

RESOLUTION NO. 408

A RESOLUTION OF THE CARPINTERIA CITY COUNCIL
SUPERCEDING IN FULL ORDINANCE NO. 394 AND ADOPTING
UPDATED AND REVISED ENVIRONMENTAL REVIEW
REGULATIONS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL
QUALITY ACT OF 1970 AND CARPINTERIA MUNICIPAL
CHAPTER 8.48, AS AMENDED

WHEREAS, the State of California has declared that every citizen has a responsibility to contribute to the preservation and enhancement of the environment, and that it is the intent of the State that all permitting authorities who regulate projects of private individuals, corporations, and public agencies which are found to affect the quality of the environment shall ensure that such projects shall be conditioned to mitigate any adverse impact on the environment; and

WHEREAS, Section 15050 of the State Administrative Code, addressing the California Environmental Quality Act of 1970, requires that each public agency establish and adopt procedures to ensure compliance with the California Environmental Quality Act of 1970, as amended; and

WHEREAS, the State Environmental Guidelines are very specific as to, the nature of these required procedures; and

WHEREAS, amendments to the California Environmental Quality Act make it appropriate to revise existing City procedures; and

WHEREAS, a streamlined and efficient environmental review process is encouraged and desirable; and

WHEREAS, the existing environmental guidelines and procedures are wholly superceded; and

WHEREAS, the Community Development Director, in cooperation with the City Attorney, has prepared a proposed and revised Environmental Review Procedure program and recommended such adoption; and

WHEREAS, the City of Carpinteria Planning Commission has considered the proposed Environmental Review Procedure and finds that such will meet the requirements of the California Environmental Quality Act, as amended, and provide the City with an improved permit processing procedure and has recommended that the City Council adopt the updated and revised Environmental Review Regulations.

NOW, THEREFORE, THE CARPINTERIA CITY COUNCIL HEREBY RESOLVES that the Carpinteria Environmental Review Procedure, attached hereto as Exhibit "A", is hereby approved and adopted.

RESOLUTION NO. 4082
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PASSED, AND APPROVED AND ADOPTED this 24th day of January, 1994, by the following vote:

AYES: COUNCILMEMBER: GAGGERO, MARTINEZ, LEDBETTER, JORDAN

NOES: COUNCILMEMBER: NONE

ABSENT: COUNCILMEMBER: STEIN

Mayor, City of Carpinteria

ATTEST:

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 24th day of January, 1994.

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

ENVIRONMENTAL
REVIEW
GUIDELINES

CITY OF CARPINTERIA

**GUIDELINES FOR THE IMPLEMENTATION OF THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED**

Adopted by the City Council

City of Carpinteria

Amended January 24, 1994 and December 8, 1997

CITY OF CARPINTERIA
CEQA IMPLEMENTATION TEXT
(14 Cal. Admin. Code Section 15000 et. seq.)

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ARTICLE I – PURPOSE

It is the intent of this text to provide an equitable and expeditious process of environmental review which maximizes environmental protection. Further, it is the intent of this review process to encourage the practice of combining these environmental procedures with the planning process.

The purpose of these Guidelines is to provide the City of Carpinteria, applicants, and the public with definitions, procedures, and forms to be used in the implementation of CEQA, the California Environmental Quality Act (Public Resources Code Section 21000 and following) and to supplement the State CEQA Guidelines, (14 Cal. Admin. Code Section 15000 and following).

The basic purpose of these guidelines is to provide a systematic means to:

1. Inform City decision making bodies and the public about the potential environmental effects of proposed activities.
2. Identify ways that environmental damage can be avoided or significantly reduced.
3. Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the decision making bodies find the changes to be feasible.
4. Make available to the public the reasons why a City decision-making body approved the project in the manner selected.
5. Provide the public with information on the criteria, policies, and procedures used in the environmental assessment process.

The City shall maintain detailed descriptions of current thresholds, which shall be publicly available, and which shall be revised periodically as necessary to maintain a standard which will afford the fullest possible protection to the environment, within the reasonable scope of CEQA, by imposing a low threshold requirement for the preparation of an EIR.

ARTICLE II - INCORPORATION OF STATE CEQA GUIDELINES

The full text of Guidelines for the implementation of the California Environmental Quality Act, as they may be amended from time to time, is incorporated by reference into this Article of the City Guidelines as if fully set out, and shall supersede any inconsistent provisions of these City Guidelines.

ARTICLE III - DEFINITIONS

The following words, where not defined in the State Guidelines, shall have the meaning ascribed to them in these definitions. These definitions are intended to clarify City processes by supplementing definitions used in the State CEQA Guidelines.

A. City/City of Carpinteria

City and/or City of Carpinteria means the Carpinteria City Council or any of its agencies, commissions or staff having authority over projects governed by these procedures. For the purposes of these guidelines, the City is the "Lead Agency" in the environmental review process.

B. Community Development Department (CDD)

The planning department of the City of Carpinteria.

C. Environmental Review Officer (ERO)

Environmental Review Officer (ERO) shall be the Community Development Director or his/her designee.

D. Master Environmental Assessment (MEA)

A database covering a geographical or issue area that may involve cumulative impacts from a number of separate projects within the geographical area or involving the issue under study.

E. Threshold of Significance

Quantitative and qualitative criteria used to determine whether an environmental impact may be significant. Thresholds of significance are standards used to further refine the guidelines for determining significance provided in State CEQA Guidelines Sections 15064, 15382 and Appendix G.

ARTICLE IV - RESPONSIBILITIES

Environmental Review Officer (ERO)

The ERO shall be the Community Development Director or a City planning staff member appointed by the Director. The ERO's function is to implement project review pursuant to the City Environmental Guidelines (CEG). The ERO shall assume the following duties:

- A. Review and evaluate proposals to determine status (exempt or non-exempt).
- B. Prepare the Initial Study for projects determined to be non-exempt in accordance with Article.
- C. Present draft Initial Studies and environmental documents to the ERC for discussion.
- D. Prepare Negative Declaration and EIR, or manage a private firm contract for the completion of these documents as specified in Article.
- E. Provide coordination between departments, agencies, and applicants during the review process.
- F. Act as chair of the Environmental Review Committee.
- G. Interpret State and City laws and policies concerning environmental issues.
- H. Maintain a current copy of the City and State environmental guidelines available for public review.
- I. Maintain a list of qualified environmental specialists and monitors to be drawn from as the need arises.
- J. Provide all notices, minutes and maintain all records for evaluations as required by CEG.
- K. Additional duties as specified by the Planning Commission or City Council.
- L. The ERO shall be limited to duties as identified in CEQA Guidelines Section 15025 and as described herein.

Environmental Review Committee (ERC)

The Environmental Review Committee is a five-member board made up of the City Manager or his/her designee, the City Engineer, the Director or his/her designee, the City Biological Resource Specialist, and a member of the general public as designated by the Mayor. The function of this board is to:

- A. Review Initial Studies to determine whether a Negative Declaration or EIR is the appropriate environmental document based on the facts as presented.
- B. Review draft environmental documents and comments received during public comment period.
- C. Make recommendations to the Planning Commission and/or City Council regarding the adequacy of environmental documents including Mitigation Monitoring Programs.

Environmental Review Committee Meetings

The ERC meeting shall be conducted as follows:

- A. Regular ERC meetings shall be held in the City Hall pursuant to a duly noticed schedule and agenda.
- B. The time and place of special meetings shall be designated by the ERO.
- C. The public shall be notified of the specific items to be reviewed by (i) posting the agenda for each meeting on the CDD Bulletin Board in City Hall and (ii) newspaper announcement as described in Chapter 14.76 of the Carpinteria Municipal Code. Notice shall also be given to all organizations and individuals who have requested notice pursuant to Section 15 of the Government Code.
- D. The ERC shall be chaired by the ERO.
- E. The Chair shall also serve as the Secretary and Technical/Professional Advisor and shall prepare the ERC agenda.
- F. The Chair shall facilitate the business of the ERC. If a public hearing is held, he/she may limit the amount of time each speaker may use in addressing the ERC while still encouraging public participation.
- G. With the approval of the ERC, the Chairman may suspend or vary the regular order of business.
- H. Any members of the ERC shall abstain from discussion and voting on items where that speaker has a conflict of interest as determined by application of the conflict of interest provisions of the Fair Political Practices Act. The Chair shall maintain

minutes of the ERC meetings and shall record the official actions of the ERC as required by law. He/she shall be responsible to certify all official documents of the ERC. He/she shall examine all incoming mail for proper referral and answer correspondence for the ERC. He/she shall maintain records of operations and perform such other duties as needed to assist the ERC.

- I. The Chair shall certify the approved minutes of the ERC, may sign such other documents as may be required and shall perform all other duties necessary or incidental to his/her office.
- J. The Chair shall furnish professional and technical advice to the ERC and shall assist the body in the discharge of its responsibilities.
- K. The rules of parliamentary practice as set forth in Robert's Rules of Order shall govern at all meetings of the ERC except as otherwise provided herein.
- L. In the event that a project may be complex or controversial, the ERC may hold its meeting in conjunction with the Planning Commission to gain their input. Such a meeting shall be a noticed public hearing.

ARTICLE V - CONSULTANT

The City may utilize the professional services of a consulting firm for all or part of Negative Declarations, EIRs, or related additional environmental documentation for both public and private projects. In the interest of drafting an unbiased, objective environmental document, the consulting work shall be done directly for the City. A complete description of roles, obligations, times for payment, etc., shall be included in a contract with the City and other appropriate parties. The applicant shall be responsible for paying the consultant's fees and City's fees as specified in said contract and such responsibility shall be guaranteed through agreed upon deposits within said contract plus any applicable fees/deposits to be posted with the City by the applicant. Work may commence after the contract is signed by the City, the Applicant(s), and the Consultant(s).

In selecting a consultant the following criteria shall be used:

1. Upon determination that the services of a consultant are necessary for environmental documentation or for an EIR per these provisions, the Director shall:
 - A. Utilize and complete the drafting of an RFP for distribution to qualified consulting firms for formal proposals for service. Firms deemed qualified shall be taken from those listed on the Department "Qualified Consultant List" and other firms found qualified or determined to possess specific areas of expertise required for the project; or,
 - B. Initiate and complete a "scope of work" document for distribution to a limited number of firms for preparation of reports requiring specialized skills and/or areas of expertise.
2. RFPs and scope of work documents prepared per this subsection shall contain appropriate clarity and detail to expedite the selection and CEQA document preparation.
3. In response to the City's RFP/Scope of Work distribution, the consultant shall submit a proposal which includes but is not limited to the following:
 - A. Scope of work to be complete in detail with phase, task and subtask outlined in step by step form including deadlines, budgeted amounts and specific products prepared for each.
 - B. Detailed descriptions of schedule and products resulting from the effort, including "pert charts" and software, if appropriate.
 - C. Detail regarding budgetary elements. Addendum suggestions for scope options may be included.
 - D. Consultant commitments to organization and personnel utilized on the document with bibliographic data on staff members.
 - E. Appendix listing recent plans/EIRs completed by the firm.

- F. An addendum list of registered professionals available for use in the course of drafting the document.

- 4. The use of a thorough and comprehensive contract is key to the successful completion of a consultant prepared environmental document. The staff may utilize contractual format that assures successful completion.

- 5. A contract of \$10,000 or less in consultant fees may be executed by the City Manager. Contracts for consultant services exceeding this amount shall be executed only after ratification by the City Council.

ARTICLE VI - INITIAL PROJECT EVALUATION

The information required to adequately describe proposed projects for the purpose of environmental review must be provided in the application. These information requirements for application submittals include all the details needed to review routine projects. Large or complex projects may require additional information in order to complete accurate environmental assessment.

Detailed information on site conditions, particularly any unique characteristics such as environmentally sensitive habitats or geologic hazards is required. Design features or measures incorporated into the proposed project intended to avoid, reduce, or otherwise mitigate project impacts should be described.

For projects which may utilize or generate hazardous materials, or which may pose a threat to public health or safety, information regarding the engineering basis and design of the project facilities and effects of project operation is required. Hazardous waste facilities will require an emergency response plan, a fire protection plan, and for petroleum projects, an oil spill response plan must be submitted as part of certain applications. These plans form an important part of assessing potential environmental effects. They should be specific to the project proposed.

For projects which require permits from other agencies (e.g., County Air Pollution Control District, Fish and Game, Coastal Commission, etc.), information needed by such agencies may be required to accompany an application. Any information submitted to other agencies shall be consistent with the submitted to the City.

Prior to the expiration of the period during which application completeness is to be determined, the City shall identify any deficiencies in the project description for purposes for environmental review, and notify the applicant. The applicant may submit a revised application.

Upon request of a potential project applicant, the CDD shall provide consultation prior to filing of a project permit application, regarding CEQA environmental review considerations, including the range of actions, potential alternatives, mitigation measures, and any potential and significant effects on the environment. Such consultations one conducted through regular departmental process including the public information counter and paid staff consultation or pre-application conferences.

ARTICLE VII - EXEMPT PROJECT: NOTICE

The City shall determine whether a proposal is not a project, is an emergency, categorically exempt, or ministerial under CEQA and shall take the following actions:

1. A Notice of Exemption shall be filed with the County Clerk after project approval for those classes of exemptions identified in Section 15300 of the CEQA Guidelines.
2. Whenever a Notice of Exemption is prepared it shall be posted on the CDD Bulletin Board at City Hall at least seven days prior to consideration of the property by the decision maker, and shall be filed with the County Clerk within five days after project approval.
3. Project approval, as defined in the State Guidelines, means the decision by a public agency which commits the agency to a definite course of action in regard to a project.
4. A determination that a project is not exempt may not be appealed; a determination that a project is exempt may be reviewed by the decision maker at the time of consideration of the project, and if the decision maker disagrees with the determination of exemption, the decision maker shall instruct the ERO to prepare an Initial Study.

ARTICLE VIII - INITIAL STUDY

Within 30 days of a determination of application completeness, the City shall prepare an initial study and determine whether or not the project may have a significant effect on the environment.

Initial Study determinations as to whether a project may have a significant impact on the environment shall be based on substantial evidence in light of the whole record before the lead agency. Argument, speculation, unsubstantiated opinion or narrative, evidence of social or economic impacts which do not contribute to, or are not caused by physical impacts on the environment, is not substantial evidence. Substantial evidence shall include facts opinion supported by facts. The existence of public controversy over the environmental effects of a project shall not require preparation of an environmental impact report if there is no substantial evidence in light of the whole record before the lead agency that the project may have a significant effect on the environment.

ARTICLE IX - ENVIRONMENTAL THRESHOLDS

The City's determination on whether or not the project may have a significant effect on the environment shall be based in part on thresholds of significance. These thresholds are measures of environmental change which are either quantitative, or as specific as possible for topics which are resistant to quantification such as aesthetics, cultural resources, and biology. A project which has no effect above threshold values individually or cumulatively shall be determined not to have any significant effect, and a negative declaration shall be prepared as provided by Article XIV below. Projects which have an effect above a threshold of significance will require an EIR.

Thresholds of significance are intended to supplement provisions in the State Guidelines for determination of significant environmental effect including Sections 15064, 15065, 15382 and Appendix G incorporated herein. The City shall maintain detailed descriptions of current thresholds, which shall be publicly available, and which shall be revised periodically as necessary to maintain a standard which will afford the fullest possible protection to the environment, within the reasonable scope of CEQA, by imposing a low threshold requirement for the preparation of an EIR. For issue areas for which there are no thresholds, the guidance provided in CEQA Sections 15064, 15065, 15382 and Appendix G shall provide the basis for determining significance.

1. Quantitative Thresholds

Impacts associated with air quality, groundwater resources, noise, and traffic are measured by quantitative thresholds. Numerical values reflecting degrees of environmental change which are deemed insignificant are derived from federal or state standards, comprehensive plan elements, or scientific data.

a. Air Quality

(i) Definition

This threshold determines whether a project may violate any ambient air quality standards, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. The thresholds used in determining significant effects on air quality may vary by project. Those thresholds may include project pollutants, decreased levels of service at impacted intersections, project consistency with the Air Quality Attainment Plan land use and population forecasts, and project capability of emitting toxic or hazardous pollutants.

(ii) Application

Air quality impacts are evaluated on both a short-term and long-term basis. Short-term impacts are generally considered to occur during project construction while long-term impacts are associated with project operation.

Air quality threshold criteria are developed and applied using federal, state and local data and methodologies including computerized modeling techniques.

b. Groundwater Resources

All land use proposals requiring a development plan approval, conditional use permit approval, tentative subdivision map, or tentative parcel map must comply with the provision of the City's Water Resource Management and Implementation Program. This program requires applicants for any land use proposal to demonstrate that the subject proposal has sufficient supply. Project applicants should refer to the Water Resource Management Program for a complete explanation of the review process.

c. Noise

(i) Definition

This threshold determines whether a project may increase substantially the ambient noise levels for adjoining areas, or if the project will be subject to substantial ambient noise levels. Thresholds are based on guidelines provided in the Noise Element of the General Plan. Two sources of sound impacts are evaluated: short-term construction noise and long-term noise associated with project activities. The effect of ambient noise levels on the project is evaluated on a long-term basis only.

(ii) Application

State and federal studies provide estimates for construction equipment, residential, commercial, and industrial activity sound generation. These figures are used for preliminary assessments of project noise impacts. The Noise Element contains ambient sound contour maps for the City that provide data to estimate long-term impacts on the project.

When these sources of information suggest that the threshold of significance may be exceeded, an acoustical engineer may be retained to perform a detailed evaluation of the project site and its surrounding environment.

d. Traffic

(i) Definition

This threshold determines whether a project may cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system. The threshold criteria assume that an increase in traffic that creates a need for road improvements is substantial. The increase in traffic is measured in several ways including the levels of service (LOS) at affected intersections, the

effect of proposed project access on existing traffic circulation, and the safety of a roadway with additional project traffic.

(ii) Application

The City Engineer shall evaluate the potential for significant traffic impacts based on total number of trips generated by the project. If traffic impacts are determined to be significant by the City Engineer, a traffic Engineer may be retained to perform a detailed study of traffic distribution impacts.

e. Housing

(i) Definition

This threshold is used to ensure consistency with the City's goal of preserving the existing affordable housing stock, and is addressed in the City's Housing Element.

(ii) Application

The threshold provides that removal of a specific number of low or moderate housing units by conversion, demolition, or other means is significant as outlined in the Housing Element or the Municipal Code. Mitigation to assist in tenant relocation and/or provisions for replacement units may be required.

2. Qualitative Thresholds

For some impacts, including agricultural resources, biological resources, and cultural resources, a combination of numerical indices and qualitative values based on professional judgment is used. The evaluation of aesthetics, in contrast, is based entirely on qualitative criteria.

a. Agricultural Resources

(i) Definition

This threshold is based in part upon the State CEQA Guidelines Appendix G, the policies of the City's Land Use and Coastal Plans, and the "Criteria for Agricultural Preserves" adopted by the Santa Barbara County Board of Supervisors.

(ii) Application

Given the resource conservation orientation of CEQA, the thresholds give more weight to resource issues than to social and planning issues.

b. Biological Resources

(i) Definition

This threshold determines whether a project may substantially affect a rare or endangered species of animal or plant or habitat to the species, interfere substantially with the movement of any resident or migratory fish or wildlife species, or substantially diminish the habitat for fish, wildlife, or plants. The threshold provides for the evaluation of plant and animal species listed in State and Federal publications as well as in professional journals which identify the rarity, endangerment, vigor, and general distribution of the endangered species. City General Plan and Coastal Plan environmentally sensitive habitat designations are also utilized for project impact evaluation. Finally, information from wildlife biologists or botanists may be used to determine the value and significance of biological resources not currently listed in publications and journals.

(ii) Application

An on-site inspection is conducted by qualified consultants if it is determined that critical or sensitive biological resources are present that may be impacted by the project. The biological report shall measure the impact according to criteria including percentage and type of tree removal, comprehensive plan policies regarding habitat protection, impact on rare or endangered species, wildlife value and locally important species.

c. Cultural Resources

(i) Definition

This threshold determines whether a project may disrupt or adversely affect a prehistoric or historic archaeological site or a property of historic or cultural significance to a community or ethnic or social group and whether it may conflict with established religious uses of the area. Cultural resources include prehistoric, historic, and Native American ethnic sites.

(ii) Application

Each project is reviewed to see if it is within a sensitive area. If this is so, or it is in a potentially sensitive area based on known archaeological site distribution patterns, a qualified archaeologist is required to evaluate the significance of the site as defined in CEQA and the National Historic Preservation Act.

d. Aesthetics

(i) Definition

This threshold determines whether a project may have a substantial, demonstrable negative aesthetic effect. The threshold is qualitative, so that several criteria must be

considered together. Several questions regarding the project's visibility and effect on the surrounding view corridors are considered.

(ii) Application

The aesthetic thresholds are applied in areas designated as potentially significant visual resources, in view corridors, and in the vicinity of prominent topographical features. The assessment includes compatibility of the proposed project with the surrounding natural and built environment, including development size, location, construction material, landscaping, etc.

e. Safety

(i) Definition

This threshold determines whether a project has the potential to result in significant safety hazards. CEQA Section 15065(d) states that a project which will cause substantial adverse effects on human beings, either directly or indirectly will have a significant environmental effect; Appendix G(v) states that a project which will create a potential public health hazard or involve the use, production, or disposal of materials which pose a hazard to people or animal or plant populations in the area affected normally will have a significant effect on the environment.

(ii) Application

This threshold identifies risk as a product of frequency of occurrence and severity of consequence of an event. The potential for significant safety impacts increases as each of those two parameters increases. Significant risks range from those which have minor severity for consequence but which are virtually certain to result from the project, to those which have severe or disastrous severity of consequence but which occur rarely.

3. Amendment

a. General

Several threshold methodologies include a mechanism to enable them to respond automatically to environmental change. For example, changes in attainment status relative to air quality standards, changes in traffic level on roads, and changes in the balance between water supplies and water use all affect how thresholds determine significance. However, other changes in environmental conditions or environmental information may require an alteration to the methodology used to evaluate significance.

b. Change of Scientific Basis and Criteria

The underlying basis of threshold criteria may change with the discovery of new data or theories about relationships between environmental change and environmental quality. When data from scientific publications, reports, or conference proceedings suggest the need for such a change, the City shall review these data and determine the justification for threshold revisions.

c. Change in Environmental Circumstances

Environmental characteristics such as groundwater levels, traffic counts and sensitive biological habitat acreage are subject to constant change due to development trends. In order to ensure reasonable significance determinations, thresholds may be changed to maintain standards which will afford the fullest possible protection of the environment.

ARTICLE X - MITIGATION MEASURES

Measures capable of reducing or avoiding potentially significant impacts shall be identified during the preliminary evaluation of non-exempt projects. A broad range of potential mitigations should be considered to maximize the potential for project modifications which mitigate adverse impacts and enable projects to qualify for Negative Declarations. The list of mitigation measures identified at the Initial Study stage must later be refined and specified to meet the standards for inclusion in environmental documents.

ARTICLE XI - MASTER ENVIRONMENTAL ASSESSMENTS

From time to time the City may choose to prepare a Master Environmental Assessment (MEA) to identify and organize environmental information for a region or issue within its jurisdiction.

1. Purposes

The primary objective of a MEA is to identify and organize environmental information for a region or an issue, and to reduce the scope, cost, and time of the environmental review process on a case specific basis.

An MEA should focus on the identification of area-wide resources, constraints and opportunities for undeveloped parcels.

Environmental data is generally contained on a number of base maps at varying scales and in cumulative impact tables contained in numerous certified environmental documents. An MEA should integrate these materials to centralize and automate the data for particular areas or issues within the City.

2. Standard Mitigation Measures

An MEA should provide a set of standardized mitigation measures responding to recurring environmental and infrastructure problems. During the Initial Study process and during preparation of the environmental document, as recurring environmental impacts are identified, the standardized mitigation measures will be applied to resolve the problems whenever possible to do so.

3. Application

When an EIR is required for a project that is part of an area for which an MEA has been prepared and approved by the City, the EIR on the specific project shall be used where possible to provide background information or information on cumulative effects.

Where applicable the City shall set forth a summary of the MEA in the specific project EIR and indicate where a copy of the MEA may be obtained or reviewed.

ARTICLE XII - SCOPING MEETINGS

On potentially controversial projects or marginal cases where it is not clear whether a project may have a significant effect, early consultation with the public is helpful in determining whether an EIR will be required and what issues it should address.

1. Purposes

- a. To allow for public and agency input on the environmental effects of a project at the earliest possible time in the process.
- b. To focus project-related impact assessment on significant environmental issues and their mitigation.
- c. To determine the focus of EIRs, based on public input and thresholds.
- d. To identify feasible mitigation measures.
- e. To identify realistic and feasible alternatives for refinement within EIRs.

2. Applicability

Public scoping meetings may be called by the ERO if the project has one or more of the following features:

- a. It is near one or more controversial projects.
- b. Public concern has already been expressed over environmental effects of the project.
- c. It will require a General or Coastal Plan Amendment or Change of Zone.
- d. It is located in an environmentally sensitive habitat.
- e. It is clear that it may have a significant effect in one issue area, but not clear in other areas.

3. Notice

Scoping meetings shall occur within 30 days of determination of application completeness. Noticing for public scoping meetings shall include residents within 300 feet of the project site and members of the public expressing interest. Notice shall be given 10 days prior to the scoping meeting and should contain a copy of the draft Initial Study.

4. Use

Subsequent to the scoping meeting, the City shall make any appropriate changes to the Initial Study and advise the applicant whether an ND or an EIR is required.

ARTICLE XIII - CONSULTATION ON INITIAL STUDY DETERMINATIONS

The purpose of this procedure is to provide an opportunity for an applicant or the City for public/private projects, once an initial study has been prepared, to correct inaccurate information and/or to provide evidence which might tend to establish that the conclusions of the initial study may be incorrect pursuant to State CEQA Guidelines Section 15063(g). Where a determination is made that an EIR is required, the applicant shall be immediately notified of this determination by mail.

Within five working days following receipt of notification to this effect, the applicant or City may, on condition of signing a 15-day extension of time for the Initial Study under State CEQA Guidelines Section 15102, request and receive a meeting with the ERO for the purpose of consultation to overturn the Initial Study finding to an ND. The 30-day period in which to complete the Initial Study may be extended 15 days upon consent of the lead agency and the applicant should the consultation so warrant. The focus of the consultation shall be as follows:

1. The applicant may provide information to correct factual errors in the Initial Study.
2. The applicant may submit additional information to assist in deciding whether to prepare an EIR or ND.
3. The applicant may propose modifications to the project description to mitigate potentially significant adverse impacts to levels of insignificance, thereby enabling the project to qualify for an ND.

Any changes to the findings of the Initial Study based upon the consultation shall be supported by substantial evidence to show a material error or incorrect conclusion in the Initial Study. Such evidence shall be documented by engineering reports or certified by a competent professional in the appropriate field, and shall consist of new material not already considered in the Initial Study.

Upon consideration of the information submitted, the ERO, within the fifteen-day extension period granted by the applicant, shall affirm, reverse, or modify the conclusions of the Initial Study and provide a copy to the applicant. This determination is not appealable.

Subsequent to the completion of the Initial Study, there shall be no further consultation with the applicant on the content of the draft environmental document except as deemed necessary by the preparer, until such time as the draft is circulated for public comment and review.

ARTICLE XIV - NEGATIVE DECLARATIONS

1. Responsibility

For all projects, the City shall prepare the proposed negative declaration or cause it to be prepared by a private contractor. Contractors may be used when workload exceeds available staff resources or when the proposed ND require more than routine analysis.

1. Mitigation Measures

The decision to prepare a ND implies that a project's impacts are insignificant on both a project specific and cumulative level. However, where a cumulative impact is identified and the ND contains recommended mitigation measures to reduce the project's contribution to cumulative effects, information must be provided to substantiate the recommended mitigations.

Where the identification of mitigation measures enables an applicant or the City to modify a project during the initial study to mitigate all potentially significant impacts to a less than significant level before an EIR is prepared, a mitigated Negative Declaration incorporating those mitigations into the project description shall be prepared. Mitigation measures in Negative Declarations must meet the standards for adequacy described in Article X of these Guidelines. Furthermore, mitigations forming the basis of a finding of no significant impact must be accepted by the project applicant and incorporated into their project description before the proposed Negative Declaration is released for public review.

3. Review Period

A. Within 10 working days of the completion of a proposed ND, the City shall initiate a thirty-day public review period. If a state clearing house review is required, the public review period for the ND shall be 30 days. Should issues related to new environmental information, changed environmental circumstances, or applicant changes to the project description occur, an extended public review period may be required at the discretion of the ERO.

B. All proposed NDs shall be set for a public hearing conducted by the ERC prior to the close of the review period. Notice will be given by posting on the CDD Bulletin Board at City Hall, by publishing in a newspaper of general circulation in the project area, by mailings to properties within 300 feet, and interested community groups. In a case where the 300-foot criteria would require mailings to more than 200 individual properties, another means of public notification shall be allowed (posting of the site, display ad in a newspaper of general circulation, etc.). In cases where the project's impacts would extend beyond 300 feet, an attempt shall be made to notify affected properties beyond 300 feet. The notice will include: a brief description of the proposed project and location; identification of the preparer of the draft ND; the length of the review period in which comments

will be received by the City; the date, time, and place of the public comment hearing on the ND, and the places where copies of the ND and documents referenced in the ND and documents referenced in the ND are available for public review. The ERO shall hold the public hearing for the purpose of receiving comments by interested agencies, the public, and the applicant on the accuracy and adequacy of the proposed ND. All proposed NDs shall be presented to the advisory and/or decision-making body in a public hearing after the close of the public review period for the ND as part of the proposed action.

Comments from the public and the applicant received during the public hearing or review period shall be considered and where appropriate will be incorporated into the final draft ND.

4. Findings and Recommendation for Approval

A. NDs Set for Environmental Hearing

If, after the comment period and public hearing, the ERO determines that there is no substantial evidence that the project may have a significant effect, a final ND shall be prepared. All comments received during the review period shall be incorporated into the final proposed ND and transmitted to the decision-maker, with a proposed finding that there is no substantial evidence that the project will have any significant effect, and a recommendation for approval of the document.

There shall be no appeal from the ERO's proposed findings on the ND, but objections raised during the public hearing shall be deemed preserved and may be raised before the discretionary decision-maker. The decision-maker shall approve the ND at the time the project is approved.

B. NDs Set for Hearing Before the Advisory and/or Decision-making Body

NDs shall be set for hearing before the advisory and/or decision-making body. If, after the comment period, the ERO determines that there is no substantial evidence that the project may have a significant effect, a final ND shall be prepared. All comments received during the review period shall be incorporated into the final proposed ND and transmitted to the advisory and/or decision-making body, with a proposed finding that there is no substantial evidence that the project will have any significant effect, and a recommendation for approval of the document.

There shall be no appeal from the ERO's proposed findings on the ND, but objections raised during public review shall be deemed preserved and may be raised before the discretionary decision-maker.

C. Determination by ERO that ND is Inadequate

If, after review the ERO determines that there is substantial evidence that the project may have a significant effect, an EIR shall be prepared pursuant to Article XV. In such a case, the time limit for preparation for the environmental document shall be one year from the date the application was found complete for processing.

D. Determination by Decision-maker that ND is Inadequate

If, upon review of the project, the decision-maker determines that the ND is inadequate, the project shall be referred to the COD for appropriate revisions or preparation of an EIR. Consideration of the project shall be deferred until the ND is approved or an EIR is certified, consistent with mandatory time limits for action.

E. Notice of Determination

Within five days of the approval of a public or private project for which a Final ND has been prepared, the City shall file a Notice of Determination with the County Clerk, and with the State Clearinghouse only if a discretionary permit is require from a state agency.

ARTICLE XV - PREPARATION OF EIRs

1. Responsibility for Preparation

For public and private projects the City shall prepare or cause the City to contract with a qualified consultant to prepare the draft and final EIR.

2. Mitigation Measures

Mitigation measures conceived during the initial evaluation of projects must be refined in EIRs to ensure their feasibility, specificity, and enforceability. Mitigations shall be explicitly written in language which can be directly applied to conditions of approval by the decision-makers. The development of mitigation measures shall be coordinated with appropriate responsible agencies. Where a City department would be responsible for implementing a mitigation measure, the environmental document shall identify a mechanism to link the timing and funding of the mitigation to the approval of the project. Where mitigation measures require action by agencies other than the City, the agency should be identified. Determination of the feasibility of mitigation measures shall take into account economic, legal, social, and technological considerations, including considerations of employment opportunities for highly trained workers.

3. Analysis of Project Alternatives

All EIRs shall include a discussion of project alternatives. Development of project alternatives should focus on options which have the potential to reduce significant environmental impacts and attain project objectives. While consideration of a broad spectrum of alternatives is encouraged early in the process, the range of options should be narrowed to those which are consistent with the following principles:

- consistency with the general and coastal plans
- reduction of significant adverse environmental effects
- compatibility with neighboring uses
- feasibility

Determination of the feasibility of mitigation measures shall take into account economic, legal, social and technological considerations, including considerations of employment opportunities for highly trained workers.

4. Expanded Alternatives/Alternatives Sites Analysis

An expanded discussion of project alternatives shall be required in EIRs when it is demonstrated that more than one significant and unavoidable (Class I) environmental impacts would result, and when feasible project alternatives may effectively reduce Class I environmental impacts to acceptable levels. The alternatives analyzed should include a reduced or modified scope of operations at the same site, and alternative sites. An expanded discussion of project alternatives focusing on alternative sites shall also be required for EIRs

dealing with specialized facilities which inherently raise issues of potential land use incompatibility, including such uses as landfills, oil and gas facilities, and schools.

Factors to be considered in the analysis of alternative sites should include, but are not limited to, the following:

- Whether the alternative site feasibly attains the basic objectives of the project. The fact that an applicant may own a particular site, and no other feasible site in the general area, will not by itself preclude consideration of other sites;
- Whether the project is of major size or intensity with resulting significant environmental impacts;
- Whether the project requires necessary changes in existing land use designations;
- Whether the proposed site contains areas of special environmental sensitivity;
- Whether the range of alternative sites is reasonably limited, i.e., by parcel size or special location requirements;
- Whether the proposed project at the proposed site is incompatible with surrounding uses;
- Whether similar development is simultaneously proposed or likely to be proposed at an alternative site in the reasonably foreseeable future;
- Whether it is unlikely that more than one such project will be approved based on the tolerance of the area for the likely environmental effects.

5. Cumulative Impact Evaluation

A. Cumulative Projects List

The potential effects of development not included in baseline data will be analyzed for cumulative impact evaluation if they result from projects which are:

- Partially occupied or under construction. Those projects which though only partially occupied or under construction should be included to the extent that their impacts are not yet fully incorporated into the environmental setting against which the project's impacts will be assessed.
- Approved. Those projects which have received final discretionary approval from the decision-makers.
- Under review. Those projects which have been deemed "complete" for processing and are currently undergoing review by lead agencies.
- Proposed projects. Those projects which have submitted pre-application assessment with a lead agency, or have been discussed publicly by an applicant. Unless these projects' pre-application data contain a high degree of specificity and a probable timeframe, they should not be included on the full cumulative list, but may be included as advisory information on the scope of possible development in the area.

B. Public Projects

Public projects which are partially occupied, under construction, approved, under review, or proposed, should be treated in the same manner as private projects. Projects which are included on a capital improvement program (CIP), or are reasonably expected to be funded and scheduled should also be included on a cumulative list. However, projects which are listed as needed on a CIP but are not funded or scheduled should be included for information only, and not included in the cumulative impact assessment.

C. Project Classification

The separation of projects into the different categories provides information as to their relative timing and the potential phasing of mitigation measures needed to offset corresponding cumulative impacts. The most accurate estimation of cumulative project timing is essential to provide decision-makers with accurate criteria to require project phasing or delay. Of particular importance is the provision of a separate assessment of impacts associated with approved projects only. While not required under CEQA, a separate analysis of the project's impacts with those of approved projects provides an estimate of what potential impacts would be under "a future environmental setting scenario." While the approved projects must also be included within the full cumulative scenario, the approved project scenario provides a realistic estimate of future conditions under which the project's impacts would occur, if no other approvals were to occur.

D. Significance Criteria

Unless otherwise specified in the City's adopted Thresholds of Significance, a project's potential contribution to cumulative impacts is assessed utilizing the same significance criteria as those for project specific impacts.

E. Geographic Scale of Cumulative Impact Assessment

Various methods are utilized for assessing a project's contribution to cumulative impacts, dependent upon the nature of the impact and its areal extent. In general, the City uses a specific cumulative project list accompanied by a map depicting these projects' locations in relation to the resource to be impacted. The list should be extensive enough to contain all projects which could have a substantial effect upon the resource to be significantly impacted by the project. The areal extent of such lists includes the following:

- All projects withdrawing water from a particular groundwater basin.
- Projects sending a substantial number of trips to an intersection which would be significantly impacted by the subject project.
- Projects within the same viewshed or along the same scenic corridor.
- Projects resulting in the subdivision or development of productive agricultural land in the same producing area or watershed.

Projects which have the potential to cause impacts at a regional scale may create the need for a citywide assessment of cumulative impacts. While detailed cumulative project lists and maps are the preferred method for assessing cumulative impacts, due to the scope and nature of some impacts, other methods such as modeling or provision of background data may be more appropriate. In cases where the extent of impacts is extensive and difficult to define, such as air quality, provision of a detailed cumulative list is normally beyond the scope of an individual document. To evaluate cumulative air quality impacts of project emitting regional pollutants, the contribution of project emissions to regional levels should be compared with existing programs and plans, including the County Air Quality Attainment Plan. To evaluate the cumulative air quality impacts of localized pollutants, the contribution of the project emissions in conjunction with existing and proposed project in the local area should be considered.

F. Impact Identification

The cumulative impact discussion within an EIR should identify whether the project's contribution to a particular impact is adverse or significant. As previously stated, each City threshold accounts for cumulative impacts either through specific standards or through incorporation of cumulative background data within its standard.

6. Classification of Impacts in EIRs

The City makes use of a Summary Impact Table in all EIRs to assist decision-makers with adoption of Statements of Overriding Considerations and Findings. Such tables are organized substantially as follows:

- Class I Impacts - Significant unavoidable adverse impacts for which the decision-maker must adopt a Statement of Overriding Consideration.
- Class II Impacts - Significant environmental impacts that can be feasibly mitigated or avoided for which the decision-maker must adopt findings and recommend mitigation measures.
- Class III Impacts - Adverse impacts found not to be significant for which the decision-maker does not have to adopt findings under CEQA.
- Class IV Impacts - Beneficial impacts which improve and/or create a net benefit (e.g., a restoration plan).

1. Review Period

When the City proposes to offer the draft EIR for public review, it will publish a Notice of Completion - Draft EIR and indicate the public comment period.

Notice will be given by posting on the CDD Bulletin Board in City Hall, by publishing in a newspaper of general circulation in the project area, and by mailings to properties within 300 feet, and to interested community groups. In cases where the 300 foot criteria would require mailings to more than 200 individual properties, another means of public notification shall be allowed (posting of the site, display ads in a newspaper of general circulation, etc.).

The notice will include: a brief description of the proposed project and location; the identity of the preparer of the draft EIR; the length of the review period in which comments will be received by the City; the date, time, and place of the public comment hearing on the EIR, and the places where copies of the EIR are available.

ERC shall hold a public hearing on all draft EIRs. The hearing shall be held within 45 days of the publication of the Notice of Completion and not less than 30 days after the start of the public review period. At the hearing, comments by interested agencies, the public, and the applicant are solicited on the accuracy and adequacy of the draft EIR. These comments may include critiques of any part of the document including impact summary tables, forecasts of environmental effects, proposed mitigation measures and project alternatives. Comments on the merit of the project rather than its potential environmental effects and their mitigation are not appropriate, and should be reserved for the decision-making hearing.

8. Findings and Recommendations for Approval

If, after the comment period and public hearing, the ERO determines that the draft EIR is adequate, the EIR shall be finalized by the City or consultant. All minor revisions, comments, and responses identified during the review period and public hearing shall be incorporated into the document and transmitted to the decision-maker with a recommendation that the Final EIR be certified.

9. Determination by ERC that EIR is Inadequate

If, after review, the ERC determines that the draft EIR is inadequate and requires major revisions which go beyond the responses made at the hearing, the document will be returned to the City or consultant for revision. Recirculation of the document for public review may be required. In this case, a new Notice of Completion shall be prepared as provided above.

10. Determination by the Decision-maker that EIR is Inadequate

If, upon review of the prepared Final EIR and the project, the decision-maker determines that the EIR is inadequate, the EIR shall be referred to the City or consultant for appropriate revisions unless the decision-maker denies the project. Consideration of the project shall be deferred until the EIR is certified by the decision-maker(s) consistent with mandatory timelines for action. If the City must act on the project prior to the time a revised EIR could be certified, the applicant may request that the project be denied without prejudice. In this case, the applicant may refile pursuant to applicable requirements of the zoning ordinance.

11. Criteria for Recirculation of EIR

Where a draft EIR is determined to be inadequate, it shall be recirculated where any one of the following occurs:

- The draft previously circulated did not adequately discuss substantial adverse environmental impacts, feasible alternatives, or mitigation measures or change(s) of environmental impact classification.
- The information contained in the previously circulated draft was so inaccurate, incomplete, biased or misleading so as to have prevented meaningful public review.
- The draft did not reflect the independent judgment of the City or consultant.
- Circumstances requiring a supplement under CEQA have arisen.
- If the decision-making body disagrees with the conclusions set forth in the EIR regarding the significance of environmental impacts or feasibility of mitigation measures and alternatives, the decision-making body shall correct them and set forth its reasons for the correction.

ARTICLE XVI - TIME LIMITS

Timely compliance: The City shall carry out its responsibilities for preparing and reviewing environmental documents so as to avoid unnecessary delays in the processing of applications for permits and other instruments of use.

1. Negative Declarations - NDs must be completed and ready for approval within 105 days from the date the application was deemed complete for processing by the lead agency. This period of time may be extended 15 days should the applicant wish to consult over the Initial Study findings (see Article XIII - consultation on initial study determinations).
2. Environmental Impact Reports - EIRs must be completed and ready for approval within 365 days from the date the lead agency found the application complete for processing unless an extension of time has been granted by the applicant. Such extensions of time may be related to an initial study consultation as noted in item 1. above; or a 90-day extension pursuant to Section 15108 of the State CEQA Guidelines.
3. Time Limits for Public Projects - Only private projects are subject to time limits described in the Permit Streamlining Act.
4. Provisions for Suspension of Processing or Denial - If, in the judgment of the Director, he/she is unable to compile and complete an adequate EIR in sufficient time to meet any mandated time for EIR certification or for City action on the application, he/she will promptly notify the Director. The Director will take appropriate action to ensure that the project application is acted on by the City decision-maker within the time frame required by law. Options available in this situation include the following:
 - Applicant voluntarily withdraws and resubmits the project application for the purpose of restarting the mandated processing time clock. Resubmittal of project application may be subject to new processing fees.
 - Denial by the decision-maker.

No waiver of time beyond those expressly authorized by state law shall be accepted.

4. Consultant contracts - If a CEQA document is prepared under contract to the City, the contract shall be executed within 45 days from the date on which the project permit application is deemed complete by the City.

ARTICLE XVII - FEES

Fees shall be charged in accordance with the Fee Resolution as adopted and amended by the City Council.

In the event the applicant fails or refuses to deposit such fees as are determined to be required, the Director shall recommend to the decision-maker that processing be suspended or the project be denied without prejudice pursuant to State CEQA Guidelines 15109. In such a case, it shall be presumed that without preparation of adequate environmental documents required findings for project approval cannot be made.

ARTICLE XVIII - SEVERABILITY

If any portion of these Guidelines is held unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions.

ARTICLE XIX - ENVIRONMENTAL THRESHOLDS MANUAL

Introduction

This manual has been prepared to assist the public, the applicant, environmental consulting firms, and City decision makers in understanding the use and application of various environmental impact thresholds as they relate to the environmental review of project proposals.

Many California cities and counties use guidelines or thresholds of significance to determine whether or not a project proposal may have a significant effect on the environment.

In terms of addressing potentially significant adverse environmental impacts, the following thresholds are used as guidelines to determine the level of significance for any given impact. The discussions which follow are designed to provide an understanding of how thresholds of significance are applied; if a project is determined to possibly exceed the thresholds, an Environmental Impact Report may be warranted. Further, the thresholds may be utilized to determine potentially significant environmental impacts, for which mitigations would be required to be specified within the context of an EIR.

These Environmental Thresholds and Guidelines are intended to supplement provisions in the State Guidelines for determination of significant environmental effect including Section 15064, 15065 15382 and Appendix G.

AIR QUALITY GUIDELINES

Air Quality is a regional issue with substantial impact and control well beyond the reach of the City's powers. The quality of the air is dependent upon air pollution source locations; amounts and types of pollutants; climatic, meteorologic and topographic conditions. Understanding the effects of these issues and their relationship to planning and land use decisions will assist in minimizing further impaction of these valuable resources.

The City of Carpinteria is located in the South Coast Air Basin as designated by the California State Air Pollution Control District (APCD) and documented within the Santa Barbara County Air Quality Attainment Plan and the City of Carpinteria Air Quality Element.

Determination of Significance

State CEQA Guidelines state in Appendix G (x), that for air quality, a project will ordinarily have a significant effect on the environment if it will:

Violate any ambient State or Federal air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations.

In addition, the SBCAPCD has prepared criteria and thresholds for determining significance under CEQA. For further information regarding air quality standards for findings of significance, please refer to the County Air Quality Attainment Plan completed by SBCAPCD.

NOISE THRESHOLDS

Properties and Measurement

Measurement of sound involves determining three variables: (1) magnitude; (2) frequency; and (3) duration.

1. **Magnitude**

The magnitude of vibrations in air pressure associated with sound wave results in the quality commonly referred to as "loudness." Human ears respond to a very wide range of sound pressures, producing numbers of awkward size when sound pressures are related on an arithmetic (1, 2, 3, ...) scale. It has therefore become customary to express sound magnitude in decibels (dB) which are logarithmic (1, 10, 100, ...) ratios comparing measured sound pressures to a reference pressure. The reference pressure commonly used in noise measurement is 20 micro-Pascals, which is considered to be the quietest sound normal ears can hear. This sound level is assigned the value zero dB, and each increment in sound level of 20 dB represents a relative change in sound pressures of ten times.

Because decibels are logarithmic ratios, they cannot be manipulated in the same way as arithmetic numbers. Addition of decibels produces such results as $70 \text{ dB} + 70 \text{ dB} = 73 \text{ dB}$. Thus, if a single automobile produces a sound level of 70 dB, two such automobiles would produce a total sound level of 73 dB. Twice as much acoustic energy is being generated, yet this is represented as a 3 dB change. As a second example of decibel addition, if one automobile produces a sound level of 79 dB and the other 60 dB, the combined sound level will be about 70.4 dB. When the difference between two sound levels is greater than about 10 decibels, the lesser sound is negligible in terms of affecting the total level.

2. **Frequency**

A second characteristic of sound which must be included in the measurement is frequency. Typical community sounds consist of a wide range of frequencies, from the low roar of a diesel engine to the high-pitched whine of jet aircraft. The human ear responds to sounds whose frequencies are in the range from 20 Hz to 20,000 Hz. People generally find higher pitched sound to be more annoying than lower pitched sounds.

Presently, the most widely used measure of "loudness" for community noise evaluation is the A-weighted sound level. The primary advantage of this descriptor is simplicity, and it has fair correlation with subjective assessments of loudness and annoyance. Sound levels in this section are A-weighted and referred to as "dB(A)".

3. Duration

Community Noise Equivalent Level (CNEL) is a noise index that attempts to take into account differences in intrusiveness between daytime and nighttime noises. CNEL value result from the averaging of hourly Energy-Equivalent Sound Levels (Leq) for a 24-hour period, with a weighting factor applied to evening and nighttime Leq values.

For CNEL calculations, the day is divided into time periods with the following descriptions and weightings:

Community Noise Equivalent Level

Daytime:	7:00 a.m. – 7:00 p.m.	-	weighting factor of 1 dB
Evening:	7:00 p.m. – 10:00 p.m.		weighting factor of 5 dB
Nighttime:	10:00 p.m. – 7:00 a.m.	-	weighting factor of 10 dB

Noise Exposure Contours

Noise exposure contours are the mapped expressions of points of equal average noise level, analogous to topographic contours which are the mapped expression of points of equal elevation. Noise contours can be drawn with respect to any noise measure; to satisfy State requirements for the Noise Element, LDN and CNEL have been used in this section. Noise contours usually refer to a single source of noise such as a freeway, although they sometimes combine multiple sources.

Noise Thresholds

- a. A proposed development that would generate noise levels in excess of 65 dB CNEL and could affect sensitive receptors would be considered to have a significant impact.
- b. Outdoor living areas of noise sensitive uses that are subject to noise levels in excess of 65 dB CNEL would be considered to be significantly impacted by ambient noise. A significant impact would also occur where interior noise levels cannot be reduced to 45 dB CNEL or less.
- c. A project will have a significant effect on the environment if it will increase substantially the ambient noise levels for adjoining areas.

All noise studies evaluating ambient noise levels and changes resulting from project development should be prepared by licensed acoustical engineers.

Noise Threshold Criteria

1. Controlling Noise

Significant noise impact problems in Carpinteria are primarily associated with transportation facilities. Noise in the vicinity of railroads and major traffic ways exceeds health and welfare

criteria for noise exposure in relation to residential use. Specifically, Carpinteria citizens are exposed to noise from the U.S. 101, major roadways, the Union Pacific Railroad line and stationary sources. While noise from commercial, industrial, agricultural and population activities may be part of the ambient noise at any location, rarely do these generate noise of the same magnitude as transportation sources. In the City, many people are exposed to transportation noise at Day-Night Average Levels (Ldn) exceeding 60 dB. This exposure level is considered here to be the maximum compatible with residential and other noise-sensitive land use. In locations outside the immediate influence of a major transportation noise source, ambient Day-Night Average Levels typically range from 46 dB to 57 dB. Although localized noise problems will exist in these areas, generally ambient noise levels are acceptable, based on health and welfare criteria.

Controlling the impact of transportation noise must be approached both by quieting vehicles and by protecting sensitive land uses in locations where noise impact is excessive. The first of these approaches is beyond the legal jurisdiction of the City or County because Federal and State legislation is preemptive in the field of noise source control. The City's primary opportunities to manage transportation noise impacts lie in:

- Planning for compatible uses near existing transportation facilities.
- Imposing design standards on proposed sensitive development near existing transportation facilities.
- Incorporating noise control features into the design of new or expanded traffic ways to protect existing sensitive areas.

2. Planning Policies

- a. In the planning of land use, 65 dB Day-Night Average Sound Level is regarded as the maximum exterior noise exposure compatible with noise-sensitive uses unless mitigation features are included in project designs.
- b. Noise-sensitive land uses are considered to include:
 - Residential, including single and multi-family dwellings, mobile home parks, dormitories, and similar uses.
 - Transient lodging, including hotels, motels, and similar uses.
 - Hospitals, nursing homes, convalescent hospitals, and other facilities for long-term medical care.
 - Public or private educational facilities, libraries, churches, and places of public assembly.
- c. Noise-sensitive uses proposed in areas where the Day-Night Average Sound Level is 65 dB or more should be designed so that interior noise levels attributable

to exterior sources do not exceed 45 dB LDN when doors and windows are closed. An analysis of the noise insulation effectiveness of proposed construction should be required, showing that the building design and construction specifications are adequate to meet the prescribed interior noise standard.

- d. Residential uses proposed in areas where the Day-Night Average Sound Level is 65 dB or more should be designed so that noise levels in exterior living spaces will be less than 65 dB LDN. An analysis of proposed projects should be required, indicating the feasibility of noise barriers, site design, building orientation, etc. to meet the prescribed exterior noise standard.
- e. In the planning and design of major transportation routes and facilities, noise impacts on existing or planned land uses are carefully considered so that noise-related land use conflicts are minimized.

The following guidelines will be used to determine a potential threshold at which noise levels would be considered significant under CEQA and mitigating would probably be required.

Traffic Noise:

1) New Construction

- a) All Residential (single -family and multi-family) and other noise sensitive land uses which include schools, libraries, hospitals, day-care, convalescent homes, hotels, motels and parks.

Exterior noise levels would be considered significant if projected traffic forecasts (year 2010) would result in noise levels exceeding 65 dB (A) CNEL at exterior usable areas (does not include residential front yards or balconies, unless the balconies are part of the usable open space calculation for multi-family units).

Interior noise levels for hotels, motel, and dwellings other than detached single-family dwelling units are regulated by Building Inspection. Noise insulation for these structures is required so that interior noise levels do not exceed 45 dB. Therefore, interior noise levels for these structures would not be considered significant under CEQA. The environmental document should include a discussion of potential noise impacts and how they would be reduced.

Since single-family detached residences are not presently covered by the City Noise Ordinance, interior noise levels for single-family homes which exceed 45dB, would be considered significant.

Rule of Thumb

If the structure of outdoor living or usable area would be 50 feet or less from the center of the outside lane of a street with existing or future traffic volumes of 7,500

ADT or greater, the exterior and interior threshold levels may be exceeded and a noise study or calculation is necessary.

b) Offices, Churches, Business and Professional Uses

Traffic noise levels for these uses would be considered significant if they exceed 70 dB(A) CNEL at exterior usable areas, such as outdoor restaurant or employee eating areas.

Rule of Thumb

If the structure or outdoor usable area would be 50 feet or less from the center of the outside lane of a street with an existing or future ADT of 20,000 or greater, the exterior levels may be exceeded and a noise study or calculation is necessary.

c) Commercial, Retail, Industrial and Outdoor Spectator Sports Uses

Traffic noise levels for these uses would be considered significant if they exceed 75 dB(A) CNEL at outdoor usable areas.

Rule of Thumb

If the structure or outdoor usable area would be 50 feet or less from the center of the outside lane of a street with an existing or future ADT of 40,000 or greater, the exterior level may be exceeded and a noise study or calculation is necessary.

d) Noise studies on an existing single-family residence remodel would not be required.

Noise From Adjacent Stationary Uses (Noise Generators)

- 1) A project which would generate noise levels at the property line which exceed the City's Noise Ordinance Standards is considered potentially significant (such as a car wash).
- 2) If a non-residential use, such as a commercial, industrial or school use, is proposed to abut an existing residential use, the noise level of the non-residential use should not exceed the residential standards of 64 dB(A) CNEL at the adjoining property line. Although the noise level could be consistent with the City's Noise Ordinance Standards, a noise level above 65 dB(A) CNEL at the residential property line could be considered a significant environmental impact.

Impacts to Wildlife and Natural Preserves

Increases from rural to urban noise levels in a wildlife refuge, or passive wilderness, or open space park could be considered significant and would be determined on a case-by-case basis.

Temporary Construction Noise

Temporary construction noise which exceeds 75 dB(A) CNEL for 12 hours within a 24-hour period at residences would be considered significant. Additionally, where temporary construction noise would substantially interfere with normal business communication, or affect sensitive receptors, such as day care facilities, hospitals or schools, temporary impacts would be considered significant.

For the noise level analysis, an increase in noise would be considered significant if any of the following conditions occurred for an extended period of time:

- An increase in noise levels of 10 dB(A) if the existing noise levels are below 55 dB(A) (creates a potential significant nuisance effect);
- An increase in noise levels that exceeds noise level standards if the existing noise levels are between 55 and 60 dB(A) (violates existing regulatory requirement); or
- An increase in noise levels of 5 dB(A) if the existing noise levels are above 60 dB(A) (violates or worsens a violation of an existing regulatory requirement).

For vehicular traffic, a noise level of 65 Leq (FAA, EPA) will be used. For construction activity, applicable federal, state, and/or local standards, criteria, or ordinances will be applied. The Ldn and Leq measures are expressed on the dB(A) sound level scale. For purposes of comparing noise level indices, the Leq (for the peak-traffic period) is approximately equivalent to the Ldn. (*URS Corporation, A Guide For Environmental Analysis*) Project noise impacts are significant if they raise existing (ambient) levels from below to above the applicable criterion or if noise resulting from the project increases average ambient levels which are already above the applicable criterion by more than three dB, or if project-generated noise results in a five dB increase and the resulting level remains below the maximum considered normally acceptable. These criteria for significance recognize (1) the threshold levels of acceptability established by the local government agencies; (2) that once the threshold level has been passed, any noticeable change above that level (a three dB increase) results in a further degradation of the noise environment; and (3) that a clearly noticeable change (a five dB increase) in the noise environment, even though the threshold has not been reached, is also a significant impact, because people respond to changes in noise level regardless of the absolute level of the noise.

Table A - Land Use Noise Compatibility Matrix

Land Use Categories		Community Noise Equivalent Level (CNEL)						
Categories	Uses	>55	60	65	70	75	80>	
RESIDENTIAL	Single Family, Duplex, Multiple Family	A	A	B	C	C	D	D
RESIDENTIAL	Mobile Home	A	A	B	C	C	D	D
COMMERCIAL Regional, District	Hotel, Motel, Transient Lodging	A	A	B	B	C	C	D
COMMERCIAL Regional, Village, District, Special	Commercial Retail, Bank, Restaurant, Movie Theater	A	A	A	A	B	B	C
COMMERCIAL INDUSTRIAL INSTITUTIONAL	Office Building, Research and Development, Professional Offices, City Office Building	A	A	A	B	B	C	D
COMMERCIAL Recreation	Amphitheater, Concert Hall	B	B	C	C	D	D	D
INSTITUTIONAL Civic Center	Auditorium, Meeting Hall							
COMMERCIAL Recreation	Children's Amusement Park, Miniature Golf Course, Go-cart Track, Equestrian Center, Sports Club	A	A	A	B	B	D	D
COMMERCIAL General, Special INDUSTRIAL INSTITUTIONAL	Automobile Service Station, Auto Dealership, Manufacturing, Warehousing, Wholesale, Utilities	A	A	A	A	B	B	B
INSTITUTIONAL General	Hospital, Church, Library, Schools' Classroom	A	A	B	C	C	D	D
OPEN SPACE	Parks	A	A	A	B	C	D	D
OPEN SPACE	Golf Course, Cemeteries, Nature Centers, Wildlife Reserves, Wildlife Habitat	A	A	A	A	B	C	C
AGRICULTURE	Agriculture	A	A	A	A	A	A	A

INTERPRETATION

ZONE A
CLEARLY
COMPATIBLE

Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements.

ZONE B
NORMALLY
COMPATIBLE

New construction or development should be undertaken only after detailed analysis of the noise reduction requirements are made and needed noise insulation features in the design are determined. Conventional construction, with closed windows and fresh air supply systems or air conditioning, will normally suffice.

ZONE C
NORMALLY
INCOMPATIBLE

New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of noise reduction requirements must be made and needed noise insulation features included in the design

ZONE D
CLEARLY
INCOMPATIBLE

New construction or development should generally not be undertaken.

TRANSPORTATION, CIRCULATION AND PARKING THRESHOLDS

Carpinteria is served by a network of roadways, bikeways, the Santa Barbara Metropolitan Transportation District and the Carpinteria Area Rapid Transit. The City is considered the gateway to recreational beaches within the County. Recreational traffic is a major element of transportation demand which must be served by the circulation system.

The threshold criteria and traffic report contents proposed in the following pages are intended to provide a basis for improved analyses of the potential traffic impacts of proposed projects. The criteria and report contents will also help to standardize traffic impact reports, making them easier to use in the planning process. It is hoped that standardization will aid in the completion of traffic data for use in other EIRs.

Evaluation of traffic impacts and development of proposed mitigation measures is a complex task. When a potential for significant adverse traffic impacts is evident, the traffic analysis should be performed by a registered civil engineer that is qualified to perform traffic engineering studies and is familiar with the City of Carpinteria.

CEQA Guidelines Appendix G states that a project will ordinarily have a significant effect on the environment "if it will cause an increase in capacity of the street system". The following threshold criteria assume that an increase in traffic that creates a need for road improvements is substantial in relation to the existing traffic load and capacity of the street system. It should be noted that the following criteria are guidelines for the majority of potential traffic impacts. The list of criteria is not intended to be all-inclusive, as the potential for impact may vary depending upon the environmental setting and the nature of the project.

A. Threshold Criteria - Significant Adverse Impact

The impacts of project-generated traffic are assessed against the following City thresholds which are also utilized by Santa Barbara County. A significant traffic impact occurs when:

a. The addition of project traffic to an intersection increases the volume to capacity (V/C) ratio by value provided below or sends at least 5, 10 or 15 trips to an intersection operating at Level of Service (LOS) F, E or D, respectively. Refer to Table 2 for further description of Levels of Service.

LEVEL OF SERVICE (including project)	INCREASE IN V/C GREATER THAN
A	0.20
B	0.15
C	0.10
	OR THE ADDITION OF:
D	15 trips
E	10 trips
F	5 trips

b. Project access to a major road or arterial road would require a driveway that would create an unsafe situation, or a new traffic signal or major revisions to an existing traffic signal.

TABLE 2

**LEVEL OF SERVICE DESCRIPTIONS
EXISTING CARPINTERIA GENERAL PLAN CIRCULATION ELEMENT**

Level of Service A	Free flow conditions, Low volumes Unrestricted operating speeds Uninterrupted flow No restriction on maneuverability Little or no delays
Level of Service B	Stable flow condition Operating speeds beginning to be restricted Design level for rural conditions
Level of Service C	Stable flow but speed and maneuverability restricted by higher traffic volumes Satisfactory operating speed for urban conditions
Level of Service D	Approaching unstable flow Tolerable speeds maintained Delays at traffic signals, Temporary restrictions Little freedom to maneuver
Level of Service E	Low operating speed, Unstable flow Volumes at or near capacity Momentary stoppages Extensive delay at traffic signals
Level of Service F	Forced flow conditions Very low speeds Frequent stoppages for short or long periods because of downstream congestion

- c. Project traffic would utilize a substantial portion of an intersection(s) capacity where the intersection is currently operating at acceptable levels of service (A-C) but with cumulative traffic would degrade to or approach LOS D (V/C 0.81) or lower. Substantial is defined as a minimum change of 0.03 for intersections which would operate from 0.80 to 0.85 and a change of 0.02 for intersections which would operate from 0.86 to 0.90 and 0.01 for intersections operating at anything lower.

If the above thresholds would be exceeded, construction of improvements or project modification to reduce the levels of significance to insignificance would be required.

Mitigation Measures

In order to reduce project impacts to levels of insignificance, the proposed mitigations (e.g., road improvements, trip reductions) must restore affected intersections to an acceptable LOS (C) and/or reduce safety impacts to insignificance. The scope of the mitigation must reduce the project's contribution to insignificance and be timed to be implemented prior to occurrence of the impact {e.g., prior to intersection degrading to LOS D).

The thresholds of significance identified above assume full contribution to the Off-Site Road Improvement Fund. Without the fee program a much smaller increase in the V/C ratio would have to be considered significant.

B. When a Traffic Study is Required

A traffic study will generally be required when it appears that the thresholds of significance identified above will be exceeded. In almost all cases where trip generation during the peak hour is expected to exceed 100 vehicles, a traffic study will be required. A previous traffic study for the development under review will only be acceptable if it is less than two years old.

Contents of Traffic Study

Some traffic studies may require information or analysis beyond what is described below; some may require less.

1. Executive Summary

This should be no more than two pages summarizing the project's traffic impacts, needed road improvements, and proposed changes in the project.

2. Maps Showing the following:

- a. Location of proposed project.
- b. Collectors, arterials and state highways that will be used by occupants and visitors to get to and from major attractions and productions.
- c. Location of cumulative projects that will impact those roads identified in (b) and the status of those projects (e.g., Proposed, Under Review, Approved, Under Construction).

- d. Percent distribution of traffic from the proposed project and cumulative projects.
- e. Traffic volumes on roads identified in (b): existing traffic, existing plus project traffic, existing plus project plus cumulative traffic (weekday ADT and PHT).

3. Tables Showing the following:

- a. Proposed project and cumulative projects, their size and nature, trip generation rates, total trip generation (ADT and PHT) and status.
- b. Signalized intersections, intersections with potential for signals, LOS (existing, existing plus project plus cumulative) existence of signal warrants and existence of operational problems and project specific and cumulative impacts post mitigation implementation.
- c. Roadway design features that will become potential safety problems or will be below City standards with the addition of cumulative traffic. Roadways in critical need of reconstruction.
- d. Improvements needed to correct the identified deficiencies separated by project impacts and cumulative impacts. LOS after mitigation, approximate cost and the probable or scheduled timing of each improvement, identification of specific improvements to be constructed by developer and/or a dollar contribution to be made by developer (i.e., payment to Off-Site Improvement Fund).

4. Narrative, Footnotes and Appendices Containing the following:

- a. Sources and dates of data including persons contacted.
- b. Raw traffic count data (all traffic count data must be less than two years old).
- c. Methods used and special circumstances.
- d. Level of service calculations.
 - Peak hour turning movements and LOS (show V/C for existing, existing plus project, existing plus project plus cumulative traffic).
 - Lane configuration and traffic control.
 - Mitigation measures proposed and effect on LOS.

AGRICULTURAL GUIDELINES

The State's agricultural land plays a critical environmental role. Farmland is an important filter for rain and snowfall runoff, allowing groundwater basins to recharge themselves. Farms and ranches are wildlife habitats for many common game and endangered species. Agricultural land provides valuable open space, giving visual relief for urban dwellers, and protecting the rural way of life important to farmers, ranchers and small town residents. Because of these great public benefits, the unnecessary and/or premature conversion of agricultural lands to urban uses should be discouraged.

The California Appeals Court in *Cleary vs. County of Stanislaus* (1981) 118 Cal. App. 3d 348, has indicated that the conversion of agricultural land to non-agricultural uses may in itself be considered a significant environmental impact. To ensure that the impacts of agricultural land conversion are considered in project decisions, environmental documents should contain information about the impacts of projects on agricultural land. Government officials can make better decisions affecting agricultural land when they have complete data about the land and its relationship to the agricultural economy. The diversity of local agriculture continues to provide a strong economic base through its multiplier effect on the local economy.

Qualifications for lands to be designated as agricultural preserves are found in "Criteria for Agricultural Preserves", adopted by the Santa Barbara County Board of Supervisors. Land must either be in Class I or II Soil Capability classification, as prescribed in the U.S. Soil Conservation Service, or possess quality for an 80 to 100 rating in the Story Index System to be designated as prime land. Where prime lands exist, the minimum size of an agricultural preserve is 40 acres. Land can also qualify as prime if it fulfills one of the following: it supports livestock at a density of one animal per acre; is in orchard use that can return at least \$200 per acre per year; or is devoted to other agricultural production that generally would return \$200 per acre per year. Farm land not meeting these qualifications is classified as non-prime, and the minimum size for an agricultural preserve is 100 acres. However, in certain instances prime land of at least five acres in a separate ownership may be combined with adjacent prime land to meet the 40-acre minimum requirements.

Determination of Significant Effect

CEQA Section 15064 states that:

The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data. An ironclad definition of significant effect is not possible because the significance of an activity may vary with the setting. For example, an activity which may not be significant in an urban area may be significant in a rural area.

In the absence of any specific General Plan policies which would restrict development in agricultural lands, the following general thresholds may apply to agricultural lands within City of Carpinteria boundaries:

- Development proposed on any property five acres or greater in size with a Prime Agricultural Soils designation may represent a significant environmental impact.
- Development proposed on any property in an Agricultural Preserve would represent a significant environmental impact.
- Development proposed on any property which in the past five years has been in agricultural production and which is agriculturally zoned may represent a significant environmental impact.
- Development of 10 more acre non-prime parcels may be significant due to historical use or surroundings (conversion may make adjacent agricultural land ripe for conversion).

CEQA Appendix G states that a project will have a significant impact on the environment if it will:

- (a) Conflict with adopted environmental plans and goals of the community where it is located.
- (b) Convert prime agricultural land to non-agricultural use or impair the agricultural productivity of prime agricultural land.

Erosion and Siltation. The following conditions or impacts shall be considered significant:

- The graded or cleared portion of the site includes more than 10,000 square feet of area having a slope greater than 15 percent.
- There is a significant risk that more than 2,500 square feet will be unprotected or inadequately protected from erosion during any portion of the rainy season.
- Grading or clearing will occur within 50 feet of any watercourse or 100-year floodplain.
- Grading will involve cut and fill volumes of 3,000 cubic yards or more, or cut or fill heights of 15 feet or greater.
- The project will significantly increase water runoff, velocities, peak discharges, or water surface elevations on or off-site. Coordinate with the Department of Public Works for clarification.
- The project will produce erosion impacts which constitute a structural hazard or significant visual impact, or will result in sediment or excessive drainage flows which cannot be contained or controlled on-site.
- The project will result in impacts which violate or are in conflict with any of the Federal, State, or local policies, ordinances or regulations listed above.
- Any cut or fill slope over 15 feet in height is potentially significant for grading, visual, erosion, siltation and community character impacts.
- Any grading which includes the addition, removal or moving of earth is potentially significant.
- Any grading proposed within environmentally sensitive areas is potentially significant.

BIOLOGY GUIDELINES

CEQA 15064(a) states that a Lead Agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for projects where any of the following conditions occur: The project has the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause fish or wildlife population to drop below self-sustaining levels, threaten to eliminate native plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal.

Biological guidelines provide protection to plant and animal species listed in official State and Federal publications as well as private professional journals which designate the rarity,

endangerment, vigor and general distribution of the endangered species. The City's adopted General Plan maps and Local Coastal Program designate areas of particular environmental significance as environmentally sensitive habitats for the purpose of conserving or preserving critical plant and/or animal species or sensitive ecosystems such as salt marsh habitats or coastal dunes. It should also be noted that valid information from professional wildlife biologists or botanists may be used to determine the value and significance of biological resources not currently listed in the aforementioned publications or journals.

Although much of the existing land within the city is either urbanized or under agricultural production, the City supports several biological habitats of significance. These include, but are not limited to:

- Carpinteria Creek and its riparian corridor;
- Carpinteria Marsh (El Estero);
- Isolated remnant wetlands;
- Marine mammal habitats;
- Tar Pits Park;
- Rocky intertidal and subtidal areas;
- Coastal sage plant community on Bluffs I, II, and III;
- Other habitat areas as identified on the Sensitive Habitat Map on file with the City.

Protection of Biological Resources (Initial Studies, EIRs, and Mitigated NDs)

Generally, the City and the public are concerned with protecting biological resources associated with sensitive resource areas such as creeks, beach areas, bluff areas, Carpinteria Marsh, kelp beds, tide pools and significant trees.

During the overall land use permit process, an onsite inspection is conducted by the City planning staff to determine if critical or sensitive biological resources may be impacted by proposed projects. Should the on-site investigation of research indicate the presence, or a potential for the presence, of a critical or sensitive biological resource, a biological survey may be required pursuant to CEQA Section 15064. The biological survey could be completed as part of an EIR or it could be used to develop a Mitigated Negative Declaration as provided for by CEQA.

Biological survey reports are conducted and written by professional biologists under contract to the City. Payment for the study is accomplished by a deposit with the City from the applicant in an amount equal to the cost estimate of the consulting biologist. If the biological survey identifies the presence of important or sensitive resources on the project site, an EIR may have to be prepared. In a majority of cases however, applicants work with City staff to modify the project design for the purpose of reducing impacts, with the applicant's consent, which then become a part of the project description and the basis for issuing a Mitigated Negative Declaration. However, if design modifications are not acceptable to an applicant, then a biological survey would be required as a component of an EIR would be required pursuant to the above citation from CEQA.

In summary, the legal basis for the protection of biological resources is founded on CEQA with specific guidance provided by professional private journals and State and Federal publications listing critical resources worthy of protection.

Guidelines for Biological Impacts

1. Tree Removal Guidelines

Specimen trees are defined in the City's Municipal Code as "any tree, shrub or other planting which has been so designated by resolution of the City council as having a high degree of value due to its type, age, size, conformation or location." Specimen trees are defined as those with a diameter of at least six inches measured four feet above the ground with a minimum height of at least six feet (definition is applicable to entire County). For trees such as willows, which do not have a single trunk, the diameter of all upright woody stems should be combined for the measurement of the diameter.

For standard Subdivision, Development Plans or Conditional Use Permits, the loss of 10% or more of the trees of biological value on a project site is considered potentially significant. The amount of trees present on-site from which the 10% is measured may be calculated either by counting individual trees or by measuring the area of tree canopy with a planimeter.

All native tree species, regardless of size, should be considered to be biologically valuable. In particular, young oak trees which do not meet the definition of specimen trees are a significant biological resource due to declining oak populations.

Non-native trees which may be valuable include windrow and individual eucalyptus and other horticultural species. Eucalyptus trees can be significant resources where trees in general are rare, where they provide roosting habitat, and where they provide some wildlife habitat, their inherent biological value is generally limited due to the high level of disturbance of such areas.

The loss of any specimen tree of particularly remarkable size or quality or the loss of any tree with historic value may be considered potentially significant even if the above criteria are not met.

Infrequently, the City is presented with a proposal which does not fit the normal description of a residential, industrial, or commercial project in terms of the potential impact to biological resources. These projects include, but are not limited to, woodland management plans and large scale residential, commercial or industrial projects which may impact biological resources in a potentially significant manner. For example, an oak woodland management program may impact more than ten percent of the oak woodland and be considered as creating a potentially significant adverse impact. On the other hand, a normal residential subdivision could impact more than ten percent of the on-site trees and be considered as an acceptable impact if the developer can mitigate the impact by a tree planting plan to offset the tree removals.

Mitigation for Native Tree Loss

To ensure mitigation for the loss of native trees other than willows, a realistic and appropriate replacement ratio shall be required. Monitoring and replacement shall continue until healthy saplings are established for each living tree removed by the project. In order to mitigate project impacts, project design should:

- Provide for buffer strips around sensitive habitats
- Preserve all native landscapes adjacent to sensitive habitats
- Incorporate sensitive habitats as open space wherever possible
- Provide for restoration of degraded riparian corridors.

Species, habitats or geographic areas designated as Critical for preservation by State, Federal or local laws:

- Endangered animal species (Federal and State)
- Endangered Plant species (Federal and State)
- Threatened animal species (Federal)
- Threatened plant species (Federal)
- Rare animal species (State)
- Rare plant species (State)
- Areas of Special Biological Significance (State)
- Marine Life Refuges (State)
- Wildlife Reserves (Federal)
- Marine Sanctuaries (Federal, State and County)
- Intertidal Areas (State)
- Riparian or significant streamside vegetation areas (State)
- State and National Parks

Species, habitats or geographic areas designated as Sensitive but not protected by Federal, State or local laws:

- Fully protected species identified by California Department of Fish and Game (CDFG).
- California Native Plant Society endangered or rare species not designated by the State or Federal government.
- Habitats and species identified as sensitive by Los Padres National Forest.
- Habitats identified as sensitive or unique by California Natural Diversity Data Base.
- Habitats identified as sensitive or unique by California Department of Fish and Game.
- Arbib's blue list of sensitive bird species.
- Remsen's list of sensitive bird species (especially those species on priority one listing).
- Unique or special interest species or habitats identified by local groups or qualified individuals (i.e., Botanic Garden, Museum of Natural History, University, individuals, etc.).

Additionally, the following vegetation types are also important because of limited geographic distribution within the County or State.

Coastal saltmarsh	Riparian habitat
Coastal dune habitat	Oak woodland
Coastal sagebrush	Grassland
Freshwater marsh	Agricultural
Open beach	Ruderal (introduced grasses)

The criteria for determining significance of environmental impacts are based on the following:

- The importance (e.g., legal, commercial, recreational, ecological or scientific) of the resource.
- The proximity of the resource to the project site.
- The proportion of the resource (in terms of numbers or area), considering the region surrounding the project area, which would be affected.
- The sensitivity of the resource to the type of impact being considered.
- The duration and/or ecological ramifications associated with the effect.

This determination considers the importance of the species and/or habitat affected and its sensitivity to impact.

If an impact is likely to directly or indirectly cause measurable change in (a) species composition or abundance beyond that of normal variability or (b) ecological function within a localized area for five to 10 years or longer (long-term), it is considered significant. Measurable changes for less than five to 10 years would be short-term impacts. Impacts would be *locally significant* if the size of the affected area is relatively small compared to that of an ecologically equivalent area in the region of impact. The threshold for significance is determined by scientific judgment and considers the relative importance of the habitat and/or species affected. *Regionally significant* impacts occur where the amount of affected area, relative to that available in the region, is large.

These criteria also apply to rare, candidate, threatened, or endangered species. However, due to factors such as low population number, limited distribution, and high sensitivity to impacts (e.g., limited ability to recover from impacts), a lower level of potential impact than for non-endangered biota would generally result in an assessment of significant impact on rare, candidate, threatened or endangered species.

All predicted impacts are carefully considered in light of these criteria. Where there is doubt about the categorization of an impact, an attempt has been made to err on the conservative side, but within reason. In such cases, the uncertainties are explained and the rationale for the conclusion documented.

Direct Impacts. The direct impacts of the project and the indirect and cumulative impacts of the project must be analyzed for significance. The first step in making the determination is to identify the nature of the impact by determining the extent and degree of the direct impact to biological resources.

In order to determine the extent of the impact, the acreage of each habitat type to be lost should be quantified. Where possible, the number of individuals of sensitive, threatened, rare or endangered species to be taken or harassed should be quantified. In order to determine the degree of the impact factors such as fragmentation of habitat, loss of foraging area for sensitive species, and other factors should be considered.

The following table can be used as a general guideline to determine when a project is likely to have a significant impact. A discussion of some of the criteria considered in making a determination for each resource type follows in the table below.

**Frequency of Significance Determinations for
Various Biological Resources**

	Biological Resource to be Disturbed	Frequency of Determination That Impact is Significant
1	Land supporting state or federally listed rare or endangered species	always
2	Land supporting sensitive species	often
3	Wildlife Corridor	usually
4	Vernal Pool Habitat	usually
5	Oak Woodlands	usually
6	Coastal Wetlands	always
7	Riparian Woodlands/Marshes	usually
8	Urban Drainages	sometimes
9	Coastal Sage Scrub	often
10	Mixed Chaparral	often
11	Native Grassland	usually
12	Marine Habitats	always
13	Chaparral (other than Coastal Mixed)	sometimes
14	Disturbed Grassland	sometimes

- 1) Land Supporting Listed Species or Species Eligible for Listing. This land includes any area supporting State or Federally listed species or species meeting the criteria for listing. All rare or endangered species are considered significant resources sensitive to development.

Any impact to the habitat of such a species, or any direct taking or harassment of such a species would be considered a significant biological impact. U.S. Fish and Wildlife Service consultation would be required.

- 2) Land Supporting Sensitive Species. Sensitive species are rare or declining species that have been identified by any one of a number of private groups and public agencies. The significance and sensitivity of these species varies dramatically.

In determining whether an impact to the habitat of a sensitive species is significant the following factors should be considered:

- a) sensitivity of the species (is the species very uncommon, or has there been a serious decline in the abundance of the species?);
- b) biological value (significance) of the habitat (i.e., does it support native wildlife, does it provide a wildlife corridor, etc.?);
- c) sensitivity of the site to the proposed development (would the proposed development retain all or most of the biological value of the site?);
- d) extent and degree of the proposed impact.

The biological significance and sensitivity of the resources should be weighted against the extent and degree of the projects impacts. Thus the determination of significance depends on the specific effect of the proposed project on the resources present on the site, in the context of the regional status of the particular resource present.

- 3) Wildlife Corridors. This land includes areas where development would sever a connection between two habitat areas. Connections need not be wide; narrow corridors can be used by many plant and animal species. The area with habitat value to which the site is connected must be at least ten acres in size. Wildlife corridors are biologically significant.

Loss of a connection between two habitat areas is usually considered a significant impact. Factors to consider when making the determination of whether or not the impact is significant include:

- a) importance of the corridor to wildlife (does the corridor provide a valuable, and well used connection?);
- b) size of the habitat areas joined by the corridor (are the areas that are connected big enough to be of biological valued as long as there is a connection, or even if the connection were to be severed?);
- c) availability of an alternative corridor; and
- d) the nature of the impact (Would it be temporary? Would the barrier prevent all movement, or just the movement of some species?).

- 4) Vernal Pool Habitat. The term vernal pool includes any area with the specific soil and topography characteristics of vernal pools and any of the plant species found in vernal pools, and the watersheds of these area. The vernal pool community has declined dramatically in recent years and is therefore considered sensitive to development. Vernal pools occur only where very specific substrate conditions are present and support a unique and interesting floral and faunal community. Therefore, vernal pools are considered significant biological resources.

Disturbances to all mapped vernal pools and their watersheds, even if the pools are disturbed, are considered significant impacts.

Disturbances to unmapped vernal pools are almost always significant. The disturbance of a vernal pool might not be considered significant when the vernal pool has developed as a result of human activity and the pool does not support rare, endangered, or sensitive species. Such a pool would be neither sensitive to human activity, nor would it support significant biological resources.

- 5) Oak Woodlands. These woodlands include those areas with representative species of these habitats as defined by the California Department of Fish and Game's Natural species Diversity Data Base. The biological value of this community is usually high because of high levels of species diversity. Because the community has very limited range, it is considered sensitive to human development.

In areas where several specimens of characteristic dominant species are present, an impact to this community, or the wildlife supported by this community, is usually considered significant.

In areas where one or two individuals of characteristic dominant species occur in isolation, impact may or may not be considered significant, depending upon the values associated with the surrounding community and the importance of the individual specimens to the community. Factors to consider in determining the sensitivity and significance of the resources include:

- a) diversity of plant and animal present;
- b) presence of sensitive species;
- c) function of the woodland component (i.e., do they provide nesting sites for birds); and
- d) effect of the project on the biological values (some projects may be able to incorporate specific components of the biological community into their design, thereby eliminating or minimizing the impact).

- 6) Coastal Wetlands. These lands include salt marsh habitats, surfgrass, mudflats intertidal zones and other wetlands occurring within the coastal zone. Coastal wetlands are extremely rich biological resources, and are also very sensitive to development. Direct impacts to coastal wetlands, or to the wildlife occurring within coastal wetlands, are always considered significant.

- 7) Riparian Woodlands/Marshes.

Woodlands

These habitats include a variety of different habitats as defined by the California Department of Fish and Game's Natural Species Diversity Data Base. They usually occur within wetlands. Riparian woodlands support a large number of bird species and area considered significant biological resources because of the richness. The

extent of riparian woodlands has declined dramatically in the last few years. Thus, this community is considered sensitive to development.

Where riparian woodland occur within wetlands, impacts to the community, or to wildlife supported by the community, are considered significant.

Where riparian species are not associated with wetland soil or hydrology, a determination of the significance of impacts to the community depends on the following factors:

- a) extent and value of the riparian community (i.e., diversity of plant and animal life, connection to other areas with habitat value, etc.);
- b) presence or utilization by sensitive species;
- c) importance of the riparian community to the surrounding community;
- d) function as a stop-over place for native bird species; and
- e) extent and degree of the impact.

Marshes

This community occurs where the water table is at or just above the ground surface. They usually support a number of sensitive amphibian, reptile and bird species. Natural freshwater marshes are considered significant biological resources. Freshwater marsh habitat has declined dramatically over the past few years. It is considered a sensitive habitat type.

Direct impacts to naturally occurring freshwater marshes, or to wildlife occurring within the marshes, are considered significant.

Human activities have resulted in the creation of marshes. Impacts to these marshes may be considered significant when the man-made marshes display biological valuable functions, such as providing habitat to a diversity of native wildlife.

- 8) Urban Drainages. Runoff from urban areas can result in the degradation of natural drainages and the creation of waterways where none naturally occurred. These drainages are frequently channelized or partially channelized. These drainages are only considered significant biological resources when they support native species or act as a wildlife corridor.
- 9), 10) Coastal Sage Scrub and Coastal Mixed Chaparral. These habitat types have very limited ranges, which have been greatly reduced in recent years. A number of sensitive species are associated with these habitat types. If the components of the community are present, then a site is said to be characterized by that community. The presence of annual grasses and other invasive exotics does not eliminate the habitat values associated with the community, and therefore does not change the designation.

These communities are considered sensitive because they have declined as a result of development and have limited ranges. They support unusual and distinctive plant communities, and are considered biologically significant resources.

Impacts to these communities, or the wildlife supported by them, often are considered significant. When the site is small, isolated, and of limited biological value, impacts may not be considered significant. The extent and degree of the impact should be weighed against the biological value of the site in making this determination.

- 11) Native Grassland. The term refers to areas where native grasses occur. Where natives coexist with exotic grasses, the site should usually be considered "Native Grassland," and not "Disturbed Grassland." Grasslands historically occurred in some of the most developable areas. Most of the grasslands that were not developed were displaced by exotic annual grassland as a result of agricultural practices and other factors. Native grasslands are not extremely rare, and are considered both sensitive and biologically significant communities.

Impacts to native grasslands are usually considered significant. Even small, isolated sites are often considered significant because so little of the resource remains.

- 12) Marine Habitats. These include areas dominated by eelgrass, deep subtidal areas, and open ocean water areas. Marine habitats are extremely rich habitats. Many ocean-going species, including edible fish and shellfish species spend all or a portion of their lives in the marine areas immediately off the coast. Marine systems, like many terrestrial systems, exist in a delicate balance. They are extremely fragile and are *very* sensitive to human impacts. Impacts to marine system are always considered significant.

- 13), 14) Chaparral and Disturbed Grasslands. These habitats include a variety of types of chaparral and grass communities. Small isolated patches of these communities that support no sensitive species are not considered sensitive. For these communities, "small" is five acres or less. However, these communities often form integral links with other habitat areas and therefore act as wildlife corridors. They also frequently provide habitat for sensitive species. Under these circumstances these communities could be considered significant biological resources. The following factors should be considered to determine if the impact of a project on these community types would be significant:

- a) size and connection of the site to areas with habitat value;
- b) number (if any) and degree of sensitivity of the sensitive species present;
- c) condition and defensibility of the site (has a lot of disturbance occurred, and could that disturbance be prevented in the future?);
- d) extent and degree of the impact; and
- e) species diversity present on the site.

Indirect Effects. Indirect effect of a project may be as significant as the direct effects of the project, depending on the circumstances. However, in general, indirect effects are easier to mitigate than direct effects. Some impacts may be considered indirect effects under some

circumstances, and direct effects under other circumstances. For example, the introduction of "meso-predators," as described below, would be considered a direct effect if prey species, such as the light-footed clapper rail, were known to exist nearby. Indirect effects include, but are not limited to, the following impacts:

- the introduction of urban meso-predators (dogs and cats) into a biological system;
- the introduction of urban runoff into a biological system;
- the introduction of invasive exotic plant species into an area: noise and lighting impacts;
- loss of biological buffer, such as wetland buffer;
- alteration of a dynamic portion of a system, such as stream flow characteristics or fire cycles; and
- introduction of urban uses near a wetland, resulting in the need for environmentally damaging mosquito abatement.

Cumulative Effects. The direct and indirect impacts of a proposed project are sometimes not considered significant even though the project contributes to a cumulatively significant problem or impact. Many projects where the extent of the impact is so small that a consideration of the criteria presented above indicate a "no impact" determination are none the less considered to have cumulatively significant impacts on biological resources.

This general rule is particularly applicable when the impact under consideration is loss of habitat. Major losses of habitat are often the result of the combined effects of many small projects over a long period of time. In general, even small losses of habitat classified by the Natural Species Diversity Data Base as sensitive, are considered cumulatively significant.

Loss of individuals of sensitive species may be considered cumulatively significant, depending on the sensitivity of the particular species, and its viability on the project site. If the species is rare and a viable population is supported in the vicinity of the project site, then losses of the species would be considered cumulatively significant, even if a consideration of the direct and indirect effects, as discussed above, of the project indicate a no significant impact determination.

Fragmentation of a single wildlife area is frequently not considered a significant direct effect. However, within an area, repeated fragmentation can result in the exclusion of predatory animals. As a result, meso-predators such as skunks can become very numerous, resulting in the degradation of the biological system. The cumulative effects of fragmentation are frequently significant.

Impact Analysis. In summary, the adverse effect of the project should be avoided or minimized. If impacts to wetlands, wetland buffers, or to rare or endangered species have not been avoided completely, and if impacts to other resources have not been minimized to the greatest extent feasible and adequate mitigation provided, then the project will result in a significant impact.

The determination of significance for biological resources involves the evaluation of the context in which the impact may occur and the intensity and extent of the impact's effect. Potential impacts are assessed as significant or not significant in a site-specific, local, and regional context. Determining an impact to be significant or not significant also includes a reconsideration of intensity (severity criteria) and extent (in time and space).

CULTURAL RESOURCES GUIDELINES

Cultural resources are those archaeological and historic features that contribute to the social and physical character of the City.

Literature Search and Preliminary Assessment

As part of the environmental review process, City staff shall consult the confidential archaeological site map to determine if a recorded cultural resource is located within the project site or whether there is a high potential for its presence on site based on recorded site distribution patterns or historical accounts. If this determination is positive and the project site is not developed, a Phase I archaeological investigation including a systematic inspection of the ground surface is carried out by an approved professional archaeologist (depending on the size of the parcel), with sub-surface testing to define the presence of archaeological artifacts or site boundaries when vegetation obscures ground visibility. If historical remains are suspected, a professional historian will be retained to evaluate the resource more fully.

Cultural Resource Significance Determination

If an archaeological or historical site is observed, the City will work with the applicant to modify project plan descriptions such that direct impacts on cultural resources are avoided. Avoiding damage may be accomplished by many approaches, which are delineated in the CEQA Guidelines, Appendix K (2B).

Although the placement of fill on top of an archaeological site may reduce direct impacts of construction, indirect impacts will probably result from the loss of access to the site for research purposes and scarification and compaction of soils. To mitigate this impact, a sample of the cultural resource shall be excavated and appropriately curated for research purposes.

If avoidance measures cannot be used, a Phase 2 excavation shall be funded by the applicant and performed by a City approved archaeologist and/or historian if necessary to determine if the cultural resources is "important" as defined in Appendix K of CEQA. If the project would cause damage to an important cultural resource, the project is considered to have a significant effect on the environment. For the purposes of CEQA, an "important archaeological resource" can be defined by one of several criteria listed in Appendix K. The Phase 2 investigation and report must follow the specifications defined in the Cultural Resource Guidelines defined above. The report must include significance assessments and propose ways to avoid impacting the important resource. The report shall also include a suggested excavation plan for mitigating the effect of the project in the qualities which make the resource important if avoidance is considered infeasible.

If a cultural resource is determined not to be "important", both the resource and the effect on it shall be noted in the project file initial study or EIR but need not be considered in further CEQA process. The project applicant is responsible for the complete funding of Phase 2 investigations. Phase 2 investigations are not limited by cost; however, costs are limited to providing services defined in scopes of work which are developed by the City.

Ethnic Impact Assessment

Appendix G, Significant Effects, of CEQA defines the need for evaluating the impacts a project may have on a community, ethnic or social group.

A project will normally have a significant effect on the environment if it will cause one of the following:

- Disrupt or adversely affect a prehistoric or historical archaeological site or a property of historical or cultural significance to a community or ethnic or social group.
- Conflict with established recreational, educational, religious, or scientific uses of the area.

If the affected community does not consider the mitigation measures acceptable which have been proposed by consulting archaeologists and incorporated in the project description by the applicant, the project may be considered to result in a significant impact and an EIR (or EIR section) may be prepared.

There are currently four recognized Native American groups in Santa Barbara County representing local Native American individuals of Chumash descent. On the South Coast there are two groups which should be contacted if archaeological sites are to be impacted: The United Chumash Council and the Owl Klan Chumash of Ventura.

Sequential Steps for Implementation of CEQA Appendix K

1. Determination by City staff during Initial Study process that a project site may have a potential archaeological or Native American culturally significant resource.
2. Professional fieldwork and documentation that a project will or will not have a direct or indirect physical impact on such a resource (Phase 1 investigation).
3. If the project does not have such potential, a finding of "significant impact" is not made and EIR is not prepared (specifically for "cultural resource reasons"). The project may also be redesigned or "self conditioned" at this stage to avoid the resource or to guarantee its protection.
4. If the project does have the potential to significantly impact a resource and the project cannot be revised to avoid the resource, the site must be evaluated in order to determine whether it meets the criteria to be defined as important (Phase 2 investigation).
5. If the resource is found to be unimportant, no further professional work is required and a finding of non-significance in this area may be made.

6. If a determination is made that the resource is important, the applicant will be requested to work closely with the City and the cultural resource consultant to provide for appropriate mitigation either by avoidance of the deposit, adoption of development restrictions to preserve them, or special construction techniques (e.g., covering, etc.) to protect them. To the extent that direct impacts cannot be avoided, mitigation measures shall be required. The development of such measures will be the task of the consultant working in conjunction with the City and the applicant, which would require additional archaeological excavation of a sample of the area to be impacted (Phase 3 investigation).
7. After the consultant prepares a report substantiating the importance of the resource together with an appropriate mitigation program(s) detailing full mitigation costs and maximum applicable costs to the applicant (using above), the City will enter the data into an EIR to allow for full public and applicant comment and certify the document. The consultant must state and the City must decide whether previous studies of the resource have "...adequately recovered the scientifically consequential information from and about the resource." The City and the consultant are required to present the evidence for such a finding in the EIR. In such a case, no further mitigation would be required. In some cases, previous information concerning a site may provide only partial information and more research may be needed.

Mitigation of Important Archaeological or Historical Sites and Timing

Once it is determined that an important archaeological or historical site may be significantly impacted by a project, the City may require preparation of an EIR. The EIR discussion must include the following work: (1) Document the justification for the "importance" determination; (2) determine what type of information is necessary to evaluate the "scientifically consequential information from and about the resource", and if this information has already been gathered during previous investigation phases. The consultant developing the mitigation program must consider that excavation as part of a mitigation plan which shall be restricted to areas of direct and indirect impact unless special circumstances require limited excavation of an immediately adjacent area in order to develop important information about the part of the resource that would be destroyed.

There are special timing and deadline issues on mitigation programs required in CEQA Appendix K. Important timing issues state that unless special or unusual circumstances warrant an exception, the field excavation phase of an approved mitigation plan shall be completed within 90 days after final approval necessary to implement the physical development of the project or, if a phased project, the excavation should take place in connection with the phased portion to which the specified mitigation measures are applicable, provided that the project applicant may extend that period if he/she so elects. A mitigation plan shall not authorize violations of any law protecting Native American cemeteries. This means that the City must apply a Standard condition to insure that the applicant performs all applicable archaeological mitigation within 90 days after receiving approval on final development plans, or after subdivision (TPM or TM) map records.

Sites Discovered During Construction

CEQA Appendix K provides for an archaeological evaluation of the "surprise" find during construction. Construction shall cease in the area of the find but may continue on other parts of the building site while evaluation and necessary mitigation takes place. The applicant would be responsible for funding an immediate evaluation of the find's potential importance. If the find is determined to be an important archaeological resource under CEQA Appendix K, contingency funding and a time allotment sufficient to allow recovering a data recovery sample or to employ one of the avoidance measures shall be implemented.

These provisions shall be included as project conditions where there is some likelihood of an archaeological impact during construction. For example, this would apply to an area near an adjacent recorded site or where no cultural resources were discovered during field survey, or within a site area previously tested and mitigated by a sample excavation.

1. Archaeological/Historical

If a proposed project has the potential to affect a cultural resource, the significance (importance) of that resource must be determined. For the purposes of CEQA, an "important archaeological resource" is defined in Appendix K of the State CEQA Guidelines as one which:

- * Is associated with an event or person of
 - Recognized significance in California or American history, or
 - Recognized scientific importance in prehistory.
- * Can provide information which is of both demonstrable public interest and useful in addressing scientifically consequential and reasonable or archaeological research questions.
- * Has a special or particular quality such as oldest, best example, largest, or last surviving example of its kind.
- * Is at least 100 years old and possesses substantial stratigraphic integrity; or
- * Involves important research questions that historical research has shown can be answered only with archaeological methods.

In addition, Appendix G of CEQA, Significant Effects, defines the need for evaluating the impacts a project may have on a community, ethnic or social group. A project will normally have a significant effect on the environment if it will cause one of the following:

- a. Disrupt or adversely affect a prehistoric or historic archaeological site or a property of historic or cultural significance to a community or ethnic or social group.
- b. Conflict with established recreational, educational, religious, or scientific uses of the area.

If a proposed project will damage, alter or otherwise impact a significant cultural resource, the project is considered to have a significant effect on the environment and an environmental impact report (EIR) may be required. The significance of a cultural resource, unless determined previously, is based on a site specific technical report prepared as part of the environmental review process.

Archaeological sites containing only a surface component are generally considered not significant, unless demonstrated otherwise. (Testing is required to document the absence of a subsurface deposit.) Such sites may include:

- isolates
- sparse lithic scatters
- bedrock milling stations
- shellfish processing stations

All other archaeological sites are considered potentially significant. The determination of significance is based on a number of factors including, but not limited to, the following:

- site type
- site size
- subsurface deposit
- stratigraphy
- features
- diagnostics
- datable material
- artifact/ecofact density
- assemblage complexity (artifact/ecofact classes)
- cultural affiliation(s)
- associations(s) with an important person or event
- integrity
- ethnic importance or

The determination of significance for historic buildings, structures and objects is based on such criteria as:

- age
- location
- context
- uniqueness
- integrity
- association(s) with an important person or event

A site will be considered to possess ethnic significance if it is associated with:

- burial(s)/cemetery;
- religious, social or traditional activities of a discrete ethnic population;
- an important person or event as defined by a discrete ethnic population.

AESTHETIC IMPACT GUIDELINES

Determination of Significance

Carpinteria's coastal location affords visual and recreation opportunities not available to inland communities. In addition, the City and surrounding area is situated against the Santa Ynez Mountain range that further contributes to the aesthetic appeal of the community. The creeks that are formed out of the hills and the wetlands that they feed are valuable as visual, recreational and open space area. Carpinteria's streams, beaches, open spaces, foothills, agricultural lands, urbanized areas, landscapes and landforms are all potential objects of scenic view. The classification of a project's aesthetic impacts as beneficial, adverse or significant is clearly subject to some personal and cultural interpretation. However, there are guidelines and policies which can be used to direct and standardize the assessment of visual impacts. The guidelines generally attempt to direct the specialist to the questions which could predict the adversity of impacts to visual resources.

Assessing the visual impacts of a project involves two major steps. First, the visual resources of the project site must be evaluated. Important factors in the evaluation include the physical

attributes of the site, its relative visibility and its relative uniqueness. With regard to physical attributes, whether the site is vacant or currently developed is important, as well as its relationship to surrounding properties. In terms of visibility, four types of areas are especially important: coastal areas, mountainous areas, the urban fringe, and travel corridors. Lastly, uniqueness refers to the existence of similar properties with equivalent visual attributes. Next, the potential impact of the project must be determined. To some extent, the former step is more important in rural settings and the latter in urban areas. Determining compliance with local and state policies regarding visual resources is also an important part of visual impact assessment. The City's Initial Study section on Aesthetics has been expanded to include questions which are specifically related to the types of visual resources found in the Carpinteria Valley. Discussion of these questions will aid in the assessment of a proposed project's potential effect on aesthetic considerations.

Views Projects that would impair public views from designated open space, (public easements and right-of-way) roads, or parks to significant visual landmarks or scenic vistas (Pacific Ocean, downtown skyline, mountains, waterways). To meet this significance threshold, one or more of the following conditions must apply:

- The project would substantially impair a view through a designated public view corridor as shown in an adopted community plan, the General Plan or the Coastal Plan. Minor view blockages would not be considered to meet this condition. In order to determine whether this condition has been met, consider the level of effort required by the viewer to retain the view.
- The project would cause "substantial" view impairment of public resource (such as the ocean) that is considered significant by the applicable community plan.
- The project exceeds the allowed height or bulk regulations, and this excess caused unnecessary view impairment.
- The project would have a cumulative effect by opening up a new area for development, which will ultimately cause "extensive" *view* impairment. (Cumulative effects are usually considered significant for a community plan analysis, but not necessarily for individual projects.) View impairment would be considered "extensive" when the overall scenic quality of a resource is changed; for example, from an essentially natural view to a largely man-made appearance.

Neighborhood Character/Architecture. Projects that severely contrast with the surrounding neighborhood character. To meet this significance threshold, one or more of the following conditions must apply:

- The project exceeds the allowed height or bulk regulations and existing patterns of development in the surrounding area by a significant margin.
- The project would have an architectural style or use building materials in stark contrast to adjacent development, where the adjacent development follows a single or common architectural theme.
- The project would result in the physical loss or degradation of a community identification symbol or landmark (e.g., a stand of trees, coastal bluff, historic landmark) which is

identified in the General Plan, applicable community plan or Local Coastal Program.

- The project is located in a highly visible area (e.g., adjacent to an interstate highway) and would strongly contrast with the surrounding environment through excessive bulk, signage, or architectural projections.
- The project would have a cumulative effect by opening up a new area for development or changing the overall character of the area (e.g., rural to urban, single-family to multi-family).

Open Space Element

Significant visual resources as noted in the City's General Plan Open Space Element which have aesthetic value include:

- Views of coastal bluffs, creeks, estuaries and mountains
- Parks and recreation areas
- The El Estero Marshlands to the southwest
- The Carpinteria Bluffs area to the east
- All of the shoreline areas
- Vacant parcels throughout the City
- Agricultural lands.

SAFETY IMPACT THRESHOLDS

The classification of significance or insignificance in all areas except human safety is left to the judgment of the specialists addressing those issue areas such as biology, hydrology, marine water resources, etc. As such the severity of consequences is judged directly in terms of potential effects on the relevant issue area utilizing appropriate significance criteria.

In the area of public health and safety, injury or death to any member of the public (those not employed directly in the construction or operation of the project) is defined to be a significant consequence.

Analysis

Due to the wide range of projects which undergo environmental review, and to the variation in level of engineering detail available, it is not appropriate to select a single methodology for assessing impacts due to safety. In some cases it may be appropriate to provide a detailed statistical analysis, or component by component fault tree analysis to determine probabilities of accidents occurring. In other cases, particularly for projects submitted as preliminary development plans, the basis for design basis accidents may rely on statistical data associated with similar industrial developments to estimate and describe the likelihood of accidents. In situations where beneficial impacts occur, other approaches may be appropriate.

The category of severity of consequence assigned to upset conditions should be estimated through appropriate means which may include calculation of hazard footprints and assumptions relating to reasonable worst-case exposure. Refer to Table 1 for an outline in determining significance with regard to safety issues.

Hydrology

1) Flooding

- a) Significant impacts result if the project would impose flood hazards on other properties.
- b) The Municipal Code prohibits development within areas of special flood hazard except under certain circumstances. The policy requires approval by the Floodplain Administrator before construction, development or alteration begins within any area of special flood hazard.

2) If project would result in increased runoff:

- a) Impacts on hydrologic conditions may be significant because the area available for aquifer recharge is reduced. This may impact well water supplies.
- b) There may be significant impacts on stream hydrology if uncontrolled runoff results in erosion and subsequent sedimentation of downstream water bodies.

Threshold:

- moderate to large-scale projects where grading would occur during rainy season;
or
- projects proximate to bodies of water or drainageways.

3) If project would result in modifications to existing drainage patterns:

- a) There may be significant impacts on biological communities if drainage patterns are changed.

Threshold:

- Projects where drainage patterns are influenced such that existing vegetation would decline because long-or short-term soil-plant-water relationships would no longer meet habitat requirements.
- Projects which would result in substantial changes to streamflow velocities.

4) If project would result in extraction of water from aquifer:

- a) Impacts on hydrologic conditions would be significant if there would be a net deficit in the aquifer volume or reduction in the local groundwater table level (e.g., installation of wells for golf course irrigation).

Water Quality

1) Pollution/Contamination

- a) Impacts on water quality may result in significant human health and safety impacts.

Threshold:

- Projects which would generate any amount of highly noxious substance.
- Projects which would generate large amounts of substances which in small amounts are insignificant but are cumulatively hazardous.
- Projects that would result in the deterioration of the quality of a drinking water source.

- b) Impacts on water quality may have significant impacts on biological communities.

Threshold:

- Projects which would generate, or result in the accumulation of substances which affect health, or cause genetic defects of wildlife either by direct physical contact with contaminated water, or by water quality changes which cause decline in riparian or lacustrine vegetation which provide wildlife habitat.

- 2) Project would be significant if it would result in erosion and subsequent sedimentation of water bodies:

Threshold:

- moderate to large-scale grading project (>2,000 cubic yards per graded acre)
- projects that results in loss of vegetation on slopes (e.g., brush management measures).

TABLE 1

CRITICALITY AND FREQUENCY CLASSIFICATIONS

Criticality Classification

<u>Classification</u>	<u>Description of Public Safety Hazard</u>
Negligible	No significant risk to the public, with no minor injuries
Minor	Small level of public risk, with at most a few minor injuries
Major	Major level of public risk with up to 10 severe injuries or up to 10 fatalities
Severe	Severe public risk with up to 100 severe injuries or up to 10 fatalities
Disastrous	Disastrous public risk involving more than 100 severe injuries or more than 10 fatalities

Frequency Classification

<u>Type</u>	<u>Frequency per Year</u>	<u>Description</u>
Extraordinary	Less than once in one million years	An event which has never occurred but could occur
Rare	Less than once in one million years	An event which has occurred on a worldwide basis, but only a few times
Unlikely	Between once in a hundred and once in ten thousand	An event which is probably expected to occur during the project lifetime
Likely	Between once a year and once in one hundred years	An event which probably would occur during the project lifetime
Frequent	Greater than once a year	An event which would occur once a year

