

Chapter 5

Consistency with Plans and Policies

The following discussion of County policies and preliminary determinations regarding the consistency of the Proposed Project with these policies is presented for informational purposes. Section 15125 (d) of the State California Environmental Quality Act (CEQA) Guidelines requires that an Environmental Impact Report (EIR) “shall discuss any inconsistencies between the Proposed Project and applicable general plans and regional plans. Such regional plans include, but are not limited to, the applicable air quality attainment or maintenance plan...and regional land use plans for the protection of the coastal zone, Lake Tahoe Basin, San Francisco Bay, and Santa Monica Mountains.” In this case, the adopted plans most relevant to the Proposed Project are the California Coastal Act (CCA), Santa Barbara County’s Coastal Land Use Plan (CLUP), and the County’s Comprehensive Plan.

Procedurally, the Santa Barbara County Planning Commission will have initial responsibility for determining if the Proposed Project is consistent with the County’s adopted plans and policies. Decisions by the Planning Commission are subject to appeal to the Santa Barbara County Board of Supervisors. In addition, because the Project Site is located within the Coastal Appeals Zone, decisions on the Project by the Board of Supervisors are subject to appeal to the California Coastal Commission (CCC), which has the final authority to determine the Project’s CCA consistency. Because the County is the lead agency and final decision-maker (barring appeals), this analysis identifies the County’s adopted plans and policies and Coastal Act policies with which the Proposed Project may be potentially inconsistent. Where potential for inconsistencies are identified, to the extent feasible, the Supplemental Environmental Impact Report (SEIR) identifies mitigation measures or alternatives to improve Project consistency with these policies. County decision-makers will make the final decision regarding consistency with applicable plans and policies.

5.1 Plans and Policy Consistency Analysis

Table 5-1. Consistency with Applicable Plans and Policies

Policy Requirement	Discussion
AESTHETICS AND VISUAL RESOURCES	
<p>The California Coastal Act prioritizes protection of important scenic resources and views from public areas such as highways, roads, beaches and trails under two provisions relevant to the Proposed Project:</p> <p>Section 30251: “The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of the surrounding area and, where feasible, to restore and enhance visual quality in visually degraded areas . . .”</p> <p>Section 30253: New development shall: “Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.” Special communities are defined as “areas that add to the visual attractiveness of the coast.”</p>	<p>Proposed Project : (Potentially Consistent)- No new development would result from the Proposed Project. Therefore, scenic and visual qualities would remain as they are under current conditions. These current conditions include a dune setting that contains imported gravel left from prior drilling operations in the dunes. The gravel is visually distinguishable and detracts from the natural character of the site as is evidenced by public views from Key Viewing Location (KVL) 1 and KVL 3, particularly at the mid-range. While the gravel is visually distinguishable at close distances, public views of gravel areas are limited. Additionally, to mitigate the recreational impact of the Proposed Project, the proposed in-lieu fee would be used for the purchase of property for public recreational or open space purposes at a ratio of not less than 3:1. The optimal property would be located within the north coastal region of the County, in the vicinity of the Project Site, characterized by similar dune habitat and substantial scenic value, and be suitable for passive recreational or open space uses by the public. In addition to offsetting recreational impacts, this in-lieu fee would result in additional indirect benefits to aesthetics, as well as geological and biological resources.</p> <p>No Project Alternative: (Potentially Consistent)- No new development would result from implementation of the No Project Alternative. Over the short term, the No Project Alternative would include minor direct visual alteration throughout the construction phase. Minor depressions in the dune system are anticipated to result following construction; however, these would be reintegrated into the surrounding dune environment and it is anticipated that the areas</p>

Table 5-1. Consistency with Applicable Plans and Policies (Continued)

Policy Requirement	Discussion
	<p>would quickly be visual analogous with adjacent dune areas. It is important to note that the cement well cap would remain and visual disturbance associated with Gordon Sand Company operations would continue. The No Project Alternative may be considered as an action which restores the visual conditions of the area to a more natural state over the long-term.</p>
	<p>Partial Gravel Removal Alternative: (Potentially Consistent)- No new development would result from implementation of the Partial Gravel Removal Alternative. Much like the No Project Alternative, the Partial Gravel Removal Alternative would involve a short term, direct, minor visual alteration throughout the construction phase. The scope and duration of the temporary visual affects of the construction would be less than that of the No Project Alternative. Only Site D and a portion of the Road Site would undergo temporary disruption and only these areas would experience a subsequent return to natural conditions and visual characteristics analogous to those of the surrounding dune area. The remaining portions of the Project Site (the Upper Area, and Site 2) would retain the imported gravel and visual characteristics would thus remain as they are under existing conditions. As stated before, these conditions are generally visually compatible with the surrounding dune environment and do not exemplify alterations in natural landforms. Furthermore, the Partial Gravel Removal Alternative would remove the gravel in areas where it is most visually apparent, and would not disturb gravel in the areas where it is less visual apparent from public viewpoints. As such, the Partial Gravel Removal Alternative may also be considered as an action which restores visual conditions to areas exhibiting marginal visual degradation.</p>
<p>CLUP Policy 3-14: All development shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees,</p>	<p>Proposed Project : (Potentially Consistent) - The Proposed Project does not include new development and would leave conditions at the Project Site as they are under current conditions. Therefore, no alterations in topography, soil, geology, or hydrology, or other natural</p>

Table 5-1. Consistency with Applicable Plans and Policies (Continued)

Policy Requirement	Discussion
<p>shall be preserved to the maximum extent feasible. Areas of the site which are not suited for development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.</p>	<p>features would result. It is important to note that current conditions include a natural dune setting as well as areas of imported gravel left from prior drilling operations in the dunes. Prior development from these operations included importing gravel to stabilize the access road and surrounding oil production sites. Therefore, prior alteration of topography and soils in the area are incorporated into current conditions.</p> <p>No Project Alternative: (Potentially Consistent) - The No Project Alternative would not include new structural development. The No Project Alternative would involve excavating and removing imported gravel from the Upper Area, Road Site, Site 2, and Site D of the Project Site. Wind action would be expected to gradually reincorporate these areas into the natural undulating dune topography. Therefore, no permanent alteration of topography would occur. In addition, the composition of soils in the stated areas would change; however, this would only be due to the removal of foreign elements. Thus, the No Project Alternative would ultimately return the Project Site to a more natural topography and soil composition.</p> <p>The No Project Alternative would also likely include removing some native dune vegetation during the excavation; however, the vegetation would be protected by mitigation measures outlined in Section 3.3, <i>Biological Resources</i>. The vegetation would also be expected to eventually recover on the dunes.</p> <p>Partial Gravel Removal Alternative: (Potentially Consistent)- The Partial Gravel Removal Alternative would not include any new development, and would involve the removal of imported gravel from the Road Site and Site D. Therefore, the Partial Gravel Removal Alternative would also involve a temporary alteration of topography, but in a smaller area than the No Project Alternative. In addition, the composition of soils in the Road Site and Site D would return to natural conditions as a result of the Partial Gravel Removal Alternative.</p>

Table 5-1. Consistency with Applicable Plans and Policies (Continued)

Policy Requirement	Discussion
	<p>Similar to the No Project Alternative, the Partial Gravel Removal Alternative would likely involve some disturbance of native vegetation; however, vegetation would be protected by mitigation measures outlined in Section 3.3, <i>Biological Resources</i>. Disturbed areas would be expected to recover after a time.</p>
AIR QUALITY/GREENHOUSE GASES	
<p>CLUP Policy 11-1: The provisions of the Air Quality Attainment Plan shall apply to the coastal zone.</p>	<p>Proposed Project (Potentially Consistent)- No air emissions would result from the Proposed Project; however, the provision of the Air Quality Attainment Plan (AQAP) shall apply nonetheless.</p> <p>No Project Alternative (Potentially Consistent)- The Clean Air Plan (CAP) includes rules and regulations to help the County implement pollution-control measures needed to meet clean air standards. Consistency with the 2010 CAP would ensure that the No Project Alternative is consistent with the AQAP for the County. Compliance with the CAP would be further ensured through implementation of standard County conditions included in Section 3.2, <i>Air Quality and Greenhouse Gas Emissions</i>.</p> <p>Partial Gravel Removal Alternative (Potentially Consistent)- The CAP includes rules and regulations to help the County implement pollution-control measures needed to meet clean air standards. Consistency with the 2010 CAP would ensure that the Partial Gravel Removal Alternative is consistent with the Air Quality Attainment Plan for the County. Compliance with the CAP would be further ensured through implementation of standard County conditions included in Section 3.2, <i>Air Quality and Greenhouse Gas Emissions</i>.</p>
<p>Santa Barbara County Clean Air Plan: The federal Clean Air Act Amendments of 1988 and 1990 mandate the preparation of CAPs that provide an overview of air quality and sources of air pollution, and identify pollution-control measures needed to meet federal and state air quality standards. The CAP affects the development of regulations and programs</p>	<p>Proposed Project : (Potentially Consistent)- No air emissions, short- or long-term, would be expected to result from the Proposed Project . Therefore, it would be consistent with the projections of the 2010 CAP.</p> <p>No Project Alternative: (Potentially Consistent)- The No Project Alternative would result in minor short-term construction emissions</p>

Table 5-1. Consistency with Applicable Plans and Policies (Continued)

Policy Requirement	Discussion
<p>within the Santa Barbara County Air Pollution Control District. Since the County is classified as “moderate” non-attainment for the state 1-hour ozone standard, it must track and meet transportation performance standards. The updated 2010 CAP provided a long-range emissions estimate for the County that was consistent with regional growth and development plans.</p>	<p>and no long-term emissions, which would be consistent with growth projections and other plan elements within the established County Comprehensive Plan. This alternative would therefore be potentially consistent with the 2010 CAP.</p> <p>Partial Gravel Removal Alternative (Potentially Consistent)-The Partial Gravel Removal Alternative would also result in minor short-term construction emissions (less than those resulting from the No Project Alternative) and no long-term emissions, which would be consistent with growth projections and other plan elements within the established County Comprehensive Plan. This alternative would therefore be potentially consistent with the 2010 CAP.</p>
BIOLOGICAL RESOURCES	
<p>CLUP Policy 9-26: When sites are graded or developed, areas with significant amounts of native vegetation shall be preserved. All development shall be sited, designed, and constructed to minimize impacts of grading, paving, construction of road or structures, runoff, and erosion on native vegetation. In particular, grading and paving shall not adversely affect root zone aeration and stability of native trees.</p> <p>CLUP Policy 6-4: Upon completion of production, the area affected by the drilling, processing, or other related petroleum activity, shall be appropriately contoured, reseeded, and landscaped to conform with the surrounding topography and vegetation.</p>	<p>Proposed Project : (Potentially Consistent)- No adverse effects to biological resources, including marine resources and wetlands, are expected to result from the Proposed Project.</p> <p>No Project Alternative: (Potentially Consistent)- No marine resources or wetlands or the associated biological productivity of coastal waters would be affected by the No Project Alternative. In addition, no new development would result from the No Project Alternative.</p> <p>The No Project Alternative would involve excavating and removing gravel in the Upper Area, Road Site, Site 2, and Site D. The removal would result in disturbance of sensitive dune vegetation that has established in the graveled areas. Mitigation measures outlined in Section 3.3, <i>Biological Resources</i>, would minimize the loss of vegetation and preserve as much vegetation as possible. In addition, disturbed areas would be expected to revegetate through restoration in accordance with identified mitigation measures and natural processes.</p> <p>Partial Gravel Removal Alternative: (Potentially Consistent)- No marine resources or wetlands or the associated biological productivity</p>

Table 5-1. Consistency with Applicable Plans and Policies (Continued)

Policy Requirement	Discussion
	<p>of coastal waters would be affected by the Partial Gravel Removal Alternative. In addition, no new development would result from the Partial Gravel Removal Alternative.</p> <p>The Partial Gravel Removal Alternative would involve excavating and removing gravel in the Road Site and Site D. The removal is likely to involve disturbance of sensitive dune vegetation that has grown in these areas. Mitigation outlined in Section 3.3, <i>Biological Resources</i>, would minimize the loss of vegetation and preserve as much vegetation as possible. In addition, disturbed areas would be expected to revegetate through restoration in accordance with identified mitigation measures and natural processes.</p>
<p>Section 30240: (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.</p> <p>(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.</p> <p>CLUP Policy 2-11: All development, including agriculture, adjacent to areas designated on the land use plan or resource maps as environmentally sensitive habitat areas, shall be regulated to avoid adverse impacts on the habitat resources. Regulatory measures include, but are not limited to, setbacks, buffer zones, grading controls, noise restriction, maintenance of natural vegetation, and control of runoff.</p> <p>CLUP Policy 9-1: Prior to the issuance of a development permit, all projects on parcels shown on the land use plan and/or resource maps with a Habitat Area overlay designation or within 250 ft of such designation or projects affecting an environmentally sensitive habitat area [ESHA] shall be found to be in conformity with the applicable habitat protection policies of the land use plan. All development plans, grading plans, etc., shall show the precise location of the habitat(s) potentially affected by the Proposed Project .</p>	<p>Proposed Project : (Potentially Consistent)- The Proposed Project would not include any development, and conditions would remain as they are currently. Current conditions reflect previous changes to the Project Site from the installation of oil production equipment in the dunes. The entire dune habitat is considered environmentally sensitive habitat (ESH). The 1982 Final EIR (82-EIR-11) analyzed impacts to ESH resulting from the development. However, since the Proposed Project would not include any disruption of ESH or other habitat currently present at the Project Site, it is considered consistent with these policies.</p> <p>No Project Alternative: (Potentially Consistent)- The No Project Alternative would restore the Upper Area, Road Site, Site 2, and Site D to natural dune habitat, which would eventually be consistent with the surrounding ESH designation of the surrounding dune habitat. Short-term impacts would result in disruption of vegetation and ESH in those areas. However, implementation of the No Project Alternative would result in the removal of introduced gravel and return of the site to the sand dune conditions more representative of the naturally occurring habitat that existed within the site prior to oil production activities. Therefore, although short-term adverse effects to ESH and sensitive species would occur, with implementation of mitigation measures</p>

Table 5-1. Consistency with Applicable Plans and Policies (Continued)

Policy Requirement	Discussion
<p>Projects which could adversely impact an environmentally sensitive habitat may be subject to a site inspection by a qualified biologist to be selected jointly by the County and the applicant.</p> <p>CLUP Policy 9-2: Because of their State-wide significance, coastal dune habitats shall be preserved and protected from all but resource dependent, scientific, educational, and light recreational uses. Sand mining and oil well drilling may be permitted if it can be shown that no alternative location is feasible and such development is sited and designed to minimize impacts on dune vegetation and animal species. Disturbance or destruction of any dune vegetation shall be prohibited, unless no feasible alternative exists, and then only if re-vegetation is made a condition of project approval. Such re-vegetation shall be with native California plants propagated from the disturbed sites or from the same species at adjacent sites.</p>	<p>described in Section 3.3, <i>Biological Resources</i>, impacts to ESH and sensitive species would be reduce to less than significant, and would therefore be consistent with these policies.</p> <p>Partial Gravel Removal Alternative: (Potentially Consistent)- The Partial Gravel Removal Alternative would restore the Road Site and Site D to natural dune habitat, which would eventually be consistent with the surrounding ESH designation of the surrounding dune habitat. Short-term impacts during and immediately following gravel removal would occur associated with disruption of vegetation and ESH in those areas, although less disturbance would occur as compared to the No Project Alternative. As described in the No Project Alternative, although short-term adverse effects to ESH and sensitive species would occur, with implementation of mitigation measures described in Section 3.3, <i>Biological Resources</i>, impacts to ESH and sensitive species would be reduce to less than significant, and would therefore be consistent with these policies.</p>
<p>CLUP Policy 9-4: All permitted industrial and recreational uses shall be regulated both during construction and operation to protect critical bird habitats during breeding and nesting seasons. Controls may include restriction of access, noise abatement, restriction of hours of operations of public or private facilities.</p>	<p>Proposed Project : (Potentially Consistent)- Light recreational activities and educational uses are permitted in the Rancho Guadalupe Dunes County Park from October 1 until March 1. The dunes are closed, however, between March 1 and October 1 due to the snowy plover nesting season. The Proposed Project would not introduce any additional recreation to the Project Site.</p> <p>No Project Alternative: (Potentially Consistent)- Gravel removal and restoration activities within the Project should be completed by the start of the western snowy plover breeding season, beginning March 1. However, if restoration activities within the Project Site must continue past March 1, a biologist would conduct regular site visits to ensure limited impacts to the western snowy plover. Implementation of mitigation measures described in Section 3.3., <i>Biological Resources</i>, would reduce potential impacts to sensitive species, would reduce potential impacts associated with the removal and noise-related</p>

Table 5-1. Consistency with Applicable Plans and Policies (Continued)

Policy Requirement	Discussion
	<p>disturbance of potential sensitive species habitat, particularly nesting habitat for western snowy plover and California least tern. Similar to the Proposed Project , the No Project Alternative would not alter the amount or duration of light recreation and educational uses and regular public access closures during nesting season would remain in effect. Therefore, the No Project Alternative would be potentially consistent with these policies</p> <p>Partial Gravel Removal Alternative: (Potentially Consistent)- The Partial Gravel Removal Alternative would result in effects and implement measures similar to those described under the No Project Alternative. Therefore, the Partial Gravel Removal Alternative would be potentially consistent with these policies.</p>
<p>CLUP Policy 9-10: Light recreation such as birdwatching or nature study and scientific and educational uses shall be permitted with appropriate controls to prevent adverse impacts.</p> <p>CLUP Policy 9-34: Recreational activities near areas used for roosting and nesting shall be controlled to avoid disturbances to seabird populations, particularly during nesting season.</p>	<p>Proposed Project : (Potentially Consistent)- The Proposed Project would not alter the amount or duration of light recreation and educational uses. Regular public access closures during nesting season would remain in effect.</p> <p>No Project Alternative: (Potentially Consistent)- The No Project Alternative would not alter the amount or duration of light recreation and educational uses. Regular public access closures during nesting season would remain in effect.</p> <p>Partial Gravel Removal Alternative: (Potentially Consistent)- The Partial Gravel Removal Alternative would not alter the amount or duration of light recreation and educational uses and regular public access closures during nesting season would remain in effect.</p>
CULTURAL RESOURCES	
<p>CLUP Policy 10-1: All available measures, including purchase, tax relief, purchase of development rights, etc., shall be explored to avoid development on significant historic, prehistoric, archaeological, and other classes of cultural sites</p> <p>CLUP Policy 10-2: When developments are proposed for parcels where</p>	<p>Proposed Project : (Potentially Consistent)- There are no significant resource sites that would be affected by the Proposed Project In addition, the Proposed Project would not involved grading or any new development or construction activities. Therefore, the Proposed Project would not lead to development on or damage to significant cultural</p>

Table 5-1. Consistency with Applicable Plans and Policies (Continued)

Policy Requirement	Discussion
<p>archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible.</p> <p>CLUP Policy 10-3: When sufficient planning flexibility does not permit avoiding construction on archeological or other types of cultural sites, adequate mitigation shall be required. Mitigation shall be designed in accord with guidelines of the State Office of Historic Preservation and the State of California Native American Heritage Commission.</p> <p>Section 30244 Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.</p>	<p>resource sites.</p> <p>No Project Alternative: (Potentially Consistent)- There are no significant resource sites that would be affected by the No Project Alternative. Therefore, the No Project Alternative would not lead to development on or damage to significant cultural resource sites. In addition, standard county mitigation would apply in the event that unanticipated cultural resources are discovered during construction.</p> <p>Partial Gravel Removal Alternative: (Potentially Consistent)- There are no significant resource sites that would be affected by the Partial Gravel Removal Alternative. Therefore, the Partial Gravel Removal Alternative would not lead to development on or damage to significant cultural resource sites. In addition, standard county mitigation shall apply in the event that unanticipated cultural resources are discovered during construction.</p>
<p>CLUP Policy 10-5: Native Americans shall be consulted when development proposals are submitted which impact significant archaeological or cultural sites.</p>	<p>Potentially Consistent: Native Americans were consulted during the original Project development’s archaeological exploration of the site, and one representative acted as a monitor during those explorations.</p>
HAZARDS AND HAZARDOUS MATERIALS	
<p>CLUP Policy 3-8: Applications for grading and building permits and applications for subdivision shall be reviewed for adjacency to, threats from, and impacts on geological hazards arising from seismic events, tsunami run-up, landslides, beach erosion, or other geologic hazards, a geologic report shall be required. Mitigation measures shall be required where necessary.</p> <p>CLUP Policy 3-9: Water, gas, sewer, electrical, or crude oil transmission and distribution lines which cross fault lines shall be subject to additional safety standards, including emergency shutoff where applicable.</p>	<p>Proposed Project : (Potentially Consistent)- The Project Site is not within a beach erosion zone, fault zone, tsunami inundation zone, or any other known geologic hazard zone. Further no additional transmission lines would be included as part of the Proposed Project.</p> <p>No Project Alternative: (Potentially Consistent)- The Project Site is not within a beach erosion zone, fault zone, tsunami inundation zone, or any other known geologic hazard zone. Further no additional transmission lines would be included as part of the No Project Alternative.</p> <p>Partial Gravel Removal Alternative: (Potentially Consistent)- The Project Site is not within a beach erosion zone, fault zone, tsunami inundation zone, or any other known geologic hazard zone. Further no</p>

Table 5-1. Consistency with Applicable Plans and Policies (Continued)

Policy Requirement	Discussion
	additional transmission lines would be included as part of the Partial Gravel Removal Alternative.
HYDROLOGY AND WATER QUALITY	
<p>CLUP Policy 3-11: All development, including construction, excavation, and grading, except for flood control projects and non-structural agricultural uses, shall be prohibited in the floodway unless off-setting improvements in accordance with HUD regulations are provided. If the proposed development falls within the floodway fringe, development may be permitted, provided creek setback requirements are met and finish floor elevations are above the projected 100-year flood elevation, as specified in the Flood Plain Management Ordinance.</p> <p>CLUP Policy 3-12: Permitted development shall not cause or contribute to flood hazards or lead to expenditure of public funds for flood control works, i.e., dams, stream channelizations, etc.</p> <p>CLUP Policy 3-18: Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as result of development. Water runoff shall be retained onsite whenever possible to facilitate groundwater recharge.</p> <p>CLUP Policy 3-19: Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.</p>	<p>Proposed Project : (Potentially Consistent)- No development or any other action would occur as a result of the Proposed Project . Therefore, conditions would remain as they are currently and no impacts water quality or runoff would result.</p> <p>No Project Alternative: (Potentially Consistent)- No impacts to water quality or surface runoff would be expected to result from the No Project Alternative. Mitigation measures have been included to ensure that no construction-related effects impact water quality. In addition, the No Project Alternative would not be expected to involve any discharging into groundwater resources .</p> <p>Partial Gravel Removal Alternative: (Potentially Consistent)- No impacts to water quality or surface runoff would be expected to result from the Partial Gravel Removal Alternative. Mitigation measures have been included to ensure that no construction-related effects impact water quality. In addition, the Partial Gravel Removal Alternative would not be expected to involve any discharging into groundwater resources.</p>
LAND USE AND PLANNING	
<p>CLUP Policy 1-4: Prior to the issuance of a coastal development permit the County shall make the finding that the development reasonably meets the standards set forth in all applicable land use plan policies.</p>	<p>Proposed Project : (Potentially Consistent)- The Proposed Project would include a modification of 82-CP-75(cz) and 96-CDP-010. The County will ultimately determine the consistency of the Proposed Project with all applicable policies prior to issuance of the modified</p>

Table 5-1. Consistency with Applicable Plans and Policies (Continued)

Policy Requirement	Discussion
	<p>permits.</p> <p>No Project Alternative: (Potentially Consistent)- The No Project Alternative would be a mandated action pursuant to the permit conditions of 82-CP-75(cz) and coastal development permit 96-CDP-010. The County will ultimately determine consistency of the No Project Alternative with all applicable policies prior to issuance any additional development permits for gravel removal.</p> <p>Partial Gravel Removal Alternative: (Potentially Consistent)- The Partial Gravel Removal Alternative would include a modification of 82-CP-75(cz) and 96-CDP-010. The County will ultimately determine the consistency of the Proposed Project with all applicable policies prior to issuance of the modified permits.</p>
NOISE	
<p>Comprehensive Plan, Noise Element, Recommended Policy 1: In the planning of land-use, 65 (a-weighted decibel [dBA] Community Noise Equivalent Level [CNEL]) should be regarded as the maximum exterior exposure compatible with noise-sensitive uses unless noise mitigation features are included in project designs.</p>	<p>Proposed Project : (Potentially Consistent)- No additional sources or increases in short-term or long-term noise is associated with the Proposed Project.</p> <p>No Project Alternative: (Potentially Consistent)- The No Project Alternative would result in short-term noise impacts associated with heavy construction and sifting equipment. All long-term exterior noise exposure levels at the Project Site would be less than 65 dBA CNEL; therefore, the Project would be consistent with this policy.</p> <p>Partial Gravel Removal Alternative: (Potentially Consistent)- The Partial Gravel Removal Alternative would result in short-term noise impacts associated with heavy construction and sifting equipment. All long-term exterior noise exposure levels at the Project Site would be less than 65 dBA CNEL; therefore, the Project would be consistent with this policy.</p>

Table 5-1. Consistency with Applicable Plans and Policies (Continued)

Policy Requirement	Discussion
RECREATION	
<p><u>California Coastal Act</u></p> <p>Section 30213: Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.</p> <p>Section 30221: Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.</p> <p>Section 30223: Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.</p> <p>CLUP Policy 7-5: For areas controlled by Federal, State, County, or District agencies, in a zone extending approximately 250 feet inland from the mean high tide line, priority shall be given to coastal dependent and related recreational activities and support facilities. However, camping facilities should be set back from the beach and bluffs and near-shore areas reserved for day use activities. Recreational activities that are not coastal dependent may be located within this 250-foot zone if the less desirable coastal dependent support facilities (parking, restrooms, etc.) are located inland. In no case shall facilities, except for required structures (i.e., lifeguard towers, volleyball nets, etc.), be located directly on the dry sandy beach.</p> <p>CLUP Policy 7-6: Recreational uses on oceanfront lands, both public and private, that do not require extensive alteration of the natural environment (i.e., tent campgrounds) shall have priority over uses requiring substantial alteration (i.e., recreational vehicle campgrounds).</p>	<p>Proposed Project : (Potentially Consistent)- The Rancho Guadalupe Dunes County Park is currently protected for light recreational and educational uses and is designated as an area to be preserved by the County of Santa Barbara. The Proposed Project would not entail any changes to recreational amenities or uses in the Project Site.</p> <p>No Project Alternative: (Potentially Consistent)- The Rancho Guadalupe Dunes County Park is currently protected for light recreational and educational uses and is designated as an area to be preserved by the County of Santa Barbara. The No Project Alternative would not entail any changes to recreational or land uses in the Project Site.</p> <p>Partial Gravel Removal Alternative: (Potentially Consistent)- The Rancho Guadalupe Dunes County Park is currently protected for light recreational and educational uses and is designated as an area to be preserved by the County of Santa Barbara. The Partial Gravel Removal Alternative would not entail any changes to recreational or land uses in the Project Site.</p>
<p>Section 30214. (a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and</p>	<p>Proposed Project : (Potentially Consistent)- Public access to the dunes is provided through West Main Street and the Rancho Guadalupe Dunes County Park parking lot to the northeast of the Project Site. Public access is not granted during the snowy plover nesting season (March 1</p>

Table 5-1. Consistency with Applicable Plans and Policies (Continued)

Policy Requirement	Discussion
<p>circumstances in each case including, but not limited to, the following:</p> <ul style="list-style-type: none"> (1) Topographic and geologic site characteristics. (2) The capacity of the site to sustain use and at what level of intensity. (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses. (4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter. <p>Section 30220: Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.</p> <p>Section 30210 In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.</p> <p>Section 30211 Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.</p> <p>CLUP Policy 7-1: The County shall take all necessary steps to protect and defend the public's constitutionally guaranteed rights of access to and along the shoreline. At a minimum, County actions shall include: (a) Initiating legal action to acquire easements to beaches and access corridors for which prescriptive rights exist consistent with the availability of staff and funds; [and] (b) Accepting offers of dedication which will increase opportunities for public access and recreation consistent with the County's ability to assume liability and maintenance costs.</p>	<p>through October 1). The area is only used for light recreational and educational activities and no changes to use or access would result from the Proposed Project. Therefore, the Proposed Project would be in compliance with these polices.</p> <p>No Project Alternative: (Potentially Consistent)- No long-term changes to use or access would result from the No Project Alternative. During construction public access would be reduced in the vicinity of the Project Site; however, impacts would be short-term. Therefore, the No Project Alternative would be potentially consistent with these policies.</p> <p>Partial Gravel Removal Alternative: (Potentially Consistent)- No long-term changes to use or access would result from the Partial Gravel Removal Alternative. During construction public access would be reduced in the vicinity of the Project Site; however, impacts would be short-term. Therefore, the Partial Gravel removal Alternative would be potentially consistent with these policies.</p>

Table 5-1. Consistency with Applicable Plans and Policies (Continued)

Policy Requirement	Discussion
<p>CLUP Policy 7-4: The County, or appropriate agency, shall determine the environmental carrying capacity for all existing and proposed recreational areas sited on or adjacent to dunes, wetlands, streams, tidepools, or any other areas designated as “Habitat Areas” by the land use plan. A management program to control the kinds, intensities, and locations of recreational activities so that habitat resources are preserved shall be developed, implemented, and enforced. The level of facility development (i.e. parking spaces, camper sites, etc.) shall be correlated with the environmental carrying capacity.</p> <p>CLUP Policy 9-5: For all permitted uses, including recreation, foot traffic on vegetated dunes shall be minimized. Where access through dunes is necessary, well-defined footpaths shall be developed and used.</p>	<p>Proposed Project : (Potentially Consistent)- Recreational activities are regulated within the Guadalupe Dunes. The Proposed Project would not introduce any changes to existing recreation or recreational capacity.</p> <p>No Project Alternative: (Potentially Consistent)- Recreational activities are regulated within the Guadalupe Dunes. The No Project Alternative would not introduce any changes to existing recreation or recreational capacity.</p> <p>Partial Gravel Removal Alternative: (Potentially Consistent)- Recreational activities are regulated within the Guadalupe Dunes. The Partial Gravel Removal Alternative would not introduce any changes to existing recreation or recreational capacity.</p>
<p>CLUP Policy 7-22: Expanded opportunities for public access and recreation shall be provided in the North Coast planning area.</p> <p>b. A hiking trail which provides lateral and vertical access to beaches shall be developed to connect Rancho Guadalupe County Park to Point Sal State Park and Point Arguello or Jalama Beach to Gaviota State Park. The County, with the assistance of the State Department of Parks and Recreation and participation of affected property owners, shall initiate planning studies to determine the precise location and procedures for implementing such a trail. The trail should eventually include hostels and/or walk-in campgrounds where feasible on publicly-owned land; one possible location for such facilities would be an area in the vicinity of Point Conception.</p> <p>CLUP Policy 7-23: In order to ensure preservation of the natural and archaeological resources of the Guadalupe Dunes and expand public opportunities for low intensity recreation, the County shall:</p> <p>a. Adopt and enforce an ordinance prohibiting ORV use, hang gliding, and overnight camping on the sand dunes.</p> <p>b. Repair and expand the existing County parking lot.</p> <p>c. Provide more attractive restroom facilities.</p>	<p>Proposed Project : (Potentially Consistent)- The Proposed Project would not interfere with the long-range recreational planning for the Rancho Guadalupe Dunes County Park area, including preservation and light recreation. Additionally, proposed monetary contribution (in-lieu fee) could be used to expand opportunities for public access and recreation in the North Coast planning area.</p> <p>No Project Alternative: (Potentially Consistent)- The No Project Alternative would not interfere with the long-range recreational planning for the Rancho Guadalupe Dunes County Park area, including preservation and light recreation.</p> <p>Partial Gravel Removal Alternative: (Potentially Consistent)- The Partial Gravel Removal Alternative would not interfere with the long-range recreational planning for the Rancho Guadalupe Dunes County Park area, including preservation and light recreation.</p>

Table 5-1. Consistency with Applicable Plans and Policies (Continued)

Policy Requirement	Discussion
<p>d. Provide limited picnic facilities.</p> <p>e. Install attractive signs informing the public of the ecological importance and fragility of the dunes and wetland.</p> <p>f. Restrict the County park to low intensity recreational uses, i.e., walking, fishing, and picnicking.</p> <p>g. Provide at least one part-time ranger to enforce rules.</p> <p>h. Pursue alternative methods for expanding the park area south to Mussel Rock.</p>	
PUBLIC FACILITIES	
<p>CLUP Policy 2-6: Prior to the issuance of a coastal development permit, the County shall make the finding...that adequate public or private services...are available to serve the proposed development.</p>	<p>Proposed Project : (Potentially Consistent)- No new development or additional public or private services would be needed as a result of the Proposed Project ; therefore, the Proposed Project would be potentially consistent with this policy.</p> <p>No Project Alternative: (Potentially Consistent)- The No Project Alternative would fulfill a permit condition pursuant to 82-CP-75(cz). Further, no additional need of private or public services would be needed as a result of the No Project Alternative.</p> <p>Partial Gravel Removal Alternative: (Potentially Consistent)- No new development or additional public or private services would be needed as a result of the Partial Gravel Removal Alternative; therefore, the Partial Gravel Removal Alternative would be in compliance with this policy.</p>