Appendix A

Notice of Preparation of Draft Environmental Impact Reports
and Notice of Scoping Meeting

CITY OF GOLETA

NOTICE OF PREPARATION
OF DRAFT ENVIRONMENTAL IMPACT REPORTS
AND NOTICE OF SCOPING MEETING
Planning and Environmental Services
August 8, 2012 at 6:00 P.M.

SHELBY TRUST GENERAL PLAN AMENDMENT (12-EIR-003) AND
RESIDENTIAL SUBDIVISION PROJECT (12-EIR-005)
7500 Cathedral Oaks Road, Goleta CA 93117
Case 05-154-GPA, OA, RZN, VTM, DP
APN 077-530-019

NOTICE IS HEREBY GIVEN that the Planning and Environmental Services Department of the City of Goleta has completed a Notice of Preparation (NOP) for two Draft Environmental Impact Reports (EIRs) and will conduct a scoping meeting on the date set forth below.

LOCATION: 7500 Cathedral Oaks Road, Goleta CA 93117, APN 077-530-019

PROJECT DESCRIPTION: There are two aspects to the project that will be addressed in two separate EIRs:

1. **General Plan Amendment (12-EIR-003)** – The applicant proposes the following General Plan Amendments:
    a. Amend the Land Use Plan Map (Figure 2-1) of the Land Use Element to change the property's designation from Agriculture to Single-Family Residential;
    b. Amend the text of Conservation Element Subpolicy CE 11.2 relating to Conversion of Agricultural Lands; and
    c. Amend the Open Space Map of the Open Space Element (Figure 3-5) to remove the property from the map.

    Note that the General Plan Amendment EIR will address both the Shelby Trust project (12-EIR-005) and the Kenwood Village project (08-205-GPA, RZN, VTM, DP and 12-EIR-004) as both projects are proposing very similar amendments to the General Plan.

2. **Proposed Project (12-EIR-005) -** The proposed project includes 60 market-rate single-family lots on a 14.38-acre lot located on Cathedral Oaks Road adjacent to Glen Annie Golf Course. Access to the site would be off Cathedral Oaks Road. Water would be provided by the Goleta Water District. Sewer service would be provided by the Goleta West Sanitary District. The applications include:
    a. Rezone – A request to rezone the property from AG-II-40 (Agriculture II, 40-acre minimum lot size) to 7-R-1 (Single-Family Residential, 7 units/acre).
    b. Ordinance Amendment - An Ordinance Amendment (OA) to reduce the minimum lot frontage requirement in the 7-R-1 zone district from 65 feet to 60 feet (applies to all 7-R-1 zoned lots in the City).
    c. Vesting Tract Map - A Vesting Tract Map (VTM) for the creation of 60 single-family residential lots, four (4) open space lots, and private road rights-of-way to serve the subdivision.
    d. Development Agreement - A Development Agreement between the applicant and the City regarding obligations and benefits relating to the timing of the construction of the homes, dedication of easements and other details relating to the project.
    e. Development Plan – A Development Plan for 60 single-family dwellings and four open space lots with private access and public utilities.

PURPOSE OF NOTICES OF PREPARATION OF THE GENERAL PLAN AMENDMENT AND PROJECT EIRS AND SCOPING MEETING: The City of Goleta will be the Lead Agency under the California Environmental Quality Act (CEQA) and will prepare two Environmental Impact Reports (EIRs) for this project: one on the proposed General Plan Amendments and a separate EIR on the proposed project. The purpose of this Notice of Preparation/Notice of Public Scoping Meeting is to obtain agency and public comment on the adequacy of the scope of analysis and content of the environmental information and analysis to be conducted, including significant

environmental issues, reasonable alternatives, and mitigation measures that should be included in the General Plan Amendment and Project Draft EIRs.

SCOPE OF ANALYSIS OF GENERAL PLAN AMENDMENT EIR (12-EIR-003): In 2006, the City of Goleta certified the General Plan/Coastal Land Use Plan (GP/CLUP) EIR prior to approving the GP/CLUP. A Supplemental EIR was prepared on a suite of policy changes and certified in July 2009. The GP EIR identified numerous Class I (Significant and Unavoidable) and Class II (Significant but Mitigable) impacts that would occur with full build-out of the GP/CLUP in 2030.

This General Plan Amendment EIR will provide decision-makers and the public with information that enables them to consider the environmental consequences of the proposed General Plan Amendment. The EIR will analyze changes to impacts and/or mitigation measures identified by the General Plan/Coastal Land Use Plan EIR. The GPA EIR will also assess the land use designation change from Agriculture to Single-Family Residential for the Shelby property and from Agriculture and Single-Family Residential to Planned Residential for the Kenwood Village LLC property.

SCOPE OF ANALYSIS OF PROJECT EIR (12-EIR-005): The EIR will provide decision-makers and the public with information that enables them to consider the environmental consequences of the project. The EIR will identify potentially significant effects, and any feasible means of avoiding or reducing the effects through project redesign, the imposition of mitigation measures, or implementation of alternatives to the project. The scope of analysis will include evaluation of project environmental effects associated with: aesthetics, biological resources, cultural resources, hydrology/water quality, and transportation/traffic.

The City of Goleta will also conduct one public scoping meeting for the General Plan Amendment and project EIRs to receive oral testimony at the time and place listed below:

MEETING DATE AND TIME: **Wednesday, August 8, 2012 at 6:00 P.M.**

PLACE: **Goleta City Hall, Council Chambers**
130 Cremona Drive, Suite B
Goleta, California 93117

All interested parties are encouraged to attend the scoping meeting and to present written and/or oral comments.

DOCUMENT AVAILABILITY: A copy of the notice and scoping document will be available for public review at the City of Goleta Planning and Environmental Services Department, 130 Cremona Drive, Suite B, Goleta, CA on and after Monday, July 23, 2012. The document will also be posted to the City's web site at www.cityofgoleta.org on that same day.

PUBLIC COMMENT PERIOD: The public review period begins on Monday, July 23, 2012 and ends August 23, 2012 at 5:00 P.M. All letters should be addressed to Ms. Patricia Saley, Acting Planning and Environmental Services Director, City of Goleta, 130 Cremona Drive, Suite B, Goleta, CA 93117. **All comments must be received by August 23, 2012, no later than 5:00 P.M.** Please limit comments to environmental issues.

If you have any questions or would like a copy of this notice, the initial study/scoping document or any of the documents referenced therein, please contact Patricia Saley at the above address, by phone at (805)961-7541, by email at psaley@cityofgoleta.org, or by fax at (805)961-7551.

NOTE: If you challenge the City's final action on this project in court, you may be limited to only those issues you or someone else raised at the public hearings on this case, or in written or oral testimony and/or evidence provided to the City on or before the date of the hearing (Government Code Section 65009[b][2]).

NOTE: In compliance with the Americans with Disability Act, if you need special assistance to participate in the hearing, please contact the Planning and Environmental Services Administrative Assistant at (805)961-7500. Notification at least 48 hours prior to the meeting will enable the staff to make reasonable arrangements to accommodate special needs.

Published: Santa Barbara News Press, July 26, 2012

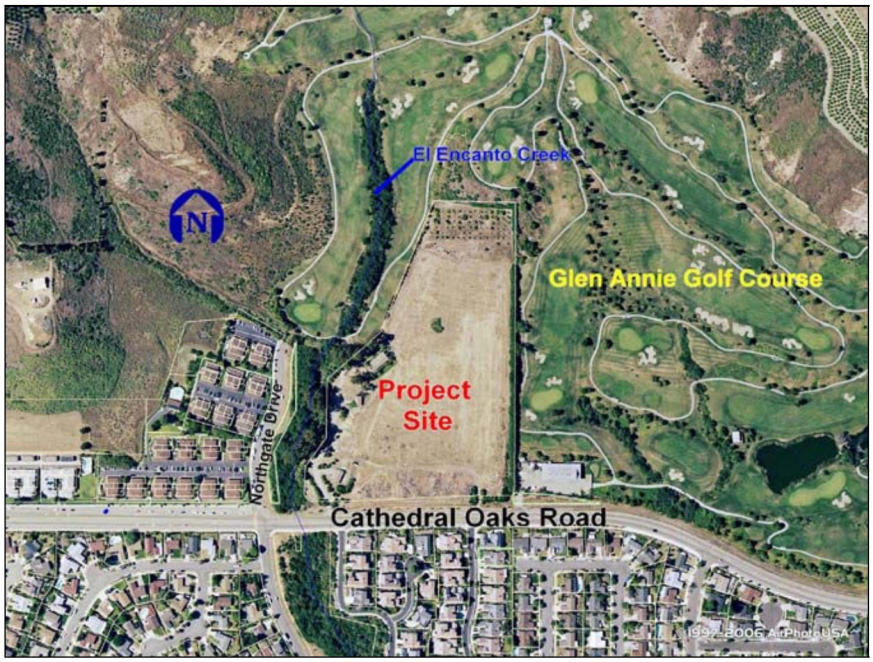
SHELBY TRUST RESIDENTIAL SUBDIVISION PROJECT
ENVIRONMENTAL IMPACT REPORT SCOPING DOCUMENT
Case 05-154-GPA, OA, RZN, VTM, DP and 12-EIR-005

1.0 PROJECT DESCRIPTION

The proposed project includes a subdivision for 64 lots on a 14.38-acre lot and development of 60 single family residences located on Cathedral Oaks Road adjacent to Glen Annie Golf Course (APN 077-530-019). A detention basin is proposed in the southwest corner and a new storm drain would be installed and would drain to El Encanto Creek located to the west.

The project proposes to convert land that has a land use designation of Agriculture under the General Plan/Coastal Land Use Plan (General Plan) and is zoned Agriculture II to a residential General Plan land use designation and zone.

Figure 1
Vicinity Map



Project Location

The project site is a 14.38 net acre parcel located at 7500 Cathedral Oaks Road in Western Goleta. The project site is surrounded on its eastern and northern boundaries by the Glen Annie Golf Course, on its western boundary by El Encanto Creek, and to its south by Cathedral Oaks Road (See Figure 1 above). The site had an avocado orchard until the late 1990s, a remnant of which is evident on the north 1/3 of the lot.

Land Use and Zoning Designations

The project site is designated as Agriculture under the City's General Plan/Coastal Land Use Plan (GP/CLUP) and zoned Agriculture II, 40 acres minimum lot size (AG-II-40).

Project Description

The project involves the following elements as described below:

1) **Rezone -** A request to rezone (RZN) the property from AG-II-40 (Agriculture II, 40 acre minimum parcel size) to 7-R-1 (Single Family Residential, 7 units/acre).
2) **Zoning Ordinance Amendment -** A Zoning Ordinance Amendment (OA) to reduce the minimum lot frontage requirement in the Single Family Residential zone district from 65 feet to 60 feet.
3) **Vesting Tentative Map -** A Vesting Tentative Map (VTM) for the creation of 64 lots (See Figure 2 below).
4) **Development Plan** – A Development Plan for 60 single-family dwellings and four open space areas with private access and public utilities (See Figure 3 below). For the project EIR, the existing condition consists of a 14+ acre open space bordered by a creek and residential development.
5) **Development Agreement -** A Development Agreement between the applicant and the City the terms of which are to be negotiated. However, it is not anticipated that the development agreement will require or obligate the applicant or city to pursue any physical changes to the environment outside of the project site.

Figure 2
Vesting Tentative Map

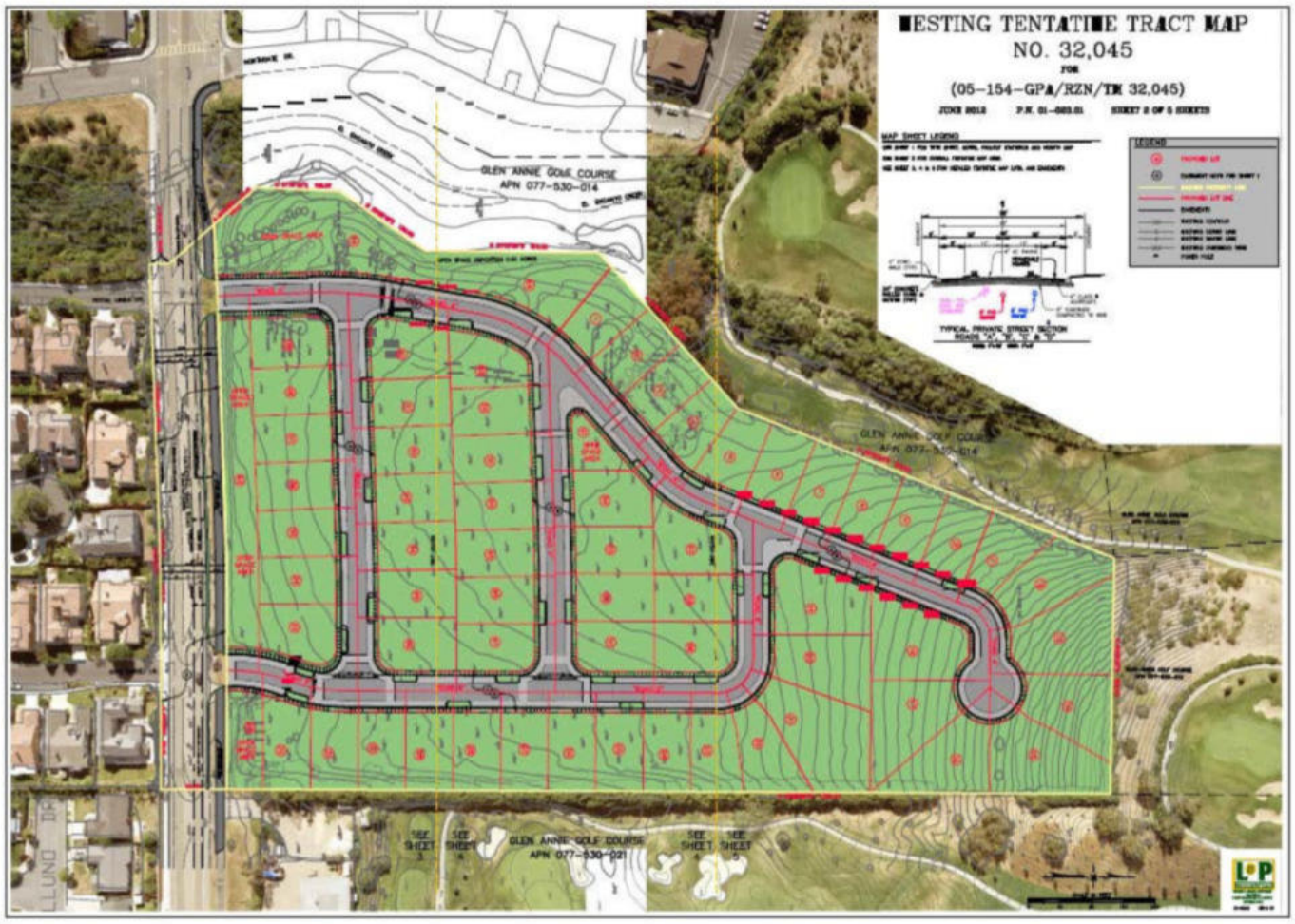


Figure 3
Development Plan



CEQA Review of the General Plan Amendment (GPA) v. review of the proposed project

The requested amendments to the City's GP/CLUP are addressed in a separate EIR that will be prepared at the same time and in coordination with this project specific EIR. Decision-makers will consider that EIR prior to taking action on the proposed GPAs. Once decision-makers have taken action on the GPAs, the proposed project can be reviewed. Therefore, for the purposes of this project EIR, it is assumed that decision-makers have rendered a decision on the GPAs and the land is already designated for residential use in the General Plan. As the project EIR assumes that the General Plan designation has changed to residential, the corresponding change to the Planned Residential zone district would not raise any environmental issues.

The project-level environmental analysis will compare the existing conditions to the proposed 60-unit residential development. For the project EIR, the existing condition consists of a 14+ acre site with three existing buildings bordered by a creek and residential development.

Environmental Setting

The property had lemon and avocado orchards in the past with remnants of the avocado orchard existing on the northern ⅓ of the project site. Currently the property is used in part for the storage of woodchips and firewood. A 2,015 sq. ft. residence, 726 sq. ft. garage and 1,152 sq. ft. barn also exist on the site.

Surrounding Land Uses

The project site is surrounded on its northern, northwestern, and eastern boundaries by the Glen Annie Golf Course, on its west by El Encanto Creek, Northgate Drive, and multi-family residential development (8 units per acre), and on its south by Cathedral Oaks Road and single-family residences (see Figure 1).

Topography and Soils

The project site is located in the Goleta Foothills north of Cathedral Oaks Road. Soils onsite consist of Diablo Clay that is considered well drained and formed from shale and mudstone. Permeability is low and the shrink-swell potential is sufficiently high enough to be considered a constraint to urban development[1]. Most of the site (11.3 acres) is considered Prime Farmland.[2] The property rises from a low of 145' above mean sea level (msl) along Cathedral Oaks Road northward to the north-east corner of the property at an elevation of 252' above msl, or an average slope of 7.8%. The applicant has submitted additional information relating to the soils onsite.[3]

Fauna, Flora and Surface Water Bodies

El Encanto Creek borders the project site on its western side for approximately 630 feet although the creek's bed and banks are just to the west of the subject property. The US Geological Survey (USGS) has mapped the creek as having intermittent flow. El Encanto Creek supports a riparian woodland intermixed with a eucalyptus grove with an olive tree understory and non-native annual grassland. Pursuant to Conservation Element Policy CE 2.2, the Streamside Protection Area associated with El Encanto Creek extends approximately 100 feet onto the Shelby property. East of the creek on the west side of the property is an area that is primarily bare ground used for storage of firewood and wood-chips. Non-native annual grassland dominates the center of the project site. Along its northern boundary are the remnants of an avocado orchard that is no longer in production.

Cultural Resources

A small (486 square meter) low-density scatter of chipped stone waste and shellfish remains was previously recorded in the west-center of the project site in 1972 and identified as CA-SBA-1735 (Spanne, 1972). However, subsequent archaeological investigations of the site in 1999 by Santa Barbara County for the extension of Cathedral Oaks Road and in March 2001 by Dudek & Associates[4], were not able to locate any of the materials reported previously to be onsite[4]. There is an existing farm house, barn, and detached garage on the property of undisclosed ages but none of these structures are designated an historically significant per the City's GP/CLUP.

2.0 ALTERNATIVES

CEQA requires that an EIR explore alternatives that are designed to reduce or eliminate the significant impacts of the project. These alternatives will be more specifically defined upon completion of the project impact analysis. At this point, the following alternatives are anticipated:

a. No Project Alternative. This alternative would assume farming use of the site similar to that which occurred historically, i.e., orchards and wood lot storage.
b. Reduced Scale Alternative #1 – Protection of Streamside Protection Area (SPA). A project similar to the current project but all development pulled out of a 100-foot SPA buffer measured from the eastern edge of

[1] USDA Soil Conservation Service; *Soil Survey of Santa Barbara County, South Coastal Part*
[2] GP EIR Table 3.2-2.
[3] Agricultural Resource and Suitability Compendium, Shelby Property, 7400 Cathedral Oaks Road, Goleta, Nov. 2011.
[4] David Stone, Dudek & Associates; *Extended Phase I Archaeological Investigation Shelby Residential Project, 7400 Cathedral Oaks Road*, dated March, 2011

the riparian corridor of El Encanto Creek will be evaluated to determine the extent to which impacts would be lessened by reducing the number of units/intensity of project.

c. Reduced Scale Alternative #2 – Minimum 65 foot lot frontage. A project similar to the current project but with all lots meeting the minimum lot frontage requirement of the 7-R-1 zone district of 65 feet and no lots exceeding the subdivision standard maximum lot depth to width ratio of 3:1. The proposed project includes 46 lots that do not meet the 65-foot lot frontage requirement.

d. Alternative Sites. If an appropriate alternative site exists within the City, the EIR will provide a qualitative comparison of the relative impacts of locating the project to such a site.

Each alternative will be analyzed for the same set of environmental issues as the project, and any new issues that an alternative may have in addition. In accordance with CEQA, an environmentally superior alternative will be identified from the alternatives evaluated. If the No Project Alternative is found to be superior, the EIR will identify a superior alternative among the remaining alternatives.

3.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The EIR will serve as a project EIR in accordance with CEQA and will include an analysis of all aspects of the project, including all onsite residential development along and off-site development of access roads, bicycle paths, and utility connections. The EIR will include an analysis of the following environmental issues:

- ✓ Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- ✓ Biological Resources
- ✓ Cultural Resources
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- ✓ Hydrology/Water Quality
- Land Use/Planning
- Noise
- Population/Housing
- Public Services and Recreation
- ✓ Transportation/Traffic
- Utilities/Service Systems

3.1 Aesthetics

Existing Setting

The project site lies on the northern border of the City with unobstructed views across the property to Glen Annie Golf Course, the foothills, and Santa Ynez Mountains (see Figure 4 below). The only existing development onsite is a single-family residence, stables, and garage, all along the western property boundary. Remnants of an avocado orchard still exist on the northern ⅓ of the property and El Encanto Creek is the primary visual feature along the property's western side. Pursuant to the Visual and Historic Resources Element of the General Plan/ Coastal Land Use Plan (GP/CLUP) Policy VH 1.1, views of El Encanto Creek, the foothills, and the Santa Ynez Mountains are considered scenic resources to be protected and preserved. In addition, Cathedral Oaks Road is specifically identified by the GP/CLUP as a "Local Scenic Corridor" (Figure 6-1, Visual & Historic Element of the GP/CUP).

Project Impacts

As can be seen from Figure 4, the public currently has unobstructed views across the project site to the foothills, Santa Ynez Mountains, Glen Annie Golf Course, and the riparian corridor of El Encanto Creek, all of which are considered scenic views to be protected and preserved. The construction of 60 new homes would spread one-and-a-half and two-story structures over the property. Public views across the property will require analysis and an environmental determination to establish whether any of the new homes would diminish or eliminate public views from Cathedral Oaks toward the foothills and Santa Ynez Mountains. In addition, the combination of a significant grade differential between Cathedral Oaks Road and the project site, along with the placement of eight (8) single family lots in close proximity to that roadway, public views must be analyzed and assigned an environmental determination regarding a walled or canyon-like corridor that could result in visual impacts on this segment of Cathedral Oaks Road.

Figure 4
View across property toward mountains



Currently, the visual character of the site is of an open, rural nature with expansive views to the north and east and views of the riparian corridor of El Encanto Creek to the west. The subdivision and ultimate construction of 60 homes on this property could dramatically change the visual character of the project site from its current open, rural nature to that of a relatively dense suburban context. The project could also represent a substantial urban encroachment into an area north of Cathedral Oaks Road that has historically been considered more rural than suburban. The Urban Limit Line coincides with the City boundary in this area and incorporates the subject parcel.

The introduction of exterior night lighting associated with development of 60 new residential units in an area with very limited night lighting would pose a potentially significant impact on nighttime views as well as exposing neighboring uses and areas to significant light and glare. In this instance, such impacts could be exacerbated given the fact that the project would not maintain a 100-foot Streamside Protection Area (SPA) from the edge of the riparian corridor of El Encanto Creek. The significance of the aesthetic impacts associated with the proposed project needs to be determined in the EIR.

EIR Scope-of-Work:

1. The EIR consultant shall identify the regulatory framework for aesthetics, including any applicable Federal, State, and/or local regulations and/or standards.
2. The EIR consultant shall describe the criteria for determining a project's visual and aesthetic impacts, including the CEQA Initial Study checklist questions, direction provided in CEQA and applicable CEQA case law, the City's *Environmental Thresholds and Guidelines Manual*, and applicable City, State, and Federal regulations relating to visual resources and aesthetic impacts.
3. The EIR consultant shall describe the visual/aesthetic environmental baseline for the project. This task shall include conducting one or more site visits as necessary to photo-document the existing setting, and

public views of and through the site from surrounding public viewing areas as well as the local scenic corridor of Cathedral Oaks Road itself. Photo-documentation shall include views across the project site to the neighboring foothills, Santa Ynez Mountains and the riparian corridor of El Encanto Creek.

4. The EIR consultant shall utilize the photo-documentation to establish the environmental baseline to prepare visual simulations of the project. Visual simulations of the project shall focus on views from public viewing areas along Cathedral Oaks Road of the neighboring foothills, the Santa Ynez Mountains, and the riparian corridor of El Encanto Creek. A visual simulation drive-through model of Cathedral oaks Road, in the post-project scenario, shall be constructed and demonstrated to the Design Review Board, Planning Commission and City Council.
5. The EIR consultant shall describe the changes to views of and through the site in the post-project scenario and assess in detail the significance of those changes to existing views of scenic resources, especially to changes in night lighting and effects on adjacent uses and the riparian corridor. Changes to views from Cathedral Oaks Road as well as to the visual context of Cathedral Oaks Road itself given its designation in the GP/CLUP as a "Local Scenic View Corridor" shall also be described.
6. Optional task: A determination shall be made by City staff as to whether a Finding of Good Cause is required as outlined in Land Use Element Table 2-1, Allowable Uses and Standards for Residential Use Categories. If the finding will be required, visual simulations of the alternative projects that meet the Table 2-1 standards shall also be modeled and comparative environmental determinations rendered accordingly.
7. The EIR consultant shall describe in detail the project's contribution to cumulative visual/aesthetic impacts. The discussion of cumulative impacts should include changes to night lighting and the visual/aesthetic impact of project, taking into account existing and proposed development, based on a list and associated map of cumulative projects in the project area prepared by City staff. The project's contribution to cumulative visual/ aesthetic impacts would also be further evaluated pending a review of the photos from surrounding public viewing areas.
8. The EIR consultant shall identify appropriate mitigation measures.
9. The EIR consultant shall prepare a statement of residual impacts.

3.2 Agriculture – See Appendix A

3.3 Air Quality – See Appendix A

3.4 Biological Resources

Existing Setting

The project site is developed with one residential unit, a stable, and one barn on the western portion of the property. The remnants of the former avocado orchard on the property still exist on the upper ⅓ of the project site. The property slopes from north to south at an average grade of approximately 7.8%. Soil onsite are Diablo Clay that is considered to have low permeability and subject to medium runoff and a slight hazard for erosion.

El Encanto Creek and its riparian corridor are located just offsite along the western property boundary. This creek has been mapped as an intermittent stream by the US Geological Survey. Although the creek and its riparian corridor are not located within the property boundaries of the project site, the 100-foot Stream Protection Area buffer mandated by Conservation Element Policy CE 2.2 does extend well into the western portion of the property. The property itself does not contain any mapped or identified special status species habitat or plant communities.

The following vegetation and land cover types are found either onsite or along the riparian corridor of El Encanto Creek to the west of the property[5]:

[5] Watershed Environmental, Biological Report for the Shelby Property, February 8, 2011

- ✓ Non-native grassland (9.71 acres)
- ✓ Ornamental trees and shrubs (1.07 acres)
- ✓ Eucalyptus grove (0.97 acres)
- ✓ Riparian scrub (0.93 acres)
- ✓ Avocados (0.88 acres)
- ✓ Ruderal (0.28 acres)
- ✓ Coastal sage scrub (0.17 acres)
- ✓ Landscape turf (0.16 acres)

Policy CE 2.2 of the City's Conservation Element of the General Plan designates a 100-foot wide Streamside Protection Area (SPA) along creeks. Per CE 2.2, the purpose of the 100-foot SPA is to ensure that an adequate buffer maintained in a natural state is provided to prevent impacts of development from spilling into creek channels, wetlands, and/or riparian corridors which can provide important habitat for sensitive and special status species. CE 2.2 does allow for the reduction of the 100-foot SPA if it can be conclusively demonstrated that there is no feasible alternative siting for development that would avoid the upland buffer and a reduction of the SPA would not result in any adverse impacts to riparian vegetation or the biotic quality of the stream. The policy states that the buffer must be a minimum 25 feet in width.

Project Impacts

As noted above, there are no special status species onsite although Santa Barbara honeysuckle, considered a sensitive species by the California Native Plant Society, does exist along the western boundary of the project site and within the 100-foot Streamside Protection Area (SPA) of the creek. Per the submitted grading/drainage plan for the project, grading to construct a detention basin would occur in close proximity to this patch of Santa Barbara honeysuckle.[6] Figure 5 shows the 100 foot SPA buffer and where encroachments of the road and one or two home sites. The possible encroachment into the SPA buffer is a potentially significant impact that requires further study in the EIR.

Although not observed during the biological survey of the property performed by the applicant's biologist in January 2011, El Encanto Creek has the potential to serve as habitat for these two federally listed species: California red-legged frog (endangered) and (California listed as endangered) Southwestern willow flycatcher (threatened) which is also California listed as endangered. The California Department of Fish and Game listed species that might occur on the site include Yellow warbler, the Western pond turtle, the Coast Range newt, and the Two-stripped garter snake.

El Encanto Creek riparian corridor, shown on the left in Figure 1, is relatively undisturbed and in a natural state. The creek extends over 1,700 feet from Cathedral Oaks Road northward into the Glen Annie Golf Course where it continues on to the north.

The grading plan for the 60 new homes includes grading up to the property line and installation of a new storm drain that would discharge directly into El Encanto Creek. As such, the project does not maintain a minimum 100-foot Stream Protection Area (SPA) buffer as required pursuant to GP/CLUP Policy CE 2.2. As discussed above, CE 2.2 does allow for the reduction of the 100-foot SPA if it can be conclusively demonstrated that there is no feasible alternative siting for development that would avoid the upland buffer and a reduction of the SPA would not result in any adverse impacts to riparian vegetation or the biotic quality of the stream. The policy

[6] The project drainage plan also includes installation of a storm drain that would convey stormwater runoff from this detention basin to El Encanto Creek by crossing the intervening Glen Annie Golf Course property. Such a crossing would also pose a potentially significant impact to the SPA and its riparian corridor. However, as the property to be crossed by this storm drain does not belong to the applicant, and no easement or agreement by that property owner to the benefit of the applicant has been provided with the project application, City staff must assume that the alignment of this storm drain is not feasible. While the current alignment does not appear feasible, the storm drain could feasibly be routed through the applicant's property to the gutter along Cathedral Oaks Road where discharged runoff would then be conveyed through public drainage facilities to El Encanto Creek. As the discharge of such runoff would have to be metered to ensure that the post-development discharge rate did not exceed the pre-development condition, routing such runoff to the street instead of directly to the creek would not result in any new environmental effect above baseline levels.

states that the buffer must be a minimum 25 feet in width. Figure 5 below shows the extent of a 100-foot Streamside Protection Area along El Encanto Creek that abuts the project site on its western side.

Figure 5 below shows the creek setback from proposed roads, sidewalks and new homes. In this instance, the SPA provided per the current project plans is less than 50 feet (the yard for home #1) ranging to just less than 100 feet in the vicinity of the access road (to the west of homes #40 and 53).

Figure 5
Buffer Location along El Encanto Creek



This creek and its associated riparian corridor exist in a predominately rural setting. The creek is a major drainage with a watershed of 1,065 acres[6] and has been mapped as an Environmentally Sensitive Habitat Area (ESHA) north of Cathedral Oaks[7]. Such biological functions include the use of the riparian area as a wildlife movement corridor, nesting habitat for a variety of bird species adapted to utilize riparian ecosystems, protection of water quality and prevention of creek erosion, and potential habitat for a variety of amphibians and aquatic species. The alteration and/or reduction of the 100-foot SPA buffer in a natural state, needs to be analyzed and an environmental determination assigned, particularly as it relates to depriving species and habitats of protections needed to maintain their biological function and value.

There are no wetland resources on the project site as defined under Section 404 of the Federal Clean Water Act. Moreover, the survey prepared by the applicant's biologist for the project did not provide a wetland delineation within El Encanto Creek and its riparian corridor. Confirmation of the presence of wetland resources, or lack thereof, within adjoining portions of El Encanto Creek and its 100-foot SPA buffer is needed and an environmental determination assigned accordingly.

EIR Scope-of-Work

1. The EIR consultant shall identify the regulatory framework for biological resources, including any applicable Federal, State, and/or local regulations and/or standards.
2. The EIR consultant shall describe the criteria for determining a project's impact on biological resources, including the CEQA Initial Study checklist questions, direction provided in CEQA and applicable CEQA case law, the City's *Environmental Thresholds and Guidelines Manual*, and applicable City, State, and Federal regulations and standards relating to protection of biological resources and addressing biological resource impacts.
3. The EIR consultant shall identify the biological resource environmental baseline for the project through at least one site visit and peer review of the submitted biological report prepared by Watershed Environmental (February 8, 2011).
4. The EIR consultant shall conduct a wetland delineation pursuant to the *US Army Corp of Engineers Wetlands Delineation Manual, 1987* for that segment of El Encanto Creek on the property that lies within the 100 foot SPA buffer.
5. The EIR consultant shall conduct an updated search of the California Natural Diversity Database (CNDDB) and the California Native Plant Society (CNPS) Inventory Database for special-status and sensitive "elements" known to occur at or in the vicinity of the site to be used in preparation of the discussion of the project's biological environmental baseline.
6. The EIR consultant shall conduct a General Plan Policy CE 2.2 analysis with focus on (a) The exact location of the edge of the riparian corridor and distance to any physical improvements; (b) Whether there is no feasible alternative siting for development that will avoid the SPA upland buffer; and (c) The project's impacts will not have significant adverse effects on streamside vegetation or the biotic quality of the stream.
7. The EIR consultant shall describe and evaluate the significance of all potential project impacts on biological resources using the criteria noted above, as well as the information obtained from the peer review or previously filed reports, field investigations and site visits, and database research.
8. The EIR consultant shall describe the project's contribution to cumulative biological impacts. The discussion of cumulative impacts shall include the biological impact of project development, taking into account existing and proposed development in the western Goleta area.
9. The EIR consultant shall identify feasible and appropriate mitigation measures.
10. The EIR consultant shall prepare a statement of residual impacts.

[7] Santa Barbara County; *Special Status Species and Environmentally Sensitive Habitat Areas Map*, 2009.

3.5 Cultural Resources

Existing Setting

According to data obtained from the California Historical Resources Information System at the Central Coast Information Center (UCSB), earlier archaeological investigations of the project site found a small area (≤ 500 square meters) of low-density scatter of chipped stone waste flakes and shellfish remains near El Encanto Creek identified as site CA-SBA-1735[8]. Subsequent survey efforts conducted for the County of Santa Barbara in 1999 as part of the Cathedral Oaks Road extension project however did not locate CA-SBA-1735 or find any other cultural resources onsite[9]. Prior investigators (SAIC; 1999) have concluded that CA-SBA-1735 may have been destroyed as a result of construction of the adjacent Glen Annie Golf Course and/or removal of the previous lemon orchard onsite.

There is an existing residence, barn, and stable on the property that the applicant's historian[10] states are "1950s-era vernacular ranch building[s]." The barn and stable also have "materials and vernacular architectural elements [that] are typical of ranch buildings of the 1950s. These structures were moved from the lower half of the original 25-acre site when Cathedral Oaks Road was extended and the Crown Collection subdivision was built. None of these structures on the project is designated as historically significant in the City's GP/CLUP.

Project Impacts

Site CA-SBA-1735 lies in an area to be developed under the current project description with project grading for the 60 new homes to at least of depth of three (3) feet or more throughout the project site. The prior recordation of CA-SBA-1735 indicates that the project may have a limited potential to result in disturbance of archaeological/cultural resources although the significance of that impact will be determined in the EIR.
The historian's letter report[15] concludes that:

> "The three buildings are approximately fifty years old and thus meet the age requirement [of potential historic significance] but they have no historical integrity. This is because they have been moved from their original locations; they have lost they have lost their original agricultural setting due to suburban encroachment; they are utilitarian in design; and their materials and workmanship are commonplace….
>
> "In summary, the property's three buildings do not meet any of Goleta's criteria for significance and do not qualify as locally significant historic resources. For the same reasons outlined above, the buildings do not meet any of the California Register of Historical Resources criteria for significance. Overall, this assessment finds that the study property does not qualify as a historic resource under Goleta or State significance criteria."

Historic impacts are not anticipated and will not be included in the project EIR.

EIR Scope-of-Work

1. The EIR consultant shall peer review the Dudek & Associates report (March 2011), the SAIC report (1999) and the Spanne report (Spanne, 1972) as well as review all archaeological/cultural resource surveys and reports on file with the Central Coast Information Center at UCSB for the area in the vicinity of the project site, and conduct at least one site visit to establish the archaeological/cultural environmental baseline for the project.
2. The EIR consultant shall to determine if additional survey work in the area is necessary and, if so, conduct that work.

[8] Dudek & Associates; *Extended Phase I Archaeological Investigation, Shelby Residential Project*, March 2011
[9] Dudek & Associates; March 2011.
[10] Ronald L. Nye, Ph.D., Historian, "Letter Report Historical Assessment: 7400 Cathedral Oaks Road, Goleta CA, APN 077-530-019.

3. The EIR consultant shall confer with all interested Native American representatives and assist the City in the conduct of an SB 18 process and compliance with CEQA Guidelines Section 15064.5.
4. The EIR consultant shall identify the applicable regulatory framework for archaeological/cultural resources and impacts, including any applicable Federal, State, or local regulations and standards.
5. The EIR consultant shall describe the criteria for determining a project's impact on archaeological/cultural resources, including the Initial Study checklist questions, direction provided in CEQA and applicable CEQA case law, the City's *Environmental Thresholds and Guidelines Manual*, and applicable City, State, and Federal regulations and standards relating to protection of archaeological/ cultural resources and addressing archaeological/cultural resource impacts.
6. The EIR consultant shall identify and describe the potential project specific impacts to archaeological/ cultural resources, as well as assess the significance level of each identified impacts based on peer review of prior surveys, data collected from the data research effort, information from the consultation with interested Native American parties, and any additional field work conducted by the consultant.
7. The EIR consultant shall describe the project's contribution to cumulative impacts on archaeological/cultural resources. The discussion of cumulative impacts should include the impact of project development, taking into account existing and proposed development in the City.
8. The EIR consultant shall identify feasible and appropriate mitigation measures.
9. The EIR consultant shall prepare a statement of residual impacts.

3.6 Geology and Soils – See Appendix A

3.7 Greenhouse Gas Emissions – See Appendix A

3.8 Hazards and Hazardous Materials – See Appendix A

3.9 Hydrology and Water Quality

Existing Setting

Stormwater runoff from the project site generally flows overland to the south to Cathedral Oaks Road where it then splits and flows either to the west toward El Encanto Creek or to the east where it eventually enters the roadways' drainage system. For the 100-year storm event existing east-bound flows offsite are estimated at 9.07 cubic feet/ second (cfs) and west-bound flows to El Encanto Creek are estimated at 5.10 cfs[11]. Per the FEMA Flood Insurance Rate Map (FIRM) the project site is outside of Zone X and therefore not considered subject to a 500-year flood event. Furthermore, there is no floodway or floodplain mapped for El Encanto Creek in the vicinity of the project site. As the project site is well above the 40-foot topographic contour, it is considered outside the hazard area for a tsunami per the City's GP/CLUP.

Project Impacts

The drainage system would capture stormwater runoff in a system of curbs and gutters using permeable pavers interspersed with pervious bioswales capable of conveying such runoff to a series of catch-basins located on either the east or west side of the project site. For stormwater captured in the western catch-basins, it would then be conveyed to a detention basin at the southwest corner of the project site where it would be detained for metered release via a storm drain crossing the intervening property and discharging into El Encanto Creek upstream from the Cathedral Oaks Road Bridge. For runoff captured on the east side of the project it would be discharged into an underground detention system utilizing 60" diameter perforated pipes connecting to the detention basin at the southwest corner of the property where again, it would be discharged via a new storm drain into El Encanto Creek. Post-development discharge rates for the 100-year storm event are estimated at 13.01 cfs for the eastern basin of the project site and 17.26 cfs for the western basin of the project site. As such, per the applicant's drainage report,

[11] Civil Design & Drafting Inc; *Conceptual Hydrology & Hydraulic Report, Vesting Tentative Tract Map TM 32,045*, February, 2011.

stormwater discharge rates for the post-development condition would increase by approximately 43% for the eastern basin of the project site and a 42.5% increase for the western basin of the project site as a result in the associated increase in impervious surface posed by the project. Such increases have the potential to increase downstream flooding risks as well as increase the potential for streambank erosion and damage to aquatic habitats. The EIR will complete a peer review of the applicant's drainage study and will determine the significance of potential hydrology and water quality impacts.

The project would also increase the potential for urban pollutants such as petroleum products and landscape chemicals to be introduced into the runoff discharged into the area's storm drain system, El Encanto Creek, and the receiving waters of Devereux Slough and the ocean. This potential impact will be studied in the EIR.

EIR Scope-of-Work

1. The EIR consultant shall identify any applicable regulatory framework for hydrology and water quality, including any applicable Federal, State, or local regulations and standards.
2. The EIR consultant shall describe the criteria for determining the significance of any hydrology and water quality impacts posed by the project, including the Initial Study checklist questions, direction provided in CEQA and applicable CEQA case law, and applicable City, State, and Federal Regulations and standards relating to hydrology and protection of water quality.
3. The EIR consultant shall establish the project's hydrology and water quality environmental baseline through peer review of the submitted drainage plan and report (drainage plan by L&P Consultants, dated February 2011 and drainage report by Civil Design & Drafting Inc; *Conceptual Hydrology & Hydraulic Report, Vesting Tentative Tract Map TM 32,045*, February 2011), review of all pertinent FEMA and Santa Barbara County Flood Control District maps, Central Coast Regional Water Quality Control Board data on the water quality of any existing surface water bodies for which the project lies within their watershed, consultation with the City's Community Services Department, and any field surveys as needed.
3. The EIR consultant shall identify and discuss the significance of all project impacts on water quality, stormwater flows/flooding hazards, and site drainage.
4. The EIR consultant shall identify and discuss the significance of all project contributions to cumulative hydrology and water quality impacts in the area (City staff shall provide a list and associated map of cumulative projects within the City).
5. The EIR consultant shall identify feasible and appropriate mitigation measures.
6. The EIR consultant shall prepare a statement of residual impact.

3.10 Land Use and Planning – See Appendix A

3.11 Noise – See Appendix A

3.12 Population and Housing – Appendix A

3.13 Public Services and Recreation – See Appendix A

3.14 Transportation and Traffic

Existing Setting

Access to the project would be provided via a looped internal road system with two intersections with Cathedral Oaks Road. Cathedral Oaks Road is considered a major arterial providing east to west access north of the US Highway 101. Along the segment of Cathedral Oaks fronting the project site the posted speed limit is 40 mph. Per the *Caltrans Highway Design Manual*, minimum recommended sight-stopping distance for roads with a posted sped limit of 40 mph is 300 feet. In this instance, Cathedral Oaks is relatively straight and flat with sight distance in both directions of almost 1,000 feet. Major intersections within the travelshed for the project, as well as their current operational status during the morning and afternoon peak hours, are shown in Table 2 below.

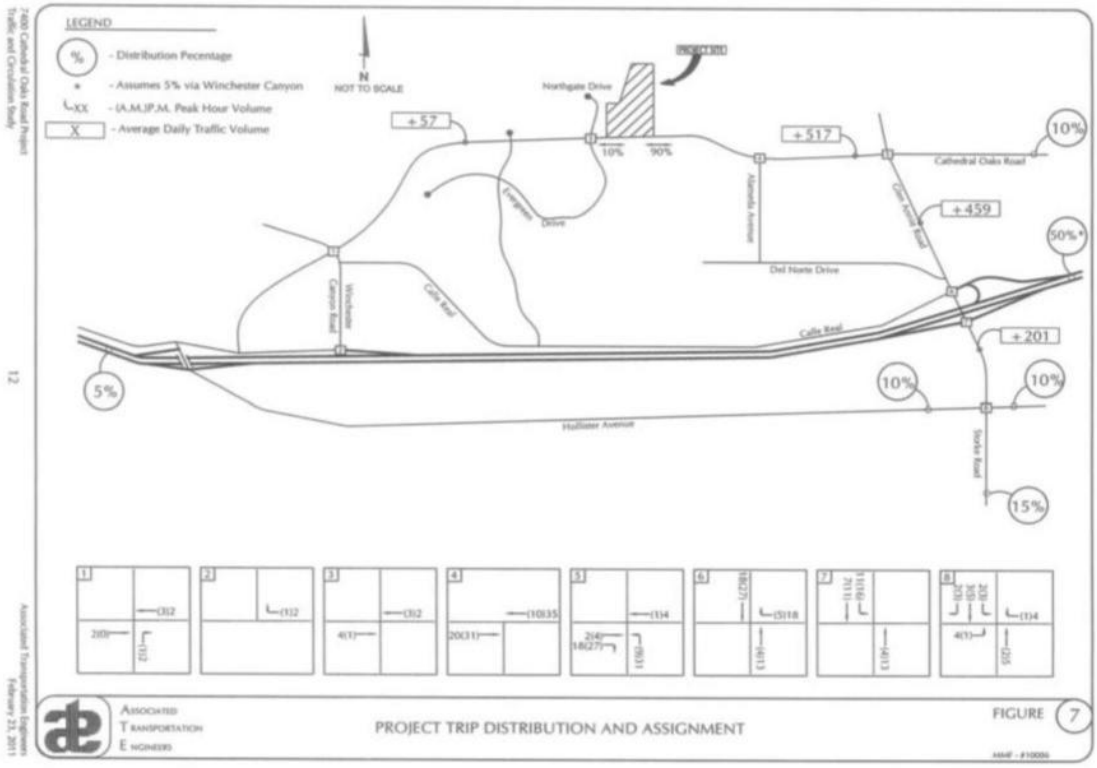
Project Impacts

Per the traffic study prepared by the applicant's traffic consultant (ATE; February 23, 2011), the 60 new homes are anticipated to generate 574 ADTs including 45 AM peak hour and 61 PM peak hour trips. Figure 5 below shows both the daily and peak hour distributions of these trips:

Table 1
Current Operational Status of Major Intersections

Intersection	Control	AM Peak ICU/LOS	PM Peak ICU/LOS
Cathedral Oaks/Winchester Cyn	4-way stop	8.9 seconds/LOS A	8.2 seconds/LOS A
US 101 NB Ramps/Calle Real/ Winchester Cyn	2-way stop	8.0 seconds/LOS A	8.7 seconds/LOS A
Cathedral Oaks/Northgate/Evergreen	2-way stop	11.4 seconds/LOS B	8.9 seconds/LOS A
Cathedral Oaks/Alameda	Signal	LOS A (v/c = 0.50)	LOS A (v/c = 0.28
Cathedral Oaks/Glen Annie	Signal	LOS C (v/c = 0.75)	LOS A (v/c = 0.55)
US 101NB Ramps/Calle Real/Storke	Signal	LOS C (v/c = 0.71)	LOS B (v/c = 0.69)
US 101 SB Ramps/Storke	Signal	LOS C (v/c = 0.78)	LOS C (v/c = 0.76
Hollister/Storke	Signal	LOS B (v/c = 0.61)	LOS C (v/c = 0.74)

Figure 6
Daily and Peak Hour Traffic Distribution



There are three major City roadways that would receive bulk of the project generated ADTs. Their current traffic volumes as well as project volumes for the existing + project condition are shown in Table 2:

Table 2
Existing + Project ADT

Roadway Segment	Acceptable Capacity	Existing ADT	Existing + Project ADT	% Change
Cathedral Oaks w/o Glen Annie	14,300	9,500	10,017	5.4%
Glen Annie n/o US Highway 101	14,300	9,200	9,659	5.0%
Storke s/o US Highway 101	34,000	33,800	34,001	0.6%

Source: ATE; 7400 Cathedral Oaks Road Project, Traffic and Circulation Study, February 23, 2011

Based upon the submitted analysis by the applicant's traffic consultant, project generated traffic volumes, both ADTs and peak hour trips, would not result in any significant impact to any City intersection or roadway segment. However, it should be noted that the traffic baseline on Cathedral Oaks Road and nearby intersections such as Cathedral Oaks/Glen Annie Road, Cathedral Oaks/Alameda Drive, Cathedral Oaks/Placer Drive and Cathedral Oaks/Northgate Drive are significantly affected by operations at Dos Pueblos High School and may not be consistent with more traditional peak hour traffic behavior associated with other types of land uses. For instance, an estimate of project generated peak hour trips is typically based on a period of one hour but in the case of Dos Pueblos High School, actual traffic loads are much more concentrated, therefore, potentially underestimating the actual project generated impacts on traffic operations during that concentrated time-frame. Specifically, the time period between 7:30 and 8:00 AM each school day sees a very high level of school-generated trips but that volume falls off dramatically after 8:00 AM since school is already in session. Furthermore, according to the Traffic Unit of the City's Police Department, the existing traffic baseline, with its heavy concentration of school-generated trips during this short time-frame, increases traffic safety concerns as well. In addition, operations of the two roadway intersections with Cathedral Oaks could also be adversely impacted in a significant manner as a result on the project + baseline condition, especially immediately before the school classes begin and when school ends about 2:50 in the afternoon. Therefore, to accurately assess the project's potential to affect both traffic safety and traffic operations on Cathedral Oaks and its associated intersections, further site-specific traffic studies may be necessary.

In addition, the project would contribute vehicular trips to the US 101 Northbound Ramps-Calle Real/Winchester Canyon Road intersection (an existing three-way stop control intersection), US 101 Southbound Ramps/Hollister Avenue intersection) and the soon-to-be-complete Cathedral Oaks Road Interchange (including the reconfigured ramp and roadway intersections associated with the project). To ensure that project impacts do not result in a significant effect on these intersection operations, further traffic studies need to incorporate these intersections into their scope-of-work.

Finally, the City has received comments in the past from Caltrans regarding their concerns with the Storke/Glen Annie/Highway 101 intersection and the weave analysis of car movements between Los Carneros and Storke/Glen Annie off ramps associated with other projects in the City. As the project would contribute trips to those intersections, their potential effect on such intersection and highway operations also needs further evaluation.

EIR Scope-of-Work

1. The EIR consultant shall identify any applicable regulatory framework for transportation/circulation impacts, including any applicable Federal, State, or local regulations and standards.
2. The EIR consultant shall describe the criteria for determining the significance of any transportation/circulation impacts resulting from the project, including the Initial Study checklist questions, direction provided in CEQA and applicable CEQA case law, and applicable City, State, and Federal regulations and standards relating to transportation and circulations systems.
3. The EIR consultant shall peer review the applicant's traffic study (ATE; February 23, 2011) and establish the project's traffic related environmental baseline for the project's travelshed as defined and directed by City Planning and Community Services staff. If site-specific traffic counts are deemed necessary to

accurately assess the project potential impact on traffic operations and safety on Cathedral Oaks and its associated intersections given the affect of operations at Dos Pueblos High School on that baseline, the EIR consultant shall conduct such counts and associated analysis.

4. The EIR consultant shall expand the scope of the traffic analysis to include the US 101 Northbound Ramps-Calle Real/Winchester Canyon Road intersection (an existing three-way stop control intersection), US 101 Southbound Ramps/Hollister Avenue intersection), the soon-to-be-complete Cathedral Oaks Road Interchange (including the reconfigured ramp and roadway intersections associated with the project), and the Storke/Glen Annie/Highway 101 intersection as well as a weave analysis between Los Carneros and Storke/Glen Annie off ramps.
5. The EIR consultant shall identify and discuss project-specific and cumulative impacts, for both roadway operations and the AM and PM peak hour intersection operations, including the Placer Drive/Cathedral Oaks Road intersection.
6. The EIR consultant shall evaluate the location of Northgate Drive with respect to the western project access roadway as well as the existing left-turn pocket length and prepare recommendations regarding its adequacy as well as the need for the use of either a reverse taper or a two-way left-turn lane between the pockets.
7. The EIR consultant shall conduct a CMP cumulative analysis and identify and evaluate project related impacts as appropriate.
8. The EIR consultant shall identify feasible and appropriate mitigation measures.
9. The EIR consultant shall provide a statement of residual impact.

3.15 Utilities and Service Systems – See Appendix A

4.0 OTHER CEQA SECTIONS

In accordance with CEQA Section 15130, the EIR will discuss the project's contribution to cumulative environmental impacts and address the likelihood of the occurrence and severity of potential impacts. In addition, the EIR will discuss ongoing construction activities and foreseeable projects in the general vicinity of the project site. This section will also include a discussion of irreversible/unavoidable impacts and any growth inducing effects resulting from the project.

APPENDIX A
EFFECTS NOT FOUND TO BE SIGNIFICANT

Pursuant to CEQA Guidelines Section 15128, the following effects were not found to be significant and are not proposed to be included in the Environmental Impact Report.

3.2 Agriculture

As noted under Project Description above, the issue of conversion of land designated for agriculture to residential use is discussed in the General Plan Amendment EIR that is being prepared under separate cover. For the purposes of the project EIR only, the land is assumed to be designated for residential use and the environmental analysis will compare the existing conditions, i.e., an open space, a single-family residence and two small outbuildings on a 14.38-acre site, to the proposed 60-unit residential development.

Existing Setting

According to the General Plan EIR, Class I and II soils are considered to be "prime agricultural soils because they impose few limitations on agricultural production, and almost all crops can be grown successfully on these soils.[12]" The Class II soils on the Shelby site are Diablo Clay (11.9 acres) with 11.3 acres of the property considered Prime Farmland[13]: The County's 1997 EIR on the proposed extension of Cathedral Oaks Road[14] adjacent to the site found that the Class II soils on the project site met the criteria for prime soils based on Soils Conservation Service[15]. However, the applicant has submitted a soil study done by an Agricultural Economist in May 2006[16] and other information that conclude "the parcel is neither suitable nor viable for agricultural uses under a reasonable range of assumptions and scenarios." The property has not been actively farmed since 1995.

Project Impacts

The existing agricultural "setting" is a large fallow field with three small buildings. As no agricultural activity is occurring on the site at this time, there would be no impact from the proposed subdivision on agricultural resources. The issue of the loss of agricultural viability associated with converting this land designated for agricultural use to residential is addressed in the project's General Plan Amendment EIR.

3.3 Air Quality

Existing Setting

The climate in and around the City, as well as most of Southern California, is controlled largely by the strength and position of the subtropical high-pressure cell over the Pacific Ocean. This high-pressure cell typically produces a Mediterranean climate with warm summers, mild winters, and moderate rainfall. This pattern is periodically interrupted by periods of extremely hot weather brought in by Santa Ana winds. Almost all precipitation occurs between November and April, although during these months, the weather is sunny or partly sunny a majority of the time. Cyclic land and sea breezes are the primary factors affecting the region's mild climate. The daytime winds are normally sea breezes, predominantly from the west, that flow at relatively low velocities. Additionally, cool, humid, marine air causes frequent fog and low clouds along the coast, generally during the night and morning hours in the late spring and early summer.

Federal and State ambient air quality standards are the levels of air quality considered safe, with an adequate margin of safety, to protect the public health and welfare. They are designed to protect those people most

[12] City of Goleta GP/CLUP EIR, p. 3.2-5, September 2006.
[13] GP/CLUP EIR, Table 3.2-2, page 3.2-6, September 2006.
[14] "Cathedral Oaks Road Segment 3 EIR" (96-EIR-06)
[15] Soil Conservation Service is now Natural Resource Conservation Service or NRCS.
[16] "The Agricultural Suitability and Viability of a 14-Acre Parcel Located at 7400 Cathedral oaks Road, Goleta, California" by John Gostovich, Consulting Agricultural Economist, May 2006.

susceptible to further respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and persons engaged in strenuous work or exercise, called "sensitive receptors."

As of 2008, Santa Barbara County is designated as a Federal ozone attainment area for the 8-hour ozone standard (the 1-hour Federal standard was revoked for Santa Barbara County). A new California 8-hour ozone standard was implemented in May of 2006. This standard has been exceeded by air quality conditions in the County and the State standard for particulate matter, 10-microns (PM_{10}) continues to be exceeded. Santa Barbara County is therefore a non-attainment area for the State standards for ozone and PM_{10}. The County is in attainment for the Federal $PM_{2.5}$ standard and unclassified for the State $PM_{2.5}$ standard (based on monitored data from 2006-2008), and is designated as in attainment or unclassified for other State standards and for all Federal clean air standards.

Project Short-Term Construction Impacts

Quantitative thresholds of significance are not currently in place for short-term construction emissions. However, short-term impacts such as exhaust emissions from construction equipment and fugitive dust generation during grading of the 60 new homes must be analyzed. In the interest of public disclosure, the APCD recommends that construction related nitrous oxides (NO_X), reactive organic compounds (ROCs), PM_{10}, and $PM_{2.5}$ emissions from diesel and gasoline powered equipment, paving, and other activities be quantified. The APCD uses 25 tons/year of NO_X and ROCs as a guideline for determining the significance of construction impacts on air quality. Preliminary earthwork quantities are estimated at 27,500 cubic yards of cut and 23,500 cubic yards of fill. The cumulative grading and construction period is estimated to be 30 days of grading and construction spread out over the entire length of time required to construct the subdivision improvements and build all 60 homes. As a result, construction generated PM_{10}/$PM_{2.5}$ dust for a project of this size, based on modeling, using the latest CalEEMod air quality modeling software, is preliminarily estimated to be 13.6 tons/year. Construction generated ROCs are preliminarily estimated at 23 tons/year and construction generated NO_X is estimated at 10.7 tons/year.

Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. PM_{10}/$PM_{2.5}$ exhaust emissions for heavy equipment involved in project construction using the latest URBEMIS air quality modeling software are preliminarily estimated at 1.3 tons/year. Carbon dioxide emissions during construction are estimated at 3.07 metric tons/day which is below the thresholds. Significant construction-related impacts are not expected to occur.

Long-term Operational Impacts

The project's long-term, daily operational emissions (emissions from landscaping, heating, solvents, paints, etc.) for the 60 residential units, as well as vehicular emissions of ROCs and NO_X generated by those 60 residences, are preliminarily estimated at 9.3 and 2.07 lbs/day respectively. As these emission levels are below the City's adopted threshold of 25 lbs/day, long-term project emissions of criteria pollutants are considered less than significant.

3.6 Geology and Soils

Existing Setting

The project site is underlain by south-dipping Rincon shale in its northern extent and older silt, sand, and gravel deposits in its central and southern extents[17]. There are no California designated Alquist-Priolo active earthquake faults mapped on the project site and per the geological report submitted by the applicant the closest active regional fault is the Mission Ridge-Arroyo Parida-Santa Ana Fault 1.9 miles to the south of the project site. Per the City's GP/CLUP Geological Hazards Map (Figure 5-1 of the GP/CLUP Safety Element), the Glen Annie Fault (inactive) is located approximately ½ mile to the north of the project site and the More Ranch Fault, which is considered a western extension of the Mission Ridge-Arroyo Parida-Santa Ana Fault, is located approximately 1.4 miles to the south of the project site. Testing of near-surface soils and bedrock onsite by the applicant's consulting geologist determined that these soils and the underlying geological formation have a "very high expansion potential". Groundwater was encountered at a depth of 51 feet during geological investigations and the potential for

[17] ENGEO Inc; *Geological Exploration, 7400 Cathedral Oaks Road*, February 23, 2011

liquefaction onsite is considered low. Slope instability and the potential for landslides are considered low in the southern extent of the project site but raises to high in the northern extent of the property.

Project Impacts

Given the lack of any active mapped earthquake faults traversing the project site, the potential for ground rupture due to seismic activity is considered low. However, secondary seismic hazards such as ground shaking may be potentially significant given the susceptibility of the Santa Barbara County South Coast to moderate to high magnitude earthquakes. Furthermore, given the potential for slope instability, erosion, and landslides in the northern extent of the project site, project effects on such geological processes may be significant. These issues are addressed in the applicant's geological study that will be reviewed and recommendations incorporated into the project's design prior to issuance of building permits. Significant geology and soils impacts are not expected to occur.

3.7 Greenhouse Gas Emissions

Existing Setting

Greenhouse gases (GHGs) are global pollutants, unlike criteria pollutants or toxic air contaminants (TACs) which are of regional or local concern. Whereas criteria pollutants and TACs with localized air quality effects has relatively short atmospheric lifetimes (about one day), GHGs have long atmospheric lifetimes (one year to several thousand years) and persist in the atmosphere long enough to be dispersed around the world. The quantity of GHGs required to result in climate change is not precisely known; suffice it to say that quality is enormous and no single project alone would measurably contribute to a noticeable incremental change in the global average temperature, or to global, local, or micro climate. Therefore, from the standpoint of CEQA, GHG impacts are inherently cumulative.

Project Short-term Construction Emissions

The California Emissions Estimator Model (CalEEMod) was run to assess the project's construction emissions that might contribute to GHG. Project construction activities, especially those associated with heavy equipment operations for grading, would contribute to cumulative GHGs and global climate change. The use of heavy trucks, excavators, graders, and smaller equipment as well as unnecessary idling of that equipment, and the transportation of construction workers and materials during the work week to and from the site over months would result in emission of combustion related GHG emissions. For the project, it is preliminarily estimated that project construction generated CO_2 emission levels (unmitigated and unmitigated) could be 2.29 metric tons per day (equivalent to a yearly emission rate of 836.71 metric tons per year for construction/grading activities). The City of Goleta has not adopted significance criteria for construction activities. The anticipated level of GHG emissions during construction is not considered significant because the emissions would be temporary and finite in nature and the construction activities will follow Best Management Practices.

Project Long-term Operational Emissions

Emission of combustion related pollutants would occur during project operation from such sources as project-generated traffic associated with the 60 new homes, consumption of fossil fuels for water and space heating systems, and other activities such as landscape maintenance and HVAC system leaks. The CalEEModel estimated that the direct long-term operational CO_2 emissions for the project would include the following:

Mitigated operational (energy, mobile, waste and water)	897 metric tons/year
Vegetation (new trees and vegetation land change)	42 metric tons/year
Total	939 metric tons/year

While the City of Goleta does not have a threshold for long-term operational emissions, guidance is provided by the Bay Area Air Quality Management District which has a threshold of 1,100 metric tons/year. Based on this criterion, the long-term operational GHG emissions would not be a significant impact.

Indirect long-term emissions associated with the project would include energy consumed offsite in order to service the residential units (such as at utility providers associated with the project's energy and water demands). For projects of this scale, these indirect emissions are expected to be minor and incremental, would not require the construction of any new utility facility, and would not conflict with programs that utility providers have adopted in order to reduce GHG contributions. The project is subject to and would include measures required by the Green Building Code of the City and the Energy Efficiency Standards. The project would also not conflict with any other plan, policy or regulation of an agency adopted for the purpose of reducing GHG emissions. Therefore, project GHG emission impacts are considered less than significant.

Cumulative Impacts

GHG emissions from the project, as well as GHG emissions from other projects in the area, would incrementally contribute to GHG emissions. However, these emissions represent a small percentage of California's overall GHG emission, which were estimated at 484 million metric tons in CO_2e per year and, when combined with the GHG emissions of other projects in the area, the cumulative impact is not cumulatively considerable and is, therefore, less than significant.

3.8 Hazards and Hazardous Materials

Existing Setting

The project site has been in agricultural production for many years with the property most recently used as a commercial avocado orchard until the late 1990s. A Phase I environmental assessment of the project site has not been done, however, given the property's past history in agricultural production, it is possible that hazardous agricultural chemicals may have been used and/or stored onsite. The property abuts the High Wildfire Hazard Zone along the northern boundary of the City but is outside any Santa Barbara Municipal Airport operation areas (clear or approach zones).

Project Impacts

As a previous agricultural site, hazardous agricultural chemicals may have been used or disposed of onsite without proper precautions. The potential hazardous chemicals could account for residual levels in the soil that could be potentially harmful to future residents of the project. The Fire Department has recommended that the applicant work with the Hazardous Material Unit of the Fire Prevention District if hazardous soils are encountered. These and other required standards should reduce any potential impacts to a level of insignificance.

3.10 Land Use and Planning

Existing Setting

The project site is bordered on its north and east sides by the Glen Annie Golf Course which lies within the jurisdiction of Santa Barbara County, by Cathedral Oaks Road and single family residential development to its south, and El Encanto Creek, Northgate Drive and multi-family residential development to the west. El Encanto Creek and its riparian corridor are designated as ESHA per the GP/CLUP. A Streamside Protection Area (SPA) buffer of 100-feet is also required by Conservation Element Policy 2.2 (with certain exceptions).

The property is designated Agriculture under the GP/CLUP and zoned AG-II-40 (Agriculture II, 40-acre minimum lot size) per the City's Inland Zoning Ordinance. Residential development of this property would require a change to this land use designation in the GP/CLUP as well as a rezone from Agriculture II to Single Family Residential. The proposed land use change is addressed in a separate EIR and, for the purposes of the project EIR, the land is assumed to be designated residential.

Project Impacts

Streamside Protection Area - The project is subject to a wide variety of GP/CLUP policies. Assessment of project consistency with those policies will be conducted during preparation of the EIR for this project. As discussed under

Biological Resources section above, of particular concern at this juncture is the Streamside Protection Area (SPA) requirements of Conservation Element Policy CE 2.2. CE 2.2 requires a 100-foot buffer measured from the edge of a steam's riparian corridor to ensure that the biologic value and function of the stream and its associated riparian corridor are adequately protected including protection of water quality, prevention of stream erosion, preservation of stream aquatic values, and preservation of the riparian corridor for wildlife movement. CE 2.2a allows the SPA to vary in width under certain circumstances:

> "Policy CE 2.2a: The City may consider increasing or decreasing the width of the SPA Upland buffer on a case-by-case basis at the time of environmental review. The City may allow portions of a SPA upland buffer to be less than 100 feet wide, but not less than 25 feet wide, based on a site specific assessment if (1) there is no feasible alternative siting for development that will avoid the SPA upland buffer; and (2) the project's impacts will not have significant adverse effects on streamside vegetation or the biotic quality of the stream."

As currently designed (see Figure 5), the buffer between the project and the edge of the riparian corridor of the creek varies in width and does not meet the required 100-foot setback required by Policy CE 2.2 in at least two locations. The biological resources section of the project EIR will provide information that will help staff and decision-makers determine whether the SPA should be reduced in width and, if so, what the setback should be.

Visual Resources - As discussed in the Aesthetics/Visual Quality section above, Cathedral Oaks Road is considered a "local Scenic View Corridor" and views across the project site from Cathedral Oaks Road are considered "Scenic Views to be Protected" per the City's GP/CLUP. Moreover, the project may eliminate some or all of the protected views of the Santa Ynez Mountains from Cathedral Oaks Road. The project may also significantly impact the visual quality of the road corridor and may conflict with the visual protection policies of the GP/CLUP. The visual quality section of the project EIR will provide an analysis of the potential impact on visual resources.

Land Use and Planning - The property is designated Agriculture under the GP/CLUP and zoned Ag-II-40. Residential development of this property would require a change to the land use designation from Agriculture to Residential. The proposed land use change is addressed in a separate EIR and, for the purposes of the project EIR, the land is assumed to already be designated Residential under the GP/CLUP. Land use impacts are not expected to occur.

Change to minimum lot frontage in Single Family Residential Zone from 65 to 60 feet - The proposal also includes an ordinance amendment that would affect only the Single Family Residential zone. The request is to reduce the minimum lot frontage requirement for newly created parcels from the current 65 feet to 60 feet. Many of the single family neighborhoods in the City are zoned Single Family Residential. However, virtually all of the Single Family Residential zoned areas of the City of Goleta have been developed and would not be affected by the ordinance amendment. It is possible that lot line adjustments could occur between two or more parcels, resulting in reconfigured parcels that have only 60 feet of frontage rather than 65 feet. This is speculative at best and wouldn't be expected to result in significant impacts.

There is a property owner on Cambridge Road above Cathedral Oaks Road that recently submitted a request to rezone their 4.7-acre property from DR-1.8 (Design Residential, 1.8 units per acre) to 7-R-1. The maximum development under the DR-1.8 designation would be eight units and the property owner's stated intent is to develop a traditional subdivision of seven homes. If the rezoning to 7-R-1 were approved, it is possible that more lots could be proposed as less frontage would be required per newly created parcel. However, that site is very constrained and the number of potential parcels is not expected to be any more than seven, the same as under the current zoning, therefore no impacts are expected to occur. There are few, if any, other vacant parcels zoned Single Family Residential. No impacts are expected with the proposed frontage requirement change.

3.11 Noise

Existing Setting

The project site is surrounded on two sides by the Glen Annie Golf Course, El Encanto Creek and multi-family residential on its west side, and Cathedral Oaks Road single family residential to the South. The project site is

outside of any airport or highway noise corridor and is generally subject to an ambient Community Noise Equivalent Level (CNEL) 24 hour weighted average of less than 60 dB(A). Dos Pueblos High School, which is considered a sensitive noise receptor, lies approximately 1,500 feet to the east on the south side of Cathedral Oaks Road.

Project Short-Term Construction Noise Impacts

The residential neighborhoods to the west and south of the project site as well as Dos Pueblos High School to the east are all specifically considered noise sensitive receptors per the GP/CLUP and the City's adopted *Environmental Thresholds and Guidelines Manual*. Per the GP/CLUP the general limit on acceptable noise levels for such sensitive receptors is 60 dB(A) CNEL. Acceptable noise levels for golf courses is 70 dB(A) CNEL and it should be noted that ESHAs such as the El Encanto Creek riparian corridor can be adversely impacted by excessive noise levels which may inhibit avian nesting and/or wildlife movement through the corridor. The City's *Environmental Thresholds and Guidelines Manual* finds that construction equipment noise, measured 50-feet from the source, can typically reach 95 dB(A). Furthermore, per the City's *Environmental Thresholds and Guidelines Manual*, noise attenuation for point-source noise occurs at a rate of 3dB(A) for every doubling of the distance from the noise source itself. Therefore, any sensitive receptor with an acceptable noise level limit of 60 dB(A) within 1,600 feet of the construction site would be considered to be significantly impacted by such construction noise. As noted above, the project site is surrounded on its south and west sides by residential development and Dos Pueblos High School is only 1,500 feet to the east of the property. Therefore, project construction noise impacts on these sensitive noise receptors would be considered potentially significant. Furthermore, as the Glen Annie Golf Course abuts the project site on its north and east sides, construction noise levels experienced by golf course users would be well in excess of the acceptable limit pursuant to the GP/CLUP of 70 dB(A). Finally, project construction would occur within close proximity to the riparian corridor of El Encanto Creek thereby potentially disrupting avian nesting and wildlife movement in and through that corridor.

Potential impacts from construction noise would be mitigated to a level of insignificance through standard noise mitigation measures including limiting construction to Monday through Friday, from 8 am to 5 pm, providing noise shields around stationary construction equipment that exceeds 65 dB(A) at project boundaries, etc. Construction noise is not expected to be significant.

Long-Term Noise Impacts

As a residential subdivision, long-term operational noise would involve project generated traffic, landscape maintenance noise, and other outdoor activities associated with a single family development of 60 units. This noise is not expected to be significant.

3.12 Population and Housing

The project EIR assumes that the General Plan land use designation has changed from Agriculture to Residential, thus the potential population and housing impacts associated with the project are assumed to have been addressed as part of the General Plan Amendment and no further analysis is necessary.

3.13 Public Services and Recreation

Existing Setting

Fire Protection: Fire Protection services would be provided by the Santa Barbara County Fire Department (SBCFD). The closest station to the project site is Fire Station 11 located at 6901 Frey Way just off Storke Road and immediately south of the Camino Real Marketplace. The National Fire Protection Association (NFPA) and the SBCFD identify the following three guidelines regarding the provision of fire protection services:

a. A firefighter-to-population ratio of one firefighter on duty 24 hours a day for every 2,000 persons is the ideal goal. However, one firefighter for every 4,000 persons is the absolute maximum population that can be adequately served.

b. A ratio of one engine company per 12,000 persons, assuming three firefighters per station (or 16,000 persons assuming four firefighters per station), represents the maximum population that the SBCFD determined can be adequately served by a three-person crew.

The mandated Cal-OSHA requirement for firefighter safety, known as the "two-in-two-out rule", is also applicable. This rule requires a minimum of two personnel to be available outside a structure prior to entry by firefighters to provide an immediate rescue for trapped or fallen firefighters, as well as immediate assistance in rescue operations. Station 11 has a staff of six personnel to man one engine (3 firefighters) and one ladder truck (3 firefighters). However, it should be noted that the ladder truck operating out of Station 11 is a countywide emergency response vehicle and is not dedicated to Station 11's primary service area. Therefore, including Ladder 11's crew into any firefighter to population calculation may overstate the Fire Department's resource availability for Station 11's primary service area.

Fire Station 11 currently does not meet the NFPA and SBCFD guidelines, as follows (City of Goleta, General Plan/CLUP Final EIR, Table 3.12-1, 2006):

- The current ratio of firefighters to population at Fire Station 11 is 1:7,198, based only on the engine company with a three-man crew dedicated to Station 11's service area, which exceeds the 1:4,000 guideline.
- Fire Station 11 currently serves a population of 21,594, which exceeds the ratio of one engine company (three-person crew) per 12,000 population by approximately 9,594 people.

The SBCFD has recently implemented a dynamic deployment system for its fire engines, in addition to the traditional static deployment from fire stations when the station's engine is "in-house." Dynamic deployment allows for the dispatching of engines already on the road to emergency calls rather than dispatching by a station's "first in area" as previous practice. Basically, dynamic deployment uses a Global Positioning System (GPS) to monitor the exact location of each engine in real time. Previously, when an engine was out on routine (non-emergency) activities such as inspections or training, the engine company was considered "in-service" and its exact location at any given moment in time was not known to County Dispatch. However, with dynamic deployment using the County's GPS, County Dispatch has real-time information on the exact location of each engine at all times and can dispatch the closest, un-engaged engine to an emergency incident regardless of which fire station's service area the call originates from, thereby precluding the need for an in-service engine to have extended run times when another fire engine would be closer. The Fire Department has also added a battalion chief as the fourth firefighter on scene, in order to meet the "two-in-two-out rule." While the NFPA and SBCFD criteria shown above are not adopted thresholds of significance, they provide a guideline for determining significance.

Police Services: Services are provided by the County Sheriffs Department under contract to the City. Law enforcement services include 24-hour police patrol for traffic enforcement, accident investigation, vehicle abatement, and parking control, as well as detective services for special investigations. Specialized functions through the Santa Barbara County Sheriff's Department are provided as needed. There are also services available for special events and/or natural disaster response.

Public Schools: Schools serving the project vicinity include Brandon Elementary operated by the Goleta Union School District at 195 Brandon Drive, the Goleta Valley Junior High and Dos Pueblos High School operated by the Santa Barbara High School and Elementary School District at 6100 Stow Canyon Road and 7266 Alameda Avenue respectively.

Park Facilities: Parks in proximity to the project site include the Sperling Preserve/Ellwood Mesa south of the freeway and Lake Los Carneros to the east on Cathedral Oaks Road. Girsh Park near the Camino Real Shopping Center is available for use by future project residents as well as use of some recreational facilities at Dos Pueblos High School.

Library Services: Services are provided to the community at the Goleta Public Library that is operated by the City of Santa Barbara under contract to the City of Goleta. The library is located in a facility owned by the City of Goleta at 500 North Fairview Avenue.

Recreation: The City has 10 public parks, four private parks, and 20 public open space areas comprising a total of 523 acres. This equates to approximately 18 acres/1,000 residents. The two larger City-owned regional open space preserves, the Sperling Preserve/Ellwood Mesa and the Lake Los Carneros Natural & Historical Preserve collectively account for 363 acres of that total. Approximately 40% of the City's two miles of Pacific shoreline is held in City ownership. Together with the neighborhood open space areas, these preserves and open space areas provide many opportunities for passive recreation and enjoyment of natural areas. Areas specifically developed for active recreational uses however are less abundant with about three acres of developed park land/1,000 residents. The City's single recreation center, the Goleta Valley Community Center, is insufficient to fulfill all the needs of community groups and residents. Although privately owned and managed, Girsh Park provides much-needed facilities for active recreation, however there remains a shortage of public facilities for active recreation such as sports fields, tennis courts, swimming pools, and dedicated trails. The parks in closest proximity to the project site are the Sperling Preserve/Ellwood Mesa, Lake Los Carneros Natural and Historic Preserve, and Girsh Park. Active recreational facilities are also available at Dos Pueblos High School.

Project Impacts

Fire Protection: The project and the new residents associated with 60 new homes would primarily be served by Fire Station 11, which currently exceeds recommended service-to-population standards and, in some portions of its primary service area, cannot meet recommended response time standards. Therefore, while fire protection services would still be provided, some emergency calls from the project site may experience a delay. The Fire Department has reviewed the project in concept and provided conditions of approval in a letter dated December 17, 2010. The letter expresses concern about response time in the Goleta Valley and requires the payment of Development Impact Fees and the approval of a Development Agreement "to offset the undue burden to the already overloaded emergency response area." With the payment of fees and approval of a DA, the project will not have a significant effect on fire protection services.

Police Protection: The Sheriff's Department currently maintains a staff of approximately 34 sworn officers assigned to the City of Goleta for a population to police office ratio of 1:900. Per the General Plan EIR (September, 2006), the Sheriff's Department recommends that additional officers be assigned to the City at a range of 1:750 to 1:1,070 new residents. The project would be subject to payment of Development Impact Fees adopted for the purpose of requiring projects to pay a fair share of police services and facilities associated with cumulative development. The resulting impact to police protection services is considered less than significant.

Schools: The elementary school that serves the project site is Brandon Elementary. The secondary schools that serve the site are Goleta Valley Junior High School and Dos Pueblos High School. Table 1 below shows current school enrollment as well as District estimated student generation/residential unit.

Table 1
School Capacity and Potential Impacts

School	Current Enrollment	Capacity	Student Generation Rate	Project Added Students
Brandon Elementary	446	475	0.2 Students/Unit	12
Goleta Valley Junior High School	860	1,000	0.04 Students/Unit	2
Dos Pueblos High School	2,365	2,565	0.05 Students/Unit	3
Sources: Goleta Union School District office Goleta Valley Junior High School Dos Pueblos High School				

As maximum classroom size is frequently changing in response to School District budgetary issues and this project would add potentially 17 new students at public schools that are currently under capacity. Therefore, the project's contribution to school impacts is less than significant.

Recreation: As the project site is assumed to be zoned and designated for residential use, the offsite recreational demand associated with the incremental increase in use by residents of the 60 new homes is assumed to be met by existing and planned recreational facilities. As a subdivision is proposed, the Quimby Act applies whereby fees are paid on a per unit basis to offset costs of parks facilities. The impact to recreation is not expected to be significant.

Other Public Facilities: Project residents would have access to other public services such as the Goleta Public Library. The increase in use of the library from an additional 156 people is not expected to be significant, particularly with the payment of a Library Facility Fee.

3.15 Utilities and Service Systems

Existing Setting

Sewer service in this area is provided by the Goleta West Sanitary District (GWSD) and water service is provided by the Goleta Water District (GWD). Marborg Industries provides solid waste collection within the City and all City-generated solid waste is transported to the Tajiguas Landfill on the Gaviota Coast operated by Santa Barbara County. Stormwater from the project site would be routed through the subdivision to a system of curb/gutters using permeable pavers interspersed with pervious bioswales capable of conveying such runoff to a series of catch-basins located on either the east or west side of the project site. For stormwater captured in the western catch-basins, it would then be conveyed to a detention basin at the southwest corner of the project site where it would be detained for metered release via a stormdrain crossing the intervening property and discharging into El Encanto Creek upstream from the Cathedral Oaks Road Bridge across the creek. For runoff captured on the east side of the project it would be discharged into an underground detention system utilizing 60" diameter perforated pipes connecting to the detention basin at the southwest corner of the property where again, it would be discharged via a new storm drain into El Encanto Creek.

Project Impacts

Wastewater
Treatment of wastewater collected by GWSD is provided through a contract with the GSD. The GSD treatment plant has a capacity of 9.7 million gallons per day (based on average daily flow) but is currently limited to a permitted discharge of 7.64 million gallons per day pursuant to a National Pollutant Discharge Elimination System (NPDES) permit issued by the US Environmental Protection Agency (EPA) in concurrence with the States' Central Coast Regional Water Quality Control Board (CCRWQCB). The GWSD is allocated 40.78 percent of the capacity at the sewage treatment plant, which equates to about 3.12 million gallons per day (mgpd). The GWSD currently generates approximately 1.71 mgpd of sewage that is treated at the GSD plant, resulting in about 1.41 mgpd of remaining capacity in the GWSD's existing system. Applying the GWSD's wastewater generation rate of 184 gallons/day (gpd) per equivalent residential unit (ERU), total wastewater effluent from 60 new homes would be 11,040 gallons per day (gpd). This represents approximately 0.8% of the 1.41 mgpd remaining allocated capacity of the GWSD. However since, for the purposes of the project's CEQA analysis, the property is assumed to already be designated for residential use, the impact to sewer service has been addressed as part of the General Plan Amendment EIR and is not expected to be significant.

Water
The GWD operates under the *Wright Judgment* that prohibits overdrafting of the Goleta Groundwater Basin (GGWB) and mandated a return of the basin to a hydrologically balanced condition in 1998. The District draws its water supply from Lake Cachuma (9,322 acre feet/year or AFY), the State Water Project (4,500 AFY), the GGWB (2,350 AFY), and wastewater reclamation (3,000 AFY) for a total yearly supply of 19,172 AFY for a normal rainfall year (*Goleta Water District Water Supply Assessment*, May 22, 2008). Average current demand for GWD water (2007) is 15,554 AFY (*GWD Water Assessment*, May 22, 2008). The City's adopted Environmental Thresholds and Guidelines Manual includes water duty demand rates for a variety of land uses. For 7-R-1, single family

residential development, the per unit demand factor is 0.27 acre feet/unit/year (AFY) or 16.2 AFY for the proposed 60 new homes. However since, for the purposes of the project's CEQA analysis, the property is assumed to already be designated for residential use, the impact to water service has been addressed as part of the General Plan Amendment EIR and is not expected to be significant.

Solid Waste

Based on the City's solid waste generation factor in the City's adopted *Environmental Thresholds and Guidelines Manual* for single-family residences, buildout of the project with 60 new homes is anticipated to generate approximately 172 tons of solid waste/year that would be added to the yearly flow of solid waste to the Tajiguas Landfill. Per the City's *Environmental Thresholds and Guidelines Manual*, any project that would generate in excess of 196 tons of solid waste/year, after a 50% credit for source reduction, recycling, and composting would be considered to pose a potentially significant solid waste impact. Any project generating in excess of 40 tons/year, after a 50% credit for source reduction, recycling, and composting, would be considered to pose an adverse contribution to cumulative impacts on the solid waster flow into the Tajiguas land Fill. Again since, for the purposes of the project's CEQA analysis, the property is assumed to already be designated for residential use, the impact to solid waste facilities has been addressed as part of the General Plan Amendment EIR and is not expected to be significant.

Drainage Facilities

Please see the discussion under Hydrology and Water Quality.

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

Notice of Preparation

CITY OF GOLETA
CALIFORNIA
AUG 13 2012
RECEIVED

August 7, 2012

To: Reviewing Agencies

Re: Shelby Trust Residential Subdivision Project
SCH# 2012081019

Attached for your review and comment is the Notice of Preparation (NOP) for the Shelby Trust Residential Subdivision Project draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Pat Saley
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2012081019
Project Title Shelby Trust Residential Subdivision Project
Lead Agency Goleta, City of

Type NOP Notice of Preparation

Description Subdivision for 64 lots on a 14.38-ac lot and development of 60 single-family residences.

Lead Agency Contact

Name Pat Saley
Agency City of Goleta
Phone (805) 961-7540 **Fax**
email
Address 130 Cremona Drive, Suite B
City Goleta **State** CA **Zip** 93117

Project Location

County Santa Barbara
City
Region
Cross Streets 7400 block of Cathedral Oaks Road (east of Northgate Drive)
Lat / Long 34° 26' 33.3" N / 119° 53' 10.9" W
Parcel No. 077-530-019
Township **Range** **Section** **Base**

Proximity to:

Highways US 101
Airports Santa Barbara Municipal
Railways UPRR
Waterways El Encanto Creek; Ellwood Canyon Creek
Schools Dos Pueblos, El Rancho
Land Use GPD: Agriculture;
Z: AG-II (Agriculture)

Project Issues Aesthetic/Visual; Archaeologic-Historic; Biological Resources; Traffic/Circulation; Water Quality

Reviewing Agencies Resources Agency; Department of Conservation; Department of Parks and Recreation; Department of Water Resources; Native American Heritage Commission; Caltrans, Division of Aeronautics; California Highway Patrol; Regional Water Quality Control Board, Region 3

Date Received 08/07/2012 **Start of Review** 08/07/2012 **End of Review** 09/05/2012

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

NOP Distribution List

SL

County: Santa Barbara

SCH# 2012081019

Resources Agency

- [x] Resources Agency
  Nadell Gayou
- [ ] Dept. of Boating & Waterways
  Nicole Wong
- [ ] California Coastal Commission
  Elizabeth A. Fuchs
- [ ] Colorado River Board
  Gerald R. Zimmerman
- [x] Dept. of Conservation
  Elizabeth Carpenter
- [ ] California Energy Commission
  Eric Knight
- [ ] Cal Fire
  Dan Foster
- [ ] Central Valley Flood Protection Board
  James Herota
- [ ] Office of Historic Preservation
  Ron Parsons
- [x] Dept of Parks & Recreation
  Environmental Stewardship Section
- [ ] California Department of Resources, Recycling & Recovery
  Sue O'Leary
- [ ] S.F. Bay Conservation & Dev't. Comm.
  Steve McAdam
- [x] Dept. of Water Resources Resources Agency
  Nadell Gayou

Fish and Game

- [ ] Depart. of Fish & Game
  Scott Flint
  Environmental Services Division
- [ ] Fish & Game Region 1
  Donald Koch
- [ ] Fish & Game Region 1E
  Laurie Harnsberger
- [ ] Fish & Game Region 2
  Jeff Drongesen
- [ ] Fish & Game Region 3
  Charles Armor
- [ ] Fish & Game Region 4
  Julie Vance
- [ ] Fish & Game Region 5
  Leslie Newton-Reed
  Habitat Conservation Program
- [ ] Fish & Game Region 6
  Gabrina Gatchel
  Habitat Conservation Program
- [ ] Fish & Game Region 6 I/M
  Brad Henderson
  Inyo/Mono, Habitat Conservation Program
- [ ] Dept. of Fish & Game M
  George Isaac
  Marine Region

Other Departments

- [ ] Food & Agriculture
  Sandra Schubert
  Dept. of Food and Agriculture
- [ ] Depart. of General Services
  Public School Construction
- [ ] Dept. of General Services
  Anna Garbeff
  Environmental Services Section
- [ ] Dept. of Public Health
  Bridgette Binning
  Dept. of Health/Drinking Water
- [ ] Delta Stewardship Council
  Kevan Samsam

Independent Commissions,Boards

- [ ] Delta Protection Commission
  Michael Machado
- [ ] Cal EMA (Emergency Management Agency)
  Dennis Castrillo
- [x] Native American Heritage Comm.
  Debbie Treadway
- [ ] Public Utilities Commission
  Leo Wong
- [ ] Santa Monica Bay Restoration
  Guangyu Wang
- [ ] State Lands Commission
  Jennifer Deleong
- [ ] Tahoe Regional Planning Agency (TRPA)
  Cherry Jacques

Business, Trans & Housing

- [x] Caltrans - Division of Aeronautics
  Philip Crimmins
- [ ] Caltrans - Planning
  Terri Pencovic
- [x] California Highway Patrol
  Suzann Ikeuchi
  Office of Special Projects
- [ ] Housing & Community Development
  CEQA Coordinator
  Housing Policy Division

Dept. of Transportation

- [ ] Caltrans, District 1
  Rex Jackman
- [ ] Caltrans, District 2
  Marcelino Gonzalez
- [ ] Caltrans, District 3
  Gary Arnold
- [ ] Caltrans, District 4
  Erik Alm
- [ ] Caltrans, District 5
  David Murray
- [ ] Caltrans, District 6
  Michael Navarro
- [ ] Caltrans, District 7
  Dianna Watson
- [ ] Caltrans, District 8
  Dan Kopulsky
- [ ] Caltrans, District 9
  Gayle Rosander
- [ ] Caltrans, District 10
  Tom Dumas
- [ ] Caltrans, District 11
  Jacob Armstrong
- [ ] Caltrans, District 12
  Marlon Regisford

Cal EPA

Air Resources Board

- [ ] Airport/Energy Projects
  Jim Lerner
- [ ] Transportation Projects
  Douglas Ito
- [ ] Industrial Projects
  Mike Tollstrup
- [ ] State Water Resources Control Board
  Regional Programs Unit
  Division of Financial Assistance
- [ ] State Water Resources Control Board
  Student Intern, 401 Water Quality Certification Unit
  Division of Water Quality
- [ ] State Water Resouces Control Board
  Phil Crader
  Division of Water Rights
- [ ] Dept. of Toxic Substances Control
  CEQA Tracking Center
- [ ] Department of Pesticide Regulation
  CEQA Coordinator

Regional Water Quality Control Board (RWQCB)

- [ ] RWQCB 1
  Cathleen Hudson
  North Coast Region (1)
- [ ] RWQCB 2
  Environmental Document Coordinator
  San Francisco Bay Region (2)
- [x] RWQCB 3
  Central Coast Region (3)
- [ ] RWQCB 4
  Teresa Rodgers
  Los Angeles Region (4)
- [ ] RWQCB 5S
  Central Valley Region (5)
- [ ] RWQCB 5F
  Central Valley Region (5)
  Fresno Branch Office
- [ ] RWQCB 5R
  Central Valley Region (5)
  Redding Branch Office
- [ ] RWQCB 6
  Lahontan Region (6)
- [ ] RWQCB 6V
  Lahontan Region (6)
  Victorville Branch Office
- [ ] RWQCB 7
  Colorado River Basin Region (7)
- [ ] RWQCB 8
  Santa Ana Region (8)
- [ ] RWQCB 9
  San Diego Region (9)

- [ ] Other _____
- [ ] _____
  Conservancy

Last Updated 6/26/2012

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # 2012081019

Project Title: Shelby Trust Residential Subdivision Project

Lead Agency: City of Goleta — Contact Person: Pat Saley
Mailing Address: 130 Cremona Drive, Ste. B — Phone: (805) 961-7540
City: Goleta — Zip: 93117 — County: Santa Barbara

Project Location: County: Santa Barbara — City/Nearest Community: City
Cross Streets: 7400 block of Cathedral Oaks Road (east of Northgate Drive) — Zip Code: 93117
Longitude/Latitude (degrees, minutes and seconds): 34 ° 26 ′ 33.3 ″ N / 119 ° 53 ′ 10.9 ″ W — Total Acres: 14.38
Assessor's Parcel No.: 077-530-019 — Section: ____ Twp.: ____ Range: ____ Base: ____
Within 2 Miles: State Hwy #: US Hwy 101 — Waterways: El Encanto Creek; Ellwood Canyon Creek
Airports: Santa Barbara Municipal — Railways: Union Pacific RR — Schools: Dos Pueblos, El Rancho

Document Type:

CEQA: ☒ NOP ☐ Early Cons ☐ Neg Dec ☐ Mit Neg Dec ☐ Draft EIR ☐ Supplement/Subsequent EIR (Prior SCH No.) ____ Other: ____
NEPA: ☐ NOI ☐ EA ☐ Draft EIS ☐ FONSI
Other: ☐ Joint Document ☐ Final Document ☐ Other: ____

RECEIVED
AUG 07 2012
STATE CLEARING HOUSE

Local Action Type:

☐ General Plan Update ☐ General Plan Amendment ☐ General Plan Element ☐ Community Plan
☐ Specific Plan ☒ Master Plan ☐ Planned Unit Development ☒ Site Plan
☒ Rezone ☐ Prezone ☐ Use Permit ☒ Land Division (Subdivision, etc.)
☐ Annexation ☐ Redevelopment ☐ Coastal Permit ☐ Other: ____

Development Type:

☒ Residential: Units 60 Acres 14.38
☐ Office: Sq.ft. ____ Acres ____ Employees ____
☐ Commercial: Sq.ft. ____ Acres ____ Employees ____
☐ Industrial: Sq.ft. ____ Acres ____ Employees ____
☐ Educational: ____
☐ Recreational: ____
☐ Water Facilities: Type ____ MGD ____
☐ Transportation: Type ____
☐ Mining: Mineral ____
☐ Power: Type ____ MW ____
☐ Waste Treatment: Type ____ MGD ____
☐ Hazardous Waste: Type ____
☐ Other: ____

Project Issues Discussed in Document:

☒ Aesthetic/Visual
☐ Agricultural Land
☐ Air Quality
☒ Archeological/Historical
☒ Biological Resources
☐ Coastal Zone
☐ Drainage/Absorption
☐ Economic/Jobs
☐ Fiscal
☐ Flood Plain/Flooding
☐ Forest Land/Fire Hazard
☐ Geologic/Seismic
☐ Minerals
☐ Noise
☐ Population/Housing Balance
☐ Public Services/Facilities
☐ Recreation/Parks
☐ Schools/Universities
☐ Septic Systems
☐ Sewer Capacity
☐ Soil Erosion/Compaction/Grading
☐ Solid Waste
☐ Toxic/Hazardous
☒ Traffic/Circulation
☐ Vegetation
☒ Water Quality
☐ Water Supply/Groundwater
☐ Wetland/Riparian
☐ Growth Inducement
☐ Land Use
☐ Cumulative Effects
☐ Other: ____

Present Land Use/Zoning/General Plan Designation:

General Plan Designation: Agriculture; Zoning: AG-II (Agriculture)

Project Description: *(please use a separate page if necessary)*
Subdivision for 64 lots on a 14.38-ac lot and development of 60 single-family residences.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Notice of Preparation

To: _____

(Address)

From: City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117
(Address)

Subject: Notice of Preparation of a Draft Environmental Impact Report

City of Goleta will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study (☒ is ☐ is not) attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to Pat Saley at the address shown above. We will need the name for a contact person in your agency.

Project Title: Shelby Trust Residential Subdivision Project (12-EIR-003)

Project Applicant, if any: Shelby Trust

Date 8/6/12

Signature _____

Title Acting Director, Planning & Env. Services

Telephone (805) 961-7540

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net



August 9, 2012

Ms. Pat Saley, Interim Planning Director
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

Re: SCH#2012081019 CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the **"Shelby Trust Residential Subdivision Project;"** located in the City of Goleta; Santa Barbara County, California.

Dear Ms. Saley:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties or resources of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9. This project is also subject to California Government Code Section 65352.3 *et seq.*

This project is also subject to California Government Code Section 65352.3 *et seq.*

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC recommends that the lead agency request that the NAHC do a Sacred Lands File search as part of the careful planning for the proposed project. This area is known to the NAHC to be very culturally sensitive.

The NAHC "Sacred Sites,' as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties, including archaeological studies. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Native American Contact
Santa Barbara County
August 8, 2012

Ernestine DeSoto
1311 Salinas Place # 5 — Chumash
Santa Barbara CA 93101
805-636-3963

Patrick Tumamait
992 El Camino Corto — Chumash
Ojai , CA 93023
(805) 640-0481
(805) 216-1253 Cell

Beverly Salazar Folkes
1931 Shadybrook Drive — Chumash
Thousand Oaks, CA 91362 — Tataviam
folkes@msn.com — Ferrnandeño
805 492-7255
(805) 558-1154 - cell

San Luis Obispo County Chumash Council
Chief Mark Steven Vigil
1030 Ritchie Road — Chumash
Grover Beach CA 93433
(805) 481-2461
(805) 474-4729 - Fax

Santa Ynez Band of Mission Indians
Vincent Armenta, Chairperson
P.O. Box 517 — Chumash
Santa Ynez , CA 93460
varmenta@santaynezchumash.
(805) 688-7997
(805) 686-9578 Fax

John Ruiz
1826 Stanwood Drive — Chumash
Santa Barbara CA 93103
(805) 965-8983

Barbareno/Ventureno Band of Mission Indians
Julie Lynn Tumamait-Stennslie, Chairwoman
365 North Poli Ave — Chumash
Ojai , CA 93023
jtumamait@sbcglobal.net
(805) 646-6214

Gilbert M. Unzueta Jr.
571 Citation Way — Chumash
Thousand Oaks, CA 91320
uhuffle@aol.com
(805) 375-7229

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012081019; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Shelby Trust Residential Subdivision Project; located in the City of Goleta; Santa Barbara County, California.

Native American Contact
Santa Barbara County
August 8, 2012

Stephen William Miller
189 Cartagena
Camarillo , CA 93010
(805) 484-2439
Chumash

Charles S. Parra
P.O. Box 6612
Oxnard , CA 93031
(805) 340-3134 (Cell)
(805) 488-0481 (Home)
Chumash

Santa Ynez Tribal Elders Council
Adelina Alva-Padilla, Chair Woman
P.O. Box 365
Santa Ynez , CA 93460
elders@santaynezchumash.org
(805) 688-8446
(805) 693-1768 FAX
Chumash

Santa Ynez Band of Mission Indians
Tribal Administrator
P.O. Box 517
Santa Ynez , CA 93460
info@santaynezchumash.
(805) 688-7997
(805) 686-9578 Fax
Chumash

Randy Guzman - Folkes
6471 Cornell Circle
Moorpark , CA 93021
ndnRandy@yahoo.com
(805) 905-1675 - cell
Chumash
Fernandeño
Tataviam
Shoshone Paiute
Yaqui

Carol A. Pulido
165 Mountainview Street
Oak View , CA 93022
805-649-2743 (Home)
Chumash

Coastal Band of the Chumash Nation
Toni Cordero, Chairwoman
P.O. Box 4464
Santa Barbara CA 93140
cordero44@charter.net
805-964-3447
Chumash

Melissa M. Parra-Hernandez
119 North Balsam Street
Oxnard , CA 93030
envyy36@yahoo.com
805-983-7964
(805) 248-8463 cell
Chumash

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012081019; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Shelby Trust Residential Subdivision Project; located in the City of Goleta; Santa Barbara County, California.

Native American Contact
Santa Barbara County
August 8, 2012

Frank Arredondo
PO Box 161 Chumash
Santa Barbara CA 93102
ksen_sku_mu@yahoo.com
805-617-6884
ksen_sku_mu@yahoo.com

Barbareno/Ventureno Band of Mission Indians
Raudel Joe Banuelos, Jr.
331 Mira Flores Court Chumash
Camarillo , CA 93012
805-987-5314

Santa Ynez Tribal Elders Council
Freddie Romero, Cultural Preservation Conslnt
P.O. Box 365 Chumash
Santa Ynez , CA 93460
freddyromero1959@yahoo.
805-688-7997, Ext 37

Aylisha Diane Marie Garcia Napoleone
33054 Decker School Road Chumash
Malibu , CA 90265

Barbareno/Ventureno Band of Mission Indians
Kathleen Pappo
2762 Vista Mesa Drive Chumash
Rancho Pales Verdes CA 90275
310-831-5295

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012081019; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Shelby Trust Residential Subdivision Project; located in the City of Goleta; Santa Barbara County, California.

Santa Barbara County
Air Pollution Control District

CITY OF GOLETA
CALIFORNIA
AUG 16 2012
RECEIVED

August 15, 2012

Patricia Saley
City of Goleta
Planning and Environmental Services
130 Cremona Drive
Goleta, CA 93117

Re: APCD Response to Notice of Preparation of a Draft Environmental Impact Report for Shelby Trust General Plan Amendment and Residential Subdivision Project, 12-EIR-005, 12-EIR-003

Dear Ms. Saley:

The Santa Barbara County Air Pollution Control District (APCD) appreciates the opportunity to provide comments on the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the Shelby Trust General Plan Amendment and Residential Subdivision Project. There are two aspects to the project that will be addressed in two separate EIRs:

- The General Plan Amendment (12-EIR-003) involves: amendment of the Land use Plan Map to change the property's designation from Agriculture to Single-Family Residential, amendment of the test of the Conservation Element Subpolicy CE 11.2 relating to Conversion of Agricultural Lands, and amendment of the Open Space Map of the Open Space Element to remove the property.
- The proposed project (12-EIR-005) involves: a Rezone of the property from AG-II-40 (Agriculture II, 40 acre minimum parcel size) to 7-R-1 (Single Family Residential, 7 units/acre), a Zoning Ordinance Amendment, a Vesting Tentative Map for the creation of 64 lots, a Development Plan for 60 single-family dwellings and 4 open space areas, and a Development Agreement.

The subject property, a 14.38-acre parcel zoned AG-II-40 and identified in the Assessor Parcel Map Book as APN 077-530-019, is located at 7500 Cathedral Oaks Road in the City of Goleta.

The EIR Scoping Document (July 19, 2012) determined that Air Quality and Greenhouse Gas Emissions were effects not found to be significant and therefore will not be analyzed in the EIR. However, APCD staff offers the following suggested conditions on the development of the proposed project:

1. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to issuance of land use clearance.

2. APCD Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities* establishes limits on the generation of visible fugitive dust emissions at demolition and construction sites. The rule includes measures for minimizing fugitive dust from on-site activities and from trucks moving on- and off-site. The text of the rule can be viewed on the APCD website at www.sbcapcd.org/rules/download/rule345.pdf.

3. Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of ozone precursors and fine particulate emissions from diesel exhaust.

4. All portable diesel-fired construction engines rated at 50 brake-horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to operation. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.

5. Advisory: The applicant should determine whether any structure(s) proposed for demolition or renovation contains asbestos that is friable or has the potential to become friable during demolition or disposal. If any structure does contain friable asbestos, the asbestos should be removed by a contractor that is state certified for asbestos removal. For additional information regarding asbestos in construction, please refer to APCD's website at www.sbcapcd.org/biz/asbestos.htm.

6. At a minimum, prior to occupancy any feasible greenhouse gas reduction measures from the following sector-based list should be applied to the project:
   - Energy use (energy efficiency, low carbon fuels, renewable energy)
   - Transportation (reduce vehicle miles traveled, compact and transit-oriented development, pedestrian- and bicycle-friendly communities)
   - Water conservation (improved practices and equipment, landscaping)
   - Waste reduction (material re-use/recycling, composting, waste diversion, waste minimization)
   - Architectural features (green building practices, cool roofs)

7. Asphalt paving activities shall comply with APCD Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.

Please contact me at 961-8890 or by e-mail at cvw@sbcapcd.org if you have questions.

Sincerely,

Carly Wilburton

Carly Wilburton
Air Quality Specialist
Technology and Environmental Assessment Division

Attachments: Fugitive Dust Control Measures
Diesel Particulate and NO_x Emission Measures

cc: Project File
TEA Chron File

Santa Barbara County
Air Pollution Control District

ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Proper implementation of these measures is assumed to fully mitigate fugitive dust emissions.

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.

- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.

- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.

- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.

- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.

- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

  Plan Requirements: All requirements shall be shown on grading and building plans and as a note on a separate information sheet to be recorded with map. **Timing**: Requirements shall be shown on plans or maps prior to land use clearance or map recordation. Condition shall be adhered to throughout all grading and construction periods.

  MONITORING: Lead Agency shall ensure measures are on project plans and maps to be recorded. Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.

Santa Barbara County
Air Pollution Control District

ATTACHMENT B
DIESEL PARTICULATE AND NO_x EMISSION MEASURES

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is an updated list of regulatory requirements and control strategies that should be implemented to the maximum extent feasible.

The following measures are required by state law:

- All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.

- Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.

- All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.

The following measures are recommended:

- Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.

- Diesel powered equipment should be replaced by electric equipment whenever feasible.

- If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.

- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.

- All construction equipment shall be maintained in tune per the manufacturer's specifications.

- The engine size of construction equipment shall be the minimum practical size.

- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.

- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

Plan Requirements: Measures shall be shown on grading and building plans. **Timing:** Measures shall be adhered to throughout grading, hauling and construction activities.

MONITORING: Lead Agency staff shall perform periodic site inspections to ensure compliance with approved plans. APCD inspectors shall respond to nuisance complaints.

Date: Thursday, January 28, 2010 11:59 AM
From: Terry E. Dressler <dresslert@sbcapcd.org>
To: docoxie1@cox.net <docoxie1@cox.net>
Subject: RE: Guidance Re: Locating Residences Near Freeways

Dr. Cox,

In our guidance we do not differentiate between the young and elderly. Most of the studies cited to support the guidance are studies of children's health, however the veteran cohort study was one that specifically addresses the health effects on older subjects of living near high-traffic roadways.

Our guidance is clear and consistent: Planning agencies should avoid locating new residences (of any type, whether for children or seniors) within 500 feet of the 101 Freeway.

I hope this addresses your question.

Terry

Santa Barbara County
Air Pollution Control District

260 North San Antonio Road, Suite A • Santa Barbara, CA • 93110 • www.sbcapcd.org
805.961.8853 • 805.961.8801 (fax)

Our Vision Clean Air

Terry Dressler
Air Pollution Control Officer
DresslerT@sbcapcd.org

September 5, 2012

BY ELECTRONIC MAIL

Pat Saley
Planning and Environmental Services
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117
Email: psaley@cityofgoleta.org

CENTRAL COAST WATER BOARD COMMENTS ON THE AUGUST 2012 NOTICE OF PREPARATION FOR THE KENWOOD VILLAGE RESIDENTIAL PROJECT AND THE AUGUST 2012 NOTICE OF PREPARATION FOR THE SHELBY TRUST RESIDENTIAL SUBDIVISION PROJECT, FILE NO. 420812CQ2

Dear Ms. Saley:

Thank you for the opportunity to evaluate the above-referenced documents. The Central Coast Regional Water Quality Control Board (Central Coast Water Board) is a responsible agency under the California Environmental Quality Act (CEQA). Central Coast Water Board staff understands that the proposed projects involve the following development adjacent to El Encanto Creek:

- Kenwood Village Residential Project (Kenwood): Rezoning approximately 10 acres north of Calle Real to allow construction of 60 mixed dwelling units, including streets and other appurtenances; and
- Shelby Trust Residential Subdivision Project (Shelby): Rezoning 14.38 acres from Agriculture II to residential to allow construction of 60 single-family homes, including streets and other appurtenances.

These projects have the potential to impact water quality and beneficial uses of waters of the State. Therefore Central Coast Water Board staff offers the following recommendations for improving the environmental value and environmental review of these projects.

<u>Cumulative Impacts</u>

1. Both Kenwood and Shelby involve impacts to El Encanto Creek, which has been identified as an Environmentally Sensitive Habitat Area (ESHA). Considered separately, the significance of these impacts to the creek may not be fully recognized. Studies have shown that stream degradation increases as impacts from development accumulate in a watershed. Therefore the DEIRs should include a comprehensive review of cumulative impacts to El Encanto Creek from these projects, and from past and potential future projects.
2. Central Coast Water Board staff recommends that these two projects be combined into a single DEIR.

Preservation of Natural Features

3. The Shelby NOP proposes a zoning change from a land use density of one parcel per 40 acres to a land use density of 7 residential parcels per acre. The DEIR should include adequate justification for such an increase in development density on this site. The DEIR should also include an evaluation of the need for this project compared with the environmental impacts of the project and the availability of other development sites within the City of Goleta (City) and surrounding areas.
4. Both NOPs indicate grading to lot lines. An essential element of managing post-construction stormwater to imitate pre-project runoff conditions is preserving natural features that slow, absorb, and allow infiltration of stormwater. The City should require both projects to analyze existing soil, vegetation, and topographical conditions and develop site designs and construction plans that preserve and avoid grading of these natural features where possible.
5. The Shelby NOP provides the average slope at the site from north to south, but topographical maps of the site indicate that the slope steepens significantly toward the northern end of the parcel. The DEIR should include an analysis of the environmental impact of allowing development on these steeper slopes. The analysis should address, at a minimum, erosion potential and increased runoff volume and velocity.
6. The DEIRs should clearly indicate how the terms “riparian,” “riparian corridor,” “riparian vegetation,” “riparian canopy,” and “edge of riparian” are defined and used.

Stream Protection Area (SPA) Buffers

7. Both NOPs suggest that it is infeasible to maintain the required 100-foot Stream Protection Area (SPA) buffer adjacent to El Encanto Creek. The DEIRs should include a detailed analysis of the infeasibility of maintaining this buffer. The analysis should detail the reason for the perceived infeasibility and a discussion of project alternatives which preserve the buffer. If the infeasibility is related to project economics, the analysis should include the following for each project: identification of the profit margin (or equivalent) the project must achieve for it to be considered feasible; an explanation of why the identified profit margin (or equivalent) is necessary to make the project feasible; identification of the profit margin (or equivalent) of the project described in the NOP; and identification of the profit margin (or equivalent) that can be achieved for the project if the required SPA buffer is maintained.
8. If the required buffer is reasonably shown to be infeasible, the City should require buffer averaging at a minimum. (Buffer averaging involves increasing buffer width in some areas to compensate for decreases in buffer width in other areas, so that the total land area set aside for the buffer is equal the total land area that would have been set aside for the required 100-foot buffer.) In addition, where buffer averaging is used the buffer width should be greater where a higher degree of protection is needed for aquatic and riparian resources, and narrower where less protection is needed.
9. Both DEIRs should include a complete analysis of the environmental impact of reducing the buffer width to less than 100 feet. This analysis should consider what the SPA buffer requirement is intended to achieve, the impact of placing detention basins within the buffer area, and the extent to which each project achieves—or does not achieve—the purpose of the SPA buffer. The analysis of the impact of locating the detention basin in the creek buffer should consider impacts to the riparian corridor, water quality, and the creek’s floodplain and flood attenuation capacity.

Post-Construction Stormwater Management

10. Both projects should be modified to incorporate the use of Low Impact Development (LID) techniques more fully. LID is an alternative land planning and design strategy which minimizes water quality impacts from development by applying site design principles that

preserve natural hydrologic function, and incorporating stormwater source controls to imitate natural hydrologic function. It is unclear whether the site design process for these projects considered any site features other than the sites' overall shape. The Central Coast Water Board expects projects to optimize the use of LID.

11. The DEIRs should include an analysis of the infiltrative capacity of onsite soils. In addition, the site designs should be modified as necessary to maximize the use of infiltrative soils for the percolation of stormwater.
12. The DEIRs should clarify the design objective(s) of permeable pavements, bioswales, detention basins, and other storm drainage features with respect to addressing post-construction stormwater runoff (e.g., the level of treatment provided by the features, including the level of biological treatment provided by the bioswale design; the amount/percentage of runoff from the site that will be treated; and the amount/percentage of post-project runoff that will be infiltrated or retained onsite). The DEIRs should also include an analysis of the adequacy of the design objective(s) for eliminating pollutants in stormwater runoff and for reducing runoff to pre-project levels for a range of storm events.
13. The projects should maximize the use of sheet flow across the creek buffer in order to slow and treat stormwater, allow infiltration, and support riparian vegetation.
14. The Kenwood DEIR should include an analysis of the hydrologic and water quality impact of channelizing stormwater runoff that currently enters the site from existing development to the north and west and "spreads out across the northwest portion of the site before entering the creek." The analysis should also confirm whether this existing drainage pattern was a mitigation requirement to reduce hydrologic impacts from for the existing development.
15. The Kenwood DEIR should include an analysis of the hydrologic and water quality impact of filling the drainage ditch adjacent to Calle Real and replacing it with a culvert.
16. The Kenwood NOP states that the project will be in compliance with the City of Goleta June 2009 Stormwater Management Plan (SWMP). However, this is not the current version of the City's SWMP. The Central Coast Water Board approved modifications to the City's SWMP in June 2010 that included new requirements for post-construction stormwater management. In addition, the Central Coast Water Board is currently considering adoption of post-construction stormwater management requirements that will apply to the entire Central Coast Region. Therefore both DEIRs should analyze project hydrology and water quality impacts using the appropriate post-construction stormwater management requirements.

<u>Detention Ponds</u>

17. The detention basin outfalls should be redesigned to eliminate the need for rip-rap where the basins discharge into El Encanto Creek.
18. The DEIRs should include an analysis of whether the detention basins could be drained by infiltration and subsurface flow into El Encanto Creek instead of by surface discharge to the creek.
19. The DEIRs should include an analysis of the impact of placing outfalls to El Encanto Creek above the ordinary high water mark within the creek. In particular, the analysis should consider the potential for erosion of the creek bank beneath the outfalls, and should identify a design that avoids erosion without using rip-rap.

<u>Wetland Delineation</u>

20. Wetland delineations should be performed within El Encanto Creek and its riparian corridor at the Kenwood and Shelby sites, and within the drainage ditch adjacent to Calle Real that will be filled at the Kenwood site. The wetland delineation should include waters and wetlands of the State as well as waters and wetlands of the United States.

Restoration and Mitigation

21. The Kenwood NOP states that the majority of the mapped ESHA corresponds to the current extent of the riparian canopy. However, review of aerial photographs of the area suggests that the natural historic riparian canopy has been reduced by agricultural and urban development, and could be restored. Therefore the DEIRs should include an analysis of the potential for restoration of the riparian corridor and canopy within and adjacent to both projects. This analysis should consider the potential for habitat restoration provided by a) a buffer that is 100 feet wide, as required by City code; and b) a buffer with width that varies to optimize restoration and preservation of the riparian corridor.
22. The DEIRs should identify suitable compensatory mitigation measures for project impacts.

Central Coast Water Board staff suggests the City and/or project proponents contact Darla Inglis, at dinglis@ucde.ucdavis.edu, with the Central Coast Low Impact Development Initiative, for advice on the project designs related to LID and stormwater management. One of the main reasons the Central Coast Water Board created this initiative is to provide guidance and assistance to municipalities and developers during project development stages to yield a product that meets the developer's needs, adheres to City expectations, and protects receiving waters. The Low Impact Development Initiative can assist project proponents and City staff in modifying the projects to better achieve these objectives and the Central Coast Water Board's goal of achieving healthy watersheds.

If we may clarify any of our comments or be of further assistance, please contact **Jon Rohrbough** at (805) 549-3458 or via email at jrohrbough@waterboards.ca.gov or Phil Hammer at (805) 549-3882.

Sincerely,

Digitally signed by Phil Hammer
Date: 2012.09.05 12:24:08 -07'00'

for
Kenneth A. Harris, Jr.
Interim Acting Executive Officer

cc: (by electronic mail)

Everett King: eking@cityofgoleta.org
Bruce Henderson: Bruce.A.Henderson@usace.army.mil
Ed Pert: epert@dfg.ca.gov

S:\CEQA\Comment Letters\Santa Barbara County\Kenwood Village-Shelby Trust NOPs_420812CQ12.doc

CITY OF GOLETA
CALIFORNIA
CC: C.C. + D.S.
JUL 31 2012
RECEIVED

July 30, 2012

Dear Ms. Saley;

Thankyou for your notice regarding a scoping meeting to be held Aug. 8th. I'm in favor of changing the property's designation from Agricultural to Planned Residential Development. However, the b and c amendments should be studied carefully. b- amendment may open the door for other agricultural lands to be approved without our input. c- says the property would be removed from our open space map. Why is this so necessary?

The environmental limitations include increased traffic on Calle Real. Another exit will be very necessary for the 60 units. Two story would be favored to blend in with our community.

I favor standing by the policy changes which were certified in July 2009. Perhaps the impacts can be mitigated as the projects proceed through the reports on each project (Shelby Trust + Kenwood)

Sincerely,
William + Amaryllis
Bridges

July 30, 2012

Dear Notice regarding
your decision to be held Aug. 8th.
regarding the property
cultural site to be annexed
into. However, the
to should be studied
document may open the
tal landslide to be
r input. E-mail
ve removed from
Why is this so
tal limitations
traffic on Calle
will be very
o units. Just to try
blend in with
by the policy
certification July 2009.
can be mitigated
ed through the
et (Shelby Just + Kenwood)
Sincerely,
William + Amaryllis
Bridges

CITY OF GOLETA
CALIFORNIA
AUG 31 2012
RECEIVED
D.S.

Amaryllis Bridges
36 San Milano Dr
Goleta, CA 93117

SANTA BARBARA
CA 931 1 T
30 JUL 2012 PM

USA
Justice
FOREVER

Ms. Patricia Saley
Acting Planning & E. Services Director
City of Goleta
130 Cremona Dr.
Suite B
Goleta, CA 93117

93117+5514

L&P CONSULTANTS

3 West Carrillo Street, Suite 205 Santa Barbara, CA 93101
ph: 805.962.4611 fax: 805.962.4161

August 6, 2012 [LP No. 01-023.01]

City of Goleta
Attn: Patricia Saley, Interim Planning Director
Planning and Environmental Services
130 Cremona Drive, Suite B
Goleta, California 93117

Subject: Scoping Document for Shelby Trust
Residential Subdivision Project (12-EIR-005)

Dear Mrs. Saley:

Please accept this letter as a formal request to evaluate and include the following information within the Scope of the Shelby Project EIR, 12-EIR-005.

We would request that the EIR review the Owner's obligations set forth in the Project Development Agreement, identified below:

For the EIR Land Use and Planning (Housing Section)
We request that the EIR include discussions concerning the inclusionary housing obligation which would be met through a donation of structures to Fairview Gardens. The Owner has put forth a concept to Fairview Gardens where the Owner will donate several structures currently located on 7400 Cathedral Oaks Road:
a 2,015 square foot residential structure, a 1,150 square foot garage structure and a 725 square foot barn structure. The Owner also has agreed to provide assistance for the relocation of the structures at Fairview Gardens. We also request that the EIR consider the Affordable and Farmworker Housing Policies of the Housing Element, and specifically within the context of this Fairview Gardens donation.

For the EIR Recreation Section (Donation for Public Open Space and Recreation)
We also request that the Project EIR include discussions regarding the Owner's obligation to pay the City of Goleta $1,500,000, to be used by the City for purchase of property identified by the City as high priority for public open space, recreation or

other identified public benefit purposes. Among other benefits, the City acquisition will eliminate or "retire" the potential for development on such priority sites.

For the EIR Recreation Section (Open Space Lots Dedication)
Additionally, we request that the Project EIR include discussions of the Project's offer to dedicate private open space over portions of the Project site. The open space dedication will consist of four (4) lots. Two lots will provide open space along the frontage of Cathedral Oaks Road, and two are dedicated for passive recreational use within the Project Site.

For the EIR Transportation and Traffic Section
We request that the Project EIR contain discussions of the Owner's provision of the Public Facilities that include the widening of Cathedral Oaks Road along the frontage of the Project Site, with installation of concrete curb and gutter and additional pavement, and the provision of a Class I riding and hiking trail.

We would also request that the EIR review Project components including:

For the EIR Hydrology and Water Quality Section
The state-of-the-art Landscape Hydrology Plan which comprises Stormwater Curb Extensions, Permeable Paving, Rain Barrels and Cisterns, Bioswales and Vegetative Swales, and Biofiltration and Collection Areas.

For the EIR Aesthetics, or Utilities or perhaps other Sections
Green Building Design and Operation of the Homes. The Owner is committed to pursuing green design measures and elements in the overall project to the extent that they are feasible and complementary to the project. While too early to accurately calculate energy efficiency for the proposal, the intent of the project designed is to exceed the State and City Green Buildings requirements.

For the EIR Land Use and Planning Section
Evaluate affordable-by-design homes as workforce housing units that meet the City's required State RHNA mandate (i.e., the provision of smaller houses).

We appreciate your time and effort associated with this Shelby Project process, and look forward to our requested information being included within the subject EIR. If you have any questions, or concerns, please do not hesitate to contact us at 962-4611.

Very Truly Yours,

Mark Lloyd
L & P Consultants
Agent for Shelby Family Partnership

CC: Shelby Family Partnership
C.E. Wullbrandt
L & P Files

g:\2001\01-023.01 westfield rr ranch\word\scope of eir august 8-12 project rev1.doc

This page intentionally left blank.

L&P CONSULTANTS

3 West Carrillo Street, Suite 205 Santa Barbara, CA 93101
ph: 805.962.4611 fax: 805.962.4161

September 5, 2012

[LP No. 01-023.01]

RECEIVED
SEP 05 2012
City of Goleta
Planning & Environmental Svcs.

City of Goleta
Attn: Patricia Saley, Interim Planning Director
Planning and Environmental Services
130 Cremona Drive, Suite B
Goleta, California 93117

Subject: Scoping Document for Shelby Trust
Residential Subdivision Project (12-EIR-005)
(Request Letter #2)

Dear Mrs. Saley:

Please accept this letter as a formal request to evaluate and include the following information within the Scope of the Shelby Project EIR, 12-EIR-005. Subsequent to a thorough review of the Shelby Scoping Letter, the following is presented:

- Section 1.0 Project Description; Project Location (and throughout document).

  We request that the EIR reflect a more realistic acreage amount and health status associated with the "remnant avocado orchard". As evidenced by the Scoping Document, Figure 1 shows an area that is approximately two (2) acres, not the 1/3rd (or nearly five acres) that is found in multiple places within the scoping document. Figure 1 also clearly shows only a few avocado trees appear to be growing, demonstrating the difficulty in attempting to grow avocados for any meaningful production results. Given the lack of production there is no longer an avocado orchard on this property, only a few struggling avocado trees. That condition is the result of a number of factors which should be discussed in the document, including; poor soil and soil drainage; urban conflicts including over watering, trespass, golf ball hazards and other impacts from the golf course; the infeasibility of aerial spraying given the close proximity of the golf course, homes and schools; and the availability of other "cheap" higher quality agricultural land.

- Section 1.0 Project Description; Environmental Setting (and throughout document).

  We request that all improved physical features and uses currently on the subject property be contained in the "Environmental Setting". We refer to the existing driveway which serves the garage and house, and the wood splitting (and storage) operation which began in 1995 and continues today.

- Section 1.0 Project Description; Environmental Setting, Fauna, Flora and Surface Water Bodies

  We request that the SPA buffer be put into context with the existing environmental setting. The Scoping Report states the SPA associated with the Creek "extends approximately 100 feet onto the Shelby Property." We take exception to this assertion, as the edge of the riparian corridor is not on the Shelby property line therefore cannot be 100 feet onto the property. Where the 100 foot buffer happens to be on the Shelby property the buffer meanders from one (1) foot to approximately 85 feet.

  There is a need to recognize that on the creek side of Shelby's western property line is mostly filled with non-natives such as Eucalyptus and Olive Trees. Within that 1-85 foot buffer area on the Shelby side of this same property line there is mostly non-native grasses, and an existing driveway that, for a portion of its length, approximately 70 feet, is less than 20 feet from the Shelby western property line.

  It is also necessary that the EIR have an understanding of the minor extent of encroachment that is part of the proposed project. At the point where a small piece of the proposed road is within the 100 foot buffer area, the existing driveway is 40 feet closer to the western property line and the edge of the riparian corridor. The proposed Lot 1, southwest property line corner is less than 50 feet within the corridor buffer, the proposed house on this lot is located right on the existing driveway, at the extent of the 100 foot buffer area. The proposed Lot 2, southwest property line corner has a small slice within the 100 foot buffer area, amounting to about 120 square feet of the 7500 square foot lot. The proposed house on Lot 2 sits on top of the existing auto court for the existing house and is completely outside of the 100 foot corridor buffer area. On the west creek side of these proposed lots and backyards there is currently an abundance of non-native olive trees and eucalyptus trees.

- Section 2.0 Alternatives; a. No Project Alternative

  We request that the EIR analyze and include the list of all Permitted and Conditionally Permitted Uses, within Section 35-217 AG-II of the City of Goleta Zoning Ordinance, as part of the "No Project Alternative". These permitted uses include all types of agriculture, including commercial raising of animals; sale of agricultural products on the premises; commercial boarding of animal and riding stables; animal hospitals; and greenhouses. Please recall that in 1997 construction began on the Cathedral Oaks roadway connector, and split the existing property essentially in half. There has been no "farming use" of the site since that time. If any discussion of "historic use" of the property is included in the EIR, the discussion must be specific to the area north of Cathedral Oaks Road, and after the construction was completed in 2000. A realistic "no project" alternative therefore needs to be analyzed.

- Section 2.0 Alternatives; b. Reduced Scale Alternative #1 - Protection of Stream Protection Area (SPA).

  The EIR Alternative #1 will need to identify and include the minor extent of encroachment that is part of the proposed project. At the point where a small piece of the proposed road is within the 100 foot buffer area, the existing driveway is 40 feet closer to the western property line and the edge of the riparian corridor. The proposed Lot 1, southwest property line corner is less than 50 feet within the corridor buffer, the proposed house on this lot is located right on the existing driveway, at the extent of the 100 foot buffer area. The proposed Lot 2, southwest property line corner has a small slice within the 100 foot buffer area, amounting to about 120 square feet of the 7500 square foot lot. The proposed house on Lot 2 sits on top of the existing auto court for the existing house and is complete outside of the 100 foot corridor buffer area. On the west side of these proposed lots and backyards there exist is an abundance of non-native olive trees and eucalyptus trees. The proposed project therefore involves a beneficial improvement from the existing conditions. Any reduction in the "number of units/intensity of project" will also reduce the project's ability to provide funding and other community benefits through the Development Agreement.

- Section 2.0 Alternatives; c. Reduced Scale Alternative #2 – Minimum 65 foot lot frontage.

  We request that this alternative utilizes a revised subdivision lot layout with 65 foot lot frontages, rather than dropping the 46 lots that currently don't conform to the R-1 zone frontage requirement.

- 3.0 Environmental Factors; 3.1 Aesthetics (Existing Setting)

  We request that the EIR evaluate all of the Visual Policies, standards and practices in Chapter 6 that are pertinent to the Shelby single family project; including;

  VH-1.1 Scenic Resources (the only Visual Policy discussed in the Scoping Document)
  VH-1.2 Scenic Resources Map
  VH-1.4 Protection of Mountain and Foothill Views
  VH-1.5 Protection of Open Space Views
  VH-1.6 Preservation of Natural Landform
  VH-1.7 Scenic Easements
  VH-1.8 Private Views
  VH-2.1 Designated Scenic Corridors
  VH-2.2 Preservation of Scenic Corridors
  VH-2.3 Development Projects Along Scenic Corridors
  VH-2.4 Public Improvements
  VH-3.1 Community Design Character;
  VH-3.2 Neighborhood Identity;
  VH-3.3 Site Design;
  VH-3.4 Building Design;
  VH-3.5 Pedestrian-Oriented Design;
  VH-3.6 Public Spaces;
  VH 3.7 Signage;
  VH-4.3 Single-Family Residential Areas;
  VH-4.9 Landscape Design;
  VH-4.10 Streetscape and Frontage Design; and
  VH-4.12 Lighting.

- 3.0 Environmental Factors; 3.1 Aesthetics (Existing Setting)

  We request that this environmental setting be revised, as previously discussed in Section 1.0. Project Location, the Scoping Document, Figure 1 shows an area that is approximately two (2) acres, not the 1/3rd (or nearly five acres) that is found in multiple places within the scoping document. Figure 1 also clearly shows only a few avocado trees appear to be growing, demonstrating the difficulty in attempting to grow avocados for any meaningful production results. Given the lack of production there is no longer an avocado orchard on this property, only a few struggling avocado trees.

  We also request as part of the Local Scenic Corridor analysis that the EIR include specific view analysis from the "Scenic Views to be Protected" contained in Figure 6-1 of the Visual and Historic Resources Element. Specific to Figure 6-1, the "View Orientation" symbols closest to the Shelby property to the east is Cathedral Oaks Rd and Alameda Ave; and to the west is Cathedral Oaks Rd. and Brandon Dr.

- 3.0 Environmental Factors; 3.1 Aesthetics (Project Impacts)

  We request that the discussion of project impacts be presented with objective language and standards, and in particular that CEQA "terms of art" not be used inappropriately. For example, the use of the terms such as "significant grade differential" does not need the "significant" modifier, in order to direct the reader to a grade differential. The terms "walled or canyon-like corridor" expresses an image of a dense city's downtown construction at the back of sidewalks, not a proposed project where the closest proposed homes are over 80 feet north of the west bound sidewalk, and over 135 feet south of the east bound sidewalk.

  The next term identified in this section "homes on this property could dramatically change the visual character" does not need the "dramatically" modifier, in order to direct the reader to a potential change. The term "substantial urban encroachment" again does not need the "substantial" modifier, in order to direct the reader to an urban encroachment. In fact, the proposed development would be the least dense neighborhood in this area of Cathedral Oaks Road. And the "night lighting would pose a potentially significant impact" is just the incorrect use of "would". "Could" or "may" is the appropriate language in this context.

It appears that many phrases and terms throughout this document serve to pre-determine the significance of resource impacts. Please leave the quantifying and qualifying of potential impacts to the EIR writer.

Additionally, we are not aware that the City of Goleta has adopted the County of Santa Barbara's Urban Limit Line, or adopted a Line independently. Please clarify the existence of the City's Urban Limit Line and, if found cite the documentation where found.

- 3.0 Environmental Factors; 3.1 Aesthetics (EIR Scope-of-Work #4)

  We request that the EIR preparer contact the Shelby applicants to receive and review our photo-documentation, visual simulations and drive-through models (our architects DMA, use "Revit" modeling software).

- 3.0 Environmental Factors; 3.1 Aesthetics (EIR Scope-of-Work #5)

  We request that the "post-project" visual simulation contained in the EIR evaluate and include the post-construction scenario, and the post-construction with mature landscape scenario.

- 3.0 Environmental Factors; 3.4 Biologic Resources (Existing Setting)

  We request that the EIR reflect a more realistic acreage and health status associated with the "remnant avocado orchard". As evidenced by the Scoping Document, Figure 1 shows an area that is approximately two (2) acres, not the 1/3rd (or nearly five acres) that is found in multiple places within the scoping document. With respect to avocado production on site, the Biological Report from the applicant's biologist, Watershed Environment, also speaks to the absence of avocado trees and production.

  Another biased term has been identified in this section "does extend well into the western portion of the property ", does not need the "well" modifier, in order to direct the reader that it extends into the western portion.

- 3.0 Environmental Factors; 3.4 Biological Resources (Project Impacts)

  The Scoping document discusses Policy CE 2.2 (Conservation Element), and the ability to have a reduced riparian buffer, that must be a minimum of 25 feet, many times throughout the document. However, the document adds (and subtracts) language to the Policy text that is not in the General Plan.

The operative portion of Policy CE 2.2 a.:

The SPA upland buffer shall be 100 feet outward on both sides of the creek, measured from the top of the bank or the outer limit of wetlands and/or riparian vegetation, whichever is greater. The City may consider increasing or decreasing the width of the SPA upland buffer on a case-by-case basis at the time of environmental review. The City may allow portions of a SPA upland buffer to be less than 100 feet wide, but not less than 25 feet wide, based on a site specific assessment if

(1) there is no feasible alternative siting for development that will avoid the SPA upland buffer; and

(2) the project's impacts will not have significant adverse effects on streamside vegetation or the biotic quality of the stream.

Nowhere in this Policy, and specifically in Criteria 1 does it say "..it can be conclusively demonstrated that there is no feasible alternative ..", however it is in the Scoping Document multiple times.

With respect to Criteria 2, this phrase which occurs multiple times, in the Scoping Document states "...would not result in any adverse impacts..." is just incorrect given the Policy text "significant adverse effects", and especially as it is used in the context of CEQA, and the Classes of impacts found in EIRs.

We request that accurate Policy language be used in the EIR and not these augmented phrases that only serve to confuse.

Continuing with the Project Impact Section, the document states "This creek and its associated riparian corridor exist in a predominately rural setting." We take exception to this characterization given that the property is surrounded by roads and homes on three sides and a golf course to the north all urban uses. Given the amount of non-native vegetation within the corridor and fencing around three side of the corridor doesn't support the statement that it is a "predominately rural" setting. Clearly, the EIR will need to evaluate and include information about the creek corridor and its biological resources, but the scoping document should avoid biased language. We also request that the EIR peer review and included the Biological Report from the applicant's biologist, Watershed Environment.

- 3.0 Environmental Factors; 3.9 Hydrology and Water Quality (Project Impacts)

  We request that the EIR peer review and include the Concept Hydrology and Hydraulic Report from the applicant's Civil Engineer (Civil Design & Drafting), and the Landscape Hydrology from the applicant's Landscape Architect (Katie O'Reilly Rogers). Together these reports include many opportunities to filter, detain, and meter out storm water in order to assist with appropriate water flows and water quality into the City's storm water system. Porous pavement sections and bioswale areas within the street systems; side opening catch basin filters; vegetated bioswales; detention basins above ground and underground; storm water curb extension; permeable paving in parking areas; rain barrels and cisterns; and biofiltration through vegetated swales and collection (open space) areas, represent some of these opportunities. We look forward to reading this analysis in the EIR.

We appreciate your time and effort associated with this Shelby Project process, and look forward to our requested information being included within the subject EIR. If you have any questions, or concerns, please do not hesitate to contact us at 962-4611.

Very Truly Yours,

Mark Lloyd
L & P Consultants
Agent for Shelby Family Partnership

CC: Shelby Family Partnership
C.E. Wullbrandt
L & P Files

g:\2001\01-023.01 westfield rr ranch\word\scope of eir august 8-12 shelby project ltr2.doc

This page intentionally left blank.

Shine Ling

From: Larry Scarpacci <bearmarket@cox.net>
Sent: Friday, August 17, 2012 3:13 PM
To: Shine Ling
Subject: RE: Shelby Trust/Subdivision and Kenwood Village Projects

Dear Shine: FYI: Larry Scarpacci, 7142 Tuolumne Dr. Goleta, CA 93117, 805-968-3400. Thank you for reading my email!!!

From: Shine Ling [mailto:sling@cityofgoleta.org]
Sent: Friday, August 17, 2012 11:47 AM
To: Larry Scarpacci; Pat Saley
Subject: RE: Shelby Trust/Subdivision and Kenwood Village Projects

Dear Larry: Thank you for your letter -- we'll enter it into the record and take into your account your comments as we start up the EIR drafting process, especially those for our review of traffic and circulation. Do you have a mailing address and phone number? We'll make sure you get future notifications of meetings on these 2 projects.

--Shine

Shine Ling
Associate Planner
City of Goleta
Planning and Environmental Review Department
sling@cityofgoleta.org
(805) 961-7548

From: Larry Scarpacci [mailto:bearmarket@cox.net]
Sent: Friday, August 17, 2012 11:36 AM
To: Pat Saley
Cc: Shine Ling
Subject: Shelby Trust/Subdivision and Kenwood Village Projects

Dear Patricia Saley and Shine Ling:

The reasons why I oppose both subdivisions/projects are listed below:

(1) Both projects presently **violate the general plan** (CE 11.2) and the general plan took years to develop, and it should be upheld as our "**local constitution**" that only should only be amended when conditions change that absolutely necessitate a positive change to our general plan.
(2) Both projects will negatively impact our neighborhood with additional air pollution, traffic congestion, and added stress on our local infrastruator and water supply, as well as our overall quality of life.

The **Kenwood Village Project** specifically will: (A) Increase the density of El Encanto Heights by 2.5 times its present residential density. (B) Presently, new traffic signals are need at Elwood Station Rd. and Calle Real; Alameda Avenue and Del Norte Drive; and Calaveras Avenue and Calle Real to handle the traffic issues that the

morning and afternoon commutes present around the high school. (C) As an employee of Dos Pueblos High School, I have no way to access either Alameda Avenue nor Del Norte Drive from 7:30 am to about 8:15 am during the school year. Presently, it takes me 8 to 12 minutes to drive 2.5 blocks to work each morning because there are no breaks in the flow of traffic to the high school. Each school morning, I have to drive north on Tuolumne Drive, to Placer Drive, turn right on Placer and right again on Padova Drive to arrive at the high school on time for work. I cannot imagine how **two new developments** with a total of 120 units, and about **240 new cars** using the same congested roads as I travel each morning, will negatively impact my commute to work as well as the other 100 employees that work at Dos Pueblos High School and the over 2,100 students?

Please, insure that the EIR's for both of these proposed developments cover the substantial negative impacts that I have stated above, and that these two overly ambitious projects be minimized in size so that they actually benefit our community rather than handicap the quality of our lives. Thank you for your time attention to our concerns!

Larry Scarpacci, J.D.
bearmarket@cox.net

From: Frank & Shirley wingnlunas@verizon.net
To: Pat Saley
CC: Shine Ling
Sent: Wed 8/22/2012 5:34 PM

Dear Patricia Saley and Shine Ling:

A lot of work was put into the General Plan to guide Goleta. Once we start chipping away at it it will be weakened and destroy the vision for our valley.

Neither the Shelby Trust Subdivision or Kenwood Village take into consideration lack of water, traffic expansion and lack of realistic parking.
At this point in time we need to focus on filling the empty homes in our neighborhoods which are turning our neighborhoods in slums.

For me the Kenwood Village is even more intrusive. Having owned this home for 46 years, I am dismayed that Mr. Alker with the flip of an ink pen can take so much away from me and my neighbors. We will lose our much loved ocean view. The second floor of the homes at the back will put their bedrooms directly in my backyard and across from my bedroom window. Destroying 46 years of paying for the privacy brought by to us by an open field.

Mr alker said the road coming out of the project into Tuolumne Dr. Will be closed to drive through traffic which is great but it will not stop all of the access cars Owen and brought in by their guests to be left on the over parked Tuolumne Dr. Their is already a lot of hostility in the neighborhood from the slum lord that rents out to 5-8 students with just as many cars in his two corner homes. In order to prevent this Calle Real would need to be widened to allow parking along the sides for Kenwood Village to have enough parking. I do not see that the realistic parking problem brought to neighborhoods by new housing has ever been realistically addressed.

The last problem that needs to be addressed is the traffic on Calle Real. Our neighborhood is already suffering because of the growth around us without considering changes needed to make Calle Real safe. The idea of at least 240 more cars on this two lane room is nothing to dismiss in your consideration.

And last but not least is the change from agriculture to residential. Looking at our economy, water and heat through the US we may need every inch of land for food produce we can find in this gently climate.

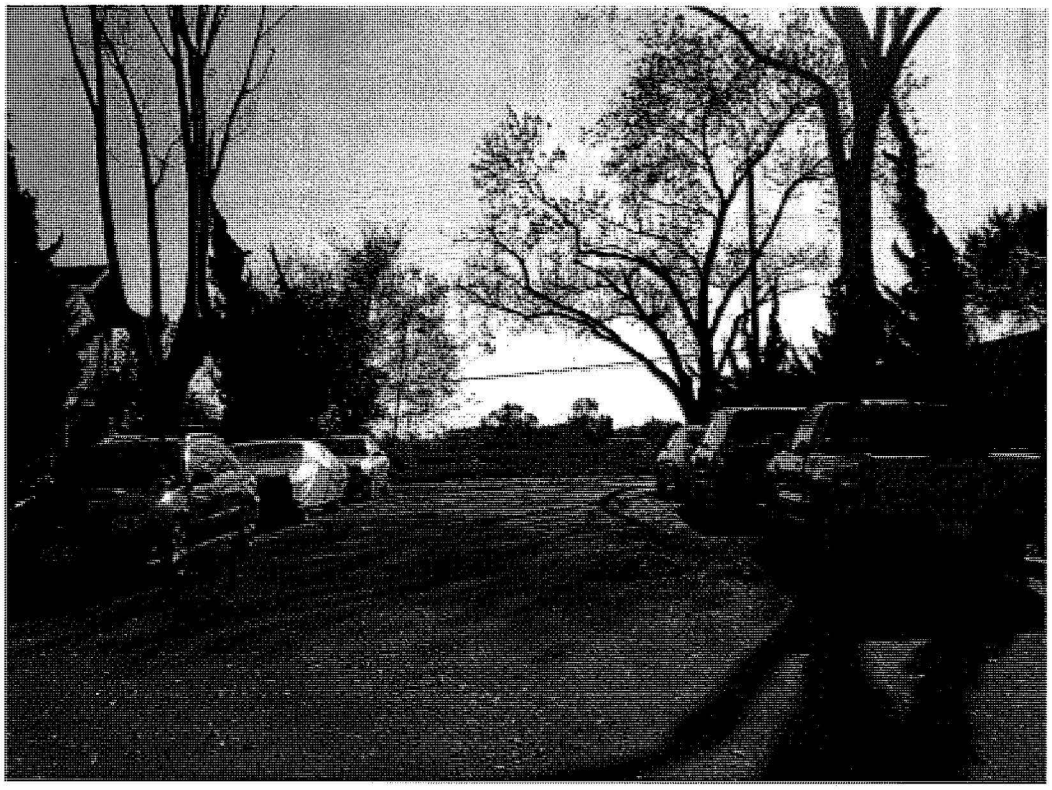
This is a popular hunting and sometimes nesting grounds for the White Tailed Kites. A beautiful unique bird that can hover above the ground when looking for prey. These like most raptors require a lot of open space for hunting to insure their survival.

To make a long letter short (sorry about that) This project would be a terrible invasion of our privacy with their 2 story buildings. The traffic problem cannot be avoided without widening Calle Real and adding stops and turning lanes. Parking would also be needed for the overflow of available spaces. Water is already at a low point in recent history. Agricultural land can not be

taken back once covered with blacktop.. This project would undermine the General Plan which was put into force to guide and protect our valley from out of control growth.

Please consider the impact of both of these projects and the erosion of our valley with so much development,.

Thank you for hearing me at the planning meeting and again here in writing.



This is a photo of a small part of the problem with the Cul-de-sac Between Tuolumne Dr. And the Kenwood project. I have photos from times of the day to show that it doesn't get any better.

August 22, 2012

Ms. Patricia Saley
Acting Planning and Environmental Services Director
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

RE: EIR (12-EIR-003) and EIR (12-EIR-004)

Ms. Saley:

We believe that the environmental impact of the proposed development is disastrous.

The owners are telling us that it is in our interest to trade their loss of economic gain on their agricultural property for a loss of environmental quality for all of us.

In the past this argument was rejected by the Santa Barbara County Board of Supervisors who denied farmers lot splits.

The commercial development south of 101 has radically increased the amount of traffic that use the 101 entrance and exit at Glen Annie.

There are no traffic lights on Calle Real between Glen Annie and Ellwood Station Road near the 7/11. That makes it all the more difficult to exit on a daily basis and means much car idling which adds to smog and an extreme risk in the area in case of emergency. Goleta has experienced fire and flooding and mud slides on 101. Evacuation is not easy and is a health risk.

The Goleta plan called for open space for environmental and aesthetic reasons.

The golf course north of Cathedral Oaks and east of Glen Annie was developed in land that was designated as open space. Changing land that is zoned agriculture to residential means losing another open space. This is a terrible precedent because of the environmental impact. Goleta is an arid plain. The number and type of units will be a strain on all the utilities, especially water. Noise pollution, air pollution, water pollution, and smog from traffic will increase.

Thank you for your time,

Maggie Friedlander David Friedlander

Maggie and David Friedlander
7281 Tuolumne Drive
Goleta, CA 93117

This page intentionally left blank.

Pat Saley

From: Harry S Rouse <k6pdq@verizon.net>
Sent: Wednesday, August 22, 2012 6:15 PM
To: Pat Saley; Shine Ling
Subject: Proposed General Plan Amendments

Dear Ms. Saley and Mr. Ling:

As a long-time Goleta resident and champion of our city's unique status, I must voice my objections to the latest attempts by developers to amend our established General Plan, which would then enable them to develop even more of Goleta's remaining open spaces for their own financial gain.

The anticipated Kenwood Village Residential Project and the Shelby Trust Subdivision Project strike me as just more of the same. Goleta has already become overdeveloped and overcrowded. To allow even more major development projects would only make matters worse for all who live and work here.

Consider the adverse environmental impacts which these two projects would create:

- Increased traffic congestion, already critical during rush-hour periods on Cathedral Oaks Road and Calle Real, and at all major intersections along those two thoroughfares (and, how long has it been since the City conducted and publicized official traffic counts on these busy roads?);
- Air and noise pollution, due to increased heavy construction equipment use and added vehicle traffic;
- Loss of irreplaceable agricultural lands, which could otherwise be protected from development under the proposed ballot initiative to be voted on in the November election;
- Possible reductions in public safety as the ratio of residents to police and fire headcount would increase;
- Large additional demands on already threatened water resources (no one can predict the extent and duration of the major drought now affecting the Central Valley and Sierra Nevada watersheds, not to mention our own); and,
- Increased demand on waste water and solid waste disposal services.

Let us not forget the reasons why we citizens worked so hard to create the City of Goleta:

- To determine and maintain local control over our own civic destiny;
- To have our own elected officials whose sworn mission is to preserve and protect our City; and,
- To thwart Santa Barbara County Planning and Development department's avowed objective: "To Create Full Build-Out of The Goleta Valley".

I will greatly appreciate your attention to the above thoughts. Remember, once we have lost the unique character and nature of our dear city, it will be lost forever.

Just consider the sad fates of the once-beautiful little Southland communities of Newport Beach, Huntington Beach, Seal Beach, Long Beach, Manhattan Beach, Redondo Beach, Playa del Rey, Marina del Rey and Santa Monica. What they had and treasured so many years ago can never be recovered!

Sincerely yours,

Harry S. Rouse
27 Calaveras Ave., Goleta
Tel. 685 1785



August 22, 2012

Shelby Trust and Kenwood Village LLC GPA
Case No. 05-154 GPA/08-205 GPA/12-EIR-003

Comments on the Scoping Document-NOP
Ingeborg Cox, MD, MPH

The Air Resources Board recommends not locating residences within 500 feet of a freeway. According to the Santa Barbara County Air Pollution Control District the 101 freeway in the City of Goleta meets the intended definition of a freeway.

Terry Dressler, former Air Pollution Control Officer states: "Our guidance is clear and consistent: Planning agencies should avoid locating new residences (of any type, whether for children or seniors) within 500 feet of the 101 Freeway." (see attached e-mail with a copy of his card)

The Children's Health Study, a 15 year University of Southern California study involving more than 11, 000 children from sixteen communities, found that children who live within 500 meters, or 1625 feet, of a freeway have substantial deficits in lung function and lung development (On the Air newsletter, APCD Summer 2007). Why is the health of sensitive receptors not been taken into consideration?

The southern portion of lot 077-130-006 needs to remain agriculture as locating residences within 500 feet of the 101 freeway would affect the health of the future sensitive receptors living in the residences. Farm worker housing should not be placed in an area that is not beneficial for their health.

Exposure to diesel particulate has been designated as the state's number one toxic air contaminant and represents 70% of the estimated cancer risk in the state.

Air quality impacts from incompatible land uses can contribute to increased risk of illness, missed work and school, a lower quality of life and higher costs for public health and pollution control. (Air Quality and Land Use Handbook, California EPA and California ARB).

The cumulative impact the impact to the LOS for the 101 SB freeway is cited on page 19 as LOS E in the a.m. but the NB ramp is listed as LOS "C". I question the results for the p.m. peak hour level of service for the NB because when school is in session cars line up to the extent that one freeway lane comes to a standstill. The public needs to know the specific date of when the traffic count done. Traffic counts when school is not in session would not give an accurate picture. I also question the LOS "C" for the NB ramp.

Is Calle Real going to be widened before this project gets built? If the answer is in the negative, the residents already residing here will be impacted by standstill traffic when residents of Kenwood Village are trying to make a left turn to the site.
Where is the overflow parking going to go? Calle Real in this area is too narrow to have cars parked on either side.

Fire protection is also another issue this area. Until a new fire station is constructed any consideration for further land conversions or any developments need to be put on hold.

more

Under Cultural Resources the Scoping Document states that Shelby Trust property contains CA-SBA-1735 and the Kenwood Village LLC property contains CA-SBA-1093.

Has the Native American Heritage Commission (NAHC) reviewed this NOP and have they been asked for a Sacred Lands File Check for each of these sites?

Has the appropriate Regional Archaeological Information Center been contacted for a record search? Page 12 states "The types of artifacts anticipated, if found onsite, would be capable of indicating when even limited prehistoric use of the area occurred."

How deep did the Phase 1 Archaeological Survey go? If it went less than 13 feet, then at least spot sampling of the area should be done to that dept.
Why is the public not informed of who are the Native American contacts for the site?

The Shelby Trust has 11.3 acres of "Prime Farmland", which I understand is the land with the best soils and climate for growing crops.

The Kenwood Village property has 5.3 acres of "Unique Farmland". I understand that category is used for growing rare and specialty crops.

Conversion of agricultural Land with the denomination "Prime Farmland" and "Unique Farmland" should not be permitted. Once agricultural land is paved over you cannot get it back it is lost forever. Just the fact that the land is not being cultivated does not mean it can no longer be used for agriculture.

AFT (American Farmland Trust) has found that, unlike residential development, farmland produces a net surplus in tax revenues for local governments because service costs are lower.

The segment of El Encanto Creek bordering the site is mapped as an Environmentally Sensitive Habitat Area (ESHA) and consequently shall maintain the100 foot Streamside Protection Area (SPA). There is the potential of introducing petroleum products and landscape chemicals into the storm water flow that then will be discharged into el Encanto Creek and will end up in the receiving waters of the Deveraux Slough affecting it and its wildlife.

In the Kenwood Village General Plan if only six units will be "affordable" to moderate and upper moderate income households, does this mean that the rest of the units are being built for low to very low income households? What is the affordability of the 13 single family residences? A price range needs to be placed in the document, since "affordability" can be interpreted in many ways.

Table 12 on parking needs correction. You have 60 units, parking rate for visitor is one space per 5 units. The required parking for visitors should be 12 and not 6. Consequently the spaces required would be 146 and NO excess in parking is being provided.

What are the impacts if there is a massive earthquake and Goleta is locked in because the 101 freeway, the main connector, is out of commission. Local agriculture needs to

more

stay in Goleta or we otherwise should change our logo, as we are no longer going to be THE GOOD LAND if the few pieces of agricultural land left get cemented over.

It appears that whenever a developer cannot meet a criterion they proceed to change the General Plan, and the city appears to be complying with it. The General Plan should not be changed at the pleasure of the developer. In my opinion, it is a document that the citizens of Goleta helped to create while participating in work shops, so changes should be something that is done only as a last resort.

more

Scoping Hearing
MINUTES

WEDNESDAY, August 8, 2012, 6:00 P.M.

GOLETA CITY HALL
130 CREMONA DRIVE, SUITE B, GOLETA, CALIFORNIA

Environmental Hearing Officer
Patricia Saley, Acting Director
Planning and Environmental Services

A. CALL MEETING TO ORDER

The meeting was called to order at 6:07 p.m. by Patricia Saley, Acting Director of Planning and Environmental Services, serving as the Environmental Hearing Officer.

Staff present: Pat Saley, Acting Director of Planning and Environmental Services; Shine Ling, Associate Planner; and Linda Gregory, Recording Clerk.

B. PUBLIC HEARING

Pat Saley, Acting Director of Planning and Environmental Services, announced that the purpose of this Scoping Hearing is to receive comments on three Notices of Preparation as described below. Please send comments c/o Patricia Saley, Acting Planning and Environmental Services Director at the City Hall address above or by email to psaley@cityofgoleta.org.

Change Order of Agenda:

Pat Saley, Environmental Hearing Officer, moved the order of the public hearings as follows: Item B.3, Item B.2, and Item B.1.

B-1. Proposed Kenwood Village Project - Case 08-205-GPA, RZN, VTM, DP and DA; 12-EIR-004; APN 077-130-006, -019 and 077-141-049 - The proposed project includes a total of 60 units on a 10-acre undeveloped site on the 7300 block of Calle Real. The project includes 13 single-family residences, 20 duplexes and 27 triplexes, six units that will be affordable to moderate and upper moderate income households (3 units each). The applications include a Rezone, Vesting Tract Map, Development Plan and Development Agreement. Comments on this Notice of Preparation (NOP) are due by 5:00 pm, Thursday, September 6, 2012.

The public hearing was opened at 7:20 p.m.

Staff presentation:
Shine Ling, Associate Planner

Speakers:

Lisa Plowman, with Peikert Group, representing Ken Alker, commented: a) A letter with more detailed comments will be submitted. b) The scope needs to acknowledge that the zone district being considered is Planned Residential Development with a maximum of 60 units, which is 6 units per acre. c) It will be important to acknowledge the benefit to the biological resources provided by the proposed restoration plan. d) The Willow Flycatcher species should not be included in the scope because of a very low probability that it exists in southern Santa Barbara County. e) A wetland delineation will not provide any additional information about the extent of the El Encanto Creek resource, and it is beyond what is required by CEQA. f) Recommended that the agricultural viability analysis that was conducted for the 3.8 acres be provided to the EIR consultant for General Plan Amendment EIR. g) The analysis under Alternative B should consider that the agricultural land to the south would be developed with some uses other than agriculture, for example, a single-family house, a barn, and a guest house.

Karen Lovelace, Goleta, commented: a) Air quality, geology, land use, planning, population, and impacts on public services should be included in the analysis. b) When Dos Pueblos High School is in session, there are huge traffic impacts on the neighborhood, as well as traffic impacts from people going to work. c) She expressed concern regarding overdevelopment in her neighborhood. d) There are other projects that have been approved, or in the process, that have not yet been built.

Earl Lovelace, Goleta, commented: a) The project is too dense for this site, citing the traffic concerns. b) Consider how the project will affect the view corridor since Highway 101 is a view corridor. c) He noted that historically pumpkins and tomatoes were raised on the property.

Rick Foster, Goleta, commented: a) The project is located within the El Encanto Heights residential area, and on property already zoned for residential that could accommodate a smaller development. b) When looking at density, consider that the private streets are counted as part of the common open space. c) Consider the quality of the environment for the people who will be living near the freeway. d) The project is too dense. e) Traffic will need to be mitigated.

April Reid, Goleta, commented: a) Pumpkins and tomatoes were grown in the area. b) Expressed concern regarding the density and environmental impact of the project because the vast majority of the houses on Baker Lane, Violet, and Daffodil are single-family, single-story houses. c) Consider privacy and shading issues with regard to adjacent homes. d) Consider aesthetic and view issues. e) A detailed letter will be submitted.

Larry Scarpacci, Goleta, commented: a) Regarding aesthetics, he expressed concern that the project will block his view of the Santa Ynez Mountains and change the character of his neighborhood. b) Traffic is a major concern, noting that the project will directly affect the commute for employees and students, especially in the morning. He suggested interviewing some school employees as part of the EIR process. c)

Presently, he believes a stop light is needed at the intersections of Ellwood Station/Calle Real; Calaveras/Calle Real; Del Norte/ Alameda.

Ken Alker, owner, Kenwood Village Project, commented: a) His goal as a business owner in Goleta is to develop the property to provide the type of housing that is affordable for the local workforce. b) The plan includes the dedication of a walking path that would allow access to Ellwood Station Road, Dos Pueblos High School, and to the commercial center.

Rick Erickmann, representing Santa Barbara Urban Creeks Council, commented: a) El Encanto Creek is an important biological asset. b) Requested that the open space alongside El Encanto Creek be designated open space and all development be setback a minimum of 100 feet from the top of bank.

Shirley Luna, Goleta, commented: a) She expressed concern that the project will block her view of the ocean (along Tuolumne Drive). b) Two-story homes will be a problem if Calle Real is supposed to be a scenic route. c) The additional homes will result in more traffic daily. d) Consider the White-tailed Kite species. e) Traffic and parking are concerns that need to be considered.

Karen Kuyper, Goleta, commented: a) The portion of the area zoned Agriculture should remain Agriculture, and be used possibly for some kind of tree farming. b) Consider only developing the commercial portion for lower density housing, without adverse impact to the neighbors.

The public hearing was closed at 8:15 p.m.

B-2. Proposed Shelby Trust Project - Case 05-154-GPA, OA, RZN, VTM, DP; 12-EIR-005; APN 077-530-019 - The proposed project includes 60 market-rate single-family lots on a 14.38-acre lot located at 7500 Cathedral Oaks Road adjacent to Glen Annie Golf Course. The applications include a Rezone, Ordinance Amendment, Vesting Tract Map, Development Plan and Development Agreement. Comments on this NOP are due by 5:00 pm, Thursday, September 6, 2012.

The public hearing was opened at 7:00 p.m.

Staff presentation:
Shine Ling, Associate Planner

Speakers:

Karen Lovelace, Goleta, commented: a) She observed that a large amount of dirt was moved onto the upper portion of the Shelby Ranch property, raising the grade considerably, which she believes should be looked at. b) Air Quality, geology, land use, planning, population, public services, and all impacts created by development should be considered. c) The property is viable agricultural property if people have the desire to grow something on it, and it should stay agricultural property.

Earl Lovelace, Goleta, commented: a) The Shelby Ranch Project appears to be too dense. b) Currently, the Highway 101 northbound lanes back up at the Glen Annie exit. c) Also, the traffic flow at the intersection of Highway 101 and Glen Annie is very

congested. d) When school is in session, Cathedral Oaks is very congested when he is trying to access the Glen Annie intersection.

Richard Foster, Goleta, commented: a) It may be best to leave the property status quo. b) The project is not surrounded by residential at this time and it does not seem to be appropriate. c) Traffic impacts should consider people driving to services that are not provided nearby. d) It appears developers may be blaming developers for unviable agricultural land.

Mark Lloyd, applicant for the Shelby Trust Project, commented: a) The applicant is willing and able to provide any information necessary for the environmental review. b) The access for the Shelby Trust Project is designed to meet public residential street standards. c) Information is available with regard to the dirt fill which came from the Cathedral Oaks Segment Three Extension project. d) The density coincides with the standards of the least dense single-family residential zoning within the City. e) A letter was presented with detailed comments.

Chip Wullbrandt, representing the Shelby Trust Project, commented: a) The Development Agreement should also be looked in the project specific analysis. b) He noted that while the buildings and structures do not quality as historically significant, the applicant proposes to move them to a permanently protected agricultural property.

The public hearing was closed at 7:19 p.m. (Next Item: Item B.1).

B-3. General Plan Amendment for Kenwood Village and Shelby Trust Projects (12-EIR-003) – The two applicants (Kenwood Village and Shelby Trust) propose the following General Plan Amendment:

1. Kenwood Village - Amend the Land Use Plan Map (Figure 2-1) of the Land Use Element to change the property's designation from Agriculture to Planned Residential Development;
2. Shelby Trust - Amend the Land Use Plan Map (Figure 2-1) of the Land Use Element to change the Shelby property's designation from Agriculture to Single-Family Residential;
3. Amend the text of Conservation Element Subpolicy CE 11.2 relating to Conversion of Agricultural Lands; and
4. Amend the Open Space Map of the Open Space Element (Figure 3-5) to remove the property from the map.

Comments on this NOP are due by 5:00 pm, Thursday, August 23, 2012.

The public hearing was opened at 6:15 p.m.

Staff presentation:
Shine Ling, Associate Planner

Speakers:

Earl Lovelace, Goleta resident, urged that the General Plan not be changed or amended, and that a future Goleta live up to the expectations of the people who live here.

Karen Lovelace, Goleta, urged that the General Plan not be amended to convert to non-agricultural uses and that a careful look be given to the timing of projects. She commented: a) Wait and see what the impacts are with the projects that are already approved or in the "pipeline". b) Currently there are traffic problems at the Storke/Hollister intersection and also in the El Encanto Heights area, particularly when school is in session.

Barbara Massey, Goleta, commented: a) All three projects need to be reviewed with regard to air quality, noise (particularly Kenwood Village being located next to Highway 101), and hazards. b) Check to see if the Kenwood Village site is located within the hazards, per the updated Airport Land Use Plan. c) On the Notice of Preparations, Item 3A, Kenwood Village, needs to mention the proposed rezone. d) Written comments will be submitted.

Richard Foster, Goleta, urged that no changes be made to the General Plan. a) He proposed that the first environmental impact is considering the change and the impact associated with the EIR process. b) Consider increased impacts when there is more traffic traveling further for services because there is not enough money to build infrastructure to adequately support development. d) Wait for more response from the community.

Lisa Plowman, with the Peikert Group, representing Kenwood Village/applicant, commented: a) It would be valuable to prepare a cursory analysis to determine whether or not any of the other properties zoned Agriculture could potentially be converted under the proposed amendment. b) Requested that staff provide clarification in the document with regard to the upper portion of the property shown on the Open Space map per her discussion with staff. c) From her review of the updated Airport Land Use Plan, the Kenwood Village site is not near the hazards.

Mark Lloyd, representing the applicant for the Shelby Trust Property, requested that the applicant's written comments and attachments with regard to relative agricultural-related issues, submitted in a letter dated August 6, 2012, be reviewed and considered as part of the EIR. He commented: a) The applicant is participating in the process that includes full participation by the public. b) He offered that Conservation Element CE ll.2 in the General Plan is flawed and needs to be corrected. c) He noted that there is a long history of residential zoning on the Shelby Ranch property, i.e., the Goleta Community Plan dated 1992 noted that when the Segment 3 Cathedral Oaks went though, portions of the property would be rezoned; and also noted that when there was an update of the plan, the northerly portion of the property should also be considered to be zoned residential. e) Over the past 15 years EIRs have been prepared for a number of projects in the area that have identified Class I impacts to this property, and he believes any objective analysis would see that the Class I impacts brought the property to a non-viable stage.

Chip Wullbrandt, representing the Shelby family, commented: a) When the current property owner bought the Shelby property it was zoned Residential. b) A residential subdivision was approved for the property in the past. c) The application for this project was submitted in 2005. d) There is a proposed Development Agreement along with the project that needs to be analyzed in the EIR. e) The Development Agreement will provide benefits that he believes will provide greater beneficial impact than the proposed changes to the General Plan. The benefits include donating structures and assisting with installation to provide farm worker housing that will help Fairview Gardens continue as an active viable agricultural use. A contribution of $1.5 million will made to the City for the

acquisition of property for open space, recreation or other public benefit. Also, significant on-site open space will be provided as well as a Class I riding and hiking trail along the Cathedral Oaks.

Karen Kuyper, Goleta resident in the area near the Shelby Ranch, expressed concern that there would be traffic, congestion and noise if the Shelby Ranch Project is developed.

Ken Alker, owner of the Kenwood Village Project, commented that the applicant is footing the bill for processing the project.

The public hearing was closed at 7:00 p.m. (Next item: Item B.2).

C. ADJOURNMENT: 8:15 P.M.