

RICHARDS RANCH ANNEXATION FINAL EIR

VOLUME 3: 2024 PRDEIR RESPONSE TO COMMENTS

SCH NO. 2022020194

PREPARED FOR

City of Santa Maria
Community Development Department
110 South Pine Street, Suite 101
Santa Maria, CA 93458

VOLUME 3: RESPONSE TO COMMENTS ON THE 2024 PRDEIR

July 2024

PREPARED BY

SWCA Environmental Consultants
4111 Broad Street, Suite 210
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VOLUME 3

RICHARDS RANCH ANNEXATION

RESPONSE TO COMMENTS ON THE 2024 PARTIALLY RECIRCULATED DRAFT ENVIRONMENTAL IMPACT REPORT

SCH NO. 2022020194

Prepared for

City of Santa Maria
Community Development Department
110 South Pine Street, Room 101
Santa Maria, California 93458
Contact: Dana Eady, Planning Division Manager

Prepared by

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SWCA Project No. 70173

July 2024

CONTENTS

Chapter 1. Response to Comments on the 2024 Partially Recirculated Draft EIR 1.1-1

1.1 Agency Comment Letters and Responses 1.1-1
1.1.1 California Governor's Office of Planning and Research State Clearinghouse 1.1-3
1.1.2 California Department of Conservation Geologic Energy Management Division 1.1-9
1.1.3 California Department of Fish and Wildlife 1.1-13
1.2 Non-Agency Organization Comment Letters and Responses 1.2-1
1.2.1 Santa Ynez Band of Chumash Indians 1.2-3
1.2.2 Urban Planning Concepts, Inc. 1.2-5
1.3 Public Comment Letters and Responses 1.3-1
1.3.1 Susan Bryant 1.3-3
1.3.2 Johnny Flores 1.3-5
1.4 Volume 3 References 1.4-1

Tables

Table 1.1-1. Agency Comments 1.1-1
Table 1.2-1. Non-Agency Organization Comments 1.2-1
Table 1.3-1. Public Comments 1.3-1

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CHAPTER 1. RESPONSE TO COMMENTS ON THE 2024 PARTIALLY RECIRCULATED DRAFT EIR

This chapter of the Environmental Impact Report (EIR) presents responses to comment letters that were received on the 2024 Partially Recirculated Draft EIR (PRDEIR) for the Richards Ranch Annexation Project (project). These comment letters were received from multiple entities, including state and local agencies, non-agency organizations, and the public. In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15132(d), this Final EIR presents the City of Santa Maria (City) response to comments submitted during the Draft EIR and PRDEIR review and consultation process.

The comment documents (letters and emails) are organized by grouping (agency, non-agency organizations, and public) and then in chronological order. Comment documents received by the City are reproduced in total, and numerical annotation has been added as appropriate to delineate and reference the responses to those comments. Responses follow the individual letters and emails.

1.1 AGENCY COMMENT LETTERS AND RESPONSES

The following agencies have submitted comments on the PRDEIR.

Table 1.1-1. Agency Comments

Respondent	Code	Contact Information	Page
California Governor's Office of Planning and Research State Clearinghouse PRDEIR posted: 01/30/2024	SCH	1400 10th Street Sacramento, CA 95814	1.1-3
California Department of Conservation Geologic Energy Management Division Letter dated: 02/28/2024	CalGEM	195 S Broadway, Suite 101 Orcutt, CA 93455 *Contact: Jon Iverson, Senior Oil and Gas Engineer*	1.1-9
California Department of Fish and Wildlife Letter dated: 03/15/2024	CDFW	South Coast Region 3883 Ruffin Road San Diego, CA 92123 *Contact: Victoria Tang, Environmental Program Manager, South Coast Region*	1.1-13

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1.1.1 California Governor's Office of Planning and Research State Clearinghouse

Richards Ranch Annexation Project – Partial Recirculation of DEIR

Summary

SCH Number
2022020194

Lead Agency
City of Santa Maria

Document Title
Richards Ranch Annexation Project – Partial Recirculation of DEIR

Document Type
EIR - Draft EIR

Received
1/30/2024

Present Land Use
The property is vacant/undeveloped. The current land use designation is Mixed Commercial/Residential, which provides for general commercial, office and professional, and residential uses. All four parcels have a zoning designation of Retail Commercial (C-2).

Document Description
On December 22, 2022, the City of Santa Maria released the DEIR for the Richards Ranch Annexation Project. The DEIR evaluated the environmental impacts associated with the proposed annexation, pre-zoning, and conceptual development of approximately 44-acres of property in the unincorporated area of Santa Barbara County, California. The DEIR public review period ended on March 7, 2023. This is a partial recirculation of the DEIR for Biological Resources, and the Alternatives Analysis. Comments received on the DEIR brought new information to the City's attention regarding the analyses in Section 4.3, Biological Resources. Adjustments are also warranted to Chapter 5, Alternatives Analysis. The revised biological resources and alternatives analyses in the DEIR are being recirculated for public comment pursuant to the requirements of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines.

Contact Information

Name
Dana Eady

Agency Name
City of Santa Maria

Job Title
Planning Division Manager

SCH-1

Contact Types
Lead/Public Agency

Address
110 S. Pine Street Room 101
Santa Maria, CA 93458

Phone
(805) 925-0951

Email
deady@cityofsantamaria.org

Location

Coordinates
34°31'28.8"N 120°16'4.2"W

Cities
Santa Maria

Counties
Santa Barbara

Regions
Citywide

Cross Streets
State Route 135 / Union Valley Parkway

Zip
93455

Total Acres
44

Parcel #
107-250-019, -020, -021, -022

State Highways
135, 101

Airports
Santa Maria Public Airport

Schools
Righetti High School

Waterways
Orcutt Creek

Township
9

Range

SCH-1
(cont'd)

34

Section
2

Notice of Completion

State Review Period Start
1/31/2024

State Review Period End
3/15/2024

State Reviewing Agencies
California Air Resources Board (ARB), California Department of Conservation (DOC), California Department of Forestry and Fire Protection (CAL FIRE), California Department of Housing and Community Development (HCD), California Department of Parks and Recreation, California Department of Transportation, District 5 (DOT), California Department of Transportation, Division of Aeronautics (DOT), California Department of Transportation, Division of Transportation Planning (DOT), California Department of Water Resources (DWR), California Energy Commission, California Governor's Office of Emergency Services (OES), California Highway Patrol (CHP), California Native American Heritage Commission (NAHC), California Natural Resources Agency, California Public Utilities Commission (CPUC), California Regional Water Quality Control Board, Central Coast Region 3 (RWQCB), California State Lands Commission (SLC), Department of Toxic Substances Control, Office of Historic Preservation, State Water Resources Control Board, Division of Drinking Water, State Water Resources Control Board, Division of Drinking Water, District 6, State Water Resources Control Board, Division of Water Quality, California Department of Fish and Wildlife, South Coast Region 5 (CDFW)

State Reviewing Agency Comments
California Department of Fish and Wildlife, South Coast Region 5 (CDFW)

Development Types
Other (Annexation and pre-zoning)

Local Actions
Annexation

Project Issues
Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Cumulative Effects, Drainage/Absorption, Economics/Jobs, Energy, Fiscal Impacts, Flood Plain/Flooding, Geology/Soils, Greenhouse Gas Emissions, Growth Inducement, Hazards & Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Mandatory Findings of Significance, Mineral Resources, Noise, Population/Housing, Public Services, Recreation, Schools/Universities, Sewer Capacity, Solid Waste, Transportation, Tribal Cultural Resources, Utilities/Service Systems, Vegetation, Wetland/Riparian, Wildfire

Local Review Period Start
1/31/2024

Local Review Period End
3/15/2024

SCH-1 (cont'd)

Attachments

Draft Environmental Document [Draft IS, NOI_NOA_Public notices, OPR Summary Form, Appx,]

20210820-Summary_Form_Santa Maria Richards Ranch PDF 594 K

Richards Ranch Annexation PRDEIR (01-31-24) PDF 6762 K

Richards Ranch Draft EIR Notice of Availability_1-31-24 PDF 111 K

Notice of Completion [NOC] Transmittal form

Notice of Completion PDF 237 K

State Comment Letters [Comments from State Reviewing Agency(ies)]

2022020194_CDFW Comment PDF 558 K

Disclaimer: The Governor's Office of Planning and Research (OPR) accepts no responsibility for the content or accessibility of these documents. To obtain an attachment in a different format, please contact the lead agency at the contact information listed above. You may also contact the OPR via email at state.clearinghouse@opr.ca.gov or via phone at (916) 445-0613. For more information, please visit OPR's Accessibility Site.

SCH-1 (cont'd)

1.1.1.1 Response to Posting from California Governor's Office of Planning and Research State Clearinghouse

Comment No.	Response
SCH-1	It has been noted that the PRDEIR was received by the California Governor's Office of Planning and Research State Clearinghouse and the public review period began on January 30, 2024, and ended on March 15, 2024. The PRDEIR, Notice of Completion, Notice of Availability, and State Clearinghouse Summary Form were made available for public review at https://ceqanet.opr.ca.gov/2022020194/3 for the full duration of the 45-day review period.

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1.1.2 California Department of Conservation Geologic Energy Management Division

California
Department of Conservation
Geologic Energy Management Division

Gavin Newsom, Governor
David Shabazian, Director

February 28, 2024

VIA EMAIL

Ms. Dana Eady, Planning Division Manager
City of Santa Maria (11413)
110 S. Pine Street, Room 101
Santa Maria, CA 93458
deady@cityofsantamaria.org

Dear Ms. Eady:

RICHARDS RANCH ANNEXATION PROJECT – PARTIAL RECICIRULATION OF DEIR

The California Geologic Energy Management Division (CalGEM) appreciates the opportunity to submit comments on the project referenced above. Our comments remain unchanged from the attached CSWR ID 1012429 letter dated March 9, 2022.

Thank you for considering CalGEM's comments. If you have any questions, please contact our District office at (805) 937-7246 or via email at CalGEMNorthern@conservation.ca.gov

CalGEM-1

Sincerely,

Jon Iverson
Senior Oil and Gas Engineer

Enclosure

ZN:ji;kv

cc: Chrono
CSWR

State of California Natural Resources Agency | Department of Conservation
Northern District
Orcutt Office and Mail: 195 S. Broadway, Suite 101, Orcutt, CA 93455 | T: (805) 937-7246 | F: (805) 937-0673
Sacramento Office and Mail: 715 P Street, MS 1803, Sacramento, CA 95814 | T: (916) 322-1110 | F: (916) 445-3319
Ventura Office: 1000 S. Hill Road, Suite 116, Ventura, CA 93003 | T: (805) 937-7246 | F: (805) 654-4765
Ventura Mail: 195 S. Broadway, Suite 101, Orcutt, CA 93455
conservation.ca.gov

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California
Department of Conservation
Geologic Energy Management Division

Gavin Newsom, Governor
David Shabazian, Director
801 K Street, MS 18-05
Sacramento, CA 95814
T: (916) 445-9686

03/09/2022

City: Santa Maria - Planning Division
Dana Eady
110 S. Pine Street, Room 101, Santa Maria, CA 93458, USA
deady@cityofsantamaria.org

Construction Site Well Review (CSWR) ID: 1012429

Assessor Parcel Number(s): 107250022, 107250019, 107250020, 107250021

Property Owner(s): Richards Ranch LLC

Project Location Address: 4470 Orcutt Road Santa Maria, California 93455

Project Title: SCH 2022020194 Richards Ranch Annexation Project

Public Resources Code (PRC) § 3208.1 establishes well reabandonment responsibility when a previously plugged and abandoned well will be impacted by planned property development or construction activities. Local permitting agencies, property owners, and/or developers should be aware of, and fully understand, that significant and potentially dangerous issues may be associated with development near oil, gas, and geothermal wells.

The California Geologic Energy Management Division (CalGEM) has received and reviewed the above referenced project dated 2/23/2022. To assist local permitting agencies, property owners, and developers in making wise land use decisions regarding potential development near oil, gas, or geothermal wells, the Division provides the following well evaluation. **CalGEM-2**

The project is located in Santa Barbara County, within the boundaries of the following fields: **CalGEM-3**

N/A

The nearest oil well pad is approximately 150 feet to the east of the proposed project boundary. There are three plugged conductors and one Idle well on the pad to the east. **CalGEM-4**

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Our records indicate there are no known oil or gas wells located within the project boundary as identified in the application.

- Number of wells Not Abandoned to Current Division Requirements as Prescribed by Law and Projected to Be Built Over or Have Future Access Impeded by this project: 0
- Number of wells Not Abandoned to Current Division Requirements as Prescribed by Law and Not Projected to Be Built Over or Have Future Access Impeded by this project: 0
- Number of wells Abandoned to Current Division Requirements as Prescribed by Law and Projected to Be Built Over or Have Future Access Impeded by this project: 0
- Number of wells Abandoned to Current Division Requirements as Prescribed by Law and Not Projected to Be Built Over or Have Future Access Impeded by this project: 0

CalGEM-5

As indicated in PRC § 3106, the Division has statutory authority over the drilling, operation, maintenance, and abandonment of oil, gas, and geothermal wells, and attendant facilities, to prevent, as far as possible, damage to life, health, property, and natural resources; damage to underground oil, gas, and geothermal deposits; and damage to underground and surface waters suitable for irrigation or domestic purposes. In addition to the Division's authority to order work on wells pursuant to PRC §§ 3208.1 and 3224, it has authority to issue civil and criminal penalties under PRC §§ 3236, 3236.5, and 3359 for violations within the Division's jurisdictional authority. The Division does not regulate grading, excavations, or other land use issues.

If during development activities, any wells are encountered that were not part of this review, the property owner is expected to immediately notify the Division's construction site well review engineer in the Coastal district office, and file for Division review an amended site plan with well casing diagrams. The District office will send a follow-up well evaluation letter to the property owner and local permitting agency.

CalGEM-6

Should you have any questions, please contact me at (805) 937-7246 or via email at Miguel.Cabrera@conservation.ca.gov.

Sincerely,

Jon Iverson
Senior Oil and Gas Engineer

signature on behalf of

Miguel Cabrera
Northern District Deputy

cc: Dana Eady - Plan Checker

1.1.2.1 Response to Letter from California Department of Conservation Geologic Energy Management Division

Comment No.	Response
CalGEM-1	The comment expresses the California Department of Conservation, Geologic Energy Management Division's (CalGEM's) appreciation for the opportunity to comment on the project and references a previously submitted comment letter dated March 9, 2022, which was used during the scoping process for the EIR. This is not specific comment on the analysis contained in the EIR; no response is necessary.
CalGEM-2	The comment introduces a construction site well review evaluating the potential presence of existing or abandoned oil and gas wells on the project site. This is not specific comment on the analysis contained in the EIR; no response is necessary.
CalGEM-3	The comment notes that the project site is located in Santa Barbara County and is not within the boundary of any known oil field. Based on research conducted for the EIR and confirmed in early 2024 (via CalGEM's online well finder database, https://maps.conservation.ca.gov/doggr/wellfinder/), the project site is located within a CalGEM Oil and Gas Field boundary (CalGem 2019). However, there are no wells on the project site.
CalGEM-4	The comment identifies the nearest oil well pad, which lies to the east of the project site. The summary of nearby wells provided by the comment is consistent with the research conducted in support of the EIR. This information does not change the content or conclusions contained in the EIR, Section 4.7, Hazards and Hazardous Materials.
CalGEM-5	The comment indicates that a review of CalGEM's records confirms that there are no know oil or gas wells located within the project site. This assessment is consistent with the information contained in the EIR, Section 4.7, Hazards and Hazardous Materials.
CalGEM-6	The comment discloses CalGEM's authority over any activities related to oil and gas wells. The commenter also emphasizes that the property owner is required to immediately notify CalGEM upon the discovery of any previously unknown wells on the project site. This is not a comment on the analysis contained in the EIR; no response is necessary.

1.1.3 California Department of Fish and Wildlife

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

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

March 15, 2024

Dana Eady
City of Santa Maria
110 South Pine Street, Suite 101
Santa Maria, CA 93458
deady@cityofsantamaria.org

SUBJECT: PARTIALLY RECIRCULATED DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE RICHARDS RANCH ANNEXATION PROJECT; SCH #2022020194; SANTA BARBARA COUNTY, CA

Dear Dana Eady:

The California Department of Fish and Wildlife (CDFW) has reviewed the Partially Recirculated Draft Environmental Impact Report (PREIR) for the Richards Ranch Annexation Project (Project) made available for public review by the City of Santa Maria (City) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines. This PREIR replaces portions of Section 4.3, Biological Resources, and Chapter 5, Alternatives Analysis of the Draft Environmental Impact Report (DEIR) previously circulated for this Project. CDFW reviewed the previous DEIR and submitted a comment letter to the City on March 14, 2023 (Wilson-Olgin 2023). **CDFW-1**

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife.

CDFW ROLE **CDFW-2**

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802.). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on Projects and related activities that have the potential to adversely affect fish and wildlife resources.

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PROJECT DESCRIPTION SUMMARY

Applicant: Richards Ranch, LLC

Objective: The Project's purpose is the pre-zoning of four parcels located in unincorporated Santa Barbara County by the City, and annexation of the property to within City limits. The parcels will be pre-zoned and developed with high density residential (27.4 acres) and general commercial uses (16.35 acres). The Project would require approval from the Santa Barbara County Local Agency Formation Commission (SBLAFCO) for the annexation of the parcels.

Location: The Project is located in Santa Barbara County, in the community of Orcutt, adjacent to the southeastern City limits and within the City's Sphere of Influence. The Project site includes four parcels – Assessor's Parcel Numbers 107-250-19, 107-250-20, 107-250-21, and 107-250-22. The parcels total 43.75 acres and are situated to the northeast and southeast of the intersection of State Route 135 and Union Valley Parkway.

Project Description: The Applicant has developed a conceptual plan for future development. The conceptual development plan includes retail commercial, mini-storage, and high-density residential uses. This conceptual plan shows the potential future development that could occur consistent with the Project's proposed pre-zone designations and provides the basis for the environmental evaluations in the DEIR and the PRDEIR. The conceptual development plan would allow a maximum buildout of 106,800 square feet of commercial uses and a 39,500-square-foot mini-storage complex on 16.35 acres of the Project site, as well as 400 apartments and 95 townhomes on the remaining 27.40 acres. Future Project buildout of any of these uses within the Project site would require individual Planned Development Permit applications for development of each of the proposed residential and commercial Projects. Only if the City and SBLAFCO approve the annexation would the Planned Development Permit applications be discretionarily reviewed by the City.

CDFW-3

Biological Setting: The Project site topography is mostly flat, gently sloping from east to west, with manufactured embankments and fill slopes from adjacent residential and road development. Surrounding land uses to the north generally include residential uses with limited commercial uses along Orcutt Road. Airport facilities and runways for the Santa Maria Airport are located to the northwest along with active agricultural lands, some of which have been recently approved for commercial development as part of the Santa Maria Airport Business Park Project.

Vegetation communities and land cover types within the Project footprint include eucalyptus (*Eucalyptus* spp.) tree stands (7.637 acres), disturbed coastal scrub – coyote

CDFW-4

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brush scrub/silver bush lupine scrub (4.150 acres), ornamental tree stands (2.393 acres), wild oats non-native grassland (32.490 acres), and developed (4.490 acres).

The stand of eucalyptus is an important inland overwintering grove of the western monarch butterfly (monarchs; *Danaus plexippus plexxipus*) and has a high conservation value. It is identified by The Xerces Society as Western Monarch Overwintering Site #2688.

CDFW-4 (cont'd)

In the DEIR, the City proposed mitigation measures that prohibit use of invasive plants in landscape plans (BIO/mm-1.1), require a biological monitor during Project construction (BIO/mm-1.2), require environmental training for workers (BIO/mm-1.3), prevent entrapment of wildlife in excavations (BIO/mm1.4), require erosion control products be biodegradable (BIO/mm-1.5), require eucalyptus removal occur outside monarch overwintering season or surveys for and avoidance of individual monarchs (BIO/mm-2.1), require surveys for and relocation of northern California legless lizards (*Anniella pulchra*; BIO/mm-3.1), require avoidance of bird nesting season or surveys for nesting birds (BIO/mm-4.1), require surveys for and avoidance of roosting bats (BIO/mm-5.1), and require a tree protection, replacement, and monitoring plan (BIO/mm-11.1).

In the PREIR, the City added requirements for native nectar-producing landscaping plants and funding to an organization involved in monarch conservation to BIO/mm-2.1.

Background: During the initial public review process for the DEIR for this Project, CDFW emphasized the importance of the eucalyptus grove as monarch overwintering habitat, and as a result is now recirculating those portions of the document related to monarchs. The City is revising its findings regarding the existing 7.63-acre overwintering site that is within the Project site boundaries. Because of the new information provided, the City has made revisions to the recommended mitigation measures for the monarchs. Also, the conclusion regarding the impacts following implementation of the mitigation measures has been revised. Development of the proposed Project, or any Project similar in density to the proposed Project, would necessitate the removal of the overwintering habitat that exists on the Project site. The City determined that removal of this habitat would create a significant and unavoidable impact that cannot be fully mitigated. The City also determined that feasible mitigation measures are not available to reduce impacts to a less than significant level. Thus, residual impacts to monarchs would continue to be significant and unavoidable with development of the proposed Project or any Project on the Project site similar in density to the proposed Project. The changes to the biological resources analysis and conclusions also necessitated changes to the Alternatives analysis.

CDFW-5

COMMENTS AND RECOMMENDATIONS

CDFW appreciates the City's recognition of the importance of the eucalyptus grove and the changes incorporated into the PRDEIR. We appreciate the opportunity to provide

CDFW-6

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additional guidance to improve the document and strengthen the protections to monarch overwintering habitat.

The City has requested that commenters limit their written comments to the new information regarding biological resources and the considered alternatives presented in the PRDEIR, so our comments in this letter are focused on monarch impacts.

CDFW-6 (cont'd)

COMMENT #1: Mitigation Measure BIO/mm 2.1

Issue: While CDFW maintains our position that the City does not approve Projects that result in the removal of the eucalyptus groves, we recommend that mitigation measures in the PRDEIR be improved to further reduce impacts to monarchs.

CDFW-7

Specific impact: As discussed in the PRDEIR, even with the proposed mitigation, the loss of the monarch overwintering habitat will not be mitigated to a less than significant level. With additional mitigation measures, the impacts can, however, be substantially lessened.

Why impact would occur: The PRDEIR contains a five-part mitigation measure related to monarch impacts (BIO/mm 2.1). Parts (a) and (b) reduce the likelihood of the Project resulting in direct injury or mortality to monarch individuals. They require work outside the monarch overwintering season (BIO/mm 2.1(a)) or, if work occurs within that time frame, focused surveys with work only occurring if monarchs are not detected (BIO/mm 2.1(b)). We have no changes to suggest for these sub-measures.

Part (c) calls for milkweed (*Asclepias* spp.) to be excluded from landscaping plans, and for the planting of native nectar-producing plant species. Part (d) requires the development of a monarch habitat enhancement plan to be included in the Project's future landscaping plans. While we support the use of native nectar-producing plants as a way that homeowners and businesses can provide benefit to monarchs and other pollinators, landscaping within a developed area does not provide compensatory mitigation for Project impacts. Although doing so is a good best practice, native plants in landscaping do not offset the impacts of the Project in a biologically meaningful way.

CDFW-8

Part (e) states,

> *Prior to the approval of a Planned Development permit, the developer shall identify appropriate local land management conservation organizations and provide a donation to assist with the organization's overwintering monarch butterfly conservation goals. This donation may be for conservation activities for known and mapped overwintering sites in the immediate vicinity of the Project site, or a donation may be provided to a local non-profit organization focused on monarch butterfly conservation. The developer will work with the City and local conservation organizations to provide funding for 5*

CDFW-9

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years of conservation research and/or maintenance and management activities for an area equivalent to that impacted on the Project site (approximately 7.6 acres).

CDFW-9 (cont'd)

CDFW is unable to evaluate the adequacy of this sub-measure to mitigate impacts to monarchs without additional information as to the amount of the funding, the organization(s) being considered, and the activities the funding will cover. In addition, the term "donation" implies a free contribution or gift to an organization, which makes it unclear if this is an enforceable requirement imposed through the Lead Agency. Finally, the measure provides temporary research, maintenance, or management activities for 5 years only, while the loss of the habitat is permanent. Compensation for permanent loss should be equally permanent, and so the measure as written does not offset the impact.

CDFW-10

Evidence impacts would be significant: As we discussed in our previous comment letter, and as the City has acknowledged in the PRDEIR, loss of this eucalyptus grove is a significant impact on monarchs. During the last three decades, the western migratory monarch population that overwinters along the California coast has declined by more than 99% (Marcum and Darst 2021). Habitat loss and fragmentation, including grove senescence, are among the primary threats to the population (Thogmartin et al. 2017).

According to The Western Monarch Butterfly Conservation Plan, "[t]he overwintering stage is regarded by species experts as the most vulnerable stage of the monarch's life cycle (Pyle and Monroe 2004) given many of the population aggregates within a narrowly defined area of suitable habitat in coastal California. Conservation of overwintering sites is crucial for the continuity of the migratory phenomenon and long-term survival of the western population of monarchs." Protecting and restoring existing overwintering habitat is a vital part of the western monarch population's recovery (WAFWA 2019).

CDFW-11

CEQA requires that if specific details of a mitigation measure will be developed after Project approval, the lead agency must (1) commit itself to the mitigation; (2) adopt specific performance standards the mitigation will achieve; and (3) identify the type(s) of potential action(s) that can feasibly achieve that performance standard that will be considered, analyzed, and potentially incorporated in the mitigation measure (CEQA Guidelines § 15126.4).

CDFW-12

Recommendation #1.1

CDFW recommends BIO/mm 2.1(e) be rewritten to describe the proposed mitigation more specifically. A proposal to give an unspecified amount of money for unspecified tasks to an unspecified organization does not reduce impacts to monarchs in any meaningful way. The measure should, at a minimum, identify the organization(s) being considered as recipient of the funding, discuss their qualifications relative to management of lands for the benefit of monarchs, identify specific tasks or actions to be performed, and quantify the amount of

CDFW-13

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the funding and specify how the amount was calculated. Furthermore, the proposed 1:1 mitigation-to-impact ratio will not offset the impacts of removing the grove. CDFW recommends the calculations be based on a ratio of 2:1, at the very least, and potentially higher depending on the tasks or actions the funding will support. **CDFW-13 (cont'd)**

COMMENT #2: Unexplored Mitigation Option

Issue: Potentially feasible mitigation exists that is not analyzed in the PREIR.

Specific Impact: CDFW disagrees with the City's determination that no feasible mitigation measures are available to reduce potentially significant impacts to the monarch to a less than significant level.

Why impact would occur: The PREIR discusses the City's reasoning in dismissing the creation of a new grove to replace the grove on the Project site, but it does not provide an analysis of the possibility of preserving an existing grove off site. Preservation and active management of an existing monarch grove is a meaningful conservation path that should be considered and analyzed in the environmental document. **CDFW-14**

Evidence impacts would be significant: The City has a duty to avoid or minimize environmental damage where feasible and should not approve a Project as proposed if there are feasible mitigation measures available that would substantially lessen any significant effects that the Project would have on the environment (CEQA Guidelines § 15021). By not evaluating the conservation of an existing grove as mitigation for impacts to the monarch overwintering habitat at the Project site, analysis of feasible measures is not complete.

Recommendation #2.1: Conservation of Existing Grove

The City should evaluate existing groves for purchase and conservation. The grove(s) should provide mitigation at a preservation-to-impact ratio of 2:1, at the very least, and potentially higher depending on the quality of the habitat. The location(s) of groves should be identified in the PREIR. A land manager with experience managing property for the benefit of monarchs should be identified. A biological conservation easement should be recorded over any land proposed for conservation. The easement should run with the land, and it should preclude any activities inconsistent with the conservation goals of the site. A long-term management plan should be developed, and management should be funded in perpetuity. **CDFW-15**

COMMENT #3: Tree Preservation and Reduced Housing Density Alternative **CDFW-16**

Issue: Indirect impacts are not analyzed in Alternative 2.

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Specific Impact: CDFW has concerns with aspects of the depicted design in Alternative 2. Alternative 2 envisions a reduced development footprint that allows for the retention of the eucalyptus grove. The discussion of Alternative 2 does not address the potential effects of the alternative on the suitability of the remaining trees as overwintering habitat. While retaining the grove reduces the impact of the Project, significant impacts to monarchs may still result due to Project-related changes in the habitat quality of the grove. The PREIR does not include mitigation measures that will protect the habitat value of the grove during the life of the Project. Without inclusion of these mitigation measures, the Project could result in the loss of overwintering habitat for monarchs.

Why impact would occur: Overwintering groves provide protection from inclement weather and possess suitable vegetation and microclimate conditions for monarchs in the form of roosting trees, wind protection, dappled sunlight, nectar sources, water and/or dew for hydration, high humidity, and an absence of freezing temperatures (Marcum and Darst 2021). Monarch overwintering sites have specific microclimate conditions that are influenced by the configuration of trees and other foliage near the site (Griffiths and Villablanca 2015). The grove must be dense enough to provide protection from strong winds and winter storms, as well as contain canopy gaps (Leong 1990a; Leong et al. 1991; Weiss et al. 1991). Trees or structures that provide windbreaks can be located more than 110 yards (100 m) from what may appear to be the habitat boundary (Weiss 1998). Alteration of the site and surrounding areas could impact microclimate conditions, thereby reducing the suitability of the site for monarchs (Weiss et al. 1991).

CDFW-16 (cont'd)

Vegetation management within the eucalyptus grove, for fuel modification, recreational access, public hazard management, maintenance of water quality facilities, or other activities associated with the adjacent residential development has the potential to significantly impact monarchs by reducing possible overwintering habitat or altering habitat climatic conditions.

The figure for Alternative 2 shows basins within the eucalyptus grove, while the figure for Alternative 3 shows a basin in the area occupied by ornamental trees. CDFW is concerned that directing the Project's stormwater to the eucalyptus grove could change the hydrology of the site and result in decreased health or mortality of trees. Furthermore, the periodic maintenance of the facilities could disrupt overwintering monarchs.

The figure of Alternative 2 shows two parks, one within the eucalyptus grove and one immediately adjacent to it. CDFW is concerned that allowing active park uses within the grove will negatively affect the suitability of the grove as habitat for overwintering monarchs. The PREIR does not go into detail as to the nature of the parks, but parks in general can introduce noise, lighting, changes to vegetation communities and composition, and insecticides, herbicides, and nutrients used to maintain turf areas.

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Evidence impacts would be significant: CEQA requires the PREIR to include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed Project. The PREIR should discuss significant effects of the alternative (CEQA Guidelines § 15126.6).

CDFW-16 (cont'd)

Recommended Potentially Feasible Mitigation Measures

CDFW agrees with the City's determination that alternatives that do not involve direct removal of the eucalyptus grove (such as Alternative 2) are environmentally superior to alternatives that propose development of much of the site. CDFW believes Project impacts can be further reduced through additional mitigation measures.

Recommendation #3.1: Project Design Considerations

CDFW recommends the City, if it approves a Project that retains the grove, considers the following design elements to reduce the indirect effects of the Project:

a. adjacent development should be sited and designed to prevent impacts that would degrade the habitat value of the eucalyptus grove;
b. the entire footprint of the Project should occur outside the outer dripline of the eucalyptus trees;
c. all facilities associated with the stormwater system and low impact development should be contained within the development footprint, outside the limits of the eucalyptus grove;
d. development should be sited such that any fuel modification zones are outside the limits of the eucalyptus grove;
e. park uses should be moved to the location of the ornamental trees, or elsewhere within the development footprint, and preclude recreational uses within the eucalyptus grove; and
f. the grove should be protected by fencing and educational signage, alerting residents to the importance of the grove and the sensitivity of monarchs.

CDFW-17

Recommendation #3.2: Additional Mitigation Measures

In addition to the mitigation measures proposed in the PRDEIR, CDFW recommends that the City include the following measures that reduce the effects of the adjacent development on the habitat quality of the eucalyptus grove and provide for its continued protection. CDFW also recommends the City include mitigation measures designed to protect the root system of trees in the eucalyptus grove to prevent injury or mortality resulting from Project construction adjacent to the grove.

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Mitigation Measure #3.1: Monarch Butterfly Habitat Assessment

The Applicant shall retain a qualified biologist to conduct a habitat assessment, which shall be completed a minimum of 60 days prior to Project implementation. The qualified biologist shall assess habitat following the Xerces Management Guidelines for Monarch Butterfly Overwintering Habitat (Xerces 2017) or other protocols with prior approval by CDFW. The habitat assessment shall be conducted in consultation with site monitors with knowledge of the history of the grove to determine primary roosting trees and other structural components or flora integral to maintaining microclimate conditions. These plants shall be marked and avoided during Project activities.

Mitigation Measure #3.2: Monarch Habitat Management Plan

The Applicant should be responsible for the development of a Monarch Habitat Management Plan, in consultation with CDFW, prior to Project implementation. The information gathered during the monarch habitat assessment (Mitigation Measure #3.1, above) should be used to develop the plan following the guidance in the Xerces Management Guidelines for Monarch Butterfly Overwintering Habitat (Xerces 2017) or other protocols with prior approval by CDFW. The plan should be adaptive, with specific goals and objectives, continued monitoring, and refinement over time. The plan should include as an objective that the baseline population/individual occurrence numbers should not decrease due to Project activities and should include adaptive and contingent measures to ensure this objective is met. The plan should consider removal or trimming of hazard trees, removal or trimming of trees to create appropriate solar radiation patterns, a long-term tree planting strategy, and shrub and forb management. Trees within core overwintering habitat should not be cut or trimmed except for specific grove management directed by the plan. Management activities in groves should only be conducted between March 16 and September 14.

Mitigation Measure #3.3 Monarch Grove Protection

The Applicant should provide for the protection and management of the eucalyptus grove in perpetuity. The site should be protected by fencing or educational signage alerting residents to the importance of the grove and the sensitivity of monarch butterflies. A conservation easement or other special designation or deed restriction should be recorded over the site. The easement should run with the land, and it should preclude activities inconsistent with the conservation goals of the grove. The site should be managed pursuant to a long-term management plan by an organization with experience managing property for the benefit of monarchs. The management of the land should be funded in perpetuity by a non-wasting endowment.

CDFW-17 (cont'd)

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Mitigation Measure #3.4: Protecting Trees from Encroachment

The Applicant should comply with the following tree protection measures:

- Grading plans should be adjusted to avoid the critical root zone of eucalyptus grove trees. If some or all these trees are still considered candidates for encroachment upon final approval of the grading plans, temporary staking or flagging should be placed along the grading limits prior to initiation of construction for clear identification and to ensure tree impacts are minimized.
- Tree protection areas should be marked in the field in collaboration with a certified arborist or qualified biologist using fencing and/or flagging, which may coincide or overlap with the staked/flagged grading limits.
- All ground disturbance within 10 feet of the canopy dripline of affected trees should be monitored by a certified arborist or qualified biologist with tree care experience.
- The staging of equipment and vehicles should be located outside of the tree protection areas. Placement of heavy equipment for earthwork should be as far away from the tree protection zones as feasible and should never be less than 6 feet from the trunk of each specimen tree.
- Overhead branches that conflict with Project activities should only be pruned by a qualified tree trimmer according to International Society of Arboriculture pruning standards.
- If cutting of roots is required, roots shall be saw-cut to avoid tearing, and cutting should occur as far from the trunk as possible.

CDFW-17 (cont'd)

EDITORIAL COMMENT

CDFW recommends the City consider conducting a City-wide overwintering grove assessment and develop and implement long-term grove management plans. A City-wide plan will allow the City to approach impacts to the species from a regional perspective, better identify cumulative impacts, and develop more meaningful mitigation strategies through conservation of existing groves. The plan should consider trees and shrubs outside overwintering groves that provide a buffer to preserve the microclimate conditions within groves, enhancing roosting trees within overwintering groves and within ½ mile of groves by planting trees (e.g., Monterey pine (*Pinus radiata*), Monterey cypress (*Cupressus macrocarpa*), coast redwood (*Sequoia sempervirens*), coast live oak (*Quercus agrifolia*), Douglas fir (*Pseudotsuga menziesii*), Torrey pine (*Pinus torreyana*), western sycamore (*Platanus racemosa*), bishop pine (*Pinus muricata*), and others, as appropriate for location) (Marcum and Darst 2021). The plan should also include protection for monarchs, other pollinators, and their habitats from insecticides and herbicides.

CDFW-18

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ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). Instructions for submittal are available online at https://wildlife.ca.gov/Data/CNDDB.Additionally, information on special status native plant populations and sensitive natural communities should be submitted to CDFW's Vegetation Classification and Mapping Program. Instructions for submittal are available online at https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit

CDFW-19

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required for the underlying Project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CDFW-20

CONCLUSION

CDFW appreciates the opportunity to comment on the PRDEIR to assist the City in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Kelly Fisher at (858) 354-5083 or Kelly.Fisher@wildlife.ca.gov.

CDFW-21

Sincerely,

DocuSigned by:
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Victoria Tang
Environmental Program Manager
South Coast Region

EC: California Department of Fish and Wildlife
Steve Gibson, Senior Environmental Scientist (Supervisory)
Jennifer Turner, Senior Environmental Scientist (Supervisory)

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State Clearinghouse, Sacramento – State.Clearinghouse@opr.ca.gov

The Xerces Society
Emma Pelton – Emma.Pelton@xerces.org

REFERENCES

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ATTACHMENT A: DRAFT MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

CDFW provides the following language to be incorporated into the MMRP for the Project.

Biological Resources (BIO)		
Mitigation Measure	Timing	Responsible Party
Mitigation Measure #3.1: Monarch Butterfly Habitat Assessment The Applicant shall retain a qualified biologist to conduct a habitat assessment, which shall be completed a minimum of 60 days prior to Project implementation. The qualified biologist shall assess habitat following the Xerces Management Guidelines for Monarch Butterfly Overwintering Habitat (Xerces 2017) or other protocols with prior approval by CDFW. The habitat assessment shall be conducted in consultation with site monitors with knowledge of the history of the grove to determine primary roosting trees and other structural components or flora integral to maintaining microclimate conditions. These plants shall be marked and avoided during Project activities.	Prior to Project Activities	Applicant
Mitigation Measure #3.2: Monarch Habitat Management Plan The Applicant shall be responsible for the development of a Monarch Habitat Management Plan, in consultation with CDFW, prior to Project implementation. The information gathered during the monarch habitat assessment (Mitigation Measure #3.1, above) shall be used to develop the plan following the guidance in the Xerces Management Guidelines for Monarch Butterfly Overwintering Habitat (Xerces 2017) or other protocols with prior approval by CDFW. The plan shall be adaptive, with specific goals and objectives, continued monitoring, and refinement over time. The plan shall include as an objective that the baseline	Prior to Project Activities	Applicant

CDFW-22

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population/individual occurrence numbers shall not decrease due to Project activities and shall include adaptive and contingent measures to ensure this objective is met. The plan shall consider removal or trimming of hazard trees, removal or trimming of trees to create appropriate solar radiation patterns, a long-term tree planting strategy, and shrub and forb management. Trees within core overwintering habitat shall not be cut or trimmed except for specific grove management directed by the plan. Management activities in groves shall only be conducted between March 16 and September 14.			
Mitigation Measure #3.3: Monarch Grove Protection The Applicant shall provide for the protection and management of the eucalyptus grove in perpetuity. The site shall be protected by fencing or educational signage alerting residents to the importance of the grove and the sensitivity of monarch butterflies. A conservation easement or other special designation or deed restriction shall be recorded over the site. The easement shall run with the land, and it shall preclude activities inconsistent with the conservation goals of the grove. The site shall be managed pursuant to a long-term management plan by an organization with experience managing property for the benefit of monarchs. The management of the land shall be funded in perpetuity by a non-wasting endowment.	Prior to Project Activities	Applicant	
Mitigation Measure #3.4: Protecting Trees from Encroachment The Applicant shall comply with the following tree protection measures: • Grading plans shall be adjusted to avoid the critical root zone of eucalyptus grove trees. If some or all these trees are still considered candidates for encroachment upon final approval of the grading plans, temporary staking or flagging shall be placed along the grading limits prior to initiation of construction for clear identification and to ensure tree impacts are minimized.	During Project Construction	Applicant	

CDFW-22
(cont'd)

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• Tree protection areas shall be marked in the field in collaboration with a certified arborist or qualified biologist using fencing and/or flagging, which may coincide or overlap with the staked/flagged grading limits. • All ground disturbance within 10 feet of the canopy dripline of affected trees shall be monitored by a certified arborist or qualified biologist with tree care experience. • Staging of equipment and vehicles shall be located outside of the tree protection areas. Placement of heavy equipment for earthwork shall be as far away from the tree protection zones as feasible and shall never be less than 6 feet from the trunk of each specimen tree. • Overhead branches that conflict with Project activities may only be pruned by a qualified tree trimmer according to International Society of Arboriculture pruning standards. • If cutting of roots is required, roots shall be saw-cut to avoid tearing, and cutting shall occur as far from the trunk as possible.		

CDFW-22
(cont'd)

1.1.3.1 Response to Letter from California Department of Fish and Wildlife

Comment No.	Response
CDFW-1	The comment introduces the letter from the California Department of Fish and Wildlife (CDFW) and notes that the agency has reviewed the PRDEIR. This comment does not provide a specific comment on the analysis contained in the EIR; no response is necessary.
CDFW-2	The comment describes CDFW's role as a Trustee Agency. This comment does not provide a specific comment on the analysis contained in the EIR; no response is necessary.
CDFW-3	The comment provides an overview of the project description and location. This comment does not provide a specific comment on the analysis contained in the EIR; no response is necessary.
CDFW-4	The comment provides a summary of the biological setting of the project. This comment does not provide a specific comment on the analysis contained in the EIR; no response is necessary.
CDFW-5	The comment provides an overview of the mitigation included in the Biological Resources Section of the Draft EIR and describes the revisions included in the PRDEIR. This comment does not provide a specific comment on the analysis contained in the EIR; no response is necessary.
CDFW-6	The comment notes that CDFW appreciates that the City has recognized the importance of the monarch overwintering habitat, and states that the comment letter focuses on this issue. This comment does not provide a specific comment on the analysis contained in the EIR; no response is necessary.
CDFW-7	The comment maintains CDFW's position that the City should not approve any project that would result in the removal of the monarch overwintering habitat. The comment also requests that Mitigation Measure BIO/mm 2.1 be revised to further reduce significant impacts to monarchs. Additional specific comments detailing CDFW's requested revisions are provided in the comments that follow (CDFW-8 through CDFW-13). This comment provides CDFW's opinion on whether a project should be approved on the Richards Ranch site given the identified significant impacts that would occur to the monarch overwintering habitat. Given the Richards Ranch site is privately owned and zoned for future development, the City is not able to legally prevent reasonable development of the project site. The City fully considered options for mitigation and protection of the grove, including whether feasible measures were present to provide for the development of the project site consistent with private ownership of the project site and current regulations and legal parameters. Additionally, a full tree evaluation was conducted by Pleinaire Design Group (2023) to determine the health of the trees. Pleinaire Design Group visited the project site multiple times, most recently on July 13, 2023, when an evaluation of the condition of the trees occurred; the evaluation was conducted by Kevin J. Small (CA Registered Landscape Architect 2929 and ISA Certified Arborist WE-7333A). The Pleinaire Design Group analysis includes a detailed description of each tree, noting health, conditions, hazard comments, or other conditions, such as fire damage. The arborist assessment indicates that the eucalyptus grove that provides the overwintering habitat is an old windrow of trees that has been cut down at some point and allowed to regrow out of the remaining stumps. There are many trees that were identified as volunteers from seed. The trees are growing very close together and, in most cases, there is a tangle of branches and litter between them. When eucalyptus grows in very close, similar to the trees at the project site, the roots fuse between trees, making them one biological entity. It is not possible to remove individual trees selectively. If single trees were to be removed, the sandy soil conditions would increase the possibility of the remaining trees falling over. The trees are essentially supporting each other (Pleinaire Design Group 2023). There has been no regular maintenance of the trees on the project site. Due to the health of the trees, the arborist report recommends against protection for any of the trees. They are hazardous, have weak attachment, and could easily fail. There are also many over-extended branches, dead crowns, and unbalanced structures (Pleinaire Design Group 2023). The current eucalyptus groves are not maintained and are not expected to have long-term viability. Future maintenance is not planned. For these reasons, the existing grove at the Richards Ranch site that provides monarch butterfly overwintering habitat is not sustainable and will likely, ultimately, be lost through natural attrition.

Comment No.	Response
	When considering potential development of the project site, full avoidance of the 7.63-acre monarch overwintering site is not a feasible mitigation measure due to the size of the grove and in consideration of the basic purpose of the project to provide a mixed-use development on the 43.75-acre site. Due to the central location of the eucalyptus grove, protection of this resource, and creation of an adequate buffer zone between the project development and the grove for resource protection and hazard abatement, many more acres of the project site would need to remain in open space than the 7.63-acre area that delineates the grove. This type of buffer zone and protection of the grove would render a project like Richards Ranch (of a similar size and density) as infeasible to develop. Regarding CDFW's recommendation that the mitigation measures in the PRDEIR be improved to further reduce impacts to monarchs, CDFW's specific recommendations are made in comments CDFW-8 through CDFW-13. Refer to the following responses additional detail and feedback regarding these additional recommendations.
CDFW-8	The comment states that CDFW does not have any suggested revisions to Mitigation Measure BIO/mm-2.1, parts (a) and (b). The comment also indicates CDFW believes that the actions regarding landscaping outlined by Mitigation Measure BIO/mm-2.1, parts (c) and (d), do not sufficiently offset the impacts of the project, however no specific revisions are suggested in this particular comment; additional input is provided in CDFW's comments that follow, which are responded to below. This comment does not provide any requested revisions or suggested modifications to the particular information referenced in the EIR; no revisions to the EIR have been made in response to this comment.
CDFW-9	The comment reiterates the text of Mitigation Measure BIO/mm-2.1(e). This comment does not provide a specific comment on the analysis contained in the EIR and is not in conflict with the information contained in the EIR; no response is necessary.
CDFW-10	The comment indicates that CDFW is unable to evaluate the adequacy of Mitigation Measure BIO/mm-2.1(e), and requests that the section be revised to provide additional information regarding the amount of funding to be provided, the organization which would receive the funds, and what activities will be covered by the funding. The comment also describes CDFW's concerns regarding the specific language of "donation" as well as the time frame of 5-years provided by the measure. To respond the CDFW's comments, the City conducted additional research to develop and inform Mitigation Measure BIO/mm-2.1(e). This research was specifically conducted to identify opportunities for monarch butterfly habitat conservation activities and opportunities appropriate for the impact, given the poor health and lack of long-term viability of the existing grove on-site. These efforts included identifying the organizations that could be considered as recipients of conservation funding to offset impacts to the monarch butterfly habitat that would be caused by the project. EIR Volume 2, Appendix E includes this technical analysis prepared by SWCA on behalf of the City (SWCA 2024), as well as a technical letter from the Applicant's biologist, which provides some additional preliminary input (DWE 2024). The analysis prepared by SWCA (2024) contained in EIR Volume 2, Appendix E provides the following information: 1. Where possible, the identification of organizations that could be considered as recipients of conservation funding to offset impacts to the monarch butterfly habitat that would be caused by the project, including information about qualifications relative to management of lands for the benefit of monarch butterfly. 2. Based on outreach to conservation organizations and independent research, an outline of the amount of funding that would be required. 3. An evaluation of the feasibility of conservation of off-site habitat that is not on the Richards Ranch property (i.e., an off-site habitat) and that is not currently managed by a conservation organization. As detailed in EIR Volume 2, Appendix E, there are several conservation organizations that would be appropriate for receipt of mitigation funding. These include, but are not limited to, The Nature Conservancy and the Land Trust for Santa Barbara County. Based on this analysis of conservation opportunities and the information provided by CDFW in their March 15, 2024, letter, the City has updated Mitigation Measure BIO/mm-2.1(e). This updated measure is provided below to provide additional specificity regarding: 1) what the funding should cover, 2) criteria for identifying an appropriate conservation entity, and 3) enforcement requirements and mitigation timing and monitoring responsibilities. **Mitigation Measure BIO/mm-2.1(e):** Prior to the approval of the first building permit for the project, the developer, in consultation with the City of Santa Maria Community Development Department, shall identify and provide a donation to a Qualified and Suitable Conservation Entity for monarch habitat conservation that can receive financial support to further enhance and/or promote conservation efforts in the region. A Qualified and Suitable Conservation Entity is defined as a conservation or government organization that: i. Has an established preserve in Santa Barbara or San Luis Obispo Counties within the ecological range of overwintering monarch butterfly that is dedicated to conservation

Comment No.	Response
	purposes and is actively managing lands or resources for conservation in Santa Barbara or San Luis Obispo County; ii. Has specific experience and/or land holdings with monarch butterfly and their habitats; and iii. Can specifically identify at least 7.6 acres of habitats within their preserve(s) to be managed or enhanced as regionally significant monarch overwintering habitat within the Santa Barbara or San Luis Obispo County area. The developer shall provide a donation in an amount required by the Suitable Conservation Entity to fund 5 years of conservation research, restoration, site protection, and/or maintenance and management activities to the benefit of overwintering monarch butterfly habitat. Examples of funding opportunities would be for use in maintenance of existing grove trees, exotic species control, native grove tree planting and/or replacement of eucalyptus trees with native tree species, planting of understories with native plant communities, general grove habitat maintenance, and/or qualitative and quantitative monitoring efforts over a 5-year period. These efforts may also contribute to improving scientific studies on monarch butterflies and their conservation in the city and/or Santa Barbara or San Luis Obispo County. A copy of the final executed agreement between the developer and the Qualified and Suitable Conservation Entity shall be submitted to the City prior to the City's issuance of the first building permit for the Richards Ranch project. CDFW notes in their last sentence of this comment that the measure provides only for temporary research, maintenance, or management activities, while the loss of the habitat is permanent. Further, CDFW opines that compensation for permanent loss should be equally permanent, and so the measure as written does not offset the impact. The City agrees that the impact of removal of the existing overwintering grove at the Richards Ranch site is a permanent impact and cannot be fully compensated. Consistent with this perspective, the City has identified the impact as significant and unavoidable, even after consideration of the notable compensatory mitigation outlined in Mitigation Measure BIO/mm-2.1(e). Development of the project site under the conceptual development plan or any project of a similar density would necessitate the removal of the 7.63-acre monarch overwintering site that exists on the project site. Impacts cannot not be fully mitigated because there are no known local mitigation banks for monarch butterfly overwintering habitat, there is significant risk that restored off-site habitat would not be used by the monarch for overwintering, and there would be a significant temporal loss of the habitat while potential created or restored overwintering habitat matures. For these reasons, while mitigation is available through supporting existing conservation efforts of established habitats that are actively managed by qualified conservation entities, the City determines that feasible mitigation measures are not available to fully reduce potentially significant impacts to the monarch butterfly from loss of habitat to a less-than-significant level. Thus, residual impacts to monarch butterflies would continue to be significant and unavoidable with the buildout of the conceptual development plan or of a project on the project site that is similar in density.
CDFW-11	The comment reiterates that the loss of the eucalyptus grove would result in a significant impact to monarchs and provides information emphasizing the importance monarch overwintering sites, as overwintering is the most vulnerable stage of the monarch lifecycle. The comment also states that western migratory monarch populations on the California coast have declined by over 99% in the last three decades. This comment does not provide a specific comment on the analysis contained in the EIR and is not in conflict with the information contained in the EIR; no response is necessary.
CDFW-12	The comment states the requirements outlined by State CEQA Guidelines Section 15126.4 related to mitigation measures. Specifically, CDFW notes that the lead agency must (1) commit itself to the mitigation; (2) adopt specific performance standards the mitigation will achieve; and (3) identify the type(s) of potential action(s) that can feasibly achieve that performance standard that will be considered, analyzed, and potentially incorporated in the mitigation measure. After conducting the additional research that is provided in EIR Volume 2, Appendix E, additional detail has been added to Mitigation Measure BIO/mm-2.1(e) to respond to this comment. Please refer to the revision to the mitigation measure, which is provided in the response to comment CDFW-10.
CDFW-13	The comment recommends that Mitigation Measure BIO/mm-2.1(e) be revised to include additional information regarding the amount of funding to be provided, the organization which will receive the funds, as well as what activities will be covered by the funding. The comment also requests that the 1:1 mitigation ratio be increased to at least 2:1. Refer to response to comment CDFW-10 for additional information on the research that was conducted on behalf of the City of Santa Maria regarding organizations to receive the mitigation funding and the revised parameters of Mitigation Measure BIO/mm-2.1(e). Mitigation Measure BIO/mm-2.1 does not name the organization that will receive the funds to allow flexibility for the specific organization to be identified after certification of the EIR. However, detailed criteria have been added to the measure to identify what is meant

Comment No.	Response
	by a "Qualified and Suitable Conservation Entity." Specifically, a Qualified and Suitable Conservation Entity would be defined as a conservation or government organization that: • Has an established preserve in Santa Barbara or San Luis Obispo Counties within the ecological range of overwintering monarch butterfly that is dedicated to conservation purposes and is actively managing lands or resources for conservation in Santa Barbara or San Luis Obispo County; • Has specific experience and/or land holdings with monarch butterfly and their habitats; and • Can specifically identify at least 7.6 acres of habitats within their preserve(s) to be managed or enhanced as regionally significant monarch overwintering habitat within the Santa Barbara or San Luis Obispo County area. Additional information is provided in EIR Volume 2, Appendix E regarding possible Qualified and Suitable Conservation Entities that may be recipients of the funding. These named organizations include, but are not limited to, The Nature Conservancy and the Land Trust for Santa Barbara County. In addition, Mitigation Measure BIO/mm-2.1(e) includes identification of the activities that shall be covered by the funding, which are: • Conservation research, • Restoration, • Site protection, and/or • Maintenance and management activities to the benefit of overwintering monarch butterfly habitat. Examples of how the funds could be used include maintenance of existing grove trees, exotic species control, native grove tree planting and/or replacement of eucalyptus trees with native tree species, planting of understories with native plant communities, and/or general grove habitat maintenance. The City has determined that the 1:1 mitigation ratio is appropriate because the primary trees on-site are eucalyptus and most of these have been previously cut down and have resprouted resulting in multi-trunk trees. In eucalyptus, these trunk sprouting forms have branches with a weak attachment that can fail in high winds and are hazards to public safety. In addition, the existing grove at the project site only supports an overwintering population of up to 30 monarch butterflies (0–30 based on Western Monarch Count Viewer between 2015 and 2021), an average of 13.9 per year. The existing grove is not maintained and future maintenance is not planned. The grove is not sustainable and will likely, ultimately, be lost through natural attrition. The City has also identified the impact as significant and unavoidable, even after consideration of the notable compensatory mitigation outlined in Mitigation Measure BIO/mm-2.1(e). Impacts cannot not be fully mitigated because there are no known local mitigation banks for monarch butterfly overwintering habitat, there is significant risk that restored off-site habitat would not be used by the monarch for overwintering, and there would be a significant temporal loss of the habitat while potential created or restored overwintering habitat matures. For these reasons, while mitigation is available through supporting existing conservation efforts of established habitats that are actively managed by qualified conservation entities, the City determines that feasible mitigation measures are not available to fully reduce potentially significant impacts to the monarch butterfly from loss of habitat to a less-than-significant level. Thus, residual impacts to monarch butterflies would continue to be significant and unavoidable with the buildout of the conceptual development plan or of a project on the project site that is similar in size and density.
CDFW-14	The comment asserts that there are additional potentially feasible mitigation measures for monarch impacts which were not analyzed in the PRDEIR. The comment specifically requests the consideration of implementing a measure which would conserve an existing overwintering grove off-site. The additional information requested by CDFW can be found in EIR Volume 2, Appendix E. The Technical Memorandum included in EIR Volume 2, Appendix E addresses various mitigation options. Through this analysis, the City has determined that the measures identified in Mitigation Measure BIO/mm-2.1 are the most appropriate and feasible mitigation measures available. Nonetheless, the City has also identified the impact as significant and unavoidable, even after consideration of the notable compensatory mitigation outlined in Mitigation Measure BIO/mm-2.1(e). Impacts cannot not be fully mitigated because there are no known local mitigation banks for monarch butterfly overwintering habitat, there is significant risk that restored off-site habitat would not be used by the monarch for overwintering, and there would be a significant temporal loss of the habitat while potential created or restored overwintering habitat matures. For these reasons, while mitigation is available through supporting existing conservation efforts of established habitats that are actively managed by qualified conservation entities, the City determines that feasible mitigation measures are not available to fully reduce potentially significant impacts to the monarch butterfly from loss of habitat to a less-than-significant level.
CDFW-15	The comment provides a description of a mitigation measure that CDFW believes to be potentially feasible which would conserve existing monarch overwintering areas off-site. The comment provides specific details of how such a measure should be implemented. Included in EIR Volume 2, Appendix E is an expanded consideration of whether an existing off-site grove could feasibly be obtained through purchase for conservation efforts (SWCA 2024). The research included identifying groves in the region currently identified as an Overwintering Site in the Xerces Society Western Monarch Count Viewer (Xerces Society 2024). Eight Xerces Monarch Butterfly Overwintering sites were

Comment No.	Response
	identified for analysis to provide off-site conservation opportunities within or immediately adjacent to the city of Santa Maria were identified. Each of these sites were screened to determine if they may be appropriate for conservation efforts or should be eliminated from further consideration. A site was eliminated if it did not provide at least 6 acres of existing overwintering habitat, if it was surrounded by urban uses, or otherwise not a sustainable conservation effort. Three of the sites (Xerces Site ID 2690/2680 – Airport Complex, 2691 – California Boulevard, and 2692 – Rancho Maria Golf Course) were determined to provide good opportunities for conservation efforts with at least 7 acres of potential overwintering groves, adjacent open areas, and appropriate adjacent land uses. Each of the landowners (or their agents) of these target parcels was then contacted by phone to discuss interest in establishing conservation or enhancement efforts on their properties for monarch butterfly. The remaining four Xerces Monarch Butterfly Overwintering sites were eliminated from further consideration due to lack of existing groves, requirements for habitat restoration, small project size, and/or surrounding land uses. In addition, publicly available websites were used to identify currently available listings for vacant land with identifiable eucalyptus or other monarch-supporting trees, or areas that may be suitable for habitat restoration. Each available vacant property was screened to determine if it may be appropriate for conservation efforts or should be eliminated from further consideration. A site was eliminated if it did not provide at least 6 acres of existing overwintering habitat, if it did not provide at least 3.5 acres of existing overwintering habitat and did not have potential for restoration of an additional 3.5 acres, if it was surrounded by urban uses, or if an otherwise not a sustainable conservation site. Three potential properties are currently listed in the immediate regions and considered for off-site acquisition for conservation or restoration or a combination. All of these available properties were eliminated from consideration as outlined in the Technical Memorandum in EIR Volume 2, Appendix E. Through the analysis contained in Appendix E (SWCA 2024), one site of those examined has been identified as potentially viable for conservation efforts – the Santa Maria Public Airport District property (Xerces sites 2680 and 2690). This property has good potential for conservation efforts as there are nearly 100 acres of existing trees/groves and the site is under public ownership. The City is in conversations with the Santa Maria Public Airport District regarding the potential for future conservation and enhancement at the site. It is possible that this site could be identified as the receiver organization for the funding described in Mitigation Measure BIO/mm 2-1(e). However, the City is retaining flexibility in the mitigation measure to identify the receiving organization after EIR certification to allow the best potential for the right receiver organization to be identified. Mitigation Measure BIO/mm 2-1(e) provides clear criteria for defining a Qualified and Suitable Conservation Entity, the parameters of which would allow the Santa Maria Public Airport District property to potentially become the receiver site for this funding.
CDFW-16	The comment describes CDFW's concerns regarding the lack of a detailed impact analysis for Alternative 2, including consideration for potential indirect impacts. The comment also describes that CDFW has concerns with aspects of the depicted design in Alternative 2. CDFW provides significant detail regarding specific impacts the agency believes would occur with the implementation of Alternative 2. Further, CDFW indicates that there needs to be mitigation measures identified for Alternative 2, including measures to protect the suitability and habitat value of the eucalyptus grove. It should be noted that CDFW also indicates that CDFW agrees with the City's determination that alternatives that do not involve direct removal of the eucalyptus grove (such as Alternative 2) are environmental superior to alternatives that propose development of much of the site. However, CDFW makes the point that the impacts of Alternative 2 could be further reduced through additional mitigation measures. The City agrees that mitigation measures would be required for the implementation of Alternative 2 including, but not limited to, measures to address impacts to the monarch butterfly. However, the mitigation measures that would be required for implementation of alternatives analyzed within an EIR need not be fully identified within the EIR, unless the agency contemplates adopting the specific alternative. The analysis contained in EIR Chapter 5, Alternatives Analysis, is guided by the requirements for an alternatives analysis specified in the State CEQA Guidelines, Section 15126.6(d), the exact language of which is provided below: > Evaluation of alternatives. The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed. (County of Inyo v. City of Los Angeles (1981) 124 Cal.App.3d 1). The analysis in EIR Chapter 5, Alternatives Analysis, is not intended to be as specific as the analysis for the proposed project. If Alternative 2 were to be pursued by the City and/or the Applicant, additional environmental review would need to be conducted to ensure full compliance with CEQA. The analysis currently contained in the EIR only provides the information that is necessary to allow comparison to the

Comment No.	Response
	proposed project. CEQA and the State CEQA Guidelines allow alternative analyses that are less detailed than the evaluation for the proposed project. For this reason, the analysis does not include a detailed analysis of all the different types of impacts that could result (e.g., short-term, long-term, direct, indirect). Rather, it provides a comparison to the proposed project to understand whether Alternative 2 would have more, fewer, or similar impacts to the proposed project. The City appreciates that CDFW may have concerns regarding this alternative. If this alternative were to be pursued, these concerns would be addressed through additional environmental review. It is important to note that CDFW incorrectly implies the requirements of Section 15126.6 of the State CEQA Guidelines. The CDFW letter specifically states: > CEQA requires the PREIR (*sic*.) to include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. The PREIR (*sic.*) should discuss significant effects of the alternative (CEQA Guidelines § 15126.6). While the first sentence of the above quote is directly from the State CEQA Guidelines, the second sentence is not. Rather, the second sentence is CDFW's interpretation of the State CEQA Guidelines Section 15126.6. A more accurate representation of the State CEQA Guidelines is that the significant effects of alternatives presented in an alternatives analysis shall be discussed, but in less detail than the significant effects of the project as proposed. After consideration of the requirements of CEQA and the State CEQA Guidelines, it has been determined that no changes to the EIR are required to address to this comment.
CDFW-17	The comment recommends several project design considerations to reduce habitat degradation for inclusion in each project alternative which retains the eucalyptus grove. The comment also describes what CDFW believes are potentially feasible mitigation measures for the project alternatives, including the preparation of a monarch habitat assessment and a habitat management plan. The City appreciates CDFW's recommendation several project design considerations to reduce habitat degradation for inclusion project alternatives which retain the eucalyptus grove. If Alternative 2 were pursued by the City and/or the Applicant, additional environmental analysis would occur; at that time, the City would consider these additional measures. No changes to the EIR were determined to be necessary to address this comment. Also see response to comment CDFW-16.
CDFW-18	The comment recommends conducting a city-wide overwintering grove assessment as well as the development and implementation of long-term monarch grove management plans. The comment provides specific details of what the plans should consider. CDFW labels this as an editorial comment. CDFW acknowledges that this is an editorial comment, so it is assumed that CDFW recognizes that there is not a direct correlation between this recommendation and the requirements that would (or could) be attached to the potential approval of the annexation of the Richards Ranch property or to the future Planned Development Permit review process for the proposed project. The City appreciates CDFW's recommendation. No changes to the EIR were determined to be necessary to address this comment.
CDFW-19	The comment indicates that CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, Section 21003, subd. (e)) and that, accordingly, any special status species and natural communities detected during surveys prepared for the project should be reported to the California Natural Diversity Database (CNDDB). It should be noted that the CEQA subdivision cited does not specify the type of database where information should be stored. The City has been and will be posting the EIR and all the supporting technical information to the State Clearinghouse through CEQANet, which meets the requirements of the CEQA section and subdivision cited. In addition, the City has provided the consulting firm that conducted the surveys for the project, David Wolff Environmental (DWE), CDFW's recommendation to report the data to CNDDB. DWE indicated that their biological surveys did not identify any listed plant or wildlife species so no reporting to the CNDDB has occurred as a result of DWE's surveys at the project site.
CDFW-20	The comment provides a summary of the filing fees due upon receipt of the Notice of Determination by the Lead Agency. This is not a comment on the analysis contained in the EIR; no response is necessary.
CDFW-21	The comment provides a conclusion to the CDFW letter. This is not a comment on the analysis contained in the EIR; no response is necessary.

Comment No.	Response
CDFW-22	The CDFW has provided suggested language for the Mitigation Monitoring and Reporting Plan (MMRP) within Attachment A to the CDFW letter. While this attachment to the CDFW letter was helpful to the City, it does not reflect the exact language ultimately determined to be appropriate for the mitigation measures to be included in the Final EIR. Further, the MMRP for the Richards Ranch Annexation only includes mitigation measures that directly address potentially significant environmental impacts identified for the proposed project. Several of the mitigation measures identified in CDFW's recommended language are related to CDFW's recommendations for Alternative 2. The MMRP for the project is contained in Volume 1 of the EIR, Chapter 7. No changes to the EIR were determined to be necessary to address this comment.

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1.2 NON-AGENCY ORGANIZATION COMMENT LETTERS AND RESPONSES

The following non-agency organizations have submitted comments on the PRDEIR.

Table 1.2-1. Non-Agency Organization Comments

Respondent	Code	Contact Information	Page
Santa Ynez Band of Chumash Indians Letter dated: 02/28/2024	SYBCI	Tribal Elders' Council P.O. Box 517 Santa Ynez, CA 93460 *Contact: Crystal Mendoza, Administrative Assistant | Cultural Resources*	1.2-3
Urban Planning Concepts, Inc. Letter dated: 03/15/2024	UPC	2624 Airpark Drive Santa Maria, CA 93455 *Contact: Laurie Tamura, AICP, Principal Planner*	1.2-5

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1.2.1 Santa Ynez Band of Chumash Indians

Santa Ynez Band of Chumash Indians
Tribal Elders' Council
P.O. Box 517 ◆ Santa Ynez ◆ CA ◆ 93460
Phone: (805)688-7997 ◆ Fax: (805)688-9578 ◆

February 28, 2024

City of Santa Maria
Community Development Department
110 S. Pine Street
Santa Maria, CA 93458-5082

Att.: Dana Eady, Planning Division Manager

Re: Richards Ranch Annexation Project –Partial Recirculation of DEIR

Dear Ms. Dana Eady:

Thank you for contacting the Tribal Elders' Council for the Santa Ynez Band of Chumash Indians.

At this time, the Elders' Council requests no further consultation on this project; however, we understand that as part of NHPA Section 106, we must be notified of the project.

Thank you for remembering that at one time our ancestors walked this sacred land.

SYBCI-1

Sincerely Yours,

Crystal Mendoza

Crystal Mendoza
Administrative Assistant | Cultural Resources
Santa Ynez Band of Chumash Indians | Tribal Hall

1.2.1.1 Response to Letter from Santa Ynez Band of Chumash Indians

Comment No.	Response
SYBCI-1	The comment expresses appreciation to the City for including the Tribal Elders' Council for the Santa Ynez Band of Chumash Indians in the notification process and indicates that the Elders' Council requests no further consultation on the project. This is not a comment on the analysis contained in the EIR; therefore, no response is necessary.

1.2.2 Urban Planning Concepts, Inc.

URBAN PLANNING CONCEPTS, INC.
URBAN DESIGN • LAND PLANNING • ENVIRONMENTAL ANALYSIS

Marh 15, 2024

Dana Eady, Planning Manager
Community Development Department
110 Pine Street
Santa Maria Ca 93454

RE: Richards Ranch Annexation
Partially Recirculated Draft Environmental Impact Report

Dear Dana:

We have reviewed the Partially Recirculated Draft Environmental Impact Report that addressed additional issues by the public comments related to the original Draft Environmental Impact Report. This document provides additional information and analysis on Biological Resources and the alternatives to be considered for this project. **UPC-1**

Please see the comments below that should be considered in the final document.

Page Number	Para	Comment	
1-1	1	The project also includes a General Plan Change. Are there assigned project numbers for the General Plan Change and Rezone? They should be listed here.	**UPC-2**
1-4	1 4	The actions should also include a General Plan Change with the Pre-Zoning.	**UPC-3**
	Table 1-1	The last column should be Proposed General Plan and Pre-Zoning Designation? This table would be more informative if it has a column for the County of Santa Barbara Designation and then the City of Santa Maria Designation and then the proposed designation.	**UPC-4**

Dana Eady
Richards Ranch PCDEIR
March 15, 2024
Page 2

1-5	1	Is there a job number assigned for the General Plan change?	UPC-5
1-5	3	The references in the middle should be GP and RZ.	UPC-6
5	1	Should note that the ornamentals are part of the old Richards Home site.	UPC-7
7	Fig 4.3-2	What do the DP items stand for?	UPC-8
21	Table 4.3-4	Please ass a note to this table that there is no reported surveys for the winter 2023-2024 at this time.	UPC-9
22	2	Where is THE NATURE CONSERVANCY preserve site in 2022? The last sentence should state "Potential" overwhelming.	UPC-10
30	2 and 3	There is no discussion about the health and age of trees on this site. The number of trees are ready to come down based on Kevin Small's survey. And lack of milkweed in the area. This is not a good site for butterflies anymore.	UPC-11
32	d	We request that the timing for this MM be revised. Prior to approval of a PD permit, the preliminary landscaping will be reviewed by a city approved biologist…. Prior to the removal of the trees, the final landscaping plan will be reviewed and approved by the biologist and the city…. Also remove the phrase "within the approximately 7.6-acre..." as this area is proposed to be fully developed.	UPC-12
	e.	Please clarify that payment to this fund can be made at one time.	UPC-13
32	Impact 2	Suggest removing the refer to ..'No known local mitigation bank …" as BIO/mm 2.1 e recommends providing funding for monarch butterfly mitigation	UPC-14
38	4	This paragraph does not refer to the tree survey provided by Plein Aire. Please add this reference to this section.	UPC-15
39	BIO/mm-11.1	The city has a fund for replacement of trees, and it is not noted in this MM.	UPC-16

Dana Eady
Richards Ranch PCDEIR
March 15, 2024
Page 3

40 -41	Projects	Should note that Lakeview, Northram (Skyview) and SM studios are all under construction.	UPC-17
43	Impact 13	Suggest removing the refer to ..'No known local Mitigation bank ..." as BIO/mm 2.1 e recommends providing funding for monarch butterfly.	UPC-18
5-3	1	This is the same reference to the butterfly fund that should be revised. Add traffic/VMT in the second paragraph.	UPC-19
5-4	2	Add Traffic/ VMT in this paragraph.	UPC-20
5.7	2	The added line about water should include ..." however it should be noted that water requests have not been approved for commercial development on this site in the past." This should be added to the project objective write up.	UPC-21
5-12	1	The added line about water should include ..." however it should be noted that water requests have not been approved for commercial development on this site in the past."	UPC-22
5-20	4	Last sentence ..benefit of Alternative 4?? Should this be 2.	UPC-23
5-22	1	This ground disturbance would be around 36.75 acres with 7 acres being retained with the existing trees. Correct this paragraph.	UPC-24
	2	Also note that this alternative would reduce the major access point to UVP and greatly add traffic to the Frontage Road and Dancer Avenue. This would result in an increased traffic impact to the existing neighborhood.	UPC-25
	Table 5-5	The added line about water should include ..." however it should be noted that water requests have not been approved for commercial development on this site in the past."	UPC-26
5-31	Table 5-7	The added line about water should include ..." however it should be noted that water requests have not been approved for commercial development on this site. in the past."	UPC-27
5-39	1	Under this alternative many of the trees on the north side of UVP would be retained	UPC-28

5-39	3	This alternative would not meet the county RHNA numbers.	UPC-29
	Table 5-8	The added line about water should include …" however it should be noted that water requests have not been approved for commercial development on this site in the past." If it can obtain water from the city.	UPC-30
5-41	1	The added line about water should include …" however it should be noted that water requests have not been approved for commercial development on this site in the past."	UPC-31
	2	Since this is to be a county project…the discussion on RHNA numbers should be related to the county not meeting their RHNA number with this project. It should be mentioned that if there was a water agreement with the city for commercial and office uses, the county would be the one to get sales and property taxes.	UPC-32
5-46	2	The added line about water should include …" however it should be noted that water requests have not been approved for commercial development on this site in the past."	UPC-33
5-47	2	This discussion does not address the impact of traffic on Dancer Avenue and the Frontage Road. This should be considered before recommending Alternative 2 as the preferred alternative.	UPC-34

Thank you for considering these comments. Please feel free to contact me if you have any questions. UPC-35

Sincerely,

Laurie Tamura

Laurie Tamura, AICP
Principal Planner

1.2.2.1 Response to Letter from Urban Planning Concepts, Inc.

Comment No.	Response
UPC-1	The comment provides opening remarks to the Urban Planning Concepts, Inc. (UPC) letter. Because this comment does not provide a specific comment on the EIR, no response is necessary.
UPC-2	The comment notes that the project includes a general plan amendment, which should be included in the listed actions of the project. The comment also requests that the project numbers for the general plan amendment and rezone should be included in the discussion if they have been assigned. The language requested by the commenter is provided in this Final EIR in Volume 1, Summary and Chapter 1, Introduction. It should be noted that the PRDEIR included a separate introduction developed specifically for the PRDEIR. It was not intended that the PRDEIR introduction replace the Draft EIR project introduction. For the commenter's information, the referenced project number assigned by the City is GPZ2024-0001. This assigned project number has been added to Chapter 3, Project Description, on pages 2-8 and 2-15.
UPC-3	The comment again requests that the proposed general plan amendment be listed in the actions of the project. The language requested by the commenter has been added to Chapter 2, Project Description, to provide additional clarity (added text shown in underline): "The Richards Ranch Annexation Project (project) includes the proposed annexation, pre-zoning, <u>general plan amendment,</u> and conceptual development of approximately 44 acres of property currently located in unincorporated Santa Barbara County, California, by the City of Santa Maria (City)."
UPC-4	The comment states that last column of Table 1-1 of the PRDEIR should include read "Proposed General Plan Land Use and Pre-Zone Designation." The commenter also requests that additional columns should be added for the existing County of Santa Barbara and City Santa Maria land use designations. Table 1-1 in the PRDEIR corresponds to the table commented on in Volume 1, Chapter 2, Project Description (see Table 2-2). The requested revision to the column title in Table 2-2 has been made as suggested. In addition, the existing County land use designations have also been added.
UPC-5	The comment again asks if a job number has been assigned to the proposed general plan amendment. For the commenter's information, the referenced project number assigned by the City is GPZ2024-0001. This assigned project number has been added to Chapter 3, Project Description, on pages 2-8 and 2-15.
UPC-6	The comment states that the references in the middle should be GP and RZ, which are keyed to Paragraph 3 of Page 1-5. It is unclear which references the comment is referring to. As noted in response to comment UPC-2, the PRDEIR included a separate introduction developed specifically for the PRDEIR. It was not intended that the PRDEIR introduction replace the Draft EIR project introduction. No changes to the EIR have been made in response to this comment.
UPC-7	The comment suggests specifying that the ornamental tree species are a part of the old Richards Home site. The comment has been noted; however, no changes have been made to the text as this detail is not necessary for the environmental analysis and would not change any environmental significance determination.
UPC-8	The commenter inquires about the meaning of DP-1, DP-2, and DP-3 on Figure 4.3-2. In Figure 4.3-2, DP-1, DP-2, and DP-3 correspond to the data points used for the wetland determination. These are the three observation points used to analyze potential wetland areas. A notation has been added to Figure 4.3-2 to provide this clarification. The wetlands determination is provided as an appendix to the Biological Resources Assessment (BRA) prepared for the project by David Wolff Environmental, LLC (DWE 2022); see EIR Volume 1, Appendix F. As described in EIR Section 4.3, Biological Resources, after completion of the wetlands determination, it was confirmed that no jurisdictional wetlands or other waters of the U.S./State or riparian habitat under any regulatory authority or definition occur on the project site.
UPC-9	The comment requests that a disclaimer should be added to Table 4.3-4 noting that at this time there are no reported surveys for winter 2023 – 2024. Information regarding the monarch butterfly adding more clarity about the status of the surveys for the species at the project site has been added. Revisions have been made to Tables 4.3-3 and 4.3-4 adding this information.

Comment No.	Response
UPC-10	The comment inquiries about the location of the referenced Nature Conservancy preserve and suggests adding "potentially" to the text as identified. The Nature Conservancy preserve in question is the Jack and Laura Dangermond preserve, located south of the City of Lompoc in Santa Barbara County. This clarification has been added to the text. The requested addition of "potentially" has not been added to the EIR when referring to the monarch grove as an overwintering habitat as CDFW and Xerces have indicated that this an overwintering habitat. While there may be dispute among experts regarding the quality of the habitat, this requested revision has not been made to the EIR.
UPC-11	The comment requests that a discussion be added regarding the age and health of the trees within the identified monarch overwintering site. The comment also claims that the site is no longer suitable for monarch overwintering due to the questionable health of the trees and the lack of milkweed in the area. The claims that the site is no longer suitable for monarch overwintering due to the questionable health of the trees and the lack of milkweed in the area is not substantiated by evidence, so this information has not been added to the EIR analysis. The information regarding the health of the trees is provided in Volume 2 of this EIR. Specifically, response to comment CDFW-3 provides this information. In addition, a summary of this information is provided below. With these response additions, the information is included in the EIR and is part of the administrative record. A full tree evaluation was conducted by Pleinaire Design Group (2023) to determine the health of the trees within the eucalyptus grove that is located on the project site south of UVP. Pleinaire Design Group visited the project site multiple times, most recently on July 13, 2023, when an evaluation of the condition of the trees occurred; the evaluation was conducted by Kevin J. Small (CA Registered Landscape Architect 2929 and ISA Certified Arborist WE-7333A). The analysis includes a detailed description of each tree, noting health, conditions, hazard comments, or other conditions, such as fire damage. The arborist assessment indicates that the eucalyptus grove that provides the overwintering habitat is an old windrow of trees that has been cut down at some point and allowed to regrow out of the remaining stumps. There are many trees that were identified as volunteers from seed. The trees are growing very close together and, in most cases, there is a tangle of branches and litter between them. When eucalyptus grows in very close, similar to the trees at the project site, the roots fuse between trees, making them one biological entity. It is not possible to remove individual trees selectively. If single trees were to be removed, the sandy soil conditions would increase the possibility of the remaining trees falling over. The trees are essentially supporting each other (Pleinaire Design Group 2023). There has been no regular maintenance of the trees on the project site; however, the ground has been mowed for weed abatement as evidenced by the tire tracks and no high grasses. There are downed trunks and branches, deep litter of leaves and shedding bark, and stumps scattered throughout the area. Due to the health of the trees, the arborist report recommends against protection for any of the trees. They are hazardous, have weak attachment, and could easily fail. There are also many over-extended branches, dead crowns, and unbalanced structures (Pleinaire Design Group 2023). It is acknowledged that full avoidance of the 7.63-acre monarch overwintering site is not a feasible mitigation measure due to the size of the grove and in consideration of the basic purpose of the project to provide a mixed-use development on the 43.75-acre site. Due to the central location of the eucalyptus grove, protection of this resource, and creation of an adequate buffer zone between the project development and the grove for resource protection and hazard abatement, many more acres of the project site would need to remain in open space than the 7.63-acre area that delineates the grove.
UPC-12	The comment requests that the timing of the actions listed in mitigation measure BIO/mm-2.1 section (d) of should be adjusted. The City has considered this comment and has made a slight adjustment to the Mitigation Measure BIO/mm-2.1 section (d). Further adjustments are not warranted.
UPC-13	The comment suggests clarifying that the required donation to the identified local land management conservation organizations can be made all at once. The City has reviewed this comment. No revisions have been made. The measure, as written, does not specify whether the donation should be made all at once or over multiple payments. This flexibility is intended.

Comment No.	Response
UPC-14	The comment suggests the removal of "no known local mitigation bank" from the text in the identified sentence as section (e) of Mitigation Measure BIO/mm-2.1 requires that funding is provided for local monarch conservation. No revisions have been made in response to this comment. While several suitable conservation entities exist where a donation could be made, these opportunities and locations are not established mitigation banks for impacts to monarch butterfly. Typically, to be considered a "mitigation bank" a site would be required to have a "bank instrument," which is a formal agreement between the bank owners and regulators establishing liability, performance standards, management and monitoring requirements, and the terms of bank credit approval. This level of formal requirement is not required through Mitigation Measure BIO/mm-2.1.
UPC-15	The comment requests the addition of a reference to the tree survey. Refer to response to comment UPC-11. Reference to the tree survey is appropriately referenced in the response to the initial CDFW letter received on the Draft EIR and in other locations in Volume 2 of the EIR (Response to Comments on the 2022 Draft EIR). The findings of the Pleinaire Design Group analysis are important evidence to support the conclusion that the retention of the grove on-site is not feasible. As such, this analysis is anticipated to be referenced in the Findings of Fact and Statement of Overriding Considerations, which will be necessary when the project is considered for project approval. With these response additions, the information is included in the EIR and is part of the administrative record.
UPC-16	The comment notes that the City maintains a fund for tree replacement, and the language of Mitigation Measure BIO/mm-11.1 should be revised accordingly. A revision has not been incorporated into the mitigation measure. Whether the City maintains a fund for tree replacement is not the focus of the mitigation measure and does not change the outcome of the findings of significance reflected in the analysis in the EIR.
UPC-17	The comment suggests including a note that three of the notable development projects located in the vicinity of the proposed project are currently under construction. A notation has been added to the EIR as requested for these three development projects when they are referenced in EIR Section 4.3, Biological Resources.
UPC-18	The comment suggests the removal of the text stating that there are no known local mitigation banks for monarchs. No revisions have been made in response to this comment. While several suitable conservation entities exist where a donation could be made, these opportunities and locations are not established mitigation banks for impacts to monarch butterfly. Typically, to be considered a "mitigation bank" a site would be required to have a "bank instrument," which is a formal agreement between the bank owners and regulators establishing liability, performance standards, management and monitoring requirements, and the terms of bank credit approval. This level of formal requirement is not required through Mitigation Measure BIO/mm-2.1.
UPC-19	The comment suggests the removal of the text stating that there are no known local mitigation banks for monarchs. The comment also suggests adding a reference to transportation in the list of issue areas that require mitigation to reduce impacts to less than significant. Refer to response to comment UPC-14. The commenter is incorrect that mitigation is required as a result of the transportation analysis. All impacts to transportation were found to be less than significant without mitigation. It should be noted, however, that there are elements of the project that decrease VMT due to the mixed-use nature of the project. Also, the City will require certain conditions of approval to address vehicular mobility (e.g., signalization of the UVP/Hummel Drive intersection). However, these required improvements are not mitigation measures required as a result of the CEQA-required transportation analysis, which is narrower in scope.
UPC-20	The comment suggests adding a reference to transportation in the list of significant but mitigated environmental impacts. As noted in response to comment UPC-19, the commenter is incorrect that the CEQA transportation analysis results in required mitigation. As such, this revision has not been made.
UPC-21	The comment suggests adding a statement that previous water requests for commercial development of the site have not been approved. The comment also suggests that this revision should be included in the discussion of project objectives. This revision has been made as suggested within Chapter 5, Alternatives Analysis. Regarding the project objectives, this added note is not important to the project objectives and, therefore, has not been added.

Comment No.	Response
UPC-22	The comment suggests adding a statement that previous water requests for commercial development of the site have not been approved. The revision has been made as suggested.
UPC-23	The comment notes a typographical error, which has been corrected in the EIR.
UPC-24	The comment indicates that the reference to the total ground disturbance of Alternative 2 is incorrect and should instead be listed as 36.75 acres. This error has been corrected in the EIR.
UPC-25	The comment claims that Alternative 2 would result in an increased traffic impact due to the reduction of the major access point to UVP which could add traffic to Orcutt Road and Dancer Avenue, and requests that a discussion of these traffic impacts should be included accordingly. The comment is incorrect. Alternative 2 would not include through access via Dancer Avenue to-and-from the project site.
UPC-26	The comment requests that additional text should be added noting that water requests for commercial development on the site have not been approved in the past. The revision has been made as suggested.
UPC-27	The comment requests that again additional text should be added noting that water requests for commercial development on the site have not been approved in the past. The revision has been made as suggested.
UPC-28	The comment suggests adding clarification that the trees being retained are specifically to the north UVP. The revision has been made as suggested.
UPC-29	The comment suggests that since Alternative 4 would be developed as a project for the County, then the discussion of achieving RHNA numbers should be related to the County instead of the City. The requested reference to the County's RHNA has been added as suggested. However, the language regarding the City's RHNA has not been removed, as meeting the City's RHNA is part of the project objectives. The following project objective states: > Provide high-density housing to meet the needs of the city and help address the current Regional Housing Needs Allocation. The various types of housing units will be available for rent while others will be for-sale units. Because Alternative 4 would not provide annexation into the City, it would not address the City's RHNA, and therefore would not meet the project objective. Therefore, discussion of the City's RHNA is still relevant to this alternative.
UPC-30	The comment suggests adding a statement that previous water requests for commercial development of the site have not been approved. This revision has been made as suggested throughout Chapter 5.
UPC-31	The comment requests that additional text should be added noting that water requests for commercial development on the site have not been approved in the past. This revision has been made as suggested.
UPC-32	The comment suggests that since Alternative 4 would be developed as a project for the County, then the discussion of achieving RHNA numbers should be related to the County instead of the City. The comment also indicates that if there was a water agreement with the city for commercial and office uses, the county would be the one to get sales and property taxes. Refer to response to comment UPC-29. The information regarding sales and property tax is not important to the EIR analysis, so this additional text has not been added to the EIR. However, this information is included herein for consideration in the subsequent project approval process and has been made available to the decision-making body.
UPC-33	The comment requests that additional text should be added noting that water requests for commercial development on the site have not been approved in the past. The revision has been made as suggested.

Comment No.	Response
UPC-34	The comment claims that Alternative 2 would result in an increased traffic impact due to the reduction of the major access point to UVP which could add traffic to Orcutt Road and Dancer Avenue, and requests that a discussion of these traffic impacts should be included accordingly. Refer to response to comment UPC-25. While it is acknowledged that traffic patterns may be different under Alternative 2, there is not evidence to suggest that Alternative 2 would result in increased traffic impacts, particularly when considering the thresholds that guide the CEQA transportation analysis. Like the proposed project, Dancer Avenue would not provide through access in Alternative 2. As well, Alternative 2 would have a lower residential population when compared to the proposed project. The EIR analysis of the anticipated transportation impacts of Alternative 2 remains unchanged.
UPC-35	The comment provides a closing to the letter. This comment does not provide any further comments on the EIR; therefore, a response is not necessary.

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1.3 PUBLIC COMMENT LETTERS AND RESPONSES

The following members of the public have submitted comments on the PRDEIR.

Table 1.3-1. Public Comments

Respondent	Code	Page
Susan Bryant Letter dated: 02/13/2024	SBr	1.3-3
Johnny Flores Letters dated: 01/10/2023, 01/13/2023, and 02/27/2023	JF	1.3-5

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1.3.1 Susan Bryant

From: Susan Bryant
Sent: Tuesday, February 13, 2024 4:06 PM
To: Dana Eady
Subject: Partially recirculated draft EIR for Richards Ranch

Dana,

Two comments regarding the Richards Ranch recirculated draft EIR follow.

Monarch Butterfly Habitat Recognition
I am happy that our comments about the significance of the monarch butterfly habitat were seriously considered. It is encouraging to read acknowledgement that removal of habitat "would create a significant and unavoidable impact that cannot be fully mitigated."

However, since no "known and mapped overwintering sites in the *immediate vicinity*" are documented I find the consideration of item e. (BIO Impact 2) unacceptable. Such allows the destruction of a site for money.

SBr-1

Supplemental Water
I appreciate this draft correcting the record to specifically state: "Annexation is not a prequisite for the use of supplemental water supplies; supplemental water could be provided at the discretion of the City of Santa Maria."

SBr-2

My neighbors and I hope for a development that considers the value of open space/green space/natural features which benefit everyone.

SBr-3

Susan Bryant

1.3.1.1 Response to Letter from Susan Bryant

Comment No.	Response
SBr-1	The comment raises concern related to the monarch butterfly, and the implementation of Mitigation Measure BIO/mm-2.1. Specifically, the commenter takes issue with the language "immediate vicinity" in section (e), and claims that since there are no known overwintering sites in the immediate area, the conservation activities outlined by the mitigation measure would not be able to be achieved. Refer to MR-11, which responds to comments related to biological resources, including those related to the monarch butterfly. As well, additional research has been conducted to determine the viable locations of conservation opportunities in the vicinity of the Richards Ranch site, the results of which are included as EIR Volume 2, Appendix C. Based on the research contained in EIR Volume 2, Appendix C, Mitigation Measure BIO/mm-2.1 has been revised to provide additional detail regarding the performance criteria for the mitigation measure and what organizations and properties could qualify as suitable organizations/entities for receiving the conservation donation. Based on the research that has been conducted, there are several entities and sites that have the potential to facilitate the effective implementation of Mitigation Measure BIO/mm-2.1.
SBr-2	The comment acknowledges a correction which was included in the PRDEIR. Refer to MR-5, which responds to non-substantive comments.
SBr-3	The comment is a conclusion to the letter. Refer to MR-5, which responds to non-substantive comments. The opinions of the commenter could be relevant for consideration in the subsequent project approval process and have been made available to the decision-making body.

1.3.2 Johnny Flores

From: Johnny Flores
Sent: Saturday, February 24, 2024 7:09 AM
To: Dana Eady
Subject: Santa Maria key site 26

To whom it may concern,

I am writing this email to express my support for key site 26 and express how badly we need more housing in general in our region. We have more industry coming in and it's difficult if not impossible to find housing at times even for people who earn a decent amount. This site would go a long way to making housing become less of a burden when people are looking to re locate into our region but also for those of us who have grown up here and would like to stay here. Thank you for your time. **JF-1**

Kind Regards

Johnny Flores

1.3.2.1 Response to Letter from Johnny Flores

Comment No.	Response
JF-1	The commenter expresses support of the proposed project. This is not a comment on the analysis contained in the EIR; therefore, no response is necessary. The City appreciates the commenter's support.

1.4 VOLUME 3 REFERENCES

California Department of Conservation Geologic Energy Management Division (CalGEM). 2019. Well Finder Database. Available at: https://www.conservation.ca.gov/calgem/Pages/WellFinder.aspx. Accessed February 2024

David Wolff Environmental, LLC (DWE). 2024. *Monarch Butterfly Impact and Mitigation Analysis for the Richards Ranch Annexation Project, City of Santa Maria, California.* May 6.

Pleinaire Design Group. 2023. *Tree Survey & Details for Richard's Ranch.* Santa Maria, California. July 13.

SWCA Environmental Consultants (SWCA). 2024. *Technical Memorandum, Monarch Butterfly Habitat Conservation and Mitigation Opportunities, Richards Ranch Annexation Project.* June 28.

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