

FINAL ENVIRONMENTAL IMPACT REPORT



SCH No. 2004061107

Lead Agency:

City of Lompoc
100 Civic Center Plaza
Lompoc, California 93436

Prepared By:

Impact Sciences, Inc.
803 Camarillo Springs Road, Suite A
Camarillo, California 93012

July 2005

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1.0 INTRODUCTION TO THE FINAL EIR

PURPOSE

This document along with the Draft Environmental Impact Report (Draft EIR) represents the Final Environmental Impact Report (Final EIR) for the River Terrace Residential project. It has been prepared in accordance with Section 15132 of the state of *California Environmental Quality Act (CEQA) Guidelines*, as amended. The City of Lompoc will consider this Final EIR in its capacity as Lead Agency before it approves, denies, or recommends changes to the proposed project. The findings of fact and any statement of overriding consideration would be made after the City has considered the information contained in this Final EIR. Likewise, the Mitigation Monitoring and Reporting Program (MMRP) is adopted at the time the findings are adopted and would also be included in the public record.

As required by this Section 15132 of the *CEQA Guidelines*, a Final EIR shall consist of the following:

- The Draft EIR or a revision of the Draft EIR.
- Comments and recommendations received on the Draft EIR, either verbatim or in summary.
- A list of persons, organizations, and public agencies commenting on the Draft EIR.
- The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
- Other information deemed necessary by the Lead Agency.

The evaluation and response to public comments is an important part of the CEQA process, as it allows the following: (1) the opportunity to review and comment on the methods of analysis contained within the Draft EIR; (2) the ability to detect any omissions which may have occurred during preparation of the Draft EIR; (3) the ability to check for accuracy of the analysis contained within the Draft EIR; (4) the ability to share expertise; and (5) the ability to discover public concerns.

EIR REVIEW PROCESS

In December of 2003, Coastal Vision, Inc. (the project applicant) submitted an application to the City of Lompoc for the development of the proposed project. The City deemed the application for the project complete on May 6, 2004. The City circulated a Notice of Preparation (NOP)/Initial Study (IS) between June 21, 2004 and July 21, 2004 for the required 30-day review period. The purpose of the NOP/IS was to

solicit early comments from public agencies with expertise in subjects to be discussed in the Draft EIR. The NOP/IS and written responses to the NOP/IS are contained in Appendix 1.0 of the Draft EIR.

Topics evaluated in the Draft EIR were identified based upon the responses to both the NOP/IS and a review of the project by the City of Lompoc. The City determined through the initial review process that impacts related to the following topics were potentially significant and required assessment in the Draft EIR:

- Air Quality;
- Biological Resources;
- Land Use and Planning;
- Noise;
- Public Services (Fire Protection, Police Protection, Public Schools, Health Services, and Library Services); and
- Transportation and Circulation.

Other environmental issues were eliminated or “scoped out” from detailed review in the Draft EIR during the IS/NOP process as the impacts were determined to have no impact, less than significant impacts, or significant impacts that could be mitigated to a less than significant level. As such, these environmental issues were not discussed in the Draft EIR. The topics that were “scoped out” are identified and discussed in Section 7.0, Effects Found Not To Be Significant, of the Draft EIR.

The Draft EIR was released for public review, as required by CEQA, between December 13, 2004 and February 14, 2005. The Notice of Availability and Completion of the Draft EIR was posted on the project site and filed with the Santa Barbara County Clerk.

CONTENTS OF THE FINAL EIR

Section 15132 of the *CEQA Guidelines* defines the required contents of a Final EIR. This section states that a Final EIR shall consist of the Draft EIR; comments received on the Draft EIR, either verbatim or in summary; a list of persons, organizations, and public agencies commenting on the Draft EIR; and the response of the Lead Agency to any significant environmental points raised.

A description of the organization of this Final EIR and the contents of each section is provided below to assist the reader in using this Final EIR as a source of information about the proposed project.

The Final EIR has been organized to include the other required elements of a Final EIR in a format that provides easy access for the reader to the most important information related to the key issues associated with this proposed project. The format of this Final EIR and the general contents of each section are provided below to assist the reader in using this Final EIR. Sections of the Final EIR following this Introduction are organized as follows:

Section 2.0, Comments and Responses to Comments, contains a list of public agencies and private parties that submitted written comments on the Draft EIR during the public review period. A copy of each letter received by the City of Lompoc commenting on the Draft EIR is provided followed by written responses to each comment contained in the letters.

Appendix A, Additional Rare Plant Surveys, contains a copy of the Rare Plant Survey that was conducted based on comments requested by the California Department of Fish and Game. This document is referenced and summarized in **Section 2.0**.

Appendix B, Bodger Fig-Wort Mitigation Monitoring Report, contains the first-year monitoring report for the Bodger site Black Flowere Fig-wort mitigation site.

Appendix C, Supplemental Traffic Analysis, contains a copy of the Supplemental Traffic Analysis that was conducted for the proposed project based on comments received from the California Department of Transportation. This document is referenced and summarized in **Section 2.0**.

Appendix D, Conditional Letter of Map Revision Based on Fill, contains the Federal Emergency Management Agency's approval of the project plan to add additional fill along the eastern perimeter of the project site.

Appendix E, Environmental Closure Statement, contains the County of Santa Barbara Fire Prevention Division's Environmental Closure Statement for the project site.

2.0 COMMENTS AND RESPONSE TO COMMENTS

INTRODUCTION

This section of the Final EIR presents copies of comments on the Draft EIR received in written form during the public review period, and provides the City of Lompoc's responses to those comments. Each comment letter is numbered, and the issues within each comment letter are also bracketed and numbered. Comment letters are followed by responses which are numbered in corresponding fashion for that comment letter.

The City's Responses to Comments on the Draft EIR represent a good faith, reasoned effort to address the environmental issues identified by the comments. Under the *CEQA Guidelines*, the City is not required to respond to all comments on the Draft EIR, but only to respond to those comments that raise environmental issues. See *CEQA Guidelines* §15088(a). Case law under CEQA recognizes that the City need only provide responses to comments that are commensurate in detail with the comment itself. In the case of specific comments, the City has responded with specific analysis and detail; in the case of a general comment, the reader is referred to a related response or a specific comment, if possible. The absence of a specific response to every comment does not violate CEQA if the response would be cumulative to other responses.

AGENCIES AND INDIVIDUALS THAT COMMENTED ON THE DRAFT EIR

Letters commenting on the information and analysis in the Draft Environmental Impact Report (Draft EIR) were received from the following parties:

- Letter No. 1 State of California – Governor's Office of Planning and Research
- Letter No. 2 State of California – Department of Fish and Game (1/24/05)
- Letter No. 3 State of California – Department of Fish and Game (4/1/05)
- Letter No. 4 State of California – Department of Transportation (2/14/05)
- Letter No. 5 State of California – Department of Transportation (3/23/05)
- Letter No. 6 Santa Barbara County Air Pollution Control District
- Letter No. 7 Elihu Gevartz, President. Condor Environmental Planning Services, Inc.
- Letter No. 8 Ron Fink, City of Lompoc Planning Commissioner

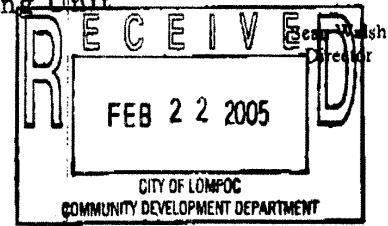


Arnold Schwarzenegger
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



February 15, 2005



Lucille T. Breese
City of Lompoc
100 Civic Center Plaza
Lompoc, CA 93436

Subject: River Terrace Residential Development
SCH#: 2004061107

Dear Lucille T. Breese:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on February 14, 2005, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

1

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts
Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**Document Details Report
State Clearinghouse Data Base**

SCH# 2004061107
Project Title River Terrace Residential Development
Lead Agency Lompoc, City of

Type EIR Draft EIR
Description The project applicant, Coastal Vision, Inc. is proposing to construct 308 residential units, 17,666 square feet of commercial floor area, a 9,110 square foot community recreation center, a private park, and additional recreational amenities on the project site. Of the 308 units, 62 units are single-family patio homes on individual lots with zero lot lines, 65 units are townhomes, and 181 units are attached condominium units.

Lead Agency Contact

Name Lucille T. Breese
Agency City of Lompoc
Phone 805-875-8273 **Fax**
email
Address 100 Civic Center Plaza **State** CA **Zip** 93438
City Lompoc

Project Location

County Santa Barbara
City Lompoc
Region
Cross Streets Laurel Avenue / 12th Street
Parcel No. 099-14-021

| Township | Range | Section | Base |
|----------|-------|---------|------|
| | | | |

Proximity to:

Highways 246, 1
Airports Lompoc Airport
Railways
Waterways Santa Ynez River
Schools
Land Use Vacant and undeveloped.
 GP: Low Density Residential / Open Space
 Z: 7-R-1

Project Issues Air Quality; Noise; Public Services; Schools/Universities; Traffic/Circulation; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 5; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Services; Caltrans, Division of Aeronautics; Caltrans, District 5; California Highway Patrol; Native American Heritage Commission; Public Utilities Commission; Department of Health Services; Regional Water Quality Control Board, Region 3; Air Resources Board, Transportation Projects

Date Received 12/13/2004 **Start of Review** 12/13/2004 **End of Review** 02/14/2005

Note: Blanks in data fields result from insufficient information provided by lead agency.

Letter No. 1 State of California – Governor’s Office of Planning and Research, dated February 15, 2005

Response 1

The Office of Planning and Research (OPR) is simply indicating that the City has complied with State Clearinghouse public review requirements. This comment is acknowledged. Because this comment does not address the content of the Draft EIR, no further response is required. One state agency, the California Department of Fish and Game (CDFG), submitted comments to the OPR and City of Lompoc. These comments are provided as **Letters No. 2** and **No. 3**.

State of California - The Resources Agency

ARNOLD SCHWARZENEGGER Governor



DEPARTMENT OF FISH AND GAME

http://www.dfg.ca.gov
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201



January 24, 2005

RECEIVED
JAN 24 2005
STATE CLEARING HOUSE

clear
2-14-05
C

Lucille Breese
City of Lompoc
100 Civic Center Plaza
Lompoc CA 93438

Draft Environmental Impact Report for
the River Terrace Residential Development
SCH #2004081107

Dear Ms. Breese,

The Department of Fish and Game (Department), has reviewed the Draft Environmental Impact Report (DEIR) for impacts to biological resources. The proposed project involves the development of 306 residential units, commercial buildings, a recreation center, and a park on a 26 acre site adjacent to the Santa Ynez River (SYR) in the southeastern portion of the City of Lompoc. The site is disturbed from years of use as a diatomaceous earth processing area, but contains some areas of native plant communities.

1

Habitat types with the potential to be impacted by the project include coastal scrub, riparian, and non-native grassland. Wildlife with the potential to be impacted by the project include the Federal and State Endangered southwestern willow flycatcher (Empidonax traillii extimus), the State Endangered seaside bird's beak (Cordylanthus rigidus littoralis), the State Fully Protected white-tailed kite (Elanus caeruleus), the Federal and State Special Concern Species silvery legless lizard (Anniella pulchra pulchra), the State Special Concern Species Cooper's hawk (Accipiter cooperi), sharp-shinned hawk (Accipiter striatus), northern harrier (Circus cyaneus), yellow-breasted chat (Icteria virens), and yellow warbler (Dendroica petechia brewsteri), and the California Native Plant Society List 1B black-flowered figwort (Scrophularia atrata), Hoover's bent grass (Agrostis hooveri), and mesa horkelia (Horkelia cuneata puberula). Proposed project impacts include the removal of most of the vegetation on-site, including 366 of 449 trees (82%). Trees to be removed include 112 native willows (Salix sp.), 72 Monterey pine (Pinus radiata), and 176 Japanese Pittosporum (Pittosporum tobira).

2

Measures proposed to mitigate impacts include; nesting bird surveys and avoidance, fencing along the SYR to deter pets and people from entering the riparian zone, outdoor lighting oriented to prevent glare into the SYR zone, and pre-construction field surveys for special-status plant and animal species.

3

The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (CEQA Guidelines §15386(a)).

Impacts to Sensitive Biological Resources

Rare Plants - The DEIR, on page 4.2-10, states no special-status plants were observed during site surveys. However, after reviewing the Biological Resources section of the DEIR and the attached biological resources survey reports, we did not find that plant surveys were conducted according to the "Department Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities" (Guidelines). A copy of the Guidelines was attached to our letter dated July 19, 2004 in response to the Notice of Preparation of this DEIR. The Guidelines give clear instructions on how surveys for rare plants should be conducted. One of the instructions (4a) is to conduct surveys at the proper time of year when rare species are both evident and identifiable. Usually, this is when the plants are flowering. The most thorough plant surveys for the proposed project were conducted in February, which is problematic for several species of rare plants that can only be reliably identified when flowering in the spring. Therefore, because adequate plant surveys were not conducted, we do not believe a thorough description of the affected environment has been presented in the DEIR. We recommend surveys for rare plants according to the Guidelines be conducted on the project site. Discovery of a rare plant may require recirculation of the DEIR (CEQA Guidelines §15088.5(e)(1)).

4

Three plant species, the State Endangered seaside bird's beak (SBB) and the List 1B Hoover's bent grass (HBG) and mesa horkella (MH) were not included in Table 4.2-2 list of plants known to occur in the project region. Several records of SBB, HBG, and MH are contained in the most recent version of the California Natural Diversity Data Base (data of 11/2/04) as occurring within 2-2.5 miles of the proposed project site (Map Indices 13349, 13408, 13397, 13405, 13385, 56285, 13334, 55023). SBB in particular is known to occur in disturbed sites such as the proposed project site. These records indicate the need for these plants to be included in Table 4.2-2, and looked for during plant surveys.

5

Southwestern willow flycatcher (*Empidonax traillii extimus*) - The southwestern willow flycatcher (SWF) is listed as endangered by the Department and the U.S. Fish and Wildlife Service (USFWS). Suitable habitat for this species occurs 500 feet to the east of the proposed project site along the SYR. One SWF was observed in the riparian zone of the west bank of the SYR during bird surveys conducted on May 16, 2003.

6

Urban-Wildlife Interface

The proposed project site is located adjacent to wildlife habitat along the SYR. Some wildlife species are attracted to or otherwise impacted by urban residential areas. For example, deer may be attracted to certain types of landscaping, pets may be attracted to wild birds, etc. The Department has information on this issue that may help the developer design the project to minimize some of the potential negative impacts.

7

We also recommend that the project incorporate restrictions on planting invasive landscape species which can spread into offsite lands. Attached please find a list of invasive species which should be excluded.

Tree Removal

Ms. Arleen T. Paister
January 24, 2005
Page 3 of 3

The DEIR proposes no mitigation for the loss of the 366 native and non-native trees proposed for removal. The Department's position is both native and non-native trees have wildlife value, and their loss should therefore be mitigated. Surveys conducted by the applicant detected 62 species of birds on the proposed project site, including 10 breeding locations. We therefore assert the loss of 366 trees is a significant adverse impact on the local environment. CEQA instructs an EIR shall describe feasible measures which could minimize significant adverse impacts (CEQA Guidelines §15126.4(a)(1)).

8

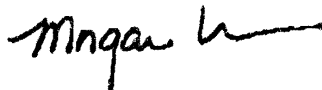
Therefore, in order to adequately mitigate the loss of trees, the Department recommends a replacement ratio of 5:1. This ratio accounts not only for the less than 100% survival rate for replacement trees, but also mitigates for the habitat that is lost until the replacement trees reach functional maturity. The Department discourages the planting of non-native trees. We therefore recommend the replacement trees be native sycamore, willow, or other large native tree species. Spacing of replacement trees should be 20 feet minimum and the trees should be monitored, nurtured, and protected within the dripline so they survive a minimum 5 years.

The Riparian Habitat Memorandum and Report (attached to the DEIR) recommended planting tall native trees within the 500-foot buffer property between the proposed project site and the SYR. We agree with this recommendation and believe this site (owned by CALTRANS) would be a suitable mitigation site for the tree removal impact, and would function as a noise and sight barrier for riparian resources, particularly SFW. The Department would be available to assist in this or any mitigation effort.

9

Thank you for this opportunity to provide comment. Questions regarding this letter and further coordination on these issues should be directed to Mr. Martin Potter, Wildlife Biologist, at (805) 640-3677.

Sincerely,



Ms. Morgan Wehtje
Environmental Scientist IV

attachment

cc: Mr. Martin Potter
Department of Fish and Game
Ojai, California

Ms. Mary Meyer
Department of Fish and Game
Ojai, California

Mr. Scott Morgan

**Ms. Arleen T. Peister
January 24, 2005
Page 4 of 4**

**State Clearinghouse
Sacramento, California**

Letter No. 2 California Department of Fish and Game, Morgan Wehtje, dated January 24, 2005

Response 1

The comment by the CDFG summarizes the River Terrace development proposal. No further response is required.

Response 2

This statement reiterates the discussion on page 4.2-4 of the Draft EIR, which indicates the habitat types that could be impacted by the project. In addition, a discussion of the number and types of trees to be removed as a result of the development of the project is identified. No response is required.

Response 3

The CDFG accurately states the mitigation measures that were recommended in the Draft EIR. Mitigation measures that are recommended to reduce the impacts on biological resources that would occur as a result of the development of the proposed project are identified on pages 4.2-22 to 4.2-25. No response is required.

Response 4

As indicated by the respondent, according to CDFG's *Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities*, heading (4a), "conduct surveys at the proper time of year when rare, threatened, or endangered species are both evident and identifiable. Usually, this is when the plants are flowering."

Pursuant to the aforementioned comment made by CDFG, additional special-status plant surveys were conducted on the project site in the spring during the flowering period for the potentially occurring special-status plants identified in the DEIR and discussed below. Based on the CDFG letter dated April 1, 2005 (included in this document as **Letter No. 3**), additional special-status plant surveys shall be performed during the spring when the plants are in bloom. Specifically, CDFG recommended that the following plant species be surveyed on the project site during the appropriate blooming season: Hoover's bentgrass (*Agrostis hooveri*), La Graciosa thistle (*Cirsium loncholepis*), seaside bird's-beak (*Cordylanthus rigidus* ssp. *Littoralis*), mesa horkelia (*Horkelia cuneata* ssp. *Puberula*), Gambel's

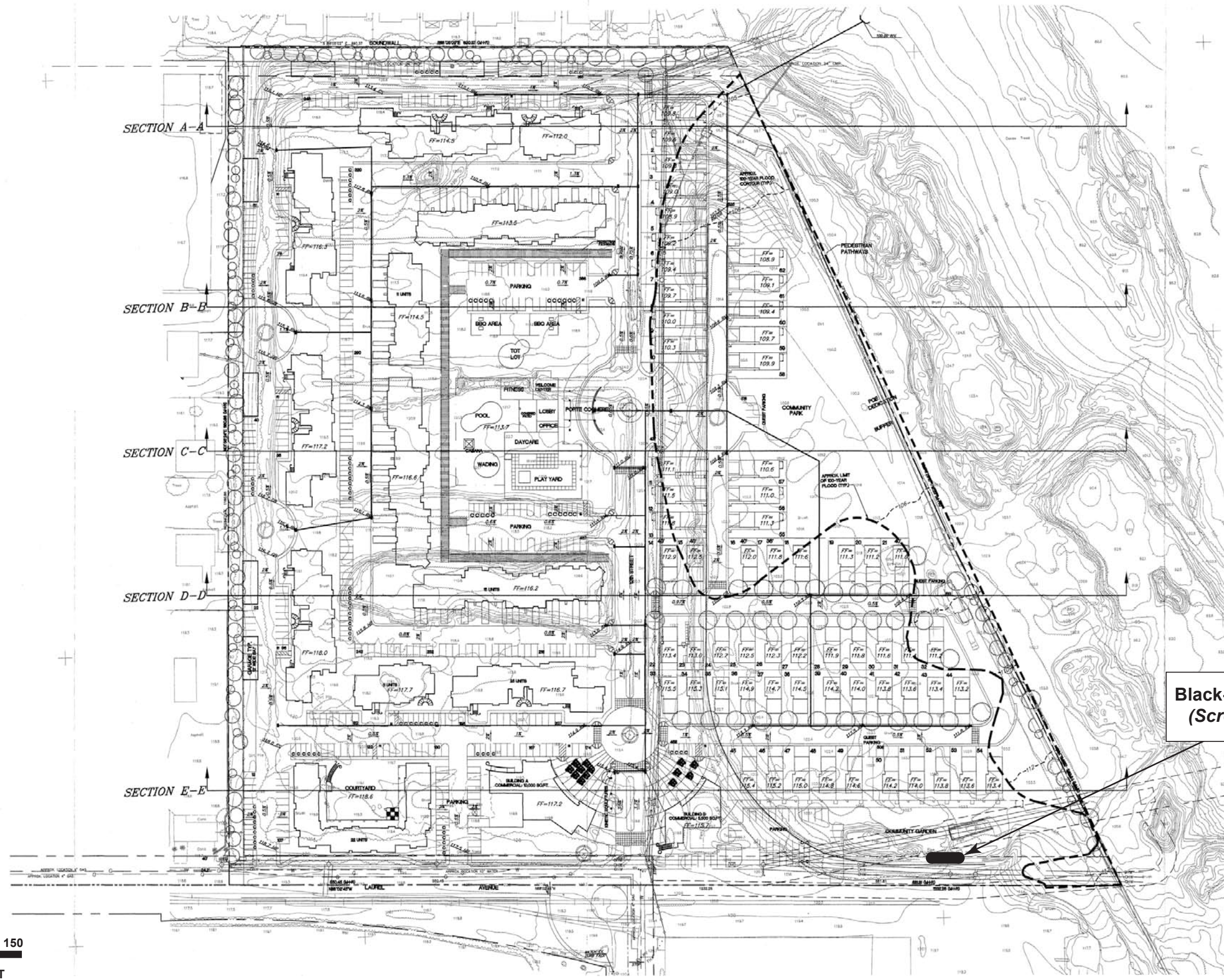
water cress (*Rorippa gambelii*), and black-flowered figwort (*Scrophularia atrata*). The additional surveys that were conducted are included in **Appendix A** of this Final EIR.

Pursuant to the recommendations provided by CDFG, a special-status plant survey was conducted on the project site during the blooming period in April 2005 for the six aforementioned special-status plant species. Two qualified botanists walked transects at approximately 10 meters apart (distance depended on visibility due to vegetation cover), with the survey focusing specifically on the six special-status plant species described above. During the April 2005 field survey, vegetation and associated plant species were noted and dominant species in each vegetation type were recorded, as per CDFG's *Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities*. The April 2005 special-status plant survey report is included in **Appendix A** of this document.

Based on the results of the April 2005 special-status plant survey, one California Native Plant Society (CNPS) List 1B plant species, black-flowered figwort (*Scrophularia atrata*), was identified on the project site. Specifically, seven black-flowered figwort plants were found on a sandy berm near the southern perimeter of the project site. The location of the black-flowered figwort plants is depicted in **Figure 2.0-1, Black-Flowered Figwort Location Map**. Black-flowered figwort is a perennial herb that grows in Bishop pine forest, chaparral, coastal scrub, and riparian scrub habitats, often on diatomaceous shale. Black-flowered figwort currently has no federal or state status; however, the CNPS has placed black-flowered figwort on their List 1B because it is rare throughout its range, and its known occurrences have declined significantly over the last century. CEQA requires that potential impacts by proposed developments to List 1B plant species be evaluated.

To mitigate the loss of the seven black-flowered figwort plants located on the proposed project site, one of the following three measures shall be implemented.

4.2-1 On-Site Mitigation. A mitigation plan shall be prepared for the removal and replacement of the seven black-flowered figwort plants located on site. The mitigation plan shall identify an acceptable on-site location for the mitigation area based on the known habitat for the species (e.g., soil, drainage, moisture, topography, sun exposure, etc.). Black-flowered figworts typically occur on sandy and calcareous soils (e.g., diatomaceous shales) in closed-cone coniferous forests, maritime chaparral, coastal dunes, coastal scrub, and riparian scrub habitat. The replacement ratio shall be 2:1 (plants removed to plant replaced) utilizing seeds collected from the on-site plants to ensure a no net loss of the species in the region. Monitoring of the



**Black-Flowered Figwort
(*Scrophularia atrata*)**



SOURCE: Impact Sciences, Inc. – June 2005

FIGURE 2.0-1

On-Site Black-Flowered Figwort Location Map

project's community garden that is proposed to be located where the existing seven black-flowered figworts are currently located is a suitable mitigation location. This location may be suitable due to the known environmental growing conditions for the species in this specific area. Following grading operations, a qualified botanist shall evaluate the proposed on-site mitigation area to determine if suitable environmental growing conditions exist to ensure a 100 percent survivorship for the replacement of the seven black-flowered figwort plants. Permanent fencing shall be installed to provide long-term protection, and signage shall be installed to provide community awareness on the importance of preserving the black-flowered figwort plants.

4.2-2 Off-Site Mitigation. A mitigation plan shall be prepared to offset impacts to the seven black-flowered figwort plants located on the proposed project site. The mitigation plan shall identify an acceptable off-site mitigation area based on the known habitat and required environmental growing conditions of this species. Black-flowered figworts typically grow on sandy and calcareous soils (e.g., diatomaceous shales) in closed-cone coniferous forests, maritime chaparral, coastal dunes, coastal scrub, and riparian scrub habitat. The replacement ratio shall be a 2:1 ratio utilizing seeds collected from the existing on-site plants to ensure a 100 percent survivorship and a no net loss of the species in the region. Monitoring of the replacement plants within the off-site mitigation area will occur for a period of five years. The City property that is located to the east of the project site which contains riparian habitat may be an appropriate mitigation area for the plants based on the required habitat of the black-flowered figwort. A qualified botanist shall evaluate this location to determine if this City-owned site would be acceptable for the replacement of the seven plants that are found on the River Terrace site. If this site is determined not to be an appropriate location, the applicant will work with the City and CDFG to determine an appropriate off-site mitigation site for the plants.

4.2-3 In Lieu Fees. If it is determined that the existing seven black-flowered figwort plants can not be feasibly maintained in their existing location, the applicant could contribute a proportional in lieu mitigation fee to offset the removal of the seven plants. As the City of Lompoc is currently in the process of monitoring an existing black-flowered figwort mitigation site in the southwestern corner of the City, on a site known as the Bodger property, the applicant of the proposed project could monetarily contribute to this mitigation site to offset the impacts associated with the River Terrace development. According to the Annual Mitigation Monitoring Report: Year 1 for the Bodger Property (included in **Appendix B**), the mitigation site has been reasonable successful at the replacement and propagation of the black-flowered

figwort species. In the first year of the implementation of the plan, approximately 86 of the goal of 200 plants after five years have survived and propagated according to the first year monitoring report. The appropriate in lieu fee will be determined by the City of Lompoc in consultation with CDFG and be paid for at the expense of the applicant in order to provide for the costs associated with a 2:1 replacement ratio of the seven black-flowered figwort plants at this off-site mitigation area. Monitoring of survivorship of the replacement plants on the off-site mitigation location will occur for a duration of five years.

With the implementation of one of the two measures identified above, the loss of the seven black-flowered figwort plants that were found on the project site would be considered a less than significant impact.

Response 5

Pursuant to the respondents comments **Table 4.2-2** from the Draft EIR has been revised. The updates to the table are underlined.

**Table 4.2-2
Special-Status Plant Species Known to Occur in the Project Region**

| Species | Status Fed/CA/CNPS | Habitat Requirements | Project Site Suitability |
|--|-------------------------------|--|--|
| Black-flowered figwort <i>Scrophularia atrata</i> | __/_/_/_/List 1B | Closed-cone coniferous forest, chaparral, coastal dunes, coastal scrub, riparian scrub, in moist to dry areas in sandy or diatomaceous shale soils | Potential habitat on site/SYR |
| Gambel's watercress <i>Rorippa gambelii</i> | E/T/List 1B | Marshes and swamps (fresh or brackish) | Potential habitat on site/SYR |
| La graciosa thistle <i>Cirsium loncholepis</i> | E/T/List 1B | Coastal dunes, coastal scrub, marshes and swamps (brackish)/mesic | Potential habitat on site/SYR |
| Seaside bird's beak <i>Cordylanthus rigidus</i> <i>ssp. littoralis</i> | ___/SE/1B | <u>Closed-cone coniferous forest, chaparral, cismontane woodland, coastal dunes, coastal scrub on sandy substrates</u> | <u>Potential habitat on site/SYR</u> |
| Hoover's bent grass <i>Agrostis hooveri</i> | ___/___/1B | <u>Native grassland in hard sandy soil</u> | <u>Potential habitat on site/SYR</u> |
| Mesa horkelia <i>Horkelia cuneata</i> ssp. <i>Puberula</i> | ___/___/1B | <u>Chaparral, cismontane woodland, coastal scrub, on sandy or gravelly substrates</u> | <u>Potential habitat on site/SYR</u> |

As indicated in **Response 5**, Seaside bird's-beak (*Cordylanthus rigidus* ssp. *Littoralis*), Hoover's bentgrass (*Agrostis hooveri*), and Mesa horkelia (*Horkelia cuneata* ssp. *Puberula*) were included in the rare plant survey conducted in April of 2005. The rare plant survey did not identify plants of these three species on the project site.

Response 6

The southwestern willow flycatcher (SWF) is listed as a state and federally endangered species by the CDFG and the U.S. Fish and Wildlife Service, respectively, and is correctly identified as such in Table 4.2-3 in the Draft EIR. Based on the status of the SWF and the fact that known suitable habitat is located adjacent to the project site in the Santa Ynez riverbed, eight separate protocol-level surveys for the SWF were conducted on the project site. A detailed description of the surveys conducted on the project site is discussed on page 4.2-14 of the Draft EIR. The focused survey reports are included in Appendix 4.2 of the Draft EIR. In addition, a SWF habitat assessment was conducted on the project site in April 2005 by an Impact Sciences biologist. Based on the on-site SWF habitat assessment, no suitable SWF habitat exists on the project site. Furthermore, Mitigation Measures 4.2-1 to 4.2-4 were recommended in the Draft EIR to reduce the direct impacts to special-status species.

Response 7

The applicant will consult with CDFG regarding measures that can be taken to minimize direct or indirect negative impacts associated with wildlife that maybe attracted to the developed area.

Response 8

In order to mitigate the loss of the native and non-native trees located on the project site, the City will require that the following mitigation measure be implemented in conjunction with the development of the project:

4.2-4 A mitigation plan shall be prepared to address the removal of on-site native or non-native trees located on the project site prior to the commencement of grading activities. The plan shall utilize native plant species to replace plants removed from the project site. The plan will include the following components:

- Non-native and native trees located on the project site that would be impacted by the proposed project shall be replaced at a 5:1 ratio.

- Replacement trees shall be native sycamore, oak, or other large native tree species as approved by a qualified arborist.
- Locations for replacement trees shall be carefully selected by a qualified arborist to ensure the likelihood of success. The City-owned property located adjacent to the project site shall be evaluated and considered as a potential replacement location for the trees that would be impacted by the proposed project.
- The mitigation area shall be monitored annually by a qualified arborist to document survivorship and growth rate for a period of five years.
- The replacement trees shall be planted at a distance approved by the qualified arborist.

The implementation of the measure identified above will ensure that the loss of the on-site native and non-native trees would be mitigated to a less than significant level.

Response 9

See **Response 8**, above.



State of California - The Resources Agency

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF FISH AND GAME

Mary Meyer, Plant Ecologist
South Coast Region
402 West Ojai Avenue Suite 101
PMB 501
Ojai CA 93023
(805)640-8019

April 1, 2005

Lucille Breeze, AICP
Community Development Department
City of Lompoc
100 Civic Center Plaza
Lompoc, CA 93436

**River Terrace Rare Plant Survey
Lompoc, Santa Barbara County**

Dear Ms. Breeze,

The Department of Fish and Game was contacted by Condor Environmental, representing the Coastal Vision developers, for further guidance on conducting the necessary rare plant surveys for the River Terrace project site. As we indicated in our January 24, 2005 comment letter, the project site needs to be evaluated for the presence of sensitive, rare, threatened and or endangered plant species generally following the Department's approved 1984 Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities. Our letter also indicated there was potential for several specific rare plant species to occur in the project area.

In response to these comments, we have also reviewed the March 11, 2005 letter from Impact Sciences which includes a Scope of Work and cost estimate for conducting the needed surveys. This letter recommends up to five separate visits over the blooming period to complete the survey work. The five sensitive plants identified in the Department's comments bloom at various times, some earlier, and some later in the spring blooming period, generally from as early as February to as late as July. In the Department's view, a trained botanist experienced with plant species identification in this area should be able to positively identify all six of the plants within the next few weeks as they should either be in bloom by that time or they should have sufficient distinctive vegetative growth to allow for observation and confirmation of their presence. A field assessment conducted in the next few weeks, should be adequate to determine whether those species are present, provided that the site has not been disked, graded or cleared in the last year. Further followup may be required if there is potential for the species to occur and a positive id requires flowers (this may be the case for Hoover's bentgrass, which may not have started blooming yet, but should bloom soon). Further assessment work may need to be

1

performed if these, or other rare plants, are identified during the survey. We would also point out that the surveys need to follow our approved Guidelines, and they need to be floristic in nature—meaning all plants present in the project area should be identified to the level of specificity needed to rule out that they may be sensitive, rare, threatened or endangered. There is always the potential, even on disturbed sites, for rare species to occur in areas where they may not have been anticipated. Individuals performing the surveys should be experienced botanists with demonstrated direct familiarity with the species in questions.

1

Please feel free to contact me at the phone number above, should you need further clarification of these comments.

Sincerely,

Mary E Meyer

Mary Meyer, Plant Ecologist
South Coast Region

Cc: Martin Potter, CDFG Ojai
Morgan Wehtje, CDFG Camarillo

**Sensitive Plants
Survey Requested by Cal Fish and Game
River Terrace Project, Lompoc**

| Scientific name | Common name | USFWS / CDEG / CNPS | Vegetation type in which it normally occurs | Optimum Survey Period |
|--|------------------------|--------------------------------|---|--|
| <i>Agrostis hooveri</i> | Hoover's bentgrass | - / - / 1A | Native grassland in hard sandy soil | April - July |
| <i>Cordylanthus rigidus</i> ssp. <i>littoralis</i> | Seaside birdsbeak | - / CE / 1B | Coastal scrub; coastal dunes; maritime chaparral; woodland; closed-cone coniferous forest, disturbed road sides | Flowers June - October, but vegetative parts recognizable in spring. |
| <i>Scrophularia atrata</i> | Black-flowered figwort | SOC / - / 1B <i>Endemic</i> | Coastal dunes; coastal scrub; chaparral; riparian scrub; closed-cone coniferous forest | Flowers April - July |
| <i>Cirsium loncholepis</i> | La Graciosa thistle | FE / CT / 1B | Coastal dunes; brackish marshes; riparian scrub | Flowers June - August, but vegetative parts recognizable in spring. |
| <i>Rorippa gambelii</i> | Gambel's water cress | FE / CT / 1B | Marshes and swamps | Flowers February - August |
| <i>Horkelia cuneata</i> ssp. <i>puberula</i> | Mesa horkelia | - / - / 1B | Coastal scrub; chaparral; cismontane woodland | Flowers March - July |
| Total Number: 6 | | | | |

Status Codes

United States Fish and Wildlife Service (USFWS)

FE Federal Endangered

FT Federal Threatened

SOC Species of Concern as listed by Sacramento Office (USFWS, 2004)

FSC Federal special concern species

California Native Plant Society (CNPS)

List 1B: Plants rare, threatened and endangered in California and elsewhere

List 2: Plants rare, threatened and endangered in California, not elsewhere

List 4: Limited Distribution

California Department of Fish and Game (CDFG)

CE California Endangered

CT California Threatened

CR California Rare

CSC California Species of Concern

Condor Environmental
Planning Services, Inc.

Letter No. 3 California Department of Fish and Game, Mary E. Meyer, dated April 1, 2005

Response 1

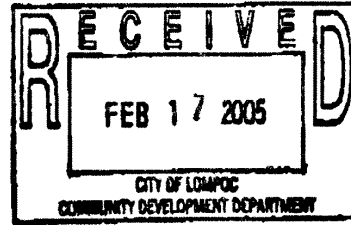
Based on the clarified recommendations for further rare plants surveys identified in this comment, additional rare plant species surveys were conducted on the project site. Please see **Response 4** to **Letter No. 2** for further discussion of the additional surveys that were conducted on the project site.

DEPARTMENT OF TRANSPORTATION

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February 14, 2005

SB - 1 PM 20.86
River Terrace Residential
Project, Draft EIR - NOC

SCH # 2004061107

Ms. Lucille Breese, AICP, City Planner
City of Lompoc
100 Civic Center Plaza
Lompoc, CA. 93436

Dear Ms Breese:

Thank you for submitting the River Terrace Residential Project to The California Department of Transportation (Department) for our review. Development Review has the following comments regarding this project.

1. (Ref. Page 2-4 *Study Area and Key Intersections*) The scope of this traffic impact study (TIS) does not include an analysis of the segment of "H" Street (State Route - SR 1) from the intersection of SR1/Purisma Road, south to the "H" Street/ SR 1 Intersection/left-turn. The absence of the SR 1/"H" Street traffic analysis constitutes non-disclosure of the River Terrace Residential Project's traffic impacts under The California Environmental Quality Act (CEQA) on State highway facilities. There are numerous key intersections along the "H" Street corridor that provide the City of Lompoc's main access to this north/south regional commuter route. This TIS needs to utilize The Highway Capacity Manual (HCM) 2000 to perform intersection Level of Service "LOS" calculations at these intersections, specifically for identifying feasible mitigation strategies to address project traffic impacts, both project-specific and cumulative. 1
2. Also, previous environmental documents (The Wye Specific Plan EIR) identifies current traffic conditions depicting the "LOS" calculations for both northbound and southbound "H" Street roadway links, between North Avenue in the south to the SR 1/Purisma Road intersection in the north. Numerous "H" Street segments within this stretch are currently experiencing LOS "F" conditions. 2

Caltrans improves mobility across California

Ms. Breese
February 14, 2005
Page 2

Although a limited range of feasible and practicable mitigation strategies may exist to address the congestion problems along this stretch of Route 1, The River Terrace Residential Project's traffic impact's need to be identified and discussed. It remains the determination of the Lead Agency as to whether or not to declare a Statement of Overriding Considerations to address these significant and unavoidable impacts, but at least the traffic impacts would be disclosed in this Environmental Document.

3

Thank you for the opportunity to comment on the River Terrace Residential Project. If you have any questions, please contact me at 549-3683

Sincerely,



James Kilmer
District 5
Development Review/CEQA Coordination

c: File, D. Murray, R. Barnes,

Caltrans improves mobility across California

Letter No. 4 California Department of Transportation, James Kilmer, dated February 14, 2005**Response 1**

Based on the comments provided by the California Department of Transportation (Caltrans) in their letter dated February 14, 2005 and followed up by a clarification letter dated March 23, 2005 (included as Letter No. 5), the City of Lompoc elected to prepare a Supplemental Traffic Impact Analysis (STIA). The STIA is included in this document as **Appendix C**. Based on discussions between the City of Lompoc and Caltrans staff, it was agreed that the expanded scope of the STIA would include the assessment of three additional intersections along H Street. The three intersections evaluated in the STIA included (1) H Street/Ocean Avenue, (2) H Street/College Avenue, and (3) H Street/Central Avenue.

Pursuant to the requests provided by Caltrans, the STIA included an evaluation of the level of service (LOS) and intersection delay at each of the three intersections under (1) existing traffic conditions; (2) existing plus project conditions; and (3) cumulative plus project conditions. The evaluation of the impacts occurring at each of the intersections utilized the City of Lompoc and Caltrans traffic impact criteria, which was summarized in the Draft EIR on pages 4.6-18 and 4.6-19.

Under existing conditions all three intersections are currently controlled by traffic signals. The peak hour intersection delay, critical volume-to-capacity (V/C) ratios, and intersection LOS values at the three intersections along H Street are provided in **Table 2.0-1**, below.

**Table 2.0-1
Existing Traffic Conditions**

| Intersection | Peak Hour | Delay (seconds/vehicle) | Critical V/C Ratio | LOS |
|----------------------|-----------|----------------------------|-----------------------|-----|
| H Street/Central Ave | AM | 23.2 | 0.57 | C |
| | PM | 30.0 | 0.77 | C |
| H Street/College Ave | AM | 24.3 | 0.70 | C |
| | PM | 24.3 | 0.64 | C |
| H Street/Ocean Ave | AM | 22.3 | 0.54 | C |
| | PM | 22.9 | 0.44 | C |

Source: Endo Engineering. River Terrace Development Supplemental Traffic Impact Analysis. May 31, 2005.

As shown in the table, all three intersections currently operate at LOS C during both the AM and PM peak hour commutes.

The number of vehicle trips generated by the proposed project was previously identified in the Draft EIR on page 4.6-20. As discussed in the Draft EIR, the project is expected to generate 2,790 daily trips, with 174 trips occurring during the AM peak hour and 256 trips occurring during the PM peak hour.

Table 2.0-2, Existing Plus Project Traffic Conditions, identifies the peak hour delay, V/C ratio and LOS at the three intersections evaluated in the STIA.

**Table 2.0-2
Existing Plus Project Traffic Conditions**

| Intersection | Peak Hour | Delay (seconds/vehicle) | Critical V/C Ratio | LOS |
|----------------------|-----------|----------------------------|-----------------------|-----|
| H Street/Central Ave | AM | 23.3 | 0.58 | C |
| | PM | 30.4 | 0.77 | C |
| H Street/College Ave | AM | 24.9 | 0.71 | C |
| | PM | 24.7 | 0.65 | C |
| H Street/Ocean Ave | AM | 22.3 | 0.54 | C |
| | PM | 23.1 | 0.45 | C |

Source: Endo Engineering. River Terrace Development Supplemental Traffic Impact Analysis. May 31, 2005.

As shown in the table, all three intersections are projected to operate at acceptable LOS when the vehicular trips generated by the proposed project are added to the intersections. Thus, the impacts of the proposed project on the three intersections evaluated in the STIA are considered to be less than significant and no mitigation is required.

The cumulative traffic analysis conducted in the STIA applied a background traffic growth rate to the current traffic levels and added traffic associated with specific cumulative projects. The cumulative projects addressed included (1) the Bluffs at Mesa Oaks, (2) Heritage Senior Housing, (3) LHCDL Mixed-Use Development, (4) Providence Landing, (5) Oak Hills, (6) the Wye Specific Plan, and (7) the Lompoc Aquatic Center. **Table 2.0-3, Cumulative Plus Project Traffic Conditions**, provides the peak hour delay, V/C ratio, and LOS at the three intersections under cumulative plus project traffic conditions.

**Table 2.0-3
Cumulative Plus Project Traffic Conditions**

| Intersection | Peak Hour | Delay (seconds/vehicle) | Critical V/C Ratio | LOS |
|----------------------|------------------|------------------------------------|-------------------------------|------------|
| H Street/Central Ave | AM | 25.0 | 0.75 | C |
| | PM | 49.3 | 0.96 | D |
| H Street/College Ave | AM | 33.7 | 0.86 | C |
| | PM | 30.4 | 0.78 | C |
| H Street/Ocean Ave | AM | 23.4 | 0.60 | C |
| | PM | 24.1 | 0.52 | C |

Source: Endo Engineering. River Terrace Development Supplemental Traffic Impact Analysis. May 31, 2005.

As discussed above the City of Lompoc standard is for intersection operations to be maintained at LOS C or better. As indicated in the table above, the intersection of H Street/Central Avenue would operate at LOS D during the PM peak hour under cumulative traffic conditions.

The need for mitigation at the intersection of H Street/Central Avenue under cumulative conditions was addressed within the Wye Specific Plan EIR. The traffic study for this project concluded that a second northbound and a second southbound left-turn lane would be required to maintain a LOS C under cumulative conditions. This measure was required as a part of the conditions of approval for the Wye Specific Plan project. Since the City of Lompoc is currently planning to construct dual northbound and southbound left-turn lanes as well as a northbound right-turn lane in conjunction with the development of the Wye Specific Plan. These improvements will mitigate the intersection operations to a less than significant level. No additional measures are recommended for this intersection.

Response 2

Pursuant to the comments provided by Caltrans in letters dated February 14, 2005 and March 23, 2005, a STIA was prepared in consultation with Caltrans to assess the potential impact of the project generated trips on three intersections along H Street. A summary of the STIA is provided above in **Response 1** to **Letter No. 4**. The complete STIA is provided in this document as **Appendix C**.

Response 3

As discussed in the original traffic study prepared for the River Terrace Residential Project and in the STIA prepared for the project, all traffic and circulation impacts associated with the development of the project can be mitigated to a less than significant level with the mitigation measures identified in

Section 4.6, Transportation and Circulation, and the additional measures identified in **Response 1 to Letter No. 4**. Therefore, a Statement of Overriding Considerations would not be required because no significant and unavoidable impacts were found to occur in relation to the traffic impacts associated with the proposed project. All impacts associated with the proposed project have been properly disclosed in this Final EIR in compliance with state law.

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March 23, 2005

SB - 1 PM 20.86
River Terrace Residential
Project, Draft EIR - NOC
Negotiated Traffic Impact
Study Revisions

SCH # 2004061107

Ms. Lucille Breese, AICP, City Planner
City of Lompoc
100 Civic Center Plaza
Lompoc, CA. 93436

Dear Ms Breese:

The California Department of Transportation (Department) submitted its River Terrace NOC comment letter on February 14th, 2005. Since that time, discussions about our request for an H-Street/State Route 1 (SR 1) traffic analysis have taken place between managers of both the City and the District.

As a result of those discussions, the City has agreed to have a licensed Traffic Engineer revise and expand the existing Traffic Impact Study (TIS) and include those revisions in the Draft Environmental Impact Report (EIR) for the River Terrace Residential Development. The City has agreed to expand the scope of the TIS by studying the following three signalized intersections on H Street/SR 1:

1. H Street/Ocean Ave Intersection
2. H Street/College Ave Intersection
3. H Street/Central Ave. Intersection

1

"Caltrans improves mobility across California"

Ms. Breese
March 23, 2005
Page 2

The revised TIS should include a traffic scenario analysis of the; existing traffic conditions, project only conditions, existing + project conditions, cumulative (pending and approved projects) only, cumulative + project conditions.

The Department also requests that turning-movements and through-movements at the three intersections be analyzed and assigned a Level of Service (LOS) based on delay, utilizing the Highway Capacity Manual (HCM 2000) methodology. The traditional midweek (Tuesday, Wednesday, Thursday), AM/PM peak hour should be studied. Please also include in the revised TIS a queue analysis to gauge the effects of spill-back potential, downstream queues on upstream saturation flow rates, and unusual platoon dispersion or compression between intersections. The queue analysis is an important tool for studying the potential for congestion-caused operational deficiencies on a facility that has tightly spaced signalized intersections. A mitigation strategy for both project specific and cumulative impacts should also be included in the revised TIS.

The Department appreciates the efforts of the City to reach an agreement on the level of analysis for the River Terrace traffic impacts. State Route 1/H Street remains an important north/south regional transportation facility for both the Department and the City. As such, maintaining State Route 1's operational integrity is of paramount importance for both of our agencies. If you have any questions, please contact me at 549-3683

Sincerely,



File James Kilmer
District 5
Development Review/CEQA Coordination

c: File, R. Krumholz, D. Murray, R. Barnes, P. Mickelson

"Caltrans Improves mobility across California"

Letter No. 5 California Department of Transportation, James Kilmer, dated March 23, 2005

Response 1

Pursuant to the comments provided by Caltrans in letters dated February 14, 2005 and March 23, 2005, a STIA was prepared in consultation with Caltrans to assess the potential impact of the project generated trips on three intersections along H Street. A summary of the STIA is provided above in **Response 1** to **Letter No. 4**. The complete STIA is provided in this document in **Appendix C**.

Response 2

Based on the request provided by Caltrans, turning movements and through movements at the three intersections selected to be evaluated in the STIA were analyzed and assigned a LOS based on the vehicular delay utilizing the Highway Capacity Manual (HCM 2000) methodology. In addition, AM and PM peak hour turning movements were evaluated in the STIA based on the traffic scenarios requested by Caltrans.

The operations at closely spaced intersections have the ability to affect each other during periods of high traffic congestions. Based on the Caltrans request, a back-of-queue (BOQ) analysis is included in the STIA for all three intersections. The following discussion summarizes the BOQ analysis provided in the STIA.

H Street/Central Avenue. The closest intersections to the H Street/Central Avenue intersection are located approximately one-eighth mile to the north and south of the intersection. The northbound BOQ analysis indicated that the 95th percentile BOQ may extend to 10 feet past the adjacent signalized intersection, south of Central Avenue. Although the northbound queue may impact the operation of the adjacent traffic signal, the adjacent signal has excess capacity due to the low volumes on the minor approaches. The impact of the queue at the intersection of H Street/Central Avenue would not be significant at the adjacent signalized intersections to the south.

H Street/Ocean Avenue. The 95th percentile BOQ for the westbound approach to the intersection of H Street/Ocean Avenue may extend up to the traffic signal at G Street under cumulative traffic conditions. This queue could have a minor impact at the signalize intersection at G Street/Ocean Avenue. Thus, this impact would be considered less than significant.

H Street/College Avenue. There are a number of signalized intersections located within close proximity to the intersection of H Street/College Avenue. However, neither BOQ would impact the operations at the adjacent intersections during the AM or PM peak hour. Thus, the impacts are considered less than significant.

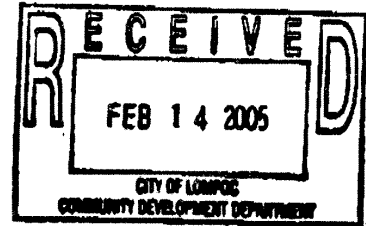


**Santa Barbara County
Air Pollution Control District**

Our Vision Clean Air

February 11, 2005

Ms. Lucille T. Breese, AICP
City Planner,
City of Lompoc
100 Civic Center Plaza
Lompoc, CA 93438-8001



RE: River Terrace Residential Development: DEIR

Dear Lucille,

The Santa Barbara County Air Pollution Control District (APCD) appreciates the opportunity to provide comments on the Draft EIR for the above-mentioned project. We have reviewed the air quality-, transportation-, and land use- related sections in the DEIR and we have the following comments:

We commend the City and the applicant for proposing a project that has the potential to reduce single occupant vehicle trips, encourage the use of alternative transportation and thereby has the potential to minimize air pollution from traffic sources.

We concur with the conclusion in the DEIR that the residual air quality impacts of this project will be significant, i.e., the estimated emissions from long-term traffic-related sources will exceed the APCD Board-adopted threshold of significance of 25 pounds per day for the ozone precursors (ROG and NOx). We note that credit has been taken for including emission credits offered in the mitigation module of the URBEMIS program for moderate pedestrian-, transit-, and bike-effectiveness factors and measures agreed to by the applicant. As noted in the Draft EIR, the project is also inconsistent with the current Clean Air Plan by definition, due to the proposed General Plan Amendment.

1

Residual emissions may be reduced through the implementation of offsite mitigations which may or may not be economically feasible. Therefore, we recommend the additional feasible mitigation measures described below.

Specific Comments:

1. Page 4.1-19 Table 4.1-4. Estimated construction emissions of NOx for site grading and building construction in the year 2007 add up to approximately 28 tons per year (tpy), assuming 260 working days per year. This exceeds the 25 tpy threshold of significance used as a guideline by APCD. Of all the mitigation measures listed in the DEIR, only 4.1-3 and 4.1-5 may reduce NOx emissions from diesel-powered construction equipment.

2

Terence E. Dressler • Air Pollution Control Officer
260 North San Antonio Road, Suite A • Santa Barbara, CA • 93110 • www.sbapcd.org • 805.961.8800 • 805.961.8801 (fax)

2. Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. We acknowledge that it is difficult to quantify the public health risk from off-road and on-road construction equipment during the construction time period; however, the APCD recommends that the following measures, which will also reduce NOx emissions, be adhered to as feasible during project grading and construction to reduce emissions from construction equipment:

- Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) should be utilized wherever feasible.
- The engine size of construction equipment should be the minimum practical size.
- The number of construction equipment operating simultaneously should be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction equipment should be maintained in tune per the manufacturer's specifications.
- Construction equipment operating onsite should be equipped with two to four degree engine timing retard or pre-combustion chamber engines.
- Catalytic converters should be installed on gasoline-powered equipment, if feasible.
- Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California could be installed, if available. Ultra low sulfur diesel fuel should be used.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

3

3. Page 4.1-28, Mitigation Measure 4.1-8. The measure states that, "all residential construction or re-model projects of five or more units shall reduce long-term and operation emissions of CO, NOx, and ROG from mobile sources". In order for this mitigation measure to be sufficient, please add specific details on how this measure will be implemented and enforced.

4

4. Page 4.1-28, Mitigation Measure 4.1-9. The measure states that, "if the development project is adjacent to a bicycle trail...that portion of the bicycle trail ...shall be installed". Please determine if this measure will apply to this particular project and if it does, please state in the DEIR how it will be enforced.

5

5. Please consider the following additional measures which have been developed for projects in other parts of Santa Barbara County: Employees, teachers and administrative personnel from the proposed retail uses and school could be given first option to buy the homes near-by as part of the development agreement. (e.g.,

6

Lagunitas, Carpinteria). Also, the developer could provide, as part of the sale of each housing unit, an information packet on biking, carpooling, van-pooling and bus schedules with routes most accessible to the development. The packet may also include information on purchasing less polluting or alternatively fueled vehicles (available from the APCD).

6

6. Residential wood-burning fireplaces are the cause of many public nuisance complaints that the APCD receives during the winter months. We recommend that only natural gas-burning residential fireplaces be allowed.

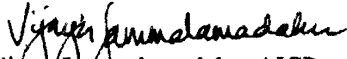
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7. The DEIR does not list the emissions from sources such as boilers, generators, and other equipment associated with either the large multi-unit housing or commercial aspects of this project. APCD permits may be required for boilers, generators, and other such equipment. Clean-up of contaminated soils on the project site (if any) may also require APCD permits.

8

We hope you find our comments useful in developing final mitigation measures for this project and we look forward to reviewing the responses to our comments prior to the City's adoption of the Final EIR. If you have questions please call me at (805) 961-8893 or e-mail: vlj@sbcapcd.org

Sincerely,



Vijaya Jammalamadaka, AICP
Air Quality Specialist
Technology and Environmental Review Division

cc: Project File (2004 City of Lompoc Project File)
TEA Chron File

Letter No. 6 Santa Barbara County Air Pollution Control District, Vijaya Jammalamadaka, AICP, dated February 11, 2005

Response 1

The respondent indicates that the Santa Barbara County Air Pollution Control District (APCD) agrees with the conclusions reached in the Draft EIR regarding the significance of the air quality impacts that would occur as a result of the development of the proposed project. No further discussion is required.

Response 2

The URBEMIS 2002 Air Quality Model, which is recommended for evaluation of projects by the APCD, generates worst-case daily construction emissions. The vast majority of the time construction emissions would be lower than the peak construction emission estimates reflected in **Table 4.1-4** in the Draft EIR. Nevertheless, worst-case daily construction emissions were generated for the proposed project and are presented in **Table 4.1-4** in the Draft EIR. The respondent states that “estimated construction emissions of NO_x for site grading and building construction in the year 2007 add up to approximately 28 tons per year (tpy), assuming 260 working days per year.” This statement assumes that both the grading activities and building construction would occur simultaneously for the entire 12-month period in 2007. The reality is that the project site would require mass grading that is assumed to take place for an approximately 2.6-month period. The mass grading would be followed by 21.4 months of building construction. These assumptions were utilized in the modeling conducted for the project and summarized in **Table 4.1-4** of the Draft EIR.

Assuming 22 working days per month (264 annual working days), the 2.6 months of site grading would generate 4.0 tons of NO_x in 2007 based on the worst-case daily emissions of NO_x reflected in **Table 4.1-4** of the Draft EIR. Building construction occurring during the remaining portion of the year 2007 (9.4 months) would generate 7.7 tons of NO_x based on the worst-case daily emissions of NO_x reflected in **Table 4.1-4** of the Draft EIR. Adding the site grading and construction emissions together would result in a worst-case NO_x emission estimate of 11.7 tons per year. Applying this same logic to the 12 months of building construction that would occur for the year 2008 until the project would be built out, 13.7 tons of NO_x would be emitted. Overall, NO_x emissions generated during construction activities occurring in the years 2007 and 2008 would not exceed the APCD’s significance threshold of 25 tpy. As stated in the Draft EIR, emissions generated during the construction of the proposed project would not exceed the APCD thresholds with the implementation of the mitigation measures identified in the Draft EIR.

The applicant comments that only Mitigation Measures 4.1-3 and 4.1-5 would reduce NO_x emissions from diesel-powered equipment. It is acknowledged the Draft EIR incorrectly implies that Mitigation Measure 4.1-4 would reduce NO_x emissions. Overall, this revision does not alter the conclusions reached in the Draft EIR.

Response 3

4.1-10 Pursuant to the recommendations by the APCD, the following mitigation measures shall be incorporated into the project where feasible, which would reduce NO_x emissions generated during grading and construction activities occurring on the project site:

- Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated “clean” diesel engines) should be utilized wherever feasible.
- The engine size of construction equipment should be the minimum practical size.
- The number of construction equipment operating simultaneously should be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction equipment should be maintained in tune per the manufacture’s specifications.
- Construction equipment operating on site should be equipped with two to four degree engine timing retard or pre-combustion chamber engines.
- Catalytic converters should be installed on gasoline-powered equipment, if feasible.
- Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by the EPA or California could be installed, if available. Ultra low sulfur diesel fuels should be used.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch on site.

As identified in the Draft EIR, construction related NO_x emissions generated by the proposed project would be reduced below the APCD thresholds by the mitigation measures recommended in the Draft EIR. The implementation of the measures listed above will provided an incremental reduction of the construction related NO_x emissions. Nevertheless, the inclusion of these additional measures does not change the conclusions reached in the Draft EIR.

Response 4

Mitigation Measure 4.1-8 is shall be revised to state the following (added text is underlined):

4.1-8 All residential construction or remodeled projects of five or more units shall reduce long-term and operation emissions of CO, NO_x, and ROG from mobile sources. Design measures that have already been incorporated into the project that are capable of incrementally reducing CO, NO_x, and ROG emissions from mobile sources include, but are not limited, to the following:

- Providing multiple use developments that reduce the need for vehicle trips.
- Inclusion of design features to encourage alternative transportation modes, such as bus stops, bicycle paths, and internal pedestrian connections.
- Inclusion of an on-site day care facility, which is capable of supporting up to 65 children.

Response 5

As indicated in Section 3.0, Project Description, of the Draft EIR, a Class I bike path has been proposed by the applicant that would connect the site to the City bikeway system and the Statewide Pacific Trail. The bikeway would be provided from the northeast corner of the project site along the eastern landscaped buffer and end at the intersection of Laurel Avenue and 12th Street. This bikeway will connect with the bikeway the City is developing along the Westside of the Santa Ynez River. Therefore, Mitigation Measure 4.1-9 will be complied with by completing the bike connection along the eastern perimeter of the project site. As the bike path is proposed as a part of the project, the completion of the bike path would be included as a condition of approval for the proposed project.

Response 6

The proposed project is intended for low to moderate income housing for residents within the City of Lompoc and the surrounding area. Upon the complete buildout of the proposed residential units on the project site, it would be expected that the new residences would be advertised and marketed throughout the City and local area. Employees, teachers, and administrative personnel from the proposed retail uses and school district in the area would have the option to purchase on-site residential units if they choose to.

Based on the request by the APCD, the recommendation of including information packets discussing biking, carpooling, vanpooling, bus schedules, and low emission vehicles will be evaluated by the City

Planning Commission. This recommendation will be presented to the City's Planning Commission. The Planning Commission may impose a condition of approval on the project that information packets discussing alternative forms of transportation be included to each purchased unit.

Response 7

The recommendation of the use of natural gas burning fireplaces in place of wood-burning fireplaces is noted. This recommendation will be presented to the City's Planning Commission who will weigh the benefits and detriments of allowing only natural gas burning fireplaces. Should the Planning Commission determine that only the use of natural gas burning fireplaces is applicable for the proposed project, a condition of approval will be imposed on the project.

Response 8

Emissions from stationary sources, such as boilers, generators, and other equipment associated with the proposed housing and commercial areas are accounted for in the emission estimates generated using the URBEMIS 2002 Air Quality Model. Specifically, these emissions are presented in Table 4.1-5 of the Draft EIR under the row titled "Stationary Sources." As indicated in this table, stationary sources associated with the proposed project would generate 15.28 pounds of ROG, 2.75 pounds of NO_x and 0.01 pounds of PM₁₀ on a daily basis.

It is acknowledged that APCD permits may be required for boilers, generators, or other equipment uses on the project site. The applicant will consultant with the APCD at a later date when the exact equipment to be used on the project site is known.

A discussion of the soil contamination and remediation that has occurred on the project site is provided in Section 7.0, Effects Found Not to be Significant, of the Draft EIR. The County of Santa Barbara Fire Prevention Division issued an environmental closure statement on October 27, 2004 indicating that all hazardous materials on the site are below hazardous materials threshold levels.



**CONDOR ENVIRONMENTAL
PLANNING SERVICES, INC.**

2022 CLIFF DRIVE #276, SANTA BARBARA, CA 93109 USA
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February 11, 2005

Lucille Breese, AICP
City of Lompoc
100 Civic Center Plaza
Lompoc, CA 93436

RE: River Terrace EIR

On behalf of Coastal Vision, thank you for the opportunity to review the Draft EIR for the River Terrace Residential Development. The EIR is well written and easy to understand. We offer the following comments to help the City provide an accurate document to the Planning Commission and City Council, and to ensure that the mitigation measures are clear, unambiguous, and feasible.

Biology Section

Page 4.2-5 The site is not adjacent to the Santa Ynez River. The City owns a parcel (previously owned by Caltrans) between the project site and the river that is 500 feet wide. This is important so that reviewers do not imagine impacts to the riparian habitat that will not occur. Under the discussion of Fishes, the first sentence should be revised to say "the nearby SYR", rather than "the adjacent SYR".

1

Page 4.2-6 The observation of the Pacific treefrog on May 7 and 14, to which the EIR refers, was made by Thomas Olson Consulting, not Condor Environmental.

2

Page 4.2-23 Mitigation Measure 4.2-2 requires fencing to deter access into the river's riparian zone by humans and pets. This will be difficult to implement. People will want to walk their dogs on the City property, and will be able to do so even if there is fencing due to the access provided by the bike path. A gate to be opened and closed by users of the path is not a realistic solution. Furthermore, it is nearly impossible to prevent house cats from

3

Tropics Division
758 Kapahulu Ave. #A-417, Honolulu, Hawaii 96816

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climbing fences of any height. We suggest instead that the measure be worded like this:

"Split rail fencing, roughly 3 to 4 feet in height, shall be placed east of the bike path at a location determined by the City. Signs shall be posted and maintained on the fence that describes the ecological significance of the river and the riparian habitat for wildlife species. To deter cats from entering the riparian habitat 500 feet east of the project's boundary, shrubs shall be planted and maintained at a high density along the project's boundary and on the east side of the bike path. The signs should explain that keeping dogs leashed will help protect sensitive species from being harassed. The signs should encourage human access that is sensitive to and compatible with the riparian habitat, encourage learning opportunities, and involvement in stewardship and habitat restoration."

3

Page 4.2-23 Mitigation measure 4.2-4 is problematic for the same reasons, and because it is unclear about what are the "remaining open space areas adjacent to the project site". We suggest that this measure be deleted, as the objective is achieved through the revised wording of the mitigation measure (4.2-2) that we suggest above.

4

Page 4.2-24 Since the City property provides a 500 foot buffer, we suggest that Mitigation Measure 4.2-7 be reworded as follows:

"For all grading and construction activities on the City-owned property between the project site and the river, a City-approved biologist shall be retained..."

5

Page 4.2-24 Please include a list of the targeted noxious species within the wording of Mitigation Measure 4.2-8.

6

Page 4.2-25 Please revise Measure 4.2-10 to provide greater clarity and avoid confusion: "The City and its contractors shall minimize the likelihood of removal or disturbance of sensitive biological resources of the river's riparian habitat by installing..."

7



barrier fencing and sedimentation fencing along the eastern property boundary."

7

Land Use and Planning Section

Page 4.3-8 FEMA granted the "Conditional Letter of Map Revision Based on Fill" on April 28, 2004. Please revise the text in the paragraph at the top of the page.

8

Page 4.3-14 The County Fire Department issued a Closure Letter for the site on October 27, 2004. Please update the text.

9

Page 4.3-19 Please edit the text regarding policy consistency of Policy 2.2 as follows: "The project is located 500 feet west of the Santa Ynez River."

10

Page 4.3-21 FEMA granted the "Conditional Letter of Map Revision Based on Fill" on April 28, 2004. Please revise the text.

11

Page 4.3-21 Please edit the text regarding policy consistency of Policy 2.3 as follows: "The project is located 500 feet west of the Santa Ynez River."

12

Effects Found Not to be Significant

Page 7.0-11 The County Fire Department issued a Closure Letter for the site on October 27, 2004. Please update the text.

13

Page 7.0-15 FEMA granted the "Conditional Letter of Map Revision Based on Fill" on April 28, 2004.

14

This concludes our comments. Please don't hesitate to call with any questions. Thank you again.

Sincerely,



Elihu Gevirtz
President



Letter No.7 Condor Environmental Planning Services, Inc., Elihu Gevirtz, President, dated February 11, 2005

Response 1

The comment provided by the respondent is correct. The City owns a parcel of land (previously owned by Caltrans) that is approximately 500 feet wide. This parcel of land contains riparian area associated with the Santa Ynez River. Thus, statements throughout the Draft EIR stating that the project site is “adjacent to the Santa Ynez River” are in fact true. For further discussion of the impacts to riparian areas please see, Section 4.2, Biological Resources, of the Draft EIR.

Response 2

The comment correctly states that Thomas Olson Consulting, not Condor Environmental, made the observation of the Pacific tree frog. This revision is noted and does not change the conclusions that were reached in the Draft EIR.

Response 3

At the time the Draft EIR for the River Terrace Residential Project was released in December 2004, the City was preparing the Riverbend Park and Trail Draft Master Plan and EIR. This project involves the development of a Master Plan along the Santa Ynez River that will provide for the development of a multi-use trail, turf playing field, parking, educational signage, related recreational features and habitat enhancement. The Riverbend Park and Trail Master Plan includes the portions of the project site that are located adjacent to the Santa Ynez River. As such, the measures recommended in the Master Plan EIR are required to be implemented in conjunction with the recreational facilities that are proposed in these areas. Thus, the applicable measures from the Master Plan EIR are required to be implemented on the project site, in addition to the measures recommended in the focused EIR for the River Terrace project. For this reason, the Master Plan EIR recommendations regarding the fencing and vegetation to be planted and maintained along the Santa Ynez riparian area would supersede the generalized fencing discussion provided in the focused EIR for the River Terrace project.

Response 4

The opinion regarding Mitigation Measure 4.2-4 is noted.

Response 5

No grading or construction activities have been proposed by the applicant on the City property that is located adjacent to the project site. Therefore, monitoring of off-site grading and construction activities by a biologist would not be necessary for the proposed project.

Response 6

Noxious plant species are designated as federal noxious weeds by the United States Department of Agriculture (USDA) and listed by the California Department of Food and Agriculture (CDFA). In addition, the California Exotic Pest Plant Council maintains a list of other exotic pest plants. Pursuant to Mitigation Measure 4.2-8 all species identified as noxious by the USDA, CDFA, and the California Exotic Pest Plant Council will be removed from the project site and disposed of in a manner and a location that will prevent re-establishment.

Response 7

Mitigation Measure 4.2-10 is intended to mitigate impacts to the adjacent riparian area by installing orange construction barriers fencing. The applicant has indicated that a large portion of the project site would be required to be graded, with a portion of the soil cut and placed in areas that are currently within the 100-year flood plain of the Santa Ynez River. Thus, it is expected that only the riparian areas on the eastern perimeter of the project site would require fencing.

Response 8

It is noted that FEMA granted the "Conditional Letter of Map Revision Based on Fill" on April 28, 2004. This letter is included as **Appendix D** in this Final EIR.

Response 9

It is noted that the County of Santa Barbara Fire Prevention Division issued an environmental closure statement indicating that all hazardous materials on the site are below hazardous materials threshold levels on October 27, 2004. This letter is included as **Appendix E** in this Final EIR.

Response 10

The project site is located adjacent to the City-owned parcel, which contains the riparian area associated with Santa Ynez River. The statement that “the project is located adjacent to the Santa Ynez River” is intended to be a general reference to the actual watercourse and associated riparian area.

Response 11

It is noted that FEMA granted the “Conditional Letter of Map Revision Based on Fill” on April 28, 2004. This letter is included as **Appendix D** in this Final EIR.

Response 12

Please see **Response 10**, above, regarding the discussion of the Santa Ynez River and its proximity to the project site.

Response 13

It is noted that the County of Santa Barbara Fire Prevention Division issued an environmental closure statement indicating that all hazardous materials on the site are below hazardous materials threshold levels on October 27, 2004. This letter is included as **Appendix E** in this Final EIR.

Response 14

It is noted that FEMA granted the “Conditional Letter of Map Revision Based on Fill” on April 28, 2004. This letter is included as **Appendix D** in this Final EIR.

Thu, May 26, 2005 12:57 PM

Subject: 01-08-05 River Terrace EIR
Date: Thursday, May 26, 2005 12:56 PM
From: casey willis <cwillis@impactsociences.com>
To: casey willis <casey@impactsociences.com>

-----Original Message-----
From: rfink [<mailto:rfink@impulse.net>]
Sent: Saturday, January 08, 2005 5:00 PM
To: Lucille Breese
Subject: 01-08-05 River Terrace EIR

Comments to River Terrace EIR:

1. Page 3.0-13: It is proposed to discharge storm water directly into the Santa Ynez River. Is this allowed by NPDES? How will the additional water during peak storm periods impact downstream properties?

1

2. Page 4.6-20, Table 4.6-6 "Project Trip Generation":
The math doesn't sound logical. There are 308 units proposed with 174 trips in the morning and 256 in the afternoon estimated on the chart. If 75% of the households work that would be 231 trips morning and afternoon for work and an additional 231 trips for taking kids to school, which is substantially higher than the estimate.

2

3. The proposed roundabout is totally contained within the project site. It would make a lot more sense to have the roundabout as a part of Laurel/12th Street with half on site and half off site. This would "calm" traffic on all access roads and slow it going in to the project.

3

4. Page 4.6-42, transportation mitigation measure 4.6-11: "Laurel Avenue shall be improved adjacent to the project site in conjunction with the proposed development, as specified by the City of Lompoc." Define "adjacent" does this mean all the way to 7th Street?

4

5. Transportation mitigation measures do not address 12th Street, the railroad tracks or Laurel Avenue improvements. This project (and any future use of the old Grefco plant) will have significant impacts on these streets and the project should be responsible for a significant portion of the improvement costs.

5

Improvement of these streets is a **MUST DO** prior to start of construction at the site.

5

Ron Fink
Lompoc

Letter No. 8 City of Lompoc Planning Commissioner, Ron Fink, dated January 8, 2005

Response 1

Section 7.0, Effects Found Not To Be Significant, of the Draft EIR, provides a discussion of the National Pollution Discharge Elimination System (NPDES) requirements that are applicable to the proposed project. A Stormwater Pollution Prevention Plan (SWPPP) must be prepared that identifies Best Management Practices (BMPs) to be used during construction and operation phases of the project. The implementation of the BMPs will ensure that discharges into the river will not violate any water quality standards or waste discharge requirements.

Development of the proposed project would increase the amount of impervious area on the site when compared to existing conditions. In turn, this increased impervious surface would contribute to an increase in storm water runoff during peak storm periods. A conceptual drainage plan has been prepared for the proposed project and is discussed on page 3.0-13 and illustrated in Figure 3.0-5 of the Draft EIR. The drainage plan includes a sediment basin that is proposed to mitigate any additional runoff over that of existing conditions. Final design of the basin will be designed in accordance with City of Lompoc standards to ensure that there is no net increase in runoff that would be discharged into the Santa Ynez River. Thus, the development of the project would not result in downstream flooding impacts during peak storm events.

Response 2

The trip generation potential of the proposed project was determined from the average trip generation rates published by the Institute of Transportation Engineers (ITE) in the *Trip Generation Manual* (Seventh Edition, 2003). The *Trip Generation Manual* is a collection of information about vehicular traffic that is generated by different land uses. This information is based on physical studies conducted to determine how many vehicles enter and exit a site devoted to a particular land use.

The process of obtaining typical trip generation information is generated through physical counts of a number of sites that can be categorized as having the same land use. Next, data regarding various characteristics of these sites is collected. Data collection varies according to the specifics of the subject land use. The collected data could include several different physical parameters attributed to the subject site such as location, lot size, structure size, number of employees, and other units of interest. Individual sites are isolated and traffic counters are placed at every entrance and exit point of these sites. The traffic counts are taken for a period of up to seven days. The results of these counts are

compiled to determine daily and peak hour trip generation rates per the independent variable(s) for the subject use. Depending on the specific land use, the independent variable(s) may be square feet, acre, number of employees, dwelling units, rooms, etc. Additional data include the proportion of trips made in the morning and afternoon peak periods and the proportion of peak trips that entered and exited the sites.

As the *ITE Trip Generation Manual* is considered the industry standard manual used to predict future trip generation rates for proposed land uses, trip generation figures were obtained from this manual for the proposed River Terrace project.

Response 3

As discussed on page 4.6-40 of the Draft EIR, at this time it is not clear if there is sufficient space on the other three corners (on site) to complete the roundabout. Consequently, an individual or firm with demonstrated expertise in roundabout design will need to review the design of the roundabout to ensure that there will be adequate sight distance and space incorporated to accommodate all movements as well as alternative transportation modes (pedestrians, bicyclists, etc.). In addition, the fire department should review the proposed roundabout design to ensure that it can accommodate emergency vehicle access. Mitigation Measure 4.2-25 in the Draft EIR is proposed in order to ensure that the roundabout design will function efficiently based on the site-specific factors.

Response 4

Pursuant to Mitigation Measure 4.6-11, the required improvements adjacent to the project site pertain only to the portions of Laurel Avenue that parallel the project site. No improvements to Laurel Avenue will take place between the western boundary of the project site and 7th Street in conjunction with the proposed project.

Response 5

The traffic study evaluated both intersection operations and roadway volume to capacity ratios on various roadway segments in the area surrounding the project site. As determined, in Section 4.6, Transportation and Circulation of the Draft EIR, the roadway segment operations were found to result in less than significant impacts under both year 2007 and cumulative conditions when the trips generated by the proposed project were added to the roadways. In addition, under year 2007 and cumulative traffic conditions, the trips added to the roadways surrounding the project site were

determined to result in less than significant impacts based on the City of Lompoc's traffic impact criteria. Thus, no specific off-site mitigation measures to intersections or roadway segments in the area were found to be necessary in order to offset the impacts of the proposed project.

As discussed in Section 3.0, Project Description, of the Draft EIR, off-site improvements may also include the vacation and removal of the Union Pacific Railroad line between 7th Street and 12th Street, which is located along the south side of Laurel Avenue. The applicant and the City are in negotiations with Union Pacific to vacate this line.