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Alex Tuttle
Planner
Development Review Division
Santa Barbara County Planning & Development
105 E Anapamu Street
Santa Barbara, CA 93101

Subject: Park Hills Estates Draft MND v.2 (10TRM-00000-00001)

Dear, Mr. Tuttle:

David Magney Environmental Consulting (DMEC) previously (18 July 2011) submitted comments on the Draft Mitigated Negative Declaration (MND) focusing on biological resources on behalf of the San Antonio Creek and Park Highlands Homeowners Associations. Two biological survey reports the County used to perform its assessment of project-related impacts were not available until after 18 July 2011. This letter provides specific comments on those supporting documents after they were made available to DMEC.

Draft MND 2011

Page 7, Section 3.2 Environmental Baseline, states that the assessment was based on conditions at the time of the Initial Study; however, it does not provide the date of the Initial Study. Since the current project is one that is modified from one previously approved, with the CEQA review process starting in 1999, it is not at all clear as to the date of the Baseline Conditions for the proposed project. DMEC believes it should be as of Spring 2011.

Page 25, Background and Site History, states that the project site has largely been in a natural state except that it had been dryland farmed for at least one year in 1968; including a small orchard in the southwest corner of the property. Afterwards it was used only for grazing horses until 1995. The site has been unused for any human purpose since 1995.

Botanical Resources

Page 6 of the MND states that “non-native annual grasslands” occur on the project site. Use of the term “Non-native Annual Grassland” in reference to annual grassland habitats imposes an unnecessary bias since the label strongly suggests that it is of less value compared to “native grasslands”. CNPS and CDFG have long been referring to grassland habitats dominated by nonnative grass species as Annual Grasslands since most such areas usually contain a significant component of native plant species and are equally “valuable” to wildlife that forage or live in grassland/herbland environments.

Page 25, Methods, state that a botanical survey was conducted in March 1998 (Watershed Environmental 1999), a vegetation survey in August 2010 (Watershed Environmental 2010), and that the County performed grassland sampling in April 2011; “Methods were based on CNPS survey guidelines (CNPS 2001), and CDFG survey guidelines (CDFG 2009). Quantitative sampling was not performed”. A County P&D biologist visited the site in December 2000, May 2003, July 2010, and March and April 2011.

As stated above under DMEC’s review of Watershed Environmental’s botanical survey report, not one biologist surveying the project site followed standard or defensible field survey methods, yet the conclusions made by the County regarding impacts to botanical resources by the proposed project are based primarily on Watershed Environmental’s inadequate reports and site verification visits by the County biologist.

Wildlife Baseline Report

VJS Biological conducted a survey of wildlife in 1998 and reported observations of several bird and mammal species, and one reptile. The MND accurately summarized Mr. Semonsen’s survey report, which consisted of a 2-page letter. Semonsen focused on birds and mammals using the site, based on observations made on several dates; however, the survey dates were not provided, but occurred in the “late fall/early winter” (Page 1, Methods). Semonsen stated that the survey timing “precludes any determination of nesting...”. He also stated that trapping for small mammals was not conducted, which is a basic necessity to determine what small mammals, which are mostly nocturnal, occur onsite. Trapping, if conducted properly, is also an accepted method to determine population sizes of small mammals.

Semonsen did not conduct any surveys for invertebrate species. The County did not require a supplemental survey for wildlife species 13 years later.

As stated in our previous letter, wildlife are mobile, and many more species of wildlife are now considered rare, and population sizes of many species can expand or contract from year to year based on availability of food and nesting habitat.

In conclusion, the baseline botanical and biological surveys were severely deficient in numerous ways to provide any reasonable understanding of the baseline conditions of biological resources present at the project site.

DMEC still believes that the County cannot reasonably perform an impact assessment of the proposed project since the biological surveys of the project site are both seriously dated (i.e. out of date), inadequate in not surveying for entire groups of plants (nonvascular plants) and wildlife (invertebrates). Since true baseline conditions are not truly known, it is impossible for anyone to make reasonable conclusions regarding significance of impacts on the biological resources present on the 14+-acre project site. Furthermore, measures recommended to reduce what significant impacts that were identified are either inadequate or infeasible. There was no attempt to avoid any of the project-related impacts to biological resources.

Please contact me if you have any questions about this letter.

Sincerely,

David L. Magney
President/ISA Certified Arborist

cc: Danny Vickers, San Antonio Creek HOA
David M. Brown, Conservation Committee Chairman, Channel Islands Chapter, California Native Plant Society