** As described in the EIR, the proposed structures associated with Station 3 will occupy a relatively limited area along this roadway. As depicted and described in the EIR, views of the site and through to the Santa Ynez Mountains from East Valley Road are often obstructed or partially occluded by existing mature oak trees located on the site and to the east and west. Please see images on pages 2-4 3.1-16, 3.1-17 and 3.1-18, which clearly demonstrate that existing views of the site to passing motorists, cyclists and pedestrians are often blocked, broken up or otherwise partially obstructed by mature vegetation. Please also see Comment Response 4-17.

**Comment Response 5-3:** As described in Section 3.5, *Cultural Resources*, the project would not impact the historical integrity of the Rancho San Carlos. The proposed project would occupy less than 1% of the historic 237-acre ranch property and would be located more than 0.5 mile from the main ranch residence. The project site would occupy less than 2% of the area of the ranch historically devoted to agricultural activities and less than 3% of historic orchards. Moreover, the site is located more than 200 yards east of the main ranch driveway, with views of the site from that driveway largely obstructed by existing lemon orchards and oak trees. A Historic Resources Survey was performed in April 2016 and found that while Rancho San Carlos is eligible for the National Register of Historic Places (NRHP), implementation of the project would not compromise the potential historical significance of the property as the property would retain historic character-defining features, including the existing orchard. See Appendix N.

**Comment Response 5-4:** Comments noted. However, the EIR provides a detailed discussion of impacts to views, agricultural soils and cultural resources; additional detail regarding the historic integrity of the Rancho San Carlos property has been incorporated into the EIR for clarification and can be found in Section 3.5, *Cultural Resources* and in Appendix N. The EIR also provides a detailed analysis of alternatives as well as thoroughly disclosing project impacts. Regarding the Citygate study, the commenter is reminded that the purpose of this EIR is to assess the impacts of constructing Station 3 on this site, to identify mitigation measures to address any impacts and to consider a reasonable range of alternatives. This EIR is not a community-wide fire station service and siting study and is not required to second guess the direction of the Montecito Fire Protection District (MFPD) Board of Directors that identified this location as a desired site to accommodate Station 3. The EIR acknowledges the Citygate study and the previous Station 3 Siting and Response Time Study as resources, but the EIR focuses on Station 3 as a response to existing needs, not as part of a hypothetical redistribution of services and facilities as described in the Citygate study. The EIR finds that the proposed station does not have any significant and unavoidable impacts and that any potentially significant impacts can be feasibly mitigated by recommended mitigation measures. The EIR provides the public with full analysis of 4 alternative sites and is not required to

review a smaller station design as there are no residual significant impacts that would require potential mitigation by a smaller station. Please see Comment Responses 4-21 through 4-25.

**Comment Response 5-5:** Comment noted. However, the EIR thoroughly described this property which is an *abandoned* cemetery. Please see Section 3.5, *Cultural Resources* and Section 6.4.1.4 *Alternative Locations Determined to Be Unsuitable Upon Further Evaluation*, which thoroughly discusses this Archdiocese-owned parcel, which is located approximately 150 feet west of the project site, across an oak-lined drainage.

**Comment Response 5-6:** Commented noted. However, the timing, location, intensity, frequency, size and nature of emergencies are very difficult to predict, and their potential impacts are difficult to assess accurately. For example, a major wildfire in eastern Montecito would likely lead to evacuations, but it would be speculative to attempt to identify total numbers of evacuees due to the variable nature of wildfires (e.g., location, acreage, fuel conditions, wind speed) and to attempt to disaggregate the number of residents who would leave the area to evacuate versus those who might shelter at the station. Further, it would also be difficult to separate impacts such as those associated with pass by traffic for those leaving the area from those intending to shelter at Station 3 as East Valley Road is the only major east west road in the vicinity. However, brief statements have been added to the EIR in Section 3.10, *Transportation and Traffic*, and Section 3.6, *Fire Protection* regarding this issue.

**Comment Response 5-7:** Comment noted. Two apparatus bays are provided to permit flexibility in deploying MFPD equipment and to permit storage of an additional engine. The Fire District Mechanic rotates between facilities and requires office space for carrying out routine duties.

**Comment Response 5-8:** Comment noted. The site has ample room to accommodate training activities, including sufficient paved surfaces to accommodate fire engines during training sessions, as well as 16 employee parking spaces. Crews will typically arrive for training in their fire vehicles with 2-4 employees per engine. Drills would be confined to the periods specified and typically occur within a 4 hour period. No live fire or smoke drill would occur as such drills are typically performed at regional training facilities. The commenter inappropriately lumps classroom training hours together with live drills that would occur at Station 3, and provides no basis to support such assertions. A key reason for a larger facility is to provide ample room for training. Between interior space, paved surfaces and 16 employee parking spaces, Station 3 will be able to accommodate all required training.

**Comment Response 5-9:** Comment noted. The multi-purpose room has been designed to be a flexible space. While available for public gatherings if needed, particularly those associated with MFPD business, Station 3 is an emergency operations facility, not a community center. Public meetings would be focused on those related to MFPD business such as planning for emergencies and unrelated meetings would be limited so as not to interfere with station operations. As a shelter in place facility, the multi-purpose room

can also accommodate evacuees for brief periods. Based on MFPD experience, the room is appropriately sized for these uses as well as fire fighter workouts.

**Comment Response 5-10:** Comment noted. However, the commenter relies on unsupported assertions and opinion with no detailed analysis of County Environmental Thresholds and Guidelines for agricultural land. In contrast, Section 3.2, *Agricultural Resources* provides detailed analysis of potential impacts to agricultural land and relies on the County’s own standards to find impacts to agriculture as less than significant. As stated in the EIR, the County has never found the loss of less than 10 acres of prime soils a significant impact and recently identified the loss of 29 acres of prime soils as insignificant in the 2011 Cavaletto Tree Farm Housing Project Final EIR. The EIR properly applies all County standards and report preparers are well familiar with those standards. These conclusions are further supported by comments provided by County Planning and Development, the Agricultural Commissioner’s office or State Department of Conservation. This analysis does not rely upon the Montecito Community Plan (MCP) or associated EIR but simply discloses the actions the County took at that time. The detailed analysis in the EIR finds that impacts due to loss of prime soils are less than significant and thus no mitigation measures are required.

**Comment Response 5-11:** Comment noted. However, the EIR does not downplay potential project indirect or growth inducing impacts to agriculture. Rather, taken together, Impact AG-3 and Section 5.2, *Growth Inducing Impacts* provide an exhaustive analysis of potential indirect or growth inducing impacts to agriculture. As disclosed in this EIR, fire protection services are one of many constraints to development in eastern Montecito, including those that may impact remaining area agricultural lands. In fact, fire protection services historically have been a minor constraint to growth. It is noted that fire protection has never been used as a basis for County denial of projects in eastern Montecito. As demonstrated in Section 5.2 of the EIR, the incremental change in point allocations under the Montecito Growth Management Ordinance (MGMO) would have a negligible effect on growth rates or patterns which are governed more by factors such as traffic, water supply, and neighborhood compatibility and sewer service. The EIR discloses that the Rancho San Carlos property is for sale, but does not speculate on potential results of that sale; either the existing or future owner could apply for subdivision and development of the ranch. The EIR provides detailed analysis of factors that affect growth in eastern Montecito and based on this substantial evidence in the record finds that construction of Station 3 would not have significant growth inducing impacts or indirect impacts to agriculture.

**Comment Response 5-12:** Comment noted. The EIR discloses the scenic nature of the area. However, as described on pages 3.1-6 and 3.1-16 through 3.1-19 and in multiple photographs, direct views of the project site are limited from both the east and west by dense stands of oak trees. A motorist or cyclist passing the site at present has at most have a fleeting glimpse of orchards and mountains through obstructing oak trees. It is simply inaccurate and without factual basis to assert that project “would block the highest quality stretch of this view” along this stretch of road. As discussed on the pages referenced above and clearly demonstrated by accompanying photographs, views of the

site are largely obscured by dense stands of oak trees; views of the site are largely unavailable from the east and west due to these trees, and are substantially limited even from directly in front of the project site.

The highest quality views of the Santa Ynez Mountains and existing orchards are located 200-300 yards east of the project site where the dense oak canopy along East Valley Road thins and allows some views through to the mountains. The EIR acknowledges some degree of impact to both cyclists and pedestrians. However, current pedestrian volumes are extremely limited and are unlikely to rise significantly even with completion of the on-road trail as the area lacks major pedestrian generators or destinations (e.g., dense housing, schools, parks) and would serve mostly local residents from very low density surrounding development. Further, it is also inaccurate to characterize the oaks that front the project site as “widely spaced” as there are between 8 and 10 mature oaks along the project frontage, roughly one every 20 feet with intervening small saplings. As clearly shown in the photograph of KVL C, the branches of these oaks sweep down toward the ground, breaking up and partially obstructing existing views. To a motorist passing at 35 mph to 50 mph or a cyclist at 10 mph to 25 mph, these trees largely preclude clear views of the site or mountains. Pedestrian traffic is very low and is likely to remain so.

It is also misleading to characterize the proposed Project structures as “massive” as they are not dissimilar in size and roadway frontage to surrounding residential uses as set forth in Table 3.1-1. Homes in this vicinity of from 4,000 to 8,000 square feet are not unusual; indeed the home and stable complex directly across from the project site (currently used for vintage car storage) are of comparable size to Station 3. Photosimulations are not required under such circumstances as views are clearly limited and fleeting. The EIR accurately characterizes existing views and finds potential project impacts adverse but not significant because views of and across the site are very limited due to intervening vegetation. The project’s visual impact severity is accurately characterized as low to moderate and, with inclusion of proposed landscaping, accurately characterized as less than significant. See also Comment Response 4-17 and 4-18.

**Comment Response 5-13:** Comments noted. However, the EIR accurately characterizes project impacts to views from Ortega Ridge Road as *less than significant*. Such views would also be fleeting due to intervening vegetation and viewpoints which are generally 0.25 mile to 0.5 mile in distance, limiting project visual dominance, which would be lessened by nearby structures and the dominance of the Santa Ynez Mountain backdrop as shown in the photograph of KVL E on page 3.1-20 of this EIR.

**Comment Response 5-14:** Comment noted. However, as discussed in Comment Response 5-12 and 5-13 above and 4-17 and 4-18, views of the site from public roads to the south are largely obstructed by mature coast live oak trees and oak groves, precluding views of these structures. Project buildings would not be dissimilar to two story residences in the area and would not be visually dominant. Such building heights are consistent with County guidelines.

**Comment Response 5-15:** Comment noted. However, as depicted on Figure 2-5, the project includes the planting of dozens of trees, including multiple trees and large screen shrubs of 10 feet to 25 feet in height within the proposed setbacks which when combined with existing oaks which line this roadway would provide adequate screening. Native plants proposed for screening such as coast live oak, hollyleaf cherry, coffeeberry and lemonade berry are more often described as dense than sparse; indeed, stands of both hollyleaf cherry and lemonadeberry are often recognized as being impenetrable. The height and density of the landscaping is already well described; please refer to Figure 2-5.

**Comment Response 5-16:** Comment noted. However, the cumulative analysis in the EIR clearly compares the project to the existing baseline, but merely adds details from the MCP EIR. The cumulative discussion notes conversion of 2.55 acres of agricultural land and discloses that as project impacts have been found to be insignificant as the project would not eliminate a unique view corridors (see Comment Response 5-12 above) and as there are no other projects pending within this viewshed, cumulative impacts would be insignificant. The EIR further discloses the potential for future request for subdivision of Rancho San Carlos under existing zoning, but notes that no such projects are currently pending. In addition to creating insignificant impacts as discussed above and in the EIR, the EIR discloses that the project would also be consistent with existing land use designations and zoning. Please see refer to text in Section 3.1.3.6 that again repeats the findings of insignificance from this section in the concluding statement.

**Comment Response 5-17:** Comments are noted. However, periodic emissions from several trucks occasionally driving to Station 3 for training are disclosed along with their relationship to adopted thresholds. Such emissions would not approach threshold levels which would require dozens or hundreds of trucks operating on a daily basis. No live fire or smoke drills are proposed to occur at Station 3.

**Comment Response 5-18:** Comment noted. However, a 10-foot wide trail easement is proposed, not a 10-foot trail. County trails are often 2-4 feet wide, although this final determination would be up to the County. For example, the recently-completed road shoulder trail along busy San Ysidro Road is 2-4 feet in width and serves a much denser neighborhood including several schools. As part of the project, this trail easement location would be subject to the eight biological resource mitigation measures identified in Section 3.4.3.3 included in the project as well as the 14 oak protection requirements of MM BIO-2. Given these measures and likely narrower 2-4 foot width of the trail, impacts would be less than significant; however, a brief discussion of requirements of the trail has been included in Section 2.6.7, *Other Mitigation*.

**Comment Response 5-19:** Comment noted. However, the vegetated drainage basins would not need to be cleared regularly; such clearing would typically be reserved for the area around the outlet drain. Vegetation planned for lower lying portions of the swales and basins includes wild rose, snowberry and blackberry, which are prime food sources for wildlife that also form dense masses of vegetation, ideal for both habitat restoration and screening. Upper bank would typically be planted with more drought tolerant species, such as oaks and hollyleaf cherry - both ideal screen plans and excellent sources of food

for wildlife and thus more than appropriate for native habitat restoration. Even a cursory review of the grading plan in Figure 2-4 shows these basins to be 2-3 feet deep (not 5-10 feet deep) with gently sloping sides. Such detention basins and swales are typically incorporated into habitat restoration plans as they serve the dual purpose of providing restored wetland or at least wetter habitat areas and improving water quality. These basins have been designed by a licensed landscape architect experienced with habitat restoration and with feedback from the EIR consultant team on plant palette to ensure suitability for restoration purposes. The swales and basins would be highly suitable for both restoration and screening.

**Comment Response 5-20:** Comments have been noted and concerns regarding impacts to cultural and historic resources are appreciated. Additional discussion of historic resources located on Rancho San Carlos have been included in Section 3.5, *Cultural Resources*, and a Phase 1-2 Historic Resources Survey has been prepared to identify potential historic resources and impacts to these resources associated with project implementation, and has been included as Appendix N of this EIR. However, the DEIR does not overlook the historic importance of the Jackson estate house which is located on a knoll almost 0.5 mile from the project site on a different Assessor's Parcel, has no visual continuity with the site and does not directly overlook the site (see Appendix A, Initial Study). In addition, as discussed in the Phase 1-2 Historic Resource Survey, the project site is not the most highly visible portion of the Rancho San Carlos from East Valley Road as it is screened by oaks that front the site along East Valley Road as well as oak groves located to the east and west which substantially limit or block public views of the site. Please see responses 5-12, 13 and 14 above and 4-12.

With regards to the entire Rancho San Carlos qualifying as a historic district, the Phase 1-2 Historic Resources Survey, prepared by a qualified historian in May 2016, identifies the 237-acre Rancho San Carlos estate as potentially eligible for listing as a historic resource under the California Register of Historic Resources (CRHR) and the National Register of Historic Places (NRHP), as well as potentially eligible as a County of Santa Barbara Historic Landmark and Historic District under National Park Service guidelines. Discussion of these potentially eligible resources and the Phase 1-2 Historic Resource Survey has been included in Section 3.05, *Cultural Resources*, of this EIR.

The significance of a historical resource, and consequently the significance of any impacts, is determined by whether or not that resource meets the significance criteria outlined in the State CEQA Guidelines (CEQA Guidelines, § 15064.5(a)). A project is judged to have a significant effect on the environment if it may cause a substantial adverse change in the characteristics of a historical resource that convey its significance or justify its eligibility for inclusion in the CRHR or a local register, either through demolition, destruction, relocation, alteration, or other means (CEQA Guidelines, §15064.5(b)). Direct impacts may occur by:

1. Physically damaging, destroying, or altering all or part of the resource;
2. Altering characteristics of the surrounding environment that contribute to the resource's significance;

3. Neglecting the resource to the extent that it deteriorates or is destroyed; or
4. The incidental discovery of cultural resources without proper notification.

Furthermore, as described under Santa Barbara County's Environmental Thresholds and Guidelines Manual (2015), and discussed in Section 3.5.3.1, *Thresholds for Determining Significance*, of this EIR, a project may create a significant environmental impact if it would result in:

Historic Resources

- a. Adverse physical or aesthetic impacts on a structure or property at least 50 years old and/or of historic or cultural significance to the community, state, or nation.

Removal, demolition, or alteration of historical resources can directly impact their significance by destroying the historic fabric of an archaeological site, structure, or historic district. Direct impacts can be assessed by identifying the types and locations of proposed development, determining the exact locations of cultural resources within the project area, assessing the significance of the resources that may be affected, and determining the appropriate mitigation. New development permitted could also alter the setting and context of historic resources.

With regards to the site's relationship to the potentially eligible historic Jackson home and the Rancho San Carlos overall, development of the project site would not significantly impact identified or potential historic resources for the following reasons:

1. The site is removed from the historic Jackson home by approximately 0.5 mile and is 200 to 300 yards from any outbuildings, historic or otherwise. The project site is located at the far southern edge of the estate and is more than 200 yards from the estate entry driveway.
2. The site lacks visual continuity with the main estate entrance or any primary or secondary structures due to vegetation, topography, and landscape. Views of the potentially historic resources of Rancho San Carlos from East Valley Road are brief or disrupted due to
3. Development of the site would occupy approximately 1% of all land within the estate boundaries and be located at the far southern edge of the estate, well removed from the grounds and orchards contiguous with and surrounding the main estate and outbuildings.
4. Project development would alter approximately 3% of the existing orchards currently in production on the Rancho San Carlos or about 2% of the 120 acres of the Ranch historically in agriculturally-related uses, resulting in minimal alterations to existing Rancho San Carlos historic orchards.
5. Proposed development conforms to the standards established by the Secretary of the Interior's Standards for Treatment of Historic Properties

In summary, while the proposed project would result in minimal alterations to historic orchards, the project would not significantly alter any of the key character defining

features of the Jackson home or existing outbuildings. The project site is far removed from the central grounds that surround the Jackson estate home and would not interrupt the visual continuity of these resources due to distance and the presence of substantial area of intervening oak woodlands. Further, the project would remove only a minor amount of overall developed orchard located at the far southwestern edge of the estate. Therefore, it is the findings of this EIR that the proposed project would result in a Class III, *less than significant*, impact to potentially eligible historic resources of Rancho San Carlos. Refer to the additional discussion included in Section 3.5, *Cultural Resources*, and Appendix N, *Phase 1-2 Historic Resources Survey*, of this EIR for a detailed discussion of the determination of potentially historic resource of Rancho San Carlos and potential impacts to these historic resources resulting from implementation of the proposed project.

**Comment Response 5-21:** Comment noted. However, the project would not “destroy one of the most striking public views of the Rancho San Carlos”. Such view corridors are located 200 to 300 yards east of the project site. As discussed under responses East Valley-12, 13 and 14 above and response Cole-12, views of the site to passing motorists are limited to fleeting glimpses due to dense groves of oaks located to the east and west of the site and to mature oak trees lining the site’s frontage with East Valley Road.

**Comment Response 5-22:** Comment noted. The EIR addresses both existing response times and those after construction of Station 3. As discussed in Section 3.6, *Fire Protection*, construction of Station 3 would significantly improve response times in eastern Montecito, but areas high in the foothills (e.g., upper Romero Canyon Road) and small pockets along the coast would remain outside safe response times. Section 6.0, *Project Alternatives* also discusses response times. However, the EIR is not a response time study and is only required to provide sufficient information to understand project impacts and those of the alternatives. Responses time information is sufficient to understand the relative merits of different sites in terms of response times as well as relative environmental impacts. For example, the EIR discloses that the more remote sites such as Kimball Griffith have greater response times to most areas and greater impacts (e.g., geology and soils, biological resources), while the Birnam Wood site has incrementally better response times to most areas while creating greater impacts (e.g., biological resources, noise). The EIR also incorporates by reference the Station 3 Siting and Response Time Study which addresses such issues in detail.

**Comment Response 5-23:** Comment noted. Station 3 would house engines of similar or the same types to those used at existing MFPD facilities such as the Type 1 engine and off-road wildland firefighting Type 3 engine, specifically selected to provide high quality equipment capable of navigating Montecito’s narrow and steep streets. Accordingly, speeds and typical response times would not vary from the existing baseline, with the exception that Station 3 will provide improved responses to underserved areas. Only engines suitable for serving the area would be selected by MFPD.

**Comment Response 5-24:** Comment noted. Station location and design has been guided by, and is consistent with, the stringent requirements of the Alquist-Priolo Act which has



specific and exacting standards for the design and location of public safety buildings in relation to earthquake faults with design input provided by a Registered Geologist. Station construction would be guided by the standards of the Uniform Building Code which also has stringent standards to address earthshaking and faulting. Based on extensive geologic testing prepared by a Registered Geologist and these stringent standards, geologic impacts have been found to be insignificant (see Appendix G). Regarding suitability of the site as an evacuation center, the EIR Project Description has been clarified to note that it is not the MFPD's intent to use Fire Station 3 for the purpose as a designated evacuation shelter. However, like all District facilities, Station 3 could be used as an evacuation center during large emergency events (refer to Section 2.4.7.1). With regards to fire hazards, Station 3 would be designed to meet stringent requirements for design of shelter in place facilities. In addition, it should be noted that almost all of Montecito is within a high fire hazard area. As a State Highway, Route 192 (East Valley Road) is the largest road in eastern Montecito which is traversed by a wide range of creeks subject to flooding. In a fire or flood emergency, access to Station 3 is anticipated to be adequate, although subject to natural constraints found throughout eastern Montecito.

**Comment Response 5-25:** Comment noted. As described in Section 3.8.2.2, the zoning of the project allows for conditionally permitted uses for public safety facilities and uses and accessory structures incidental to the public safety facilities, which may include training facilities, evacuation center, and a hose drying tower. The consistency of Station 3 with County standards and the Montecito Land Use Development Code (MLUDC) will be subject to detailed review and discussion as part of the CUP process. The Station has been designed to be consistent with all County standards, including parking. MFPD staff and consultants have held multiple meetings with County staff and adjusted Station 3 design to meet any concerns raised. The County has not raised these issues of concern during review of the previous EIR nor of the DEIR. While the commenter offers no information to support assertions concerning zoning code inconsistencies, MFPD will continue to work with the County to ensure project consistency with applicable standards.

**Comment Response 5-26:** Comment noted and additional clarification has been include to address the issue of land use cumulative impacts. Regarding the baseline comparison for land use impacts, the cumulative analysis compares the project to the existing baseline, but merely adds supporting details from the MGMO EIR. The EIR discloses that “[s]ince the project would not create significant neighborhood compatibility and community character land use impacts, it would not have a cumulatively considerable effect upon land use.” As the project would not have significant land use impacts and there is very limited development pending within the project area, the project's contribution to cumulative land use impacts would be insignificant. The EIR merely provides information on previous County actions, but does not rely upon this information to support its findings of insignificance. Please see clarifying text added to Section 3.8.3.4, *Cumulative Impacts*.

**Comment Response 5-27:** Comment noted and the EIR has been revised to reflect this potential issue. The storage of fuel and lubricants on the project site has been designed to be consistent with all relevant state and county regulations and would be subject to appropriate inspections by state and county agencies. We note that such fuel and lubricant storage is typical at fire stations such as the MFPD's other two stations, both located in residential zone districts. However, although thoroughly governed by existing codes and regulations, a measure has been added to Section 2.6.7, *Mitigation Measures Included in the Proposed Project*, to require compliance with all relevant state and county regulations for use and storage of fuels and lubricants.

**Comment Response 5-28:** Comments addressing this issue are appreciated and additional discussion of loudspeaker noise levels have been included in the EIR. The site is located within the County's Urban Boundary Line and is formally considered an urban area for planning and environmental review purposes. The EIR discloses and discusses nuisance noise issues in Impact NO-2, including those associated with the loudspeaker system. Recent loudspeaker noise measurements taken at the Cate School property in Carpinteria show 90 dBA at 50 feet. However, because such noise would be periodic, generally low level and would not be permitted during evening hours, impacts would be insignificant. However, a description of loudspeaker noise levels has been added to Impact NO-2 in Section 3.9, *Noise*.

**Comment Response 5-29:** Comment noted. The EIR fully discloses peak and long-term average noise levels associated with sirens. We note that fire stations are common in residential neighborhoods throughout the South Coast and California and in Montecito as well. The EIR is not required to discuss impacts to future residential uses, and such impacts would be speculative as the layout of potential future subdivisions, the number of homes and their distance from the station are all unknown. However, impacts would be broadly similar to those for existing homes; adverse, but not significant periodic peak nuisance noise events that would not create substantial increase in long term ambient noise levels. As discussed in Section 3.9.3.4, *Project Impacts*, of the EIR, siren noise levels would not exceed County standards as these are based on long-term average noise exposure, not periodic peak noise.

**Comment Response 5-30:** Comment noted. Trip generation estimates were prepared by a licensed traffic engineer based on project operations and widely accepted data sources developed by the Institute for Traffic Engineers and provided in its manual, to be adjusted as needed by experienced professionals. Project operations included within the trip generation include commuter trips from personnel, training, and miscellaneous trips for maintenance (i.e. periodic trips by the mechanic), supply deliveries, and officer visits. Additional text has been included to Section 3.10.3.2. This information was reviewed both the County's traffic experts within the Public Works Department and Caltrans and no questions were raised by these experts regarding project trip generation. These matters are disclosed in Appendix I, which contains the project traffic study. The impacts of project generated traffic are well below the County's adopted Thresholds, and impacts are less than significant.

**Comment Response 5-31:** Comment noted. However, during an emergency such as a major wildfire, evacuees would be using the same road system (i.e., East Valley Road) to either depart the area or to get to Station 3 as there are limited circulation options in this region. Further, the size, duration and intensity of such events, the number of evacuees and the percentage of those that elect to shelter in place at Station 3 rather than depart the area cannot be readily defined and it would be speculative to attempt to quantify. However, as has happened during past major wildfires, congestion would potentially occur along primary evacuation routes with or without Station 3. To the extent that evacuees utilize that Station, localized congestion would likely be similar to that without the Station. The increases in available trained fire personnel within the east end of the community would also help with coordinating and overseeing a more orderly evacuation. Please see Comment Response 5-6 above and additional text in Section 3.10, *Transportation and Traffic*.

**Comment Response 5-32:** Comment noted. The DEIR uses the best available information on historic water use of approximately 3.0 Acre Feet per Year (AFY) on the property, the sources of such water, its relationship to MWD supplies, and possible related impacts of the more than 50% decrease in historic water use. However, additional analysis to Section 3.11, *Water Resources*, has been incorporated to conservatively assume that an increased demand of up to 1.39 AFY to MWD supply could potentially occur. See also Comment Responses 4-13, 4-14 and 4-20.

**Comment Response 5-33:** Comment noted. However, the commenter offers no support for these contentions. Water demand for fire training has been estimated using expert input from MFPD personnel. Water use for the apparatus bays, equipment cleaning and other uses is more than accounted by the allocation of 0.50 AFY (more than 160,000 gallons annually) for miscellaneous uses.

**Comment Response 5-34:** Comment noted. Construction water use would be limited by task and time and thus would not represent a long term increase in demand on available water supplies. Based on standard construction practices, it is estimated that an average of two 4,000 gallon truckloads of water would be needed per day during grading operations, with demand higher during limited periods during soil compaction and lower during soil excavation and export. Only limited quantities of water are required for concrete work. Assuming 65 working days over three months of site preparation activities, construction water demand would total 1.6 to 2.0 AFY, including worker consumption, vehicle cleaning, etc. Additional information has been included in Impact WAT-4 in Section 3.11, *Water Resources*. Concerning landscape establishment water demand, see Comment Response 4-15. Regardless, as this demand would be one time and short term, impacts would be less than significant.

**Comment Response 5-35:** Comment noted. However, the project would be consistent with MCP policies regarding views of the Santa Ynez Mountains. Existing views of the mountains are limited by oak groves to the east and west of the site, as well as fronting the site. In addition, views of project structures would be screened or softened by intervening vegetation. See Comment Responses 5-12, 5-13, 5-14 and 5-15. As discussed

in Section 3.2, *Agricultural Resources*, and section 4.0, *Consistency with Plans and Policies*, the project is consistent with the goals and policies of the Agricultural Element.

**Comment Response 5-36:** Comments noted. As discussed in detail in Section 5.2, *Growth-Inducing Impacts*, fire protection services are one of many constraints to growth in Montecito and have never been used by the County as a basis for project denial. As clearly set forth in the MCP and MGMO, more significant to limiting the rate of growth are water supply, sewer service and traffic capacity. MFPD serves a community that is largely within a designated high fire hazard zone with an elongated shape and limited circulation which increases response times and places high demands upon the MFPD under emergency conditions. It is simply not accurate to take minimum County standards for fire fighter ratios that apply to a broad array of communities, extrapolate them to Montecito and make the leap that an “oversupply” of fire fighters would somehow induce growth. The MFPD Board of Directors, supported by both the Citygate study and Station 3 Siting and Response Time Study, has determined that a new Station is needed to protect the public health, safety and welfare. The analysis in this EIR discloses potential growth inducing effects, and based upon substantial analysis, concludes that they are not significant. See Comment Response 5-11.

**Comment Response 5-37:** Comment noted. However, the EIR acknowledges that construction of Station 3 would remove one of many barriers to growth in eastern Montecito. The EIR thoroughly describes how such growth is regulated and the factors such as water supply, sewer service and traffic capacity are more significant barriers to growth. Based on this substantial analysis, the EIR reasonably concludes that the project would not create significant growth inducing impacts. Please see Section 5.2, *Growth-Inducing Impacts* and Comment Responses 5-11 and 5-36 above.

**Comment Response 5-38:** Comment noted. However, the commenter provides no evidence that fire service is a limiting factor on growth outside of Montecito, or that the addition of Station 3 would somehow induce growth in other communities. We refer the commenter to the County’s Summerland Community Plan EIR and the City of Santa Barbara’s Plan Santa Barbara General Plan EIR, neither of which identifies fire services as a major barrier to growth.

**Comment Response 5-39:** Comment noted. However, as a public agency charged with protecting the health, safety and welfare of Montecito residents, the MFPD has the right and duty to engage in such planning activities, regardless of whether the District owns a particular site. See Comment Responses 4-21, 4-22, and 5-11.

**Comment Response 5-40:** Comment noted. However, the project described in the EIR is not a fire station siting study. The project described is the development of Station 3 on a specific site. The MFPD Board of Directors has endorsed acquisition of the site and development of Station 3 in its currently proposed size and configuration as necessary to protect the public health, safety and welfare. The EIR addresses the impacts of a range of alternative sites to the project site and discloses comparative impacts. The MFPD Board of Directors rejects sites for a range of reasons based on ability to meet the project

objectives set forth in the EIR, to accommodate the proposed project, and due to environmental effects. It is not the role of a project level EIR to review District wide planning efforts and siting analyses. When reviewing decisions regarding Station 3, the MFPD Board of Directors will consider this EIR, as well as other available information in determining how best to protect the public health, safety and welfare.

**Comment Response 5-41:** Comments noted. This EIR is not addressing development of Rancho San Carlos or the Featherhill Ranch. To the extent that the project may have limited contributions to growth inducement, Section 5.2, *Growth-Inducing Impacts*, thoroughly describes such potential impacts. The EIR clearly states that it is not relying upon previous County actions or overriding considerations. It merely describes these documents and their findings in the interest of full disclosure.

From: Geri Ventura [gventura@montecitofire.com]  
Sent: Monday, August 10, 2015 11:51 AM  
To: Gira, Daniel  
Subject: FW: EIR for Station 3

-----Original Message-----

From: Philip Wilcox [mailto:psw8101958@icloud.com]  
Sent: Monday, August 10, 2015 10:33 AM  
To: Chip Hickman  
Subject: EIR for Station 3

6-1

I am a montecito resident on Featherhill Rd. & a Merrag volunteer for our area. I strongly favor the construction of the new station & trust that the owner, you, and the immediate neighbors can reach a mutually satisfactory agreement that will satisfy the County. Phil Wilcoxu

Philip S. Wilcox  
Sally F. Wilcox

**Comment Letter 6 – Phillip S. and Sally F. Wilcox**

**Comment Response 6-1:** Comment noted and greatly appreciated. It is the purpose of this EIR to identify all potential impacts to the biological and human environment and provide sufficient analysis of those impacts presented by the proposed project based on all applicable federal, state, and county regulatory actions, so that applicable regulatory authorities may make an informed decision regarding approval of a proposed project. Under CEQA, an EIR further serves to inform all applicable parties of potential impacts, as well as provide these parties with a chance to present concerns regarding preparation of an EIR, and respond appropriately.

MINUTES FOR THE REGULAR MEETING OF THE BOARD OF DIRECTORS  
OF THE MONTECITO FIRE PROTECTION DISTRICT

Held at Fire District Headquarters, 595 San Ysidro Road, August 24, 2015 at 2:00 p.m.

The meeting was called to order by Director Powell at 2:00 p.m.

**Present:** Director Powell, Director Sinsler, Director van Duinwyk, and Director Venable. Fire Chief Hickman, and District Counsel M. Manion were also present.

- 1. Public comment: Any person may address the Board at this time on any non-agenda matter that is within the subject matter jurisdiction of the Montecito Fire Protection District. (30 minutes total time is allotted for this discussion.)**

There was no public comment.

- 2. TIME CERTAIN: 2:00 p.m. Presentation by Tom Fahram, Deputy Director, Santa Barbara County Water Resources Division regarding El Nino predications and potential flooding impacts in the District.**

Mr. Fahram and Division Chief Kevin Taylor presented information relating to Santa Barbara County Water Resources Division and District preparations for El Nino predictions and potential flooding impacts in the District. The presentation is available upon request.

The Board took a recess at 2:37 p.m., and reconvened at 2:43 p.m.

The Board took no action.

- 3. Public Hearing on Draft Environmental Impact Report for the Station 3 Site Acquisition and Construction Project.**

Director Sinsler stepped down from the dais. Dan Gira of AMEC presented a PowerPoint on the Draft Environmental Impact Report for the Station 3 Site Acquisition and Construction Project, answered questions and reviewed the proposed schedule for certification. The presentation is available upon request.

The Board had the following questions and statements:

Director vanDuinwick:

- What is the authority and expertise behind the report?
- How open is this report to challenge?
- Do you sense there are areas that are controversial?
- The MGMO has a fragment of a sentence that states that the Montecito Growth Management Ordinance (MGMO) can be moved aside if the conditions are met at any time regarding traffic, fire, water, sanitary services, and you point out that this is one of 4 conditions. Is it correct that points are given if they are within the response zones, but if the applicant does not meet 19 points, the point value is irrelevant?



Mr. Gira stated that the DEIR focuses strongly on the areas that were brought up in the first version, and there have been significant changes in the agricultural analysis as well as project alternatives including the no project alternative. Additionally there is particular attention to growth inducement analysis. It is a thorough detailed analysis and reviewed by senior AMEC staff as well as District Counsel. If the applicant does not meet 19 points, it doesn't matter. Applicants have not hit 19 in over 10 years. Therefore the MGMO does not appear to be slowing / regulating the pace of growth at this time. The potential of reaching 19 could exist if the Jackson Ranch were subdivided in the future. The DEIR discusses this. The construction of the station is just one of several factors in regulating the growth in eastern Montecito.

Director Powell:

- Relating to page ES-4 of the executive summary, how are the effects on wildlife quantified for the "no project" alternative under CEQA?
- When is the deadline for Board input on the DEIR?

Mr. Gira stated that it is difficult to quantify this, but there could be episodic structural fires or wildland fires that are outside of the current response times. They felt it was important to highlight that the District completed AMEC study and the Citygate Standards of Cover which both show that the east end of the District is underserved. It is credible to say that the no project alternative creates the possibility that there would not be the same level of protection as in other parts of the District, but this is not quantified. It is important for the Board to make sure the DEIR reflects their independent judgment. If the Board has recommended changes, they should be submitted sooner than later, but the Board has up until the document is certified to make recommendations.

Director vanDuinwick:

- Are there any restrictions on the use/conversion from agricultural to public service? You noted that there is no Williamson Act in affect.
- Does Highway 192 present any obstacles?

Mr. Gira stated that input from the County transportation engineer and traffic consultants who performed the original traffic study, and both indicated that there are no changes in traffic proposed in the eastern end of the District.

Director Venable:

- Traffic on the weekends has increased substantially, and he finds that they have no change in the traffic flow to be surprising, particularly with the potential freeway construction.

Mr. Gira stated that the traffic counts do not reflect this. He added that has completed over 25 EIR's for the County of Santa Barbara, and he wrote the Santa Barbara County

agricultural impact guidelines as well as the County traffic thresholds, so he is very familiar with how they operate. He also worked on the Montecito circulation element as a County planner.

This project would be converting approximately 2.5 acres of “prime soils.” To his knowledge, there has never been an EIR in Santa Barbara County that has identified the conversion of anything less than 10 acres of agricultural lands as having a significant impact.

Powell:

- Please explain more about the historical resource evaluation on the project.

There was a Phase 1 archeological resource survey completed, which was periodically tested and nothing was found.

Director van Duinwyk:

- How vulnerable is the drainage next to property?

Mr. Gira stated that there is limited watershed, but it could pick up minor overflow from Romero. It is not typically known to flow, and it was not considered an issue.

Public comment:

7-1

Graham Lyons stated that he represents Petan Company, and has no specific comment at this time. He asked to confirm receipt the previous communication sent from Mr. Jackson and stated that they will provide written comment before the deadline.

The Board took no action.

Director Sinser returned to the dais.

**4. Discuss and determine interview and selection process for appointment of new Director.**

The Board discussed the process for interviewing and selecting the new Director to fill the vacancy created by Director Keller’s resignation. The Board recommended that each Director submit questions to the Administrative Assistant or the Fire Chief no later than September 4, 2015. Staff was then directed to forward all questions to President Powell, who would review the submittals and determine the final list of questions to be used for the interview process.

The Board took a recess at 3:38 p.m. and reconvened at 3:43 p.m.

**5. Report from the Finance Committee:**

Director Sinser reported on the following items:

**a. Consider recommendation to approve July 2015 financial statements.**

On a motion made by Director Sinser, seconded by Director van Duinwyk, the Board unanimously approved the July 2015 financial statements.

**b. Review PARS OPEB Trust Program statement for FY 2014-15.**

The Board took no action.

**c. Review draft Final Budget for FY 2015-16.**

The Board took no action.

**d. Consider recommendation to approve Resolution 2015-08 Establishing Appropriation Limits for the 2014-2015 Fiscal Year.**

Ms. Gil reviewed the process and necessity of approving this resolution.

On a motion made by Director Sinser, seconded by Director van Duinwyk, Resolution 2015-08 establishing appropriation limits for the 2014-2015 fiscal year was approved by the following roll call vote:

Ayes:	P. van Duinwyk, G.B. Sinser, J.A. Powell, and J. Venable
Nays:	None
Abstain:	None
Absent:	None

**6. Report from the Personnel Committee:**

Director Venable reported on the following:

**a. Review Committee's progress on developing performance appraisal for Fire Chief.**

The Board took no action.

**b. Consider recommendation to delegate approval of the following and future job descriptions to the Fire Chief:**

- i. Battalion Chief**
- ii. Captain**
- iii. Engineer**
- iv. Firefighter/Paramedic**
- v. Firefighter**

Chief Hickman reviewed the new employee development program which

necessitated changes in the job descriptions. The personnel committee felt it would be appropriate to delegate the authority to approve these, and future job descriptions to the Fire Chief.

On a motion made by Director van Duinwyk, seconded by Director Venable, the Board unanimously approved delegating approval of the proposed and all future job descriptions to the Fire Chief.

**7. Approval of Minutes of July 22, 2015 Special Meeting.**

On a motion made by Director Venable, seconded by Director Sinser, the Board unanimously approved the minutes of the July 22, 2015 Special Meeting.

**8. Fire Chief's report.**

The Fire Chief reviewed the letter from Petan Company expressing their unwillingness to sell; letter of appreciation from Mr. Bagdasarian; CSDA request for participation on committees; and the current mutual aid responses to the northern California fires.

The Board took no action.

**9. Board of Director's report.**

Director Powell and Director Sinser reported that they attended the CWPP workshop presentation at the Montecito Planning Commission.

The Board took no action.

**10. Suggestions from Directors for items other than regular agenda items to be included for the September 28, 2015 Regular Board meeting.**

Director Sinser made a motion to add discussion of alternative options for a third station to the September 28, 2015 agenda. The motion failed for lack of a second.

The meeting was adjourned at 4:25 p.m.

**Oral Testimony 7 – Graham Lyons, Petan Company**

**Comment Response 7-1:** Comment noted. Communications have been received and comments from Mr. Jackson and the Petan Company have been addressed above.

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